

# Public Document Pack

(County Council - 24 May 2017)

## COUNTY COUNCIL

Minutes of a Meeting of the County Council held in the Council Chamber - Shire Hall, Taunton, on Wednesday 24 May 2017 at 11.00 am

**Present:** Cllr C Aparicio Paul, Cllr M Best, Cllr N Bloomfield, Cllr A Bown, Cllr A Broom, Cllr P Burridge-Clayton (Vice-Chairman), Cllr M Caswell, Cllr M Chilcott, Cllr J Clarke, Cllr S Coles, Cllr A Dance, Cllr H Davies, Cllr M Dimery, Cllr B Filmer, Cllr D Fothergill, Cllr G Frascini, Cllr A Govier, Cllr A Groskop, Cllr D Hall, Cllr P Ham, Cllr M Healey, Cllr James Hunt, Cllr John Hunt, Cllr D Huxtable, Cllr M Keating, Cllr A Kendall, Cllr C Lawrence, Cllr M Lewis, Cllr L Leyshon, Cllr J Lock, Cllr T Lock, Cllr D Loveridge, Cllr T Munt, Cllr F Nicholson, Cllr L Oliver, Cllr J Parham, Cllr H Prior-Sankey, Cllr M Pullin, Cllr F Purbrick, Cllr L Redman, Cllr B Revans, Cllr M Rigby, Cllr D Ruddle, Cllr N Taylor, Cllr J Thorne, Cllr G Verdon, Cllr L Vijeh, Cllr W Wallace (Chairman), Cllr A Wedderkopp, Cllr J Williams, Cllr R Williams and Cllr J Woodman

**Apologies for absence:** Cllr N Hewitt-Cooper and Cllr T Napper

### 1 **Election of Chairman** - Agenda Item 1

(1) Cllr Christine Lawrence welcomed all Members to the meeting, thanked the Vice-Chairman, the Monitoring Officer and the County Solicitor, and thanked the Council for the honour of being Chairman. Cllr Lawrence further informed the Council that Cllr Terry Napper was making good progress following a recent operation, and made reference to the recent events in Manchester.

(2) Cllr Lawrence invited nominations for the election of the Chairman of the County Council, and on the nomination of Cllr David Fothergill, seconded by Cllr Leigh Redman, Cllr William Wallace was elected as Chairman of the County Council for the ensuing year. Cllr Wallace accepted the Chain of Office, made the statutory declaration of office, took the Chair and thanked Members of the Council for electing him.

(3) Cllr Wallace paid tribute to the former Chairman of the Council, Cllr Lawrence, and presented her with a gift to commemorate her time in office from 2015 to 2017.

### 2 **Appointment of Vice-Chairman** - Agenda Item 2

(1) On the motion of Cllr David Fothergill, seconded by Cllr Jane Lock, Cllr Peter Burridge-Clayton was appointed Vice-Chairman of the Council for the ensuing year. Cllr Burridge-Clayton made the statutory declaration of office and took the Chair.

(2) Cllr William Wallace welcomed new Members to the Council, requested that there be no repetition at meetings, clarified when applause at meetings was appropriate, and asked Members not to use mobile phones during public meetings.

(3) With the Chairman's permission Cllr Dave Loveridge informed the Council of Cllr Terry Napper's current condition; Cllr Loveridge further noted that he would offer Cllr Napper the Council's best wishes.

**3 Apologies for Absence - Agenda Item 3**

Apologies for absence were received from:  
Cllr Nigel Hewitt-Cooper  
Cllr Terry Napper

Cllr David Fothergill further informed the Council that Cllr Nigel Hewitt-Cooper had been awarded a gold medal at the RHS Chelsea Flower Show.

**4 Declarations of Interest - Agenda Item 4**

Members' written notifications of interests were affixed to the Notice Board at the back of the Council Chamber for the duration of the meeting.

**5 Minutes from the meeting held on 26 April 2017 - Agenda Item 5**

The Minutes, including attached Appendices, of the meeting of Council held on 26 April 2017 were signed as a correct record.

**6 Public Question Time - Agenda Item 6**

(1) Public Questions / Statements / Petitions (under 5000 signatures): Notice was received of questions / statements / petitions regarding:  
Public Questions / Statements:

**1. County Council Meeting Venues**

From Andrew Lee

*Response from Cllr David Hall – Interim Leader of the Council*

**2. A303 Improvements**

From Andrew Lee

*Response from Cllr David Hall – Interim Leader of the Council*

**3. Highways England A358 and M5 Junction Proposal**

From David Orr

*Response from Cllr David Hall – Interim Leader of the Council*

**4. A303 / A358 Road Proposal**

From Patricia Power

*Response from Cllr David Hall – Interim Leader of the Council*

**5. A303 / A358 Road Proposal**

From Nigel Power

*Response from Cllr David Hall – Interim Leader of the Council*

**6. Highways England proposals for the A358 Southfields to Taunton**

From Mike Farrell – Stoke St Mary Parish Council

*Response from Cllr David Hall – Interim Leader of the Council*

**7. A358 Dualling (Southfields to M5)**

From Rob Hossell

*Response from Cllr David Hall – Interim Leader of the Council*

**8. A358**

From Michael Baddeley

*Response from Cllr David Hall – Interim Leader of the Council*

**9. The proposed A358 dualling scheme**

From Dr Gary Cox

*Response from Cllr David Hall – Interim Leader of the Council*

**10. University for Somerset**

From Alan Dimmick

*Response from Cllr David Hall – Interim Leader of the Council*

**11. Council Finances**

From Cllr Alan Dimmick

*Response from Cllr David Hall – Interim Leader of the Council*

**12. The Future of the Recently Transferred Learning Disability Provider Service (LDPS) to Dimensions UK Limited (Discovery)**

From Nigel Behan – Unite

*Response from Cllr David Hall – Interim Leader of the Council*

**13. County Farms**

From Sue Osbourne

*Response from Cllr David Hall – Interim Leader of the Council*

**14. Carbon Emissions and Environmental Sustainability / Social Care Funding / County Councillors**

From Alan Debenham

*Response from Cllr David Hall – Interim Leader of the Council*

**15. Special School Funding**

From Rebecca Bartley

*Response from Cllr David Hall – Interim Leader of the Council*

Member Questions:

**1. County Hall Restaurant**

From Liz Leyshon

*Response from Cllr David Hall – Interim Leader of the Council*

Full details of the questions and responses given at the meeting and / or in writing following the meeting are set out in Appendix A and B to these Minutes.

**7 Report of the Monitoring Officer - Agenda Item 7**

(1) The Council considered a report (Paper 7) from the Monitoring Officer which set out the decisions on appointments and procedural matters as required by the Constitution to be made by the County Council.

(2) The Monitoring Officer introduced the report and highlighted: the supplementary paper Appendix A included additional recommendations; Appendix A, Annex A which detailed the allocation of Committee places; it was proposed that political proportionality be waived for appointments to the Constitution and Standards Committee, but this required no votes to be registered against the proposal ; it was further proposed Cllr Hugh Davies be appointed to the Somerset Buildings and Preservation Trust; and that the proposed amendments to the Contract Standing Orders ensured legal compliance and best practice.

(3)The recommendations in the report were proposed by Cllr David Hall and seconded by Cllr Jane Lock.

(4)The Council **RESOLVED** unanimously to adopt the following recommendations, to:

- (1) Support the Administration’s proposal to appoint Councillor David Fothergill as the Leader of the Council for 2017-21.
- (2) Approve the County Council Appointments Schedule to the report - (Annex A to Appendix A), to include, as necessary, summary revised terms of reference, and operational arrangements including delegations for the Council and its committees.
- (3) Approve the Full Council meeting dates set out in Appendix A, section 3.5.
- (4) Approve the proposal for the establishment of a Constitution and Standards Committee with the terms of reference and operational arrangements proposed in this report – see Annex B to Appendix A.
- (5) Approve the revised ‘hearing panel’ arrangements for the hearing of complaints against members and co-opted members – see Appendix A section 3.3.

- (6) Agree that aside from the changes to the committee structure outlined above that the Council's existing committee structure and operational arrangements should continue unchanged including the Scheme of Delegation contained in the Constitution – see Appendix A section 3.4.
- (7) Approve the revised Contract Standing Orders set out as Appendix B to item 7 as recommended by the Constitution Committee from its April meeting.
- (8) Approve the appointments to internal groups, partnerships and outside bodies as set out in Annex A to Appendix A as amended by the inclusion of the appointment of Cllr Hugh Davies to the Somerset Buildings and Preservation Trust.
- (9) Delegate to the Monitoring Officer authority:
  - (i) In consultation with the Group Leaders, to make in-year amendments to committee and other appointments which are the responsibility of the Council including those to be detailed in Appendix A – this delegation to last until May 2021. Where changes to committee appointments are required then appointments will be made in accordance with the wishes of the group leader. Other appointments will only be referred to Full Council for confirmation in the event that group leaders are not in agreement with the proposed appointment;
  - (ii) In consultation with the Group Leaders and committee chairmen, to agree the detailed calendar of meetings of committees / sub-committees of the Council for 2017/18;
- (10) To approve the payment of Special Responsibility Allowances (SRA) for any new equivalent SRA qualifying posts created in 1 above that fit within the existing SRA bandings scheme, pending the Council considering recommendations of the Joint Independent Remuneration Panel in relation to the review of the Members' Allowances Scheme in July 2017.
- (11) Note that any further amendments to the Constitution required as a result of the approval of the above recommendations will be brought to the Council for approval in July following consideration by the Constitution and Standards Committee.

## **8 Annual Report of the Corporate Parenting Board - Agenda Item 8**

(1) The Council considered a report (Paper 8) from the Chairman of the Corporate Parenting Board, Jill Shortland.

(2) Cllr David Fothergill introduced the report, highlighting Jill Shortland's future role as the Independent Chair of the Corporate Parenting Board.

(3) Jill Shortland thanked the Leader and the Council for proposing her appointment as the Independent Chair, noting: the dedication of the previous Chair; successes over the past year; the importance of Member training; Corporate Parent champions; and the roles of the Somerset In Care Council

and the Somerset Leaving Care Council. Jill Shortland further highlighted the recommendations in the report, emphasising that young people leaving care need housing and employment.

(4) Cllr Frances Nicholson – Cabinet Member for Children and Families welcomed Jill Shortland as the Independent Chair.

(5) The recommendations in the report were proposed by Cllr Frances Nicholson and seconded by Cllr Leigh Redman.

(6) The Council **RESOLVED** unanimously to adopt the following recommendations, to:

- Recommend Corporate Parenting Board training to be mandatory for all Councillors.
- Recommend that signed up councillors who do not attend Corporate Parenting Board meetings for three consecutive months are reported to Group Leads.
- Recommend Cabinet appoint District Councillor representation on the Corporate Parenting Board to provide support on housing and leisure issues.

The Council further resolved to appoint Cllr Jill Shortland as the independent Chair of the Corporate Parenting Board.

## 9 **Chairman's Announcements** - Agenda Item 9

(1) The Chairman noted: the importance of cross-party working; and the continuation of the Chairman's charities fundraising with a renewed focus on charities supporting Learning Disabilities and dementia.

## 10 **Leader's Announcements** - Agenda Item 10

(1) The Leader thanked Members for the trust placed in him, and noted that He would work hard and champion the authority.

(2) The Leader noted the recent terrorist attack in Manchester, paying Respects to those who had lost their lives, and adding his own condemnation of those who seek to gain through violence. The Leader further offered the Council's support to the people of Manchester.

(3) The Leader: offered his congratulations to Cllr William Wallace, the 30<sup>th</sup> Chairman of the County Council; welcomed Cllr Peter Burrige-Clayton as the Vice-Chairman; thanked Cllr Christine Lawrence; noted the money raised for the Chairman's Charities; thanked previous Members who were not re-elected, including Richard Brown, Christopher Le Hardy, Sam Crabb and John Osman; welcomed the new Green Party Members; highlighted the progress made by Children's Services; welcomed Cllr David Huxtable, Cllr John Woodman and Cllr Christine Lawrence to the Cabinet; highlighted the four Junior Cabinet Member appointments and noted that these roles would help to enable development, growth and succession planning; informed the Council of his previous employment background and noted that he had previously been both

the Chairman of the Council and a Cabinet Member; and noted the importance of cross party cooperation.

(4) The Leader highlighted: the Conservative Party Manifesto; noting that: he would deliver a clear plan for Somerset; the wish to keep Council Tax low; empowering local communities; building new schools and community hubs; flood defences; superfast broadband; recycling; and the importance of listening to Somerset's residents.

(5) In summary the Leader called on all Members to represent the Council, their respective divisions, communities, and residents.

## **CHAIRMAN**

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## APPENDIX A

Meeting of Somerset County Council held in the Council Chamber, Shire Hall, Taunton on  
Wednesday 24 May 2017 at 11.00am

### **Agenda Item 4 - Public Question Time**

Details of the questions / statements and petitions referred to in Minute 6 and responses given at the meeting are given below.

#### **Public Questions / Statements / Public Petitions (under 5000 signatures)**

##### **1. County Council Meeting Venues**

From Andrew Lee

At a council meeting in this chamber in November 2015, we were told that despite serving a population of over half a million, a maximum of 25 members of the public could be accommodated at full meetings of this council.

I asked, through the press office, why did Somerset County Council felt that providing 25 places for members of the public to attend their meetings was sufficient? Especially bearing in mind that several district councils (indeed many parish councils too) make provision for far greater access for members of the public, or perhaps we should call them taxpayers.

The official response from SCC reads “There are various options which could be considered. It could be that we would find a larger venue, or we could set up a video link to another meeting room as has happened in the past.... One example would be SCAT [Somerset College of Arts and Technology] where we regularly hold Scrutiny/Cabinet meetings when we know a large turnout is expected.”

The last meeting of SCC in February saw between 30 and 40 members of the public turned away. Access to the meeting was controlled by cloakroom ticket for public and press alike. Whilst SCC staff handled matters with great courtesy and as much flexibility as they could under the circumstances, would you agree that this is completely unsatisfactory. The plain fact is that this meeting room is not fit for purpose.

Unless it is the intention of this council to avoid scrutiny and accountability by members of the public and press, a better solution needs to be found and I welcome suggestions on how to end this unsatisfactory state of affairs.

I would like a written answer too please.

*Response from Cllr David Hall – Interim Leader of the Council*

*I thank Andrew for his question – and first would congratulate him for his continued interest in this council, including taking the time and trouble to actively stand for his home division. We all here know what a commitment that takes and I look forward to reading about his experience in his newspaper.*

*Your question is a very fair challenge. As is the case up and down the country, historic places of debate are not always appropriate for mass engagement or visibility to the public. Just look at the House of Commons which has extremely limited opportunities for public involvement.*

*So your challenge is right and I know that whoever is elected to be the new Leader of this Council will take your points seriously. We have over the years debated the merits of better use of technology, improving this building and looking at the use of other buildings and I can confirm that officers have already commissioned research into all of these areas of activity.*

## **2. A303 Improvements**

From Andrew Lee

In connection with the work to upgrade and improve the A303 in Somerset: When does Somerset County Council expect to start work on the upgrading of the A303 to a dual carriageway road in Somerset?

Will Somerset County Council be responsible for deciding the exact route of the upgraded road in Somerset?

Will Somerset County Council be writing contracts to get the work done, and if so to what value does it expect those contracts to be?

Will Somerset County Council be responsible if the work is delayed or delivered late? In other words would blame (or praise if the contract were to be completed early) attach to the County Council or to some other body. If so which other body?

I would like a written answer too please.

## **3. Highways England A358 and M5 Junction Proposal**

From David Orr

Welcome to this new Council as our elected Councillors, here to serve all of the people in this historic County of Somerset.

Highways England Ltd have, in my opinion, mismanaged a key consultation for the A358 expressway and a new M5 junction, by running it during a known period of County Council purdah.

Today is the first opportunity for affected communities to seek your support.

Highways England Ltd is an unelected and unaccountable quango that has to date, and in my view, conducted a deeply flawed public consultation.

Consulting on one option only is not a genuine consultation.

Taunton Deane Council have reached a conclusion that the consultation should be re-run with all four options open for comment and with sufficient information for an informed response.

Our County Council owns and manages the A358 and as a democratic and accountable public body, we can stand before you today and make our representations.

Please don't give up our local control of the A358 and place our future in the hands of this remote quango and their autocratic Development Consent Orders.

Communities cannot meaningfully respond to Highway England Ltd until they know the views of their Councils as Highways Authority and Local Planning Authority.

Will Highways England Ltd close the consultation before this Council has a public position alongside Taunton Deane?

Should the criteria for an acceptable scheme be one that:

- bypasses Henlade and takes out the bulk of the through traffic;
- is joined up with the locally managed £20m A358 scheme at Junction 25 and Nexus Park;
- does NOT place a new M5 junction within the built conurbation where local roads cannot bear future M5 access traffic.
- creates real economic benefit for Taunton whilst minimising dis-benefits to our countryside and communities;
- minimises heavy traffic from the SE diverted past Taunton to get to Devon and Cornwall;
- is joined up with the Devon County Council A30 improvements scheme.

Taunton's role in this controversial scheme is more bypass town than garden town.

Written response please Chair.

#### **4. A303 / A358 Road Proposal**

From Patricia Power

This proposal will bring 12 lanes of traffic to Killams Avenue.

Yes 12.

6 existing M5 lanes, 4 new expressway lanes, 2 slip roads plus roundabouts all converging in one spot within a Designated Urban Boundary.

It will bring huge environmental impacts, noise, light and significant air pollution next to the Vivary Green Wedge in a town seeking Garden Status.

This will deeply affect existing homes in the Killams area causing much distress to residents.

Where are the detailed plans?

Will the expressway and infrastructure be in a cutting like the M5?

What will the junction physically look like?

How visibly intrusive will it be?

How much lighting will there be?

How does this expressway benefit Taunton?

Why is the junction placed in a position where there can be no access into Taunton because the local roads are already at capacity?

Why build a road that will disfigure ancient woodland and beautiful countryside which will be visible for miles around?

What is the point of this road?

As our elected County Councillors we look to you to represent our interests and bring economic benefit to Taunton without needlessly blighting our community with this flawed Highways England scheme.

Taunton Deane Borough Council have produced a comprehensive report that rejects a consultation of only one scheme and is critical of Highways England for not producing sufficient information for a meaningful consultation. If the expert Officers cannot form an informed opinion then how are we, as members of the affected community, able to respond properly as well?

Will Somerset County Council experts concur with Taunton Deane's opinion and reject this flawed single option consultation?

I ask that this Council requests a fresh consultation by Highways England, with all four options open for comment and with sufficient information provided, so that affected communities can have a proper voice in a genuine consultation.

Thank you chair.

A written response please.

## **5. A303 / A358 Road Proposal**

From Nigel Power

The road proposal submitted by Highways England Ltd is **fundamentally flawed**. It attempts to do two things that are **incompatible**:

- 1. Provide an additional route for traffic travelling South East to South West.**

## **2. Relieve traffic congestion and pollution through Henlade.**

**Neither of these objectives is achieved.**

**The additional route to the South West is not a viable solution** as by directing traffic in a north westerly direction; it adds 11 miles each way compared to the A303/30 route. The result is **more** personal cost (£7.70), **more** pollution, **more time** and **adding to** rather than relieving congestion on the M5.

**Why would residents of Taunton want their town to facilitate a polluting by- pass** when it has ambitions to call itself a garden town?

**Why isn't the local proposed £25 million upgrade of Junction 25** and Nexus business park connected to the HE proposal ?

**The by-pass does little to alleviate local traffic congestion around J25** - currently 10 % heads south, 60% into Taunton and 30% north according to HE. Those travelling north are unlikely to take the proposed route adding 4 miles to their journey.90% of traffic will continue on the A358 plus growth of additional South East traffic.

**The two objectives need independent plans.** They are connected out of convenience rather than practicality.

**While some choose to dismiss the A303/30 upgrade**, pleading 'AONB' status, it should be on the table (there are precedents) and further, Devon County council support this. One area of beautiful countryside (the proposed route) is as precious as the AONB status of the A303/30. HE Ltd owns associated land and it forms an existing route (simply needs widening).

**In conclusion**, the country is strapped for cash; not to be fritted away on ill thought out deeply floored plans. It fails to achieve the objectives of a viable alternative route to the south west or alleviate traffic congestion through Henlade.

**I urge you to join with TDBC** in persuading HE to restart the process again with all the options on the table. It is in all our interests that scarce money is spent wisely.

Thank you chair.

I request a written response please.

## **6. Highways England proposals for the A358 Southfields to Taunton**

From Mike Farrell – Stoke St Mary Parish Council

### **Statement:**

1. We understand that Somerset County Council has yet to make its formal response to the Highways England Ltd proposal to dual the A358 and to add a 6km spur leading to a new North /South junction to the M5 motorway at Killams Lane.

**Question:**

1. Is this statement correct and if so how does the Council intend to respond given that the consultation period will expire shortly:

**Statement:**

2. Despite earlier reassurances, Highways England have failed to offer more than one route option and have presented their "preferred route" Is it our belief that Highways England Ltd should have held a consultation on more than one route option and that they have failed to supply sufficient detail within their "Technical Appraisal Report" (T.A.R.) for any consulted party to form a studied and considered view of the viability of the overall scheme. On 16 May 2017 the Taunton Deane Borough Council, Community Scrutiny Committee shared this view and have recommended rejection of the Highways England Ltd single option.

**Question:**

2. Is the Somerset County Council Road Transport Policy: Titled; "**Somerset's Future Transport Plan**" still in place for the period 2011 - 2026 and if so how would the overall aspirations of that policy connect with the Highways England single option?

**Statement:**

3. Given that the "**Somerset's Future Transport Plan**" states and I quote: "Transport is part of everything we do. It allows us to go to work or school, visit the people we care about and access the things we need. However, if not managed carefully the impacts transport has can also be bad for us. our economy and the environment." Furthermore the document goes on to state: "We will help our communities to help themselves. We will help them to make improvements to transport, allow them to shape our work and deliver improvements in partnership with other organisations."

**Questions:**

3. How does the current Highways England Ltd single option help contribute to these two statements and how does the Highways England Ltd single option, which effectively by-passes the town of Taunton help either the town or county economically or improve our environment?

**Statement:**

4. The Highways England Ltd. consultation process has failed. Democratically, they cannot hold a meaningful consultation on their "preferred option" Highways England Ltd should have conducted their consultation on all four options outlined in their T.A.R.

**Question:**

4. Will the Council agree with the Taunton Deane Borough Council recommendation to ask Highways England Ltd to re-start this consultation with all route options open for consideration. To review a full Henlade by-pass and link to Nexus 25, plus the £20 million. County Council lead, improvement to Junction 25 and for wider discussions with Devon County Council to take place regarding the current A30 extension?

Written response please Chair.

## **7. A358 Dualling (Southfields to M5)**

From Rob Hossell

As we are all aware Highways England (HE) has presented just one option for public consultation, reduced from the four options outlined in their Technical Appraisal Report.

Their preferred option fails to meet the three key objectives highlighted in a letter from Mott MacDonald, acting as Highways England consultant:

1. Relieve congestion – The report openly admits that the majority of traffic to Taunton and M5 North will still pass through J25 via the old A358, and hence congestion will not be relieved through Henlade.
2. Support economic growth – As there is no connection to J25 and there is no local access at J25A, there will be no local benefit. The road acts purely to connect traffic between the south-east and south-west.
3. Improve safety – The report states that this option is actually the only one to increase the cost of accidents, when new roads should be safer.

As Somerset County Council are a consultation partner for Highways England I have two key questions:

1. In your meetings with Highways England why have neither of the two options that connect to the roundabout shown on your detailed drawings (for the J25 employment development site) been put forward for consultation?
2. As our elected body will you make representations to Highways England in the remaining consultation period to persuade them to consult on other options that will be of benefit to Taunton?

Written response please.

## **8. The proposed A358 dualling scheme**

From Dr Gary Cox

The proposed A358 offline section with its' all directions M5-J25A (Option 8/8B+NFS) is an environmentally damaging and poor value for money road scheme of highly questionable benefit that cuts through several miles of attractive countryside close to the Blackdown Hills AONB. It will irreparably harm the local environment and wildlife habitats as well as destroy top quality, green-field agricultural land. It will also have a detrimental impact on the quality of life of thousands of residents of east Taunton and nearby villages. Due to the offline section crossing several flood areas, such as the Broughton Brook at Stoke Lane, the A358 offline section will have to be raised rather than cut-in in many places. This will significantly add to the enormous cost of the scheme as well as to its negative visual, light, noise and air pollution impacts. Not least, situating a J25A at Killams Lane raises a number of serious issue.

The simplest, cheapest and most sensible option is simply to build a Henlade bypass to an upgraded M5-J25, rather than pursue any option that involves a new motorway junction.

This option should be reconsidered and put to public consultation, rather than just the current 'no choice' option of 8/8B+NFS. This option will result in a completely unnecessary road that is sub-standard, dangerous, under-utilised, hugely environmentally damaging, useless as a Henlade bypass, of no real benefit to Taunton and extremely poor value for public money. The A30/A303 dualling option also needs to be put back on the table as the shortest route to the South West Peninsula from the South East, one that does not involve a long detour to the North West, therefore increasing fuel consumption and pollution.

*Response from Cllr David Hall – Interim Leader of the Council (questions 2 – 8)*

*Thank you for your questions and interest in this important proposal.*

*In line with our “Future Transport Plan” which covers the period 2011 – 2026, we have lobbied hard to ensure that dualling and improvements are made to the A303/A358/ A30 Corridor, as we believe this has the potential to bring significant economic benefit to Taunton, Somerset, the South West and the UK as a whole.*

*Please note that Somerset County Council is not responsible for designing the programme or carrying out the work; that process falls to Highways England on behalf of the Government so it is important that you submit your views to Highways England as part of their consultation process, in order that they can take them into account in developing their proposals. Highways England confirm that they will not be issuing a new deadline for consultation responses until after the General Election on 8 June.*

*Please note that this project will continue to fall within my portfolio as Cabinet Member with responsibility for economy.*

*As a number of similar questions were received on this matter I have decided to prepare one comprehensive response which covers the full range questions asked.*

*Whilst the Council is still preparing its formal response to the consultation, I thought it would be useful to outline the current thinking which will form a set of recommendations for my formal decision in June.*

*Firstly turning to the key questions of how the proposed Expressway will benefit Taunton and what is the point of the road? The Council strongly supports the need for the A358 between Taunton and Southfields to be upgraded to dual carriageway as part of an end-end whole route improvement of the A303/A358 between the M3 and the M5 at Taunton. If designed appropriately, the improvement will improve connectivity and access to the South West Region, improve the resilience of the strategic road network and help to promote economic growth in the region. An economic impact study commissioned by the Council, published in February 2013 noted the following key benefits of an end-end route improvement based on comprehensive business & tourism surveys and transport economic assessment.*

- *21,400 jobs*
- *£41.6bn boost to the economy (GVA)*
- *£1.9bn in transport benefits from reduced journey times*

- *Improve transport resilience to cope with incidents and during flooding*
- *Save over 1800 fatal or serious casualties over 60 years*
- *Reduce carbon emissions by 9%*

*I note the concerns raised regarding the lack of information upon which to provide views, and the Council will also be raising concerns with Highways England, within our consultation response, about the lack of information provided at this important stage in the process.*

*It is the Council's belief that it will be possible for an appropriately designed scheme to meet the objectives of providing enhanced local connectivity to Taunton (with associated economic growth benefits) as well as providing improved strategic connectivity between London and the South West. One of our key objectives for the scheme is also to ensure traffic travelling through Henlade is reduced to the greatest degree possible. We will urge Highways England to develop a preferred route which delivers on all these objectives.*

*The Council's view is that the forecast traffic reductions through Henlade currently published alongside Highways England's proposed scheme can be improved upon and we will therefore be requesting that Highways England consider including measures in the Development Consent Order which encourage traffic to use any new route rather than the current A358 through Henlade.*

*I can confirm that Somerset County Council asked Highways England to consider route options which included a link between the proposed expressway and the existing Junction 25 and proposed employment site. Highways England's technical appraisal report for the scheme demonstrates that they have considered options which include such a link. I am not able to advise you why they have chosen not to put these forward for consultation, and that is a matter for them to address.*

*The Council is particularly keen to understand why 'Option 2A/2B' and its key feature of a link into the existing M5 Junction 25 has not been recommended as an option for consideration, when the high-level transport economic assessment presented would appear to favour this option. The Council expects this to be a matter for further consideration prior to selection of the preferred route and if necessary during the DCO process.*

*The Council does not currently consider that it would be beneficial to ask Highways England to re-run the current non-statutory stage of consultation, particularly as four potential options have been described in the technical documentation and this has enabled the community to express views about these options. The Council will urge Highways England to further assess and consult upon the potential benefits and implications of a link between the proposed expressway and Junction 25 prior to selecting the preferred route and to consider including it as part of the preferred route if the more detailed assessment demonstrates that this would be beneficial in terms of economic growth, reducing congestion and improving safety, accessibility, and value for money; rather than discounting it at this stage in the process.*

*The reasoning behind the precise location of the proposed 'Junction A' on the M5 is a matter for Highways England however within their consultation material Highways England considers that:*

- *The proposed route provides improved opportunities for future growth in housing and employment leading to increased prosperity;*
- *The provision of an additional junction on the south side of Taunton would help relieve pressure on Junction 25, reduce journey times and queue lengths.*

*The Council will urge Highways England to confirm that the precise location of the proposed new 'Junction A' on the M5 will be established through further dialogue prior to (and if necessary as part of) the DCO process taking into account further technical design work, further appraisal of potential impacts and community views.*

*It is The Council's current view that it would not be appropriate for a connection to be created between the new 'Junction A' and the existing local highway network without provision of appropriate road infrastructure running between the new junction and destinations in the town.*

*Whilst noting that the choice of route is Highways England's responsibility, the statutory process for scheme development and development consent includes requirements upon them to undertake rigorous assessment of the environmental, landscape and visual impacts, and to seek to minimise these impacts and provide appropriate mitigation; so concerns raised regarding impacts on the woodland and the countryside will undoubtedly be given a great deal of attention as the scheme develops.*

*The County Council does not hold detailed plans for the proposals and understands that these are currently being developed by Highways England.*

*The County Council has not been provided with any proposed vertical alignments for the scheme so is unable to comment on the extent to which the new scheme will be in cutting. As we do not hold any designs for the junction we are unable to advise at this stage in the process what it will physically look like, how visually intrusive it will be or how much lighting there will be. These are key questions that we expect Highways England to be able to address (and will be urging them to address) as the scheme develops and prior to submitting the formal development consent order; so that the Council and the community can fully understand the potential local impacts and consider how any adverse impacts can be appropriately mitigated.*

*I can confirm that it is the County Council's view that dual carriageway improvements are needed to the whole A303/ A358 route between the M3 and the M5 and that smaller scale complimentary (rather than alternative) improvements are also needed between Ilminster and Honiton in order for the full economic benefits of investment in the corridor to be achieved. This has been our consistent message to Government for a number of years and indeed the Government's road investment strategy does commit to this approach. We continue to work closely with Devon, Wiltshire and Dorset Councils to promote the need for both these investments and we have worked with Devon in developing their proposed solutions between Ilminster and Honiton.*

*I concur with the points made that the County Council's views on the proposed scheme are of great interest to the wider community and I am happy to confirm that the new Administration will make the Council's consultation response public. We will publish our proposed response as soon as possible following 24 May in accordance with the formal decision making process adopted. Our proposed response will then be the subject of a*

*formal cabinet member decision during June and I anticipate that we will also take the opportunity to have the proposed response considered by a Scrutiny Committee prior to finalisation subject to the agreement of the Chair of the relevant committee. The formal approval of our response is currently timetabled for late June and we will consider if this remains an appropriate timescale once Highways England have confirmed a revised deadline for consultation responses. We will publish our intended date for publication as soon as we have agreed this.*

*In response to some detailed questions raised; whilst it is implicit in my response above, for the avoidance of doubt I can confirm that Somerset County Council will not be delivering the A303 upgrading, but expects Highways England to start work prior to April 2021 which is their current target. Somerset County Council will not be responsible for deciding upon the exact route of the upgraded road in Somerset, and will not be writing or entering into contracts to get the work done. Highways England will appoint the contractors to build their scheme. Somerset County Council will not be responsible if the work is delayed or delivered late as it is Highways England who will be responsible for the timely delivery of their scheme.*

## **9. University for Somerset**

From Alan Dimmick

Will the new Leader and his/her new team continue with the existing County Plan of creating a university for Somerset. The aim of which is to stop young people being forced to leave the county, to boost their prospects. Dorset suffers from the same problem of young people leaving the County but they have a university. The reason young people leave the County is lack of career prospects, over the last 25/30 years manufacturing businesses throughout the south west ceasing to exist, production moving abroad. Unless this stops and more is done to promote manufacturing businesses to relocate in the County then the creation of a university, in its self, will not end this issue.

*Response from Cllr David Hall – Interim Leader of the Council*

*Alan, I thank you for your question.*

*Several times we have reminded everyone here today we are still in election period so, much as I would love to extoll the virtues of our plans and priorities going forward, I am advised that we may have to wait another fortnight or so before we can be as public as we would want about our view of the way forward for this Council. It would also be very much the role of the elected Leader of the Council to be in the forefront of this.*

*What I can say though is that it is clear in the Administration's manifesto that we remain fully committed to the creation of a University of Somerset. This is alongside other commitments such as working with partners for a productivity plan for the region, as well as a refreshed Somerset growth plan.*

*So I can confirm we continue to forge very close links with Bridgwater and Taunton College, as well as Yeovil college, to provide the route to the creation of a university.*

*I am happy to ask that the newly appointed Cabinet member responsible for this area will look into this for you and provide further details as and when appropriate. But I'm pleased to confirm that the answer to the question at the heart of your enquiry, is: "Yes". The university for Somerset is very much at the centre of our plans for the future of our county.*

## **10. Council Finances**

From Alan Dimmick

This Council will be fully aware of the funding cuts imposed by Central Government over the years, leading to service cuts in many areas. This Council having made calls for fairer funding for Somerset. Devolution of money and power from Central Government is a key issue, can I ask that the new Leader lobbies the new Government to request that monies raised by vehicle tax, vehicles registered in Somerset- circa 400,000- average £240 amounting to £100m- be returned to this Council (as the highway authority). The money to be ring-fenced for transport related issues. This can be done in stages (as business rates are done) with capitol expenditure alone amounting to over £20m (funded from council tax precept) per year. This will enable the £20m to be spent (at no extra cost to the tax or ratepayers of Somerset) supporting adult social care, children's services and many other vital services provided by this Council, in supporting the people of Somerset.

*Response from Cllr David Hall – Interim Leader of the Council*

*Thank you, Alan, for the question. This Council through the Leader and other members of the Cabinet has lobbied very publicly and with some success for fairer funding for Somerset. Over the past few years our voice alongside other councils has been successful in securing Rural Services Delivery Grant for Somerset, additional funds through the Improved Better Care Fund and a higher than average grant allocation for capital infrastructure, particularly on major schemes.*

*We have submitted information directly to politicians and to DCLG officials regarding the underfunding of Somerset by comparison with other councils and submitted a response to the consultation on the Fair Funding Review.*

*However, on the specific point made related to vehicle tax collection, I would point out that the capital grants received by SCC from the Department for Transport are funded in part already by vehicle tax collection. It is not our view that a specific lobby on this point would be successful or warranted as wherever possible we want funding not to be ring-fenced so as to encourage local democracy.*

## **11. The Future of the Recently Transferred Learning Disability Provider Service (LDPS) to Dimensions UK Ltd (Discovery)**

From Nigel Behan – Unite

Please find enclosed some follow on Questions from the responses provided to the questions submitted to the 26<sup>th</sup> April County Council meeting.

Q1 i) Now that the service has transferred to Dimensions UK Ltd (– and the Social Enterprise Vehicle known as Discovery) will the contract(s) now be released into the public domain?

ii) Do you know if the recent Freedom of Information request (to SCC) - “Please supply all contractual details, "the contract" between Somerset County Council and Dimensions UK Ltd which led to the transfer of the In House Learning Disability Provider Service (LDPS) to the Social Enterprise Vehicle (SEV) - named as Discovery - on 1st April 2017”- has been responded to and will the response be shared with Elected Members?

Q2 What steps and measures have been taken to address the recruitment and retention problem identified and acknowledged recently, what monitoring information has been produced and will this information be put into the public domain (as anecdotally, there has been increased amount of well trained and experienced staff leaving the service)? Are the number of leavers, joiners, relief staff and agency staff now available on a monthly basis? If so, please release the information.

Q3 This relates to the responses to our Q7-Q10

<http://democracy.somerset.gov.uk/documents/s3532/County%20Council%20Minutes%20Appendix%20B%20PQT.pdf>

The transformation costs shown at the 15<sup>th</sup> March Cabinet of £5.1m (from the July paper) presumably appeared in the original bid. However the press release on 10<sup>th</sup> March noted that:

“And a compensation fund set up by Cabinet members last year to offset any changes to pay and conditions, could be in line for an increase, thanks to extra financial flexibility as a result of the major social care funding announced by the Government in the budget on Wednesday.”

How much additional funding is available (above the £5.1m agreed with Dimensions UK Ltd last year) for the Compensation Fund as indicated in the press release?

Q4 How much is the end of year (Quarter 4) “overspend” for the Learning Disability Provider Service (LDPS) - on the date of transferring the Service to Dimensions UK Ltd? Can you release the totals costs (expenditure, movement of funds from reserves, staffing costs etc.) of running the LDPS in the 2016-2017 financial year?

*Response from Cllr David Hall – Interim Leader of the Council*

*Thank you Nigel – many of the points have been answered in the past but I will give a brief response to the four main questions. First, we are currently reviewing the contract documentation between Dimensions UK Ltd, Discovery SCBV and Somerset County Council. Once appropriately redacted, the contract documentation will be available for release. We envisage this being completed within the next few weeks.*

*Second, we have previously indicated the KPIs that exist within this contract and SCC will be monitoring performance closely. We have not yet received the data for the performance in the first month of the contract. We also do not accept the anecdotal description you have given about staff leaving the service but would be grateful to have any specifics once you have them.*

*Third there is not a specific sum identified. Initially, this is a matter for Discovery as part of their consultations with unions. Discovery will keep the Council informed of their progress and this may determine the course of action required in relation to the compensation fund.*

*And finally, the Learning Disability Provider Service finished with a small overspend of £0.236m, after the allocation of £3.000m one-off funding in quarter 3 from reserves. The total direct costs for the LDPS service were £28.638m.*

## **12. County Farms**

From Sue Osborne

Good morning Councillors and thank you for permitting me to address you again today. I am particularly delighted to see the infusion of new, young blood from my own local authority area of South Somerset. It is also good news that younger women make up a significant part of the South Somerset team.

My name is Sue Osborne and I am the wife of a County Farm Tenant.

I make no apology for raising the subject of County Farms again.

My questions regarding the issue of why was a tenant on a retained farm handed notice to quit when an officer confirmed to the March Scrutiny Committee that the retained policy was unchanged. Surely such a notice to quit is contrary to your existing policy. If policy has indeed changed, then why did an officer confirm otherwise to Scrutiny. With respect, you cannot have it all ways.

I have also asked about the basis on which the 2016 revaluation exercise was conducted and whether or not it was on the same basis as the 2010/11 once again, no answer.

On the subject of how many holdings Somerset County Council has now vs 2011, I was told to submit a freedom of information act request, reason being that as a member of the public, that is how requests from the public for information are dealt with by this authority.

I can now tell you that the information I requested is in the public domain. DEFRA publishes an annual report to parliament on local Authority small holdings in England. Somerset County Council contributes to this report.

For the year ended March 2016, you had a total hectarage of 1640, made up of 18 lifetime tenancies, 14 retirement tenancies and 14 Farm Business Tenancies with 10 bare land holdings. The total rental income was not declared.

This compares with with a total land holding of 2691 hectares at the year ended March 2011 generating a total rent roll of £552,338. The earlier reports do not break down holdings by tenancy type.

So from March 31st 2011 to March 31st 2016, this authority has disposed of 1051 hectares of County Farm land no doubt generating welcome funds for this authority but at the expense of long term income generation.

If you add in the proposed disposal of the eight farms due to be disposed of between now and the end of 2018, approximately some 300 - 350 hectares, you will see that the estate is dangerously close to losing critical mass.

So I now repeat my recommendation made at last months Full Council especially in the light of the lack of clarity over the sell/retain list policy as Farms on the retain list have indeed been sold as well as those on the sell list.

At the next scrutiny meeting a paper is being presented about this A List B List policy, I anticipate that officers will be asking you for a green light to dispose of ALL the holdings by abolishing this policy. Is this really what you want to happen?

What is needed is a root and branch, member led, cross party, Task and Finish review of the whole County Farms Estate and it Governance, which currently leaves a lot to be desired. No information should be withheld from members, unlike the Feb 2014 scrutiny Task and Finish where information was considered 'too sensitive ' for members eyes. Outside bodies and interested stakeholders, e.g. NFU, TFA, CLB, YFC, CA and even DEFRA should be consulted. Examples should be sought of best practice from other successful authorities, e.g., Cambridge County Council and Dorset CC to name but two. Above all, there is need to gather evidence from a wider stakeholder group, including your tenants, not just officers.

Councillors, this could be your last opportunity to save this estate. Once an asset is sold it can never be replaced and when you have no farms left to sell, what then?

One final point, Bovine TB is a real and ever present threat to Somerset Farmers. Most of your tenants have livestock and in order to sell must pre move test. In the event that a tenant is under TB restriction at the time their tenancy expires, can I have an assurance, in the interests of both animal and tenant welfare, that NO tenant will be evicted and forced to send their herd, including heavily pregnant females and very young calves to slaughter?

The risks to your reputation and that of your officers as compassionate human beings by enforcing such an action would indeed score highly on any risk register and may well bring you into disrepute as an authority.

Thank you for your time.

*Response from Cllr David Hall – Interim Leader of the Council*

*Thank you for your questions. I would in the first instance refer you the verbal and written response to your questions to the last full Council meeting as this covers a number of the points you have raised again today. You have asked a number of technical questions and officers are able to add the following ahead of the appointment of a Cabinet member to this area.*

*In relation to the tenancy notices. In the interests of good estate management we do serve notice on tenants whose tenancies are expiring. You should not infer from this that we have therefore decided to dispose of the holding.*

*On valuations. We keep the valuations of our holdings up to date to ensure they reflect current market value. We engage professional advisors from time to time to assist with this and to provide independent input into the valuations in line with industry best practice*

*Regarding the FOI information. You have secured the information you wanted from the DEFRA published return. Please note this is last year's data.*

*Finally, in relation to TB. We would of course deal with such matters sensitively as we have done in the past.*

*When the new cabinet member is in post and relevant Scrutiny committees are in place they will be able to confirm existing work schedules which current has a discussion on asset disposals and retention planned for this Autumn.*

### **13. Carbon Emissions and Environmental Sustainability / Social Care Funding / County Councillors**

From Alan Debenham

1. In this historic and welcome advent of two new Green Party councillors to the Council's ranks, and in this light of rapidly escalating global warming and climate change dangers, exacerbated by President Trump's possible withdrawal from the Paris Agreement, how is this new Council likely to proceed regarding putting the whole questions of air polluting carbon emissions and environmental sustainability at the top of its agenda, e.g. making Somerset a frack-free zone, investment and procurement divestment from fossil fuel-based concerns and heavy promotion of Community Energy and cycling projects etc. ?
2. According to news from the Chancellor's Autumn statement , a £2.8 billion pot of new national funding was provided for Council's adult Social Care resulting in, so I gather, £11 million being allocated for Somerset. Has this extra funding now been received and if so how has its spending been planned and how much of this money has been spent to date ?
3. I was sorry to see the sad loss to the Council at the elections of two of its most prominent, knowledgeable and long-serving Councillors, John Osman and Sam Crabb. I would urge the Council to look for practical ways to look to continue to involve both of them in the work of the Council in the future for the wider benefit of the people of Somerset.

*Response from Cllr David Hall – Interim Leader of the Council*

*i) Firstly I would like to thank Alan for his question. Environmental sustainability remains a key priority for this Council. We are still within purdah guidelines so as I have mentioned previously it is difficult to full responses at this time. However Alan, I know you will have read in the Somerset Conservative's Manifesto a series of pledges and a range of measures to reduce pollution and take steps ensure that Somerset makes its contribution in addressing climate change. It contains pledges to invest in our infrastructure to reduce congestion, promote sustainable modes of transport, promote green energy and energy efficiency measures. I hope that this provides the reassurance that, despite events that happen elsewhere in the world, we are committed to implementing measures which reduce air pollution, promote energy efficiency and respond to the challenges of climate change.*

*ii) On question two, my answer will be limited pending the confirmation of a new Cabinet member for ASC and again replying within the requirements of Purdah. I will be happy to expand further in future.*

*The additional £11 million this year provided to Adult Social Care is welcome, it must however be seen as being non-recurrent and it reduces in subsequent years. There are a number of clear expectations that the additional monies will be used specifically to support three key areas.*

- 1. Providing support to the NHS specifically in relation to people who are delayed transfers care and in implementing 8 high impact changes.*
- 2. Supporting and ensuring sustainability within the local care market*
- 3. Supporting adult social care pressures.*

*As you might imagine we are working through with partners the specific details of each of these areas and will be happy to provide further details in the future.*

*iii) finally, I thank Alan for your kind words about John and Sam and I completely agree that both will be missed. It is perhaps a chance for me to thank all those councillors across all parties for their public service over the years who either stood down or lost their seats at the local elections. I know that every individual, no matter political beliefs, who put themselves through the ordeal (!) of campaigning and election, brings individual talents, enthusiasm and experience to this council and this council is all the richer for it. I'm pleased to acknowledge Alan's comment on John and Sam and would point out that both remain as district councillors where they play an important role within their communities. I am sure that both will continue to keep close links to this Council too...we don't get off that easily, Alan!*

#### **14. Special School Funding**

From Rebecca Bartley

Inauara School in Burrowbridge provides education for children who have additional learning needs, especially those who have struggled to thrive in previous educational settings.

Can the Cabinet Member for Children and Families please assure parents whose children attend Inaura School that places for Somerset children will continue to be funded by the Local Authority.

The school has sought clarification from the Council on this matter at least 5 times and has yet to receive a response of any kind.

As a result there is a considerable amount of anxiety and your reassurance would be greatly appreciated.

*Response from Cllr David Hall – Interim Leader of the Council*

*Thank you for the question and you will be aware that there are very specific issues, including legal issues that we are currently working through. When the Cabinet appointments are formalised, I will ask the relevant post holder to looking into the questions and areas of concern that you have raised and respond appropriately.*

*I thank you for your patience in this and reiterate there are very legitimate reasons why we are restricted in what we can say in a public arena at this time.*

## APPENDIX B

Meeting of Somerset County Council held in the Council Chamber, Shire Hall, Taunton on Wednesday 24 May 2017 2017 at 11.00am.

### Written responses to questions to Cabinet Members

The following questions were asked of the Cabinet Members during the County Council meeting, who undertook to give written responses:

#### Written questions:

##### 1. County Hall Restaurant

From Cllr Liz Leyshon

Could Council please have an explanation on the reasons behind the decision to use only disposable cups in the Café and why reusable cups are not available for purchase, as they are at, for example, Waitrose? I'm sure staff and members who use the County Hall Restaurant regularly would be happy to invest in one.

*Response from Cllr David Hall – Interim Leader of the Council*

*Many thanks for the question Liz.*

*As you know there is considerable interest nationally around the use of reusable and recyclable cups and mugs.*

*Following your question we have been in contact with Edwards and Ward who operate our staff canteen and I'm pleased to say they are now ordering a limited number of Costa reusable mugs. These will be the £3 red branded mugs and I will let you know when they are in stock so you can reserve your own. Staff of course are currently able to use their own mugs in the canteen.*

*In the meantime I have also asked the operators to look into a discount scheme to encourage take up of reusable mugs – hopefully a similar system to that which operates in Costa's own stores can be replicated in the canteen.*

*Many thanks for the question and I'm delighted to acknowledge that your question has prompted an immediate change in approach.*

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