

Meeting of Somerset County Council held in the Council Chamber, Shire Hall, Taunton on  
Wednesday 19 July 2017 at 10.00am

**Agenda Item 5 - Public Question Time**

Details of the questions / statements and petitions referred to in Minute 15 and responses given at the meeting are given below.

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

**1. Council Constitution**

From Andrew Lee

At the meeting today you are asked to vote on amendments to the Council's Constitution. I would respectfully suggest two amendments that are not included in the constitution before you. The necessity to include them is, I suggest a direct consequence of the problems with accommodating members of the public at meetings.

In section 3 under "Citizens Rights" whilst acknowledging that this is not an exhaustive list of rights, I would like to see it written that "Somerset citizens registered on the electoral roll have the right to attend full council meetings of Somerset County Council."

Because of the issue that I raised with the council at your May meeting, this is not at all self-evident.

Equally, under section 4.4 I feel the constitution should obligate the County Council: to adequately accommodate as many members of the public as attend full meetings of the council.

I appreciate that members may wish these rights and responsibilities to extend to all meetings of the council, but this is surely what should suffice as a minimum.

*Response from Cllr David Fothergill, Leader of the Council*

*I thank Andrew for his question. In response, I would confirm that the rights of all members of the public – and not just those on the electoral roll – to attend formal meetings of the Council and its committees are detailed in the Constitution – not just within the summary set out in Section 3 – but also in detail in Section 8. The content includes how the public can access agendas, reports and minutes as well as the rights of the public to attend meetings and make representations. We will continue to keep this content under review but we feel that this provides adequate guidance for the public.*

**2. Train service from Taunton to Minehead**

From David Latimer

Minehead Rail Link Group is a lobby group representing the people of West Somerset, that is campaigning to get a proper train service introduced from Taunton over the West Somerset Railway to Minehead. Now we have a new administration in place and encouraged by many of the councillors' pro-rail statements in their election campaigning, can we now look forward to Somerset County Council working to get rail operators, local authorities and other interested parties together to explore this exciting opportunity?

*Response from Cllr John Woodman, Cabinet Member for Highways and Transport*

*We recognise the effort that the Minehead Rail Lobby Group is putting behind their aspiration to see non-heritage rail services running between Minehead and Taunton. We are always supportive of organisations seeking to expand transport choices for residents, however, at the current time we do not have enough information to know whether such a service is feasible and viable. We will keep the situation under review and in the meantime are always happy to talk.*

### **3. Chard Junction Station**

From Andrew Turpin + other contributors

Could the issue of the re-opening of Junction Station be revisited and evaluated?

As members may know, a new opportunity for reopening of Chard Junction Station has arisen.

The recently demolished Chard Junction Creamery, adjacent to the railway, would provide adequate space for a new platform and car parking. We understand that the site cannot be used for residential development.

Some eight years ago a delegation of some forty Chard and district residents visited the then MP David Laws asking for a meeting with the then Rail Minister. It was to seek his support in re-opening Chard Junction station.

David Laws and I visited the Minister. He was particularly enthusiastic, stating that it was Government policy to re-open stations.

Supported by the neighbouring MP Oliver Letwin, David Laws set up a Task and Finish Group with the aim to re-open the station. The group consisted of David Laws, Oliver Letwin MP, the County Councillor, for the division, Jill Shortland, a County and South Somerset District Council Officer, a representative from Network Rail, South West Trains and Andrew Turpin (a District and Parish Councillor)

All was going well until the British Rail Property Board, decided to sell what would have been the car park for the station. The County Council could not afford to buy it. The station on the north side of the track has a platform in place.

Would it be apposite to draw up plans and obtain costings for the site so that, when the next funding becomes available, we will be ready?

From George Beattie

Would Members agree with us that there is a need for a station? – benefits to the community and an aspiration of the Chard regeneration proposals.

- Surrounding the station live approximately some 20 thousand people including the Thorncombe, Winsham, Tatworth, Forton and Chard communities but with only a thinly spread public transport provision with no Sunday or evening service this is leading to a feeling of social isolation.
- Opportunities for a wider range of employment, education, entertainment and shopping.
- Adequate car parking spaces – often there is insufficient car parking spaces either at Axminster or Crewkerne stations.
- Easy access to the National and European rail network.

From Sandra Beattie

A common suggestion is that re-opening of Chard Junction will abstract passengers from Axminster and Crewkerne stations causing them to close!

Devon County Council has proved that this is not true. Devon County Council continues to open / re-open stations as part of its Devon Metro Scheme. These stations are less than 5 miles apart and yet from the time of opening are well used. There can be problems of over-crowding. Opening stations merely expands patronage of the railway as a mode of travel. The more the stations open, the more passengers use the train!

Between Exeter St David and Axminster are eight stations, all less than five miles apart other than between Honiton and Axminster (ten miles).

Chard Junction is just five miles from Axminster and just on the boundary of Devon (and Dorset).

Please can Somerset County Council make contact with Devon County Council asking that the Devon Metro be extended from Axminster station to Chard Junction so that Chard and district residents can travel to Exeter easily? There is a loop at Chard Junction, so there could be two platforms.

Two more requests!

Trains to and from Axminster to Exeter are hugely popular.

Would it be possible for a County Council Officer to meet us at Axminster station just before 1800 hours on a week day, to witness the crowds of passengers from Exeter leaving the train?

However, this service is well used throughout the day and evening.

Sadly, the residents of Chard and district do not have this facility.

Could we then move to Chard Junction to visit that site?

Could we ask Devon County Officers to help and advise on re-opening our station? They have years of experience!

*Response from Cllr John Woodman, Cabinet Member for Highways and Transport*

*We recognise that there has been local support for the reopening of Chard Junction Station over a number of years. To reinstate the station would cost several million pounds. Whilst the initial stages of this work would be in the tens of thousands of pounds the challenging financial position of local government means that we cannot divert resources away from other priorities which have a much clearer business case for investment.*

*As noted by one of the questions submitted on this subject Devon CC opened Cranbrook Station but this was a very different proposition from Chard Jct. as Cranbrook is directly serving a new community which will ultimately contain several thousand homes. There are currently no proposals for significant housing development around Chard Jct. station upon which a strong business case could be made. We do work with Devon CC colleagues on rail matters and should an opportunity arise as part of the Devon Metro proposals we will investigate it further.*

#### **4. Transport Forum**

From John Hassall

When I moved to Taunton in January 2006 there was not only a larger number of bus routes but they ran later in the evening and on Sundays: we also had a Transport Forum where residents could bring forward proposals for new routes and extensions and railways in Somerset.etc.

Connectivity between road and rail is vital to the economy, especially the tourist industry and jobs in the South West.

I would like to ask Cllr Woodman when will the Transport Forum be re-introduced as it is desperately needed since there are many transport groups in Somerset not to mention the public in general, who would benefit from discussion of new routes.

Examples of good changes are the new route 9 to the Musgrove Park Hospital and the extension of Route 2 to Monkton Heathfield.

*Response from Cllr John Woodman, Cabinet Member for Highways and Transport*

*Many thanks to John for the question. I have to say there is no intention to re-introduce the public transport forum which has been overtaken by other more specific discussion groups. For instance, we have introduced a successful community transport forum with Community Transport providers and other interested parties where new opportunities are discussed.*

*Any changes to subsidised public transport routes are routinely subject to public consultation which is accepted as a more effective and representative method of obtaining views on proposed changes. We have regular meetings with bus and rail operators and are a member of the Peninsula Rail Task Force (PRTF) which considers strategic rail matters with the industry. The task force also holds its own stakeholder forum.*

#### **5. County Farms**

From Sue Osborne

At the March 2017 meeting of the Scrutiny and place Committee, I spoke on the issue of County Farms and the issue of A List and B list Farms. I also sought clarity on whether or not there had been a change of policy as part of an asset sales drive now that capital receipts can be used to prop up revenue budgets.

It was confirmed that policy had not changed, even though B list farms are still being put on notice or sold. It was also agreed to put a review of this policy into the Scrutiny work programme for July and August.

I now find that this 'review' is now scheduled for December and has been downgraded to an update.

Why is this?

Furthermore, a key decision has been released authorising officers to dispose of another tranche of land and farms by auction. The date for this is July 20th.

I now ask that this decision is now 'called in' for a full appraisal. I believe that it is unsound for the following reasons.

\*Disregard for the human rights of the affected tenants, their families and staff. Things have moved on since 2010 and subsequent court rulings have placed a great deal of weight on the right to family life and place in the community.

\*No equalities appraisal, it is just not good enough to rely on your 2010 report. This report also made clear that for affected tenants unable to buy, this would cause considerable upheaval and disruption to their lives.

\*Disregard for the health and wellbeing as per human rights and equalities of affected tenants.

Whatever your officers might state about final year tenants being in a privileged position, I can assure you from personal experience, there is nothing privileged about it. So why have you just swept these matters under the carpet?

\*Lack of clarity over which Oxenford Farm is being referred to,

\*A now secret B list, even though this was published back in 2010 as part of the paperwork.

I am well aware that this authorities estate and farms officers do not seem to welcome scrutiny. This is all the more reason for doing so.

I have called repeatedly for a root and branch review of the County Farms estate before it is too late.

So far I have been totally ignored despite some members from all parties agreeing with me. Even newly elected members have expressed concerns. With so many newly elected members, why are they not been given an opportunity to look again at this policy?

Farming and the rural economy which it underpins is far too important to this Rural County which is now my home, to be ignored by an authority which seem more interested in a short term dash for the cash.

*Response from Cllr David Hall, Cabinet Member for Resources and Economic Development*

*Thank you for your question Mrs Osborne. I am pleased to confirm there have been no changes in policy since you asked previously in this Chamber. I can confirm that we continue to manage our estate, including farms, to both generate revenue income and to generate capital receipts from sales in order to invest in capital works and transformation activity.*

*I will be bringing forward a wide ranging set of proposals on how we commercially manage our property and other assets going forward, and this will include proposed changes to our county farms policy which, as you know, has been in place since 2010. I am very conscious that the issue of farm sales generated much interest and for this reason I will ensure that the relevant Scrutiny Committee has the opportunity to fully assess and debate any changes in policy we propose. We will not make any formal decisions until Scrutiny has that opportunity. I am aiming to table this as an item for Scrutiny in September.*

*The published officer decision to which you refer are sales from the A List and in accordance with policy.*

*In relation to Oxenford there are two holdings on the A List. One was approved for sale in March and the other is on the current proposed decision.*

## **6. Learning Disability Provider Service**

From Jeanette Cave

The Learning Disability Service on transfer was a good service which received positive feedback in customer experience surveys undertaken by the Council and overwhelmingly positive feedback in anonymous visitor questionnaires.

We were told this transfer would be a Partnership taking the best parts of S.C.C and improving others. Some Day service provisions were told change was necessary as they were not attracting new customers as people do not want to use them.

In fact what has happened is that since the transfer some Day Service provisions are having to turn Customers with guaranteed funding away due to uncertainties around being able to attract and retain staff due to proposed changes in their terms and conditions.

In some cases this has left Parents of people in transition to Adult Services in the hugely difficult position of having no idea where this support will come from and with very little time to find alternatives.

Discovery believes the transformation it has promised will attract new customers. Yet their means of transformation, making the service cheaper by attacking the pay and conditions of dedicated staff, is having exactly the opposite effect.

Somerset County Council's original premise for awarding the contract was to ensure "sustainable high quality services for people with a learning disability into the future". Could the Council explain how this is being achieved when currently Somerset residents with a learning disability are being turned away from services as a direct consequence of Discovery's cuts agenda?

*Response at end of questions sequence from Cllr David Huxtable, Cabinet Member for Adult Social Care*

## **7. Learning Disability Provider Service**

From Sarah Mainwaring (to be presented by Mandy Meakin)

1. When the parents and carers were consulted as part of the transfer they made it clear that they valued the staff at LD services and wanted a continuity of care provided by these same members of staff. Yet since Discovery have begun running the service and proposed cuts that devalue staff potentially over 100 members of staff have left.

In many cases this means that service users are left unable to access certain elements of their lives that they used to enjoy, simply because there are not enough staff to support them.

Service users do not only lose out through the direct impact of staff shortages, though. Every member of staff that leaves signifies the loss of a wealth of experience, the loss of years of relationships built up with existing service users and the loss of a dedicated carer who has been made to feel devalued, degraded and disillusioned by Discovery's proposals.

Can the Council explain how causing an exodus of experienced staff, who had strong bonds with the people they cared for, fulfils the commitment made to parents and carers for continuity of care?

2. The Learning Disabilities Service in Somerset relies on committed and skilled staff to deliver the care its users expect. Does the cabinet think that cutting wages by thousands of pounds a year, as proposed by Discovery, is suitable treatment for these staff?

*Response at end of questions sequence from Cllr David Huxtable, Cabinet Member for Adult Social Care*

## **8. Learning Disability Provider Service From Paul Kitto**

As a constituent of Somerset I have serious concerns around the Learning Disability Service that has been outsourced by SCC to Discovery. SCC have a legal obligation to the people we support – although during the transition SCC assured the customers there family's and carers that it was not about cost and continuity of care would still be there. In fact we feel we have been misled, as written into the contract was Key Performance Indicators to cut the costs and in Discovery notifications the closure of day services (or modernising as they wish to call it).

Over 100 staff have left the service since transition – losing knowledge, skills and dedicated staff, certain parts of the service are close to safeguarding. In proposed changes to pay structure these skilled staff our being valued at £8.05 an hour for very essential skills to maintain and improve quality of life – Peg feeding – Suction – rescue medication – Then told if you can earn more in Lidl go and work there.

SCC have been notified of legal avenues being pursued for failure to consult – should also be failure to be honest and failure to care about the people of Somerset.

Please address this concerns and find a solution – as South West One is going to happen again – but this time its peoples' lives you are deeming not worthy to debate.

I expect the usual - you will receive a response in writing will apply, and I will continue to look for the pot of gold at the end of the rainbow as neither actually materialises.

*Response at end of questions sequence from Cllr David Huxtable, Cabinet Member for Adult Social Care*

## **9. Learning Disability Provider Service From Ewa Marcinkowska**

1. In the interview on 10 February, Councillor William Wallace stated that no frontline staff would be affected by the transfer of the learning disability service. Discovery's proposals could leave some staff losing up to £11,000 a year. With some staff set to lose so significant portion of their salary, can you explain how this can be true? I know two staff members in the service who has already felt forced to sell their houses.

So far it is difficult to find a list of improvements to the service after transition, but unfortunately it is easier to observe how the situation impacts on staff, customers and their families. Discovery's proposals have caused a high level of anxiety and a deterioration of morale amongst staff. Majority of my colleagues I have had conversations with are actively seeking other employment or only waiting to see how the situation with the new T&C, salaries and predicted redundancies will develop, ready to move on if the proposals would be implemented.

A Support Worker, have recently spoken to me, feeling rather disheartened and demotivated. With a high level of agency workers in their workplace recently, she spends lot of time mentoring and introducing each new worker to the service, customers' care, essential duties. It feels to her like every day is a constant probation period for another agency worker within the house.

This Support Worker is on low pay in the service, her experience, skills and knowledge of the service, customers and the care required are far more richer than an agency worker, because she has been in the service over 15 years. And still on the end of that day she is paid a half of the agency staff rate. She is one of the many staff that are waiting..and are preparing for depart.

2. The financial commitment the Council has made to Discovery appear to be higher than the cost of delivering the service in house over the 6 years of the contract. Discovery have been allocated a budget to deliver the six year contract of over £200m. This is £5m more than the £195m that Somerset County Council predicted it would cost to run the service in-house over the same six year period. Can the Council explain how this represents best value to the people of Somerset?

*Response from Cllr David Huxtable, Cabinet Member for Adult Social Care*

*First – can I thank you all for your questions on this important subject.*

*I and my colleagues acknowledge right up front the fact that there is a large body of people who are concerned and indeed worried about their family members or friends who use the services. The same is true in terms of staffing with concerns for colleagues who are now part of the Discovery contract. We do understand that and are here now to give anyone the opportunity to speak on the matter. I can promise you that we will continue to listen. At the outset I have to point out that there is a constraint on what we can say in this room. That is down to a legal challenge from a union over the transfer of staff. I'm sure you will understand that does mean we have to be slightly more guarded than I personally would wish in this room. I will leave it to the County Solicitor to advise when we may be overstepping the mark but I hope that we can have the full conversation that everyone here is looking for.*

*Let me start off by addressing some of the key numbers that several of the questioners are requesting. First – turnover. Second – recruitment. Third – complaints.*

*Turnover. Nationally in terms of this industry, turnover rates average at 27.3%. We are currently broadly in line with that national average with the Discovery contract. I would though want to reassure you that this is something our commissioners will need to keep under close attention. The current figures from Discovery show that of the 1143 transferring staff, 102 had left in the first quarter. Of these 12 were dismissed or relief staff. Recruitment. There is an on-going recruitment process and at the end of the first quarter 73 new staff have either joined or are in the process of joining. As was always its intention, the Council has put arrangements in place to monitor both those staff leaving and those recruited by Discovery.*

*Complaints. The most important measures for success or not of the new contract is the outcomes for our clients and service users. This service traditionally has high satisfaction ratings and low level of complaints.*

*There has been NO discernible increase in complaints. There has been NO drop in satisfaction ratings. Let me repeat, no increase in complaints, no drop in satisfaction. Those are the two most important measures in my view and ones we should all take some reassurance from.*



*I hope this brings some insight to all our questioners that the Council is closely monitoring the situation, yes we are concerned at the turnover which is having an impact on a number of our teams but we are at the same time confident that Discovery has recruitment plans in place. If I could turn to some of the specific points raised.*

*Jeanette - the Council and Clinical Commissioning Group were always clear through their Joint Commissioning Intentions, which were published in February 2016 and included in presentations to customers, carers and staff on many occasions during the intervening period. These intentions included an ambition to see a significant shift away from segregated buildings based "day services" and towards people achieving and maintaining real paid employment and/or accessing opportunities within the community in the same way as anyone else can. The intentions were themselves based on feedback from customers, who told us that they wished to have changes made to the services being offered by the Council and in this respect they still remain relevant.*

*Sarah – most of your points have been covered and I hope it is clear there is no "exodus" of staff but instead in line with the national average as I hope is now clear. I can also point out that the number of applications for positions is strong which I hope covers your other points.*

*Paul – I believe some of the points you have raised are unfair and I have addressed them elsewhere. As is the case with every other Local Authority in the country Somerset County Council needs to ensure that services are value for money and therefore the included Key Performance indicators in the contract with a view to monitoring and achieving this. Included within these are targets around the modernisation of Day Services.*

*Ewa - In terms of the financial commitment the estimated total cost has increased over 6 years for Dimensions to run the service following increased pension contributions. This increase would have affected SCC if the service stayed in house so the cost of SCC running the service would also increase. This means that the overall estimated cost is still less than had the council retained the service in-house.*

*Chair – thank you for giving me the time to answer all the points that have been raised as best I could. This is an important subject with people rightly wanting to question the Council and I look forward to our debate on the petition.*

## **Petitions – over 5000 signatures**

### **1. Learning Disability Provider Service Funding**

Presented by Ewa Marcinkowska

We the undersigned petition Somerset County Council to give Learning Disability Services the funding that it needs to ensure sustainable care for people with a learning disability in Somerset. If current proposed cuts are progressed this will not be achieved. We would like this to be debated.

*Response from Cllr David Huxtable, Cabinet Member for Adult Social Care*

*A verbal response was given at the meeting.*