

## COUNTY COUNCIL

Minutes of a Meeting of the County Council held in the Council Chamber, Shire Hall, Taunton on Wednesday 18 July 2018 at 10.00 am

**Present:** Cllr C Aparicio Paul, Cllr M Best, Cllr N Bloomfield, Cllr A Bown, Cllr A Broom, Cllr M Caswell, Cllr P Clayton (Vice-Chair), 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 Fraschini, Cllr A Govier, Cllr A Groskop, Cllr D Hall, Cllr P Ham, Cllr N Hewitt-Cooper, 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 T Napper, Cllr F Nicholson, Cllr G Noel, Cllr L Oliver, Cllr J Parham, Cllr H Prior-Sankey, Cllr F Purbrick, Cllr L Redman, Cllr B Revans, Cllr D Ruddle, Cllr N Taylor (Chair), Cllr J Thorne, Cllr G Verdon, Cllr W Wallace, Cllr A Wedderkopp, Cllr J Williams, Cllr R Williams and Cllr J Woodman.

### 77 **Apologies for Absence** - Agenda Item 1

Apologies for absence were received from:, Cllr M Rigby, Cllr L Vijeh and Cllr M Healey, Cllr M Pullin

### 78 **Declarations of Interest** - Agenda Item 2

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

### 79 **Minutes from the Council meeting held on 16 May 2018** - Agenda Item 3

The Minutes of the meeting held on 16 May 2018 and the addendum to the Minutes of the Council meeting held on 21 February 2018 were accepted as a true and accurate record and were signed by the Chair.

### 80 **Chair's Announcements** - Agenda Item 4

The Chair paid respects to Council Alderman Dr Glyn Court - Councillor for Williton between 1973 and 1977, then 1985 to 1993. He held the position of Vice-Chairman of the Council, as well as chairing three committees and vice-chairing another two.

He then paid tribute to 25 years of services to the County Council by Councillors Hazel Prior-Sankey and Dave Loveridge and presented them both with commemorative gifts to mark the occasion.

The Chair informed members of the visits he had made in May, June and July 2018 and thanked the Vice-Chair for attending those events he was unable to.

### 81 **Public Question Time** - Agenda Item 5

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

#### **PQ1. Changes to the SCC Constitution**

From Nigel Behan

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

**PQ2. Unitary**

From Helen Kay

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

**EMQ1. Unitary Status**

From Martin Dimmery

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

**PQ3. Council savings and overspend**

From Nigel Behan

*Response from Cllr Mandy Chilcott, Cabinet Member for Resources*

**EMQ2. Financial Imperative Team**

From Liz Leyshon

*Response from Cllr Mandy Chilcott, Cabinet Member for Resources*

**PQ4. A361**

From Hollie White

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

**PQ5. A361**

From Christine Prior

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

**PQ6. Hinkley Point C and its impact on the A361**

From John Swift

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

**EMQ 3. A361**

From Cllr Terry Napper

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

**PQ7. Chard swimming pool**

From Jos Sartain

*Response from Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure*

**PQ8. Chard swimming pool**

From Fiona Bowen

*Response from Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure*

**PQ9. Chard swimming pool**

From David Flack

*Response from Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure*

**PQ10. Chard swimming pool**

From Joan Knight

*Response from Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure*

**PQ11. Chard swimming pool**

From Dan Glentworth

*Response from Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure*

**PQ12. Chard swimming pool**

From Nicola Bridger

*Response from Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure*

**PQ13. Chard swimming pool**

From Nina Wagstaff

*Response from Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure*

**PQ14. Chard swimming pool**

From George Wood

*Response from Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure*

**EMQ 4. Cresta Pool, Chard**

From Cllr Amanda Broom

*Response from Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure*

**EMQ 5. Cresta Pool, Chard**

From Cllr Gemma Verdon

*Response from Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure*

## **PQ15. Railway franchise consultation**

From Dave Chapple

*Response from Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure*

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

### **82 Report of the Leader and Cabinet – for decision - Agenda Item 6**

- (1) The Council considered a report by the Leader and Cabinet which set out the recommendation to Council regarding the Annual Treasury Management Outturn report 2017-18 following consideration at Cabinet on 9 July 2018.
- (2) The recommendations were proposed by Cllr David Fothergill and seconded by Cllr Liz Leyshon.
- (3) The Council **RESOLVED** unanimously to approve the Annual Treasury Management Outturn Report 2017/18 as set out in the attached report and its appendices.

### **83 Report of the Monitoring Officer – for decision – Agenda Item 7**

- (1) The Council considered a report from the Monitoring Officer which set out a recommendation regarding the Interim Director of Finance being appointed and empowered as the Council's Section 151 Officer following consideration at the Constitution and Standards Committee on 6 July 2018.
- (2) The recommendation was proposed by Cllr David Fothergill and seconded by Cllr Mandy Chilcott.
- (3) There was some discussion regarding the timeframe in appointing a permanent Corporate Director for Resources during 2018/19 and also the wording in recommendation 3 which stated delegating authority to the Monitoring Officer and it was felt the word 'the' in relation to the decision should be amended to read 'this'.
- (4) This amendment was proposed by Cllr Mandy Chilcott and was seconded by Cllr Leigh Redman and was agreed unanimously.
- (5) The Council **RESOLVED** unanimously to:
  1. Appoint and allocate the statutory Chief Finance Officer (Section 151 Officer) role to the Interim Director of Finance with effect from the 18 July 2018 pending the recruitment of a permanent employee to the role of Corporate Director for Resources.
  2. Agree to amend the Constitution and Council Scheme of Delegation to recognise and empower the Interim Director of Finance to undertake all of the statutory functions of a Chief Finance Officer (Section 151 officer), the

functions of the Director of Finance, Legal and Governance and take all decisions related to the role;

3. Delegate authority to the Monitoring Officer to make any changes necessary to the Constitution as a result of this decision of the Council.

4. Recommend the Leader to make complementary changes to those outlined in 2.1 (2) above to the Cabinet Scheme of Delegation.

- (6) The Monitoring Officer then introduced the report regarding full council meeting procedures, scrutiny call-in procedure and public question time rules which set out the key proposals that Constitution & Standards Committee considered.
- (7) There was some debate and discussions about the suggested changes for public questions regarding the 6-month rule and the number of questions.
- (8) The recommendation was proposed by Cllr David Fothergill and seconded by Cllr William Wallace.
- (9) The Council **RESOLVED** by a majority of 36 in favour, 9 against and 2 abstentions to agree:
1. the proposals regarding the proposed amendment to the Full Council meeting procedure rules and Public Question Time provisions within the Constitution as set out in paragraphs 3.1- 3.11 of Paper B.
  2. the proposals regarding the proposed amendment to the scrutiny call-in procedure as set out in paragraph 3.16 of Paper B.
  3. note the work to be undertaken investigating options to improve the effectiveness of scrutiny (see paragraph 3.17 of Paper B)

#### 84 **Requisitioned Items – for decision – Agenda Item 8**

##### **Electronic committee agendas and papers**

- (1) The Council considered a requisitioned item on electronic committee agendas and papers proposed by Cllr Faye Purbrick and seconded by Cllr Josh Williams.
- (2) Cllr Purbrick introduced the motion and explained that all elected members had benefitted with being issued with new technology which enabled them to undertake their role in a variety of locations as well as accessing agendas and reports for committee meetings. With the Council facing financial challenges the request was that there should be no further printing or postage of agendas and papers for members from September.
- (3) There was some discussion about paper copies for the public, battery life of the new devices, concern that September may be too soon.
- (4) The Council **RESOLVED** by a majority of 44 in favour, 2 against, and 3 abstentions to agree with effect from 1 September 2018 that all agendas and papers for the Council's committee meetings are issued electronically and that no further printing or postage of papers is undertaken for members by officers except where matters of equality or inclusivity require this.

85 **Report of the Leader and Cabinet - Items for Information - Agenda Item 12**

- (1) The Council considered a report that summarised the key decisions taken by the Leader and Cabinet Members and officers between 5 May and 9 July together with items of business discussed at Cabinet meetings on 11 June 2018 and 9 July 2018.
- (2) The Leader of the Council, Cllr David Fothergill gave a statement about achieving financial stability in the council and the savings and efficiencies already achieved. He highlighted the continuing financial challenges facing the council and that the Council would need to consider doing less or stop providing some discretionary services in order to live within its available resources.
- (3) There was some debate about raising more money through council tax and the lack of adequate Government funding and recognition of the pressure on councils regarding adults and children's social care services.
- (4) Cllr Fothergill responded to a written question from Cllr John Clarke regarding single use plastics.
- (5) Cllr John Woodman responded to written questions from Cllr Amanda Broom regarding public transport and Cllr Leigh Redman regarding highway works around Bridgwater.

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

86 **Report of the Scrutiny Committee for Policies and Place— Agenda item 12**

- (1) The Chair announced that he was bringing this item forward as there was a decision to be made from this report.
- (2) Cllr Anna Groskop, the Chair of the Scrutiny for Policies and Place Committee introduced the report which covered the work of the meetings held in May, June and July.
- (3) The Committee also considered and recommended proposals to Council to agree to establish a Joint Scrutiny Committee of council members from across the Heart of the South West to scrutinise the Heart of the South West (HotSW) Local Enterprise Partnership.
- (4) The Council **RESOLVED** to:
  - a) Approve the implementation of a Joint Scrutiny function (Committee) for the South West Local Enterprise Partnership (LEP) and the Terms of Reference and Operating Procedures, as outlined in appendix 1, be endorsed, together with the required amendments to the Constitution, reflecting the new joint arrangements and Delegation of the Overview and Strategic Scrutiny of the LEP functions (as outlined in the roles, duties and responsibilities of appendix 1);

- b) Appoint Cllr C Paul, Cllr M Lewis, Cllr R Williams and Cllr L Leyshon to the Joint Scrutiny Committee in accordance with the rules of political proportionality;
- c) Agree that Devon County Council becomes the host Authority to support the new Heart of the South West Local Enterprise Partnership (LEP) Joint Scrutiny Committee, which will operate under the Standing Orders of Devon County Council

**87 Report of the Scrutiny for Policies, Adults and Health Committee - Agenda Item 10**

- (1) The Council received and noted the report from the Chair of the Scrutiny for Polices, Adults and Health Committee Cllr Hazel Prior-Sankey. Cllr Aparicio Paul was thanked for her work and assistance as Vice Chair of the Committee during this period.

**88 Report of the Scrutiny for Policies, Children and Families Committee - Agenda Item 11**

- (1) The Council received and noted the report from the Chair of the Scrutiny for Policies, Children and Families Committee Cllr Leigh Redman.

**89 Annual Report of the Cabinet Member for Highways and Transport – Agenda Item 13**

- (1) The Council received the Annual Report of the Cabinet Member for Highways and Transport which highlighted key achievements during the past year including a replacement Local Transport Plan – Implementation Plan, supporting the formation of a South West Peninsula sub-national transport body, working with Highways England to develop vital improvements to the A303/A358/A30 corridor, completion of the Taunton Northern Inner Distributor Road and formal naming ceremony, finalised initial design of phase 1 of the Toneyway Corridor improvements in Taunton, jointly developing a new forward-looking 20 year Taunton Transport Strategy, new contract for highways maintenance in Somerset, and continued investment in the highways network through the structural maintenance programme.
- (2) The Council noted the report.
- (3) The Chair took the opportunity to highlight the bravery of the cave divers who helped with the rescue in Thailand. It was agreed he would write to them to thank them and invite them as his guests to the Chair's Awards evening during 2018.

**(The meeting ended at 13.10)**

**CHAIR of the Council**