



Somerset West and Taunton Shadow Council

Shadow Executive Meeting – February 2019

Implementation Plan for the Creation of a New Council for Somerset West and Taunton - Update

This matter is the responsibility of the Leader of the Shadow Council
Report Author: Paul Harding – New Council Workstream Lead

1 Executive Summary

- 1.1 The Somerset West and Taunton Shadow Authority is required to have in place an Implementation Plan to outline how the functions and responsibilities of Taunton Deane and West Somerset will transfer to the Somerset West and Taunton Council on 1 April 2019.
- 1.2 This report provides members of the Shadow Executive with an update on progress against the Plan, which was approved by Shadow Council at their October meeting.

2 Recommendations

- 2.1 It is recommended that Shadow Executive for Somerset West and Taunton Council notes the progress made in relation to the Implementation Plan.

Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
Somerset West and Taunton Council is not legal, safe or functioning from 1 April.	3	5	15
<i>The mitigations for this is the Implementation Plan described within this report</i>	1	5	5

Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
			Impact				

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

1 Background

- 1.1 In May 2018 the orders to create a new, single district-level council for Somerset West and Taunton were signed into law by the Secretary of State for Housing, Communities and Local Government confirming that the new Council would be created on 1 April 2019 and elections to the new Council would take place on 2 May 2019.
- 1.2 The order that creates the new Somerset West and Taunton Council provided for the establishment of a Shadow Authority and Shadow Executive to operate before Somerset West and Taunton Council takes on full responsibility on 1 April 2019.
- 1.3 Regulation 11 of The Somerset West and Taunton (Local Government Changes) Order 2018 provides that the Shadow Authority must prepare, keep under review, and revise as necessary an Implementation Plan. The Implementation Plan must include such plans, timetables and budgets as the Authority considers necessary to facilitate the economic, effective, efficient and timely discharge, on or after 1 April 2019, of the functions that, before that date, are the District Councils' functions.

- 1.4 The Shadow Authority must approve the Implementation Plan and delegate the functions conferred on it by Regulation 11 of the Changes Order to the Shadow Executive. Therefore, the Shadow Executive is responsible for keeping the Implementation Plan under review, and revising it, as necessary.

2 The Implementation Plan

- 2.1 The focus of the Implementation Plan is to ensure the new council is legal, safe and functioning from 1 April 2019.
- 2.2 The Plan seeks to identify all of the actions necessary to meet these objectives.
- 2.3 Due to the legislative path that is being followed to create the new council, there is no precedent regarding the individual elements that an Implementation Plan should include nor what form the Plan should take.
- 2.4 Officers have shared our initial draft with MHCLG officials and have also looked at the approach being adopted by other councils currently in the process of creating new councils who are following the same legislative path as ourselves, in order to help shape the content of our Plan.
- 2.5 At a high level, the Plan focuses on ensuring Somerset West and Taunton Council...
- has the staff and contracts in place to deliver services to our community;
 - can make lawful decisions (constitution, strategies, plans and policies);
 - holds the necessary insurances, licences and permits to operate;
 - has the necessary governance arrangements in place (statutory officers, auditors, committees);
 - can order necessary goods and services;
 - can pay its suppliers, members and staff;
 - can set, bill and collect income.

3. Finance / Resource Implications

- 3.1 The implementation of the new Somerset West and Taunton Council has an agreed budget which both councils committed to as part of the approved transformation business case in the summer of 2016. The new single council is estimated to generate approximate ongoing savings of £0.5 million per annum; with payback being delivered in 2020/21.
- 3.2 The actions within the Implementation Plan will predominantly be delivered by a combination of project resource within the Transformation Team and One Team officers in operational service areas.

4 Legal Implications

- 4.1 The Shadow Authority is required to have an Implementation Plan in place by virtue of Regulation 11 of The Somerset West and Taunton (Local Government Changes) Order 2018.
- 4.2 In preparing and carrying out the Implementation Plan, the Shadow Authority must have regard to the information originally supplied to the Secretary of State in support of proposals for a single council.
- 4.3 The whole process of establishing shadow governance arrangements has required external specialist legal support and this will continue until a new, legal, safe and functioning council is stood up on 1 April 2019.

5 **Environmental Impact Implications**

- 5.1 No specific impact.

6 **Safeguarding and/or Community Safety Implications**

- 6.1 No specific impact.

7 **Equality and Diversity Implications**

- 7.1 As we progress towards 1 April 2019, and take forward individual actions arising out of the implementation plan, we will need to assess the impacts that any potential service changes have. Where appropriate, the impacts will be subject to formal assessment (such as equality impact assessment, or data protection impact assessment) and appropriate mitigations will be developed.

8 **Social Value Implications**

- 8.1 No specific impact.

9 **Partnership Implications**

- 9.1 The implementation plan contains items relating to partnerships.

10 **Health and Wellbeing Implications**

- 10.1 No specific impact.

11 **Asset Management Implications**

- 11.1 The implementation plan contains items relating to assets.

12 Consultation Implications

- 12.1 The Shadow Scrutiny committee and Shadow Council have reviewed the Implementation Plan.
- 12.2 A progress update was provided to the January Shadow Scrutiny committee. No significant issues or concerns were raised.

Democratic Path:

- Shadow Scrutiny – Yes
- Shadow Executive– Yes

List of Appendices

Appendix A	Implementation Plan - Update Summary
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Contact Officers

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