

## Taunton Charter Trustees - 7 August 2019

Present: Councillor Francesca Smith (Chair)

Councillors Sue Lees, Lee Baker, Chris Booth, Richard Lees, Libby Lisgo, Martin Peters, Hazel Prior-Sankey, Alan Wedderkopp, Danny Wedderkopp and Brenda Weston

Officers: Jo Comer, Marcus Prouse and Amy Tregellas

Also Present: Councillors Dave Durdan and Kelly Durdan

(The meeting commenced at 6.00 pm)

### 17. Apologies

Apologies were received from Councillors Coles and Smith-Roberts.

### 18. Minutes of the previous meeting of the Taunton Charter Trustees

(Minutes of the meeting of the Taunton Charter Trustees held on 4<sup>th</sup> June 2019 were circulated with the agenda)

**RESOLVED** that the minutes of the Taunton Charter Trustees held on 4<sup>th</sup> June 2019 were confirmed as a correct record.

### 19. Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr L Baker	All Items	Cheddon Fitzpaine & SWT	Personal	Spoke and Voted
Cllr C Booth	All Items	Wellington and SWT	Personal	Spoke and Voted
Cllr R Lees	All Items	SWT	Personal	Spoke and Voted
Cllr S Lees	All Items	SWT	Personal	Spoke and Voted
Cllr L Lisgo	All Items	SWT	Personal	Spoke and Voted
Cllr M Peters	All Items	SWT	Personal	Spoke and Voted
Cllr H Prior-Sankey	All Items	SCC & SWT	Personal	Spoke and Voted
Cllr F Smith	All Items	SWT	Personal	Spoke and Voted
Cllr A Wedderkopp	All Items	SCC & SWT	Personal	Spoke and Voted
Cllr D	All Items	SWT	Personal	Spoke and Voted

Wedderkopp				
Cllr B Weston	All Items	SWT	Personal	Spoke and Voted

## 20. Public Participation

Councillor Kelly Durdan (Somerset West and Taunton Council) made a statement about the Taunton Christmas Lights. She had previously been involved in organising the event in 2012, 2013 and 2014. Councillor K Durdan was willing to organise it again for 2019 but wished to get a small working party of Councillors involved to support each other and work together to make the event successful.

During the discussion of this item, Members made comments and asked questions which included:-

- Councillor Prior-Sankey asked for more detail about the proposed timescale and monies involved, and whether there was already budget set aside in the District Council funds to support this?
- *Councillor Durdan confirmed that in 2012 the Council provided £10,000 and the event was organised in just six weeks. The possible budget would be looked at £40,000. If we did it again we would be able to collect revenue from other businesses attending in the daytime and through a variety of sponsorship and fundraising.*
- Councillor D Wedderkopp felt that the Christmas Lights was a perennial issue and needed to be resolved in the baseline budget.
- Councillor Lisgo recognised that the Christmas lights meant a lot to people and was unclear of the intentions of SWT with the lights for this year. This body was not a Town Council in the same respect of other town councils with their precepting abilities. The Christmas light's should be the responsibility of the District until then.
- Amy Tregellas reported that Craig Stone in Communications was believed to be leading on this issue within the District Council and Councillor Durdan was recommended to contact him in the first instance.
- Councillor Weston felt it would be good to have decent lights and queried whether any lights provided would be energy efficient and whether the costs and affordability of them could be investigated.
- *Councillor K Durdan confirmed that the money was not the main issue but that the support of other Councillors was vitally needed to make this event a permanent success in the Calendar. The lights were confirmed as energy efficient.*
- Councillor Booth spoke in favour of the plan and appreciated that whilst the finances need to be looked at, there was an opportunity with a Working Party to grasp this opportunity to put Taunton on the map regarding Christmas lights.

The Mayor confirmed that as representatives of the Unparished Area of Taunton it was important to do something to try and support this initiative. Interested Members were urged to contact Councillor Durdan subsequently if interested in serving on the working party. Councillor Durdan was also urged to look into

submitting a bid application form to the Charter Trustees Standing Committee if funds were required.

21. **Petitions**

No petitions from residents of Taunton had been received.

22. **Deputations**

No deputations from residents of Taunton had been received.

23. **Communications**

The Mayor confirmed that there were no communications to report.

24. **Motions to the Charter Trustees**

No motions to the Charter Trustees had been received.

25. **Budget for the Charter Trustees of Taunton for 2019/20**

The Clerk to the Charter Trustees introduced this item. The Charter Trustees had lodged a request for funding to the District Council (Somerset West and Taunton) at its inaugural meeting on 4<sup>th</sup> June 2019. This was because in their first year of existence Charter Trustees are not able to raise their own precept under legislation and had to have an amount provided for them by the District body.

Somerset West and Taunton Council had discussed this matter at their Full Council meeting on the 16<sup>th</sup> July 2019 and made the following resolutions:

- Transfer the 2019/20 Unparished Area budget of £46,399, to be allocated in line with the approved scope and governance of the Charter Trustees including the cost of the mayoralty, support costs and local grants scheme.
- Transfer the balance of unallocated legacy funds from previous years' TDBC Unparished Area Special Expenses Precept, to be administered by the Charter Trustees of the Town of Taunton.
- The transfer of legacy balance and future CIL Infrastructure Payments derived from the Unparished Area to the Charter Trustees of the Town of Taunton, once appropriate governance arrangements have been devised by the Charter Trustees to the satisfaction of the SWTC Head of Performance and Governance and the S151 Officer.
- Recommend the relevant Head of Function consults the Mayor, as representative of the Trustees, regarding the allocation of the legacy General Fund Unparished Area Play Equipment Capital Budget for use within the unparished area.
- The Charter Trustees be required to satisfy the SWTC S151 Officer that there are appropriate arrangements in place for the proper administration of and accounting for the funds to be transferred.

- Note that in future years, the Charter Trustees will be in a position to raise its own precept to fund its responsibilities.

During the discussion of this item, Members made comments and asked questions which included:-

- The Joint Independent Remuneration Panel were thanked for their work in calculating an allowance.
- It was requested that the figure provided for the Mayoralty in the final budget (18/19) for Taunton Deane Borough Council was provided to the Charter Trustees, which included costs for the Car and Driver for example.
- It was requested for further detail to be provided on the restrictions or criteria regarding the use of Community Infrastructure Levy (CIL) to be provided.
- *This information and guidance could be provided subsequent to the meeting by an officer in the Planning area that covered CIL. The former Unparished Area Committee had expressed a desire to explore the use of the CIL funding to improve cycling infrastructure within the Town Centre.*
- *The Clerk to the Charter Trustee's had had initial conversations with two officers in the Commercial Investment team about presenting to the Trustee's on a project that could potentially support the use of the CIL Funding on cycling infrastructure.*
- Members supported this and requested County Council involvement.
- *Regulation 59c states that a local council must use CIL receipts passed to it in accordance with regulation 59A or 59B to support the development of the local council's area, or any part of that area, by funding the provision, improvement, replacement, operation or maintenance of infrastructure or anything else that is concerned with addressing the demands that development places on an area. £44,000 of that CIL budget was awarded in October 2015 and according to the regulations must be spent within a five year time limit.*
- A Member Briefing on CIL was considered a session to aid understanding of the topic.
- It was understood that the County Council were also seeking views on the CIL monies that had been received as part of the Killam's development.
- Clarification was sought on the detailed bids underneath the budget lines on amounts paid out against previously agreed commitments (£23,315) and amounts committed but not yet settled (£30,012).
- *The detail on these bids could be circulated to all Charter Trustees after the meeting and had been included in the response to David Orr, with all bid decisions to be published as before and available to members of the public.*
- Councillor Booth urged Councillors who were aware of capital improvements to be required to be made to Parks within the Unparished Area to contact himself and Cllr R Lees as there was a piece of work being undertaken looking at this area.

**RESOLVED** that the Taunton Charter Trustees:-

- a) Approved the Budget for the Charter Trustees of Taunton for 2019/20 until 31st March 2020 with the following allocations:-
- i. As recommended by the Joint Independent Recommendation Panel (JIRP) and the Shadow Council approved the award of a Special Responsibility Allowance for 2019/20 for the Mayor of Taunton at £2,930 and £1,570 for the Deputy Mayor for Taunton.
  - ii. That CPIH be used to inflation-index both Mayoral allowances in future years.
  - iii. That after a year's experience of the offices of Mayor and Deputy Mayor, the allowances be reviewed by the JIRP.
  - iv. Approved an amount of circa £500 for insurance costs associated with the Historic Civic Regalia, Insignia and Silver and associated property that vested with the Charter Trustees on 1 April 2019. (£505.85 was the cost in 18/19).
  - v. Ring-fenced an amount from the budget to be spent entirely on Mayoral activities such as travel expenses and event organisation and hosting within the unparished area. Based on estimates from previous years spend and depending on activities planned this is suggested as being an amount that should not exceed £10-£15,000.

26. **Confirmation of Special Responsibility Allowance for Mayor and Deputy Mayor for 2019/2020**

The Clerk to the Charter Trustees confirmed that The Charter Trustees predecessor committee the Unparished Area Committee formally requested that the Joint Independent Remuneration Panel look at the allowances for the Mayor and Deputy on 30th January 2019, whose recommendations were then supported at the meeting of the Shadow Council on 26th March 2019 at amounts of £2,930 and £1,570 for the Mayor and Deputy Mayor respectively.

As was customary, the use of the independent JIRP in advising Councillors enabled this to be looked at in an impartial manner with proposed allowances. If the Charter Trustees did wish to formally amend the Panel's recommendations this would have to be accompanied by clear reasons for departing from the recommendations and these needed to be publicised. The JIRP was keen to review the allowances after 12 months of operation.

**RESOLVED** that the Charter Trustees of Taunton:-

- a) As recommended by the Joint Independent Recommendation Panel (JIRP) and the Shadow Council approved the award of a Special Responsibility Allowance for 2019/20 for the Mayor of Taunton at £2,930 and £1,570 for the Deputy Mayor for Taunton.
- b) That CPIH be used to inflation-index both Mayoral allowances in future years.
- c) That after a year's experience of the offices of Mayor and Deputy Mayor, the allowances be reviewed by the JIRP.

27. **Civic Protocol**

The Civic Protocol document had been circulated with the Agenda. The Civic protocol was designed to help clarify the events and functions that the Charter Mayor and the Chairman of Somerset West and Taunton (SWT) Council would attend. The Civic role of the Chairman of the SWT Council included the following tasks:

- Prioritise and focus on promoting and enhancing strategic district - wide initiatives and promote public involvement in the Council's activities.
- Host high profile business and political visitors
- Attend events of regional, national or international significance
- Attend activities that enhance the economic, social and environmental wellbeing of the area.
- Be the conscience of the Council

It was anticipated that both the Chair role and Charter Mayor Role will complement each other but it will be vital that there is close liaison between the relevant office and Office-holders to ensure each role is afforded appropriate respect. The protocol arrangements would, as a consequence, require refinement as the new arrangements were embedded and the roles defined. This protocol was proposed to be reviewed after the first year of operation.

During the discussion of this item, Members made comments and asked questions which included:-

- It was suggested that the change to a two year presumption of service for the Mayoralty was adopted at the stage when Taunton had its own Town Council.
- It was suggested that the heading of 'Other Events' was amended to include other multicultural and religious events to show that the Town was inclusive.
- *Officers would amend the document.*
- It was suggested that the barrier to being Mayor and Deputy Mayor currently written into the documentation adopted of 3 years and 2 years respectively be looked at again by the Charter Trustee's with a suggestion of two and one year.
- *Officers suggested this was due to the need to have requisite experience of being a Councillor before taking up an intensive role such as the Mayoralty but it would be looked into and reported back to ensure there was no legislative barrier to this amendment being made to the Charter Trustee documents at the next meeting.*

**RESOLVED** that the Charter Trustees:-

- i. Approved the Civic Protocol detailing the relationship between the Chair of Somerset West and Taunton Council and the Mayor of Taunton.
- ii. Supported the presumption that the person taking up the Mayor of Taunton role was presumed to serve in the role for two consecutive years,

if so wished by that person, though still being selected on an Annual basis.

- iii. Supported the tradition as undertaken under the former Taunton Deane Borough Council Mayoralty that there was an expectation of the Deputy Mayor taking on the role of Mayor of Taunton upon completion of their term of service as Deputy, if so wished by that person.

## 28. **Functions and Responsibilities of the Charter Trustees**

The Clerk to the Charter Trustees introduced this item. The 'Functions and Responsibilities' Document of the Charter Trustee's had been agreed at the inaugural meeting, with the caveat that it was brought back to the next immediate meeting for final sign-off once certain points were clarified. The main issue had since been clarified with the assistance of the Association for Charter Trustee Town's and Councils, who clarified that the civic regalia, plate, portraits, civic robes and hats and other valuables related to Taunton and the Mayoralty vested to the Charter Trustee's on 1<sup>st</sup> April 2019 and were not owned by the District Council. This did mean that the Charter Trustees were now responsible for insurance of this property.

**RESOLVED** that the revised Functions and Responsibilities of the Charter Trustees were agreed as amended.

## 29. **Community Governance Review**

The Clerk to the Charter Trustees introduced this item which provided an update to the Charter Trustees of Taunton on the process and expected timeline of a Community Governance Review. It also included a brief overview of the legislation underpinning the Community Governance Review and included the Government guidance document for reference.

The Shadow Council had made a resolution in March 2018 when deciding to create a new Council that:

- "A Community Governance Review of the Unparished Area of Taunton be commenced at the earliest opportunity (taking into consideration the guidance from both the Local Government Boundary Commission for England and Ministry for Housing, Communities and Local Government)."

There was a process that had to be followed but the Charter Trustees and the community could petition the District Council to influence the Terms of Reference of said Community Governance Review, but this could be triggered by the District at any point without having to receive such a petition.

During the discussion of this item, Members made comments and asked questions which included:-

- Councillors had sought further clarity on a timetable for this process and to how it was to be resourced to undertake this piece of work and this had been raised with the CEO of the District Council.
- It was noted that Councillors in other localities in the District were keen to address this anomaly.
- The anomalous boundaries around the edges of the Unparished Area would need to be reviewed as part of this process.
- It was stated that the potential for Borough Status could be explored for the District of Somerset West and Taunton or for the Town Council, which would have to be obtained by Royal Assent.
- It was felt that the previous consultation on the creation of a new Council had not been as effective in reaching people. The people of the Town needed an opportunity to have the facts laid before them to enable them to make their own conclusions and perhaps a Citizens Assembly was a suggested method of undertaking this.
- A query was raised as to how long the process of undertaking the review?
- *The Monitoring Officer confirmed that the review would be around 12 to 18 months in duration, but that any new Parish or Town Councils could not be officially stood up until the next Elections were due in May 2023. A Communication and Engagement Strategy would form part of the Review process with members of the public, local Councils and other stakeholders that would not only use digital tools but traditional methods as well to be as inclusive as possible.*
- *Governance Review requests had already been received from other Parish Councils in the locality of Somerset West and Taunton, so it could make sense to undertake a wider review of the District at the same time.*
- *A further report would be brought back to the next meeting on the potential timescales and it would be a Standing Item at each meeting of the Charter Trustees.*
- It was suggested that the whole Council needed to get behind this Review, and Councillors from all parties would need to take this to their political groups and build good will and make it truly cross-party and unbiased. It was suggested that this be raised at Group Leaders meetings.
- It was suggested that when the implications of this were understood a presentation on the Community Governance Review be created for Councillors to present back to their own communities.

**RESOLVED** that the Charter Trustees of Taunton:-

- a) Requested that the District Council urgently undertake to devise a timetable and identify the resources needed for a Community Governance Review of the Unparished Area of Taunton.

### 30. **Appointment of Representative to Association of Charter Trustee Towns and Charter Town Councils**

The Clerk to the Charter Trustees introduced this item. As a Charter Trustee town the Charter Trustees were part of the Association of seventeen other localities that had this arrangement. It was recommended that the Taunton Charter Trustees appointed one of



their number to be their Representative to the Association of Charter Trustee Towns and Charter Town Councils, whose AGM is on Thursday 26<sup>th</sup> September 2019 in Chester and to attend if any issues or meetings arose during the next year.

**RESOLVED** that Councillor Francesca Smith as Mayor of Taunton be appointed as the Charter Trustee's representative to the Association of Charter Trustee Towns and Charter Town Councils.

(The Meeting ended at 7.30 pm)