

Minutes of a Meeting of the Executive held in the John Meikle Room, The Deane House, Taunton, TA1 1HE, on Wednesday, 5 June 2024 at 10.00 am

Present:

Cllr Bill Revans (Chair)
Cllr Liz Leyshon (Vice-Chair)

Cllr Theo Butt Philip
Cllr Heather Shearer
Cllr Richard Wilkins

Cllr Dixie Darch
Cllr Federica Smith-Roberts
Cllr Ros Wyke

In attendance:

Cllr David Fothergill
Cllr Henry Hobhouse
Cllr Derek Perry

Cllr Mark Healey
Cllr Frances Nicholson
Cllr David Woan

Other Members present remotely:

Cllr Suria Aujla
Cllr Nicola Clark
Cllr Bob Filmer
Cllr Dawn Johnson
Cllr Sue Osborne
Cllr Gill Slocombe
Cllr Claire Sully

Cllr Mandy Chilcott
Cllr Andy Dingwall
Cllr John Hunt
Cllr Val Keitch
Cllr Leigh Redman
Cllr Fran Smith

The Legal Services Manager, Steven Hellard, highlighted the pre-election notice period for the General Election scheduled to be held on 4 July 2024, noting that the business of the Council should not seek to influence residents voting preference.

In addition, the Legal Services Manager noted the need to comply with the restrictions outlined in section 2 of the Local Government 1986, and outlined the guidance contained in the Code of Recommended Practice on local authority publicity.

149 Apologies for Absence - Agenda Item 1

Apologies were received from Cllr Sarah Wakefield and Cllr Adam Dance.

150 Minutes from the Previous Meeting - Agenda Item 2

The minutes of the Executive held on 8 May 2024 were agreed as a correct record and signed by the Chair.

151 Declarations of Interest - Agenda Item 3

Cllr Theo Butt-Philip - Wells City Council
Cllr Heather Shearer – Street Parish Council
Cllr Federica Smith-Roberts – Taunton Town Council
Cllr Richard Wilkins – Curry Rivel Parish Council
Cllr Ros Wyke - Westbury-sub-Mendip Parish Council

152 Public Question Time - Agenda Item 4

There were no public questions received by the submission deadline.

153 Executive Forward Plan - Agenda Item 5

The Executive noted the Forward Plan.

154 Implementation of the Gravity Enterprise Zone via Gravity Locality Investment Plan - Agenda Item 6

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Economic Development, Planning & Assets, Cllr Ros Wyke, to introduce the report.

The Lead Member for Economic Development, Planning & Assets, Cllr Ros Wyke, introduced the report, highlighting: that the report set out the third stage of the decision-making process for delivery of the Gravity Enterprise Zone (GEZ); consideration of the report alongside the revised Treasury Management Strategy (TMS) Plan 2024/25, to accommodate proposed investment and borrowing; that the report focussed on the approach to deliver the GEZ; that the Gravity Locality Investment Plan (GLIP), will ensure the project delivers transformation for the County, specifically around movement, skills and business opportunities; and that the report and revised TMS Plan 2024/25 would be considered at the next available Full Council meeting.

The Executive Director, Climate and Place, Mickey Green, further added to the above points, highlighting: that the report had been considered at Scrutiny Committee – Corporate & Resources on 29 May 2024; that a grant had been secured from the Department for Business and Trade alongside a 10 year extension to the Enterprise Zone Designation from the Department for Levelling Up, Housing and Communities; that the GLIP aims to create an environment that is commercially attractive to investors and future occupiers; joint working and progression of the viability assessment and business case and subsidy control assessment; that all funding applications will be decided in line with the existing financial delegations prescribed in the Council's constitution and that all funding agreements will protect the Council's finances by ensuring the inclusion of relevant

clawback clauses and monitoring mechanisms; that the report summarised the risk and mitigations relevant to the recommendations and are underpinned by a comprehensive programme risk register; and how the development can act as a catalyst to transform Somerset.

The Executive Director, Resources and Corporate Services, Jason Vaughan, added that the revised TMS Plan 2024/25 was considered and approved at the Audit Committee held on 30 May 2024.

The Leader of the Council, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the initial energy connection and infrastructure costings and connection capacity availability; overview of mitigation of the impact on the housing market and sufficiency of school places; transport and travel solutions for the site and for wider public benefit; workforce profiling, employment and skills opportunities available across all Somerset schools and training facilities; comparison and lessons learned from the Hinkley Point project including community engagement and communication, development of supply chain and the significant local and countywide opportunities; the impact of possible changes to the national business rate policies and the acknowledgement of the work of Officers to secure the non-repayable £55m Government grant to cover the costs of borrowing until business rates commence; and the planned multi phase project work with different partners to educate children, adults and attract an inclusive and diverse workforce.

The Leader of the Council, concluded the discussion, acknowledging work to date and the opportunities this development will bring for the County.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive:

- a. Approved the detailed financial governance arrangements set out in the report.**
- b. Noted the Gravity Locality Investment Plan as set out in Appendix A of the report and agreed associated investment priorities for the plan as outlined in para 16.6 of this report.**
- c. Recommended to Full Council that the Gravity Scheme is added to the capital programme and that the Council's Treasury Management Strategy is updated for this as outlined in Appendix B of the report, including adopting the Prudential Treasury Indicators included in table 3 of that Appendix.**
- d. Delegated authority to the section 151 officer to make final decisions about the Council undertaking borrowing, including the quantum and timing, to deliver investment in line with the Gravity Locality Investment Plan and within the limits set out in the Council's Treasury Management Strategy, following consultation with the Leader and Executive Lead**

Member for Resources and Performance.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

155 Recommendations from Scrutiny Committee - Climate and Place meeting on 26 April regarding Water Quality in Somerset - Agenda Item 7

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Economic Development, Planning & Assets, Cllr Ros Wyke, to introduce the report.

The Lead Member for Economic Development, Planning & Assets, Cllr Ros Wyke, introduced the report, highlighting: the detailed and significant background to the report and recommendations following the Scrutiny Committee Climate and Place Water Quality Session meeting held on 26 April 2024; and the importance of water quality across Somerset. Cllr Wyke proceeded to invite the Head of Planning, Alison Blom-Cooper and the Service Manager Planning, Policy and Implementation, Kate Murdoch, to present the report.

The Head of Planning, Alison Blom-Cooper and Service Manager Planning, Policy and Implementation, Kate Murdoch, proceeded to present the report with the aid of a PowerPoint presentation, highlighting: that Somerset Council does not have a statutory responsibility for water quality; that nutrient neutrality is not a policy, it is a national approach supported by case law and followed by approximately 70 LPAs; legal advice received including from Natural England (NE) as a Statutory Nature Conservation Body, nutrient neutrality and requirement of Local Planning Authorities set out in Appendix A and B of the report; the current risks, including legal challenge, costs and delivery of the phosphate mitigation strategy limited by staff resource; and the all Member briefing scheduled as part of reporting to Strategic Planning Committee in September 2024.

The Service Manager Planning, Policy and Implementation then proceeded to highlight that the Climate and Place Scrutiny Committee dedicated water quality meeting on 26th April 2024 put forward a number of recommendations for the Executive to consider, noting these in turn:

1. Immediately remove the 20% buffer included in the Somerset Phosphate Calculator.
2. Conduct a speedy review of the huge inconsistency between what Dr Clegg said, echoed by Wessex Water and what the calculator says with how much of the river borne phosphorus enters the Somerset Levels and Moors (SLM), as that calculator is what informs developers as to how much phosphate we are requiring them to offset.
3. Conduct an urgent review of the entire nutrient neutrality policy in light of the legal advice we have received, which makes it clear that headroom exists and that it could be used in the mitigation of new housing development.
4. The Climate and Place to set up a Task and Finish Group which will report back to the Committee on a tight timescale to set out the options available to the Council

once it is in possession of the correct data.

5. The Council looks to work on a Land Use Strategy as part of a Local Plan.

The Leader of the Council, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: hydrological connectivity of relevant river catchments and the SLM Ramsar; the impact on the water environment, including weather, flooding, 'over topping', agriculture, sewage, saltwater and historical flows; the past improvements to wastewater treatment works by Wessex Water to accommodate and/or mitigate growth; the impact of the Levelling Up and Regeneration Act changes; active partnership working to improve the water environment and provide wider benefits for people and nature in Somerset; that NE are working to establish a technical working group for the SLM; the £9.6m grant from the Government nutrient mitigation fund to enable the Council to bring forward mitigation through innovative schemes and provide 'P credits'; the delivery of the Nutrient Mitigation Strategy, including limited staff resource, funding constraints, changing requirements and technological improvements; the Habitat Regulations including screening, assessment, consultation by NE and consideration for Local Planning applications; the briefing note commissioned by the Planning Advisory service for the benefit of Local Planning Authorities (LPA) in the context of NE's advice on nutrient neutrality; deciduous woodland mitigation measures approved by NE and other studies available; Dr Clegg's research provided at Appendix C of the report; engagement and advice from the Internal Drainage Board, the Royal HaskoningDHV report commissioned by the former Somerset District authorities prior to vesting day of Somerset Council; the role of the Council as the LPA; that a number of planning applications and housing developments were currently on hold; the importance of taking a precautionary approach and mitigating for the balance of the reasonable scientific certainty; the complexity of testing for phosphorus and phosphate; the difficulty in determining sustainable methods for keeping nutrient levels stable in the SLM; acknowledgement of limited research and evidence for the SLM to support taking an alternative approach to nutrient neutrality; the State of the Rivers Report 2024 and the decline in river health; that the nutrient pollution and site restoration challenge is not unique to Somerset Special Protection Areas; the rurality of Somerset and finding a solution for water quality across Somerset, including the smaller treatment plants, sewerage network discharges, treated sewage and overflows of untreated sewage and storm water into rivers; and the acknowledgment of the need for more detailed data to understand and enable the long term restoration of SLM.

The Leader of the Council, Cllr Bill Revans summarised the debate and thanked the Planning Policy Team and the Scrutiny Committee – Climate and Place for their work. The Leader further noted the evolving situation and duty of care towards Somerset residents.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices, discussion and PowerPoint presentation and with the benefit of officer advice the Executive considered and responded to the recommendations from the Scrutiny Committee Climate and Place meeting on 26th April 2024.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

156 Corporate Performance Management Report - Agenda Item 8

The Leader of the Council, Cllr Bill Revans, invited the Deputy Leader of the Council & Lead Member for Resource and Performance, Cllr Liz Leyshon, to introduce the report.

The Deputy Leader of the Council & Lead Member for Resource and Performance, Cllr Liz Leyshon, introduced the report, highlighting: that the report is part of regular quarterly performance reporting to Executive and outlined performance of Somerset Council for Q4 of the financial year 2023/24; areas of concern including levels of staff sickness; and the development of a new corporate performance framework and provided an update on the Performance, Risk and Budget Board.

The Service Director Strategy and Performance, Sara Cretney, proceeded to present the report, highlighting that the report was the final report for 2023/24 pending the implementation of a new Core Performance Framework (CPF); summarised the Key Performance Indicator (KPI) summary table within the report, which set out the overall red, amber and green ratings for the operational interim indicators of the performance of Somerset Council for Q4 of the financial year 2023/24 against a set of operational indicators for each Executive Directorate.

The Leader of the Council, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the work on the CPF and governance routes, alongside reporting to Scrutiny; the consideration of cross directorate or thematic reporting; the impact moving toward a leaner, more efficient Council; the use of digital systems to reduce frontline services; the work of the Education for Life Board to improve school and Local Authority relationships; school attendance and the drop in secondary school attendance; consideration of the most appropriate means of presenting performance data; adult safeguarding risks outcomes and the numbers and increasing cost of care act assessments; residents who have passed away whilst awaiting a care act assessment; the instability for children in temporary accommodation and the impact on access to education; children living in homes which do not meet the 'decent home' standard; and work to find solutions to the challenges of housing provision in Somerset.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive endorsed Q4 2023/2024 Performance Management Report (appendix A) for Somerset Council.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report

157 Somerset Council Improvement and Transformation Programme – June Update - Agenda Item 9

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Transformation and Human Resources, Cllr Theo Butt Philip, to introduce the report.

The Lead Member for Transformation and Human Resources, Cllr Theo Butt Philip, introduced the report highlighting: that the report detailed the update on the progress of the Improvement and Transformation Programme (ITP); the feedback received following consideration at Scrutiny Committee Corporate and Resources on 7 March 2024; and that regular updates would be reported to the Executive and Scrutiny Committees.

The Executive Director Strategy, Workforce and Localities, Alyn Jones, presented the report, highlighting: the core components and key activities summaries. The Executive Director further summarised the feedback received and included in the report from Scrutiny Committee – Corporate and Resources held 7 March 2024, including service level impacts, and ensuring continued awareness, engagement and full consideration of risks, impacts and mitigations of the ITP; and the risk reporting and risk mechanism changes through the work of the Audit Committee and the wider Council.

The Leader of the Council, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: localities and future models of locality working; the ITP service redesign, rethinking the way the Council works and delivers services including the ability to provide self serve options; the Audit Committee consideration of the report on 30 May 2024 and discussion and feedback to the programme, including the challenges and the impact and issues of balancing and managing interdependent and compound risks; communication and sharing the overall vision, risk and service delivery view of the Council, including consultation and engagement with Somerset residents and Council employees; the target operating model timeframes including the retention and redundancy of staff; self serve waste collection functionality; and the potential for reduced motivation in parts of the workforce.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive noted the progress that has been made across the Improvement and Transformation Programme since the previous update to Executive in April 2024.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

(The meeting ended at 1.31 pm)

.....

CHAIR