

Minutes of a Meeting of the Executive held in the Council Chamber, Council Offices, Cannards Grave Road, Shepton Mallet BA4 5BT, on Wednesday, 6 December 2023 at 10.00 am

**Present:**

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

Cllr Theo Butt Philip  
Cllr Tessa Munt  
Cllr Ros Wyke

Cllr Dixie Darch  
Cllr Federica Smith-Roberts

**In attendance:**

Cllr Steve Ashton  
Cllr Martin Lovell  
Cllr Heather Shearer  
Cllr Richard Wilkins

Cllr David Fothergill  
Cllr Oliver Patrick  
Cllr Sarah Wakefield  
Cllr David Woan

**Other Members present remotely:**

Cllr Norman Cavill  
Cllr Tom Deakin  
Cllr Andy Dingwall  
Cllr Helen Kay  
Cllr Andy Kendall  
Cllr Tony Lock  
Cllr Frances Nicholson  
Cllr Faye Purbrick  
Cllr Diogo Rodrigues  
Cllr Mike Stanton  
Cllr Gwil Wren

Cllr Mandy Chilcott  
Cllr Dawn Denton  
Cllr John Hunt  
Cllr Val Keitch  
Cllr Marcus Kravis  
Cllr Dave Mansell  
Cllr Sue Osborne  
Cllr Leigh Redman  
Cllr Jo Roundell Greene  
Cllr Rosemary Woods

The Chair thanked Somerset Council colleagues and partner organisations for their incredible hard work throughout the ongoing exceptional weather situation.

The Lead Member for Transport and Digital, Cllr Mike Rigby, provided an update on the road situation, road closures and floodgate closures across the County, including that 425 separate incidents that had been attended on 4 December 2023, the revised Environmental Agency flooding intervention trigger points for the Somerset Levels and the communication with Town, City and Parish Councils and partners.

The Chief Executive, Duncan Sharkey, further advised of the activation meetings with partners and the potential of a worsening weather situation.

**69 Apologies for Absence** - Agenda Item 1

Apologies were received from Cllr Adam Dance, Cllr Mike Rigby (in virtual attendance), Cllr Dean Ruddle.

**70 Minutes from the Previous Meeting** - Agenda Item 2

The minutes of the Executive meeting held on 8 November 2023 were agreed upon and signed by the Chair.

**71 Declarations of Interest** - Agenda Item 3

Theo Butt-Philip - Wells City Council  
Adam Dance - South Petherton Parish Council  
Mike Rigby - Bishop's Lydeard and Cothelstone Parish Council  
Dean Ruddle - Somerton Town Council  
Federica Smith-Roberts - Taunton Town Council  
Ros Wyke - Westbury-sub-Mendip Parish Council

**72 Public Question Time** - Agenda Item 4

Public Questions relate to 2024/25 General Fund Revenue Budget & Capital Programme update - Agenda Item 11 and received from:

Nigel Behan  
Helen Eccles  
Neil Guild  
Alison Hann  
Robin Horton  
Tom Kennedy-Hughes

Max Lester  
David Redgewell  
Paul Windsor  
Susannah Clemence

All questions were considered under the relevant agenda item. The questions and responses provided are attached to the minutes in Annex A.

*Annex A to follow*

**73 Executive Forward Plan** - Agenda Item 5

The Executive noted the Forward Plan.

**74 2023/24 General Fund Revenue Budget Monitoring Report - Month 6 Q2** - Agenda Item 6

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

The Deputy Leader and Lead Member for Resources and Performance, Cllr Liz Leyshon, introduced the report, highlighting: that the Council is projecting an overspend of £18.7m for 2023/24, an improvement of £8.6m from the previous forecast of £27.3m in month five, due to a one off item; that the forecast overspend for the year is driven by Adults and Childrens Services overspend and that this will impact upon the following financial year; that the report is the first budget monitoring report in the new format using Solver and MS Dynamics; the very difficult and challenging work for the finance team, including the work on accounting and reporting the Council tax debt across four District Councils.

The Service Director for Finance and Procurement, Nicola Hix, added to the above points, highlighting: the continued work to improve reporting, including the formatting of reports, the addition of actuals and the break down of income and expenditure for more transparency to Members; summarised the RAG status on individual services; the challenges of bringing five Council budgets together, including the differences in reporting and structure changes that were put in place for the new Council; and summarised the Control Boards and placement panels put in place for the Financial Emergency.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the clarification of improved data, and improved one off savings.

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 that it will continue to receive a monthly update on the financial position and actions being taken to address it.**
- b. Noted the forecast overspend of £18.7m (3.8%) for the year and the recovery action being taken and mitigations put in place to address this.**
- c. Noted that the format of the Budget Monitoring has now changed.**

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

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

**75 2023/24 General Fund Capital Budget Monitoring Report - Month 6 Q2 - Agenda Item 7**

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

The Deputy Leader and Lead Member for Resources and Performance, Cllr Liz Leyshon, introduced the report, highlighting: that the report reflects the position as at 30 September 2023 (Q2); the impact of high inflation on construction and highways across both the public and private sectors; the Octagon project decision - Executive 4 October 2023; and the need for Directorates to have clarity on Government funded projects.

The Service Director for Finance and Procurement, Nicola Hix, added to the above

points, highlighting: that the Capital report is the first for Somerset Council; the work to continually improve reporting, with a vision to report solely through Solver software; the monitoring of Capital schemes; the work on improving profiling to understand revenue and how the Capital schemes affect the revenue budget; and the next Capital report to be considered at Executive on 7 February 2024.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the Octagon project reporting and work taking place to deliver the project in an affordable and different way that has the same outcomes; the complex budget setting situation and the need for clarity and transparency leading to setting a Council budget in February 2024, and the impacts of the COVID pandemic, lockdowns, Local Government Reorganisation, the review of the Capital programme and the financial emergency; the cost of borrowing and whether the Council can afford non essential borrowing; the assurance of a well managed and controlled Capital programme and schemes; the importance of good Treasury Management and the encouragement for all to read and understand Treasury Management; and the progress of the Yeovil refresh project / future High Street funding project, including the considerable pressures that have caused delays.

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 revised capital forecast spend for the financial year 2023/24 of £224m and the key risks, future issues detailed in the report.**

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

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

**76 2023/24 Housing Revenue Account Capital and Revenue Budget Monitoring Report Q2 - Agenda Item 8**

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited the Lead Member for Communities, Housing and Culture, Cllr Federica Smith-Roberts, to introduce the report.

The Lead Member for Communities, Housing and Culture, Cllr Federica Smith-Roberts, introduced the report, highlighting: that Somerset Council has inherited two landlord operating models which now sit under one Housing Revenue Account: that the two landlord operating models are an in-house service in the West, formerly

Somerset West and Taunton (SWT), and Homes in Sedgemoor which is an Arm's Length Management Organisation (ALMO) operating in the North, formerly Sedgemoor District Council (SDC); that HRA is a ring-fenced account which must abide by the accounting regulations and ensure that cross subsidy does not occur; whilst self-financing has provided some flexibilities, the HRA is heavily regulated which restricts income growth and increase cost pressures, including the increased number of requests for support, service and maintenance on properties, the increased cost of maintenance and the number and condition of void properties; the positive life changing work of partnership working; and the newly opened properties; the opportunity to look to move forward and support Adult and Children's Services providing homes that are suitable for people's lives.

The Executive Director for Community Services, Chris Hall, advised the Executive of queries raised at the Scrutiny Committee - Corporate and Resources meeting held 5 December 2023: highlighting that the HRA isn't limited to the ex landlord function areas, and that it can be used in terms of capital build programme across the whole of Somerset as required and as is financially viable; and the financial position of the HRA, specifically the HRA reserve forecast position and assured the Executive that this is constantly under review and that an update to be provided at the Executive meeting 7 February 2024.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the potential of future work to improve the two models to increase funding opportunities and financial efficiency; the high value contract key decisions associated with the HRA taken and the spend within budgets; the positive outcomes, including helping residents to be able to live independent lives in the properties; and welcome future proofing of houses.

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

**Following consideration of the officer report, appendices and discussion, the Executive agreed to note the HRA's forecast financial performance and projected reserves position for 2023/24 financial year as at 30 September 2023, including key risks and future issues and opportunities detailed in the report which will be closely monitored and updated throughout the year.**

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

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

## **77 Corporate Performance Management Report Q2 2023/2024 - Agenda Item 9**

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

The Deputy Leader and Lead Member for Resources and Performance, Cllr Liz Leyshon, introduced the report, highlighting: that the Somerset Council performance reporting has been brought forward from all of the five Councils and amalgamated into one report; that performance reporting will continue to evolve and develop and improve as the Council moves forward; that this report outlines the performance of Somerset Council for quarter two (Q2) of the financial year 2023/2024 against a set of operational indicators for each Executive Directorate.

The Service Director, Strategy and Performance, Sara Cretney, further added to the above points; the interim arrangements and the move towards combining the Council's performance data to develop a new corporate performance framework which will be more comprehensive, and which will bring together performance information and insight across a much broader range of important areas; that for Q2 of the financial year a further 9 indicators and 16 RAG ratings have been added to the performance report bringing the total to 110 indicators; that over the transition period for the new Council, the number of indicators will continue to increase and the approach to performance management will evolve and develop as more teams, services, budgets, and systems are aligned; that overall, the number of red rated indicators, as a percentage of all indicators had increased.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the number of tolerances listed as to be confirmed and associated development work; the percentage of homes not meeting the decent home standard, including, national benchmarking, the perpetual churn of properties under Somerset Council control that are required to have upgrades, the tolerance to allow for the timing of contracts, the impact of the Covid pandemic, the backlog capital schemes and that tenants do not have to give access to their homes to undertake those repairs; and school attendance decline and the local and national challenges, including location, the right school place, the post Covid anxiety based school avoidance, the activity and support to increase and improve school attendance levels, the tolerance update following the review of the Education national data released and the social care duties data due in March 2024.

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

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

- a. Where performance issues were highlighted, considered that the proposed management actions already in place are adequate to improve performance to the desired level.**
- b. Considered and commented on the content, level of detail provided and the format of the report and considered recommendations for improvements.**

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

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

**78 Annual Treasury Mid-Year Report 2023-24 - Agenda Item 10**

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

The Deputy Leader and Lead Member for Resources and Performance, Cllr Liz Leyshon, introduced the report, highlighting: compliance of the report with the CIPFA Code of Practice for Treasury Management; and the importance of Treasury Management to the Council as borrowing and investments will be critical to the vision for a sustainable Somerset Council.

The Principal Investment Officer, Alan Sanford, further added to the above points, highlighting; the economic background, including, that UK inflation remained high, UK bank rates rose three times during the period, that investment and borrowing rates had continued to rise, the 10 year borrowing cost from the PWLB rose from 4.53% to 5.46%; summarised the investment balances, short term debt payment following the merger of the five Councils; and the repayment of monies held on behalf of external bodies.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: short term debt payment and the hold off in borrowing.

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

**Following consideration of the officer report, appendices and discussion, the Executive approved the report as being in compliance with the CIPFA Code of Practice for Treasury Management and recommended it to Full Council on 20 December 2023.**

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

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

**79 2024/25 General Fund Revenue Budget & Capital Programme update** - Agenda Item 11

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

The Deputy Leader and Lead Member for Resources and Performance, Cllr Liz Leyshon, introduced the report, highlighting: that this report provided an financial position update with a further update to be considered at the January 2024 Executive meeting and final proposals to be considered at the 7 February 2024 Executive meeting, for recommendation to Council, the inclusion of work on the vision for the new Somerset Council; the good progress made with the external auditors; the uncertainty of inflation and bank rates and the impact of the national living wage implications, the disappointment of the autumn statement; the clarification of how the Council tax in Somerset compares with other Councils in the South West, and possible future changes; the work to align the work of Scrutiny Committee - Corporate and Resources and the Audit committee in the Democratic calendar; and the need for careful consideration of strategic risk.

The Executive Director for Resources and Corporate Services, Jason Vaughan, further added to the above points, highlighting: that the report provided an update on the progress in reducing the budget gap; that the report was considered at Scrutiny Committee - Corporate and Resources on 5 December 2023, and that they will consider the draft 2024/25 Budget proposals at their meeting on 1 February 2024 with their comments and observations on the draft budget proposals to be considered by the Executive on 7 February 2024, with the final budget proposals and recommendations on the 2024/25 budget to full Council on 20 February 2024; the

stark national forecast from the LGA and CCN; the latest forecast on the reduction of the Somerset Council budget gap - £87m; the work on identification of further potential savings; the review repurpose of the Earmarked Reserves from the five predecessor Councils; that the Council has been pro-active in writing to the Department for Levelling Up, Housing & Communities (DLUHC) outlining the financial challenges, and have been assigned a key contact; the work on the capitalisation programme 2024/25; summarised the published Local Government Policy Statement; the next steps in finalising the budget proposals; and the Strategic Risks associate with the Budget.

The Chief Executive, Duncan Sharkey, presented the Vision for a sustainable Somerset Council; highlighting: the comparison and difference in the work to build a sustainable Council through LGR and the Financial Emergency, the need to significantly accelerate the pace and broaden the scale of transformation; the transition to a single Council and the issues identified from all five legacy Councils; the multiple factors driving the work both locally and nationally; the need for the vision to be credible, to take collective ownership and to deliver the vision ensuring sustainability; the five design principles driven by necessity; and the work on the strategy for delivery of a Council for the future.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the welcome transparency of the Council's situation; the challenges for the Members, Officers and Somerset residents; the modest growth of Council Tax rates and the phosphate issue and impacts; the challenging situation for Somerset staff and support for their welfare, including communication management structures, informational roadshows, blogs and Q&A communication, welfare arrangements; Somerset residents engagement, communication and education regarding the vision, including the provision of services, the increased demand and fundings cuts in voluntary sector, the City, Town and Parish Councils, to understand what a Unitary Council does, the decisions being taken and provision of help for the Council situation through communities, keeping well and speaking to MPs to raise the voice of Local Government; the importance of the voluntary sector in supporting the Council; the S114 process, the effect on services and the Council; the funding for the memorial wood to commemorate the Fallen of the First World War; clarity on the capitalisation direction proposal; the recently held SALC meeting and the strategic viewpoint presented; the better engagement, work and strategic planning to provide resilience for Parish, Town and City Councils and the importance of Local Community Networks; the repurposing of Earmarked reserves; the local and national contributors to the financial situation; commercial investments and pooled funds; and the ongoing work regarding proposed changes savings, staffing, consultation and the detail to be provided to Members for the budget to be set in February 2024.

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

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

- a. Endorsed and recommends to December's Full Council that the Council notes that it has declared a financial emergency and endorses the range of actions and mitigations being taken forward. Furthermore, that the Council fully supports the Executive and Senior Officers to continue its discussions with the Department for Levelling Up, Housing and Communities (DLUHC) and formally requests a capitalisation direction in order to set the 2024/25 budget.**
- b. Approved a consultation and engagement process on Council Tax and potential service changes with the public and business sectors in line with the proposals set out in this report.**
- c. Approved the re-allocation of the Earmarked Reserves as set out in Appendix 1 and receives a further update in February 2024.**
- d. Received the draft 2024/25 budget proposals at the January Executive including details of the savings proposals and finance settlement for the council.**
- e. Noted the 'Vision for a sustainable Somerset Council' and approves that an outline Business Case is developed for the January 2024 Executive meeting.**
- f. Noted the review of the 2023/24 capital programme and the review of new bids for 2024/25 schemes with the full details being included in the report to Executive in January 2024 for approval by February 2024 Council.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

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

The Deputy Leader and Lead Member for Resources and Performance, Cllr Liz Leyshon, introduced the report, highlighting: that Council Tax legislation requires the Council, as a billing authority, to formally agree a Council Tax Reduction (CTR) scheme for each financial year for working age people; that the income banded scheme approved in November 2022 proved to be both workable and welcome for those whose household incomes have been under most pressure during the cost of living crisis; that it was concluded following the light touch review that no major changes were required to the scheme. (NB. Major changes require full public consultation, which has not been undertaken as no such changes were identified as being required).

The Interim Revenues & Benefits Manager, Richard Sealy, presented the report, highlighting: that the report sets out the proposed Council Tax reduction scheme for the 2024/25; that no decision is required in respect of the scheme for pension age applicants as this element of the scheme is prescribed by Government; that the Government will update this part of the scheme in December 2023 and the necessary adjustments made; the significant project that was undertaken last year to develop a new aligned CTR scheme to help facilitate the move to the new Somerset Council; the aligning of the different former District Council schemes to a single income banded scheme, with significant financial modelling and a full public consultation exercise; summarised the light touch review undertaken earlier in 2023 and the feedback considered from a local Citizens Advice office; the change identified to uprate the income band thresholds within the scheme in line with the rate of inflation that government choose to apply to state benefits; the key changes proposed in relation to next year's scheme relate to the uprating of the income band thresholds within the scheme; that the Council's financial position has significantly worsened since the review was undertaken and to the extent where all expenditure now needs to be considered for potential savings; summarised the different options outlined in the report and the potential cost reduction for each of the options; high level estimates in terms of the impact through the national living wage increase; and the potential of major review and the resources required.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the discretionary support scheme to support vulnerable Council Tax payers and the mandate from Government to support people of pension age and the impact, cost and consequences for people in receipt of national living wage / State benefits and the Council; S114 and the affect should Commissioners be

called in; the Council tax based on property value in 1991 and the unsustainable way of funding a Council; the positive introduction of the scheme and the report proposals; the cost and funding of the Government mandate for pension age persons; the need for government review, and collective lobbying for change; the Government Council Tax support scheme number and circumstances of claims; and the continuation of the good work to getting the word out about the Exceptional Hardship schemes.

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

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

- a. The Council Tax Reduction and Exceptional Hardship schemes set out in Appendices 4 and 5 of the report.**
- b. Option 3 in relation to the income band thresholds used within Schedule 1 of the proposed Council Tax Reduction scheme i.e. uprating in line with the 6.7% rise in state benefits announced by Govt. in the November 2023 Autumn Statement.**
- c. A full review of the Council Tax Reduction scheme during the 2024/25 financial year to identify options for a revised scheme in the 2025/26 financial year. (NB. The review and consultation exercise will require funding which is anticipated to be in the region of £60k).**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

**81 Award of a contract for highway lighting and other electrical assets - Agenda Item 13**

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited the Lead Member for Transport and Digital, Cllr Mike Rigby, to introduce the report.

The Lead Member for Transport and Digital, Cllr Mike Rigby, introduced the report, highlighting: that the assets from the five predecessor councils had been brought

together to be part of a revised contract to award a contract for Highway Lighting, Illuminated & Electrical Assets; that the contract is for a period of 8 years with the option to extend for a fixed 4 year period; that the anticipated contract spend for the full duration is £15m to £30m for highway lighting and may be up to £75m including the electrical assets previously owned by the four District Councils (which includes routine services, electrical & structural testing, emergency attendance, non-routine replacements major asset replacement, LED conversions).

The Strategic Manager of Highways and Transport, Mike O'Dowd-Jones, further added to the above points, highlighting: the duty of care and the compatibility of the contract of delivery; that the tender evaluation has now been completed and the delegation to make the final award.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the length of the contract and the ability to check performance and delivery and the option to give notice; the importance to be mindful of electricity used; the opportunity to modernise and review lighting installations; the positives of LED lighting; the performance and response of existing contractors and service regarding supply issues and timely connections; school floodlight responsibility.

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

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

- a. Delegated approval of the award of an 8 year contract with the option of a four year extension for the provision of Highway Lighting, Illuminated & Electrical Assets to the Leader in consultation with the Executive Director for Climate and Place. The award to be made in accordance with the outcome of the published tender evaluation process and contract to commence from 1st April 2024.**
- b. Delegated the future decision regarding the extension of the contract beyond the initial term to the Executive Lead Member or equivalent responsible for Highways Services having due regard to the contract terms.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

**82 Contract award for the Taunton Park & Ride service - Agenda Item 14**

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited the Lead Member for Transport and Digital, Cllr Mike Rigby, to introduce the report.

The Lead Member for Transport and Digital, Cllr Mike Rigby, introduced the report, highlighting: that the Unitary Authority provides an opportunity to introduce more integrated parking strategies, and that the current operator of the Taunton Park and Ride service has given notice on the current contract; that a new contract is required from 12<sup>th</sup> February 2024 to ensure continuing delivery of a Park and Ride service within the town; the work to alleviate the impact of congestion in Taunton by using Park and Rides; the Bus improvement plan impact and the introduction of an integrated parking system for Taunton.

The Strategic Manager of Highways and Transport, Mike O'Dowd-Jones, presented the report, highlighting: the complexities of the report and contract; the tender award and the proposed contract duration and the consideration of an in house option; surplus income from the rental of car-parking spaces to EDF energy at the Gateway Park and Ride.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: operational points on bus idling; the support for the report and the positive effects on urban Taunton; the opportunities to work with hospitals, airports and businesses to alleviate congestion and contribute to the economic development.

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

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

- a. To the adoption and implementation of the Taunton Integrated Parking Strategy set out in Appendix G, aimed at improving the town centre environment and economy, reducing demand for town centre parking and encouraging greater use of the Park and Ride and local bus services.**

- b. Approved the award of a 3+2+2 year contract for park and ride services commencing on 12th February 2024, based on the Most Economically Advantageous Tender (MEAT), as set out in confidential Appendix B.**
- c. Delegated the decision to exercise the contract extension options in accordance with the terms of the contract, to the Executive Director – Climate and Place.**
- d. Approved the use of surplus income from the rental of car-parking spaces to EDF energy at the Gateway Park and Ride site to assist in balancing the Council’s budget and the on-going budget challenges that the Council faces.**
- e. Agreed the case for applying the exempt information provision as set out in the Local Government Act 1972, Schedule 12A and therefore to treat the attached confidential Appendix B and Appendix F in confidence, as it contains commercially sensitive information, and as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

### **83 Re-commission - Learning Disabilities Open Framework - Agenda Item 15**

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, introduced the report, highlighting; the extension to the current framework; the dynamic purchasing system, procurement and contracting tool, that the system requires providers to sign up and agree to the Local Authority terms and conditions and service specifications; that this will create market stability, growth and competition, as well as providing choice for individuals, which would also allow the Local Authority to ensure value for money as well as compliance with its requirements; that the proposed new framework will not be limited by diagnosis; that there will not be any changes to pre-existing packages of care for individuals and receipt of care and support; and that the new framework will be used for new packages or where individuals assessed needs have changed.

The Strategic Manager, Adults and Health Commissioning, Stephen Miles, further added to the above points, highlighting: the overview of the framework, the proposed new framework; the main fundamental changes made to the framework, including the expansion to its remit for anyone who needs a bespoke package of care.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, there were no questions and points raised.

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

**Following consideration of the officer report, appendices and discussion, the Executive approved the recommission of the current Learning Disabilities Open Framework (to be re-named) as a revised / renewed Dynamic Purchasing System.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

#### **84 Harbour Management Advisory Committee - Agenda Item 16**

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, introduced the report, highlighting: that Somerset Council has Ports and Harbours within its areas of responsibility; that the Council is the Statutory Harbour Authority and Competent Harbour Authority for the Port of Bridgwater, the Statutory Harbour Authority for Minehead and Watchet Harbours, and has statutory responsibility for Bridgwater Docks; that Full Council previously agreed that the responsibility for the Council's functions as Statutory Harbour Authority and the role of Duty Holder should sit with the Executive; that as the Duty Holder, the Executive is responsible for ensuring that Somerset Council complies with the Port Marine Safety Code; that many Council's with harbours and ports (such as Cornwall and Dorset Councils) have established Harbour Management Committees; that on 15th March 2023 the Executive resolved to establish a Harbour Management Advisory Committee as an Executive Sub-Committee from 1st April 2023; that in order to widen the membership, experience and expertise of the Harbour Management Advisory Committee, this report seeks support from the Executive to disband the current sub-committee and in its place recommend to Full Council that it agrees to establish a Harbour Management Advisory Committee as a Council committee, and the advantage of this approach will be that the Council can appoint members that represent those coastal communities and other members with relevant expertise to

work with external co-opted members on that Committee.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, advised the Executive of correspondence from the Chair of the Watchet Harbour advisory Committee, Cllr Loretta Whetlor, regarding consultation on the makeup of the committee before it is ratified by Full Council. The Leader of the Council further advised the Executive of the legal response from Somerset Council and that it would not be appropriate for the Watchet Harbour Advisory Committee to appoint one of its members onto the Council's Harbour Management Advisory Committee, and that the Council will continue to consult with it on all matters substantially affecting the Conservation protection, regulation, management, maintenance and improvement of Watchet Harbour and its navigation and in relation to any specific proposals set out in the Watchet harbour revision order.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the recruitment process of coopted members; the role of the advisory committee and Executive decision making responsibility; the designated person employed by the by the harbour of Bristol authority; the publication of marine safety plan and reporting of performance against objectives and targets, the process to bring the governance of all relevant ports together.

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

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

- a. That the Harbour Management Advisory Sub-Committee is disbanded with immediate effect.**
- b. The terms of the Memorandum of Understanding between the Executive and the Harbour Management Advisory Committee attached as Appendix 2 of the report.**
- c. To recommend to Full Council on 20 December 2023:**
  - i. That a Harbour Management Advisory Committee is established as an advisory committee to the Executive under s102(4) of the Local Government Act 1972.**
  - ii. Approval of the Terms of Reference of the Harbour Management Advisory Committee attached at Appendix 1.**

- iii. **Approval of the terms of the Memorandum of Understanding between the Executive and the Harbour Management Advisory Committee attached as Appendix 2.**
- iv. **The appointment of 6 elected members, as nominated by relevant political group leaders, to the Harbour Management Advisory Committee in accordance with the political balance requirements in section 15 of the Local Government and Housing Act 1989.**
- v. **Delegated authority be granted to the Service Director Regulatory and Operational in consultation with the Service Director Governance, Democratic & Legal Services to conduct a skills audit for the Harbour Management Advisory Committee and to conduct the process for the recruitment of appropriately skilled co-opted members to the Committee and make recommendations to Full Council for appointment of the co-opted member.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

**85 Proposed withdrawal and dissolution of the Heart of the South West Joint Committee - Agenda Item 17**

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, introduced the report, highlighting: that the report follows a steer from the Leaders of several partner councils, including Devon County Council, Exeter City Council, Torbay Council and Plymouth City Council, for proposals to be brought forward to seek approval to dissolve the Heart of the South West Joint Committee; that the proposals specifically relate to the Joint Committee's governance arrangements only and do not cover the HotSW Local Enterprise Partnership or the associated HotSW Joint Scrutiny Committee; that the report sets out a case for change which is supported by several of our partners; that changes in Government policy over the last five years, the development of the Devon, Plymouth and Torbay devolution deal and the forthcoming integration of the HotSW LEP into local authorities mean that the purpose of the Joint Committee has largely been superseded, and the proposals are being brought forward during November and December 2023 by a majority of the partner councils to agree to serve notice and recommend the dissolution of the Joint Committee on 31 December 2023; and that with the Executive's support it is intended that Full Council agrees that Somerset Council should withdraw and the Joint Committee be dissolved on 31 December 2023, subject to the majority of partner councils approving similar resolutions.

The Leader of the Council and Lead Member for Governance and Communications, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the support for the decision from the current Chair of HotSW, Cllr Val Keitch.

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

**Following consideration of the officer report, appendices and discussion, the Executive recommended to the Council at its the meeting on 20 December 2023 that it agrees to serve notice of it's withdrawal and that the Heart of the South West Joint Committee be dissolved on 31 December 2023.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

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**CHAIR**