

Minutes of a Meeting of the Executive held in the John Meikle Room, The Deane House, Belvedere Road, Taunton TA1 1HE, on Monday, 2 December 2024 at 10.00 am

Present:

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

Cllr Theo Butt Philip
Cllr Heather Shearer
Cllr Sarah Wakefield

Cllr Mike Rigby
Cllr Federica Smith-Roberts
Cllr Richard Wilkins

In attendance:

Cllr Mandy Chilcott
Cllr Faye Purbrick
Cllr Jo Roundell Greene

Cllr Frances Nicholson
Cllr Diogo Rodrigues
Cllr David Woan

Other Members present remotely:

Cllr Graham Oakes
Cllr Adam Boyden
Cllr Dawn Denton
Cllr Habib Farbahi
Cllr Dawn Johnson
Cllr Marcus Kravis
Cllr Sue Osborne
Cllr Claire Sully
Cllr Gwil Wren

Cllr Suria Aujla
Cllr Nicola Clark
Cllr Andy Dingwall
Cllr Henry Hobhouse
Cllr Andy Kendall
Cllr Dave Mansell
Cllr Fran Smith
Cllr Martin Wale

47 Apologies for Absence - Agenda Item 1

Apologies were received from Councillor Graham Oakes (in attendance online) and Councillor Val Keitch.

48 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Executive held on 4th November 2024 be confirmed as a correct record.

49 Declarations of Interest - Agenda Item 3

The following declarations of interest were automatically recorded:

Cllr Theo Butt Philip – Wells City Council
Cllr Graham Oakes – Yeovil Town Council / Yeovil Without Parish Council
Cllr Mike Rigby – Bishops Lydeard and Cothelstone Parish Council
Cllr Heather Shearer – Street Parish Council
Cllr Federica Smith-Roberts – Taunton Town Council
Cllr Richard Wilkins – Curry Rivel Parish Council

50 Public Question Time - Agenda Item 4

Public Questions were received from Stuart Hearn and Sarah and Daisy Baker. The questions and responses provided are attached in Annexe A.

51 Executive Forward Plan - Agenda Item 5

The Executive noted the Forward Plan.

52 Somerset Council Improvement and Transformation Programme – December Update - Agenda Item 6

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Transformation, Human Resources and Localities, Cllr Theo Butt Philip, to introduce the report. Cllr Butt Philip highlighted that the report covered progress from 12 October to 8 November 2024.

Cllr Butt Philip proceeded to hand over to Sara Cretney, Service Director Strategy & Performance, who highlighted that the current main focus is the workforce programme and the associated risks, with a summary of the changes to the risks included in the report.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the uncertainty around staff feedback on the consultation and the related risk; whether the cost pressures created by the national Budget would create additional risks, particularly with third party supplies for care and third sector organisations; the deadline associated with risks in March and the consequences if that deadline was not met; devolution to parishes and the timing with setting parish precepts; the risk associated with the capitalisation directive still awaiting approval; whether cost information shared with Town and Parish Councils was accurate.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive resolved to note the latest progress update report including:

- **The progress made in the month from 12 October – 8 November 2024.**

- **The current assessment of programme risks which includes those with a score of 16 or higher that may arise during the change process, along with the status of actions to mitigate these risks, as detailed in Appendix A**

53 2024/25 General Fund Revenue and Capital Budget Monitoring Report - Month 6 (Qtr2) - Agenda Item 7

The Leader of the Council, Cllr Bill Revans, invited the Deputy Leader and the Lead Member for Finance, Procurement and Performance, Cllr Liz Leyshon, to introduce the report. Cllr Leyshon highlighted that this report was for Quarter 2, up to the end of September; that the Capital and Revenue reports had been combined; the current one-off and ongoing revenue pressures; the status of the reserves; the concerns around the Dedicated Schools Grant (DSG) deficit.

Cllr Leyshon proceeded to hand over to Nicola Hix, Service Director Finance and Procurement, who went through the revenue and capital figures in detail and highlighted the positive movements in many service directorates; the challenges in Children's Services, including high placement costs and the DSG; that only 34% of savings in this year's budget had been achieved and the importance of those remaining being delivered; the feedback from Scrutiny on the report.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the successful savings made in Adults Services and the overspends still being worked on; improvements in forecasting and modelling in Children's Services and challenges with placement costs, DSG, and the High Needs Block; debt outstanding to the council and whether there is a reasonable expectation to collect it; slippage in the capital programme and the pressures and potential costs associated with this; delivering alternative savings for those that are not able to be achieved.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

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

- **Note Council is now forecasting a balanced revenue position (on-budget).**
- **Note the total Council Revenue forecast underspend of £8.479m for the year. There is a forecast underspend of £2.419m within Service Directorates for 2024/25 and the Corporate Contingency of £6.000m, whilst remains unallocated it has been released into the forecast outturn within budget lines Table 1.**
- **Note that the planned use of reserves of £36.800m for Medium Term Financial Plan (MTFP) Support towards the budget is forecast to reduce by of £8.479m to £28.321m, due to the forecast underspend within budget lines.**
- **Agree that mitigating actions are to be identified in order to reduce any**

overspends, to take action and to contribute to the long-term financial sustainability of the authority.

- Agree that the Council continues with the aim of avoiding a Section 114 notice by taking all of the necessary actions and continuing to operate as if one has been issued.
- Note the progress and delivered savings of £13.114m of the approved savings programme as set out in Table 2 and Appendix J.
- Note that work will continue to find mitigating or substitute savings for the £0.432m of Red unachievable savings, deliver the £5.142m Amber at risk savings and the £20.189m Green on track savings.
- Note the in-year forecast overspend on the Dedicated Schools Grant of £28.259m, an increase of £2.419m from Month 5 (in paragraph 14).
- Note the total forecast Dedicated Schools Grant year-end deficit of £64.199m as set out in Appendix C.
- Note the collection rates for Council Tax and Business Rates as set out in paragraph 24.
- Note the quarterly update on the prudential indicators detailed in Appendix L.
- Note the outstanding debt position as detailed in Chart 3 and Appendix M.
- Note the level of General Reserves is £52.4m (risk-based assessment – minimum £30m, maximum £60m).
- Approve the additional Quarter 2 capital slippage of £75.690m into future years.
- Approve £22.123m of externally funded additions to the capital programme, as detailed in Section 34 of this report.
- Note £2.708m of virements within the capital programme, as shown in Appendix O.

54 2024/25 Housing Revenue Account Revenue & Capital Budget Monitoring Report - Qtr2 - Agenda Item 8

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Communities, Housing Revenue Account, Culture and Equalities and Diversity, Cllr Federica Smith-Roberts, to introduce the report. Cllr Smith-Roberts highlighted that there had been positive movement but the account was still showing an overspend, in part due to repairs and maintenance cost and the condition void properties are left it.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: possibilities for improving the conditions void properties are left in such as the Leaving Well scheme; whether the Council as landlord has the right to enter properties and complete repairs; the difference in write-offs between Homes in Sedgemoor and the in house service; slippage in some programmes including the fire safety programme; whether any properties have unsafe cladding as indicated in the Grenfell report.

The Leader of the Council concluded the discussion and proceeded to a vote on the

recommendations, which were agreed unanimously.

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

- **Note the Housing Revenue Account forecast overspend of £1.717m for 2024/25, the mitigations actions in the report and the impact on the HRA General Fund Reserve of this overspend.**
- **Agree to take further mitigating actions to pull back the forecast overspend for the next quarter and by outturn.**
- **Note the forecast outturn position of the Capital Programme of £55.172m for 2024/25.**
- **Approve slippage of £37.723m into future years.**
- **Note the Capital virements in paragraph 27.**

55 Q2 Corporate Performance Management Report - Agenda Item 10

The Leader of the Council, Cllr Bill Revans, invited the Deputy Leader and the Lead Member for Finance, Procurement and Performance, Cllr Liz Leyshon, to introduce the report. Cllr Leyshon highlighted the indicators shaped around the four priorities of the Council as well as the supporting priority of a financially sustainable and resilient Council; the future improvements to ensure indicators are meaningful and recognisable; that Scrutiny Committees would be engaged for further improvement.

Cllr Leyshon proceeded to hand over to Sara Cretney, Service Director Strategy & Performance, who provided details on the measures and how they had been expanded in this report; that a narrative had been added for each measure; that there had been a targeted deep dive into the Fostering service and that some measures had been expanded on that basis; that further deep dives were planned; that there was now joint reporting for several housing measures that had been backdated.

The Leader of the Council, Cllr Bill Revans, invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the number of Overdue Care Act assessments and the causes behind it; the percentage of EHCPs completed within 20 weeks, the pressures causing this and planned improvements to the process.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive resolved to review the performance information provided within appendix A, and in particular the narrative relating to performance this quarter.

56 Council Tax Reduction Scheme for 2025/26 - Agenda Item 11

The Leader of the Council, Cllr Bill Revans, invited the Deputy Leader and the Lead Member for Finance, Procurement and Performance, Cllr Liz Leyshon, to introduce

the report. Cllr Leyshon detailed that: the report is required every year as Somerset Council is billing authority for all Somerset households; the figures relating to those claiming a reduction on Council Tax including those of state pension age, working age, and the number claiming 100% reduction on Council Tax; the consultation and engagement with Citizens Advice; the budget pressures the Council is facing and the difficulty of this decision; feedback was received from Scrutiny on two occasions resulting in two further recommendations to the paper; the recommendations overall.

The Leader of the Council, Cllr Bill Revans, added that there had been a recent policy announcement by central government relating to increasing Council Tax above the annual limit. He then invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: discomfort supporting this proposal given the impact on the very low income and vulnerable; how the Household Support Fund could be used to support people; engagement with the VCFSE sector; the equalities impact of the proposal; the unfair and unsustainable basis of Council Tax for funding Council services; the need for support from central government given Somerset Council's below average Council Tax rates; the importance of mitigations and Household Support Fund and the Exceptional Hardship Fund; what the implications would be of a positive response from central government on raising Council Tax; the reduction in backdating period from 12 months to 1 calendar month and whether that was appropriate; whether the decision on the Council Tax Reduction Scheme could be deferred until a central government decision was made; how disregards were accounted for in the banding table; the impact on disabled households in particular; whether a referendum to increase Council Tax would be appropriate and the associated costs; the impact of the previous amendments to the consultation on the budget; the cost of devolution being passed on to households with some towns and parishes increasing precepts by over 160%; the risk of an overspend in the Household Support Fund; comparison with Department for Work and Pensions with backdated benefits.

Following the discussion, the recommendations in the report were amended.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed.

Following consideration of the officer report, appendices, debate, and amendment of the written recommendations the Executive resolved to:

- 1. Agree and recommend that Full Council approve the increase to income band thresholds by the September 2024 CPI rate of 1.7% in line with the percentage increase to state benefits as implemented by the Department for Work and Pensions (DWP)**
- 2. The Leader of Council to write to the Minister for Local Government to explore the case for Somerset Council's Council Tax to be raised by more than the referendum limit, due to Exceptional Financial Support, low Council Tax base and rate, increasing demand, and taking into account Government's requirement that plans be in place to protect vulnerable people.**
- 3. Agree and recommend that Full Council approve the CTR and**

associated EH scheme for 2025/26 as set out in this paper except for the reduction in back dating a CTR claim to 3 calendar months.

4. **Ask Officers to urgently investigate and report back on the potential to use an element of the Household Support Fund to support those who may be affected by future changes to CTRS thresholds.**

57 Review of the Non-Domestic Rating Discretionary Rate Relief and Hardship Policy - Agenda Item 12

The Leader of the Council, Cllr Bill Revans, invited the Deputy Leader and the Lead Member for Finance, Procurement and Performance, Cllr Liz Leyshon, to introduce the report. Cllr Leyshon highlighted that the changes came in three parts: excluding private schools from discretionary rate relief in line with central government policy on private schools; reducing the relief percentage for hospitality and leisure; ending the local newspaper relief policy.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the impact on contractors providing leisure on the Council's behalf; what do the changes mean for pubs and local communities; whether private schools that aren't registered as charities would be impacted; the impact on retail and hospitality; whether there was monitoring of businesses that would be impacted and what routes there were for gathering feedback.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive resolved to agree and recommend to Full Council:

- **That the Non-Domestic Rating Discretionary Rate Relief and Hardship policy is amended to prevent Private Schools from applying for assistance in anticipation of the changes to the Local Government Finance Act 1988. The recommended wording is to be found in Appendix D of the policy and states: 'The ratepayer must not fall within the definition of a Private School. For business rates purposes, 'Private Schools' are defined by HM Treasury as schools at which full time education is provided for pupils of compulsory school age where fees are payable.'**
- **To delegate authority to the Council's Section 151 Officer in consultation with the Monitoring Officer to make any additional amendments as necessary to ensure the wording aligns with that Act once such amendments come into force.**
- **To reduce the relief percentage within the policy for Retail, Hospitality and Leisure sector for 2025/26 from 75% to 40% as a result of changes to Central Government policy.**
- **To end Local Newspaper Relief in line with Central Government policy.**

58 Budget Proposals 2025/26 to 2029/30 - Agenda Item 9

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

- **Agree the new Budget Savings for 2025/26 of £43.950m as set out in Appendix A**
- **Agree the substitution of the £9.000m saving in 2025/26 as per paragraph 22.**
- **Note the revised 2025/26 budget gap of £53.846m after taking into account the proposed savings and substitution.**
- **Recommend the savings and substitution to Full Council**
- **Agree that the Council continues with the aim of avoiding a Section 114 notice by taking all of the necessary actions and continuing to operate as if one had been issued.**

59 Award contract for Advocacy Services - Agenda Item 13

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Adults Services, Housing and Homelessness, Cllr Sarah Wakefield, to introduce the report.

Cllr Wakefield proceeded to hand over to Vicky Chipchase, Strategic Manager Quality Performance & Assurance, and Bernie Howard, Senior Commissioning Officer, who explained: the contract is due to expire at the end of March; the statutory duties the service provided; that people with lived experience had been involved in the process; that the recommendation related to endorsing the competitive procurement process; that the contract is initially for five years with the option to extend for a further three years.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the decision coming to Executive as part of the process; how the decision to extend for three years would be made.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

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

- **Endorse the procurement process and approve the contract award and recommendations detailed in Appendix B (Confidential Tender Evaluation Report) for the provision of Advocacy in Somerset**
- **Approve the commissioning of the successful bidder for an initial period of 5 years with an option to extend by 3 years.**
- **Provide a delegation to the Executive Director for Adults Services and Housing to agree the 3 year extension option in consultation with the Lead Member for Adult Services, Housing and Homelessness. The decision to implement the extension, or otherwise, will be assessed against an agreed set of performance and service measures.**
- **Agree 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 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. Agree to exclude the press and public from the meeting where there is any discussion at the meeting regarding the confidential tender evaluation report (Appendix B) (to be treated as exempt information).

60 The Provision of OPMH Block Beds in Somerset - Agenda Item 14

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Adults Services, Housing and Homelessness, Cllr Sarah Wakefield, to introduce the report. Cllr Wakefield explained the purpose of block beds and the cost-saving they created, as well as the areas where they were not able to award a contract.

Cllr Wakefield proceeded to hand over to James Sangster, Service Manager Adults & Health Commissioning, and Gemma Beasley, Senior Commissioning Officer, who explained: that 78 beds in five areas were being procured and that the contract value was £4.4m with the potential of £600,000 for directly awarded beds; that the beds give the Council price security and protect from the impact of the increases in National Insurance.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: if there were market concerns relating to not being able to get beds in Taunton; how the costs and savings associated with block beds are tracked; having sufficient capacity in these beds; areas of Somerset that are distant from these block beds procured; when does the NHS support funding these beds; the need to stabilise the market only in some areas of the county; clarification on the number of beds sought.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

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

- **Approve the procurement of 5 contracts in Care Homes, securing 78 Older Peoples' Mental Health Block Beds.**
- **Approve Commissioners to work with the care home market to explore a direct award for a further 10 beds.**
- **Agree 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 in confidence, as it contains commercially sensitive information, and as the case for the public interest in maintaining**
- **Exclude the press and public from the meeting where there is any discussion at the meeting regarding the confidential tender evaluation report (Appendix B) (to be treated as exempt information).**

61 The Provision of Dementia Residential Block Beds - Agenda Item 15

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Adults Services, Housing and Homelessness, Cllr Sarah Wakefield, to introduce the report.

Cllr Wakefield proceeded to hand over to James Sangster, Service Manager Adults & Health Commissioning, and Gemma Beasley, Senior Commissioning Officer, who explained that this was to award 9 contracts of block beds and homes for people with advancing dementia but no nursing needs.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the confidence level of working with providers in the Wellington area; whether smaller providers could put partial bids in.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

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

- **Approve the outcome of the procurement process to award contracts to the suppliers named in Tender Evaluation Report Confidential Appendix B for Dementia Residential Block Beds, for the length of 5 years (plus permitted extensions).**
- **Approve commissioners to work with the care home market to explore a direct award for a further 20 beds.**
- **Agree 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 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.**
- **Exclude the press and public from the meeting where there is any discussion at the meeting regarding the confidential tender evaluation report (Appendix B) (to be treated as exempt information).**

62 Award contract for Extra Care Services - Agenda Item 16

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Adults Services, Housing and Homelessness, Cllr Sarah Wakefield, to introduce the report. Cllr Wakefield explained the importance of extra care support in enabling people to live independent and that a full procurement exercise and consultation had been carried out, resulting in a more flexible framework with reduced cost.

Cllr Wakefield proceeded to hand over to Stephen Miles, Strategic Manager – Adult Services, and Sally Pluck, Commissioning Officer, who explained: the spectrum of adult social care and where extra care housing sits within it; the full procurement

exercise undertaken and the consultation with residents, landlords, internal and external staff; the proposal to award contracts across three different lots; that every single hourly rate had reduced as part of the process.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the gap in provision in the West Mendip area and how it could be addressed.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

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

- **Award the following contracts for care and support commencing on 01/04/2025 for a period of 5 years, with options to extend for up to a further 2 years.**
 - **Lot 1 (East & South)**
 - **Lot 2 (West)**
 - **Lot 3 (North)**
- **Equalise the charge for the core support in all schemes at a rate of £29.27 from 01/04/2025, removing the rate of £59.04 that is currently being paid by residents of those schemes where housing related support is currently commissioned from care providers, but will be directly provided by social landlords under the new model.**
- **Initiate a consultation with ECH residents on a proposal to review the charges paid by the residents of ECH schemes annually as part of the annual Adult Social Care fees and charges process.**

63 Key Decision to enter into a lease for a Commercial Investment Property - Agenda Item 17

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Economic Development, Planning and Assets, Cllr Mike Rigby, to introduce the report. Cllr Rigby explained that there was a unit in Christchurch and a tenant had been identified and that this would lead to an increase in income and an increase in capital value.

The Leader of the Council invited comments from Committee Members and other Members present. Points raised included: this was a difficult property to let and the team had done a fantastic job identifying a tenant.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

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

- **Authorise the recommendation regarding a lease on terms identified in**

Appendix 1

- **Agree 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 Appendix 1 in confidence, as it contains commercially sensitive information, and the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.**
- **Delegate authority to make all necessary arrangements and agreements to conclude arrangements for the lease to the Executive Director for Resources, Strategy and Transformation in consultation with the Lead Member for Economic Development, Planning and Assets.**

(The meeting ended at 2.13 pm)

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CHAIR