

**Meeting of Somerset County Council held in the Council Chamber, Shire Hall,  
Taunton on Wednesday 21 February 2018 at 10am.**

**Agenda Item 5 – Public Question Time**

**PUBLIC QUESTIONS / STATEMENTS**

**1. Webcasting of Somerset County Council Meetings**

From Nigel Behan

Plymouth City Council state on their website: “We think webcasting helps to make the council's decision making more open and transparent. It allows those who are unable to attend a meeting to see what goes on and to hear the debates that influence the decisions the council makes.”

Suffolk County Council state on their website that: “We use webcasts to ensure that Suffolk residents can be aware of our decision making process, as openly as possible. Although County Council meetings are [open for the public to attend](#), webcasting means that you can watch a meeting without having to be there in person.”

Whilst Cornwall Council notes that “You can receive email reminders about our upcoming live webcasts. Follow the link to any upcoming webcast and enter your email address on screen when prompted. You will be sent email reminders with a link to the webcast 24 hours before the event, one hour before and again at the start time.” The Cornwall Council Full Council on 20 February was set to be broadcast and advertised.

At a time when bus services have been cut, (and bus fares rising above the rate of inflation) do you think SCC should make meetings as accessible as possible (and noting that that not everyone has access to the internet)?

Webcasts could be to local Community Centres across Somerset to avoid being too Taunton-centric? Perhaps shown in Libraries and other District Council and Parish Council/Town Council venues?

Since access to the democratic process, transparency and inclusion are important matters in publicly accountable services will SCC now, as it does have a “Communications Team”, set a date for live webcasting of Council meetings? And provide a webcast archive and consider live webchats?

Will the existing Audio recording equipment be upgraded so that copies of the recording(s) can be made available?

*Response from Cllr David Fothergill, Leader of the Council*

*Thank you for the question Nigel. The short answer is we have looked at this before, it is expensive, especially in a building such as this and we would also need to ensure the main committee room is also enabled. Webcasting also has very poor take up in councils such as ours.*

*As to the audio recordings, we already make these recordings available on request and are currently looking to extend that for our major decision-making meetings. These recordings would then be made available on our website. This issue will be considered by the Constitution and Standards Committee.*

## **2. Effective scrutiny**

From Nigel Behan

The House of Commons Select Committee (Communities and Local Government) recently noted in their December 2017 report

[\(http://www.parliament.uk/business/committees/committees-a-z/commons-select/communities-and-local-government-committee/news-parliament-2017/scrutiny-committee-report-17-19/\)](http://www.parliament.uk/business/committees/committees-a-z/commons-select/communities-and-local-government-committee/news-parliament-2017/scrutiny-committee-report-17-19/)

That:

a) “Senior councillors from both the administration and the opposition, and senior council officers, have a responsibility to set the tone and create an environment that welcomes constructive challenge and democratic accountability. When this does not happen and individuals seek to marginalise scrutiny, there is a risk of damaging the council’s reputation, and missing opportunities to use scrutiny to improve service outcomes. In extreme cases, ineffective scrutiny can contribute to severe service failures.”

And:

b) “The Government must encourage a culture change at local authorities to ensure overview and scrutiny is truly independent of the executive and can properly contribute to improving services for taxpayers, the Communities and Local Government Committee concludes.”

c) “Lack of constructive challenge: The Committee’s report on overview and scrutiny in local government, warns that scrutiny is often not held in high enough esteem, leading to a lack of constructive challenge to improve services for residents. It recommends measures to strengthen the independence of overview and scrutiny committees and for increased scrutiny of combined authorities, Local Economic Partnerships (LEPs) and arm’s length bodies.”

Does this Council (and respective Somerset County Council Scrutiny Committees) agree with the Select Committee’s comments and can lessons be learnt from the report to improve Scrutiny at Somerset County Council?

*Response from Cllr David Fothergill, Leader of the Council*

*I can assure you that this Administration take Scrutiny very seriously, as did the previous Administration which is evidenced in the increase from 1 to 3 formal Council Scrutiny Committees since May 2013. This has vastly increased member capacity in the scrutiny process, with just under half of the current 55 Councillors (26) now sitting on one of the Council’s Scrutiny Committees.*

*Constructive challenge and democratic accountability is actively welcomed and this has been especially important with regards to our Children and Family services. The*

*Children and Families Scrutiny Committee have been very active during the last two-and-a-half years assisting the service to achieve the recent Requires Improvement assessment and recognised by OFSTED. The Committee will continue to play a vital role on the journey to a Good assessment, through their deep dive reviews into various parts of the service and their thorough challenge of the performance data. In fact, individual Committee Members have now assumed responsibility for monitoring specific areas of performance and feed back to the Committee accordingly.*

*Partnership working within the public sector is increasingly important and this includes partnership accountability and scrutiny. Currently the Council has representatives on and administers both, the Somerset Rivers Authority Joint Scrutiny Panel and the Somerset Joint Waste Scrutiny Panel.*

*I am however very pleased that we have three very experienced Scrutiny Chairs in situ who have good, open dialogues with their respective Cabinet Members and are ably supported by their Vice Chairs and challenging, yet constructive Committees.*

### **3. Constitution and Standards Committee – Change to Contract Standing Orders**

From Nigel Behan

Please find below a relatively recent exchange about the procurement change to a 70:30 ratio (from 60:40) in favour of cost (price) over quality.

“Award Criteria shall be comprised of both commercial and quality considerations, which shall be represented in the Procurement Documents as a ratio of 60:40 weighted in favour of price, although the Officer may vary the given ratio in favour of price. Where the Officer wishes to vary the given ratio in favour of quality, the Officer must gain the approval of the CPT to do so.

Where the Officer and the CPT is unable to reach an agreement and therefore the Officer fails to gain the CPT’s approval, the Officer must develop a business case justifying the deviation and obtain the approval of the Director of Commercial and Business Services.”

Q1 What evidence has been produced which led to the view that the original was “not going far enough towards considering price.....”?

Q2 What evidence has been collected and analysed and what modelling has been conducted to justify a proposed change to a ratio of 70:30 weighted in favour of price rather than quality (from 60:40) and why was 50:50 ratio for price and quality not considered?

Q3 Why is it very easy (administratively and procedurally) for an Officer to vary the ratio in favour of price “the Officer may vary the given ratio in favour of price” whilst there are a number of hurdles to overcome to vary the ratio in favour of quality (see above)? Theoretically could this lead to a weighting of 100% price and 0% quality (in the limit)?

Q4 How are Social Value, Best Value, Equality issues, Environmental and Sustainability Issues, (Social Care, Health, Housing, Public Transport and Education etc.)....factored in to the commissioning and procurement activities?

Q5 a) Is this a response to the large unachievable savings target (3rd party MTFP savings) set in Februarys Budget?

(“Commercial Procurement and Contract Management: (+) £1.311m overspend; movement (-) £0.048m.

The forecast overspend arises from Third Party MTFP savings identified as currently being unachievable (£1.068m Third Party savings and Third Party agency spend (£0.291m)..."

<http://democracy.somerset.gov.uk/documents/s4536/Item%205%20Revenue%20Budget%20Monitoring%202018-18%20-%20Month%204.pdf>

<http://democracy.somerset.gov.uk/documents/s6004/Annual%20Report%20of%20the%20Cabinet%20Member%20for%20Adult%20Social%20Care%20-%202018.pdf>

b) In the Annual Report of the Cabinet Member for Adult Social Care section 3.15 "In Learning Disabilities, SCC continues to embed the social enterprise offering via Discovery. As with other LD providers in the county commissioners continue to engage to modernise the offering to those with LD and have introduced some new progressive providers to the market as well." Can you provide detailed analysis ("metrics") to demonstrate the effectiveness (or otherwise) of the Discovery Social Enterprise offering?

*Q6 What other options/alternatives have been considered and studied? Which Local Authorities apply similar criteria?*

*SCC response*

*In the current economic climate, establishing a price/quality evaluation model that delivers the right level of quality at the best possible price is important. There is not a single "best practice" model. Officers of the Council review what other Local Authorities do and also take internal and legal advice to ensure we follow best practice and shape our policy and practice.*

*Contracting authorities have flexibility of choice in selecting their price/quality valuation model. This is set out in Regulation 67 of the Public Contracts Regulations 2015 ("the PCR") and therefore means that authorities can either just award on price (having set a specification first), or can fix price and just evaluate quality, or can do a combination of the two. Compliance with general principles whichever method is used, authorities must still comply with general principles of equal treatment, transparency, non-discrimination, relevance and proportionality.*

*The recommendation to change the award criteria weightings, as described in the report to the Constitution and Standards Committee dated 06 October 2017, has been based on SLT discussions due to the review of spend, commissioning and contract arrangements across the authority as well as ensuing reducing inefficiency, driving improved ways of working and ultimately focusing on cost savings.*

*As a result it was decided that commissioning and procurement activities should be better designed to contribute towards our savings targets and help to support our financial circumstances. It is this which has given rise to the consideration of our quality:price weighting and the recommendation to place a heavier emphasis on the commercial factors associated with our contracts.*

*As a result of this greater emphasis on price it is drafted in to the Contract Procedure Rules, formally adopted by Full Council on 24 May 2017, that an officer may vary the ratio in favour of price without attracting an administrative burden in having to obtain approval to do so, such as to suggest to officers SCC's preference. Officers are required to seek approval to vary the ratio in favour of quality so that SLT members may be made aware of SCC's commissioning and*

*procurement activity and be included in the decision making processes around that.*

*Social Value, Best Value, equality issues, environmental and sustainability issues are considered at every stage of the commissioning and procurement process in the identification of the need, the preparation of specifications, the design of selection and award questions, the application of the appropriate contract terms and conditions, throughout the evaluation procedure through to the monitoring and management of the resultant contract such that we meet our various legislative obligations and in such a way that is proportionate to the subject matter and value of the contract.*

*SCC's financial position is such that all officers must be focused on achieving the savings target identified in February's budget and this has been considered to be amongst a number of measures that will assist in contributing towards this.*

*A number of options and alternatives have and are currently being studied by the Council as a means of mitigating against SCC's current financial position and the Commercial and Procurement Team consistently considers methods for continuous improvement and applies best practice learned from professional peers and colleagues.*

*At the last Cabinet meeting where this issue arose (Retendering for insurance cover for all external policies) it was noted in the Cabinet paper "Should occasion arise to call on our external insurance cover, it will inevitably be because a potentially significant incident has arisen. It will therefore be of great importance that the external insurer is able to respond to the highest possible standards. Therefore, with the agreement of the Director of Commercial and Procurement, it was agreed that the tender bids would be scored 60% price and 40% quality, instead of the usual 70/30 split. This scoring requirement was made absolutely clear to the prospective insurers in the tendering documentation"*

#### Questions for Full Council meeting

- a) Since it is of "great importance that the external insurer is able to respond to the highest possible standards", was that the criteria for applying 60:40 price (cost) quality ratio – are there examples when applying the 70:30 of not meeting the highest possible standards?
- b) Please list all the procurement activities for goods and services that have used the 60:40 ratio and the 70:30 ratio (and other ratios, as well, that may have been used) – since they have operated.

*Response from Cllr David Fothergill, Leader of Council*

*Answer to a): Whilst the standard weighting adopted by the authority is 70:30 in favour of Commercial Pricing, there is an agreed process for considering variations to this on a case by case basis. For the Insurance Policies procurement exercise this process was followed and the variation approved at the appropriate level within the authority, prior to issuing the invitation to tender.*

*Part of the quality aspect to this particular procurement was in respect of claims handling. The capabilities of the providers to assist in the management of claims has a direct impact on the authorities Insurance Fund, poor management will have a financial impact*

*on the fund and therefore the authority. Accordingly it was agreed that the Quality ratio needed to be increased to 40% of the overall assessment*

*Answer to b): A spreadsheet was provided giving the information since the 70:30 ratio had been put in place as part of the procurement process.*

#### **4. MTFP and the Revenue Budget - Item 7 Paper B**

From Nigel Behan

In the Risk Implications (Item 7 Paper B) it is stated:

“The key risks are:

1. Slippage or under achievement of the proposed savings within the 2018/19 budget as there are limited resources available to address any significant in-year overspends and maintain a sustainable budget;
2. The failure to address areas of overspend that occurred in 2017/18 in the next financial year.

The Government’s continued deficit reduction programme has significantly reduced the levels of funding available in Local Government. The Council faces substantial on-going challenges to achieve a sustainable balanced budget

It is important that Members understand the risks to approved budgets, maintaining sufficient reserves, balances and contingencies as well as managing a range of mitigations to limit as much as possible potential impacts on core services, especially those prioritised in the County Plan.

As savings become ever more difficult to identify and then deliver, it is imperative that expenditure is kept within existing budgets.

Risk Implications: Likelihood 5 Impact 5 Risk Score 25”

- a) The (maximum it ever can be) “red” risk score of 25 clearly indicates that service and contract failures are anticipated within the current and next financial (accounting) year(s). What forecast projected savings are likely to be undeliverable (and can you compare with undeliverable “savings” in earlier years)?
- b) How much of the overspend in 2017/18 is forecast (current best estimate) to be addressed in the next financial year? Do these potentially get rolled up (roll on/over into other years)? (In practice, kicking the can down the road?)
- c) Why is money being transferred into the reserves?
- d) What is the likelihood of SCC ending up having to do the same as Northamptonshire County Council and “issue a Section 114 Notice banning new expenditure (BBC Online)?” The SCC Section 151 Officer here raised this as a potential act in 2016?
- e) What similarities are there with Surrey County Council whose Leader has been reported as saying in his speech to full council, leader David Hodge said: "The simple fact remains that demand for our services continues to rise but government funding continues to fall."? Does this Council agree?
- f) How is the campaign for fairer funding (for SCC) proceeding? What Lessons have been learnt from the Campaign so far?
- g) And is a precept - similar to the Adult Social Care precept on the Council Tax - for Children’s Services being discussed with other Local Authorities responsible for Childrens Services, the Local Government Association (LGA) and the DCLG (Department for Communities and Local Government)?
- h) In the Cabinet papers from November it was noted in the MTFP report that: “The other factor that may affect our budget deliberations is the possibility of being given Business Rates pilot status. We have submitted a bid with all district councils in Somerset to government and we will not hear if we are successful until around the time of the provisional finance settlement in late December. If the bid to be a pilot is

approved, SCC could gain between £3.5m to £4.0m to support its revenue budget pressures. In addition, the pilot would create a fund to invest in economic development projects in Somerset of a similar amount.”

*Response from Cllr David Hall, Cabinet Member for Resources and Economic Development*

- a) *The risk score of 25 indicates that in the s151 officer’s opinion the chances of not delivering 100% of savings is very likely. This is based upon recent experience in the last few years as savings have been more difficult to implement. It is a realistic view but only an opinion. As we enter a new financial year there are no specific savings that are forecast to be undeliverable, otherwise they would not be in the budget.*
- b) *In setting the budget as stated in the reports, we look at the current year performance and address those savings that were not delivered and cause overspends. We do not kick the can down the road and we identify new savings to meet the gap that these might create.*
- c) *Because it is a prudent measure and helps insulate the Council from undelivered savings.*
- d) *Our budget plans include a top-up to reserves, our savings levels are lower, our loss of grant is lower – all of these factors are signs that the risk is lower than previous years. Still challenging but not the same situation facing Northamptonshire.*
- e) *Surrey’s position is representative of all counties. We all face increasing demand and have less funding to deal with this. These are challenging times.*
- f) *We continue to lobby for Fairer Funding, and our MPs do too. We received £2m more in the final settlement as recognition of this and our funding for schools also increased in comparison with many others. It is not enough and still does not recognise Somerset’s cost pressures so we will lobby some more. We will do this using our MPs and by providing clear evidence.*
- g) *The idea of a Children’s precept is more press speculation at this point than it is a discussion topic at the LGA, but for me the answer is not further increases to council tax but a better distribution of government funding including the use of business rates funding which is still to come to local authorities.*
- h) *There is no question here but our bid for a pilot was not successful.*

## **5. Medium Term Financial Plan**

From Liz Payne-Ahmadi

At the full County Council meeting in February 2017 under item 7, the MTFP, the relevant paper indicated that SCC was working with community groups in West Somerset to develop a new approach through which older people would place less reliance on traditional services such as homecare. This approach, you said then, would help them to maintain their independence. I asked at the time if you could explain how removing or scaling down services on which people rely for their independence could possibly help them to maintain it?

Your written response, when it arrived two months after I had asked my question in the chamber, did not alleviate my concerns. Public professional services had been removed and replaced by volunteer support.

I am alarmed now to see that you intend to continue with this so-called “demand management approach” (Cuts are called many things!) in West Somerset and roll it out over the county, taking a huge £3.1m from the budget. This time you additionally state, as though it is good thing, that the cuts will “enable the elderly to do more for themselves”. Of course, they have no choice but to do so once the service is gone. My questions on this matter are:

1. How did you measure the “success” of your cuts to services to older people in West Somerset before proposing to roll out the same across the county? Isn't a year too short a time on which to base an assessment as to the manner and extent to which people's lives had been affected? Or were the criteria purely financial?
2. Have you done an equality impact assessment on the West Somerset experience in 2017 before extending the approach? If so, did it consider the cumulative impact of this cut together with those to other services, e.g. public transport, on the people affected, their families and communities?
3. Are not women, disabled people, black and ethnic minority people and people in rural communities disproportionately impacted within the overall category of older people targeted for the withdrawal of services?
4. How can you guarantee that the voluntary support provided is sustainable and meets the same standards in terms of quality of care, safety and reliability of provision, as the public service which is being removed? Are not already vulnerable people being placed at serious risk? What will you do if voluntary support and individuals “doing more for themselves” fails a little further down the line?
5. How many jobs in Somerset will be lost because of this roll out?
6. Are you intending in future to apply the principle of “demand management” to other services for other groups of people in order to pursue your austerity agenda?

*Response from Cllr David Huxtable, Cabinet Member for Adult Social Care*

*Thank you for your series of questions. The work undertaken by the West Somerset team was based on the principle that people do better, live longer, and are happier, when they are at home. Our experience in West Somerset was overwhelmingly positive. Positive for our staff who we gave greater autonomy allowing them to quickly adapt to new ways of working and fully embraced the changes. Positive for our communities who with a focus on 'Promoting Independence' were able to step forward and willingly be part of the solution. Equally positive for our residents who quickly saw the benefits of the community-led solutions. In fact this has been so quickly embraced that national government is monitoring the impacts with a view to sharing the findings more widely. You ask a series of follow-up questions which I will deal with through a written response.*

## **6. Medium Term Financial Plan**

From Alan Debenham

1. We have all heard the protest chant : "They say cutback, we say fightback !" Yet again we see this Tory government continuing with its hard-right austerity programme of cuts upon cuts against Local Government, in particular against local residents by attacking our Taunton Deane and Somerset County Councils via systematic cutting of Revenue Support Grant, reducing year-on-year from some two thirds of their total budgets to zero by 2020 .

When there are clear economic alternatives to this hard-right slaughter of Local Government's public services and jobs, what has this County Council, or its individual Councillors, done, or is doing, or will do, to fightback against this extremism and defend the jobs and services they have been elected to maintain ?

2. (re MFTP) How is it, yet again, Councillors have the gall to propose an increase of 5.99% in Somerset County Council Tax - way above inflation - at the same time as still making further cuts of some £11 million in Council services AND why is it these proposed cuts are described in generalisations rather than specific detail e.g. showing the number of posts/jobs to be cut ?



*Response from Cllr David Hall, Cabinet Member for Resources and Economic Development*

*Thank you Alan. Your two points appear on the face of it to be conflicting. You criticise a perceived reduction in services and then criticise increasing council tax in order to support those same services. Let me try to help you out. In a previous response it was outlined what this Council has done to try to win fairer funding from Government. I remind you that our lobbying with the full backing of all five MPs in Somerset means we have an extra £2m, mainly for our adults services. We do not regard this as the end and will continue to lobby successfully.*

*Your second point is about council tax and I hope you would recognise that the reason all councils, but particularly councils like ours are struggling financially is partly down to reduced funding but importantly also down to demand increasing. As more people live longer with complex illnesses, as more vulnerable children live long lives with multiple disabilities, so the demand for our services increases. It would be very helpful if you were able to spread the word that council tax pays for looking after the most vulnerable in our society. We are here to improve people's lives and that is what we will continue to do, and that is why we are raising council tax.*

## **7. The Future of the Library Service – Libraries Consultation 2018**

From Nigel Behan

In the introduction to the Consultation website it is stated: "We have managed to reduce our libraries budget by 20% since 2011, whilst keeping all of our libraries open. Going forward, we may need to consider more challenging changes in order to keep the libraries service on a sustainable financial footing."

- a) What other services that SCC provide, which are broadly required to deliver a comparable "Comprehensive and Efficient...service" have had their budget cut by 20% since 2011?
- b) Do you agree with this judgement on libraries, "*The key is reasonable ability to access the service by all residents of the county. This means that distances and time taken to reach a library must be reasonable and any particular problems, whether physical disabilities, or created by age or family considerations, must be capable of being met.*"
- c) Did SCC inform the DCMS of proposals to change library services before public engagement took place? Was SCC asked to demonstrate their: plans for consultation alongside a needs assessment, consideration of different options to sustain a library service in their area and analysis of/and impact assessment of the proposals?
- d) Does the consultation comply with the Gunning Principles?

How will, for instance, the consultation proposals be revised and the Equality Impact Assessment be modified for the Dulverton Library proposals (Area 1: Western Somerset Proposal) and Wiveliscombe (Area 2: Taunton, Wellington and Surrounding Area) library proposals given that bus fares have recently increased at a rate higher than inflation? Also bus services have reduced (decrease in number of journeys) with effect from early February on Bus Route 25 (Taunton-Milverton-Wiveliscombe-Dulverton)?

*Response from Cllr David Hall, Cabinet Member for Resources and Economic Development*

*The current Equalities Impact Assessment for Dulverton/Wiveliscombe was based on the new 25 timetable as we knew about these changes at the time. We have, therefore, already taken these points into account in the analysis work that was used to shape the individual proposals.*

*I can confirm that the 1705 college day journey that operates as far as Wiveliscombe/Langley Corner will be extended through to Dulverton from Monday 19 March. Other than this Buses of Somerset have confirmed that they are planning no other amendments to the new 25 timetable.*

## **8. Library Services**

From Alan Debenham

Regarding the public consultation afoot about more massive cuts and potential closures to our well-needed and well-used library services, where do the reasons for this exercise and its detailed background cuts agenda appear anywhere in today's budget proposals, especially with reference to all the legal complications and big protests which arose at the last attempt to slaughter these services?

*Response from Cllr David Hall, Cabinet Member for Resources and Economic Development*

*The reasons for this exercise and detailed background information can also be found in the report that we published on 23 November 2017 – Library Service – Vision, strategic direction and approach to service re-design.*

*This report acknowledged that 'In order for the service to further reduce costs in line with the forecast funding reduction for the Council as a whole, whilst continuing to fulfil its duty under the Public Libraries and Museums Act 1964, fundamental service re-design will be necessary.*

*The direction of travel proposed will enable us to maintain a thriving and dynamic library service in Somerset whilst putting the service onto a sustainable financial footing for the longer term'.*

## **9. Highbridge Library**

From Dave Chapple

If Highbridge Children's Centre is to stay open on the grounds of the communities' relative deprivation, and if Williton Library is to stay open on the grounds of supporting a relatively deprived community, why cannot those criteria be applied to Highbridge Library?

*Response from Cllr David Hall, Cabinet Member for Resources and Economic Development*

*This is a consultation and it is far too early to say what the outcome of the consultation will be for Highbridge Library, or any other Library for that matter. To answer Mr Chapple's point about deprivation, the proposals we are consulting on have been developed using a needs assessment, which looks at various deprivation factors. However, the needs assessment has to be balanced against other criteria – access, impact and value for money. Details of all of the assessments made are set out on the*

*consultation website and I would encourage Mr Chapple and all others interested in their local library to review this information and feed their views into the consultation process.*

## **10. A358 Upgrade**

From Patricia Power

I refer to the Orange Route called 8/8B+NFS in the first A358 Consultation in 2017. This route was discredited and rejected in the first Consultation.

Why then is SCC, in this 2nd Consultation, even contemplating it?

Why would SCC want to reroute the huge volume of London/South East traffic to Devon and Cornwall from the traditional route to the M5 via Honiton and Exeter for no economic benefit to Taunton?

Why would SCC support a route which has no connection to Nexus25 or Taunton?

Why would SCC support a route which leaves substantial traffic on the A358 and does not successfully bypass Henlade?

Why would SCC support a route which drives a 4 lane expressway bang next to mapped ancient woodland leaving no buffer?

Why would SCC support a route which has the highest accident rate?

Why would SCC support a route which has the least cost benefit ratio?

Why would SCC support a route which culminates in a massive, elevated split level junction, the size of 2 football pitches, slipways cheek by jowl with residents back gardens. Day and night, night and day, heavy traffic streaming down the north bound slip roads only metres from residents back gardens causing unimaginable noise, air and light pollution. How can this blight on residents daily life be justified?

So I repeat why is this already rejected route or any part of it even being considered?

I urge SCC to adopt a more robust approach and support the many positive outcomes of the Pink route over the negatives of the Orange route to make Taunton a vibrant Garden Town.

*Response from Cllr David Hall, Cabinet Member for Resources and Economic Development*

*Thank you for your questions. First, can I remind you that this is a Highways England Consultation.*

*The material presented within Highways England's consultation generally remains very limited and is not of sufficient detail for the Council to form a definitive view on the proposals, or to support any particular scheme option at this stage.*

*There are no plans to connect either of the potential new M5 junctions proposed by Highways England to the local road network.*

## **11. A358 Consultation**

From Frank O'Sullivan

I recognise that each of the route options in the A358 Consultation will have a detrimental impact on one or other local community, but why would the council consider the Orange route, which has the worst impact in virtually every respect?

- Worst for Taunton's economic development
- Worst for safety and accidents
- Worst for our countryside
- Worst for environmental pollution
- Worst value for money for the tax payer

I am firmly opposed to the Orange route and any mix and match option with an all movements junction at Killams.

I live in Killams and have elderly neighbours on the one side and a young family on the other. I am very concerned about the large number of children and people in their later years, who would be blighted by a massive all movements motorway junction virtually in their backyards.

I also have empathy for the residents of lower Holway. However, even without full design drawings, any fair-minded person can see from the junction diagrams that the nature, size and proximity of an all movements Killams junction F (Orange route), will have far greater impact than the slip road Holway junction A solution (Pink or Blue route).

My second question is: how can the council seriously consider the Orange route, which is projected to actually INCREASE the number of traffic accidents? It results in even more accidents than a 'do nothing' option, and far more accidents than either of the alternative Pink or Blue options.

A new all movements motorway junction, linking south west Taunton to the M5, may seem attractive. However, trying to piggy back this onto the A358 scheme, via a junction at Killams, will result in a monstrosity and will not satisfy that objective. Either the Killams junction will remain closed to the local road network, as currently planned; or it will be opened up to already congested local routes into Taunton and create enormous grid-lock and pollution.

The best choice is the proposed PINK option. It delivers the greatest economic and environmental benefits and is best value for money for the tax payer.

*Response from Cllr David Hall, Cabinet Member for Resources and Economic Development*

*Thank you for your questions. First, can I remind you that this is a Highways England Consultation.*

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*There are no plans to connect either of the potential new M5 junctions proposed by Highways England to the local road network.*

## **12. A358 Consultation**

From Mike Baddeley

As some of you will be aware Councillor Hall will be responding to the Highways England Ltd. A358 second consultation in the next couple of days. If you have not seen the draft response may I respectfully suggest that you read and understand it as soon as possible.

In general the report reflects many local concerns regarding the proposed route and it is to TDBC's credit that the SCC response has drawn heavily on their observations.

Of most concern locally is the repeated suggestion in the SCC response that Junction 25, with the proposed improvements, would be unable to cope with the predicted traffic movements from day 1. See para 3.1 of the response document.

Clearly the £23 million being spent on junction 25 would be a complete waste of taxpayers money if it is not able to cope with the projected traffic as soon as it is built.

Surely this is a matter of great concern to the Council and perhaps the matter should be speedily addressed before the planning application is processed shortly.

We believe that a completely fresh look needs to be taken of what can be achieved at J25 and I sincerely hope that discussions with Highways England will result in a more satisfactory solution.

From any point of view a junction 25a in the area of Killams is out of the question due to its proximity to existing and planned housing development. In purely practical terms Highways England advised us recently that it would too costly to move any junction further south because of cost, usability and environmental damage.

*Response from Cllr David Hall, Cabinet Member for Resources and Economic Development*

*Thank you for your questions. First, can I remind you that this is a Highways England Consultation.*

*The Council has undertaken a robust traffic assessment in support of our planning application to improve M5 Junction 25 and we and Highways England's planning team are satisfied that the Junction improvement will operate effectively.*

*Highways England's A358 team have undertaken their own traffic assessments of their proposed route options as they would change traffic flows at Junction 25. Their technical report notes capacity concerns at Junction 25 under the pink and blue options. We are in ongoing dialogue with Highways England about their modelling assumptions and they are now undertaking further work.*

*We expect Highways England to ensure that the final design for their A358 improvement does not result in unacceptable levels of congestion at Junction 25 or any other location.*

### **13. A358 Consultation**

From David Orr

Last year, Highways England gave Taunton only one A358 Expressway route choice - now known as the Orange route.

This route prioritised holiday traffic from London and the Southeast hurtling past Taunton to get to and from Devon and Cornwall, over any serious local benefits for Taunton. Orange route is the "least cost/least benefit" route - without a bypass for Henlade or a link to Nexus at Junction 25.

With support from our Councils, Highways England has come back now with three route options, all of which were shortlisted last year, but were regrettably not consulted upon. The Orange route was rejected last year and should be rejected again; along with any "mix and match" part-Orange route which plonks a huge M5 interchange close by the residential area of Killams and by the Vivary Green Wedge

The Pink route was the highest cost/benefit route last year and remains so. The Pink route provides a Henlade bypass and a link to Nexus at Junction 25.

Both Councils stated that Highways England have not provided enough information for a categorical decision to be made on a preferred route, although Taunton Deane has recommended either the Pink or Blue routes.

Taunton Deane has ensured that their Scrutiny committee received a draft report with the key recommendations available for Councillor oversight and public scrutiny.

This Council's Scrutiny Place committee had a meeting with only high-level slides and without a draft report or key recommendations. We would have welcomed a later extraordinary Scrutiny Place meeting so that recommendations were properly available for oversight and public scrutiny.

No Division Councillor (including the Leader David Fothergill) has sighted the A358 recommendations and, unlike Taunton Deane, there has been no public scrutiny of them, nor opportunity for affected communities to comment.

Are we to believe that the SCC recommendations to Highways England are not available today, when in just two days' time, Councillor Hall of Bridgwater East will make his non-key decision using them?

There will be no public scrutiny or any opportunity for comment by affected communities until after the non-key decision is made on the 23rd. Is that acceptable?

Taunton Deane's constitution remains business-like yet allows for public scrutiny of these key A358 route recommendations. Why doesn't this Council's?

*Response from Cllr David Hall, Cabinet Member for Resources and Economic Development*

*Thank you for your questions. First, can I remind you that this is a Highways England Consultation.*

*Following consideration of this matter at the Scrutiny Committee for Policies and Place; the Council published our draft response to the Consultation in full on 2 February. People are able to submit any comments on our draft response until 22 February.*

*The Leader and Cabinet arrangements within the Constitution state that Cabinet Members are authorised in their areas of responsibility to agree consultation responses. Consultation responses are usually treated as non-key decisions as they relate to decisions by another body, in this case Highways England.*

#### **14. Extension of the Devon Metro**

From Andrew Turpin

Recently, in the House of Commons, the Rail Minister announced the Government's support for further development of another loop at Whimple station, as part of the Devon Metro section between Exeter and Axminster.

Whimple station is surrounded by a population of 1,700. Chard Junction is surrounded by a population of nearly 20,000 and already has a platform and a loop. Could we hear how things are progressing in promoting Chard Junction as an extension of the Devon Metro for the residents of Chard, Tatworth and Forton, Winsham, Thornecombe, and possibly Chardstock, and Combe St Nicholas?

*Response from Cllr John Woodman, Cabinet Member for Highways and Transport*

*Thank you Mr Turpin for your question. I confirm that the Council is supportive of this proposal in principle and will seek to positively influence investment.. However, we are not actively promoting the station as part of an extension to Devon Metro and we have not been approached by Devon CC to include Chard Junction in their plans.*

*It is important to note that the process of developing firm proposals and business cases for new stations is extremely expensive, usually running into hundreds of thousands of pounds. The County Council does not currently have the finances to dedicate to this project.*

*Whilst we are happy to support the project in-principle it may be challenging to move forward in practical terms without a funding partner.*

## **15. Public transport in Somerset**

From David Redgwell

The Taunton Transport Strategy needs a bus strategy to take account of new housing developments. Section 106 and CIL agreements need to fund evening and Sunday services and new commuter journeys.

A BRT Metrobus scheme between Wellington, Taunton, Bridgwater and Burnham on Sea should include railway stations at Taunton and Bridgwater, the bus station in Taunton and Musgrove Park Hospital.

We note with concern the reduction of frequency by First Group of local buses in Somerset and would urge the County Council to follow the example of Cornwall to consider funding by Government Grants and a devolution deal.

The new rail franchise should be one and not two and both local and inter-city trains should continue to be run within the same franchise i.e. between Taunton and Weston Super Mare.

Train stations at Bath, Bridgwater, Bruton, Castle Carey, Yeovil Pen Mill and Yeovil Junction need to be made fully accessible to disabled people. We welcome the inclusion of the re-opening of Wellington Station as part of the Devon Metro and through services between Taunton, Bishops Lydeard and Minehead .

The service between Cardiff and Taunton should be extended to Bishops Lydeard as a first move with the option on certain days to go to Minehead for Butlins passengers. Funds to accommodate this could be obtained through the SW LEP (Heart of the South West).

## **16. Rail issues**

From David Redgwell

SWTN want the GWR franchise kept as one complete business unit operating throughout the South West, Thames Valley and Cotswolds by making sure local trains connect with Intercity trains eg Bristol - Weymouth at Bath and Chippenham via Melksham and Bristol - Weston Super Mare at Taunton. It should not be split up into a smaller Wessex type franchise as proposed by the DfT. The GWR IEP electrification programme should also be completed in the shortest possible time to assist with high technology rail job creation opportunities in the region together with the Henbury loop rail project serving the proposed Bristol Arena.

We wish to see a regular commuter/shopper rail service between Taunton and Minehead throughout the week and the station at Wellington should be reopened. There must be fully accessible stations for Bruton, Bridgwater, Weston Super Mare etc and heated waiting rooms, cafes, BTP offices eg Weston Super Mare and Taunton, tourism/transport information points eg Taunton together with better toilets including disabled ones.

## 17. Bus issues

From David Redgewell

The bus network in Somerset should be fully protected with better integration with the rail network especially at Yeovil Pen Mill, Yeovil Junction, Bridgwater and Taunton (not having buses just terminating at bus stations). Bus service 1 Shepton Mallet - Castle Cary should have a bus turning into the station to properly serve passengers rather than exposing them to the dangers of crossing the dangerous A371 and standing on a grass bank ! It should also better integrate with the Bath and West show by fitting services around the opening times of the show. Currently, the last bus to the railway station is at 18.09 when the show is just starting to close around 18.00 so the later bus service which was previously cut should be reinstated to serve show visitors.

We would like to see improvements to bus services in the Bridgwater, Yeovil, Taunton, Minehead, W-S-M, Cheddar, Shepton Mallet and Bath/Frome retaining Evening/Saturday and Sunday services. The Council should continue funding these bus services for economic growth working with the Government with devolution and the Buses bill at the heart of its political agenda as an example of devolution powers being put to good use.

The bus route from Taunton to Minehead should continue with an hourly frequency at the very least and a rapid transit link from Taunton to Bridgwater, Highbridge and Burnham on Sea would help this future growth.

*Response from Cllr John Woodman, Cabinet Member for Highways and Transport to all the questions from David Redgewell.*

*Thank you Mr Redgewell for your questions. I can confirm that the Council's Transport Strategy already considers bus requirements as part of the planning process for new development. The council will be publishing a new bus strategy later in the year.*

*With regard to the bus rapid transit scheme, this is currently in the early stages of development. Feasibility work undertaken to date has focused on 'Phase 1', which would connect the new community at Monkton Heathfield with destinations in Taunton.*

*The Council works closely with our bus operators, including First Group, to ensure best possible service. Where service reductions are proposed we work with a wide range of stakeholders to seek alternative solutions. We are not planning to include alternative bus funding models within our emerging devolution deal.*

*Turning to rail, splitting the franchise may introduce additional challenges in terms of fragmenting the customer's journey and introducing more complex ticketing. Our response to the franchise consultation will raise these concerns.*

*Your comments regarding extended the service between Cardiff and Taunton to Bishops Lydeard, are also noted, and we will ensure all your comments are relayed to the rail industry.*

*I would assure you the County Council is keen to protect the Bus network in Somerset and to this end we work very closely with our local bus operators. As part of this work we encourage better co-ordination between bus and rail services.*

*We have investigated better bus stopping facilities in the past at Castle Cary Station, but there is insufficient room for larger buses to turn around on the station forecourt. Service 1 which serves the Bath & West Showground is operated largely commercially with some support from Somerset County Council. We will discuss your suggestion with South West Coaches who operate the service.*



*Many of the bus services which serve Bridgwater, Yeovil, Taunton, Minehead, Cheddar, Shepton Mallet and Frome are operated commercially. We will continue to do what we can to maintain services in these areas, but our budgets remain under pressure.*

*The Taunton to Minehead bus service is operated commercially by the Buses of Somerset operating half hourly on Mondays to Fridays, and hourly on Saturdays, with a 90 minute frequency on Sundays and Public Holidays, which the operator deems to be the most viable level of service.*

### **18. Buses on Sundays**

From John Hassall

In view of the lack of buses on Sundays and the unwillingness of Buses of Somerset to divert route 28 via Cotford St Luke and Norton Fitzwarren, would the County Council consider providing a stop at the Junction by the roundabout on the A358 to enable passengers to walk down Dene Road into Cotford St Luke?

I realise there are no pavements on Dene Road but how do you expect people who are carless to get to work or go shopping etc on a Sunday?

For those passengers on route 29 wishing to catch a train could the CC also consider stopping the 29 at the Station on route to Taunton?

*Response from Cllr John Woodman, Cabinet Member for Highways and Transport*

*Thank you Mr Hassall for your question. We would be happy to receive a request from the Parish Council on behalf of residents of Cotford St. Luke so that we can investigate the provision of bus stops taking into account safety issues.*

*We are happy to consider and explore with the operator the possibility of service 29 operating via Taunton Station.*

### **19. Petition 1: Withdrawal of bus service from Wellington to Musgrove Park Hospital**

To be presented by Debbie Pendleton

*Response from Cllr John Woodman, Cabinet Member for Highways and Transport*

*Thank you for your petition. The Wellington to Taunton Bus Service is operated commercially by the Buses of Somerset. We have had several discussions with them about this service. The operator continues to maintain that a diversion via Musgrove Park Hospital would require additional resources which they are not prepared to commit.*

### **20. Petition 2: Reduction of service on route 25 – Taunton, Wiveliscombe, Dulverton**

To be presented by Phil Cookson

*Response from Cllr John Woodman, Cabinet Member for Highways and Transport*

*Thank you for your petition Mr Cookson. Officers have met with you and other local representatives regarding recent changes to bus service 25. Whilst the changes are a*

commercial decision we are talking to the operator to see if any adjustments can be made.

## **21. Family Support Services and Health Visitors**

From Nigel Behan

- a) Firstly, thank you for the replies enclosed in the minutes of the 29 November meeting. In a written answer it was stated that *“A strength of the consultation is that parents and carers have been telling us what works for them and how they prefer to access service, we plan to use this feedback to help design the new service model.”*

The Cabinet considered the consultation on 12 February.

- i. Can you show how the evidence from the consultation led to the decision taken (Phase 1) in a meaningful way?
  - ii. What factors downgraded the views expressed by parents and carers in the consultation?
  - iii. How was the feedback used to help “design the new service model”?
- b) Are you aware of the proposals to cut the number of Health Visitors in Devon by approximately 30 – what likelihood, is there, if Phase 2 proceeds of Somerset County Council making similar proposals to cut the number of Health Visitors?
- c) There is currently a One Public Estate programme. Neither the Children’s Centres or the Libraries have been part of it to date – will this be reviewed?
- d) Verbal responses were received to 6 questions submitted on this subject to Cabinet on 12 February. We look forward to the written record of the responses.

## **22. Family Support Service**

From Kathrine See

With regard to the decision taken at the Cabinet meeting of February 12th 2018, further to the Family Support Service and Children’s Centre Public Consultation:

1/ Is the Cabinet member for Families and Children satisfied that ALL protected characteristic groups, who may be adversely affected by the decision, have been specifically and comprehensively consulted BEFORE the decision was made?

2/ Should charities and volunteers be expected to provide services in the void left by the Councils cuts? How will these groups be regulated and monitored to ensure that the service they provide is safe, appropriate, accountable and of a good standard?

## **23. Children’s Centres**

From Alan Debenham

For Children’s Services, how is it we now have proposals to close so many Sure Start children’s centres and replace them with new so-called ‘service hubs’, despite the lengthy consultation’s outcome showing very strong opposition to this, and despite the disastrous fact of the NHS nurses to be transferred to the County Council’s new hubs strongly protesting at the last Cabinet meeting that they had not even been informed of what was happening ?

## **24. Children’s Centres**

From Siobhan Lennon-Patience

According to a Government Select Committee report relating to Sure Start Children's Centres from 2010 and reiterated in 2014 Sure Start has been one of the most innovative government initiatives of the last two decades. The report of 2014 by the Education select

committee concluded that Children's centres are a substantial investment with a sound rationale which should be allowed to bear fruit in the long term. However, they were concerned that recent government changes had led to lack of clarity, particularly around governance. It strongly recommended stronger and more formal governance.

SCC is going to de-designate some Sure Start Children's Centres, including my local one in Alcombe. Current Government Guidance states that the starting point on such Children's Centres should be a presumption against closure.

De-designation of a Centre means that it no longer has to provide detailed records or detailed improvement plans and is only covered by OFSTED as part of a wider area. If a Centre no longer meets the statutory Sure Start definition, what will its governance framework be?

Can SCC demonstrate that the outcomes for children, particularly the most disadvantaged, will not be adversely affected by the decisions taken by Somerset County Council?

## **25. Somerset Family Support Service & Children's Centres**

From Jenny Lennon-Wood

Why has SCC's Cabinet agreed to proceed with the original proposals and to implement Phase 1 of the proposed integrated Family Support Service when there is strong evidence

in the report on the Somerset Family Support Service & Children's Centres public consultation that these proposals are not welcomed by the community and service users?

The report was commissioned by SCC and the consultation questionnaire was devised by

the Council so the responses should be respected as credible. Throughout the report, there are references to mistrust of SCC and a belief that de-designation of the Sure Start Children's Centres would result in further erosion of children's services. The following are examples:

"Many participants cited their experience of services to date, the impact of change, the reduction in budgets and distrust of the Council. As a result, many of the questionnaires highlighted problems such as the sparsity and expense of public transport and the impact of the loss of 'early help' services." [Page 3]

"There was a sense from many participants, agreeing or disagreeing, that while the principle of better working links was sound this is not how it would develop in practice. Many people, agreeing and disagreeing, believed the existing children's centres could more effectively support such work or that there was a need for a central location where people knew they could go to access services." [Page 11]

"The perception of buildings as "focal points for services and the community generally" ran through the responses...." [Page 14]

"There is limited trust in the Council's commitment to invest in support and services, and there was a high level of concern that the proposals will lead to reduction in buildings, support and services. Having a building was seen as a literally concrete reassurance of the Council's commitment to delivering services." [Page 16]

*Response to questions 21 to 25 from Cllr Frances Nicholson, Cabinet Member for Children and Families*

*Thank you all – Nigel Behan, Kathrine See, Alan Debenham, Siobhan Lennon-Patience and Jenny Lennon-Wood (through Siobhan) – for your questions.*

*Please note, I am answering the questions that were tabled and are on our papers.*

*I turn first to Nigel Behan and Jenny Lennon-Wood's questions. As was made clear at recent Scrutiny and Cabinet meetings, there was a huge amount of public comment within the consultation, and all of it has been looked at and listened to. In particular, the public feedback raised questions in four specific areas: Minehead, Wellington, Yeovil and Chard. As a result of these comments within the consultation we are looking again at our options in those areas. That is the purpose of consultation and we are listening to the feedback and views. There was no 'downgrading' of views, indeed I am a little puzzled at what might have been meant by that comment.*

*I am not going to speculate about Devon. We have already answered this question in Cabinet.*

*Mr Behan's question about One Public Estate seems to be based on a misunderstanding. One Public Estate certainly does include libraries and children's centres. It might be helpful if he visited the Glastonbury Hub which provides nursery places, children's centres and shared public and voluntary sector services based in a library.*

*Turning to Katherine See. I can confirm that all relevant legislation including equalities impact assessments have been and will continue to be followed as decisions are made.*

*In regard to the charity and voluntary sector, we have extremely good relationships with the sector through regular forums, conferences and on a commissioned basis. There is no doubt that community-led solutions produce better outcomes and we are incredibly grateful for all the hard work and support of Somerset's charity and voluntary sector. They are absolutely brilliant and Somerset is blessed with having such a vibrant and successful sector.*

*Now, Alan Debenham's points. I do not accept what Mr Debenham has said about the move of public health nursing to Somerset County Council. Mr Debenham might consider the same move from the NHS to the Local Authority that was made with great success a few years ago by the Director of Public Health and the Public Health team. Somerset Partnership NHS Foundation Trust, the current provider of public health nursing services, which are already commissioned by the Local Authority, was informed in 2016, both verbally and in writing, of the two options the Council would be considering. The point about children's centres is similarly based on a misunderstanding.*

*As has been made clear and will continue to be made clear throughout this meeting, it is not the buildings that produce good outcomes for children, it is people. And I will go on making this point again and again for as long as is necessary. There are no plans to reduce the number of frontline workers in this area. That is the key: having the staff able to deliver good outcomes to residents who need support, where they live rather than from an expensive-to-run building.*

*And now, Siobhan Lennon-Patience. I do not accept the basis of this question. First, as I have already made clear, following representations from the public and through our*

*comprehensive consultation, we are looking again at our options in four areas one of which is Minehead, where Alcombe is. Secondly, I will repeat what I have just said which is the key point: It is not buildings that produce good outcomes, it is people. As Siobhan Lennon-Patience will be aware, and as I have just said, there are no plans to reduce the number of frontline workers in this area. This is the key, having the staff able to deliver good outcomes to residents who need support, where they live rather than from an expensive-to-run building.*

*Finally, she will be aware that for more than three years SCC has had a significant number of de-designated children's centres. In that same time, Children's Social Care has been on a steady and positive trajectory.*

*I hope this helps alleviate some of the concerns that have been raised.*

## **26. Local Government Pay**

From Kris Black

At the November meeting of Somerset County Council Councillor Redman moved a motion that called upon the Council to support ending the 1% pay cap for local government staff. This motion also stated that the costs of ending the pay cap should be funded by central government, rather than from existing council budgets. The motion was defeated at that meeting by the Conservative group. Given that an above 1% pay award now looks likely does the Conservative administration agree in retrospect that Cllr Redman showed foresight, that their hard working staff do deserve an above 1% pay rise, and will they now seek to do, as he and the motion stated, and seek additional funding from government rather than allowing hard pressed local services to bear the burden of finding the pay rise?

*Response from Cllr Anna Groskop, Cabinet Member for Corporate and Community Services*

*Thank you Kris for the question. As I'm sure you are aware, Somerset County Council is part of the LGA's collective bargaining for staff pay. As I'm also sure you are aware, this lobbying has successfully brought about a removal of the staff pay cap imposed by Government that will see some lower paid roles at SCC see their pay increase by between 5% and 9% with a 2% increase for other roles - a significant improvement that I know you will welcome. We note that this offer is yet to be accepted by trade unions. As to funding, this Council meeting is about setting our budgets for the coming year. You will hear many times that Government is continuing to remove our funding, not increase it to fund staff pay awards. In summary, Somerset County Council remains part of central pay negotiations and awaits trade union acceptance of the proposed pay settlement for 2018-19*

## **27. Revenue Budget Monitoring re: Learning Disabilities**

From Nigel Behan

Q4 Revenue Budget Monitoring Quarter 3 2017/18 – Learning Disabilities (Cabinet 12 February - Item 13)

<http://democracy.somerset.gov.uk/documents/s5926/201718%20Revenue%20Budget%20Monitoring%20Quarter%203.pdf>

i) In 4.3 it is stated that the overspend is made up of £3.792m Learning Disabilities Purchased and £0.412m Discovery. Can you clarify the reasons for the Discovery element?

ii) Why are “The main changes between quarter two and quarter three are an increase in projected cost for residential placements and the reduction in anticipated savings that can be achieved in year.”? Were these matters anticipated and to what level predictable?

iii) Will you unravel the overall underspend of £0.235m (and clarify what the one off pressure in year of £0.647m relating to old year costs for the Provider Service (LDPS) consists of?)

In 4.27 where it is stated “The reported position takes into account a transfer of £6.158m from an equalisation reserve and £1.086m transformation investment funded from capital receipts.” (which has been used to reduce the overall in-year overspend to just under £8m?) Will you provide details of the Equalisation Fund since the previous financial year - reason for creation of the fund, transfers into and out of the “reserve”, its size – how was it factored into the financial forecasts for the service transferred to Dimensions UK Ltd (also known as the Social Enterprise “Discovery”)?

*Response from Cllr David Huxtable, Cabinet Member for Adult Social Care*

*The £412,000 overspend on the Discovery element refers to the £647,000 of legacy costs, as per your third question. These matters were not anticipated as they are not predictable.*

*The £647,000 prior year item relates to costs incurred by staff in the old LDPS service related to overtime and allowances that they only claimed in the new financial year.*

*Your final question has been asked a number of times already during the year and I refer you to previous responses.*

*Point one - it does include these measures.*

*Point two - has been answered in the Scrutiny paper of November 2017*

*Point three – again this has been answered in the responses to the questions submitted to Scrutiny committee in November 2017 .*

*Point four - the answer to this question has been answered in the responses to the questions submitted to Scrutiny committee in November 2017*

*Moving on to your question about the FOI request, the contract documentation as it is now with the finalised redactions has been published and I will send within my written response a link to the web page. I will chase up the rest of your request on your behalf.*

## **28. Learning Disability Service – Operated by Dimensions UK Ltd**

From Nigel Behan

a) In the reply provided in the minutes “A full suite of key performance indicators and broader performance indicators has been shared with scrutiny and this will continue to be the case at each scrutiny meeting. The performance of the contract is measured against a clearly set of defined metrics ensuring the delivery of a well-run and sustainable service for the future.”?

Does this also include the 12 Key Performance Indicators and the 24 performance indicators – from the contractual details disclosed last year? Have there been any contractual variations in the KPI-PI numbers, their descriptions or the frequency of data collection and monitoring-reporting?

When will this information be published?

b) <http://democracy.somerset.gov.uk/documents/s6004/Annual%20Report%20of%20the%20Cabinet%20Member%20for%20Adult%20Social%20Care%20-%202018.pdf>

In the Annual Report of the Cabinet Member for Adult Social Care section 3.15 “In Learning Disabilities, SCC continues to embed the social enterprise offering via Discovery. As with other LD providers in the county commissioners continue to engage to modernise the offering to those with LD and have introduced some new progressive providers to the market as well.” Can you provide detailed analysis (“metrics”) to demonstrate the effectiveness (or otherwise) of the Discovery Social Enterprise offering?

*Response from Cllr David Huxtable, Cabinet Member for Adult Social Care*

*Point one - it does include these measures.*

*Point two - has been answered in the Scrutiny paper of November 2017*

*Point three – again this has been answered in the responses to the questions submitted to Scrutiny committee in November 2017 .*

*Point four - the answer to this question has been answered in the responses to the questions submitted to Scrutiny committee in November 2017*

*Moving on to your question about the FOI request, the contract documentation as it is now with the finalised redactions has been published and I will send within my written response a link to the web page. I will chase up the rest of your request on your behalf.*

## **29. Post Freedom of Information Request (re Learning Disability Provider Service transfer to Dimensions UK Ltd).**

From Nigel Behan

We received a “partially successful reply”

[https://www.whatdotheyknow.com/request/a\\_request\\_for\\_the\\_contract\\_betwe#incoming-982139](https://www.whatdotheyknow.com/request/a_request_for_the_contract_betwe#incoming-982139) – thank you.

However it was stated that: “It is our intention to review the remaining schedules to ensure that we do not release any potentially commercially damaging details. We must consider the public interest for each potential piece of information that we hold. In many cases the public interest is finally balanced, and we require more time to come to a considered view. We are therefore applying Section 10 of the Act. We hope to be in touch with you with on or before the next 20 working days with our final response.” Will you provide an update on the progress in supplying this information (“review the remaining schedules”)?

*Response from Cllr David Huxtable, Cabinet Member for Adult Social Care*

*The contract documentation as it is now with the finalised redactions has been published.*

## **30. Learning Disability Service provider Discovery**

From Sarah Mainwaring

a) Somerset County Council’s Learning Disability Service was outsourced to Discovery (operated by Dimensions UK Ltd) in April 2017. Over the 6 year life time

of the contract with Discovery the service was originally predicted to make savings of approximately £4million compared with the in house option. As we approach the end of the first year of the contract can the council let us know how Discovery is performing on this measure against projected spending and savings for the service?

b) Staff members from LD service as well as customers and relatives who were present on the Scrutiny meeting last November are concerned that results from the survey, which Discovery has been requested by the scrutiny to deliver, are not going to be ready for the report on 7th March. On 8th November Luke Joy Smith said he could have the staff and customer survey out very quickly. Staff survey was only launched 30th January. We do not find results available late spring or early summer timely. As for the family survey, it is just being launched. Discovery appears to not take the Scrutiny request seriously. Is this council aware that Learning Disabilities service is reaching crisis and both customers and staff feel they are not being listened to?

c) In the response from Cllr Huxtable to the questions from November full council, which I only received last week, the council and Discovery say they are actively trying to ensure the current staff stay within the service. Can the council please share with us how as all we are seeing is staff leaving, teams reaching crisis points, staff burnt out, stressed out, being asked continuously to do extra shifts. People are reaching the point of exhaustion. This would have massive impact on customers, quality of their care and their experiences of daily life. Can the council explain how is this situation being tackled?

*Response from Cllr David Huxtable, Cabinet Member for Adult Social Care*

*Mrs Mainwaring, thank you for your questions. I believe that the questions of the performance of the Discovery contract have been raised continuously at scrutiny, cabinet and council meetings and there is nothing further to add to the answers I have given previously.*

### **31. Learning Disability Service provider Discovery**

From Alan and Cheryl Freeman

1. Discovery (operated by Dimensions UK Ltd) has unilaterally withdrawn facility time from the recognised trade unions that represent staff in the service. In doing so it has jeopardised reaching an agreement regards their proposed staffing restructure, and therefore Discovery's ability to deliver the ambitious predicted savings for the service. Will SCC intervene with Discovery to ensure that it reinstates facility to the recognised trade unions?

2. In a response to question raised at the full council on 29th November, that was received in writing last week from Mr Chandler -This council has always been clear that it was necessary in ensuring both the sustainability and delivery of a modern offer to people with a learning disability that significant change was necessary. Did this council not also have a remit from customers and family that firstly it did not want outsourcing but then after persuasion they decided that they wanted a social enterprise with joint working which is not being adhered to therefore my question is that there currently is a staff survey in progress but the one to customers and families has only been cascaded out and in fact the outcome of this will not be disclosed until at least April when it was in fact requested in November, therefore can you please explain to me on how the quality is being monitored?



3. In another response to public question Mr Chandler responded - However, to sustain and enhance our services going forward we have to approach care in a different way and we wish to reassure you that Discovery has an excellent track record, through their parent organisation, Dimensions, for enhancing the care experience through their personalised approach. However, where change is called for, it is important to do it right and that takes time.

We are now approaching a year and the services our going through a difficult journey can you please give clarification on the statement 'it takes time' – how long do you envisage this to be whilst numerous staff have left and the service is dependent on agency workers when will do you believe stability will return that we had prior to outsourcing that can only enhance the life's of people we support?

*Response from Cllr David Huxtable, Cabinet Member for Adult Social Care*

*Thank you for your questions Mrs Freeman. A number of areas have already been covered in previous answers to scrutiny, cabinet and council so I do not intend to repeat these responses. In relation to the specific question of surveys this was a request raised by the scrutiny committee but also was part of the contract expectations. It has been important to ensure that the various surveys are comprehensive and are able to not just be used to draw comparisons locally but also to ensure robust comparisons are possible with national surveys. This assurance has taken time and we are confident that the surveys will provide valuable feedback.*

*The quality of the Discovery service has been and will continue to be monitored by the joint project team, Key Performance Indicators and Performance Indicators, other submitted quality information and intelligence received from other sources.*

*Discovery, as an independent organisation, with its own management and governance is able to decide how it operates the time of the staff that it employs, including non-contact time for direct care staff and flexibility to be able to use this to engage with recognised trade unions.*

### **32. Learning Disability Service**

From Mike Bruce

When the decision to outsource the learning disability service was made, it was stated from the outset that there were "no saving targets associated with this decision". Consultation with customers of the service and their advocates, family members and carers was carried out in depth and it was noted that "The Learning Disability Provider service is a good service". Customer experience surveys and anonymous visitor questionnaires were carried out to inform the decision and it was noted that these provided "overwhelmingly positive feedback". It was also reported that "the majority of customers and carers...[expressed that]...their preference...[was]...for the continued direct provision of the services they receive by the council". It was recognised that this would "retain skills, expertise, knowledge and existing service levels" all of which were accepted as being of a high standard. As a regular participant in the consultation meetings leading up to the decision, I know that the overwhelming concern that was voiced by everyone asked was that the service quality would be reduced by outsourcing to the private sector and that this was a thinly veiled attempt to cut services and save money. It was stated time and time again that this was not the case, this was not a cost cutting exercise and the reassurance was given that staff would be protected if the service was transferred to an outside provider under TUPE regulations. This was not a truth as it has become increasingly apparent that the sole reason for the creation of Discovery was to cut staff

terms and conditions to save money. Two months before the transfer, every staff member was told directly by the managing director of Dimensions that costs were needing to be cut by 33% and the changes to terms and conditions that were proposed almost immediately after the transfer reflected at least that amount or more being cut. There was also the suggestion that a section 188 could be enacted and all staff would be fired and then rehired on the new proposed contracts. This proposal directly led to hundreds of people leaving the service and new recruits have not been forthcoming as the Dimensions contracts being advertised are not competitive when compared to other care jobs with other providers so the service has struggled ever since. Although that proposal and threat of section 188 has been taken "off the table" my fear is that if the new proposal doesn't recognise the value of the "skills, expertise, knowledge and existing service levels" that we are still struggling to retain, a catastrophic amount of staff will leave and the people we support will be placed at risk. New staff take months to train and it is only with training and support from experienced staff that they can safely work with the vulnerable and complex individuals we support. There is no incentive currently to say in continued employment with Discovery, no matter how long you have worked for the company, your wage is capped at entry level. This can only encourage high staff turnover which increases the risk of inexperienced staff taking on responsibility they are not ready for as there is no-one else to do it. A person with 20 years experience cannot be replaced by a 17 year old who has never worked in care - there is no comparison. The risk of harm is very real and I would ask that this committee recommend meaningful consultation between Discovery and its customers and employees as for the past year (and prior to the decision to outsource was made), any recommendations made during consultations with customers, their representatives and carers have been ignored and decisions made behind closed doors which directly contradict the wishes and views expressed by those people who know the service best.

*Response from Cllr David Huxtable, Cabinet Member for Adult Social Care*

A quick answer to Mike Bruce and thank you for your thoughts which you have raised previously. The Council notes your comments.

### **33. Learning Disability Service**

From Ewa Marcinkowska

On 30th January Discovery have suspended with immediate effect all facility time for UNISON stewards in Learning Disability Service, apart from formal representation meetings. This means leaving members without access to stewards for advice, information, support, unless it is at the stage of disciplinary or grievance or other formal stage.

How confident is the Council in the contractor who this way demonstrated their approach to working in partnership, and by their action is potentially breaches the law?

Can the Council intervene to ensure Discovery reinstates the facility time to recognised trade union?

*Response from Cllr David Huxtable, Cabinet Member for Adult Social Care*

*Discovery, as an independent organisation, with its own management and governance is able to decide how it operates the time of the staff that it employs, including non-contact time for direct care staff and flexibility to be able to use this to engage with recognised trade unions.*