

## COUNTY COUNCIL

Minutes of a Meeting of the County Council (Virtual Meeting) Wednesday 29 July 2020 at 10.00am.

Present: Cllr M Best, Cllr N Bloomfield, Cllr A Bown, Cllr M Caswell, Cllr M Chilcott, Cllr J Clarke, Cllr P Clayton, Cllr S Coles, Cllr A Dance, Cllr M Dimery, Cllr B Filmer, Cllr D Fothergill, Cllr G Frascini, Cllr A Govier, Cllr A Groskop, Cllr D Hall, Cllr P Ham, Cllr M Healey, Cllr N Hewitt-Cooper, Cllr James Hunt, Cllr John Hunt, Cllr D Huxtable, Cllr M Keating (Vice-Chair), Cllr A Kendall, Cllr C Lawrence, Cllr M Lewis, Cllr L Leyshon, Cllr J Lock, Cllr T Lock, Cllr D Loveridge, Cllr T Munt, Cllr T Napper, Cllr F Nicholson, Cllr G Noel, Cllr L Oliver, Cllr J Parham, Cllr C Paul, Cllr H Prior-Sankey, Cllr M Pullin, Cllr F Purbrick, Cllr L Redman, Cllr B Revans, Cllr D Ruddle, Cllr N Taylor (Chair), Cllr J Thorne, Cllr G Verdon, Cllr L Vijeh, Cllr W Wallace, Cllr A Wedderkopp, Cllr J Williams, Cllr R Williams and Cllr J Woodman.

### 189 **Apologies for Absence** - Agenda Item 1

Apologies for absence were received from Cllr A Broom, Cllr H Davies and Cllr M Rigby.

### 190 **Declarations of Interest** - Agenda Item 2

Details of all Members' interests in District, Town and Parish Councils can be viewed on the Council Website. Because of this there is no need for members to individually declare these personal interests in those other councils at the meeting. .

Cllr Tessa Munt declared a personal interest as a Director and Chair of Whistle-Blowers UK (non-profit company).

### 191 **Minutes of the Council Meeting held on 19 February 2020** - Agenda Item 3

The Minutes of the meeting held on 19 February 2020 were accepted as a true and accurate record and were signed by the Chair of the meeting.

### 192 **Public Question Time** - Agenda Item 4

Notice was received of Public Questions/Statements/Petitions (under 5000 signatures) and Elected Member Questions regarding:

#### **One Somerset**

**1-3.** From: Alan Debenham

**4-6.** From: Eva Bryczkowski

**7.** From: David Preece

8. From: Chris Mann

9-10. From Nigel Behan.

Responses from Cllr David Fothergill, Leader of the Council

**COVID-19 Emergency**

12-13. From: Susan Stevens

14-16. From: Lucy Travis

Responses from Cllr John Woodman, Cabinet Member for Highways and Transport

**COVID-19 Transport**

18-19. From: David Redgewell

20-22. From: Tracey Harding

Responses from Cllr John Woodman, Cabinet Member for Highways and Transport

**Kingsmead School Development**

23. From Gideon Amos

Response from Cllr Faye Purbrick, Cabinet Member for Education and Transformation.

(Full details of the questions and responses given at the meeting and/or in writing following the meeting are set out in Appendix A to these Minutes).

193 **Chair's Announcements** - Agenda Item 5

The Chair referred to:

- The events the Chair had attended since the last meeting of the County Council in February 2020, as listed in the Chair's Information Sheet No. 8, circulated and published with the agenda.
- The Council agreed to formally thank and recognise the commitment and hard work of staff, volunteer, partners and service providers during the emergency response to the Covid-19 pandemic.

194 **Report of the Leader of the Council and the Chief Executive – Review of the Emergency Democratic and Decision-Making Arrangements for the Council** - Agenda Item 6

The Council considered a report by the Leader of the Council and the Chief Executive to review the Emergency Democratic and Decision-Making Arrangements for the Council.

Cllr David Fothergill, Leader of the Council, introduced the Review of the Emergency Democratic and Decision-Making Arrangements for the Council. Matters referred to by Cllr David Fothergill included:

- Decisions made in March 2020 to ensure SCC services could continue to operate during the 'lockdown period';
- The Leader of the Council and the Chief Executive set out and agreed their proposed democratic and decision-making arrangements for the emergency. A commitment was given that these emergency arrangements would be reviewed after three months;
- The current position of the Council and being able to return some of the delegated arrangements back to committees to further support democratic and public accountability during the emergency response.

Somerset County Council Chief Executive, Pat Flaherty commented on the Review of the Emergency Democratic and Decision-Making Arrangements for the Council. Matters referred to by the Chief Executive included:

- Emergency powers implemented were not given lightly, with the epidemic now receding from its peak, SCC are in a position within a legal backdrop to reactivate democratic processes and open all services;
- Government powers implemented gave the ability for the local authority to cope with outbreaks in a vigorous and immediate way and mobilise both the Council and partner organisations.

The Chief Executive asked the Monitoring Officer, Scott Wooldridge, to continue with the report.

The following points were discussed, and the key points raised were:

- The Cabinet meeting on 20<sup>th</sup> July 20 considered the proposals set out in this report, along with the recommendations from the Constitution & Standards Committee (in particular the future webcasting of Full Council, Cabinet, Regulation and Scrutiny Committee meetings) and Scrutiny Committee for Policies and Place (15<sup>th</sup> July 20). The Cabinet

supported the recommendations from Constitution & Standards and Scrutiny Place, together with the recommendations from the review;

- Further work to continue in relation to options to improve virtual meetings, including the potential for 'hybrid' meetings;
- the current regulations for virtual meetings are due to expire in May 2021.

Cllr David Fothergill, seconded by Cllr Jane Lock, moved the motion to vote.

The Council **RESOLVED** by majority to:

- 1) Note the comments and recommendations from the Cabinet, Scrutiny Place and Constitution and Standards Committees as set out in this report.
- 2) Commend the Council's achievements during the emergency response delivered with the benefit of the emergency democratic and decision-making arrangements.
- 3) Agree that all of its committees and public meetings where it is the Administering Authority continue to meet virtually in accordance with regulations.
- 4) Note that a further review of the emergency powers and operation of delegated decision-making arrangements set out in this report to the Chief Executive and his authorised officers will be reviewed by the Council at its meeting in November 2020.
- 5) Request that further guidance on the council's website is produced to assist the public and press in participating and observing virtual committee meetings.
- 6) Support further development and implementation of webcasting solutions to enable live transmission of physical and virtual committee meetings, especially as part of the refurbished committee rooms in A block.
- 7) Agree and request that the Leader of the Council lobby Government for changes to regulations and guidance to enable 'hybrid' meetings to take place where necessary during and after the emergency.
- 8) Agree to revise the Council's Audio Recordings Protocol to a Video and Audio Recording Protocol of committee proceedings (Full Council, Cabinet, Audit, Scrutiny Committees, Health & Well-Being Board and Regulation Committee) and for the associated recordings to be published on the council's website and retained for a period of six years. Furthermore, for the recording and publication on the website of partnership committees that the Council

administers such as Somerset Waste Board and Avon and Somerset Police and Crime Panel to be recommended to those bodies to approve.

9) Authorise the Monitoring Officer to take forward the implementation of recommendations 3-8 above.

#### Constitution and Schemes of Delegation

The Council also **RESOLVED** to:

a) Return to the constitutional democratic and decision-making arrangements set in the Council's Constitution and Schemes of Delegation (as at 1 March 2020) that preceded the Leader of the Council and Chief Executive's decision dated 28 March 2020;

b) Return the scrutiny call-in arrangements as set out in the Council's Constitution.

(Following a motion by the Chair of the Council, the meeting was adjourned between 11.37am and 11.52am)

#### 195 **Report of the Leader and Cabinet – Items for Decision** - Agenda Item 7

The Council considered a report by the Leader and Cabinet setting out recommendations considered by the Scrutiny Committee for Policies and Place June & July 2020 and from the Cabinet meeting held on 20<sup>th</sup> July 2020:

Paper A - One Somerset, Local Government Reform in Somerset

Paper B - The Treasury Management Outturn Report 2019/20

(i) Paper A - One Somerset, Local Government Reform in Somerset

Cllr David Fothergill, Leader of the Council, made a speech introducing the One Somerset, Local Government Reform. Matters referred to by Cllr David Fothergill included:

- Thanks expressed to all that have been involved in drawing up the One Somerset business case;
- Delivery of a County Vision for improvement of lives across Somerset, improvement of how local government can deliver services in and across Somerset, providing an opportunity to make services more efficient, accessible, effective and sustainable, without impacting on the historic or civic status of Somerset;

- Opportunities and more decision-making power at a local level to Somerset's communities, with a greater local community focus, delivery and accountability in those communities;
- Replacing both the county council and the four district councils with a new unitary council, with councillors elected by Somerset's electorate;
- Secretary of State and Government are the decision makers for any unitary proposals with opportunity for district councils and other interested bodies to submit their views and any alternative business plan;
- Represents opportunity for significant savings to be made across the sector, with functions delivered by one organisation;
- Commitment to a far-reaching comprehensive programme of engagement and consultation, with contribution from all political parties.

#### (ii) Points of clarification and other Queries/Comments

Cllr David Fothergill responded to points raised by members on matters including the following:

- Potential for submission of alternative proposals from district councils;
- Future engagement and consultation process for the community, business, residents and partners;
- Further opportunities for possible further evidence to support the business plan submission and respond to questions from the Secretary of State;
- Receipt of information from Secretary of State and distribution to members;
- Clarification of reasoning and the wording for the proposed amendment to enable the council to ensure a submission can be made in accordance with any requirements from the Secretary of State.

#### (iii) Proposed Amendment

Cllr David Fothergill proposed the amendment recommendation which was to add the proposal as follows:

- Authorise the Leader of the Council to submit further supporting evidence arising from ongoing engagement, and future consultation; and any requests included in the pending invitation from the Secretary of State, MHCLG, supporting this One Somerset Business Case.

This was seconded by Cllr Faye Purbrick and the recommendation was moved to vote.

A named vote was taken on the proposed amendment, with votes being cast as follows:

<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstain</u></b>
<b>Cllr Neil Bloomfield</b>	<b>Cllr Mike Best</b>	
<b>Cllr Ann Bown</b>	<b>Cllr John Clarke</b>	
<b>Cllr Peter Clayton</b>	<b>Cllr Simon Coles</b>	
<b>Cllr Mike Caswell</b>	<b>Cllr Adam Dance</b>	
<b>Cllr Mandy Chilcott</b>	<b>Cllr Martin Dimery</b>	
<b>Cllr Bob Filmer</b>	<b>Cllr Andy Kendall</b>	
<b>Cllr David Fothergill</b>	<b>Cllr Liz Leyshon</b>	
<b>Cllr Giuseppe Frascini</b>	<b>Cllr Jane Lock</b>	
<b>Cllr Andrew Govier</b>	<b>Cllr Tony Lock</b>	
<b>Cllr Anna Groskop</b>	<b>Cllr Tessa Munt</b>	
<b>Cllr David Hall</b>	<b>Cllr Hazel Prior-Sankey</b>	
<b>Cllr Philip Ham</b>	<b>Cllr Bill Revans</b>	
<b>Cllr Mark Healey</b>	<b>Cllr Dean Ruddle</b>	
<b>Cllr Nigel Hewitt-Cooper</b>	<b>Cllr Alan Wedderkopp</b>	
<b>Cllr James Hunt</b>		
<b>Cllr John Hunt</b>		
<b>Cllr David Huxtable</b>		
<b>Cllr Mark Keating</b>		
<b>Cllr Christine Lawrence</b>		
<b>Cllr Mike Lewis</b>		
<b>Cllr Dave Loveridge</b>		
<b>Cllr Terry Napper</b>		
<b>Cllr Frances Nicholson</b>		
<b>Cllr Graham Noel</b>		
<b>Cllr Linda Oliver</b>		
<b>Cllr John Parham</b>		

<p><b>Cllr Clare Paul</b></p> <p><b>Cllr Mike Pullin</b></p> <p><b>Cllr Faye Purbrick</b></p> <p><b>Cllr Leigh Redman</b></p> <p><b>Cllr Nigel Taylor</b></p> <p><b>Cllr John Thorne</b></p> <p><b>Cllr Gemma Verdon</b></p> <p><b>Cllr Linda Vjeh</b></p> <p><b>Cllr William Wallace</b></p> <p><b>Cllr Josh Williams</b></p> <p><b>Cllr Rod Williams</b></p> <p><b>Cllr John Woodman</b></p>		
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The Council therefore **RESOLVED** by 38 votes to 14 votes to adopt the amendment.

(iv) Cllr David Fothergill continued to summarise points on the whole proposal.

(v) Cllr David Fothergill, Cllr Mandy Chilcott and Cllr Faye Purbrick responded to further points of clarification raised by members on matters including:

- Timely submission of the business case;
- Local community networks maps and boundaries;
- Possibilities of a new Taunton Town Council;
- Planning departments and the effect on AONB and environmental green strategies;
- Transparent funding and clear costs contingencies for implementation;
- Information reach and understanding for the residents of Somerset;
- Collaboration with district councils and other key partners / alternative proposals from district councils and / or other bodies;
- Council staff security and retraining;
- Unitary size, area, options and options appraisal set out in the Business Case;
- Opportunity for more devolution to Town and Parish Councils;
- Financial impact on SCC / District Councils due to loss of income / Covid-19;



- Children and Adults Social care services support of vulnerable residents.

Cllr David Fothergill proposed, seconded by Cllr Faye Purbrick moved the motion to vote.

A named vote was taken on the motion, with votes being cast as follows:

<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstain</u></b>
<b>Cllr Neil Bloomfield</b>	<b>Cllr Mike Best</b>	<b>Cllr P Clayton</b>
<b>Cllr Ann Bown</b>	<b>Cllr John Clarke</b>	<b>Cllr Mike Caswell</b>
<b>Cllr Mandy Chilcott</b>	<b>Cllr Simon Coles</b>	<b>Cllr Bob Filmer</b>
<b>Cllr D Fothergill</b>	<b>Cllr Adam Dance</b>	<b>Cllr Leigh Redman</b>
<b>Cllr Giuseppe Frascini</b>	<b>Cllr Martin Dimery</b>	
<b>Cllr Andrew Govier</b>	<b>Cllr Andy Kendall</b>	
<b>Cllr Anna Groskop</b>	<b>Cllr Liz Leyshon</b>	
<b>Cllr David Hall</b>	<b>Cllr Jane Lock</b>	
<b>Cllr Philip Ham</b>	<b>Cllr Tony Lock</b>	
<b>Cllr Mark Healey</b>	<b>Cllr Tessa Munt</b>	
<b>Cllr Nigel Hewitt-Cooper</b>	<b>Cllr Hazel Prior-Sankey</b>	
<b>Cllr James Hunt</b>	<b>Cllr Bill Revans</b>	
<b>Cllr John Hunt</b>	<b>Cllr Dean Ruddle</b>	
<b>Cllr David Huxtable</b>	<b>Cllr Alan Wedderkopp</b>	
<b>Cllr Mark Keating</b>		
<b>Cllr Christine Lawrence</b>		
<b>Cllr Mike Lewis</b>		
<b>Cllr Dave Loveridge</b>		
<b>Cllr Frances Nicholson</b>		
<b>Cllr Graham Noel</b>		
<b>Cllr Linda Oliver</b>		
<b>Cllr John Parham</b>		
<b>Cllr Clare Paul</b>		
<b>Cllr Mike Pullin</b>		

<b>Cllr Faye Purbrick</b>		
<b>Cllr Nigel Taylor</b>		
<b>Cllr John Thorne</b>		
<b>Cllr Gemma Verdon</b>		
<b>Cllr Linda Vijeh</b>		
<b>Cllr William Wallace</b>		
<b>Cllr Josh Williams</b>		
<b>Cllr Rod Williams</b>		
<b>Cllr John Woodman</b>		

(NB. Cllr T Napper was unable to vote as he had left the virtual meeting)

The Council **RESOLVED** by 33 votes to 14, with 4 abstentions, to adopt the motion, and accordingly to:

- a) Approve the One Somerset Business Case (Appendix A);
- b) Authorise the Leader of the Council to submit the Business Case to the Secretary of State, MHCLG, for a decision on the future of local government in Somerset;
- c) Authorise the Leader of the Council to submit further supporting evidence arising from ongoing engagement, and future consultation; and any requests included in the pending invitation from the Secretary of State, MHCLG, relating to the One Somerset Business Case; and
- d) Agree to support the Leader of the Council continuing to seek consensus with the district and local councils across Somerset.

(Following a motion from the Chair of the Council, the meeting was adjourned between 2.15pm and 2.35pm)

### **Paper B Annual Treasury Management Outturn Report 2019/20**

(vi) Cllr Mandy Chilcott, Cabinet Member for Resources, introduced the Annual Treasury Management Outturn Report 2019/20. This was set out in the report, considered by the Cabinet on 20<sup>th</sup> July 20 for approval and attached to the Leader and Cabinet's report to Council Paper B. Matters referred to by Cllr Mandy Chilcott included:

- the Treasury management activity 2019/20, detailing any Treasury management actions, capital financing debt and investment
- no new debt taken during the year
- total investments at of 31<sup>st</sup> March 2020, include Somerset County Council cash as well as funds managed for others including the local enterprise partnership
- 2019/20 accounts were subject to review by the financial reporting council, this was part of the work being undertaken across the country to drive improvement in auditing standards for private and public accounts ,no issues found, no higher assurance at this council can gain and this week confirms that our statement of accounts are correct
- thanks again go to the finance team for continued hard work and dedication.

Cllr Mandy Chilcott, seconded by Cllr Mike Lewis, moved the recommendations to the vote

The Council **RESOLVED** by majority, to receive and endorse the Treasury Management outturn report for 2019-20.

196 **Report of the Monitoring Officer – Appointments to Committees and empowerment of deputy statutory officer post-** Agenda Item 8

The Council considered a report by the Monitoring Officer, on the Appointments to Committees and empowerment of deputy statutory officer posts.

Cllr David Fothergill, seconded by Cllr Jane Lock, moved the motion to vote.

The Council **RESOLVED** by majority to:

1. Approve the revised committee place allocations and appointments set out in this report (see section 3.2) and the Appointments Schedule at Appendix 1

Appointment of additional Deputy Section 151 Officer

2. Appoint and empower the post and postholder of Strategic Manager Finance Corporate, currently held by Donna Parham, as an additional Deputy Section 151 Officer (see section 4 of this report) with immediate effect.

## Appointment of Deputy Directors of Adult Social Services

3. Appoint and empower the post and postholder of Deputy Director Adults & Health Operations, currently held by Anna Littlewood, and the Deputy Director Adults & Health Commissioning, currently held by Tim Baverstock, as Deputy Directors of Adult Social Services (see section 5 of this report) with immediate effect.

### 197 **Somerset Corporate Parenting Board – Annual Report 2019 - 2020 -** Agenda Item 9

The Council considered a report introduced by Jill Johnson, Chair of Somerset Corporate Parenting Board, matters referred to included:

- Work that took place during the Covid-19 outbreak;
- Foster parents and keeping young people safe;
- Inconsistency of council tax exemption and District representation;
- Apprenticeships for care leavers
- Praised the hard work of all involved, driving the Authority and partner organisations forward to improve lives for young people.

#### Points of Clarification and other Questions

- charity donation / budgets;
- GCSE results and support for children to get back into education reporting;
- Local offer for young people / Care leavers Charter and the working commitments in Somerset.

Cllr Frances Nicholson proposed, seconded by Cllr Leigh Redman moved the recommendations to the vote.

The Council **RESOLVED** by majority to:

1. Focus on the inconsistency of Council Tax exemption across the county and the impact of this on Care Leavers
2. invite District Councillor representation on the Corporate Parenting Board to provide support on housing and leisure issues
3. support the commitment by Somerset County Council to create practical and specific offers to Care Leavers through our Local Offer
4. extend its thanks to the young people of the Somerset Care Council for all the hard work that they undertake.

198 **Report of the Leader and Cabinet – Items for Information** - Agenda Item  
10

The Council received a report by the Leader and Cabinet summarising key decisions which the Leader, other Cabinet Members and Officers had taken between 11<sup>th</sup> February 2020 and 17<sup>th</sup> July 2020 and items of business discussed at Cabinet meetings on 22<sup>nd</sup> January 2020 and 10<sup>th</sup> February 2020.

At Cllr David Fothergill's invitation, Cllr Clare Paul, Cabinet Member for Public Health & Well Being and Climate Change, reported on the Climate Agenda and Strategy and stated that the Climate Change agenda is hugely important, with work ongoing prior to and during Covid-19 pandemic. Further added that the Climate Strategy document was due to be submitted to the final Task and Finish Group for revision before submission to Scrutiny Committees and Full Councils in October / November 2020.

Cllr David Fothergill and Cabinet Members responded to questions from members as set out below:

*Cllr David Fothergill, Leader*

**Climate Change Strategy and fund**

Asked how the Council is to regain pace with work on the Climate Change Strategy. In addition, queried how the £1M for the green initiatives fund could be accessed.

From: Cllr John Clarke

Verbal response from: Cllr Clare Paul

**Climate Change fund – Taunton**

Asked how the Climate Change £1M fund for green initiatives could be accessed with no Parish, Town or City Council.

From: Cllr Hazel Prior-Sankey

Verbal response from: Cllr David Fothergill

**Provision of SEND services**

Asked about the content of the report regarding SEND services and the issues identified with SEND services provision and the timely action of this.

From: Cllr Jane Lock

Verbal response from: Cllr David Fothergill

*Councillor Frances Nicholson, Cabinet Member for Children*

## **Young Carers Support during Covid-19**

Asked how young careers have been supported throughout the Covid-19 pandemic, considering the significant changes for individuals, with face to face support and contact with social groups not operating because of Government guidance.

From: Cllr John Clarke

Verbal response from: Cllr Frances Nicholson

The Council received and noted this report.

### **199 Annual Report of the Leader of the Council – 2019/20 - Agenda item 11**

The Council received and noted the report of the Leader of the Council.

The report covered the past financial year, vision and plans, key achievements, challenges and the Covid-19 response.

### **200 Report of the Scrutiny Committee for Policies and Place - Agenda Item 12**

The Council received and noted a report by Scrutiny for Policies and Place Committee, which was presented by Cllr Anna Groskop, Chair of the Committee.

The report covered the scrutiny work programme, Revenue and Capital Budget Monitoring, Covid-19 items, the review of Emergency Democratic Arrangements and the One Somerset Business Case.

### **201 Annual Report of the Scrutiny for Policies, Adults and Health Committee – Agenda Item 13**

The Council received and noted a report by the Scrutiny for Policies, Adults and Health Committee, which was presented by Cllr Hazel Prior-Sankey, Chair of the Committee.

The report covered scrutiny work programme, meetings overview, Fit for Future, Adult Social Care performance, safeguarding, Somerset Clinical Commissioning Group items and suggestions for the future.

### **202 Report of the Scrutiny for Policies, Children and Families Committee – Agenda Item 14**

The Council received and noted a report by Scrutiny for Policies, Children and Families Committee, which was presented by Cllr Leigh Redman, Chair of the Committee.

The report covered scrutiny work programme, previous items of consideration and reflections, Special Educational Needs and Disabilities (SEND) inspections, family support areas and meetings overview.

203 **Somerset Health & Wellbeing Board Annual Report** – Agenda Item 15

The Council received and noted a report by the Health & Wellbeing Board, which was presented by Cllr Clare Paul, Chair of the Somerset Health and Wellbeing Board.

The report covered statutory duties, health improvement workstreams, work programmes, Health and Wellbeing Board meetings and constitution.

(The meeting ended at 3.37pm)

Chair of the Council