

## COUNTY COUNCIL

Minutes of a Meeting of the County Council held in the Hollingsworth Hall, Canalside Conference Centre, Huntworth, Somerset TA6 6LQ, on Wednesday 23 February 2022 at 10.00 am

**Present:** Cllr M Best, Cllr A Bown, Cllr M Caswell, Cllr M Chilcott, Cllr J Clarke, Cllr P Clayton (Deputy Chair), 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 J Hunt, Cllr James Hunt, Cllr D Huxtable, 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 C Paul, Cllr H Prior-Sankey, Cllr M Pullin, Cllr F Purbrick, Cllr L Redman, Cllr D Ruddle, Cllr N Taylor (Chair), Cllr J Thorne, Cllr G Verdon, Cllr W Wallace, Cllr J Williams, Cllr R Williams and Cllr J Woodman

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

Cllr N Bloomfield, Cllr H Davies, Cllr N Hewitt-Cooper, Cllr D Johnson, Cllr M Keating, Cllr J Parham, Cllr B Revans and Cllr M Rigby.

20 **Declarations of Interest** - Agenda Item 2

There were no new declarations.

21 **Minutes from the meetings held on 24 November 2021 and 19 January 2022** - Agenda Item 3

The minutes of the meetings held on 24 November 2021 and 19 January 2022 were accepted as a true and accurate record and were signed by the Chair of Council.

22 **Chair's Announcements** - Agenda Item 4

The Chair outlined the limited number of events attended due to the restrictions of Covid 19 the number of visits has been limited but those attended were listed. The Chair took this opportunity to express his support for local charities as their work was vital to the whole community in Somerset.

The Council received and noted the report.

23 **Public Question Time** - Agenda Item 5

There were public questions from: -

- Sigurd Reimers.

- Nigel Behan.
- Alan Debenham and
- David Redgewell.

The questions and answers are attached to these minutes.

In addition, a petition was presented to the County Council in relation to a recently introduced Parking Scheme around Weymouth Road in Frome. The petition requested a pause and review of the scheme.

24 **Report of the Joint Independent Remuneration Panel - Members Allowances 2022/23** - Agenda Item 6

This report was to inform the Council adopting a new Members' Allowances Scheme before 1st April 2022 and as part of that process the Council must have regards to the recommendations from its Independent Remuneration Panel. The arrangements for determining allowances for elected members are set down in statutory regulations - the Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021) and subsequent amendments to the regulations (SI 2003/1022 and SI 2003/1692). Each local authority is required to appoint and maintain an Independent Remuneration Panel to make recommendations to the Council prior to the Council agreeing any amendments or setting a Members' Allowances Scheme. Somerset County Council, Somerset West and Taunton Council, and Mendip District Council established a joint panel to advise the councils on their respective Schemes.

The recommendations in the report were for the next financial year only as the roles and responsibilities under the Unitary Authority will change and these should be part of a further review by the Joint Independent Remuneration Panel over the coming year.

The importance of getting the allowances right is to recognise the time commitment of all councillors, including such inevitable calls on their time at meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes, it is also expected to cover the occasional chairing of meetings, routine monitoring of services and budgets and taking part in performance management and training. The allowance is not a payment for a job, nor a wage or salary. It does however need to be a such a level to encourage a wide range of people to stand for public office and not deter those needing a wage.

The County Council discussed the proposals and thanked the Joint Independent Remuneration Panel for their work in proposing the recommendations. There was a recognition that next year with a wider remit and many more members there would be a need to make recommendations for the New Unitary

Authority. The Leader of the Council proposed to accept most of the recommendations apart from 1, 3, 4, 5 and 8.

1 and 8 were rejected as they linked the increase to the Basic Allowance to inflation and the Leader was concerned that they should be linked to Officer pay rather than RPI or Inflation as these are both higher.

The matter of County Councillors not being eligible to join the Pension scheme since 2014 was raised as a potential reason why younger people are not willing to stand for election to public office was raised as a concern. The JIRP Panel was invited to shadow Councillors to gain insight into the wide range of the work they undertake and the hours involved in the role.

The Council welcomed and thanked the Panel for its report and the recommendations, which were proposed by Cllr David Fothergill and seconded by Cllr Liz Leyshon and **RESOLVED** to:

1. Support and agree the Panel's recommendations 2, 6, 7, 9, 10, 11, 12, 13, 14, 15 and 16.
2. Reject the proposed Panel's recommendation 1 and 8 to increase the level of Basic Allowance for 2021/22 and 2022/23 by inflation (as determined by CPIH) and instead increase the level of Basic Allowances for 2021/22 and 2022/23 at the same level of increase as for officer pay levels.

(Reason for the revised proposal is to continue with the principle that the Council has adopted for several years and concern about agreeing a recommendation to increase Members Allowances at over twice the annual percentage increase that staff will receive)

3. Reject the Panel's recommendation 3 in relation to Junior Cabinet Members and instead propose that they are moved to Band 6 noting that these roles may be subject to review following the elections in May 2022.

(Reason for the revised proposal is it is felt the reduction to Band 7 does not adequately reflect the support and time that current Junior Cabinet Members provide when compared to comparable roles)

4. Reject the Panel's recommendation 4 and to continue with the current level of special responsibility allowance for Opposition Spokespersons.

(Reasons for the revised proposal is it is felt that the level of time and commitment given by Opposition Spokespersons warrants an allowance in line with the Council's arrangements for several years)

5. Reject the Panel's recommendation 5 and to increase the level of special responsibility allowance for Vice-Chairs of Regulation and Audit Committees to Band 6.

(Reasons for the revised proposal is it is felt that the level of responsibility and commitment given by the Vice-Chairs of these decision-making committees warrants an allowance in line with the Vice Chair of Scrutiny Committees)

6. Authorise the Monitoring Officer to make any amendments to the existing Scheme of Allowances in order to publish the Scheme of Members' Allowances 2022/23 as a result of the Council's decisions to recommendations 1-5 above.

## 25 **Report of the Leader and Cabinet** - Agenda Item 7

This report sets out the Leader's and Cabinet's recommendations to Council arising from their consideration of reports at the Cabinet meetings on 15 December 2021, 19 January and 14 February 2022. The report was introduced by the Leader of Council who welcomed this positive and sustainable budget. This would be the last budget of Somerset County Council as the next would be set by the new Unitary Council (Somerset Council). The leader highlighted the increase expenditure on Adult Social Care (up £18m), the increase spend on Children (up £12m) and a £8.4 m increase in spending on schools. What was proposed was a balanced budget and did not rely on the use of reserves. All Somerset Local Authorities have agreed to a spending protocol, this ensured the new authority would start from a strong budget position.

The County Council discussed the proposed budget, and the following points were raised. There is still a budget gap from both the District Councils and Somerset County Council that will need to be addressed by the new authority. The cost of setting up the new authority were not known in their entirety and there was still a risk they could be higher than planned. Should the 'unitary divided' materialise it was not up to Somerset County Council to decide how to spend it; that decision lay with the new authority and the Councillors elected in May to deliver. Parish Councils have contributed to support many of the services in their areas when the budget from the County Council had been cut.

The level of funding for the Climate Change Emergency had not been projected as the same level as now and that was because things like electric vehicles and decarbonisation of some buildings will have happened, this is not an annual demand.

The borrowing strategy was discussed in some detail by the Councillors. The selling of the County Farm Estate was raised as a short-term solution. The

potential loss of Covid 19 funding from central government was also raised as a concern.

**The Medium-Term Financial Plan 2022/23** (including the Revenue and Capital Budgets and Council Tax Setting etc as set out in Paper A and its appendices). Proposed by Cllr Fothergill and seconded by Cllr Chilcott.

Cllr David Fothergill, seconded by Cllr Mandy Chilcott, moved and the Council **RESOLVED** to:

Approve the General Fund net revenue budget for 2022/23 of £378,646,000 and the individual service budgets for 2022/23 as outlined in Appendix 1 including:

- a) The transformation, savings and income generation plans outlined in Appendix 2, noting the savings did not require detailed Equalities Impact Assessments.
- b) The additional funding requirements set out in Appendix 3.
- c) The Finance and Assets Protocol as part of Local Government Reorganisation implementation as attached at Appendix 11.
- d) An increase in Council Tax of 1.99% in 2022/23 (an increase of £26.94 per Band D property).
- e) An increase of 1.00% to Council Tax for the Adult Social Care Precept is approved in recognition of the current demands and financial pressures on this service. This is equivalent to an increase of £13.54 on a Band D property.
- f) Agree to continue the Council Tax precept of £12.84 within the base budget for the shadow Somerset Rivers Authority (representing no increase). This results in a Council Tax Requirement of £2,577,594. Page 80
- g) Agree the precept requirement of £279,841,541 and set the County Council precept for Band D council tax charge at £1,394.00 for 2022/23.
- h) The use of reserves for once-off spend and the overall estimated position of Earmarked Reserves outlined in Appendix 4.
- i) Note the adequacy of General Reserves at £23.0m within a risk assessed range requirement of £20m - £30m.
- j) The Capital & Investment Strategy attached at Appendix 6.
- k) The Efficiency Strategy attached at Appendix 7.

l) The Capital Programme for 2022/23 of £110.2m including new capital bids of £48.4m outlined in Appendix 8, planned sources of funding, and notes the overall programme of £180.3m for 2023/24 to 2024/25 as outlined in Appendix 9.

m) The MRP Policy attached at Appendix 10.

n) The Capital Prudential Indicators outlined in tables 16-22.

o) To opt into the national procurement scheme for External Auditor Appointments administered through Public Sector Audit Appointments Limited (PSAA).

p) Delegate any final Business Rates amendments to the Director of Finance and Governance in consultation with the Leader of the Council.

And to delegate any amendments within the final Government Financial Settlement and the final Business Rates amendments to the Director of Finance and Governance in consultation with the Leader of the Council.

A named vote was taken on the motion, with votes being cast 27 for and 13 against, as follows:

<b>For</b>	<b>Against</b>	<b>Abstain</b>
Cllr Ann Bown	Cllr Mike Best	
Cllr Peter Clayton	Cllr John Clarke	
Cllr Mike Caswell	Cllr Simon Coles	
Cllr Mandy Chilcott	Cllr Adam Dance	
Cllr Bob Filmer	Cllr Martin Dimery	
Cllr David Fothergill	Cllr Andrew Govier	
Cllr Giuseppe Frascini	Cllr John Hunt	
Cllr Anna Groskop	Cllr Andy Kendall	
Cllr David Hall	Cllr Liz Leyshon	
Cllr Philip Ham	Cllr Jane Lock	
Cllr Mark Healey	Cllr Dave Loveridge	
Cllr James Hunt	Cllr Tessa Munt	
Cllr David Huxtable	Cllr Hazel Prior-Sankey	
Cllr Christine Lawrence		
Cllr Mike Lewis		
Cllr Terry Napper		
Cllr Frances Nicholson		
Cllr Graham Noel		
Cllr Linda Oliver		
Cllr Claire Paul		
Cllr Faye Purbrick		

Cllr John Thorne Cllr Gemma Verdon Cllr William Wallace Cllr Josh Williams Cllr Rod Williams Cllr John Woodman		
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**Treasury Management Strategy Statement 2022-23** (as set out in Paper B and its appendices).

The report was proposed by Cllr Chilcott and seconded by Cllr Lewis. The Council **RESOLVED** by majority to:

1. adopt the Treasury Borrowing Strategy (as shown in Section 2 of the report).
2. approve the Treasury Investment Strategy (as shown in Section 3 of the report) and proposed Lending Counterparty Criteria (attached at Appendix B to the report).
3. adopt the Prudential Treasury Indicators in section 4.
4. note Appendix A, that is adopted as part of the Councils Financial regulations.
5. note the current Treasury Management Practices (TMPs) attached at Appendix D to the report.

A named vote was taken on the motion, with votes being cast 27 for and 13 abstentions, as follows:

<b>For</b>	<b>Against</b>	<b>Abstain</b>
Cllr Ann Bown Cllr Peter Clayton Cllr Mike Caswell Cllr Mandy Chilcott Cllr Bob Filmer Cllr David Fothergill Cllr Giuseppe Frascini Cllr Anna Groskop Cllr David Hall Cllr Philip Ham Cllr Mark Healey Cllr Nigel Hewitt-Cooper Cllr James Hunt		Cllr Mike Best Cllr John Clarke Cllr Simon Coles Cllr Adam Dance Cllr Martin Dimery Cllr Andrew Govier Cllr John Hunt Cllr Andy Kendall Cllr Liz Leyshon Cllr Jane Lock Cllr Dave Loveridge Cllr Tessa Munt Cllr Hazel Prior-Sankey

CLlr David Huxtable CLlr Christine Lawrence CLlr Mike Lewis CLlr Terry Napper CLlr Frances Nicholson CLlr Graham Noel CLlr Linda Oliver CLlr Claire Paul CLlr John Thorne CLlr Gemma Verdon CLlr William Wallace CLlr Josh Williams CLlr Rod Williams CLlr John Woodman		
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26 **Report of the Monitoring Officer** - Agenda Item 8

This report set out proposals for decisions on appointments and constitutional matters, the proposed scale of fees and charges for the May 2022 elections, proposals relating to revised Contract Procedure Rules and Standing Orders and a proposed revised Members Code of Conduct.

The Government has set out its proposals for the election of 110 councillors to Somerset County Council to be held on 5 May 2022 and to serve a five-year term of office. Subject to the Government's approval of its Structural Changes Order (expected in early March 2022), for 2022/23 the 110 councillors will have responsibility for all current County Council services and oversee the local government reorganisation to establish a single unitary council on 1 April 2023. From 1 April 2023, the 110 councillors of the new Somerset Council will assume responsibility for all local government functions for Somerset, including those of the current four district councils. District Councils will remain until 31 March 2023 and the councillors serving those councils will continue in their roles until that date.

The Contract Procedure Rules and Standing Orders (the Rules) are made under Section 135 of the Local Government Act. Their purpose is to provide a framework for the making of contracts for the supply of goods or materials or for the execution of works that ensures Somerset County Council's approach complies with the relevant national legislation, in particular the Public Contract Regulations 2015. The Rules also help ensure the provision for securing competition in the procurement process.

The opportunity has been taken to review the County Council's Members Code of Conduct with the benefit of the LGA's Model Code as part of the Local Government Reorganisation work in collaboration with the Monitoring Officers of the four district councils. The aim has been to recommend a Members Code



of Conduct to come into effect from 6 May 2022 following the elections and to support the transition towards the new Somerset Council. The role of councillor in all tiers of local government is a vital part of our country's system of democracy. In voting for a local councillor, the public is imbuing that person and position with their trust. As such, it is important that councillors can be held accountable and all adopt the behaviours and responsibilities associated with the role. The conduct of an individual councillor affects the reputation of all councillors.

All five Somerset Monitoring Officers were last year investigating the possibility of adopting the LGA Model Code of Conduct in their councils but efforts to take a consistent approach across Somerset, together with the decision on Local Government Reorganisation, meant that the focus moved to the code of conduct for the transitional council and new unitary. It is recommended that a new code is in place for the elections in May 2022 and training on that Code can then form part of the member induction process. In the circumstances, a review has been conducted to establish the position in other Councils and whether they are choosing to move to the LGA Code.

There was a suggestion that the proposed final meeting of the County Council was in Shire Hall and that number kept to a minimum as there would be no issues to debate as its purpose was to approve minutes of Committee meetings and other procedural matters.

Cllr William Wallace, seconded by Cllr Tessa Munt, moved and the Council **RESOLVED** to:

**Regarding the May 2022 elections:**

Approve the scale of fees and charges for the elections on 5 May 2022 as set out in Appendix 1 and to delegate authority to the Returning Officer to agree any subsequent variations.

**Regarding the Contract Procedure Rules and Standing Order:**

Approve the revised Contract Procedure Rules and Standing Orders as set out in Appendix 2; including the updated approach to assessing the Most Economically Advantageous Tender of 60% price, 30% quality and 10% social value.

**Regarding the proposed revised Members Code of Conduct**

Agree the adoption of the revised Members Code of Conduct as set out in Appendix 3 for implementation from 6 May 2022 following the elections;

Agree that the revised Code of Conduct is incorporated into the Council's Constitution from 6 May 2022;

Authorise the Monitoring Officer to develop and promote a Member Development programme to support the implementation of the revised Code of Conduct;

Agree that the revised Code of Conduct is promoted with Somerset Association of Local Councils (SALC) for adoption by City, Town and Parish Councils for implementation from 6 May 2022;

Endorse the Monitoring Officer to review and make any appropriate amendments to the Council's complaints procedures for handling allegations about potential breaches of the Members Code of Conduct with reference to the LGA Guidance.

### **Regarding the proposed additional meeting of the County Council**

Agree to hold a meeting of the County Council on Wednesday 27 April 2022 to approve the minutes of Committee meetings and other procedural matters before the elections are held in May 2022.

## **27 Report of the HR Policy Committee and Pay Policy Statement - Agenda Item 9**

This report covered the meeting of the HR Policy Committee workshop meeting on 18 January 2022 which considered a single item of business the Pay Policy Statement 2022/23. Officers prepared a draft 2022/23 Pay Policy Statement (PPS), which the HR Policy Committee workshop considered and requested that the Director for Human Resources present it to Full Council for its approval. The amendments are very minor and mainly relate to date changes and change in job titles.

The HR Policy Committee forms a key part of the Council's constitutional arrangements which underpin the aims and delivery of the Somerset County Plan. The Committee exercises delegated authority from the Council in respect of the approval of the Council's HR policies. However, legislation requires the Pay Policy Statement (PPS) itself to be approved by Full Council. The PPS needs to be approved in time for implementation from the beginning of the financial year.

The County Council was informed that the current pay award was awaiting national agreement and would be paid as soon as possible but that agreement had not been achieved yet.

Cllr Mandy Chilcott, seconded by Cllr Liz Leyshon, moved and the Council **RESOLVED** to approve the Pay Policy Statement (PPS) for the Council for 2022-23.

28 **Requisitioned Item** - Agenda Item 10

This requisitioned item related to support and assessments for Carers who are entitled to a formal Care Assessment under the Care Act 2014. In Somerset there have been 72 formal Care Assessments against an understanding that there are 58,000 Carers in Somerset. There was some discussion around why so few have taken up their right to have an assessment. It was acknowledged that for many reasons Carers, especially Young Carers do not wish to take advantage of this.

**Supporting Carers in Somerset**

Cllr Tessa Munt, seconded by Cllr Jane Lock, moved and the Council **RESOLVED** to adopt the item, as amended, regarding Supporting Carers in Somerset.

The Council thanks all unpaid carers for looking after their loved ones through the difficult time of the pandemic, caring for their loved ones without the support that they rely on.

The Council believes that caring for our carers needs to be at the heart of our approach to creating a sustainable future for social care in Somerset.

That the Council notes that of the 58,000 carers in Somerset the vast majority do not seek financial support from the Council. Instead, they seek emotional support through carers groups both on-line and in person, or information on where to get support through our micro providers and volunteer networks and is the reason why the Council funds an independent carers service designed by carers for carers.

The Council commits to work with the NHS and voluntary sector to guarantee an assessment for carers' support for all who want one, including the offer of short breaks and other options.

That the Council lobby central government to ensure that carers assessments are properly funded so that we can support people to stay in their own homes while unpaid carers can take the break they deserve.

29 **Report of the Leader and Cabinet** - Agenda Item 11

This report covers key decisions taken by the Leader, Cabinet Members and officers between 13 November 2021 and 11 February 2022, together with the

items of business discussed at the Cabinet meetings on 15 December 2021, 19 January 2022 and 15 February 2022.

The Council received and noted this report.

30 **Annual Report of the Cabinet Member for Children and Families** - Agenda Item 12

This report covered children's social care, inclusion, early years, the West Somerset Opportunity area, commissioning and performance, and the support given to Children's Services by the council as a whole. The strategic multi-agency framework for children's services in Somerset, is met by 'Our Plan' – the Somerset's Children and Young People's Plan 2019– 2022. The plan for 2019– 2022 was co-produced through a series of consultation and engagement events in 2018 with children, young people, their families, practitioners and decision-makers from the local authority, health, police and the voluntary and community sector.

The comprehensive report was discussed and a question about staff development for nursery staff was raised. It was confirmed that the County Council was expected to hold back 5% of the budget for staff development but a decision had been taken to reduce that to 3% in order to maximise the grant to nurseries.

The Council received and noted this report.

31 **Annual Report of the Cabinet Member for Education and Public Health** - Agenda Item 13

This report provided a comprehensive and high-level overview of the work undertaken in the past year under the whole of the health and wellbeing portfolio. It focused particularly on the excellent work done during the pandemic to protect, maintain and improve the health of the local population. It gave some insight into the hard work and considerable successes that the public health team have delivered or enabled throughout a further turbulent year in responding to Covid-19 and provided a picture of what worked well and what can be improved for the future.

The Council received and noted this report.

32 **Annual Report of the Cabinet Member for Transformation and Local Government Reform** - Agenda Item 14

This report covered the progress made on transformation across the major county council services and Local Government Review (LGR) since the last report to Council. Staff and elected members have collaborated closely to

deliver improved performance for many services and a once in a generation new approach to local government in the county for residents and businesses alike. Members and officers from across the five Somerset Councils now work closely day-to-day to design and develop the new Somerset Council. The LGR programme is complex and the biggest programme of change ever undertaken in Somerset. A programme governance model was approved by all five councils before Christmas, and committees of elected members have already met. The development programme for the new Somerset Council is now led by a Joint Committee with members from all five Councils. Its work is reviewed by Joint Scrutiny arrangements and each week's work is led by a Programme Board comprising each council's Chief Executive and supported by a Programme Management Office.

Since the Secretary of State made his decision, the County Council and District Councils have come together to work as partners to deliver the new authority, which will come into existence on Vesting Day on 1st April 2023. Through the incredible efforts of the teams involved across the County and District Councils, building on the strong relationships developed tackling Covid, remarkable progress has been made since the summer and the Council is on track to deliver by Vesting Day despite the ever-present need to tackle Covid and its impacts, whilst continuing to deliver services and support vulnerable residents.

There was a question asking if the business case could change now it has been signed off by the Secretary of State and it was confirmed that it would not change apart from any recommendations from a Boundary Review that might in 5 years' time recommend single Member representation which could reduce the number of Unitary Councillors to 100.

The Council received and noted this report.

33 **Report of the Scrutiny for Adults and Health Committee** - Agenda Item 15

The Scrutiny for Policies, Adults and Health Committee is required by the Constitution to provide full Council with a summary progress report and outcomes of scrutiny. This report covers meetings since November 2021.

The Committee had asked that the County Council support the findings of the Oral Health Needs Assessment of 2021 that called for a Dental Reform Bill to be expedited.

The Council received and noted this report.

34 **Report of the Scrutiny for Policies and Place Committee** - Agenda Item 16

The Scrutiny Committee for Policies and Place is required by the Constitution to make an annual report to the Council and also to provide each other meeting

of the Council with a summary progress report and outcomes of scrutiny. This regular report covers the work of the Committee meetings held on 7 December, 12 January and the Advisory Board held on 1st February 2022.

The Council received and noted this report.

35 **Report of the Scrutiny for Children and Families Committee** - Agenda Item 17

The Scrutiny for Policies, Children and Families Committee is required by the Constitution to provide Full Council with a summary progress report and outcomes of scrutiny. This report covers the work of the Scrutiny Committee from November 2021 to January 2022 and provides information on the items to be considered at the meeting on 28 February 2022 and the informal workshop on 6 April 2022.

The Council received and noted this report.

**(The meeting ended at 2.00 pm)**

**CHAIR**