

**County Council**  
**Wednesday 5 October 2022**  
**10.00 am Hollinsworth Hall, The**  
**Canalside Conference Centre, Marsh**  
**Lane, Huntworth, Somerset, TA6 6LQ**



**SUPPLEMENT TO THE AGENDA – Chair’s Schedule**

To: The Members of the County Council

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**CHAIR'S SCHEDULE AND MEETING BUSINESS PLAN**

**County Council Meeting – Wednesday 5 October 2022 (10.00am)**

**Hollinsworth Hall, The Canalside Conference Centre, Marsh Lane, Huntworth,  
Somerset, TA6 6LQ**

Chair to:

- **Remind everyone that in line with legal requirements this meeting is being held face to face but members can join online and participate at the meeting.**
- **Explain that it is only the County Councillors present that are taking the decisions at the meeting - officers in attendance are there to provide advice to the Council.**
- **The agenda and papers have been published on the Council's website in advance of the meeting**
- **The meeting will be webcast and the Council will be making an audio recording of the meeting and this will be published on the Council's website in due course.**
- **Explain that there are no planned fire drills today and in the event of a fire alarm please follow the fire exit signs and congregate in the car park. If anybody present might need assistance in exiting the building, then please let one of the Democratic Services team know.**
- **If Members in the room wish to speak, please raise your hand and the Monitoring Officer and County Solicitor will note your name and when it comes to your turn please use the microphone on the desk in front of you. For members joining the meeting virtually, please raise use 'hand facility' in MS Teams and the Chair will invite you to speak.**
- **Please only speak when invited to address the Council.**
- **Please say your name and role before speaking.**

**FOLLOWING THE SAD PASSING OF HER MAJESTY QUEEN ELIZABETH THE SECOND, PLEASE CAN I ASK THAT WE BEGIN OUR MEETING TODAY WITH A MINUTES SILENCE. PLEASE STAND IF YOU ARE ABLE.**

Chair to inform the Council of the sad passing of former County Councillors Ann Bown and Bea Roberts.

- Ann Bown was the Councillor for Bridgwater West from 2005 – 2022. Ann sat on the Regulation Committee, Somerset Fire Authority, Audit Committee, Scrutiny Committees and Chaired the Health and Wellbeing Board.
- Bea Roberts was the Councillor for Taunton Fairwater 1985 – 1997. Bee sat on the Personnel Committee, Economic Development Sub Committee, Social Services Committee and Chaired the Education Committee.

Chair to introduce Duncan Sharkey, new Chief Executive for Somerset County Council and the future Somerset Council.

1. Guide Time: 10.05am

The Chair will invite Mike Bryant, Democratic Services Manager to announce any apologies for absence:

Apologies received from: Cllr Suria Aujla, Cllr Lee Baker, Cllr Mike Caswell, Cllr Nic Clark, Cllr Barry Clarke, Cllr Peter Seib, Cllr Hazel Prior-Sankey

2. Guide Time: 10.06am

The County Solicitor will read out any relevant interests that have been declared by Members.

Members are reminded that if any business of the Council relates to or affects a Disclosable Pecuniary Interest which you have declared you should disclose it at the meeting not later than the start of the consideration of the business in which you have an interest or (if later) the item at which the interest becomes apparent to you and you should leave the room whilst the business is being considered.

3. Guide Time: 10.06am

Note: The questions / statements / public petitions submitted by each member of the public are detailed in ***ANNEX A to this Schedule.***

Chair to then invite all public speakers registered to address the Council and

highlight that there will be a slight delay before speakers address the meeting. Each speaker reminded that they have up to 3 minutes to make any key points and to try and not repeat points made by other speakers on the same matter.

Chair to highlight that every member has access to the statements and questions that have been submitted and therefore speakers may wish to summarise their key points and focus their available time to put their question(s) to the Council.

**Members are reminded that there will be no debate on Public Questions**

**Public Questions / Statements / Petitions (under 5000 signatures)**

Questions received from:

Mike Ginger – Taunton Area Cycling Campaign (petition)

Chair to then invite the following speakers to address the Council in turn and then invite the Leader of the Council to respond after the last speaker :

Alan Sawyer – Taunton Community Governance Review  
Tessa Dean – Taunton Community Governance Review  
Mike Batsch – Taunton Community Governance Review  
Tony Smith – Taunton Community Governance Review  
Jason Woolacott – Taunton Community Governance Review  
Carolyn Warburton – Taunton Community Governance Review

4. **Report of the Executive – Taunton Community Governance Review 2022** (main agenda pages 9 – 320 and agenda supplement no.1) Guide Time: 10.50am

The Chair of Council will ask Leader of the Council Cllr Bill Revans to introduce the proposals that have been developed in partnership with Somerset West and Taunton Council.

Cllr Revans to refer to the addendum and supporting information published over the last few days and reference that the recommendations were agreed at a special Somerset West and Taunton Council meeting on 29 September.

Chair to highlight to Members the following revised documents circulated to all members and published on the website:

- Revised covering report and recommendations

- Revised Reorganisation Order
- Revised Appendix B
- Revised Appendix D
- Letter of representation from lawyers acting for Cheddon Fitzpaine Parish Council
- Confidential Kings Counsel advice for Members of the Council

Chair to highlight that should Members wish to discuss the Kings Counsel advice then it will be necessary to pass a resolution to exclude the press and public.

Chair to then invite Cllr Derek Perry (proposer) to speak and then invite the Cllr Sarah Wakefield (seconder) to speak.

Chair to invite Kevin Williams, Deputy Monitoring Officer Somerset West and Taunton Council, to add any further supporting information.

Chair to invite questions from members. Following debate, the Chair to highlight the recommendations.

**Recommendations:**

- 2.1** That the Council confirms that it has considered and taken into account the responses received to the second stage consultation on the community governance review of the unparished area of Taunton and eight neighbouring parishes together with the considerations and recommendations of the SWTC Community Governance Review Working Group as set out in the attached report and appendices as required by the Local Government and Public Involvement in Health Act 2007.
- 2.2** That the Council notes that in the context of local government reorganisation it is the responsibility of Somerset West and Taunton Council to agree the final recommendations of the community governance review and the responsibility of Somerset County Council to make any Reorganisation Order to give effect to those recommendations.
- 2.3** That the Council notes that Somerset West and Taunton Council sought Somerset County Council Executive's agreement in principle to use a phased approach to transfer the assets and services starting with those identified in Appendix I, where reasonable practicable on 1 April 2023.

**2.4** That the Council adopts the SWTC proposals for the final recommendations of the community governance review as follows:

**A.** That a new parish be created to include the currently unparished area of Taunton and that in addition:

- i) Comeytrowe Parish Council be dissolved, and the entire area of Comeytrowe Parish be included within the boundary of the proposed new Taunton Parish;
- ii) The Killams Green area, currently within Trull Parish Council area, be included within the boundary of the proposed new Taunton Parish;
- iii) The part of the forthcoming development in the south-west corner of Taunton that falls within Trull Parish, including the whole of the development north of Dipford Road, should be included within the boundary of the proposed new Taunton Parish;
- iv) The boundary of Trull Parish to the north-west of Cotlake Hill be altered to follow the green wedge around the Sherford urban area, with the small area to the south of that boundary that is currently within the unparished area of Taunton becoming part of Trull Parish.
- v) The urban area within the Maidenbrook Ward of Cheddon Fitzpaine Parish, including sites earmarked for housing development in the near future, be included within the boundary of the proposed new Taunton Parish.
- vi) The urban parts of Staplegrove Parish, including the entirety of the forthcoming development in the north-west corner of Taunton, be included within the boundary of the proposed new Taunton Parish;
- vii) The slim part of Staplegrove Parish jutting to the west of Silk Mills Lane be included within the boundary of Norton Fitzwarren Parish;
- viii) The remaining area of the existing Staplegrove Parish be included within the boundary of Kingston St. Mary Parish;
- ix) Staplegrove Parish Council be dissolved.
- x) A small southern portion of the Kingston St Mary Parish area, representing that part of the proposed Staplegrove East development that falls within the parish, be included within the boundary of the proposed new Taunton Parish.
- xi) With the exception of the River Tone flood plain to the east of Silk Mills Road at Longrun Meadow, Galmington Trading Estate and a small section south of the A38 near Rumwell, no part of Bishops

- Hull Parish be included within the boundary of the proposed new Taunton Parish;
- xii) The small triangular residential area at the cross-section with Wellington Road, currently within the unparished area, be included within the boundary of Bishops Hull Parish;
  - xiii) The boundary between Norton Fitzwarren Parish and Bishops Hull Parish, just north of Mill Cottages, be amended to follow the route of the railway line;
  - xiv) The Hankridge Retail Park, Creech Castle and the associated Toneyway Road, currently within West Monkton Parish, be included within the boundary of the proposed new Taunton Parish, which should run along the railway to the M5;
  - xv) With the exception of the above, no part of the existing area of West Monkton Parish be included in the boundary of the proposed new Taunton Parish;
  - xvi) No part of the existing area of Norton Fitzwarren Parish be included within the boundary of the proposed new Taunton Parish;

the boundary between West Monkton and Cheddon Fitzpaine parishes between Maidenbrook and Yallands Hill south of the Country Park be amended to following the A3259 and new relief road westwards to Maidenbrook Lane.

- B.** xvii) That the new parish be named 'Taunton Parish' and that a parish/town council be established to serve the new parish with effect from 1 April 2023.
- C.** That the first elections to the proposed new parish/town council for Taunton should be held on the ordinary day of elections (the first Thursday in May) in 2023.
- D.** That the proposed new Taunton Parish be divided into wards for the purposes of electing parish/town councillors.
- E.** That the total number of councillors to be elected to the proposed Taunton Parish/Town Council be 20 and the warding arrangements for the council and the number of councillors to be elected to represent each ward, be as set out at section 9.19 of the attached SWTC report (Appendix 2).



- F.** That the electoral arrangements of certain other parish councils in the area under review be amended as set out at section 9.20 of the attached SWTC report (Appendix 2).
- G.** That save as set out at A to F above, the existing parishes in the review area and the names, boundaries, council size and other parish governance arrangements in respect of those parishes remain unchanged.
- H.** That the budget requirement for the new Taunton Parish/Town Council for the financial year 2023/24 be set at £2.114m as set out at section 11.7 of the attached SWTC report (Appendix 2).
- I.** That temporary parish/town councillors as listed at section 11.20 of the attached SWTC report (Appendix 2) be appointed to serve as members of the new Taunton Parish/Town Council from 1 April 2023 until the councillors elected on 4 May 2023 take up office.
- J.** That the Local Government Boundary Commission for England be requested to make changes to the boundaries of the relevant Somerset Council electoral divisions as necessary to ensure consistency between those boundaries and the revised Parish and Parish Ward boundaries made in this Community Governance Review.
- 2.5** That accordingly the Council should make the Somerset (Somerset West and Taunton) (Reorganisation of Community Governance) Order 2022 as attached in draft form at Appendix 'A' to give effect to the above recommendations.
- 2.6** That a Shadow Taunton Town Council be established with effect from 14 October 2022 and with membership as set out at section 13.6 of the attached SWTC report (Appendix 2), to lead and oversee the work to establish on 1 April 2023 the new Taunton Parish/Town Council.
- 2.7** **That the Community Governance Review Working Group be wound up once the Reorganisation Order has been made, concluding the review.**

- 2.8 That authority be delegated to the Chief Executive Officer and Monitoring Officer or Deputy, after consultation with the Leader of the Council and the Chair of the Shadow Taunton Town Council (if any), to take any action necessary to conclude the community governance review in accordance with legislation and statutory guidance and to secure the implementation of the final recommendations of the review as set out in the Reorganisation Order.**
- 2.9** That Council agrees that the S151 Officer will notify the Department for Levelling Up, Housing and Communities of the request Alternative Notional Amount for Council Tax purposes, reflecting the transfer of costs from current district council budget to the budget of the new parish/town council.
- 2.10** That the Council notes, further to 2.3 above, that the Executive agreed to the use of a phased approach to transfer the assets and services to the proposed new Taunton parish/town council starting with those identified in Appendix I, where reasonably practicable on 1 April 2023 and that officers from the County Council and Somerset West and Taunton Council work collaboratively ahead of vesting day to finalise the proposed assets and services to transfer for consideration and approval by the Executive.

**5. Report of the Constitution and Governance Committee** Guide Time: 11.50am  
(main agenda pages 321 – 324)

The Chair will invite Cllr Theo Butt Philip – Chair of the Constitution and Governance Committee to present the report and its recommendations.

Chair to invite questions from members. Following debate, the Chair to highlight the recommendations on page 322, which are to be proposed by Cllr Theo Butt Philip and seconded by Cllr Tessa Munt.

**The Constitution and Governance Committee recommends that the Council agrees:**

- 1. A. That the existing DBS policy for Councillors be extended to provide an extension of the current mandatory requirement to**

**have Enhanced DBS checks without barred list checks to : all Executive Lead Members; Associate Lead Members; members of the Adults & Health and Children & Families Scrutiny Committees; members of the Adoption and Foster Panels; members of the Corporate Parents Board; and Members appointed to Panels or working groups relating to education or adult social care services, to ensure that all Members of the Council and co-opted members are required to undergo an Enhanced DBS check without barred list checks. (Option 3 in paragraph 3.1);**

- B. That all DBS checks required above will be carried out by the Council immediately following each Council election to ensure that such checks are renewed halfway through this election period, approximately May 2025. This is relevant as DBS checks are effectively only valid on the day they are issued and this current election period is unusually long;**
- C. That the Monitoring Officer maintains a register of approved applications.**

Note from Constitution and Governance Committee papers:

- 2. Officers anticipate that the proposals will be welcomed by all members, however the Committee is asked to note that if the amended policy set out in paragraph 2.1 above is agreed by the Council, then any member who refuses an enhanced DBS check without barred list checks under this policy will be in breach of the Members' Code of Conduct for failure to comply with Council policy and will be subject to a potential range of sanctions which can be imposed in these circumstances.

The Committee is also asked to note that the recommendation listed in paragraph 2.1 exceeds legal requirements, for members requiring a DBS check. However there is a view that the role, expectations and reach of a County Councillor has increased considerably since 2017 and will only continue to do so as part of a Unitary Authority. There is a reasonable expectation that all Councillors could be in a position where they are visiting a care home, school or vulnerable resident whilst dealing with casework issues and by agreeing these recommendations, the Council will be providing the greatest level of

assurance possible to the public

There is also the possibility that following May 2023 Annual General Meeting of Full Council there could be a number of changes to the roles Councillors are appointed to and these recommendations would mitigate the need for a further round of ad-hoc Enhanced DBS checks.

6. **Report of the Health and Wellbeing Board – Proposed future Health and Wellbeing Board & Integrated Care Partnership Arrangements** (main agenda pages 325 – 336) Guide Time: 12.10pm

The Chair of Council will invite Cllr Bill Revans (Chair of Health and Well Being Board), to introduce the report. Chair to invite Professor Trudi Grant to advise if any additional points to be made.

Chair to invite questions from members. Following debate, the Chair to highlight the recommendations on pages 325/326, which are to be proposed by Cllr Bill Revans and seconded by Cllr Adam Dance.

**The recommendations are:**

**That Full Council considers the proposals and approves the approach to align the Health and Wellbeing Board and the ICP and approves the direction of travel to develop the Somerset Board from April 2023.**

**That Full Council approves the transition arrangements for the period October 2022 – March 2023, including the appointment to the Board of additional members as identified in 3.9 of the report and revised quorum arrangements as detailed in 3.10.**

**That Full Council approves the Draft Terms of Reference (Appendix 1) for the transitional period October 2022 – March 2023.**

7. **Report of the Appointments Committee and Monitoring Officer** (agenda supplement no.2) Guide Time: 12.30pm

The Chair of Council will ask the Chair of the Appointments Committee Cllr Liz Leyshon, to introduce the report.

Chair to thank Julian Wooster for his service as the Director of Children's Services.

Chair to invite questions from members. Following debate, the Chair to highlight the recommendations on addendum page 3, which are to be proposed by Cllr Liz Leyshon and seconded by Cllr Frances Nicholson.

### **Recommendations**

- 1. That the Council accepts the recommendation of the Appointments Committee to appoint Mrs Claire Winter as the Acting Director of Children's Services from 1st November 2022.**
- 2. To appoint on a spot salary for the post of £140,000 with all other terms and conditions remaining the same as current.**

8. **Any other business**

Guide Time: 12.50pm

The Chair may raise any other urgent items of business.

### **MEETING CLOSE**

**Estimated end time: 12.50pm**

<b><u>Public Questions</u></b>			
	<b>From</b>	<b>Topic</b>	<b>Question/Statement</b>
<b>PQ1</b>	<b>Mike Ginger</b>	<b>Taunton Area Cycling Campaign</b>	<p>Petition available at <a href="https://you.38degrees.org.uk/petitions/taunton-area-says-yes-to-better-cycling-and-walking-provision">https://you.38degrees.org.uk/petitions/taunton-area-says-yes-to-better-cycling-and-walking-provision</a></p> <p>1.SCC is now deciding which routes in Somerset to submit under the next tranche of Department for Transport funding. The new routes need to be transformational-not just tinkering. For Taunton, we have asked officers to look at four routes which people in Taunton feel are very dangerous. These are: Station Road-Wellington Road-Cheddon Road and East Reach. We are asking that councillors support us in this.</p> <p>2. We urged that SCC focuses on implementation rather than producing more and more plans.</p> <p>3. If a Taunton Town Council is formed, we ask that active travel routes and safety become part of its remit. Frome TC has demonstrated leadership in this way and we urged that Taunton follows that example.</p>
<b>PQ2</b>	<b>Alan Sawyer</b>	<b>Taunton Community Governance Review</b>	<p>I am Alan Sawyer, a longstanding Trull resident.</p> <p>My request to the Councillors is that they do not approve the Taunton Community Governance Review today as I believe it has failed to meet the requirements of The Local Government and Public Involvement in Health Act 2007 or the associated Guidance</p>

			<p>on Community Governance Reviews March 2010 in several important respects.</p> <p><b>First</b>, the Guidance states (paragraph 33) that principal councils must "have regard to the need to secure that community governance reflects the identities and interests of the community under review". The response rate to the consultations was so poor [for Trull 8 residents responded at Stage 1 and 6 at Stage 2 and over the whole area the response was only 1 for every 123 residents that this exercise cannot claim to <u>secure</u> that the recommendations "reflect the identities and interests of the community". An absence of response can not be assumed to be approval.</p> <p>The working group express their disappointment at the level of response, but report that, possibly due to the limited Stage 1 feedback, for the Stage 2 consultation, in June "over 44,000 postcards were sent to all residential addresses in the area under review drawing attention to the review". Trull Parish is included in the area under review, but I received no postcard and I know of no one who did. Paragraph 59 of the Guidance says "the wishes of the local inhabitants are the primary considerations" when defining parishes, but the responses of, e.g., 6 Trull residents of an electorate of over 1,800, give no support for the Stage 2 proposals representing these wishes.</p> <p>Further, Somerset West and Taunton Council has chosen to reject all suggestions made in regard to the boundary changes from the parishes affected and the <u>only</u> amendment after over 400 residents responded to Stage 2 is a minor realignment of the boundary</p>
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			<p>between West Monkton and Cheddon Fitzpane parishes, suggesting that Somerset West and Taunton Councillors are imposing their views and agenda on the local communities.</p> <p><b>Second</b>, Section 93(5) of the Act requires principal councils to "take into account local residents' associations or community forums which help to make a distinct contribution to the community". There is no evidence that the Trull Neighbourhood Plan has been considered by Somerset West and Taunton Council, neither has the Trull Neighbourhood Planning Group been consulted.</p> <p><b>Third</b>, The Somerset West and Taunton Council's recommendation is that two parish councils are abolished. Paragraph 120 of the Guidance says that such a move should only be in exceptional circumstances and there must be "clear and sustained local support for such action", suggesting that informed local support must have been demonstrated for at least eight years. The proposal to abolish these councils was not made until last November, less than a year ago and nowhere near the eight years stated in the Guidance.</p> <p>Because of these failings I do not believe that Somerset West and Taunton Council has met the requirements of the 2007 Act and therefore this council should not approve their recommendations today.</p>
<b>PQ3</b>	<b>Tessa Dean</b>	<b>Taunton Community Governance Review</b>	We encourage all of you here to reject these proposals on the following grounds:



			<p>The consultation did not follow the required process for local government consultations: people were not informed, postcards were not delivered, local community groups were not consulted. The main finding (most people wanted the new council to cover the unparished area only) was ignored. The working group created a report after the first consultation which in no way represented local people's views. Their suggested plan (which was not actually a finding of the consultation) even included fields in our parish that don't even have planning applications on them. No-one in Trull was informed of the loss of hundreds of thousands of pounds of CIL money if the proposal is sanctioned.</p> <p>Trull Parish Council stated that they did not want the boundary between us and Comeytrove changed at this time and yet our comments were ignored and buried right down in the report. No-one in the new Urban Extension was informed that a new Taunton Town Council would be increasing their precept by at least 3 times and possible up to 6 times – and for what? Neither CIL money nor precept spent in their area. There will be less representation on the Council (two councillors for the whole of the urban extension and Comeytrove) instead of a whole Parish Council. If this gets approval there will be people in the urban extension who live further from the town centre than Bishops Hull and some will live further from the town centre than people in Trull! It is totally illogical.</p> <p>Stick to the unparished area and leave the other parishes alone, doing otherwise will be opening SCC up to legal challenge.</p>
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<b>PQ4</b>	<b>Mike Basach</b>	<b>Taunton Community Governance Review</b>	<p>This is the story of Somerset West &amp; Taunton Council’s Community Governance Review as seen through the eyes of Cheddon Fitzpaine Parish Council.</p> <p>At an SWT meeting last October, a small group of Members got the unexpected opportunity to hi-jack the Review process. As a result, the meeting overturned the honest efforts of their then CGR Working Group. Its key recommendation to confine the scope of the Review to parishing the unparished area of Taunton had been based on QC advice. It identified that fixing the broken unparished area was the non-controversial, legitimate ‘core’ of the exercise; trying to do more with the CGR might put that ‘core’ ambition at risk and should be postponed to a later stage. Instead, the meeting adopted a greedy ‘let’s go large now’ proposal that wasn’t even tabled at the meeting! Based on the cynical re-engineering of established communities like ours, the Review goes against a fundamental aspect of the relevant Statutory Guidance, which states that carrying the support of the affected communities is paramount. No such support exists in our parish. The consultation consisted of asking our community what we want and then ignoring the bits that don’t fit the desired outcome! The official justification is (quote) “This Review is not a referendum.” What kind democracy is that?</p> <p>To cut this long story short to 3 minutes, SWT and their new Working</p>

			<p>Group have steam-rolled their proposal through with undue haste and inadequate publicity, skittling aside all reasonable and legitimate opposition. On the back of that momentum – fearful that the parishing of the unparished area would fall and encouraged by their legal officer’s surprisingly unrealistic advice that the Review was “unchallengeable” – SWT Members voted-through the flawed Review at last Thursday’s SWT meeting.</p> <p>Well, the pigeons that were released last October have come home to roost. We’ve been forced down the legal route and our QC-based advice is that SWT have mis-interpreted the Statutory Guidance.</p> <p>Be in no doubt: we shall continue fighting for our community. But it’s more than that. At a time when the standards of our body-politic are in decline, we are fighting for the impartial, non-party-political standards that underpin our parish council’s business – and are generally characteristic of the traditional third tier.</p> <p>Your members have the power to protect our Cheddon Fitzpaine community by voting-down this legal and social travesty.</p>
<b>PQ5</b>	<b>Tony Smith</b>	<b>Taunton Community Governance Review</b>	<p>This Statement is solely concerned with the past, present and future arrangements for the transfer of CIL payments from SW&amp;T to Trull Parish Council, arising from development in the Urban Extension.</p>

			<p>In <b>1.5</b> of Appendix "<b>F</b>" (the GRC Terms of Reference), it is stated that Parish Councils "...may also enter into discussion with the principal councils...about the transfer of services, budgets and assets <b>subject to mutual agreement</b>" [my emphasis]. So, no new arrangements can be imposed, unilaterally, by SW&amp;T.</p> <p>Section <b>8.1</b> discusses Consequential Matters arising from the proposed Reorganisation Order, including the transfer of assets and liabilities. As far as I am aware, no agreement has been arrived at between Trull Parish Council and SW&amp;T to alter the current or future arrangements for CIL payments accruing to the Parish from the Urban Extension, at the 25% rate applicable on account of the Trull Neighbourhood Plan, <i>or</i> for deferment of those payments beyond the dates on which they fall due.</p> <p>Moreover, under <b>14.4</b> and <b>14.5</b> of Appendix <b>2</b>, those payments will continue to accrue to Trull Parish, until vesting-day, in 2023. Even after any potential re-organisation of the Parish boundaries, the Trull Neighbourhood Plan will remain in force until it is revoked, <i>by the Parish</i> - so those CIL payments will continue to be payable, by SW&amp;T or its successor, Unitary authority, to Trull Parish Council.</p> <p>These are important matters of democratic principle, as Parish Councils are, and will be, independent statutory bodies, with their own rights and duties.</p>
<b>PQ6</b>	<b>Jason Woolacott</b>	<b>Taunton Community Governance Review</b>	I am here to make a statement on item #4 on the Agenda, the Community Governance Review.

		<p>I am the Chairman of Cheddon Fitzpaine Parish Council and wish to strongly object to the inclusion of Cheddon Fitzpaine in this report.</p> <p>There is no support within the whole of Cheddon Fitzpaine Parish for any part of the parish to be absorbed into the new Taunton Parish. Even the data within this report shows that 91% of the respondents do not want to be absorbed. (Section 8.29)</p> <p>Within section 8.33 it suggests that growth of the new urban areas have no integral relation to the village. However, this ignores the fact that over the last 22 years the Parish has built these links and has created a community. The new estate has within their address Cheddon Fitzpaine, so to say people don't feel part of that community, is clearly wrong, and that is part of what we as the Parish have built.</p> <p>Somerset West &amp; Taunton District Council has failed in our opinion to properly consult with the residents, and ignored the information from residents which shows that the residents do not want this change</p> <p>The Legal Guidance makes clear that "the feeling of local community and the wishes of local inhabitants are the primary considerations". As demonstrated above this has not been considered within this report.</p> <p>Therefore, we have had no option but to seek legal advice on this proposal. We have engaged a solicitor who has written to the District Council explaining our position including reference to a previous court ruling of Britwell Parish Council v Slough Borough</p>
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			<p>Council. Where the judge ruled that Slough Borough Council had ignored the guidance around the law, during their community governance review, and ruled that the order had been wrong, and quashed the order.</p> <p>SWT legal has responded disputing this, so we have moved to the next step, which is to get a legal opinion from a Barrister, which ultimately will lead to us seeking a judicial review into this order if it is approved today.</p> <p>The Letter was submitted to Somerset County Legal on the afternoon of Thursday 29<sup>th</sup> September, laying out the issues that our legal team see with the decision that is being made here.</p> <p>We believe in our parish and will fight to keep it intact and will fight this decision all the way.</p>
<b>PQ7</b>	<b>Carolyn Warbuton</b>	<b>Taunton Community Governance Review</b>	<p>I am a passionate supporter of local democracy – are you? If you want communities to trust you, you have to trust them. Today, you are probably going to agree to pursue a proposal for Parish Boundary changes, despite what the communities have said in their consultation responses, despite lack of the requisite ‘Clear and sustained local support’, because you are told ‘you have to do what is right’ – remind you of anyone? Is that a good thing? You must want to do good, or you wouldn’t have stood.</p> <p>One reason for a review is changes in local population. Trull has a population of 2,288 people. The Urban Extension would add about 5,000. A significant change, and why we wrote our Neighbourhood</p>

		<p>Plan - to support development by addressing the demands that development places on the area. That is why we earned the CIL money. Trull can support the new community – we will be their green space and, slightly displaced, their beating heart.</p> <p>Taunton has a population of 60,000 – the new Town Council will be too big and too centrist to provide the support this new community will need. The urban extension is not connected to Taunton – its only road runs between Comeytrove and Trull. It is an isolated housing estate, built to outdated standards -1970's?</p> <p>So yes, Trull can support them – but not without the CIL money.</p> <p>The Consultation response (Para14.5) lays claim to CIL from the Urban Extension, if received within the proposed Taunton Parish between 1st October 2022 and 31st March 2023. This is an unsubstantiated claim. Government guidance explains that charges will become due from the date that a chargeable development is commenced. This payment is a legal commitment – both to SWT AND to Trull. Even if you agree the proposed boundary changes, CIL money is liable to be paid to Trull for those areas of Reserved Matters from the date of commencement; not determined by the date that payment is made - even when SWT agrees delayed payment. Trull cannot let this commitment be broken. Locality, the Government support for Neighbourhood Plans, suggests that Trull should take legal advice. Surely this would be regrettable.</p> <p>Please will you send these proposals back for proper reconsideration and the legal advice that has been provided.</p>
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