

County Council

Wednesday 22 February 2023

**10.00 am Canalside Conference Centre,
Marsh Lane, Nr. Bridgwater, TA6 6LQ**



To: The Members of the County Council

Cllr S Ashton, Cllr S Aujla, Cllr J Bailey, Cllr J Baker, Cllr L Baker, Cllr M Barr, Cllr M Best (Chair), Cllr B Bolt, Cllr A Boyden, Cllr A Bradford, Cllr H Bruce, Cllr T Butt Philip, Cllr S Carswell, Cllr M Caswell, Cllr N Cavill, Cllr M Chilcott, Cllr N Clark, Cllr B Clarke, Cllr P Clayton, Cllr S Coles, Cllr S Collins, Cllr J Cook-Woodman, Cllr N Cottle, Cllr A Dance, Cllr D Darch, Cllr H Davies, Cllr T Deakin, Cllr D Denton, Cllr M Dimery, Cllr A Dingwall, Cllr L Duddridge, Cllr M Dunk, Cllr S Dyke, Cllr C Ellis, Cllr H Farbahi, Cllr B Ferguson, Cllr B Filmer, Cllr D Fothergill, Cllr A Govier, Cllr T Grimes, Cllr A Hadley, Cllr Pauline Ham, Cllr Philip Ham, Cllr S Hart, Cllr M Healey, Cllr B Height, Cllr A Hendry, Cllr R Henley, Cllr M Hewitson, Cllr E Hobbs, Cllr H Hobhouse, Cllr J Hunt, Cllr D Johnson, Cllr H Kay, Cllr V Keitch, Cllr A Kendall, Cllr J Kenton, Cllr T Kerley, Cllr M Kravis, Cllr C Lawrence, Cllr M Lewis, Cllr L Leyshon, Cllr T Lock, Cllr M Lovell, Cllr D Mansell, Cllr M Martin, Cllr H Munt, Cllr T Munt, Cllr M Murphy, Cllr F Nicholson, Cllr G Oakes, Cllr S Osborne, Cllr O Patrick, Cllr C Payne, Cllr K Pearce, Cllr E Pearlstone, Cllr D Perry, Cllr E Potts-Jones, Cllr T Power, Cllr H Prior-Sankey (Vice-Chair), Cllr S Pugsley, Cllr F Purbrick, Cllr W Read, Cllr L Redman, Cllr B Revans, Cllr M Rigby, Cllr T Robbins, Cllr D Rodrigues, Cllr J Roundell Greene, Cllr D Ruddle, Cllr P Seib, Cllr H Shearer, Cllr G Slocombe, Cllr B Smedley, Cllr F Smith-Roberts, Cllr F Smith, Cllr J Snell, Cllr A Soughton, Cllr M Stanton, Cllr A Sully, Cllr C Sully, Cllr L Trimnell, Cllr S Wakefield, Cllr M Wale, Cllr R Wilkins, Cllr A Wiltshire, Cllr D Woan, Cllr R Woods, Cllr G Wren and Cllr R Wyke

All Somerset County Council Members are invited to attend meetings of the Cabinet and Scrutiny Committees.

Issued By Scott Wooldridge, Monitoring Officer and Strategic Manager - Governance and Democratic Services - 14 February 2023

For further information about the meeting, please contact Mike Bryant - Service Manager, Democratic Services or democraticservicesteam@somerset.gov.uk or 01823 357628

Guidance about procedures at the meeting follows the printed agenda.

This meeting will be open to the public and press, subject to the passing of any resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on www.somerset.gov.uk/agendasandpapers



RNID typetalk

AGENDA

Item County Council - 10.00 am Wednesday 22 February 2023

Full Council Guidance notes

1 Apologies for Absence

2 Declarations of Interest

Details of all Members' interests in District, Town and Parish Councils can be viewed on the Council Website at [County Councillors membership of Town, City, Parish or District Councils](#) and this will be displayed in the meeting room (Where relevant).

The Statutory Register of Member's Interests can be inspected via request to the Democratic Service Team.

3 Minutes from the meeting held on 23 November 2023 (Pages 9 - 40)

Council is asked to confirm the minutes are accurate.

(a) Chair's Announcements

4 Public Question Time

(see explanatory notes attached to agenda)

This item includes the presentation of petitions. Details of any public questions / petitions submitted will be included in the Chair's Schedule which will be made available to the members and to the public at the meeting.

For Decision

5 Report of the Leader and Executive - for decision (Pages 41 - 576)

To consider a report with recommendations from the Leader of the Council, arising from the Executive meeting held on 13 February 2023.

The recommendations relate to:

- Paper A – Budget, Medium Term Financial Plan and Council Tax Setting
- Paper B – Adoption of the Council Plan for Somerset Council
- Paper C – Treasury Management Strategy Statement 2023-24
- Paper D – Housing Benefit War Pensions Disregard Policy
- Paper E – Housing Revenue Account (HRA) updated 30 year Business Plan and Rent Set 2023/24
- Paper F – Somerset Council Asset Management Plan and Strategy

Item County Council - 10.00 am Wednesday 22 February 2023

6 **Report of the Constitution and Governance Committee** (Pages 577 - 1056)

Report to follow:

- Proposed Constitution for Somerset Council
- Annual Report of the Constitution and Governance Committee

7 **Report of the HR Committee** (Pages 1057 - 1058)

To receive a report from the Chair of the HR Committee.

8 **Report of the Chief Executive (Senior Management Structure/Designation of Statutory Roles)** (Pages 1059 - 1086)

To receive a report from the Chief Executive.

9 **Report of the Independent Remuneration Panel** (Pages 1087 - 1128)

To receive the report of the Independent Remuneration Panel.

For Information

10 **Report of the Standards Committee** (Pages 1129 - 1134)

To receive a report from the Chair of the Standards Committee.

11 **Report of the Leader and Executive - for information** (Pages 1135 - 1140)

To receive reports by the Leader of Council summarising key decisions taken by him and the Executive, including at the Executive meetings held on 16 November, 14 December 2023, 18 January 2023 and 13 February 2023 - attached

(Note: Member Questions to the Leader and Executive Members will be taken under this item)

SOMERSET COUNTY COUNCIL – FULL COUNCIL MEETINGS

GUIDANCE FOR PRESS AND PUBLIC

Recording of Meetings

The Council in support of the principles of openness and transparency allows filming, recording and taking photographs at its meetings that are open to the public providing it is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings and a designated area will be provided for anyone who wishes to film part or all of the proceedings. No filming or recording will take place when the press and public are excluded for that part of the meeting. As a matter of courtesy to the public, anyone wishing to film or record proceedings is asked to provide reasonable notice to Mike Bryant, , County Hall, Taunton, Somerset, TA1 4DY 01823 357628 democraticserviceteam@somerset.gov.uk so that the Chair of the meeting can inform those present.

We would ask that, as far as possible, members of the public aren't filmed unless they are playing an active role such as speaking within a meeting and there may be occasions when speaking members of the public request not to be filmed.

The Council meeting will be webcast and an audio recording made.

Members' Code of Conduct Requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: HONESTY; INTEGRITY; SELFLESSNESS; OBJECTIVITY; ACCOUNTABILITY; OPENNESS; LEADERSHIP. The Code of Conduct can be viewed at: [Members' Code of Conduct](#)

EXPLANATORY NOTES: QUESTIONS/STATEMENTS/PETITIONS BY THE PUBLIC

General

Members of the public may ask questions at ordinary meetings of the Council or may make a statement or present a petition – **by giving advance notice.**

Notice of questions/statements/petitions

Prior submission of questions/statements/petitions is required in writing or by e-mail to the Monitoring Officer – Scott Wooldridge email: democraticserviceteam@somerset.gov.uk by 5pm on Thursday 16 February. The Monitoring Officer may edit any question or statement in consultation with the author, before it is circulated, to bring it into an appropriate form for the Council.

In exceptional circumstances the Chair has discretion at meetings to accept questions/statements/ petitions without any prior notice.

Scope of questions/statements/petitions

Questions/statements/petitions must: -

- (a) relate to a matter for which the County Council has a responsibility, or which affects the County,
- (b) not be defamatory, frivolous or offensive,
- (c) not be substantially the same as a question/statement/petition which has been put at a meeting of the Council in the past six months and
- (d) not require the disclosure of confidential or exempt information.

The Monitoring Officer has discretion to reject any question that is not in accord with (a) to (d) above. The Monitoring Officer may also reject a statement or petition on similar grounds.

Record of questions/statement/petitions

Copies of all representations from the public received prior to the meeting will be circulated to all members and will be made available to the public attending the meeting in the Chairman's Schedule, which will be distributed at the meeting. Full copies of representations and answers given will be set out in the minutes of the meeting.

Response to Petitions

Normally the Council will refer any petition to an appropriate decision maker for response – see the [Council's Petition Scheme](#) for more details. The organiser will also be allowed 2 minutes at the meeting to introduce the petition and will receive a response from a relevant member (normally an Executive member).

If a petition organiser is not satisfied with the Council's response to the petition and the petition contains more than 5000 signatures (approximately 1% of Somerset's population) the petition organiser can request a debate at a meeting of the County Council itself. The Chair will decide when that debate will take place.

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COUNTY COUNCIL

Minutes of a Meeting of the County Council held in Canalside, Marsh Lane, Bridgwater TA6 6LQ the Wednesday 23 November 2022 at 10.00 am

Present: Cllr S Ashton, Cllr S Aujla, Cllr J Bailey, Cllr J Baker, Cllr M Barr, Cllr M Best, Cllr B Bolt, Cllr A Bradford, Cllr H Bruce, Cllr T Butt-Philip, Cllr S Carswell, Cllr M Caswell, Cllr N Cavill, Cllr N Clark, Cllr B Clarke, Cllr P Clayton, Cllr S Coles, Cllr J Cook-Woodman, Cllr N Cottle, Cllr A Dance, Cllr D Darch, Cllr H Davies, Cllr T Deakin, Cllr D Denton, Cllr M Dimery, Cllr A Dingwall, Cllr L Duddridge, Cllr S Dyke, Cllr C Ellis, Cllr H Farbahi, Cllr B Ferguson, Cllr B Filmer, Cllr D Fothergill, Cllr A Govier, Cllr T Grimes, Cllr A Hadley, Cllr B Height, Cllr A Hendry, Cllr M Hewitson, Cllr E Hobbs, Cllr H Hobhouse, Cllr J Hunt, Cllr D Johnson, Cllr H Kay, Cllr A Kendall, Cllr J Kenton, Cllr T Kerley, Cllr M Kravis, Cllr M Lewis, Cllr L Leyshon, Cllr T Lock, Cllr M Lovell, Cllr D Mansell, Cllr H Munt, Cllr T Munt, Cllr M Murphy, Cllr F Nicholson, Cllr O Patrick, Cllr C Payne, Cllr E Pearlstone, Cllr E Potts-Jones, Cllr T Power, Cllr H Prior-Sankey, Cllr S Pugsley, Cllr W Read, Cllr L Redman, Cllr M Rigby, Cllr T Robbins, Cllr D Rodrigues, Cllr J Roundell Greene, Cllr D Ruddle, Cllr P Seib, Cllr H Shearer, Cllr B Smedley, Cllr F Smith, Cllr J Snell, A Soughton, Cllr M Stanton, Cllr A Sully, Cllr C Sully, Cllr S Wakefield, Cllr M Wale, Cllr R Wilkins, Cllr A Wiltshire, Cllr D Woan and Cllr R Woods, Cllr G Wren, Cllr R Wyke

37. **Apologies for Absence** - Agenda Item 1

Apologies were received from Cllr L Baker, Cllr A Boyden, Cllr M Chilcott, Cllr S Collins, Cllr M Dunk, Cllr Pauline Ham, Cllr Phillip Ham, Cllr M Healey, Cllr R Henley, Cllr V Keitch, Cllr C Lawrence, Cllr M Martin, Cllr G Oakes, Cllr S Osborne, Cllr K Pearce, Cllr D Perry, Cllr F Purbrick, Cllr B Revans, Cllr G Slocombe, Cllr F Smith-Roberts, Cllr L Trimnell

Virtual Microsoft Teams attendance: Cllr M Dunk, Cllr B Revans, Cllr S Osbourne, Cllr L Trimnell

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

The Chair reminded the meeting that details of all Members' interests in District, Town and Parish Councils could be viewed on the Council's Website and there was no need for members to individually declare these personal interests in those other councils at the meeting.

Cllr Jason Baker and Cllr Evie Potts-Jones declared a personal interest in Item 8, Annual Report of the Corporate Parenting Board.

39 **Minutes from the meeting held on Wednesday 20 July 2022 and the Extraordinary meeting held 5 October 2022** - Agenda Item 3

The minutes of the meeting held on Wednesday 20 July 2022 and the Extraordinary meeting held 5 October 2022 were accepted as a true and accurate record and were signed by the Chair.

40 **Chairs Announcements** – Agenda Item 4

The Chair of Council referred to the events detailed in the Chair's Information Sheet No. 2, circulated and published with the agenda.

In Memorium

The Chair paid tribute to the former County Councillors Anthony Trollope Bellew, Valerie Byrne and former Chair's Consort, Stuart Lawrence.

Anthony Trollope Bellew - Anthony was County Councillor from 2001-13 for Watchet and the Quantocks. During his time as a Councillor, Anthony was the Cabinet Member for Environment and sat on numerous committees including the Cabinet, the Somerset Waste Board and the Regulation Committee.

Valerie Byrne - Valerie was a County Councillor from 1989 – 1997 and represented Wellington.

Former Chair's Consort Stuart Lawrence, husband of County Councillor Christine Lawrence – Stuart was the most supportive of husbands, was an accomplished artist and was an avid walker.

At the invitation of the Chair of the Council, Cllr John Bailey, Cllr D Fothergill, Cllr A Govier, Cllr S Dyke, Cllr M Rigby, Cllr G Wren paid tribute to former County Councillor Anthony Trollope Bellew, Cllr A Govier paid tribute to Valerie Byrne and Cllr D Fothergill paid tribute to Stuart Lawrence.

Members of Council stood and observed a minute silence.

The Council received and noted the report.

41 **Public Question Time** – Agenda Item 5

Public questions were received from

1. Nigel Behan regarding autumn Statement / Local Authority budgets

2. John Brendon regarding land at Queen Camel Playing Field (petition)
3. Alyson Rodgers regarding trail hunting on Council land
4. Pip Donovan regarding hunts and road closures
5. Tim Andrewes regarding Department for Transport Bus Recovery Grant
6. Kevin Comer regarding National Highways A358 consultation
7. Robert Barnes regarding flower beds and blocked drains at Duke Street, Taunton
8. David Redgewell regarding Taunton Bus Station / Castle Cary Station
9. Emma King regarding the closure of the St Andrew's Ward
10. Eva Bryczkowski regarding the closure of the St Andrew's Ward
11. Bev Anderson regarding the closure of the St Andrew's Ward
12. Michael Strange regarding the Somerset Standing Advisory Council on Religious Education

In the absence of Mr Andrewes and Mr Barnes, their questions were read out by the Council's Monitoring Officer, Scott Wooldridge. The questions and responses are attached to these minutes in Appendix A.

42 **Report of the Leader and Executive - Items for Decision** - Agenda Item 6

This item was introduced by the Leader of the Council, Cllr Bill Revans, which set out the Leader's and Executive's recommendations to Council arising from their consideration of reports at the Executive meetings on 21 September 2022, 19 October 2022 and 16 November 2022. The Council had before it the following reports:

Paper A - Treasury Management Mid-Year Report 2022/23

The Lead Member for Finance and Humans Resources, Cllr Liz Leyshon presented the report, highlighting that; the report summarised the account of Treasury Management activity and outturn for the first half of the year and ensures Somerset County Council (SCC) is embracing Best Practice in accordance with the Chartered Institute of Public Finance and Accountancy's (CIPFA) recommendations; all treasury activity was conducted within the benchmarks set as Prudential limits for prudent and sustainable capital plans, financing, and investment; and that a risk-averse approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

The County Council discussed the proposals, and the following points were raised; clarity of acronyms used in the report; and investment into pooled funds, including the CCLA.

Having been proposed by Cllr Liz Leyshon and seconded Cllr David Fothergill, the Council RESOLVED to:

Endorse the Treasury Management mid-year report for 2022-23.

Paper B - Council Tax Reduction Scheme

The Lead Member for Finance and Humans Resources, Cllr Liz Leyshon presented the report, highlighting: that the creation of the new Council requires the alignment of various areas within council tax and business rates policies from 1 April 2023; that the report outlines the proposed new council tax reduction scheme for the new Somerset Council; that the proposed scheme has been finalised following a full public consultation exercise; the work to minimise the impact on individual customers, businesses and organisations; the hardship mechanisms that enable support where necessary; and the communication of information and advice to inform people how help can be found within the new scheme.

The Assistant Director – Customers, Somerset West and Taunton Council, Richard Sealey summarised the proposed scheme, highlighted the requirement to provide a local scheme and further noted: that the scheme relates to people of working age; that the central government dictates the scheme for pension-age people; the public consultation response; the proposal to move to a grid income banded scheme; the proposal for up to 100% in Council tax reduction to those claimants on the lowest incomes; the hardship scheme which allows discretionary payments to individuals who are experiencing significant hardship; and the affordability of the scheme.

Having been proposed by Cllr Liz Leyshon and seconded Cllr David Fothergill, the Council RESOLVED to:

Agree the Council Tax Reduction Scheme as detailed in Paper B and its appendices

Paper C - Council Tax Discounts and Premiums

The Lead Member for Finance and Humans Resources, Cllr Liz Leyshon presented the report, highlighting: that as a billing authority, there is discretion to set or remove discounts in relation to second homes, empty properties and properties undergoing or requiring structural alterations; the powers to charge additional premiums in relation to long term empty properties and the change expected through the Levelling up Bill; the additional general powers to create local discounts or exemptions; and care leaver discounts and the new discount for foster carers or qualifying special guardians.

The Assistant Director – Customers, Somerset West and Taunton Council, Richard Sealey summarised the proposed approach and noted the high degree of alignment between the existing Council’s schemes.

The County Council discussed the proposals, and the following points were raised: the increase in second home ownership; the second home premium implications for second homes occupied family members and the key criteria of occupation; the need to reduce unoccupied second homes and ensure sufficient supply of properties for communities; the specific issues in the Exmoor area; affordable housing; the impact of phosphates issues; Ministry of Defence property contributions; and the enforcement of Council Tax restrictions on caravans.

The Lead Member for Finance and Human Resources, Cllr Liz Leyshon undertook to provide written responses to Cllr Hugh Davies regarding the enforcement of restrictions on occupancy of caravans in relation to the Council Tax discounts and to Cllr Stephen Pugsley regarding the hypothecation of the additional revenue generated.

Having been proposed by Cllr Liz Leyshon and seconded by Cllr David Fothergill, the Council RESOLVED to:

Agree the Council Tax Discounts and Premiums as detailed in Paper C and its appendices.

PAPER D Proposed Non-Domestic Rating Discretionary Areas and Hardship

The Lead Member for Finance and Humans Resources, Cllr Liz Leyshon presented the report, highlighting: the decisions required in respect of areas where the Council has local discretion under the non-domestic rating provisions, specifically discretionary rate relief and hardship provisions; the complexities and difficulties in alignment due to legislation; and the importance of communications for residents and businesses.

The Assistant Director – Customers, Somerset West and Taunton Council, Richard Sealey summarised the current spend across the four District Councils, highlighting that the proposed scheme is broadly cost neutral.

The County Council discussed the proposals, and the following points were raised: the opportunity to provide rate relief to businesses which were operating within the environmental and green environment; a suggestion of an all member briefing to aid understanding; and a request for clarification of the impact of the new non-discretionary relief scheme in respect of any commercial properties owned by the Taunton Heritage Trust.

The Lead Member for Finance and Human Resources, Cllr Liz Leyshon undertook to provide a written response to Cllr David Fothergill regarding impacts on the non-discretionary scheme in respect of commercial properties owned by the Taunton Heritage Trust.

Having been proposed by Cllr Liz Leyshon and seconded by Cllr David Fothergill, the Council RESOLVED to:

Agree the proposed Non-Domestic Rating Discretionary Areas and Hardship proposals as detailed in Paper D and its appendices

43 **Report of the Monitoring Officer – Agenda Item 7**

The Council's Monitoring Officer, Scott Wooldridge, presented the report, highlighting: that the Localism Act 2011 requires Council's to have arrangements in place to investigate and make decisions on allegations that a Councillor has breached the Code of Conduct; that the arrangements to make decisions on allegations must include provision for the appointment of one or more "Independent Person" through a transparent process; that as part of the transition to the new Somerset Council, work has been undertaken to review the proposals for Independent Persons to support the new Council's standards arrangements, and that it is recommended that the new Somerset Council appoints three Independent Persons ahead of 1 April 2023.

Having been proposed by Cllr John Bailey and seconded by Cllr Theo Butt-Philips, the Council RESOLVED to:

- 1. Appoint Lorraine Davey as a Reserve Independent Person under Section 28 of the Localism Act 2011 with immediate effect until 31 March 2023**
- 2. Authorise the Monitoring Officer to undertake the recruitment of three Independent Persons for the new Somerset Council on the basis set out in this report**

Cllr Jason Baker and Cllr Evie Potts-Jones declared personal interests in respect of item 8 and left the room.

44 **Annual Report of the Corporate Parenting Board – Agenda Item 8**

The Chair, Corporate Parenting Report, Jane Lock, presented the report, which provided a summary progress report of work and outcomes of meetings from the start of this Municipal year to November 2022. Jane Lock further noted: that the Council's corporate parenting arrangements were reviewed following the May 2022 Local Elections to ensure Somerset continues to provide a robust

Corporate Parenting approach; and the many positive outcomes from the work of the Board and sub-groups.

Cllr Frances Nicholson proposed, and Cllr Tessa Munt seconded an amendment to formally thank the former Independent Chair of the Corporate Parenting Board, Jill Johnson, which was agreed and added to the recommendations.

Having been proposed by Cllr Tessa Munt and seconded by Cllr Leigh Redman, the Council RESOLVED to:

- **Recommend a focus on corporate parenting responsibility as we move to a unitary council.**
- **Support and promote a whole council approach to create practical and specific offers to Care Leavers through our Local Offer and the Care Leaver Covenant.**
- **Extend its thanks to the Somerset Care Council's young people for all the hard work that they undertake.**
- **Formally thank the former Independent Chair of the Corporate Parenting Board, Jill Johnson.**

Cllr Jason Baker and Cllr Evie Potts-Jones re-joined the meeting.

45 **Report of the HR Policy Committee – Agenda Item 9**

The Council received and noted the report of the HR Policy Committee, which provided a summary of the meeting of the Committee on 17 November 2022 which considered three items of business: the Chief Officer Pay Award 2022-23, an update on the LGR People Workstream, and employment policies.

Having been proposed by Cllr Liz Leyshon and seconded by Cllr Leigh Redman, the Council RESOLVED to:

- **Approve the 2022/23 pay award for Somerset County Council Chief Officers, at Somerset Grades 2-3, of £1,925 to reflect the increase agreed nationally for Green Book staff and Chief Officers.**
- **Agree that no pay increase is awarded to the recently appointed Chief Executive.**
- **Note the nationally agreed Green Book pay award for 2022/23 and the updated Somerset salary rates for grades 17 to 4 for the financial year 2022/23**

46 **Report of the Leader and Executive - Items for Information** - Agenda Item 10

The Council received a report by the Leader and Executive summarising the key decisions taken by the Leader, Executive Lead Members and Officers between 9 July 2022 and 11 November 2022, together with the items of business discussed at the Executive meetings on 17 August 2022, 21 September 2022 and 19 October 2022 and the work of the Cost of Living Working Group between September and November 2022.

The Chair, Cost of Living Working Group, Cllr Councillor Bill Revans and Executive Lead Members responded to questions from members.

Cllr Diogo Rodriguez asked questions on bus patronage in Somerset and reduced bus fares post March 2023. The Lead Member for Transport and Digital, Cllr Mike Rigby undertook to provide a written response.

The Council received and noted the report.

47 **Annual Report of the Scrutiny for Policies, Adults and Health Committee** - Agenda Item 11

The Council received and noted a report from the Chair of the Scrutiny for Policies, Adults and Health Committee, Cllr Rosemary Woods which provided a summary progress report and outcomes of the work of meetings held from the start of the Municipal year to November 2022, with points raised regarding the input of items for the work programme and the ongoing scrutiny of items on the Adults and Health Committee.

The Council received and noted the report.

48 **Annual Report of the Scrutiny for Policies, Children and Families Committee** – Agenda Item 12

The Council received and noted a report from the Chair of the Scrutiny for Policies, Children and Families Committee, Cllr Leigh Redman which provided a summary progress report and outcomes of the work of meetings held from the start of this Municipal Year to November 2022.

The Council received and noted the report.

49 **Annual Report of the Scrutiny for Policies Environment Committee –**
Agenda Item 13

The Council received and noted a report from the Chair of the Scrutiny for Policies Environment Committee, Cllr Martin Dimery which provided a summary progress report and outcomes of the work of meetings held from the start of this Municipal Year to November 2022.

The Council received and noted the report.

50 **Annual Report of the Scrutiny for Policies and Place Committee -**Agenda
Item 14

The Council received and noted a report from the Chair of the Scrutiny for Policies and Place Committee, Cllr Gwil Wren which provided a summary progress report and outcomes of the work of meetings held from 12 July to 11 October 2022.

The Council received and noted the report.

51 **Annual Report of the Somerset Armed Forces Covenant Partnership (SAFC)**
– Agenda Item 15

The Chair, Somerset Armed Forces Covenant (SAFC), Partnership, Cllr Henry Hobhouse, presented a report by the SAFC Partnership, which provided a summary progress report and update on the work and outcomes since the last Annual Report to Full Council in November 2021.

Cllr Hobhouse extended an invitation to Cllr David Fothergill to meet to discuss improvements to the Armed Forces Covenant.

Cllr Ros Wyke summarised the options of support available to homeless veterans within the Mendip area.

The Council received and noted the report.

52 **Any other urgent items of business –** Agenda Item 16

There were no urgent items of business

(The meeting ended at 1.10pm)

CHAIR

Appendix A
23 November 2022

Name of individual who submitted question:	Question details
Nigel Behan	<p>Question 1</p> <p>The LGA’s response to the Autumn Statement noted: “While the financial outlook for councils is better than we feared next year, councils recognise it will be residents and businesses who will be asked to pay more. We have been clear that council tax has never been the solution to meeting the long-term pressures facing services - particularly high-demand services like adult social care, child protection and homelessness prevention.”</p> <p>And “We are pleased that government will provide extra funding for adult social care and accepted our ask for funding allocated towards reforms to still be available to address inflationary pressures for both councils and social care providers. Councils have always supported the principle of adult social care reforms and want to deliver them effectively but have warned that underfunded reforms would have exacerbated significant ongoing financial and workforce pressures. The Government needs to use the delay announced today to learn from the trailblazers to ensure that funding and support is in place for councils and providers to ensure they can be implemented successfully.”</p> <p>Also that: “The revised social rent cap is higher than anticipated next year but councils will still have to cope with the additional financial burden as a result of lost income. Councils support moves to keep social rents as low as possible but this will have an impact on councils’ ability to build the homes our communities desperately need - which is one of the best ways to boost growth - and retrofit existing housing stock to help the Government meet net zero goals.”</p> <p>And “Financial turbulence is as damaging to local government as it is for our businesses and financial markets and all councils and vital services, such as social care, planning, waste and recycling collection and leisure centres, continue to face an uncertain future…….”</p> <p>What Social Rent increases (“capped” at 7%) and Council Tax rises (5%?) is the proposed Unitary now considering?</p>

Question 2

It has been recently reported in "Public Finance" that Hampshire CC and Kent are raising the prospect of S114 Notices (sort of bankruptcy?!)

As the Public Finance magazine notes [Counties warn of potential section 114 notices | Public Finance](#)

Hampshire (with large reserves) and Kent are both Conservative controlled but worryingly in their pleading letter it is observed that:

Without additional funding or amendments to "outdated" statutory requirements such as comprehensive library services and home to school transport, upper tier authorities will soon "go over the cliff edge", the letter said.

And

The leaders said they "fully expect to see more failures in the sector over the coming year" unless councils' obligations and the funding they receive become better aligned.

[Clearly they don't like "obligations" or – remove some of the "have to do's" but we'll take the cash!?!]

Whilst some of the issues they raise though are valid and there are many councils going through similar does SCC/District Councils and the proto-Unitary have any proposals (asking the government etc) to remove (so called "outdated") Local Authority statutory requirements or (even to) go on the front foot and lobby to extend statutory requirements?

Question 3

Assuming the Finance Local Authority S151s forecasts are reliable as the Office for Budget Responsibility (OBR [Home - Office for Budget Responsibility \(obr.uk\)](#)) what impact will the Autumn Statement have on the in-year overspends (£20m odd) and the Somerset Council shortfall (£75m roughly – "before savings") for the next financial year and could clarity be provided on how (Ensure delivery of the LGR Business Case savings and) "[minimise redundancy payments](#)" (from Executive papers) would work in practice?

Appendix A
23 November 2022

	<p>Response from Cllr Liz Leyshon – Executive Member for Finance and Human Resources</p> <p><i>Cllr Leyshon extended an offer to meet with Mr Behan to discuss.</i></p>
<p>John Brendon / Marian Davis</p>	<p>Queen Camel Village Petition regarding land at its Playing Field</p> <p>I am advising that Queen Camel wishes to submit a petition at the next Full Council meeting in Bridgwater on 23 November 2022. This petition has been signed by nearly 600 villagers, children and adults, as well as their friends and families, who all enjoy and benefit from using the village playing field and, in particular, the children’s play area. This petition is asking that Somerset County Council (SCC) transfer the land it owns, which forms part of the village playing field, to Queen Camel Parish Council (PC).</p> <p>The PC owns most of the playing field but approximately one acre is owned by SCC. This parcel of land (Land Registry No. ST80581 and ST82848) was owned separately to provide some playing field facilities to the old primary school and SCC used to contribute £500pa to the costs of maintaining it. Since the primary school relocated in 2016 SCC has stopped contributing to its maintenance and the PC has requested that the land owned by SCC is transferred.</p> <p>Getting this land transferred is now particularly important as the children’s play area is located on it and is very badly in need of replacement with modern equipment. The current equipment is at the very end of its useful life and some items have been taken out of use for safety reasons. SCC’s attention has been drawn to its risks in this respect. The PC does not want to and cannot commit to spending significant sums of money installing equipment on land it does not own and cannot be certain it will retain in the future. The present play area site is optimal in the use of the field, for access and for safety reasons. Accordingly over a period of years the PC has been trying to get SCC to transfer this land. Also having ownership of this land will allow the PC to plan for the longer-term development of the playing field.</p> <p>To date these discussions have not borne fruit as SCC has said it does not have the resources to deal with the matter and the most it can offer is a licence for the PC to use the land. However, it is unclear how long any licence could run for and after 2026 SCC is potentially free to dispose of the land as it thinks fit without having to get the consent of the</p>

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	<p>Secretary of State for Education. Therefore any licence does not seem to provide adequate ownership or the “right to use” security to allow for the replacement of the play equipment by the PC.</p> <p>It has also been noted that the Local Government Reorganisation Advisory Forum has considered the Devolution of Services and Assets, particularly from county and districts to towns and parishes. Queen Camel believes that the transfer of this land would fit well within this objective. This approach is consistent with past discussions between the PC and SCC.</p> <p>The PC has said it will meet the reasonable costs, including legal ones, to allow for this parcel of land to be transferred to it and does not understand why SCC will not allow the matter to progress so that a new play area can be installed for the benefit of the local communities. I, on behalf of the petitioners, ask that you consider this matter most carefully and take steps to allow for the land to be transferred to the PC.</p> <p>I would be happy to provide any further information you need to assist in your considerations and look forward to hearing back from you.</p> <p><i>Response from Cllr Ros Wyke – Executive Member for Development and Assets</i></p> <p><i>The Council has set out its position on this matter in previous correspondence. Due to restrictions on the disposal of school playing field sites, the council would need to obtain permission from the Department of Education to transfer this site prior to 2026. This is a costly and lengthy process and would not be a cost effective use of scarce resources. The Council has offered to extend the existing licence until 2026, when we will be in a position to transfer the land to the Parish Council for its continued use as recreational playing fields. I understand that this position is not acceptable to the Parish Council and would wish to assure the Parish Council that the council has no intention of disposing or developing the site in the future – we recognise that the facility is a valuable community asset and will be happy to execute a transfer as suggested for its continued use as recreational playing fields or a Multi-Use Games Area or similar for the parish of Queen Camel, once the Department for Education restrictions have been lifted.</i></p>
<p>Alyson Rogers</p>	<p>1. On 27th May, AAF and League Against Cruel Sports handed in a letter to SCC asking that they ban trail hunting on council land. We understand that last time we asked, the legal department were looking at this. Could you tell me what is the delay and when are you likely to make a decision?</p>

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	<p>2. Have the council considered a Public Space Protection Order in places where the hunts cause most havoc and disruption to the public?</p> <p><i>Response Cllr Ros Wyke – Executive Member for Development and Assets</i></p> <p><i>1. Over 90% of the Councils land ownership is occupied by others. It is for tenants to determine whom they invite on the land they manage and occupy. No applications to trail hunt, a lawful activity, have been received for land in our immediate control. We are not aware of any trail hunting without consent taking place on Council land.</i></p> <p><i>2. The Council holds little public open space and We are not aware of any issues.</i></p> <p><i>Note; The Council in the 90's banned hunting on its land, mainly to do with stag hunting on the Quantocks, this was overturned by judicial review.</i></p> <p><i>The Council had significant land holdings on the Quantocks which included the sporting rights, but the actual usage was under lease to the forestry commission or with Commoners rights. In 2012/13 the council divested itself of these land ownerships.</i></p>
<p>Pip Donovan</p>	<p>My name is Pip Donovan and I am founder of Action Against Foxhunting (AAF).</p> <p>My question relates to the various Boxing Day Hunt meets that occur on public roads in Somerset. I have been engaging with SCC on this issue since December 2021.</p> <p>The controversy relating to foxhunting can be very polarising. But that is not what I am debating here. This is about PUBLIC SAFETY and ROAD CLOSURES. A hunt meet on a public highway is a high-risk equine event, involving traffic, horses, adults with children, protesters, kick hazards, bite hazards, slip and trip hazards etc. If the road is not officially closed, and the proper scrutiny is not applied to the organiser's safety procedures, the public is put at risk. Before Boxing Day last year, AAF contacted SCC to ask whether the hunts applied for road closures for their public meets. The traffic officer said that she had tried to contact the hunts, but they had not responded. SCC also said that it was too late to take action as the deadline for road closures had passed. She confirmed that if a hunt stops and</p>

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obstructs the highway, this is an "illegal gathering". We focussed on two towns in particular, Chard and Castle Cary and warned SCC that illegal gatherings would take place on the highway in both places.

Despite our warnings, the meets took place anyway. **No hunt had applied for a road closure anywhere in Somerset for Boxing Day 2021.**

I attended the meet in Castle Cary and collected evidence of law breaking. The hunt obstructed the highway, illegally used their own either untrained, or incompetent marshals to direct traffic, rode horses the wrong way up a one-way street, posed dangers to the public by bringing unreliable horses to the meet and allowed their dogs to run free amongst children. Protesters were present, and one of them was assaulted. My colleague attended the meet in Chard where she recorded the same things. This is a link to a video of the road blocking etc in Chard on Boxing Day.

<https://www.youtube.com/watch?v=qDiut8UXSTo&t=75s>

Here is a map of Castle Cary - detailing the law-breaking and health and safety risks taken by the BSV in Castle Cary on Boxing Day. I have photographic and video evidence to back this up.

All year we have been engaging with councils to make sure it doesn't happen again in 2022.

On 14th January 2022, the chair of Castle Cary Town Council said that SCC had informed her that the hunts would have to apply for road closures for this year. Avon and Somerset Police said the same. The chair reported it in good faith, but it wasn't true.

A FOI to SCC revealed that the council traffic officer did not send any emails to the hunts at all. She did not even try to engage, and then she appeared to lie about it to Castle Cary Town Council, the police and to AAF.

Once again, the deadline for applying for a road closure for Boxing Day has passed and no hunts have applied.

I have been engaging with Mr Bunting, (SCC Traffic Officer) and he is looking into it. I have also been engaging with Councillor Dyke. Both Councillor Dyke and Mr Bunting have been very helpful.

My questions:

Are we going to be told again that it's too late to do anything about it this year? For how many more years are we going to be told it's "too late"?

And, given that the Highways Authority has a duty to keep the traffic flowing, how will SCC prevent the hunts from obstructing the roads in Somerset on Boxing Day this year?

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	<p>Thank you.</p> <p><i>Response from Cllr Mike Rigby – Executive Member for Transport and Digital</i></p> <p><i>Any event that takes place on the highway where vehicle movements are restricted would require a road closure using either the Town and Police Clauses Act (TPCA) or the Road Traffic Regulation Act (RTRA), the hunt parades are no exception. When we are made aware of an event taking place we will investigate and treat as business as usual as part of our network management duty. If the hunt parades close the road for their exclusive use, then they will need to have the relevant order in place that facilitates the closure.</i></p> <p><i>SCC officers have now written to the hunts Ms Donovan has referred to and we have received positive engagement from those who have responded. We will now be working with the hunts over the next few weeks to ensure that any necessary road closures are obtained, or the parades take place away from the highway. This is still very much work in progress although we are committed to ensuring that the necessary order is in place where required.</i></p>
<p>Tim Andrews</p>	<p>The Department for Transport's Bus Recovery Grant has been a lifeline in Somerset for bus services that have struggled with a post-COVID reduction in passenger numbers. These bus services provide significant social and economic benefits for residents, and they make a contribution to the county's wider climate change agenda. In the light of the expected end of the Bus Recovery Grant on 31st March 2023, what actions will the Council be taking to ensure that the county's current level of bus services is maintained across the county beyond that date?'</p> <p><i>Response from Cllr Mike Rigby – Executive Member for Transport and Digital</i></p> <p><i>SCC is currently using BRG funding to support a number of bus services across the County, where these were previously operated on a commercial basis and then withdrawn by the operator.</i></p> <p><i>It is uncertain what will happen with regard to funding beyond March. However, we are working with our Communications Team and the Somerset Bus Partnership to promote the use of public bus services across the County, to try and encourage more people to use the bus and hopefully make them more sustainable in the longer term.</i></p>

<p>Kevin Comer</p>	<p>Why has the Council's response to the National Highways A358 supplementary consultation ruled out a reduced design standard as favoured by Parish Councils? It indicates that the priority is for the road to be built but does not say why a lower impact design (presumably cheaper both in finance and emissions) would mean the road not getting built'</p> <p>"What is the county council's response to the increase in carbon emissions arising from the 65% increase in traffic projected as a result of the A358 upgrade? Somerset West and Taunton wrote:</p> <p>11.6.6 ... the Council is of the opinion that the conclusion reached in Table 15-7 of chapter 15 ... "that no significant effects in relation to GHG emissions or vulnerability of the proposed scheme to climate change are predicted during the construction and operation phases", is considered to be misleading and possibly inaccurate ... Whilst great play is made throughout chapter 14 of the PEIR of the potential for GHG emissions during the construction phase for the proposed A358, very little evidence is presented in relation to the projected 65% increase in vehicle use. Where is the evidence to prove that a 65% increase ... would result in "no significant effects with regards to greenhouse gas emissions ... during the operation of the proposed scheme.</p> <p><i>Response from Cllr Mike Rigby – Executive Member for Transport and Digital</i></p> <p><i>The County Council's position continues to be that we strongly support and have promoted the need for the A358 between Taunton and Southfields to be upgraded to dual carriageway as part of an end to end whole route improvement of the A303/A358, between the M3 and the M5 at Taunton. The scheme should improve connectivity and access to the South West Region, improve the resilience of the strategic road network and help to promote economic growth in the region. A principal objective and essential component of the scheme is also to address the environmental (air quality and congestion) impacts of traffic flow through Henlade which is an Air Quality Management Area.</i></p> <p><i>Somerset County Council sought clarity at the Statutory Consultation stage about the design standard that National Highways was applying for the main line. National Highways has explained its position in relation to design standards to the affected communities. The Government set out the aspiration in its second Road Investment Strategy document (2020-2025) to build a high quality and high performing dual carriageway along the A303/A358 corridor. Funding is therefore dependent on the road performing this strategic purpose.</i></p>
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	<p><i>In our response to the Statutory Consultation, the County Council noted the emissions generated through the operation of the scheme will be included within Somerset's area wide transport emissions metrics and will therefore be taken into account in Somerset's transition to net zero. We also said that this must be balanced with the benefits that the scheme will deliver and, in working with National Highways on the development of the detailed design, the County Council would therefore wish to explore opportunities for the scheme to contribute to the transport measures described in Somerset's Climate Emergency Strategy. This dialogue continues and the County Council will review the National Highways' Environmental Assessment when it is submitted with the Development Consent Order later this year.</i></p>
<p>Robert Barnes</p>	<p>Five Flower beds at the bottom of Duke Street, Taunton, the wood around the five flower beds is rotten. Rotten wood has been taken away by Somerset West and Taunton Council, rotten wood is danger to public.</p> <p>Environment agents have been to look at and emptied at the five flower beds at as the drains in the road have been filled with soil.</p> <p>The Environment Agency said if the drain gets filled up with soil again, the highway will be taken to court and charged with environmental damage.</p> <p>Police Officers told Mr Barnes that Mr {name removed} kept phoning the police about Mr Barnes clearing the flower beds at the bottom of Duke street, Mr Roger {name removed} will be arrested for making nuisance phone calls to the police about Mr Barnes.</p> <p><i>Response from Cllr Mike Rigby – Executive Member for Transport and Digital</i></p> <p><i>Council officers have inspected the highway gullies at the reported location and all assets have been reported as clear and operational.</i></p>
<p>David Redgewell</p>	<p><u>Question 1</u></p> <p>Taunton bus and coach station is to be a major Transport hub for Somerset and Southwest England. We would like to know when a planning application is going to be put into Somerset west and Taunton council. For conversation of the bus and coach station into a Transport hub.</p>

With passenger waiting room cafe and toilet and staff facilities for local and Regional bus services and long-Distance coaches by Flixbus and National Express coaches services.

Will the station design still be Rido which of course will now have to have wheelchair accessible bays.

In the past wheelchair passengers were pick up and set Down from the Entrance road to the station itself.

National Express coaches operated the wheelchair accessible lifts near the back wall and managed the passenger and luggage to the stands.

Where will be Bike Hire base be and E Scooters stands.?

What hours will the Transport interchanges be staff and is a community safety partnership plan for CCTV and police checks.

Would Somerset county council as local transport Authority please advise us of their plans with passenger and stakeholder on the design of Taunton bus and coach station and public consultation.

Question 2

Castle Cary station Somerset.

Is mayor inter city and local Railway station on London Paddington to Westbury, Taunton, Exeter st David Newton Abbott, Plymouth Truro Penzance GWR main line.

And secondary line to Yeovil pen mill and Yeovil junction, Dorchester west and Weymouth town.

And Network rail western route and First group Great western railway has started building a new car park Double Decker in conjunction with the wine and water business next to the station.

Somerset county council the Local Transport Authority is funding and Part funding to local bus links to the station route 1 from Shepton mallet interchanges to castle Cary station, and Yeovil bus and coach station. 667 Street, castle Cary station castle Cary Town and Wincanton.

This bus use to stop in the station.

But because of the works pick up and set on the main Road outside the on a Glass verge with no pavement facilities shelter or lighting CCTV let alone a castle Kerbs and a Drop Kerbs to cross the road to a North bound bus stop to the Bath and west show ground and Shepton mallet.

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	<p>What plans does Somerset county council as Transport and Highways Authority have to provide a safe bus and interchanges at castle Cary station with Network rail western route First group plc Great western railway and southwest coaches. David Redgewell Southwest transport Network and Rail future Severnside.</p> <p><i>Response from Cllr Mike Rigby – Executive Member for Transport and Digital</i></p> <p><i>1. Work is still underway on the 2nd stage of the feasibility study which includes site design and layout. Wheelchair accessibility will be taken into consideration and incorporated into the proposals. A consultation process will follow at a later date, but the finer detail and timetable is still being worked on. We can reassure Mr Redgewell that he will be consulted with at the appropriate time.</i></p> <p><i>2. Conversations and a site visit have taken place involving SCC, GWR and the operator to review the issues and identify opportunities for improvement. GWR are keen to find a resolution to the issues and are exploring the opportunities identified further.</i></p>
<p>Emma King</p>	<p>With regard to the decision by the previous county council to support the decision of the then CCG in the closure of St Andrew’s ward in Wells, being the last remaining mental health ward in Mendip, in spite of the fact that the county council are meant to be elected representatives and 52% of respondents to the consultation disagreed with the decision:</p> <p>it is my opinion, and that of many others, with over 4000 signatures on the petition to save the ward, that the scrutiny of this decision by the previous council did not follow council procedures and, as such, it is incumbent upon the new council to revisit this decision.</p> <p>Furthermore, the consultation conducted by the ICB (formerly CCG) concluded in April 2020 and, as such, does not take into consideration the mental health implications of either the pandemic or the cost-of-living crisis. Somerset Intelligence, a partnership project funded by Somerset County Council, Somerset West & Taunton District Council, Sedgemoor District Council, Mendip District Council and South Somerset District Council, includes key facts for Somerset on suicide, stating that the suicide rate for Somerset for the period 2017-19 was statistically higher than the</p>

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	<p>national average and between 2005 and 2019 there were 779 suicides, an average of just over 50 a year. It also states that there is a strong association between suicide rates and levels of deprivation. The rate for suicide and undetermined death for residents living in the 20% most deprived areas in Somerset being significantly higher than for the county as a whole. The impact of the pandemic and the current cost of living crisis is only increasing the levels of economic deprivation and therefore people’s mental health is declining. For example, a BACP survey, dated 8th Sept 2022, states that 66% of therapists have noticed that cost of living concerns are causing a decline in people’s mental health.</p> <p>Therefore, even though the ICB is planning on “moving away from bed based interventions”, it is clear that the closure of this ward is ill-thought out and will deprive people in crisis from accessing a service near to their homes, possibly resulting in them being sent, not only potentially to Yeovil, but possibly hundreds of miles away to places where they will be unable to be visited by friends or family, support which is essential to making a swift recovery.</p> <p>Although the decision has been made by the ICB (now CCG) there is evidence to suggest that this can be overturned with enough pressure from the public. A decision from the county council to withdraw support for this closure would send a strong message that we need St Andrew’s ward to remain in situ to continue the long record of excellent inpatient mental health service which has existed in Wells for hundreds of years and ensure that those of us in crisis and in need can get the care we need in the place we need it.</p> <p><i>See response to Eva Bryczkowski below</i></p>
<p>Eva Bryczkowski</p>	<p>QUESTION 1 * Will Somerset County Councillors strive and fight to reverse the woeful decision to close Saint Andrews Ward?</p> <p>QUESTION 2 * Will SCC councillors exercise due diligence and empower yourselves and your electorate by reading the Suicide Prevention Report and visit the people in Saint Andrews Ward, with their permission, to listen and find out the best ways you can help?</p> <p>QUESTION 3 * Will you provide us with hard evidence to show that you have done your homework properly by choosing to do the right and ethical thing regarding the patients in Saint Andrews Ward?</p>

THE URGENT NEED TO FIGHT FOR SAINT ANDREWS WARD TO REMAIN OPEN

I am looking at the timetable for the 77 bus from Wells to Yeovil. There are none that run on a Sunday. This is a day when many people are free. Thus preventing relatives who don't own cars from visiting their loved ones i.e. those who have been forcibly removed from Saint Andrews Ward in Wells all the way to Yeovil. Patients in a town that is strange to them, away from their friends and relatives who live in Wells and surrounding areas. If the proposed closure, decided by the Integrated Care Board, (ICB), goes ahead, that is. People with mental health issues already tend to feel isolated. They will feel it a lot more if they are an hour away from loved ones who have no car. Furthermore, with the cost-of-living crisis, relatives will have even less chance of visiting due to having to spend more time and money on buses, petrol, and other expenses.

Somerset County Council does not directly deliver mental health services across Somerset, it is true. However, it has a huge influence on how they are run. One of the Council's key roles is to:

- * Monitor how these services are run in order to ensure that they achieve the highest standards.
- * To make sure that mental health users get what they need.

If they don't, their mental health will deteriorate and there is a definite risk of suicide.

Research done by the Suicide Prevention Report has shown that bereaved families of loved ones who have committed suicide have said that this is often due to a gap in provision.

For example, when a patient moves from one place to another or from other big changes in circumstances. This will have a dramatic effect on continuity of care. Hard evidence, corroborated by extensive research, shows that there is more likelihood of a patient committing suicide under the above circumstances. The Clinical Commissioning Group, which was replaced by the Integrated Care has already decided to close Saint Andrews Ward. Thus increasing the likelihood of vulnerable people who have been sectioned because they are a danger to themselves or others taking their own lives. We cannot, must not, allow this to happen. We have to fight for justice, kindness and equality for those with mental health difficulties.

We, indeed, you Councillors, have to fight vigorously to reverse the decision that the ICB have made. Otherwise, there will be blood on the hands of the members of the ICB's hands. And, frankly, there will be blood on your hands too, Somerset County Councillors, if you allow this to happen. Councillors, you have some leeway and a modicum of power to be able to influence the members of the ICB. You are responsible for making sure that mental health services in Somerset are the very best after all! Surely? Please read the Suicide Prevention Report as soon as possible after this meeting. It needs to be done today. Prioritise it. There is no time to lose! It could happen any day, now or in the near future. We don't know exactly when this will occur. It is in the remit of the ICB. It is within your power to prevent lives being lost. So empower yourselves to do this on behalf of those who have no voice. To serve the people you represent. So put this at the top of your To Do list. It's that urgent. In order to achieve a win win solution, consider having a moratorium on this. Park it for now. Meanwhile, do the research. Visit people, with their permission, and listen to them. Find out the best ways you can help. And don't mark your own homework! Provide proof and solid evidence to show that you have done your homework properly. Just like councillor John Osman did. Now him and me might be at the polar opposite ends of the political spectrum, but he did a good job of chairing a meeting I went to many years ago. As a Unison steward coordinator, I went to a meeting in SCAT. It was about whether to prioritise Learning Disabilities. Parents of adults with learning disabilities turned up and were furious at the prospect of LD being privatised. It is impossible for anyone to be completely unbiased. It's all about perception isn't it?

But John Osman was the nearest example that I've come across of any chairperson being impartial. He visited adults with learning disabilities in their supported living homes. He visited adults with learning disabilities in other contexts, such as those in respite and residential care. And he listened to them and the staff about how they felt, wanted and needed. At the end of the meeting, (which, by the way, decided against privatisation), he said, "I have never been cuddled so much in all my life." That is what I would like you to do councillors. And quickly. The CCB conducted a consultation regarding as to whether to close Saint Andrews Ward.

A majority of respondents stated that they wanted the ward to remain open. The CCG dismissed and discounted the votes of those people who lived in Wells and surrounding areas, because they were considered to be biased. Biased? Ridiculous. You couldn't make it up! Frankly, it was rigged. If any of them want to sue me for defamation, bring it on! It would bring good publicity to the campaign and save lives. I will most probably win. Whether I win or not, my trade

union provides legal representation that is completely free. Our legal team are very experienced and help thousands of members to achieve equality, diversity and justice.

I would like to suggest that you put yourselves in the shoes, the lived experience, of people who have been sectioned. Put yourselves in the shoes of parents of children who have taken their own lives. Put yourselves in the shoes of husbands, wives, partners, brothers, sisters, lovers or friends who have had their loved ones commit suicide. Imagine experiencing the unbearable grief, pain and unresolved loss. Put yourselves in the shoes of the staff who have to witness this and feel that they have failed to prevent a life being lost. What we earn; where we live; how we are treated by our employers; whether we are well-off or have fallen on hard times; who we work and keep company with; how services are funded; and many other things, they are all political, because it is about power, money and whether justice can be achieved. It is about how services are run and funded locally, relevant to Saint Andrews Ward. The NHS is on its knees due to underfunding since 2010, due to the austerity project created by the Conservatives and supported by the Liberal Democrats, who also voted for privatisation of the NHS, then continued by the Conservatives to the present day, with even harsher measures to come. This applies to Somerset as well as nationally. Austerity has led to early deaths, suicides due to impoverishment or harsh benefit sanctions, and locally, it could be caused by the closure of Saint Andrews ward. Austerity could have been prevented by other parties, (for example the Liberal Democrats), by holding the government to account like the DUP did. They insisted that they would only vote for certain measures if the government did things they considered to be beneficial and fair to their particular constituencies.

Back to today. I realise that you are councillors, supported by officers, who work extremely hard and are well intentioned. Some of the latest measures that the leading party have introduced will, hopefully, serve the vulnerable people of Somerset well.

Response Cllr Heather Shearer – Executive Member for Adult Social Care

Thank you for the questions I will answer both questions received by Emma King and Eve Brickowski together. Somerset's then Clinical Commissioning Group made the decision at their Governing Body on 24 September 2020 to approve the proposal to relocate fourteen adult mental health beds from Wells to Yeovil. The acute adult mental health beds are a small but important part of the then-new model of adult mental health care. The Open Mental Health model designed by people with lived experience is very much focused on supporting people as close to home as possible, in

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their communities through a range of local services. As you are aware the public consultation on the relocation of these beds ran from 17 January 2020 to 12 April 2020 and included 63 consultation events across Somerset. The consultation document was also considered at scrutiny meetings at Mendip District Council, Sedgemoor District Council, South Somerset District Council and also Somerset County Council's Health Overview and Scrutiny Committees. They had planned to attend the Somerset West and Taunton scrutiny meeting in March 2020, however, this was stood down due to the Covid-19 pandemic. Full information was shared with the SWaT scrutiny committee in the absence of attendance at this meeting.

The proposed relocation was reviewed and assured by NHS England and NHS Improvement with a process including assurance by the south west regional Clinical Senate. The Clinical Senate Review said that "The Clinical Review Panel (CRP) were unanimous in their view that clinical evidence and best practice supported the proposals to move 14 inpatient mental health beds for adults of working age from the ward currently in Wells to Yeovil, where two wards will be combined to address concerns around maintaining stand-alone units." All responses to the public consultation were independently analysed by Participate Ltd and the feedback was publicly shared via an online event in early September 2020, prior to the Governing Body meeting on 24 September 2020. The decision was based on the safety of standalone wards, the distance of the Wells ward from an emergency department and the lack of 24/7 medical cover, and not in relation to costs. While the location of fourteen mental health beds will be changing, it is important to note that the change will not result in any reduction in bed numbers.

Regarding the transport issues as a system, we have made a commitment to explore the transport issues on an individual patient level nearer the time of the ward move. The refurbishment work of the two wards has taken longer than anticipated and the expectation is that it will be completed in autumn 2023. It is worth noting that there are just as many issues of people currently travelling north to Wells from elsewhere in Somerset.

We are very aware that the Covid-19 pandemic has affected everyone's mental and physical wellbeing both here in Somerset and across the country.

We recognise the concerns raised by Ms King, and Ms Bryczkowski that we need more mental health services and not less and would like to offer the following in response.

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	<p><i>The pandemic accelerated many of the positive transformational plans that the health and care system had in place having been awarded £13million funding. The focus has been and is firmly on more support being available to more people as early as possible, so that they are supported to manage their mental health at home or in their local community, meaning that people’s mental health does not deteriorate to the point where they require in-patient treatment and care. Evidence tells us and we believe that providing better care locally and supporting people to stay at home wherever we safely can, provides the best outcomes and facilitates recovery.</i></p>
<p>Bev Anderson</p>	<p>Thank you for the opportunity to submit this question and for some serious consideration is given to answering this vital question to me and the Public at large, who will be affected by the pending closure of St Andrews Ward.</p> <p>Should and If St. Andrews Ward be closed in the future I am gravel concerned in regard to the matter of finance and funding for the new 16 bed in patient ward that has been considered.</p> <p>Consecutive governments have relied on PFI contracts, (Private Finance initiatives) for the building of Hospitals Emergency call centres, Courts, schools and other vital public services. However, the Public accounts committee in 2010 warned the then Conservative/ Liberal Democrat government that the PFI contracts were not value for money and there were serious concerns regarding the 25/30-year rental agreements that many were locked into. Indeed the Public accounts committee had every right to be concerned considering that every building and contact entered into was costing the public tax payer and astounding three (3) time the amount of the original build, thus the public were in fact paying for three (3) new buildings for every one (1) that was being used. Although the coalition were made aware of this and asked not to enter into any further contracts: George Osborn gave the go ahead for sixty-one (61) PFI projects worth a total of £6.9bn since coming into power.</p> <p>There have long been questions into and surrounding whether the PFI model offers good value for money for the taxpayer. Given the current economic situation, these are more pertinent. An investigation at the time by Channel 4 news highlighted the discredited PFI system and Mr George Osborn in 2009 said they were working on reforms to the discredited PFI model that are transparent accounted for and genuinely shifts the risk to the private sector.</p>

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	<p>It is sad that the cost of Britain’s controversial PFI ultimately cost the Taxpayers more that £300bn which was the figure given in 2017-18. Numerous NHS Contracts such as the Calderdale Royal Hospital in Yorkshire was a £64.6million, the scheme ended up costing the Calderdale & Huddersfield NHS Foundation Trust a total of £773.2million. Another example, Bart’s Health NHS Trust London said that the cost of its two (2) sites would cost £1.1bn but the documents found show that the cost will be £7.1bn by the time the contract is paid off in full in 2048/49.</p> <p>Can the ICB, in the current economic situation of the country, the severe underfunding of the NHS considers without full scrutiny, (which it has failed to do thus far), consider fundamentally putting the burden of this financial matter to people of Mendip?</p> <p>Please can the ICB give a full account of the method of funding, which is believed to be “seed funding/ finance” should St Andrews not be saved and a new build as suggested in Yeovil?</p> <p>Please can The ICB provide the names of the investors and the percentages of their investment?</p> <p>Please can the ICB provide the Full amount and stage that they have agreed to regard “seed funding” and whether the investors are that of private health providers / Companies etc?</p> <p>Please can the ICB provide fully accountable and transparent conflict of interest checks in regard to the investors, so that we can all have a level playing field so there is no smoke screen for any future PRIVATISATION OF THE NHS & ITS SERVICE?</p> <p><i>Response Cllr Heather Shearer – Executive Member for Adult Social Care</i></p> <p><i>I would like to respond to Bev Anderson. Thank you for your question. I will pass the question on to the ICB and once I have received the answer, I will get a written answer for you.</i></p>
<p>Michael Strange</p>	<p>This question relates to the Somerset Standing Advisory Council on Religious Education.</p> <p>Evangelical Christian and Moslem SACRE faith representatives presented the Local Authority with a joint document advising about shared religious sensitivities which was rejected by the Local Authority.</p>

Appendix A
23 November 2022

The Local Authority subsequently blocked the SACRE membership of the Moslem community's representative that helped to write that document.

In its new draft SACRE Constitution, the Local Authority states its intention to remove SACRE membership from the other authors, the Baptist, Independent Evangelical and Pentecostal Church representatives. These are all of the SACRE Evangelical Christian representatives.

Despite repeated requests from its SACRE members, the Local Authority has imposed online SACRE meetings and prevented members from guiding their own agenda. As demonstrated in the last meeting, this has enabled the Local Authority to prevent debate and manipulate meetings in a sham consultation process in order to approve their draft SACRE constitution and so create a compliant sham SACRE.

When the Evangelical Christian faith communities wrote a great many letters to Councillors expressing their concerns about these matters, the Leader of the Council wrote a long reply that avoided addressing those concerns.

Somerset County Council evidently thinks that treating Somerset SACRE members and faith communities with contempt in this way will produce a Religious Education syllabus that will not be robustly rejected. They are mistaken. Producing it will be a waste of taxpayers' money

We have one question. Why?

Response Cllr Tessa Munt – Executive Member for Children and Families

Thank you for your question about the Standing Advisory Council on Religious Education and the teaching of Religious Education in Somerset's schools.

The document

We have not formally received the joint document to which you refer, although I understand it has been shared informally.

Nonetheless, to address the points raised in your question, the document received informally expresses views, but makes no requests of this Council.

Thus, neither the document itself, nor any "request" could be "rejected".

A request to add one of the named individuals to the membership of SACRE was received, but not through the proper channels and therefore was not able to be accepted.

This Council will be contacting relevant organisations shortly to seek their nominees. Of course, I will be very happy to see anyone wishing to join SACRE put themselves forward through the proper channels at the appropriate time.

The Constitution

The draft Constitution does not seek to "remove" anyone. It simply acknowledges that it is accepted good practice, in this as in any and all other walks of public life, that there should be term limits on appointments.

This Council is very grateful for the contributions of all members of SACRE, and where members have exceeded reasonable term limits, we would expect that this be considered so we can encourage ongoing renewal and refreshing of SACRE's membership.

The process proposed for reviewing the Constitution is thoroughly open and transparent. This will not be rushed. We are intending to take a full academic year to give as much time as is required to consider all the issues. SACRE's Constitution will reflect all the relevant national legislation (1996 Education Act, Paragraph 390 – 397 & 2013 Review of Religious Education) and the guidance of NASACRE, the National Association of Standing Advisory Councils on Religious Education.

The Agenda

This Council does and will take an overview of the Agenda for SACRE meetings. That is because it is a Council Committee whose sole purpose is to provide advice on those matters as requested by the Council. It cannot serve that function unless the Council sets the Agenda.

The Syllabus

I would like to address the matter of the syllabus for Religious Education in our schools. We are not currently reviewing the syllabus, so there are no proposals upon which to consult. Therefore, any concerns are premature.

When the time comes to review the syllabus, this will be an open and transparent process, as laid out in law, with a commitment to promote understanding, respect, tolerance and inter-faith dialogue.

Appendix A
23 November 2022

	<i>I welcome all and any members of the community who share our commitment to these important principles and activities to engage with SACRE.</i>
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Somerset County Council

County Council

– 22 February 2023

Report of the Leader and Executive – for decision

Executive Member: Cllr Bill Revans – Leader of the Council

Division and Local Member: All

Lead Officer: Scott Wooldridge – Head of Governance & Democratic Services and Monitoring Officer

Author: Scott Wooldridge – Head of Governance & Democratic Services and Monitoring Officer & Mike Bryant - Service Manager – Democratic Services

Contact Details: democraticservicesteam@somerset.gov.uk / 01823 357628

1. Summary

- 1.1** This report sets out the Leader’s and Executive’s recommendations to Council arising from their consideration of reports at the Executive meeting on 13 February 2023 (Note: the Executive also met on 14 December 2023 and 18 January 2023, but there were no recommendations to Council as a result of these meetings)

Note: The references in this report to Papers A, B, C, D, E and F relate to the relevant reports considered by the Executive containing specific recommendations to the County Council meeting on 22 February 2023.

- 1.2 Paper A (2023/24 Budget, Medium Term Financial Plan & Council Tax Setting)** was considered at the Executive meeting on 13 February 2023. The Executive endorsed Paper A and agreed for this to be reported to the County Council to consider and approve.

Members are reminded of the need to consider the Section 151 Officer’s statement regarding the robustness of the estimates and the adequacy of the reserves and balances prior to approving the recommendations in Paper A, as required under Section 25 (1) of the Local Government Act 2003. The statement can be found at Section 23 of Paper A.

Paper A outlines the spending plans for the next financial year which will be the first budget for the new Somerset Council. It highlights areas of priority to support residents across Somerset including:

- Funding for Adult’s and Children’s Services
- Local Community Networks
- The protection of frontline services
- The below inflation Council Tax increase

- Budgeting for inflation and the national pay award

-

The budget also contains detail of the significant capital investment of over £332m in schools, roads, regeneration, climate change and other projects across the County.

The report recognises the overall complex financial picture, with budgets of five Council's coming together into one.

The report highlights the size of the financial challenge faced by the new Somerset Council, yet sets a balanced budget and includes details of the provisional Financial Settlement published on 19 December 2022. The low overall level of reserves is highlighted, noting the need for careful management.

The detailed 2023/24 budget proposals were reviewed at an all Scrutiny member workshop followed by a formal meeting of the Scrutiny for Policies and Place Committee on 1 February 2023 ahead of consideration at the Executive meeting on 13 February.

The Scrutiny for Polices and Place Committee noted the report, but did not make any formal recommendations to the relevant Executive Member or to the Executive meeting on 13 February.

The Executive considered Paper A at its meeting on 11 February 2022. Executive endorsed recommendations 'a' - 'p' in Paper A, alongside a delegation regarding 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.

1.2 Paper B (Adoption of the Council Plan for Somerset Council) was considered at the Executive meeting on 13 February 2023. The Executive endorsed the recommendations (as amended) and agreed for this to be reported to the County Council to consider and approve.

This report summarises the proposed Council Plan for Somerset Council which details the strategic ambitions and direction of the authority for the term of the administration. This plan aims to give residents, businesses, and communities a transparent view of the strategic direction of the organisation and provides a focal point from which all further strategic planning and decision making can grow.

The plan has been developed at a time of great change in Somerset and given the context of the ongoing work to form the Somerset Council it is designed to allow flexibility for the future development of the business plan.

The report highlights the stakeholder engagement that has taken place and a summary of the feedback is included within the report.

1.3 Paper C (Treasury Management Strategy Statement 2023-24) was considered by the Audit Committee on 2 February 2023 and the Executive on 13 February 2023. No specific recommendations were made by the Audit Committee to the Executive meeting. The Executive agreed at their meeting on 13 February for the proposals in Paper C to be recommended to Full Council for approval.

The report sets out proposed Treasury Management strategy for the new Somerset Council (SC) for 2023-24. It brings together the legacy investment and debt portfolios of the 5 councils (as they are known at present) and puts forward proposals for how best to use and adapt current portfolios, to achieve the capital and revenue needs of the new Council going forward. Only Treasury Management investments are dealt with in this strategy. Investments held for service purposes or for commercial activity primarily for yield, collectively referred to as non-treasury investments, are considered in a separate report, the Non-Treasury Investment Strategy.

The Council recognises that effective treasury management underpins the achievement of its business and service objectives and is essential for maintaining a sound financial reputation. It is therefore committed to driving value from all of its treasury management activities and to employing suitable performance measurement techniques, within the context of effective risk management.

This report brings together the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management in the Public Services Code of Practice Revised 2017 Edition (CIPFA TM Code), and the CIPFA Prudential Code for Capital Finance in Local Authorities: Revised 2017 Edition (CIPFA Prudential Code).

Whilst most of the requirements of the 2018 Ministry of Housing, Communities and Local Government (MHCLG) Investment Guidance are no longer relevant to Treasury Management Investments (it now overwhelmingly refers to non-treasury investments), it does adhere to MHCLG guidance to prioritise Security, Liquidity and Yield, in that order.

As at 31 December 2022, the 5 Councils combined held nearly £783m of debt as part of their strategy for funding previous years' capital programmes. Of this, £209m is short-term borrowing, mostly due to mature within one year, and primarily borrowed from other Local Authorities. £380.4m is Public Works Loan Board (PWLB) debt, £108m is Lender Option Borrower Option (LOBO) debt, and a further £60.5m of fixed rate bank loans.

The 5 Councils' joint investment balances as at 31 December 2022 stood at just over £413m. This includes approximately £120m of cash held for either external bodies, or entities where the Council is the accountable/administering body. Within this figure £116.5m is invested in Strategic Funds. The largest holding within this figure is a £31m holding in the Churches, Charities, Local Authorities (CCLA) Property Fund.

1.4 Paper D (Housing Benefit War Pensions Disregard Policy) was considered at the Executive meeting on 13 February 2023. The Executive endorsed Paper D and agreed for this to be reported to the County Council to consider and approve.

The report highlights that the Housing Benefit scheme is a national scheme which is administered locally by the Council on behalf of Government. The national scheme provides local authorities with the discretion to increase the amount of income that is disregarded in respect of any War Disablement or War Widows Pension by up to 100%. The Council must make a resolution where it wishes to exercise this discretion.

Currently each of the four districts within Somerset applies the maximum 100% disregard for War Disablement and War Widows Pensions.

This report recommends that the Council resolve to maintain the current 100% disregard for War Disablement and War Widows Pensions, as operated by the existing district councils, in relation to the Housing Benefits scheme for Somerset Council from 1 April 2023 onwards. This is consistent with the approach already agreed by Council in relation to the Council Tax Reduction scheme on 23 November 2022.

1.5 Paper E (Housing Revenue Account (HRA) updated 30 year Business Plan and Rent Set 2023/24) was considered at the Executive meeting on 13 February 2023. The Executive endorsed Paper E and agreed for this to be reported to the County Council to consider and approve.

This report presents the Somerset Unitary Housing Revenue Account (HRA) Rent Set for 2023/24 and the updated 30-year business plan for the New Unitary Council.

Somerset Council will operate a single Housing Revenue Account (HRA) from 1 April 2023, as both Somerset West & Taunton (SWT) and Sedgemoor (SDC) own housing stock and currently operate separate Housing Revenue Accounts as local authority social housing landlords. All income and expenditure regarding Council housing landlord functions is accounted for in the HRA which is a ringfenced account separate from the General Fund.

In 2012 the Government abolished the subsidy system and self-financing was introduced for the HRA. The new system allowed all income from rents to be retained to fund expenditure on landlord functions such as decent homes and management of the stock. The requirement for self-financing was for each council to buy itself out of the system by taking on capital debt, in total this led to a combined debt transfer of approximately £133m and 30-year HRA business planning was introduced. The new system has financial benefits and more flexibility, particularly when the borrowing cap was removed in October 2018 which assisted with the ability to fund new build development. There are specific regulations which govern eligible income and expenditure, and this prevents any cross subsidy between the accounts. The Government have not given full control on issues such as rent rises and standards of delivery, for example decent homes but self-financing definitely gave financial benefits and greater flexibility.

The combined number of properties as of 1st April 2022 was 9,668 which makes the Unitary a significant social housing landlord within Somerset and gives opportunities for the New Unitary in terms of joint working with Adult Social Care to deliver joint resolutions to issues which improves the service to customers in an efficient way. Sedgemoor owns just under 4,000 properties which are managed by Homes in Sedgemoor (HIS), an Arm's Length Management Organisation (ALMO), under a management agreement. A management fee is paid to cover the day-to-day management and repairs plus a capital fee to keep the homes at the Government's Decent Homes standard. Somerset West & Taunton owns and manages in house approximately 5,700 properties and the landlord function is within the Housing & Communities directorate.

1.6 Paper F (Somerset Council Asset Management Plan and Strategy) was considered at the Executive meeting on 13 February 2023. The Executive endorsed Paper F and agreed for this to be reported to the County Council to consider and approve.

This report details a proposed Asset Management Strategy and Plan for Somerset Council. It sets out the Council's strategic objectives for property asset management, the approach the Council will take to managing its property assets, and a series of high-level commitments to guide property asset management decisions and policy making.

The scope of the proposed Asset Management Strategy and Plan is focussed on 'real estate' (land and buildings) assets. Infrastructure assets, such as highways, street furniture, coastal and harbour infrastructure, cycle paths, rights of way and flood defences are not in the scope of this document; similarly, vehicles, IT infrastructure, plant and equipment and other asset groups will be governed by separate strategies. The Property Asset Management Strategy and Plan also excludes assets acquired and held for

investment yield, and assets held within the Housing Revenue Account – these asset groups are subject to separate policies and plans.

2.0 Recommendations

2.1 Paper A - 2023/24 Budget, Medium Term Financial Plan & Council Tax Setting - see Paper A that Executive considered and endorsed at its meeting on 13 February 2023.

The Council is recommended to approve:

- a. The General Fund net revenue budget for 2023/24 of £493,357,150 and the individual service budgets for 2023/24 as outlined in Appendix 1 including,**
- b. The transformation, savings and income generation plans outlined in Appendix 2, considering the required detailed Equalities Impact Assessment in Appendix 3 and further consultation where necessary.**
- c. The detailed Fees and Charges as set out in Appendix 4.**
- d. The additional funding requirements set out in Appendix 5.**
- e. An increase in Council Tax of 2.99% in 2023/24 to £1,434.93 (an increase of £46.88 per Band D property).**
- f. An increase of 2.00% to Council Tax for the Adult Social Care Precept to £196.46 is approved in recognition of the current demands and financial pressures on this service. This is equivalent to an increase of £31.36 on a Band D property.**
- g. Agree to continue the Council Tax precept of £14.65 within the base budget for the shadow Somerset Rivers Authority (representing no increase). This results in a Council Tax Requirement of £3,013,125.**
- h. Agree the precept requirement of £338,767,850 (including Special Expenses Rate) £338,547,779 (excluding Special Expenses Rates) and set the Council precept for Band D council tax charge at £1,646.04 for 2023/24.**
- i. A Special Expenses rate of £220,071 as detailed in Appendix 6.**
- j. The formal council tax resolution which incorporates the precepts of all the precepting bodies in Appendix 15 (this will be circulated separately).**
- k. The overall estimated position of Earmarked Reserves of £65.125m outlined in Table 17 and the proposed use of reserves detailed in Table 16 of this report.**
- l. Note the conclusions of the Council's Section 151 Officer (Chief Finance Officer) in Section 23 confirming the robustness of the budget estimates and the adequacy of the level of reserves.**
- m. Approved the risk-based assessment of the level of General Reserves being maintained within range of £30m - £50m and note the forecast level of General Reserves at £47.460m.**
- n. The Capital Strategy attached at Appendix 8.**

- o. **The Flexible Capital Receipts Strategy attached at Appendix 9.**
- p. **The Capital Programme for 2023/24 to 2025/26 of £332.243m as outlined in Appendix 11 including new capital bids of £75.967 outlined in Appendix 10, and the planned sources of funding.**
- q. **Note that the Capital Programme will require resetting once the outturn positions of all five Councils are finalised.**
- r. **The Non-Treasury Investment Strategy attached at Appendix 12.**
- s. **The MRP Policy attached at Appendix 13.**
- t. **Considers the comments from Scrutiny Policies and Place in Appendix 14 (to follow).**
- u. **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.**

2.2 Paper B – Adoption of the Council Plan for Somerset Council – see paper B and its appendices that Executive considered and endorsed at its meeting on 13 February 2023.

The Council is recommended to note the report from the stakeholder engagement and agree to adopt the Council Plan.

2.3 Paper C - Treasury Management Strategy Statement 2023-24 - see Paper C and its appendices that Executive considered and endorsed at its meeting on 13 February 2023.

The Council is recommended to:

- 1. Adopt the Treasury Borrowing Strategy (as shown in Section 12 of the report).**
- 2. Approve the Treasury Investment Strategy (as shown in Section 13 of the report) and proposed Lending Counterparty Criteria (attached at Appendix B to the report).**
- 3. Adopt the Prudential Treasury Indicators in section 14.**
- 4. Note Appendix A, that is adopted as part of the Councils Financial regulations.**

2.4 Paper D - Housing Benefit War Pensions Disregard Policy - see Paper D and its appendices that Executive considered and endorsed at its meeting on 13 February 2023.

The Council is recommended to approve the Housing Benefits War Pensions Disregard Policy.

2.5 Paper E - Housing Revenue Account (HRA) updated 30 year Business Plan and Rent Set 2023/24 - see Paper E and its appendices that Executive considered and endorsed at its meeting on 13 February 2023.

The Council is recommended to approve:

- 1. The updated assumptions and figures in the HRA 30-Year Business Plan as summarised in Section 12 and detailed in Appendix A1 (Operating Account) and B1(Capital Programme).**
- 2. The single HRA Revenue budget for 2023/24 as detailed in Table 3, section 13, Appendix C.**
- 3. An increase of 7% to Dwelling Rents for 2023/24 in line with the Governments rent cap. To continue to increase rent for relets by Sept CPI plus 1% (11.1%).**
- 4. An increase of 7% for Sheltered/Extra Care housing Rents in line with the dwelling rents increase.**
- 5. An increase of 7% for Shared Ownership properties.**
- 6. An increase of 7% on affordable rental tenures, with the rent being reviewed at relet based on 80% of market value capped at LHA rate.**
- 7. An increase based on Sept CPI 10.1% on temporary accommodation charges**
- 8. The continuation of rent flex at relet for properties in SWT as included in the Rent charging policy, with the rent flex policy being considered in the future for properties within Sedgemoor.**
- 9. An increase in service charges for tenants in the Sedgemoor area based on actual costs in line with the service charging policy. The service charges are contained in Appendix D**
- 10. An increase in service charges for tenants in SWT properties of 7% (with the exception of Piper Lifeline at 3%, communal areas at 37%, the introduction of a new management fee at 10%, a new charge for utility for internal areas charge and a new charge for door entry system) 7% is based on the governments rent cap with a commitment to review the option of 'depooling' service charges for 2024/25 to align service charge policies. The detailed service charges are contained in Appendix E alongside a supporting report.**

11. **An increase of 7% for garage rents in the Sedgemoor Area and an increase of 7% for garages rented by council tenants in SWT and 10.1% for private/owner occupier rented garages in this area.**
12. **An increase of 7% to other Fees & Charges for 2023/24 in the Sedgemoor area (Appendix D) and CPI in SWT area (Appendix E)**
13. **The HRA Major Works Capital Programme for 2023/24 totalling £20,910,180 and notes the previously approved Housing Development programme budget totalling £26,423,920 (Appendix F)**
14. **The growth bids requested in section 20 totalling £607,170 for two one-year bids and £688,170 per year for two years (totalling £1,376,340 over the two years)**
15. **That members note the challenges and next steps for the HRA and landlord services.**

2.6 Paper F - Somerset Council Asset Management Plan and Strategy- see Paper F and its appendices that Executive considered and endorsed at its meeting on 13 February 2023.

The Council is recommended to approve the Asset Management Strategy for Somerset Council.

3. Options considered and consultation undertaken

3.1 Options considered and details of consultation undertaken in respect of the recommendations set out above are set out in the reports and appendices within Papers A, B, C, D, E and F.

4. Implications

4.1 Financial, legal, Human Resources, equalities, human rights and risk implications in respect of the recommendations set out in this report are detailed within Papers A, B, C, D, E and F.

In accordance with the requirements of the Localism Act 2011 the Authority is required to approve a Council Tax Requirement on an annual basis. In order to calculate a balanced budget the Council has to calculate its Budget Requirement by estimating all future revenue income and forecasting future expenditure requirements and taking into account movements to or from reserves.

The obligation to make a lawful budget each year is shared equally by each individual Member. In discharging that obligation, Members owe a fiduciary duty to the Council Taxpayer.

It is essential that consideration is given to the legal obligations and in particular to the need to exercise the equality duty under the Equality Act 2010 to have due regard to the impacts based on sufficient evidence appropriately analysed.

The duties placed on public bodies do not prevent difficult decisions being made such as, reorganisations and service reductions, nor does it stop decisions which may affect one group more than another. What the duties do is require consideration of all of the information, including the potential impacts and mitigations, to ensure a fully informed decision is made.

5. Background Papers

5.1 These are set out within Papers A, B, C, D, E and F and their appendices.



Decision Report - Executive Decision

Forward Plan Reference: FP/22/06/28

Decision Date - 13/02/23

2023/24 Budget, Medium-Term Financial Plan & Council Tax Setting

Executive Member(s): Cllr Liz Leyshon - Deputy Leader of the Council and Lead Member on Finance and Human Resources

Local Member(s) and Division: All

Lead Officer: Jason Vaughan - Director of Finance & Governance

Author: Jason Vaughan - Director of Finance & Governance

Contact Details: Jason.Vaughan@somerset.gov.uk

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11. **Background**
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20. **Reserves and Balances**
21. **Housing Revenue Account**
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23. **Chief Finance Officer (CFO) Report and Advice on the Robustness of the Budget and Adequacy of Reserves & Balances**

Appendices Attached to this Report

Appendix 1 – 2023/24 Budget Detail

Appendix 2 - Transformation, savings, and Income Generation Proposals

Appendix 3 – Equality Impact Assessments

Appendix 4 - Fees and Charges for 2023/24

Appendix 5 – Additional Financial Requirements (AFR's)

Appendix 6 – Special Expenses Rates

Appendix 7 – Detailed Directorate Summaries

Appendix 8 - The Capital Strategy

Appendix 9 -The Flexible Capital Receipts Strategy

Appendix 10 – New Capital Schemes

Appendix 11 – The Capital Programme 2023/24 to 2025/26

Appendix 12 - The Non-Treasury Investment Strategy

1 Summary / Background

1.1 This budget report sets out spending plans for next financial year which will be the first budget for the new Somerset Council. It highlights areas of priority to support residents across Somerset. Some of the key elements of the revenue budget are:

- Significant additional funding for both Adults £28.0m and Childrens Services £18.8m to reflect the significant cost increases in those services for our most vulnerable people.
- Local Community Networks (LCNs) – New funding of £0.3m to establish LCN' s and to support the completion of a Community Development spend review across the councils to identify existing funding to support LCN' s on an ongoing basis
- Voluntary, Community, Faith, and Social Enterprise (VCFSE) – Maintain core funding for the sector at the same level as 2022/23
- Budget Savings – protection of frontline services with a focus on delivering the LGR Business Case and other efficiencies
- Council Tax – Below inflation increases in line with Government policy of 2.99% increase in general council tax plus 2% for the Adult Social Care Precept
- Inflation – Budgeting for the impacts of inflation on energy, fuel, and contract
- Pay– Budgeting for the national pay award

1.2 The budget also contains detail of the significant capital investment of over £332m in schools, roads, regeneration, climate change and other projects across the county.

1.3 This has been achieved despite the budget being impacted by financial challenges facing all councils and Somerset Council is no different with costs increasing more than the income that is received. As can be seen in 1.1 above, the impact of inflation and demand continues to impact on Adults and Childrens Services.

1.4 The size of the financial challenge facing the new council is well documented with the Executive receiving reports in July and then November where the gap was estimated to be £74.2m but with savings options that could bring this down to £38.2m. The report today sets out a balanced budget, but it will require members to make some difficult choices. Like a lot of councils, failure to make those tough decisions will lead to reserves being exhausted and the likelihood of a section 114 notice in the next couple of years could not be ruled out.

1.5 The provisional Finance Settlement was published on 19 December 2022 and recognised the very difficult financial challenge that councils are facing

particularly with increasing social care costs but did not provide any longer-term solution. The settlement provided details of funding for 2023/24 which will be confirmed in January and some indications of the funding for 2024/25 including the assumption that councils will increase their council tax by 2.99% and a further 2% for the Adult Social Precept in each of these years.

- 1.6** The Financial Strategy approved in July 2022 recognised the time, resource and capacity constraints facing the new council. It allowed for using reserves in the short term, to enable the delivery of all the LGR savings as an approach. A key part of good financial management is to consider the medium-term financial planning implications but given the significant uncertainties over future government funding for councils and the establishment of the new council it is appropriate to plan over the next 2 years and make sure that any decisions taken in 2023/24 do not adversely impact upon 2024/25.
- 1.7** The overall financial picture is complex with the budgets from the 5 councils coming together into one and therefore there is more risk in the budget proposals than would normally be the case. The delivery of Transformation, Income, and Savings Proposals is vital and will need to be closely monitored during the year. The forecast budget gap for 2024/25 is just over £41m on a net budget of nearly £500m which means that there will need to be further savings of 8% for that year. Therefore, if there is any slippage in the delivery of the savings during 2023/24 corrective action will need to be quickly taken and replacement new savings identified. Given this position the 2024/25 budget process needs to start early and will be more of a rolling budget approach with any new savings being implemented as early as possible rather than the traditional approach of waiting for the February Budget Setting process.
- 1.8** The overall level of reserves is low for a council of the size of Somerset and very careful management of them will be required. The individual reserves from each Council will need to be brought together and reviewed, including any previous commitments from the predecessor councils. This can be done once the Statement of Accounts for 2022/23 for the 5 councils have been produced and the updated position will be reported to the Executive during the year.
- 1.9** The 2023/24 Revenue and Capital Budget Proposals for were subject to Scrutiny at their meeting on 1 February with their comments showing at **Appendix 15**.

2. Recommendations

- a. That the Executive recommends Council approves
 - a. The General Fund net revenue budget for 2023/24 of **£493,357,150** and the individual service budgets for 2023/24 as outlined in **Appendix 1** including,
 - b. The transformation, savings and income generation plans outlined in **Appendix 2**, considering the required detailed Equalities Impact Assessment in **Appendix 3** and further consultation where necessary.
 - c. The detailed Fees and Charges as set out in **Appendix 4**.
 - d. The additional funding requirements set out in **Appendix 5**.
 - e. An increase in Council Tax of **2.99%** in 2023/24 to **£1,434.93** (an increase of **£46.88** per Band D property).
 - f. An increase of **2.00%** to Council Tax for the Adult Social Care Precept to **£196.46** is approved in recognition of the current demands and financial pressures on this service. This is equivalent to an increase of **£31.36** on a Band D property.
 - g. Agree to continue the Council Tax precept of **£14.65** within the base budget for the shadow Somerset Rivers Authority (representing no increase). This results in a Council Tax Requirement of **£3,013,125**.
 - h. Agree the precept requirement of **£338,767,850** (including Special Expenses Rate) **£338,547,779** (excluding Special Expenses Rates) and set the Council precept for Band D council tax charge at **£1,646.04** for 2023/24.
 - i. A Special Expenses rate of **£220,071** as detailed in **Appendix 6**.
 - j. The formal council tax resolution which incorporates the precepts of all the precepting bodies in **Appendix 15** (this will be circulated separately).
 - k. The overall estimated position of Earmarked Reserves of **£65.125m** outlined in **Table 18** and the proposed use of reserves detailed in **Table 17** of this report.
 - l. Note the conclusions of the Council's Section 151 Officer (Chief Finance Officer) in **Section 23** confirming the robustness of the budget estimates and the adequacy of the level of reserves.
 - m. Approved the risk-based assessment of the level of General Reserves being maintained within range of **£30m - £50m** and note the forecast level of General Reserves at **£47.460m**.
 - n. The Capital Strategy attached at **Appendix 8**.

- o. The Flexible Capital Receipts Strategy attached at **Appendix 9**.
- p. The Capital Programme for 2023/24 to 2025/26 of **£332.243m** as outlined in **Appendix 11** including new capital bids of **£75.967** outlined in **Appendix 10**, and the planned sources of funding.
- q. Note that the Capital Programme will require resetting once the outturn positions of all five Councils are finalised.
- r. The Non-Treasury Investment Strategy attached at **Appendix 12**.
- s. The MRP Policy attached at **Appendix 13**.
- t. Considers the comments from Scrutiny Policies and Place in **Appendix 14 (to follow)**.
- u. 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

3. Reasons for recommendations

- 3.1 To recommend to full Council the Revenue and Capital Budgets, levels of Council Tax and other supporting documents as part of the statutory requirements to set a balanced budget for 2023/24.

4. Other options considered

- 4.1 The Council has a legal duty to set a balance budget each year and these proposals fulfil that requirement.

5. Links to County Vision, Business Plan and Medium-Term Financial Strategy

- 5.1 A new Corporate Plan will be approved in February 2023.

6. Consultations and co-production

- 6.1 The budget proposals have been developed by joint working across the 5 councils through the s151 officers and chief executives working with Executive. A general consultation has been carried out with a closing date of the 10 February and a verbal update of responses will be given at the Executive meeting. Where a detailed consultation is required, this will be arranged as the agreed proposals for change are developed and implemented by the relevant directors. A Scrutiny Workshop was held on 1 February followed by Place Scrutiny to review the budget proposals. Their response is attached at **Appendix 14**.

7. Financial and Risk Implications

- 7.1** The Corporate Risk Register includes a Strategic Risks ORG0057 – Sustainable MTFP with a current risk score of 5x5=25. This remains high despite the balanced budget. An assessment of the risks to general and earmarked reserves within the budget as set has taken place and the conclusion has been set out under the Director of Finance & Governances robustness assessment within this report.
- 7.2** Key risks have been outlined in **Table 19** of this report and these will continue to be monitored and reported as part of the budget monitoring process.

8. Legal and HR Implications

- 8.1** There are a number of saving proposals that have HR implications and the council has well established processes and policies for dealing with these. There are no legal implications to bring to Members attention, but it is important to note that some savings plans will require further specific consultation.

9. Other Implications

9.1 Equalities Implications

Individual proposals that currently have clear details have completed equality impact assessments. These are attached to the decision-making documents in **Appendix 3** and decision makers are requested to review these to help inform agreeing the budget.

Some proposals do not currently contain detailed explanations on how budget savings will be achieved. These Equality Impact Assessments will need to follow. When further decisions are taken on these more detailed proposals, Equality Impact Assessments will be provided to support these decisions.

9.2 Community Safety Implications

The Equality Impact Statement outlined in Appendix 3 outlines key implications from the Transformation, Income, and Savings proposals outlined in Appendix 2.

9.3 Sustainability Implications

The Equality Impact Statement outlined in Appendix 3 outlines key implications from the Transformation, Income, and Savings proposals outlined in Appendix 2.

9.4 Health and Safety Implications

The Equality Impact Statement outlined in Appendix 3 outlines key implications from the Transformation, Income, and Savings proposals outlined in Appendix 2.

9.5 Health and Wellbeing Implications

The Equality Impact Statement outlined in Appendix 3 outlines key implications from the Transformation, Income, and Savings proposals outlined in Appendix 2.

9.6 Social Value

A number of contracts will be impacted by bringing five authorities into one. The social value of those contracts will be assessed as they are renewed.

10. Scrutiny comments / recommendations:

The 2023/24 budget proposals were considered through a workshop of all Scrutiny members followed by a Scrutiny Place Committee on the 1st February 2023. The Committees comments are included in **Appendix 14**.

11. Background

11.1 In February 2022 each of the 5 Councils set out the MTFP forecast for 2023/24 and the position was updated in the report to the Executive in July 2022. The report made it clear that the 2023/24 budget would be challenging given both the practical difficulties involved in the process and the national economic outlook with inflation remaining in double digits. Alongside the updated forecast was the Financial Strategy which set out the approach that would be used to balance the budget.

11.2 In November 2022 the Executive received an update on the Medium-Term Financial Plan which outlined the forecast budget gap for 2023/24 was £74.2m after taking into account the cost pressures in the current financial year and the forecast for 2023/24. The report outlined a range of actions that would be taken in order to close the budget. They included the following:

- Protect the level of Reserves by reducing spend and reviewing the funding of capital projects in the 5 councils
- Increase income where possible
- Ensure delivery of the LGR Business Case savings and minimise redundancy payments
- Review & reprioritise the existing Capital programme to reduce borrowing costs
- Develop a new Asset Strategy and Plan to help deliver capital receipts
- Develop a new Minimum Revenue provision (MRP) policy for the new Council
- Review the existing Commercial Investment portfolio
- Develop the Treasury Management Strategy that minimises debt financing costs

- Identification of key items for future transformation programme
- Start discussing with DLUHC about a potential capitalisation directive
- Start work on identifying financially sustainable service cuts

11.3 At the Executive in January 2023 the proposals for a balanced budget were set out and approved as a basis for consultation and scrutiny. These proposals were based upon the December provisional finance settlement and latest information.

12. Budget Process

12.1 To help develop the budget proposals an advisory member Budget Working Group chaired by Cllr Liz Leyshon the Lead Member for Finance and Human Resources was formed and has met on nine occasions from August to December. The Group has reviewed an entire range of budget areas including the Financial Strategy, Adults Services, savings proposals, Additional Financial Requirements, Revenue & Benefits policies, Council Tax, the existing Capital Programme and new capital schemes, and Investments for yield. Recognising the very difficult financial challenge, the Executive along with the 5 Chief Executives and 5 Section 151 Officers have come together on 4 occasions for full days to review and develop the budget proposals.

12.2 The starting point for developing the 2023/24 budget proposals was to bring together the five council budgets into one common format. This task was quite complex given the quite different ways the 5 councils are structured. The figures also had to be adjusted for any 'inter-authority' trading, such as Somerset Waste Partnership, as this is not relevant when budgeting for Somerset Council. The figures also need to be adjusted for any 'once-off' items to ensure that the on-going base budget for Somerset Council is established.

12.3 Having established the 2022/23 base budget for Somerset Council the next part of the budget building process is to take account of the current budget monitoring position and any other known changes. The process for doing this has been to identify any Additional Funding Requirements (AFR) for such things as inflation, legislative changes, demographic, and other demand increases and they total just under £85m. These Additional Financial Requirements are detailed in **Appendix 5** with the Transformation, Savings, and Income Generation plans, which total over £40m, detailed in **Appendix 2**.

12.4 The General Fund net revenue budget for 2023/24 total £493.357m and the individual service budgets for 2023/24 are set out in **Appendix 1**.

13. General Fund Budget Monitoring Position in 2022/23

13.1 The overall predicted outturn position of the combined Somerset Authorities in the current financial year is:

Table 1 – General Fund Positions in 2022/23

	Quarter	2022/23 Budget £'m	2022/23 Estimated Outturn Position £'m	(Under)/ Overspend £'m
Somerset County Council	Q3	383.400	408.700	24.300
Mendip District Council	Q2	17.080	17.070	(0.010)
Sedgemoor District Council	Q2	17.600	18.100	0.500
South Somerset District Council	Q2	19.780	19.780	-
Somerset West and Taunton Council	Q2	17.030	16.810	(0.220)
		454.890	476.460	24.570

13.2 Previous years patterns show that the numbers tend to improve slightly by year end with various once off grants from government and when items like the revenue impact of slippage in the capital programme are fully assessed.

13.3 The main causes for the forecast overspend are: -

- Inflation – energy and fuel costs. Suppliers have increased the out of contract gas rates by an average of 180% and out of contract electricity rates by 130% since August 2021.
- National Pay Awards – the District Councils budgeted for pay increases of 2% and the County Council assumed 2.5%. The national pay award has now been agreed at a flat rate of £1,925 which equates to an average cost increase of 5.5%.
- Adult Services – inflationary increases in residential and nursing placements costs.
- Children’s Services – external placements demand and cost.

14. 2023/24 Budget Proposals

The budgets of all Somerset authorities were combined to set a 2022/23 base. All Somerset authorities have been working together to continue to refine the detailed requirements. Further inter-Directorate adjustments will need to be made in 2023/24 in order to continue to ensure that budgets are aligned to the new structure.

14.1 The budget for 2023/24 is balanced with the support of £10m from reserves. The key assumptions underpinning the 2023/24 are set out in **Table 2** and are based upon the latest forecast and information available.

Table 2 – Summary of key Budget Assumptions

Budget Area	Current Assumption
Pay	5% for 2023/24 after adjusting for £1,925 (5.6%) for 2022/23, allowing for increments and new employers pensions rate
Inflation	No allowance for general inflation – contractual only
Adults – Demand & Inflation	Based upon latest forecast and trends over the last 3 years
Childrens – Demand & Inflation	Based upon latest forecast and trends over the last 3 years and the capital investment made in purchase our own homes. With unregulated placements budget these are based upon 3 rather the current level of 5 but there is a specific Social Care Volatility Reserve to mitigate against the plans to reduce demand in this area
Council Tax	Tax base increase of 2.45% 2.99% for council tax plus 2% for Adult Social Care
Interest Rates (borrowing and investments)	A blended rate including some internal borrowing with PWLB rates at 4.27% and interest receivable 3.75%
Minimum Revenue Provision	New policy for Somerset Council reflecting the assets life and revised DLUHC guidance
Corporate Contingency	£6m which is 1.25% of the net service budgets
Funding from Government	Figures from provisional finance settlement

14.2 The budget shown below in **Table 3** outlines how the budget has been built from the five separate authorities 2022/23 budgets into the 2023/24 Budget for Somerset Council.

Table 3: Summary of changes to 2023/24 Revenue Budget

All Services	£m	£m
2022/23 Combined Original Base Budget		451.881
Removal of Once off & Inter-Authority Budgets for 2022/23	(18.486)	
In Year Permanent Virements	0.651	
		(17.825)
2022/23 Amended Base Budget		434.046
Additional Funding Requirements:		
Inflation (Contractual and General)	34.818	
Demographic and other Demand Increases	30.117	
Other Funding Requirements	19.976	
Growth	0.000	
Total Additional Funding Requirements		84.910
Pay Changes		15.337
Savings Previously Agreed		0.156
New Savings Proposals		(40.785)
Use of Earmarked Reserves for Service Budget		0.435
Technical Adjustments		(0.743)
2023/24 Proposed Budget		493.357
Change £m		59.311
Change %		13.66%

14.3 The table above outlines the overall allocations for Additional Finance Requirements of £84.9m (note that £65.2m of this was allocated to Adults and Childrens Services). Additional Finance Requirements include inflationary costs of £34.8m this compared to the SCC requirement last year of £12.8m demonstrates the huge impact inflation is having on services. It also includes demographic and additional demands of £30.1m compared to £13.1m for SCC last year. The strategy agreed in July outlined that there would be no growth in budgets without headroom being found. With a draw on reserves of £10m there has not been any scope to add growth bids. The Additional Financial Requirements are detailed in **Appendix 5**.

14.4 Table 4 also shows transformation, income, and savings proposals of £40.8m details of which are included in **Appendix 2**.

Table 4 – Summary of Transformation, Income, and Savings Proposals by type

	2023.24	2024.25	2025.26
	£m	£m	£m
Transformational	(2.925)	(1.109)	(0.469)
Fees and Charges	(2.257)	0.128	(0.142)
Other Income	(0.802)	(0.021)	0.026
LGR - Contract	(1.621)	(0.334)	0.000
LGR- Staffing	(3.981)	(4.000)	(4.400)
LGR – Other	(1.294)	(0.285)	(0.215)
Non-LGR -Contract	(4.534)	(0.036)	(0.016)
Non-LGR - Staffing	0.000	0.000	(0.200)
Other General Savings	(23.371)	1.452	(0.790)
Total	(40.785)	(4.203)	(6.206)
Cumulative Total	(40.785)	(44.988)	(51.194)

14.5 The 2023/24 revenue budget is shown in **Table 5** and is based upon the provisional settlement and therefore members are requested to delegate any final amendments to the Director – Finance and Governance once the final settlement is announced.

Table 5 – Somerset Council Balanced Budget 2023/24

2022.23 Combined Budget £m		2023.24 Budget £m
159.684	Adults Services	186.634
105.033	Children Services	123.067
36.820	Communities Services	35.223
83.082	Climate & Place	87.104
23.607	Strategy, Workforce & Localities	20.159
18.920	Resources & Corporate Services	20.474
1.336	Public Health	1.236
9.404	Local Government Reform	0.123
	Non-Service items:	
6.000	Corporate Contingency	6.000
4.692	Accountable Bodies	3.688
47.140	Corporate Areas	66.054
(43.186)	Special Grants	(56.405)
452.532	Net Budget Requirement	493.357
	Financed By	
(6.843)	Revenue Support Grant	(7.932)
0.000	Flexible Use of Capital Receipts	(4.023)
(103.894)	Business Rates	(122.173)
15.022	Business Rates Collection (Surplus) / Deficit	6.102
(6.800)	Council Tax Collection (Surplus) / Deficit	(6.662)
(312.686)	Council Tax @2.99% and ASC Precept @2%	(335.535)
(2.941)	Council Tax Somerset Rivers Authority	(3.013)
(0.215)	Somerset Special Expenses Rates	(0.220)
(1.375)	General Reserves	0.000
(33.015)	Earmarked Reserves	(19.901)
(452.532)	Total Financing	(493.357)

14.6 Each new Directorate is shown in **Appendix 7** attached to give details of how the 2023/24 budgets have been calculated.

15. Funding for Councils

15.1 The Government announced a Local Government Finance Policy 2023/24 and 2024/25 setting out funding principles followed by the Provisional Finance Settlement on the 19 December 2022. The impact on various grants is outlined below

Table 6 – Government Grants Announced as Part of Financial Settlement

Grant	2023/24 £'m	Change from Previous Year £'m	Forecast 2024/25 £'m	Forecast 2025/26 £'m
Revenue Support Grant - Government Grant Distributed based on need.	7.9	1.1	8.5	33.6
Rural Services Delivery Grant - Government Grant to support the increased costs of delivering services in rural areas.	3.2	-	3.2	3.2
New Homes Bonus - is an incentive-based grant to increase the number of new homes built and reduce the number of empty properties. This is currently being phased out.	3.8	-2.5	3.8	-
Services Grant - A once-off grant to support Local Government Services (the funding is ongoing but the mechanism for distribution is once-off)	3.2	-2.9	3.2	-
Social Care Grant - A Government Grant to support the cost pressures in both Adult and Children's social care.	39.2	14.7	45.1	88.6
Specific Grants Included Within Adult Services or Public Health				
Market Sustainability and Improvement Funding - Government grant toward improvement in Adult Social Care	5.8	4.1	8.8	-
Discharge Fund – Government Grant to support hospital discharges	3.3	3.3	-	-
Better Care Fund - Grant from the ICB for the integration of health and social care.	14.7	0.8	14.7	14.7
Improved Better Care Fund - Government Grant to support local authorities to meet adult social care costs, reduce pressures on the NHS and support the social care market	23.4	-	23.4	23.4
Public Health Grant - Ringfenced Government funding to improve health in the local population	21.9	-	21.9	21.9

15.2 Business Rates

The review of Business Rates and baseline reset is likely to be delayed further and therefore the MTFP assumes that the review will now occur in 2025/26.

All the Somerset authorities with the exception of Somerset West and Taunton are currently in the Somerset Pool for 2022/23 but the pool will not continue in 2023/24 as the authorities will be combined. The new Unitary Council however will continue to benefit from some of the pooling gain by being a Unitary authority.

Estimates for Business Rates Retention for Somerset Council are shown below in **Table 7**

Table 7 – Business Rate Retention Estimates

Business Rates Retention Provisional Funding Estimates	2023/24 Estimates £'m
Share of Business Rates Yield	(85.923)
Rates yield from renewable energy	(1.498)
Tariff to Government	2.745
Levy Payment	0.669
Safety Net Income	-
S31 Grant funding for Reliefs	(38.166)
Net Retained Business Rates Funding	(122.173)

The budget for business rates income is based upon the NDR1 form and in line estimates provided by Pixel and LG Futures.

15.3 Fees and Charges

Fees and charges have been reviewed for 2023/24 and in most cases aligned. A Fees and Charges Policy was approved by the Executive on the 19 January 2023. The schedule of proposed Fees and Charges for 2023/24 is attached at **Appendix 4**. These were also considered by Policies and Place Scrutiny Committee on 1 February.

15.4 Schools and DSG

Schools are funded by the Dedicated Schools Grant (DSG) which is initially allocated to the Council by the Department for Education (DfE). The DSG supports all expenditure in schools (who set their own budgets) and the activities that the Council carries out directly for schools. It does not cover the statutory responsibilities the Council has towards parents. These responsibilities are funded through the Councils main revenue funding and included as part of the proposed Budget.

In July 2022, the DfE published provisional allocations for the schools' high needs and central services blocks. Final allocations based on pupil numbers from the October 2022 school census have now been made.

The DfE calculate the Schools Block 2023-24 primary units of funding (PUF), and secondary units of funding (SUF) for each local authority using the July 2022 provisional allocation which is based on the October 2021 census. These are final units of funding for 2023-24 and are not updated at any later point. The PUFs and SUFs are used to allocate schools block funding to local authorities in December 2022, using pupil numbers from the October 2022 census. The Executive approved the schools' allocations at their meeting on the 19 January 2023.

High needs funding to support children with Special Education Needs and Disabilities (SEND) is receiving an additional grant in 2023-24 of £3.2m, with an increase in High Needs Block allocation for Somerset of £8.3m. Nationally central schools services funding has increased for ongoing responsibilities but will decrease by 20% for historic commitments.

The Early Years hourly rate for 3-4-year-old entitlement has increased by 26 pence and by 6 pence for the 2-year-old entitlement. The total 2023-24 Early Years Block allocation has increased by £1.5m.

With the introduction of the National Funding Formula (NFF), the DSG was ring-fenced for schools from 2018/19 making the LA responsible for the demographic pressures being observed in the SEND / High Needs element of the DSG (although schools can contribute up to 0.5% of the ringfenced sum if agreed by the Schools Forum). However, local authorities cannot contribute to any deficit. The DSG deficit at the end of 2021/22 was £20.2m and this is expected to increase to £24.1m by the end of 2022/23.

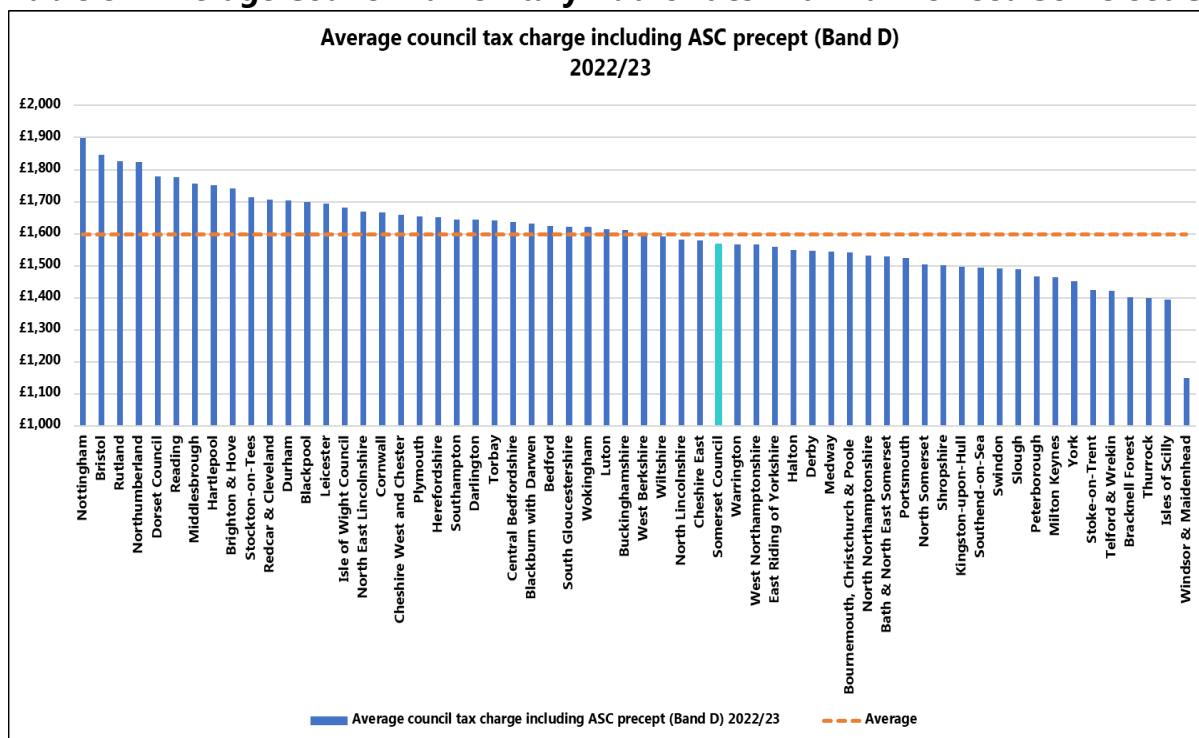
15.5 Treasury Management

Treasury management is the management of the Council's cash flows, borrowing and treasury investments, and the associated risks. The Council has significant treasury investment portfolios. The income budget from treasury activity for 2023/24 is £13m based on average funds of £350m and 3.75% in interest. The actual income may change depending on the level of internal borrowing utilised but would have a positive impact on borrowing costs.

15.6 Council Tax

The council tax for the new authority and a formal Council Tax Resolution will need to be approved at full Council in February 2023 in a separate report. Somerset Council will become the billing authority for collecting council tax. The report to executive in November outlined the council tax harmonisation for Taunton and the new authority had been agreed by DLUHC with a Band D of £1,568.87 (including the ASC, special rates, and the SRA precepts) as the restated 2022/23 baseline position. Excluding the special rates this was £1,567.80. This was based on a total 2022/23 council tax base of 200,747. The following graph shows how the authority would sit compared to other Unitary Authorities this year:

Table 8 – Average Council Tax Unitary Authorities with Harmonised Somerset Council



The charge would be £35 lower than the average Unitary Band D charge of £1,599, and £331 lower than the highest charge.

Referendum limits were outlined in the Governments Local Government Finance Policy Statement 2023/24 and 2024/25 on the 12 December 2022. This outlined that County and Unitary authorities could increase council tax by 3% in 2023/24 and 2024/25 as well as increases in the Adult Social Care Precept of 2% in both 2024/24 and 2024/25. This would enable the new authority to increase overall council tax by 5% in each year. An increase of 4.99% overall would add £78.23 to a Band D property in 2023/24 (equivalent to just over £1.50 per week).

Each 1% increase in Council Tax increases income by £3.2m.

15.7 Tax Base

The taxbase for 2023/24 shows an overall increase in tax base is 2.45% for 2023/24 and is estimated to increase by 0.5% in 2024/25 and 2025/26.

The final taxbase including provision of Council Tax support and other approved discounts will be 205,674.09 equivalent Band D' s. The table below shows the taxbase over three years and the increase compared to 2022/23.

Table 9 - Taxbase 2021/22 to 2023/24

2021/22	2022/23	2023/24	Increase
199,429.93	200,747.16	205,674.09	2.45%

15.8 Council Tax Proposals

The Executive is requested to recommend increases of 2.99% for 2023/24 for Council tax and 2% for Adult Social Care which will remain within those referendum limits. This will increase basic Council Tax (including Somerset Rivers Authority) to £1,449.58 an increase of £46.88 per annum (90p per week) and the Adult Social care Precept to £196.46 an increase of £31.36 per annum (60p per week). The overall council tax proposed is £1,646.04 an increase of £78.24 per annum (£1.50 per week). The Adult Social Care precept is ringfenced to support Adult Social Care.

The Somerset Rivers Authority's (SRA) precept (included within general council tax above) will be £3.01m in 2023/24.

The new Council will also inherit Special Expense Rates from Mendip District Council and South Somerset District Council. These are specific charges to some Parishes for the following:

- Closed Churchyards - When a church decides a churchyard is closed it can transfer the liability for costs to the Unitary or District Council. Some parishes have chosen this option while others maintain the closed churchyards and pay the costs themselves. The result is some taxpayers are paying for the cost of maintenance through their own parish Council tax charge, and additionally for other parishes through the Council tax paid to Somerset. For the parishes where the Council maintains the closed churchyard Mendip and South Somerset had recovered part of the maintenance cost by charging a 'special expenses rate' to the residents of that parish.
- In a similar way, Mendip maintained play areas in some towns and villages while others were maintained and paid for by the residents of the parish.

These special rates have been retained for Somerset Council in 2023/24. Details of individual parish charges under the special expenses rate can be found within **Appendix 6**. The total income from Special Expense Rates is expected to be £0.220m.

The overall Council Tax charge in **Table 10** is broken down in accordance with the proportion set out in section 5(i) of the Local Government Act 1992 as follows:

Table 10 – Council Tax charges per Band

	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£	£	£	£	£	£	£	£
General	956.62	1,116.06	1,275.49	1,434.93	1,753.80	2,072.68	2,391.55	2,869.86
ASC Precept	130.97	152.80	174.63	196.46	240.12	283.78	327.43	392.92
SRA	9.77	11.39	13.02	14.65	17.91	21.16	24.42	29.30
Total	1,097.36	1,280.25	1,463.14	1,646.04	2,011.83	2,377.62	2,743.40	3,292.08

Note this excludes Special Expense Rates

As the billing authority Somerset Council will outline the overall council tax from all preceptors in Somerset in a statutory report to full Council in February 2023.

The MTFP currently outlines overall council tax of 4.99% in 2024/25 and 4.99% in 2025/26

Please note that all the increases above have been compared to the Alternative Notional Amount (ANA) that has been agreed as part of council tax harmonisation with DLUHC.

16. The Capital Strategy and Programme

- 16.1** The Government requires all local authorities to produce a Capital Strategy and a Non-Treasury Investment Strategy for authorities that own commercial properties and non-treasury lending. These are the overarching documents which sets the policy framework for the development, management, and monitoring of capital investment as well as lending to other organisations and commercial investments. The Capital Strategy also includes the arrangements for capital investment in the Housing Revenue Account. The strategies focus on core principles that underpin the council's capital programme, investment properties, financing and the risks that will impact on the delivery of the programme; and the governance framework required for decision making and delivery. The Capital Strategy is attached at **Appendix 8** and the Non-Treasury Investment Strategy is attached at **Appendix 12**.
- 16.2** The Prudential Code for Capital Finance in Local Authorities was updated in December 2021. The objectives of the Prudential Code are to ensure that the capital expenditure plans of local authorities are affordable, prudent, and sustainable and that treasury management decisions are taken in accordance with good professional practice and in full understanding of the risks involved.
- 16.3** It requires authorities to look at capital expenditure and investment plans in the light of overall organisational strategy and resources and ensure that decisions are made with sufficient regard to the long-term financial implications and potential risks to the authority
- 16.4** The update included a clear statement that local authorities must not borrow primarily for financial return. Somerset Council will hold investment properties that would be designated as being held for financial return. The Code outlines that authorities are not required to immediately sell these investments. However, Authorities which have an expected need to borrow should review options for exiting their financial investments for commercial purposes in their annual treasury management or investment strategies. The options should include using the sales proceeds to repay debt or reduce new borrowing requirements. It also states that authorities should not take on new borrowing if financial investments for commercial purposes can reasonably be released instead, based on a financial appraisal of financial implications and risk reduction benefits.
- 16.5** The Capital Strategy, Treasury Management Strategy, a Non-Treasury Strategy (this will cover capital loans and investment properties), an MRP Policy, and a Flexible

Capital Receipts Policy was presented to the Audit Committee on the 2 February 2023 and will be considered by full Council in February 2023.

17. The Capital Programme

17.1 The capital programmes of all Somerset Authorities have now been summarised as at quarter two. The assumption is that for budgeting purposes the profiling of spend is accurate and therefore only profiled spend from 2023/24 will be included in the new Authority's programme. This will mean that the authority will need to review capital spend for 2022/23 once the outturn position is known and revise the programme for 2023/24 for projects that have slippage into 2023/24. Therefore, the inherited capital programme for Somerset is summarised as follows:

Table 11 – Capital Programmes of all Somerset authorities as at Quarter 2 for 2023/24 to 2025/26

Authority	2023/24 £'m	2024/25 £'m	2025/26 £'m	Total All Years £'m
Somerset County Council	65.484	19.796	6.279	91.559
Mendip District Council	12.798	6.609	2.970	22.377
Sedgemoor District Council	42.400	0.700	0.700	43.800
Somerset West and Taunton Council	37.190	5.451	0.594	43.235
South Somerset District Council	38.250	16.033	1.022	55.305
Total	196.122	48.589	11.565	256.276

Table 12- Q2 Capital Programme by Somerset Council Directorates 2023/24 to 2025/26

Directorate	2023/24 £' m	2024/25 £' m	2025/26 £' m	Total All Years £' m
Children's Services	26.405	11.861	6.373	44.639
Adults Services	2.235	0.337	0.275	2.847
Community Services	22.345	14.118	2.514	38.977
Climate and Place	133.815	16.903	1.987	152.705
Resources and Corporate Services	11.322	5.370	0.416	17.108

Total Programme	196.122	48.589	11.565	256.276
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17.2 The overall funding for the Capital Programme is as follows:

Table 13 – Funding for the Combined Capital Programme as at Q2 2023/24 to 2025/26

	Total £m
Financed By:	
Grants	146.939
Capital Receipts	12.190
Reserves	0.345
S106 or CiL Contributions	19.612
Borrowing	77.190
Total	256.276

17.3 A review of the overall programme has been carried out and £7m in expected underspends for Somerset County Council were removed as part of budget monitoring.

17.4 The following schemes have been paused (this means that the funding for those schemes has been pushed back into 2024/25 for further review in 2023/24):

- Walton and Ashcott Bypass
- Bridgwater Library improvements
- Wincanton Town Centre improvements
- Yeovil Crematorium Chapel upgrade
- Homes for Children with Disabilities Phase 2

17.5 Borrowing

The opening borrowing position (CFR) for the General Fund for the new Council is estimated to be £945.2m next year rising to just over £1,000m by the end of 2023/24 for the legacy programme and the new approved bids. The overall estimate for interest payments from the General fund is £32.1m.

Third Party Contributions

Only Third-Party contributions received or formally agreed are used to fund the programme. As expected, contributions are received in the future this will release the need for that level of borrowing.

Capital Receipts

The authority has some flexibility in the use of capital receipts and an Efficiency Strategy (now the Capital Receipts Flexibility Strategy) was approved as part of the 2022/23 budget pending clarity around the criteria from Central Government. This has now been received

and the criteria outlines that detailed information around projects must be agreed by full Council, DLUHC must also be informed before the use is acted upon, and enhanced redundancy payments cannot be included (statutory payments and pension strain are still permitted). It is key that all means of financing remain as flexible as possible to support the new authority's long-term viability and sustainability. Therefore, it is recommended that the remaining budget for Local Government Reorganisation of £11.9m in 2022/23 and an estimated £4.0m for 2023/24 will use this flexibility and will enable the reserves earmarked for this to be used for other means to support the new Council. The Audit Committee reviewed the strategy attached at **Appendix 9** at their meeting on the 2 February and the Executive is requested to approve this for consideration at full Council on the 22 February 2023. replaced by borrowing.

Where capital receipts are utilised, they will be applied to assets that have a shorter life. This will support the revenue budget by minimising annual MRP payments where this is spread over the life of assets funded by borrowing.

The Council must review its Investment Properties portfolio before deciding to borrow. Any disposals would create a capital receipt.

Revenue

Legacy Revenue Contributions to Capital Outlay (RCCO) of £0.711m have now been removed and replaced by borrowing to preserve levels of reserves for the new Council.

CIL (Community Infrastructure Levy)/S106

The contributions from planning developments through CIL and S106 is expected to be £19.612m for the legacy programme and £0.029m for new schemes.

18. Capital Programme - New bids

The Medium-Term Financial Strategy approved in July 2022 agreed the criteria for funding of new Capital schemes for 2023/24 as follows:

- Schemes that are Fully Externally Funded.
- Save to invest schemes which either make savings or income returns higher than borrowing costs:
- Where there is a legal requirement such as Health and Safety Needs or Operational Need

Table 14 – New Capital Schemes by Criteria

	2023/24	2024/25	2025/26	Total All Years
Criteria	£' m	£' m	£' m	£' m
Fully Externally Funded	38.455	1.967	1.967	42.389
Health and Safety/Legal Requirement	14.809	7.996	0.187	22.992

Operational Need	9.266	0.820	0.500	10.586
Total	62.530	10.783	2.654	75.967

Funding between borrowing and external funding for the new schemes is outlined below:

Table 15 – Funding of New Capital Schemes

Criteria	External Sources Grants/CIL/ Third Party Contributions £' m	Borrowing £' m	Total Funding £' m
Fully Externally Funded	42.389		42.389
Health and Safety/Legal Requirement	3.700	19.292	22.992
Operational Need		10.586	10.586
Total	46.089	29.878	75.967

New schemes are outlined in **Appendix 10** and the overall programme totalling £332.243m is included in **Appendix 11**.

18.1 Minimum Revenue Provision (MRP)

Full Council must approve the policy for MRP each year with the Audit Committee providing an overview. Given that Somerset Council will be a new Council the policies of all five authorities have been reviewed along with the likely statutory changes that will be required in 2024/25. The MRP Policy in effect sets out how a local authority will repay its borrowing from funding its capital programme. The Policy for 2023/24 has been based on a blend of approaches from both the District and County authorities. The Director of Finance and Governance may wish to review this in 2023/24 and simplify once the outturn positions of all capital programmes are known and the starting Capital Financing Requirement (CFR) for Somerset Council is known. Audit Committee reviewed the Provision attached at **Appendix 13** at their meeting on the 2 February and the Executive is recommended to approve it to Council on the 22 February 2023.

18.2 Treasury Management Strategy

The Treasury Management Strategy is included within this agenda to consider and recommend to Full Council on the 22 February 2023. The Audit Committee considered the strategy at their meeting on the 2 February 2023. The Treasury Management Strategy outlines how the Council will manage its cash flows, borrowing and treasury investments, and the associated risks. The Council has significant debt and treasury investment portfolios and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Council's prudent financial management.

18.3 Non-Treasury Management Strategy

The Non-Treasury Management Strategy Attached at **Appendix 12** outlines how the authority will manage its Investment Properties and Service loans. Local authorities can no longer invest in properties purely for financial yield. However, authorities are not expected to divest of properties for yield that they hold but they must review these before borrowing to finance capital expenditure. The strategy was reviewed by Audit Committee on the 2 February and the Executive is requested to recommend it to Full Council

19.MTFP Forecast for Future Years

19.1 In assisting with building a long-term financial strategy, estimates for future years have been forecast. These will need to be reviewed but this will assist with building a longer-term plan for the ongoing sustainability of Somerset Council. The table below shows the budget for 2023/24 plus two further years for financial planning purposes.

Table 16 – Indicative Budgets for Future Years

Directorate	Combined Budget 2022/23 £'m	Proposed Budget 2023/24 £'m	Indicative Budget 2024/25 £'m	Indicative Budget 2025/26 £'m
Adult Services	159.684	186.634	222.154	260.195
Children's Services	105.033	123.067	129.377	134.163
Communities Services	36.820	35.223	34.558	34.531
Climate and Place	83.082	87.104	92.384	94.660
Strategy Workforce and Localities	23.607	20.159	19.859	19.859
Resources & Corporate Services	18.920	20.474	21.882	23.234
Public Health	1.336	1.236	1.236	1.236
Local Government Reorganisation	9.404	0.123	(7.900)	(12.300)
Corporate Contingency	6.000	6.000	6.000	6.000
Accountable Bodies	4.692	3.688	3.639	3.658
Corporate Costs	47.140	66.054	81.587	96.831
Special Grants	(43.186)	(56.405)	(65.157)	(92.872)
Net Budget Requirement	452.532	493.357	539.618	569.197
Financing	452.532	493.357	498.056	523.682
Cumulative Gap	-	-	41.562	45.515
Annual Gap	-	-	41.562	3.953

- 19.2** It is clear from the MTFP forecast that 2024/25 will also be a very challenging financial year with the level of saving required being equivalent to a reduction in the net budget of 8%.
- 19.3** Given this position the 2024/25 budget process needs to start early and will be more of a rolling budget approach with any new savings being implemented as early as possible rather than the traditional approach of waiting for the February Budget Setting process.
- 19.4** The future years are less certain with Governments reforms for local government finance and social care funding due to take effect, but these have already been postponed on numerous occasions.

20. Reserves & Balances

- 20.1** The budget proposals include the planned use of Earmarked Reserves as detailed in the table below including £10m for budget smoothing.

Table 17 – Planned use of Reserves in 2023/24

Service	Brief Summary	Amount £m
Accountable Bodies	Use of CDS reserve	0.135
Highways and Transport Commissioning	Approved in 2022/23 - New Highways Contract Procurement (2223-28) to be funded from Budget Equalisation reserve	0.200
Highways	Approved in 2022/23 - Highway vegetation (2223-02) to be funded from Budget Equalisation Reserve	0.200
Highways	Approved in 2022/23 - Ash die back multi-year once-off service pressure funded from Budget Equalisation Reserve	0.250
Children's Commissioning	Approved in 2022/23 - Use of reserve Social Care Transformation reserve for Family Safeguarding	1.013
Adults/Childrens	Contribution from public health reserve for relevant activities within Childrens and Adults	1.700
Community Development	Initial funding for LCN's whilst other resources are identified and repurposed	0.300
Business Rates	Business rates deficit for the year. Out of which £4.912m relates to Covid Additional Relief Fund (CARF) which will be compensated for via Section 31 Grant	6.102
General	Use of reserves to allow for budget smoothing	10.000
Total		19.901

20.2 There is a legal requirement for the council to consider the overall level of reserves held as part of the budget setting process. There has been some work carried out based upon the information provided by the Section 151 Officers who have estimated that the overall level of reserves is likely to be just over £112.5m by 31 March 2025, after taking into account any under or overspending in the current year and future commitments.

Table 18 – Reserves Summary

	Reserves @ 31 March 2025 £m
General	47.460
Earmarked	65.125
Total	112.585

20.3 At this stage it is a prudent assumption that the level of General Reserves be maintained in the range between £30m to £50m. The estimated level of £47.460m is therefore at the higher end of this range but is appropriate given the financial risks facing the council and the potential for some of the savings proposals to be delayed.

20.4 The overall level of Earmarked Reserves are relatively low for a council of the size of Somerset and very careful management of them will be required. The individual reserves from each Council will need to be brought together and reviewed, including any previous commitments from the predecessor councils. This can be done once the Statement of Accounts for 2022/23, for the 5 councils have been produced and the updated position will be reported to the Executive during the year.

21. Housing Revenue Account

21.1 The draft HRA Business Plan (including the rent Charges Policy) was approved by the Executive in December 2022. The HRA rent setting report and Revenue and Capital budget will be considered by the Executive committee in February followed by full Council.

22.Risks

22.1 The table below sets out the main risks associated with the 2023/24 budget, who the risk owner is and how the risk will be managed.

Table 19 – Budget Risk

Risk	Rag Rating (R/A/G)	Risk Owner	Comments, Management and Mitigations
Overspend on budget	R	Corporate Leadership Team (CLT)	The current year's budget has been impacted by high levels of inflation, the longer-term impacts of Covid, demand pressures and employment market. The 2023/24 has been adjusted for this and the latest forecasts and includes a number of savings to produce a balanced budget. There remains a high risk of potential overspend given the impact of bringing 5 councils together and the current economic climate. Monitoring of the budget during year will be a key mitigation.
Social Care - Market Sustainability	R	Executive Director Adults	Close working with our health partners to mitigate the risk as a system to market failure. National lobbying through Association of Directors of Adult Social Care (ADASS) Local Government Association (LGA) and the Care Provider Association.
Levels of Borrowing are unsustainable	R	Corporate Leadership Team (CLT)	The analysis of the Capital Financing Requirement (CFR) has identified that level of borrowing is very high. The Financial strategy will be to avoid/ reduce the need for future borrowing. A review of the investment portfolio will be undertaken during the year.

Risk	Rag Rating (R/A/G)	Risk Owner	Comments, Management and Mitigations
Level of Reserves reduces to low levels	A	Executive Director of Resources & Corporate Services	The level of General Reserves are estimated to be £47.460m which is towards the top of the risk based range of £30m to £50m. Any overspend or non-delivery of savings will impact upon the level of reserves. There will be a full review of reserves once the 2022/23 statement of accounts have been produced.
Increase in interest rates	A	Executive Director of Resources & Corporate Services	The differential between interest earned and the costs of borrowing is approximately £0.45m per 1%. We will continue to monitor rates and adapt our strategy with advice from Arlingclose
Delivery of the LGR Business Case – Staff Savings of £3.9m in 2023/24 (£2.9m from Tiers 1 to 3 and £1m from the £9.4m of the staff reductions)	A	Corporate Leadership Team (CLT)	Appointment of Tier 2 has been completed and subject to formal approval. Tier 3 process scheduled for March. Will need to work at pace in 2023/24 to deliver. Delays will impact on reserves and contingency.
Savings in Adults - Review by Newton Europe – Saving of £5m in 2023/24 and a further £5m in 2024/25	A	Executive Director Adults	This is the estimate of savings expected. This will need to be reviewed and consulted upon once completed. The Council will need to find other savings to replace this if it is not achieved.
Savings in Childrens - £1m from diagnostic review	A	Executive Director Childrens Services	This the estimate of savings expected. This will need to be reviewed and consulted upon once completed. The Council will need to find other savings to replace this if it is not achieved.

Risk	Rag Rating (R/A/G)	Risk Owner	Comments, Management and Mitigations
National pay award will be higher than estimated	A	Executive Director of Resources & Corporate Services	The pay award for 2022/23 has now been agreed at a flat rate of £1,925. This has been built into budget proposals together with 5% increase for 2023/24. Robust establishment control and the corporate contingency should help to mitigate this risk.
Unitary preparations and Transitional Costs	A	Corporate Leadership Team (CLT)	Further controls have been recommended to manage costs during the transition period. Maximum flexibility is being retained to fund transitional costs and maintain the sustainability of the new authority.
Economic downturn impacts on income	A	Relevant Director	This will continue to be reviewed as part of budget monitoring
Unforeseen events outside Somerset Councils control	A	Relevant Director	Events such as extreme weather, increases in fuel and utility costs (currently a major issue) and changes in recycling material values are outside our direct control. These will need to be monitored and the MTFP updated as necessary.
Changes to Government Policy that affects future funding (Social Care)	G	Strategic Leadership Team	Further funding for social care was made in the Provisional Settlement but funding still remains lower than demand and inflationary pressures within the service. Fair Cost of funding has now been delayed until 2025 and with the funding being given to local authorities for current pressures it remains to be seen how this will be funded in the longer term

Risk	Rag Rating (R/A/G)	Risk Owner	Comments, Management and Mitigations
The Government announces further cuts in local government funding	G	Strategic Leadership Team	The Provisional Settlement has now been fed into the MTFP. It is unlikely that these will change when the final figures are released in February. Indication from the Policy Statement also outlined some principles for 2024/25. The bigger area of risk is around social care funding which is outlined below.

23. Chief Finance Officer (CFO) Report and Advice on the Robustness of the Budget and Adequacy of Reserves & Balances

Scope

23.1 Under the terms of Section 25 of the Local Government Act 2003 the s.151 Officer is required to report to the Council on two specific matters: -

- **the robustness of the estimates** included in the Budget, and
- **the adequacy of the reserves** for which the Budget provides.

23.2 Section 26 of the same Act places an onus on the Chief Finance Officer to ensure the Council has established a minimum level of reserves to be retained to cover any unforeseen demands that could not be reasonably defined within finalising the proposed budget.

23.3 This report has been prepared by the CFO (Section 151 Officer) to fulfil this duty and gives the required advice relating to the 2023/24 financial year and Medium-Term Financial Strategy. It includes consideration of the budget proposals as a whole and the financial risks facing the Council. It identifies the Council's approach to budget risk management.

23.4 The Council then has a statutory duty to have regard to this report from the Section 151 Officer when making its decision about the proposed Budget and Precept.

Context

23.5 This is the first budget for new Somerset Council and therefore brings together the budgets of the 5 predecessor authorities. Therefore, in making my assessment I have heavily relied upon the information provided by the Section 151 Officers in each of the Councils.

Robustness of the estimate

23.6 There is a high-level assessment of the Council's anticipated potential financial risks in 2023/24 and the subsequent period up to 2025/26 as far as that is possible, including:

- the realism of the Revenue Budget 2023/24 estimates for: -
 - price increases and general levels of inflation
 - fees / charges income
 - changes to specific grants and / or changes to their eligibility requirements
 - provision for demand and supply chain pressures within services
 - funding for LGR implementation costs
 - transitional costs – likely impacts of aggregation of services across the 5 councils
 - the financing costs arising from the Capital Programme
 - the impact of current and forecast interest rates on the expected returns from investment of cash balances
 - the probability of achieving the savings targets during the MTFS period
 - the likelihood of being able to deliver further necessary savings without dangerous levels of depletion of Reserves / Balances

- the realism of the Capital Programme estimates in light of: -
 - the potential for slippage and underspending of the Capital Programme
 - the risks of overspends due to inflation and / or contractor distress
 - the possible non-achievement of capital receipts targets and its implications for the funding of the Capital Plan

- financial management arrangements including: -
 - the history over recent years of financial management performance across the predecessor councils including delivery / non-delivery of savings programme
 - the impact of the budget savings required on service managers while establishing a combined service from five authorities
 - the impact of budget savings in finance and related functions, whilst at the same time retaining a capability to help support the necessary support for other services delivery of saving targets across the Council as a whole
 - the need to continue to be able to respond to Covid or other similar scenarios whilst retaining existing services and implementing new arrangements as part of the new unitary Somerset Council

- potential losses, including: -
 - claims against the Council
 - bad debts or failure to collect income
 - major emergencies or disasters
 - contingent or other potential future liabilities

- 23.7** It is inevitable that the first cut of a new Council Budget will be imperfect, and that better information will be ascertained once the new Council is in existence. Estimates used in the Budget for 2023/24 are therefore based on pragmatic assumptions, taking into account: -
- future pay and price increases across services
 - anticipated levels of both specific and general grants
 - the impact of the economic situation on future interest rates, the Council tax base, District Council Collection Fund surpluses and deficits, and the future levels of Business Rates collected in Somerset
 - policies and priorities as expressed in the Council Plan and associated Service Plans
 - best estimates of continuing funding streams for services
 - commitments in terms of demand for services and demographic changes
- 23.8** Budget monitoring will continue to be carried out on a regular basis and reported, alongside other key performance information, to Scrutiny and the Executive during the year. Given the newness of the Council it is to be expected that there may be more significant variations in the budget position so such budget monitoring will be of immense importance.

Adequacy of Reserves and Balances

- 23.9** The projected level of reserves and balances based upon the 5 predecessors councils' commitments and forecast outturn is that the total level of uncommitted reserves (General + Earmarked) is £112.6m as at the end of March 2025 which represents 22.8% of the 2023/24 net budget.
- 23.10** Somerset Council will inherit a good level of General Reserves at £47.5m which is 9.6% of the 2023/24 net budget. The range for level of General Reserves has been set as being between a minimum of £30m and a maximum of £50m.
- 23.11** The projected level of Earmarked Reserves at the end of March 2025 are forecast to be £65.1m after taking into account the 2022/23 forecast outturns, previous commitments and use in supporting the 2023/24 budget. This is at the lower end of the spectrum for a unitary council of its size and with the risks it faces.
- 23.12** The final reserves position will be known once the 2022/23 statement of accounts for the 5 councils have been finalised and a full review of the reserves will be undertaken following this.
- 23.13** A good level of Reserves and Balances will need to be maintained as it remains possible that further shocks will emerge alongside the existing financial challenges and the work towards implementing the new council and its savings programme.
- 23.14** The s151 officer is content that there are adequate levels of Reserves and Balances for the 2023/24 Budget and for the early stages of the MTFs beyond. However, this position may be significantly eroded should the Council not be able to deliver the

savings built into the 2023/24 budget proposals. The position will need to be reviewed constantly throughout 2023/24 and earlier corrective action may be required should any forecast indicate that Reserves and Balances could become near-exhausted before any sustainable financial plan is in place.

23.15 The government have confirmed that they have extended the dedicated schools grant (DSG) statutory override for a further 3 years up to 31 March 2026. DfE guidance states that "...DSG is a ring-fenced specific grant separate from the general funding of local authorities, and that any deficit an authority may have on its DSG account is expected to be carried forward to the next year's schools budget and does not require to be covered by the authority's general reserves." Therefore, I have not taken the size of this deficit into account for the purposes of this Section 25 report.

23.16 This means that the DSG deficits is separated from the wider reserves. The council is in the first phase of the Delivering Better Value in SEND interventions programme to develop plans to ensure the in-year position is balanced and then will enable progression into the Safety Value Programme which will enable a process for the removal of the historic deficit.

23.17 Reserves and Balances can only be used once. They are therefore best suited to bridging any financial deficit pending a recurrent savings plan or, even more desirable, for investing in one-off initiatives that deliver policy value and / or provide returns on investments e.g., savings.

Section 25 opinion of the Chief Finance Officer (Section 151 Officer)

23.18 While there are councils that have issues or are facing section 114 notices, that is not the case in Somerset at this stage. That is because the Council has sufficient Reserves and Balances for 2023/24. It cannot be ruled out that the Somerset Council may well find itself in a situation where it has not been possible to develop a comprehensive savings programme over the next 3 years that largely eliminates any in-year deficit. The Council, its Members and officers therefore should carefully consider this Section 25 opinion and guard against complacency and the risk of a section 114 notice in the foreseeable future.

Conclusions of the Section 151 Officer

23.19 Based on the risks and issues raised in this report, in my opinion as Section 151 Officer is that:

- a) the **budget proposals are robust** for the calculation of the budget within the confines of the many risks noted throughout this report
- b) the **proposed level of Council reserves are adequate** to support the budget for 2023/24 having regard to an assessment of current financial and other risks set out extensively in this report and assuming these risks do not increase

beyond those that can be contained by the Council. Particular attention is drawn to the following specific conditions and risks:

- (i) the recommended level of general balances is kept in the range of £30m to £50m and that for 2023/24 these are forecast to be £47.5m, which is at the higher end of range and reflects the higher level of risk with the 2023/24 being the first budget for Somerset Council and the current economic conditions.
- (ii) the budget includes £6m corporate contingency to reflect the considerable risks the Council is facing.
- (iii) the forecast level of Earmarked Reserves at the end of March 2025 is £65.1m which is at the lower end of the spectrum for a unitary council of this size.

Report Sign-Off

		Date completed
Legal Implications	Honor Clarke	01/02/2023
Governance	Scott Wooldridge	01/02/2023
Corporate Finance	Jason Vaughan	30/01/2023
Customers, Digital and Workforce	Chris Squire	31/01/2023
Property	Paula Hewitt / Oliver Woodhams	31/01/2023
Procurement	Claire Griffiths	01/02/2023
Senior Manager	Jason Vaughan	30/01/2023
Commissioning Development	Sunita Mills / Ryszard Rusinek	31/01/2023
Executive Member	Cllr Liz Leyshon - Deputy Leader of the Council and Lead Member on Finance and Human Resources	30/01/2023
<u>Sign-off Key Decision / Consulted on Non-Key Decision</u>		
Local Member	All	
Opposition Spokesperson	Opposition Spokesperson - Finance and Human Resources - Cllr Mandy Chilcott	Sent report 30/01/2023
Scrutiny Chair	Scrutiny for Policies and Place Committee - Cllr Gwil Wren	Sent report 30/01/2023

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Summary of Budgets by Service

Appendix 1

	Revised Combined Budget 2022/23 £m	Proposed Budget 2023/24 £m	Indicative Budget 2024/25 £m	Indicative Budget 2025/26 £m
Adult Services				
Commissioning	(46.461)	(62.078)	(69.632)	(72.582)
Adult Social Care	88.853	111.843	134.235	157.133
Mental Health	20.970	26.565	32.050	37.637
Learning Disabilities	66.546	79.772	89.672	99.638
Discovery	29.776	30.532	35.829	38.369
Adult Services Total	159.684	186.634	222.154	260.195
Children's Services				
Children and Families Operations	70.103	81.799	85.724	89.242
(Children's) Commissioning Central	10.417	10.515	9.877	10.055
Inclusion	22.600	29.022	32.046	33.135
Education, Partnerships & Skills	1.353	0.998	0.998	0.998
Lead Commissioner	0.560	0.733	0.733	0.733
Schools	0.000	0.000	0.000	0.000
Early Years	0.000	0.000	0.000	0.000
Children's Services Total	105.033	123.067	129.377	134.163
Communities Services				
Customers & Communities	7.740	7.459	7.459	7.459
Scientific Services	0.000	0.000	0.000	0.000
Registration	(0.168)	(0.228)	(0.228)	(0.228)
Library Service	3.849	3.796	3.796	3.796
Heritage Service	1.644	1.749	1.989	1.989
Building control	0.593	0.460	0.453	0.451
Environmental Health	4.307	4.209	4.197	4.185
Bereavement Services	(0.894)	(1.160)	(1.160)	(1.160)
Harbours	0.357	0.318	0.318	0.318
Ports	0.040	0.040	0.040	0.040
Street Cleansing	4.844	4.966	5.066	5.138
Housing Enabling	0.428	0.411	0.411	0.411
Housing Strategic	1.100	1.295	1.295	1.295
Homelessness	4.477	4.235	4.298	4.341
(wellbeing) Community Safety	0.560	0.452	0.422	0.422
CCTV	0.523	0.652	0.602	0.602
Lifeline	(0.376)	(0.475)	(0.594)	(0.722)
(wellbeing) Community Grants	1.106	1.025	1.025	1.025
Open Spaces	3.394	3.116	3.066	3.066
Leisure - Sports Centre	2.419	2.045	1.245	1.245
Museum/ Theatres	0.617	0.616	0.616	0.616
Visitor Centre	0.116	0.100	0.100	0.100
Tourism	0.143	0.143	0.143	0.143
Communities Services Total	36.820	35.223	34.558	34.531
Climate & Place				
Economy and Planning	2.362	2.249	2.277	2.305
Highways and Transport Commissioning	1.971	1.788	1.563	1.563
Community Infrastructure	0.615	0.615	0.615	0.615
Civil Contingencies	0.408	0.416	0.416	0.416
ECI Management	0.417	0.417	0.417	0.417
Business Support	1.255	1.255	1.255	1.255

	Revised Combined Budget 2022/23	Proposed Budget 2023/24	Indicative Budget 2024/25	Indicative Budget 2025/26
	£m	£m	£m	£m
Infrastructure Programmes Group	0.383	0.383	0.383	0.383
Highways	12.757	16.364	17.970	18.431
Traffic Management	1.201	0.955	1.454	1.484
Transporting Somerset	9.273	9.341	9.558	9.674
Car Parks	(6.055)	(7.324)	(7.324)	(7.324)
Somerset Waste Partnership	48.747	49.419	52.788	54.646
SCC Waste	(1.742)	0.014	0.014	0.014
Commissioning Development	0.075	0.075	0.075	0.075
Development control	2.094	1.514	1.514	1.314
Planning policy	2.775	3.473	3.473	3.473
Economic development	2.946	2.780	2.713	2.698
Drainage Board Levy	2.009	2.279	2.279	2.279
Climate Change Costs	1.301	0.797	0.649	0.649
Fleet Management	0.289	0.294	0.294	0.294
Climate & Place Total	83.082	87.104	92.384	94.660
Strategy, Workforce & Localities				
Communications	1.237	1.237	1.237	1.237
Transformation & Change	2.278	2.169	2.169	2.169
Human Resources & Organisational Development	5.226	5.062	5.062	5.062
Learning and Development	1.193	0.893	0.893	0.893
Democratic Services	7.428	4.591	4.591	4.591
Legal Services	5.344	5.623	5.623	5.623
Performance	0.390	0.390	0.390	0.390
Community development	1.110	0.790	0.490	0.490
Land Charges	(0.598)	(0.596)	(0.596)	(0.596)
Strategy, Workforce & Localities Total	23.607	20.159	19.859	19.859
Resources & Corporate Services				
ICT	15.984	17.770	17.686	17.726
Finance	7.755	7.441	7.341	7.341
Revenues	1.539	1.670	1.670	1.670
Housing Benefits	1.194	1.062	1.062	1.062
Commercial & Procurement	1.517	1.699	1.699	1.699
Property Services	10.325	11.925	13.216	14.029
Commercial Investment Properties	(19.394)	(21.094)	(20.794)	(20.294)
Resources & Corporate Services Total	18.920	20.474	21.882	23.234
Public Health				
Public Health	1.336	1.236	1.236	1.236
Public Health Total	1.336	1.236	1.236	1.236
Local Government Reorganisation				
Local Government Reorganisation	9.404	4.023	0.000	0.000
Local Government Reorganisation - Savings	0.000	(3.900)	(7.900)	(12.300)
Local Government Reorganisation Total	9.404	0.123	(7.900)	(12.300)
Service Total (Above the Line)	437.886	474.020	513.549	555.580

	Revised Combined Budget 2022/23 £m	Proposed Budget 2023/24 £m	Indicative Budget 2024/25 £m	Indicative Budget 2025/26 £m
Non Service Items				
Corporate Contingency				
Contingency	6.000	6.000	6.000	6.000
Corporate Contingency Total	6.000	6.000	6.000	6.000
Accountable Bodies				
Somerset Rivers Authority	2.941	3.013	3.028	3.043
Local Enterprise Partnership	0.910	0.000	0.000	0.000
Connecting Devon & Somerset (CDS)	0.841	0.674	0.611	0.615
Accountable Bodies Total	4.692	3.688	3.639	3.658
Corporate Areas				
CDC/NDC				
CDC/NDC - Corporate Management	5.077	4.488	4.488	4.488
Chief Executive	2.761	2.646	2.646	2.646
Contributions				
Environment Agency	0.746	0.761	0.776	0.776
Devon & Severn Inshore Fisheries Conservation	0.121	0.122	0.123	0.123
Corporate Costs				
Discontinued Services	2.982	2.916	2.922	2.922
Pensions Deficit	5.586	(1.294)	(0.794)	(0.294)
Subscriptions	0.115	0.115	0.115	0.115
Apprenticeship Levy / Reclaim	0.379	0.379	0.379	0.379
Resilience for Business As Usual	1.473	0.000	0.000	0.000
Financing Transactions				
Central Debt Charges:				
Debt Charges Principal	11.365	21.462	24.462	27.462
Debt Charges Interest	16.211	32.117	38.717	44.317
Investment Income	(3.616)	(13.000)	(13.000)	(13.000)
RCCO	3.934	0.000	0.000	0.000
Forecast Pay Award	0.000	15.337	20.748	26.891
Residual Magistrates Courts	0.005	0.005	0.005	0.005
Corporate Areas Total	47.140	66.054	81.587	96.831
Special Grants				
Devon & Severn Inshore Fisheries Conservation A	(0.134)	(0.134)	(0.134)	(0.134)
Extended Rights to Free Travel	(0.611)	(0.611)	(0.611)	(0.611)
New Homes Bonus	(6.328)	(3.813)	(3.813)	0.000
22/23 Services Grant	(6.098)	(3.198)	(3.198)	0.000
Market Sustainability and Fair Cost of Care Fund	(1.686)	(5.848)	(8.794)	0.000
Local Reform and Community Voices	(0.350)	(0.350)	(0.350)	(0.350)
Rural Services Delivery Grant	(3.204)	(3.205)	(3.205)	(3.205)
Social Care Support Grant	(24.591)	(39.246)	(45.052)	(88.572)
Other District Grant Income	(0.183)	0.000	0.000	0.000
Special Grants Total	(43.186)	(56.405)	(65.157)	(92.872)
Net Budget Requirement	452.532	493.357	539.619	569.197

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Summary of Transformation, Income, and Savings by Executive Directorate

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Ref	Directorate	Risk Assessment	Title	Brief Description	Director	2023/24 £m	2024/25 £m	2025/26 £m	Pending EIA
1	Non-Service	Low	Reduction in pension costs	Reduction in number of retirees for historic pension costs	Jason Vaughan	(0.102)	0.000	0.000	N/A
10		Low	Outcome of Pensions Actuarial Review	Reduced pension costs post actuarial review	Jason Vaughan	(7.000)	0.500	0.500	N/A
2		Low	Reduction in Senior Management Costs	Reduction in senior management costs as outlined in the LGR Business Case	Alyn Jones/ Jason Vaughan	(2.900)	0.000	0.000	Completed
3		Medium	Reduction in staffing costs	Reduction in staff costs as outlined in the LGR Business Case	Alyn Jones/ Jason Vaughan	(1.000)	(4.000)	(4.400)	Yes
	Non-Service Total					(11.002)	(3.500)	(3.900)	
4	Resources	High	Systems consolidation through contracts and licence rationalisation	ICT consolidation in systems, contracts and licences as outlined in the LGR business case	Jason Vaughan	(0.248)	0.000	0.000	Yes when individual decisions are made
5		Low	Property - Rental Income	Additional rental income from council owned premises	Jason Vaughan	(0.502)	(0.003)	0.000	N/A
6		Low	Rationalisation of contracts for mobiles, apps, decommissioning equipment, software, and other contracts	ICT consolidation including mobile phones, applications, licences and other equipment including decommissioning from low risk contracts	Jason Vaughan	(0.595)	(0.081)	0.000	Yes when individual decisions are made
7		Low	LGR savings in Internal Audit	Revised Contract cost for Internal Audit as a consequence of LGR	Jason Vaughan	(0.140)	(0.100)	0.000	N/A
8		Low	Review of Telephone line usage	Audit of requirement and reduction of PSTN lines (lifts, alarms etc.)	Jason Vaughan	(0.050)	0.000	0.000	N/A
9		Low	Various Supplies and Services	Reduction in Printing and Stationery, Car Allowances, Comms and Computing costs budget	Jason Vaughan	(0.006)	0.000	0.000	N/A
11		Low	Dividends from Companies	Income from dividends from Council owned companies	Jason Vaughan	(1.700)	0.300	0.500	N/A
12		Low	Reduction in insurance premiums from having one contract	Savings in Insurance from having one contract	Jason Vaughan	(0.400)	0.000	0.000	N/A
13		Low	Reduction in contract costs for Treasury Management Advice	Savings in Treasury Management advice from having one contract	Jason Vaughan	(0.025)	0.000	0.000	N/A
14		Low	Housing Benefit Admin Grant	Increase in Administration Grant of 2%	Jason Vaughan	(0.028)	0.000	0.000	N/A

Summary of Transformation, Income, and Savings by Executive Directorate

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Ref	Directorate	Risk Assessment	Title	Brief Description	Director	2023/24 £m	2024/25 £m	2025/26 £m	Pending EIA
15		Low	Council Tax Support Admin Grant	Increase in Administration Grant of 2%	Jason Vaughan	(0.028)	0.000	0.000	N/A
16		Low	Subscriptions	Saving resultant from joining services up - we only need to pay for 1 set of subscriptions & not 4	Jason Vaughan	(0.005)	0.000	0.000	N/A
17		Low	Rental Costs	Budget previously used to fund outreach surgeries in SSDC - no longer required.	Jason Vaughan	(0.005)	0.000	0.000	N/A
18		Low	NNDR Admin Grant	Increase to NNDR Admin grant as is usual each year	Jason Vaughan	(0.016)	0.000	0.000	N/A
19		Low	Discretionary Council Tax Support	This budget is no longer required as now one central provision for support built into the scheme agreed	Jason Vaughan	(0.050)	0.000	0.000	N/A
20		Low	Reduction in Running Costs at Park and Ride Sites	Reduction in running costs following a business rates review.	Jason Vaughan	(0.067)	0.000	0.000	N/A
21		Medium	Absorb SWT general fund maintenance formerly recharged from HRA	Operating model will separate General Fund and Housing Revenue Account (HRA) maintenance functions across the estate, current recharge from HRA to General Fund at Somerset West and Taunton District Council will cease.	Jason Vaughan	(0.332)	0.000	0.000	N/A
22		Medium	Consolidation and Optimisation of Maintenance and Facilities Management Services	Consolidation of maintenance and facilities management incl repairs and maintenance budgets	Jason Vaughan	(0.294)	(0.050)	0.000	N/A
23		Medium	Firewall consolidation	Consolidation of contract	Jason Vaughan	(0.019)	(0.003)	0.000	N/A
24		Medium/High	Property Rationalisation and Divestment	Savings in premises running costs from property rationalisation, disposal and asset transfer or divestment. These savings will be delivered through reviews of the Somerset Council property estate and asset devolution initiatives.	Jason Vaughan	(0.147)	(0.225)	(0.200)	Yes when individual decisions are made
	Resources Total					(4.658)	(0.162)	0.300	
25	Communities Services	High	Reduction in CCTV maintenance budget across the whole Somerset service at 20%	Reduction in CCTV maintenance budget across the whole Somerset service. At 20% this will equate to a reduction in roughly 46 cameras across Somerset from the current 225 total provision	Chris Hall	0.000	(0.050)	0.000	Yes
26		High	Supplies and Services	Various savings in marketing and promotions in Building Control	Chris Hall	(0.005)	0.000	0.000	Yes
27		High	South Somerset Heritage Collection	Reduction in operating costs for the South Somerset Heritage Collection	Chris Hall	(0.001)	0.000	0.000	Yes
28		Low	Supplies and Services	Various savings including printing and postages	Chris Hall	(0.031)	0.000	0.000	N/A
29		Low	Homefinder Somerset contract with Locata	The contract for the annual support costs to provide the front and back office systems to administer Homefinder Somerset will fall by 33% from the 1st of April 2023 following LGR.	Chris Hall	(0.016)	0.000	0.000	N/A
30		Low	Countryside - Increased Café and agri environment income	Income generation is already strong but could improve next year.	Chris Hall	(0.013)	0.000	0.000	N/A
31		Low	Cessation of SWT External Harbour Master Contract	Saving already implemented in September 2022.	Chris Hall	(0.018)	0.000	0.000	N/A
32		Low	Reduction in Watchet Harbour dredging activity	There is no minimum specification for the annual dredging undertaken by SWT and the budget holder advises that the annual dredging budget can be safely reduced by 20K and still enable adequate dredging to be undertaken.	Chris Hall	(0.020)	0.000	0.000	N/A

Summary of Transformation, Income, and Savings by Executive Directorate

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Ref	Directorate	Risk Assessment	Title	Brief Description	Director	2023/24 £m	2024/25 £m	2025/26 £m	Pending EIA
33		Low	Cessation of Pest Control Service in South Somerset District	South Somerset DC provide an in-house pest control service serving primarily domestic customers, but with some commercial customers. This service is non-statutory and is no longer provided by the other 3 district councils.	Chris Hall	(0.046)	0.000	0.000	Yes
34		Low	Increased Berrow & Brean Beach Parking fees	An annual increase of 50 pence for car parking (this could potentially be increased at a faster rate subject to a future review)	Chris Hall	(0.010)	(0.012)	(0.012)	Yes
35		Low	Consolidate and increase Licensing Fees	Fees and charges consolidated as far as possible, but with some local variation to continue. Detailed justification created for all charges. Whilst many charges have increased, the overall income budget has not increased because original budgets were overstated.	Chris Hall	0.000	0.000	0.000	N/A
36		Low	Increased Environmental Health fees	Fees and charges increase has only been calculated for Year 1 including the amalgamation of charges from 4x Districts. A separate annual fee setting process will be required for future years.	Chris Hall	(0.042)	0.000	0.000	N/A
37		Low	Increase Harbour fees (SWT area)	Fees and charges increase has only been calculated for Year 1. A separate annual fee setting process will be required for future years.	Chris Hall	(0.001)	0.000	0.000	N/A
38		Low	Registration Services: Ceremony fees	Ceremony fees have not changed since 2019. The fee increase being considered would bring fees back in line with full cost recovery.	Chris Hall	(0.060)	0.000	0.000	Yes
39		Low	The provision of physical newspapers in libraries	Currently libraries provide a range of National Newspapers at 12 of the 19 core libraries and a local newspaper at every library (including the Community Library Partnerships – apart from 1 library where there is no local newsagent). This proposal would end the provision of physical national newspapers, whilst retaining local publications.	Chris Hall	(0.011)	0.000	0.000	Yes
40		Low	Online Information Resources	Somerset Libraries currently provides a small selection of online information resources, free to use with a library card. The proposal would reduce the range of online subscriptions.	Chris Hall	(0.012)	0.000	0.000	Yes
41		Low	Printing service	This option represents a full year contract efficiency saving as a new printing solution has been implemented.	Chris Hall	(0.013)	0.000	0.000	N/A
42		Low	Libraries outreach vehicle	An outreach vehicle is used to represent the service at a range of outreach events. The vehicle is ageing and likely to be more costly to maintain. There is also a lack of qualified drivers.	Chris Hall	(0.008)	0.000	0.000	N/A
43		Low	Community Library Partnerships (CLP) underspend	Removal of budget due to previous underspend	Chris Hall	(0.009)	0.000	0.000	N/A
44		Low	One-Off Use of Disabled Facilities Grant (DFG) to Fund Equipment	Increase the base income budget to account for 22/23 over recovery in income. This is a demand led service, however it anticipated that the income would remain at the revised level.	Chris Hall	(0.090)	0.000	0.000	N/A
45		Low	Bereavement Services - Increase in fees and charges	Fees and charges have been reviewed for year 1 2023/24 and an agreed inflation figure applied.	Chris Hall	(0.176)	0.000	0.000	N/A
46		Medium	SBCP Somerset Building Control Partnership Charges alignment	Fees to be aligned for the new authority. An economic downturn could also result in low numbers of applications meaning a fall in income.	Chris Hall	(0.050)	0.000	0.000	N/A
47		Medium	Payments to Contractors	Dependent on number of DS's small reduction allowed	Chris Hall	(0.001)	0.000	0.000	N/A

Summary of Transformation, Income, and Savings by Executive Directorate

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Ref	Directorate	Risk Assessment	Title	Brief Description	Director	2023/24 £m	2024/25 £m	2025/26 £m	Pending EIA
48		Medium	SSDC Yeovil Recreation Centre	Yeovil Recreation Centre has diversified its offer in 2021 including construction of a new community space. Booking income from this space can now be added to the budget . Rising energy costs prevent any further income opportunities.	Chris Hall	(0.003)	0.000	0.000	N/A
49		Medium	Tor Sports & Leisure (Fusion Lifestyle)Temporary Rent Savings	Temporary rent savings due to short closure of Tor Sports as part of its redevelopment as part of Glastonbury Town Deal. Requires negotiation with operator.	Chris Hall	(0.011)	0.000	0.000	N/A
50		Medium	Freedom Leisure Contract savings	End of annual payments to Freedom Leisure in South Somerset who run 4 x leisure facilities. Budget of 669K per annum was built into SSDC MTFP, from 2023/4 not required as per contract with operator.	Chris Hall	(0.669)	0.000	0.000	N/A
51		High	Contract rationalisation - IDV contract	Natural insource of ground care services at the end of contractual terms (MDC Nov 23, SWaT Feb 24)	Chris Hall	(0.100)	(0.100)	0.000	N/A
52		Medium	Somerset Lifeline - 3% increase on subscription fees for all current customers	Increase in service subscription fees by 3% in year 1. This is based upon 2021/22 customer numbers and has taken into consideration the average closed accounts per year.	Chris Hall	(0.032)	0.032	0.000	Yes
53		Medium/High	Possible IN and demolition notice applications fee revenue	Consultation ongoing with regard to Local Authority Building Control charging for Initial Notices and Demolition notices processing. Legislation unlikely to be in place prior to vesting day.	Chris Hall	(0.005)	0.000	0.000	N/A
54		Medium/High	Somerset Lifeline - Alignment of fees and charges for new customers from April 2023	Increase in fees and charges for new customers. This modelling is based purely on year 1 charges and has been modelled to reflect a move to a 100% move to digital services from 2025 and a 5% increase in customer base.	Chris Hall	(0.106)	(0.141)	(0.128)	Yes
55		Medium/High	Fee earning work from Access Audits, Fire Risk Assessments, Standard Assessment Procedures (SAP) and Air Testing, Simplified Building Energy Model (SBEM), Energy Performance Certificates, and LABC (Local Authority Building Control) Warranties Sound Tests	Possibility of alternative fee earning work. Setting up costs are high risk and medium risk when brand established. The ability to sustain growth and acquire additional business is paramount along with investing in training and development of staff to diversify resources into consultancy work.	Chris Hall	(0.001)	(0.007)	(0.002)	Yes
Communities Services Total						(1.560)	(0.278)	(0.142)	
59	Climate & Place	Low	Subscription to LRF (Local Resilience Forum)	Currently the Somerset Local Authorities together contribute £11,250 towards the LRF Secretariat costs. Reduction has been negotiated	Mickey Green	(0.006)	0.000	0.000	N/A
60		Low	RoW Fees and charges review	Application of annual pay award to hourly rates and review of flat rate fees	Mickey Green	(0.003)	0.000	0.000	N/A
61		Low	Rental Income	SCC rent spaces at Gateway Park & Ride to external organisations. The number of spaces rented have increased to a total of 350 allowing for additional income across the service	Mickey Green	(0.130)	0.000	0.000	N/A
62		Low	20 MPH maintenance budget	Maintenance Budget is not needed in 23/24 as 20MPH signs are still under warranty, will be required from 24-25	Mickey Green	(0.200)	0.200	0.000	N/A
63		Low	Full cost recovery for Street works permitting	Full cost recovery for Street works permitting to include the 'below the line' costs @ £20k per person	Mickey Green	(0.260)	0.260	0.000	N/A
64		Low	Recycle More	The new collection service (Recycle More) results in a saving when fully implemented.	Mickey Green	(3.076)	0.000	0.000	N/A

Summary of Transformation, Income, and Savings by Executive Directorate

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Ref	Directorate	Risk Assessment	Title	Brief Description	Director	2023/24 £m	2024/25 £m	2025/26 £m	Pending EIA
65		Low	Covid Measures	The current budget for covid measures implemented on the waste collection contract will not be needed in 23/24. half of the measures have already been removed in 22/23 (delivering an in-year saving)	Mickey Green	(0.612)	0.000	0.000	N/A
66		Low	Walpole Food gate fee	A gate fee reduction has been negotiated with the contractor.	Mickey Green	(0.020)	0.000	0.000	N/A
67		Low	Bulky waste charging	Bulky Waste increase of 10% CPI figure applied to fees and charges.	Mickey Green	(0.013)	0.000	0.000	Yes
68		Low	Capitalising Containers	Capitalising containers instead of putting them through as stock (revenue)	Mickey Green	(1.076)	0.000	0.000	N/A
69		Low	Bridges - Contract Inflation	We would propose managing the works contract inflation costs within the existing budget, by reducing the delivery of non-essential schemes.	Mickey Green	(0.062)	(0.036)	(0.016)	N/A
70		Low	Fund principal active travel officer from DfT capability fund	Fund this post from a Department for Transport active travel capability fund grant instead of from SCC revenue budget	Mickey Green	(0.051)	0.000	0.000	N/A
71		Low	Estate roads team fully funded from income	Fully fund the estate roads approval team from fees and charges paid by developers for this service.	Mickey Green	(0.029)	0.000	0.000	N/A
72		Low	Reduce budget for Transport Assessment Modelling advice	Reduce contract spend by reducing the amount of consultancy advice utilised (e.g. for traffic modelling advice) when responding to developer transport assessments associated with planning applications.	Mickey Green	(0.008)	0.000	0.000	N/A
73		Low	Increase in discretionary fee income	Income could be increased through a consistent approach towards discretionary fees/ charges that include: PPAs, pre-app advice, S106 etc. An LGR product aims to harmonise fees. This could be set at the highest level across each charging line to maximise fee income.	Mickey Green	(0.100)	0.000	0.000	Yes
74		Low	Acoustic Specialist	Removal of vacant Acoustic Specialist post at SCC, offset against retention of some budget for ad hoc consultancy	Mickey Green	(0.035)	0.000	0.000	N/A
75		Low	Advertising of planning applications	Investigate economies of scale through procurement but funnelling all advertising of planning applications through a single provider	Mickey Green	(0.005)	0.000	0.000	N/A
76		Low	Economic Development - non salary operational changes and efficiencies	Realisation of opportunities for cashable operational efficiencies and marketing/promotional spend savings via unitarisation (including ceasing Mendip business awards scheme)	Mickey Green	(0.015)	0.000	0.000	N/A
77		Low	Economic Development - fees and charges from Somerset Business Hub	Scaling up countywide the Mendip Hub business engagement model in the new Somerset Council will enable additional income from training and support services and introductions to the Trading Standards Primary Authority function	Mickey Green	(0.001)	(0.004)	0.000	N/A
78		Low	Energy savings from installing LED equipment	Energy savings are based on today's electricity rates and will be subject to change as the energy market fluctuates.	Mickey Green	(0.020)	0.000	0.000	N/A
79		Low	Increase in Traffic Management Fees	Increase TTRO (Temporary Traffic Regulation Order) Fees by 10% inflationary costs and introduce charging for TCPA (Town & Country Planning Act) closures	Mickey Green	(0.286)	0.000	0.000	N/A
80		Low	Increase in On-Street Car Parking Fees	Increase Fees by 10% inflationary costs and look at charging all year round	Mickey Green	(0.058)	0.000	0.000	Yes
81		Low	Increase in Off-Street Car Parking Fees	Increase Fees by 10% inflationary costs	Mickey Green	(0.400)	0.000	0.000	Yes
82		Medium	Charging £200 for TPCA closures in the new authority	Consistent approach to charging and cost recovery for events carried out under the TCPA (Town & County Planning Act). As more events move to closures under RTRA (Road Traffic Regulation Act) the income will decrease.	Mickey Green	(0.030)	0.005	0.010	N/A
83		Medium	Materials Income	The Council share risk on recycle revenue with SUEZ. Only 80% of income was budgeted for, with 20% to be held in an earmarked reserve. This will be covered from the general reserve and this saving reflects not requiring a specific reserve.	Mickey Green	(0.444)	0.000	0.000	N/A

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Ref	Directorate	Risk Assessment	Title	Brief Description	Director	2023/24 £m	2024/25 £m	2025/26 £m	Pending EIA
84		Medium	Garden Waste charging	Garden waste subscription increase of 10% CPI figure applied to fees and charges.	Mickey Green	(0.332)	0.000	0.000	Yes
85		Medium	Demographic Growth	Demographic growth in garden and bulky waste customers resulting in increased income - based on housing growth of 1%	Mickey Green	(0.038)	0.000	0.000	N/A
86		Medium	Increase in assumed fee income	The planning application fee is set nationally. The quantum of fee income is a product of economic activity over which the Council has little control. However, a review of assumed fee income over the past few years indicates that an increase in fees could be assumed, albeit this carries some risks.	Mickey Green	(0.100)	0.000	0.000	N/A
87		Medium	Neighbour Notifications	Reduction in printing and postage costs by taking a consistent approach not to send neighbour notifications	Mickey Green	(0.025)	0.000	0.000	Yes
88		Medium	Trading Standards - managed service levels and staffing reduction	Reduction/removal of discretionary trading standards activity and staffing levels equivalent to 1 FTE in Somerset, delivered by natural turnover and implementation of succession planning including apprenticeship posts in lieu of senior post to provide savings in the staffing budget.	Mickey Green	(0.050)	0.000	0.000	Yes
89		Medium	Trading Standards - reduced premises requirements at Chelston Depot	Reduction in the amount of premises utilisation by the joint Trading Standards service at the Chelston Depot enabling part of the space to be released for commercial letting (Trading Standards would need to retain a residual presence linked to metrology lab and storage needs)	Mickey Green	(0.003)	(0.003)	0.000	N/A
90		Medium	Economic Development - fees and charges	Growth in income from fees and charges linked to economic development. Means identified include adjusting income at Minehead WSR visitor car park fees to match nearby car parks and reflect increased usage and introduction of charges for events management and organisation	Mickey Green	(0.030)	0.000	0.000	N/A
91		Medium	Economic Development - integrated operating model for workspace	Generation of operating efficiencies and net income growth by aggregating the small business workspace of the five Councils under a single transformed operating model	Mickey Green	(0.020)	(0.060)	(0.015)	N/A
92		Medium	Additional Park and Ride income	Additional income from park and ride service	Mickey Green	(0.060)	(0.017)	0.026	N/A
93		Medium	Concessionary Fares	Reduction in Concessionary Fares Budget	Mickey Green	(0.100)	0.000	0.000	N/A
95		Medium/High	Reduction of Agency staff	Long term approach to recruitment and retention should enable less reliance on agency staff. Saving is broad brush based on considered potential.	Mickey Green	0.000	0.000	(0.200)	N/A
96		Medium/High	Modifications and Pubic Path Order Notices (PPO)	New regulations will not require newspaper adverts for modification and public path order notices	Mickey Green	(0.004)	0.000	0.000	Yes
Climate & Place Total						(7.700)	0.346	(0.195)	
97	Adults Service	Low	Community focused redesign of traditional service	New project to redesign service delivery using community partnerships - achievable within existing resources/activities	Mel Lock	(0.025)	0.000	0.000	Once report is produced
98		Low	Public Health Grant - Funding Services	Contribution from public health for relevant promotional activities	Mel Lock	0.000	0.000	(0.900)	N/A
99		Low	One-Off Use of Disabled Facilities Grant (DFG) to Fund Equipment	Consolidation of historical underspends of DFG in districts into one fund for aids and adaptations	Mel Lock	(3.500)	3.500	0.000	N/A
100		Medium	Newton Europe - estimated savings in Adult services	Newton Europe engaged in Quarter 3 2022/2023 for diagnostic work to identify process improvements and associated savings - recommendations expected in February 2023	Mel Lock	(5.000)	(5.000)	0.000	Once report is produced

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101		Low	BCF/ICB Once Off Funding	Once off Government funding via Better Care Fund in collaboration with NHS partners.	Mel Lock	(2.000)	2.000	0.000	N/A
	Adults Service Total					(10.525)	0.500	(0.900)	
102	Children's Services	Low	Public Health Grant - Funding Services	Contribution from public health for activities in 2025/2026 to support healthy lifestyles for children and young people aged 6 months to 25 years.	Claire Winter	0.000	0.000	(0.900)	N/A
103		Medium	Family Intervention Service - Invest to Save Proposal	Savings made by expanding the Family Intervention Service to provide care and support to children under 16 in unregistered placements. This would replace the current spot purchasing of external agency staff to undertake this role. The Family Intervention Service will provide better quality and lower cost care and support.	Claire Winter	(0.500)	0.000	0.000	N/A
104		Medium	Family Safeguarding	Savings made by reducing the need for children to come into the County's care as a result of the impact of the multi-disciplinary Family Safeguarding Team's work with families.	Claire Winter	(1.269)	0.000	0.000	N/A
105		High	Diagnostic Review of Children's Services	Estimated savings from a review by Impower. Impower's findings will need to be assessed once the review is completed.	Claire Winter	(1.000)	0.000	0.000	Once report is produced
106		Medium	Turnover Factor in Children's Services	Savings from salary payments between the time when a staff member leaves the organisation and a new member of staff starts their employment.	Claire Winter	(0.500)	0.000	0.000	N/A
107		Low	Early Help Fund	Savings of £200,000 which represent the amount for unallocated small grants for bespoke projects to support vulnerable children which were available to local groups from SCC via the Somerset Community Foundation. There has been a low take up from this fund by local groups.	Claire Winter	(0.200)	0.000	0.000	N/A
108		Medium	Homes to Inspire - Strategic Partnership	Savings made by moving children from unregistered and external residential placements to in-house residential homes, run through the strategic partnership with The Shaw Trust.	Claire Winter	(0.820)	(1.109)	(0.469)	Already reviewed previous years
109		Medium	Homes to Inspire - Strategic Partnership 16/17 Staying Close Pods	Savings made by moving young 16/17 year olds out of supported living in external semi-independent placements to in-house staying close pods run through the strategic partnership with The Shaw Trust.	Claire Winter	(0.337)	0.000	0.000	Already reviewed previous years
	Children's Services Total					(4.625)	(1.109)	(1.369)	
110	Public Health	Low	Communications Support within 'Stronger Communities'	Reduction in dedicated communications support for the Central Volunteer Team to promote volunteering in SCC services.	Trudi Grant	(0.010)	0.000	0.000	N/A
111			'Stronger Communities' Project Funding	Reduced funding for projects within Stronger Communities (Community Development, Volunteering, Armed Forces Covenant and VCSE Engagement/Support). Remaining SCC funding will enable Public Health to fulfil its agreements within Stronger Communities.	Trudi Grant	(0.018)	0.000	0.000	N/A
112		Medium	Somerset Integrated Domestic Abuse Service	Reduction in SCC's contribution for the 'Somerset Integrated Domestic Abuse Service' contract. A provider has won 3 of the 5 lots and is able to reduce establishment costs as a result.	Trudi Grant	(0.072)	0.000	0.000	N/A
	Public Health Total					(0.100)	0.000	0.000	

Summary of Transformation, Income, and Savings by Executive Directorate

Appendix 2

Ref	Directorate	Risk Assessment	Title	Brief Description	Director	2023/24 £m	2024/25 £m	2025/26 £m	Pending EIA
113	Strategy, Performance & Localities	Low	Reduction in Member Allowances	Reduction in Council Members from 320 to 110	Alyn Jones	(0.520)	0.000	0.000	N/A
114		Low	Reduction in other Member costs	Reduction in Council Members from 320 to 110	Alyn Jones	(0.044)	0.000	0.000	N/A
115		Low	Savings from duplication of district and county supplies	Reduction from printing and other supplies in district base budgets	Alyn Jones	(0.050)	0.000	0.000	N/A
	Strategy, Performance & Localities Total					(0.614)	0.000	0.000	
	Grand Total					(40.785)	(4.203)	(6.206)	



Transformation, Income, and Saving Proposal No 25

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

<u>Organisation prepared for</u>	Somerset County Council		
<u>Version</u>	<u>1</u>	<u>Date Completed</u>	<u>28-12-22</u>
<u>Description of what is being impact assessed</u>			
Decision to make a Reduction in CCTV maintenance budget across the whole Somerset service at 20%			
<u>Evidence</u>			
<p>What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics, Somerset Intelligence Partnership, Somerset’s Joint Strategic Needs Analysis (JSNA), Staff and/ or area profiles,, should be detailed here</p> <p>CCTV plays an important role in public reassurance and improving perceptions of safety and can play a role in the prevention and detection of crime. There are a total 235 cameras across Somerset.</p> <p>Royal College of Policing (2022) research suggests that CCTV is most effective in reducing crime when it is actively monitored. CCTV assists in creating a safer environment, which is a focus for the National and regional Violence Against Women and Girls</p>			

Strategy. However there is no specific evidence that proves a link between a reduction in VAWG offences and CCTV. [Physical environment interventions | College of Policing](#)

[Sedgemoor District Councils bi-annual fear of crime survey clearly demonstrates that the public feel safer with the presence of effective CCTV within the area. This survey was sent out to 5000 local residents and of the 3671 replies, 100% of residents stated that 'yes' they feel safer as opposed to 'no' they don't.](#)

The average cost of maintaining a camera is £1074. The result of reducing the maintenance budget will not necessarily equate to the loss of cameras or at least, not for some time. It would be something that happens over a period of years. What it will mean is a reduction in the quality of repairs and maintenance services supplied by the supplier (SEC). Cameras last for about 10-15 years with maintenance but over time, without the required level of maintenance, cameras will start to be beyond repair and be decommissioned.

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

This proposal to make a saving is a requirement of the LGR work and timeframe dictated the process which did not allow for consultation with stakeholders outside of the Family and Community Safety Service Alignment Sub workstream.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
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Age	<ul style="list-style-type: none"> • Younger people are less risk averse and lower perception of fear of crime but are more likely to be victims or perpetrators. • CCTV has a positive impact on fear of crime in communities. Reducing the budget for maintenance will inevitably lead to reduced CCTV cameras in Somerset. This could lead to increased fear of crime and less opportunity to tackle crime. 	⊗	□	□
Disability	<ul style="list-style-type: none"> • CCTV has a positive impact on fear of crime in communities. Reducing the budget for maintenance will inevitably lead to reduced CCTV cameras in Somerset. This could lead to increased fear of crime and less opportunity to tackle crime. 	□	⊗	□
Gender reassignment	<ul style="list-style-type: none"> • CCTV has a positive impact on fear of crime in communities. Reducing the budget for maintenance will inevitably lead to reduced CCTV cameras in Somerset. This could lead to increased fear of crime and less opportunity to tackle crime. • The inability to use CCTV as evidence of a crime could have a detrimental impact of pursuing justice, especially for incidents of hate crime, or ASB for example 	□	⊗	□
Marriage and civil partnership	<ul style="list-style-type: none"> • No specific impact on this characteristic. However, CCTV has a positive impact on fear of crime in communities. Reducing the budget for maintenance will inevitably lead to reduced CCTV cameras in Somerset. This could lead to increased fear of crime and less opportunity to tackle crime. 	□	⊗	□
Pregnancy and maternity	<ul style="list-style-type: none"> • No specific impact on this characteristic. However, CCTV has a positive impact on fear of crime in communities. Reducing the budget for maintenance will inevitably lead to reduced CCTV 	□	⊗	□

	cameras in Somerset. This could lead to increased fear of crime and less opportunity to tackle crime.			
Race and ethnicity	<ul style="list-style-type: none"> • CCTV has a positive impact on fear of crime in communities. Reducing the budget for maintenance will inevitably lead to reduced CCTV cameras in Somerset. This could lead to increased fear of crime and less opportunity to tackle crime. • The inability to use CCTV as evidence of a crime could have a detrimental impact of pursuing justice, especially for incidents of hate crime, or ASB for example 	☒	☐	☐
Religion or belief	<ul style="list-style-type: none"> • CCTV has a positive impact on fear of crime in communities. Reducing the budget for maintenance will inevitably lead to reduced CCTV cameras in Somerset. This could lead to increased fear of crime and less opportunity to tackle crime. • The inability to use CCTV as evidence of a crime could have a detrimental impact of pursuing justice, especially for incidents of hate crime, or ASB for example 	☒	☐	☐
Sex	<ul style="list-style-type: none"> • Safe places for women and girls is key aspect of the VAWG strategy in trying to ensure that women and girls are able to access night time economy and be able to walk alone without fear., CCTV has a positive impact on fear of crime in communities. Reducing the budget for maintenance will inevitably lead to reduced CCTV cameras in Somerset. This could lead to increased fear of crime and less opportunity to tackle crime. 	☒	☐	☐

Sexual orientation	<ul style="list-style-type: none"> • CCTV has a positive impact on fear of crime in communities. Reducing the budget for maintenance will inevitably lead to reduced CCTV cameras in Somerset. This could lead to increased fear of crime and less opportunity to tackle crime. • The inability to use CCTV as evidence of a crime could have a detrimental impact of pursuing justice, especially for incidents of hate crime, or ASB for example 	☒	☒	☐
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> • CCTV has a positive impact on fear of crime in communities. Reducing the budget for maintenance will inevitably lead to reduced CCTV cameras in Somerset. This could lead to increased fear of crime and less opportunity to tackle crime. 	☐	☒	☐

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Consider roll out of the fear of crime survey to the whole of somerset	05/05/2023	Rob Semple	CS Team	☐
Utilise Deployable CCTV gained from SSF4	02/06/2023	Clare Stuart	Violence Reduction Unit	☐

If negative impacts remain, please provide an explanation below.

There will be negative impacts in the reduction of CCTV cameras. However as an average camera can last 10 to 15 years it is difficult to identify which camera, in which location will be lost and therefore any impacts will be seen in the long term, not short term and therefore when each camera is lost an impact assessment will be undertaken to determine the specific impacts of the area where the camera will be lost

Completed by:	Lucy Macready
Date	28-12-22
Signed off by:	Angela Farmer
Date	
Equality Lead/Manager sign off date:	20th January 2023
To be reviewed by: (officer name)	
Review date:	



Transformation, Income, and Saving Proposal No 26

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

Organisation prepared for	Building Control		
Version	1	Date Completed	28/12/2022
Description of what is being impact assessed			
NS-2324-TSIGP-82 and 83 Building Control Marketing (Outside 84 Act) and Seminars, marketing and promotion.			
Evidence			
What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics , Somerset Intelligence Partnership , Somerset's Joint Strategic Needs Analysis (JSNA) , Staff and/ or area profiles ,, should be detailed here			
SDC FinWeb SBCP financial details.			
Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?			
The marketing budget is set for each year. Building Control is in direct competition with the private sector and a loss of market share and reduction in fee income could be possible. An economic downturn could also result in low numbers of applications meaning a fall in income. The insufficient income would not cover expenditure on the fee earning account resulting in extra			

pressure on both the new authority to fund the deficit in the agreed proportions from the none fee earning contribution and Building Control needing to access funds from the ring-fenced surpluses already generated.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	•	□	⊗	□
Disability	•	□	⊗	□
Gender reassignment	•	□	⊗	□
Marriage and civil partnership	•	□	⊗	□

Pregnancy and maternity	<ul style="list-style-type: none">•	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race and ethnicity	<ul style="list-style-type: none">•	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<ul style="list-style-type: none">•	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<ul style="list-style-type: none">•	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<ul style="list-style-type: none">•	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none">•	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>

If negative impacts remain, please provide an explanation below.

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Completed by:	Paul Grummett
Date	28/12/22
Signed off by:	

Date	
Equality Lead/Manager sign off date:	20.01.2023
To be reviewed by: (officer name)	
Review date:	

Transformation, Income, and Saving Proposal No 27

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

<u>Organisation prepared for</u>	South Somerset District Council – South Somerset Heritage Collection		
<u>Version</u>	<u>1</u>	<u>Date Completed</u>	<u>06/01/2023</u>

Description of what is being impact assessed

Reduction of £1,150 to expenditure budget of South Somerset Heritage Collection. NS-2324-TSIGP-117

Suggest decrease in service budget lines as follows; £700 from consultant and professional fees, £100 from Subscriptions, £200 from Travelling allowances and £100 from Hospitality.

These particular budget nominals have been reviewed and can be reduced to cumulatively generate the £1,150 saving, with lowest service impact, from GM864. The budget nominals included do not impact volunteering, heritage outreach and engagement, interpretation and exhibitions and therefore have low to no impact on visitors, residents, or protected groups. By removing these budgets, you lose the resilience of the Heritage Service to unexpected occurrences and discoveries e.g. toxic substances in donations, actions to mitigate for this will include closer working with the South West Heritage Trust to support on professional heritage and curatorial advice, and greater use of grant funding to deliver project works and build in house knowledge.

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset's Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#), should be detailed here

The Heritage Collection strives to deliver a range of volunteering and outreach and engagement activities; sharing heritage and local stories with residents and visitors. The saving proposed here will not impact this work, as those budget lines are preserved, and staffing to deliver activities remains in place. Subsequently the impact of the reduction will not impact any protected groups.

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

Joseph Lewis, Heritage Coordinator and Clare Petherick, Leisure Operations Manager.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> None 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<ul style="list-style-type: none"> None 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Gender reassignment	<ul style="list-style-type: none">• None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage and civil partnership	<ul style="list-style-type: none">• None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<ul style="list-style-type: none">• None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race and ethnicity	<ul style="list-style-type: none">• None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<ul style="list-style-type: none">• None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<ul style="list-style-type: none">• None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<ul style="list-style-type: none">• None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> • None 	□	⊗	□
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Negative outcomes action plan
 Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
	Select date			□
	Select date			□
	Select date			□
	Select date			□
	Select date			□
	Select date			□
	Select date			□
	Select date			□

If negative impacts remain, please provide an explanation below.

Completed by:	Katy Menday, Leisure and Recreation Manager
Date	06/01/2023
Signed off by:	Angela Farmer
Date	
Equality Lead/Manager sign off date:	16TH January 2023
To be reviewed by: (officer name)	
Review date:	



Transformation, Income, and Saving Proposal No 33

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

<u>Organisation prepared for</u>	<u>Somerset County Council</u>		
<u>Version</u>	<u>V1</u>	<u>Date Completed</u>	<u>09/01/23</u>
<u>Description of what is being impact assessed</u>			
<u>The cessation of the pest control service which is currently available to residents in South Somerset</u>			
<u>Evidence</u>			
<p>What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics, Somerset Intelligence Partnership, Somerset’s Joint Strategic Needs Analysis (JSNA), Staff and/ or area profiles,, should be detailed here</p>			
<p>Pest control is a non-statutory, universal service available to all residents in South Somerset.</p> <p>Staff – An options appraisal has considered the approach to pest control and services available in other districts in Somerset. No other authority in Somerset provides a pest control service to the public. Anecdotal evidence received as part of the appraisal suggested that the impact of ceasing the service elsewhere has been negligible with no identified discernible impact on protected groups.</p>			

Fees and charges data regarding concessionary rates. In 2020, a detailed review of fees and charges was undertaken. The review considered the actual cost of delivering the service and a comparison of the fees of other commercial operators. The review resulted in a significant increase in the fees for pest control treatments. The impact on customers in receipt of benefits was considered and a concessionary rate was agreed. The review also identified that means tested, concessionary rates were not available from local or national commercial operators.

Service Data

User data tells us that as the number of households who use the service who qualify for the concessionary rate is only 13% (80 households) of customers, this equates to less than 1% of all households in the South Somerset area. Such a small number, therefore, tells us that households from Protected Characteristics that might experience a negative impact from ceasing the service would be such that the costs of mitigating these impacts could be considered disproportionate and unreasonable. For example 1% of residents aged over 65 and in receipt of Personal Independence Payment following an award by the DWP would equate to just 71 people (all people)

In 20/21, after operating with the new fee structure for one year, 13% of pest control business was delivered to customers eligible for the discounted rate. This equates to 80 out of a total of 616 visits.

Data regarding the reason/s for concession eligibility is not available. It has been assumed that age and disability are key factors in terms of receipt of benefits.

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

We have not consulted on specific protected groups as this is a universal service available to all.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

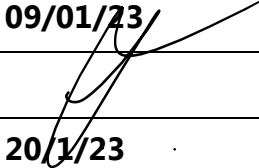

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> Assumption that customers are more likely to be eligible for benefits and therefore, also eligible for the concessionary fee. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<ul style="list-style-type: none"> Assumption that customers with a disability are more likely to be eligible for benefits and therefore, also eligible for the concessionary fee. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<ul style="list-style-type: none"> No impact 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage and civil partnership	<ul style="list-style-type: none"> No impact 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<ul style="list-style-type: none"> No impact 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race and ethnicity	<ul style="list-style-type: none"> No impact 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Religion or belief	<ul style="list-style-type: none"> No impact 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<ul style="list-style-type: none"> No impact 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<ul style="list-style-type: none"> No impact 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> Current, means tested discounted rate would no longer be available. Customers are more likely to be eligible for benefits and therefore the concessionary fee, if on a low income. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Continue to provide advice on preventative measures via website. Ensure that this is available on the new Somerset Council website.	01/04/2023	Tim Cook/Vicki Dawson		<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>

	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				
<p>Cessation of pest control service will have a negative impact as concessionary rate will no longer be available. Based on our evidence, this would only affect 13% (80 households) of customers. This equates to less than 1% of all households in the South Somerset area. The only way to mitigate this would be to continue to deliver the service. The option to continue the service is therefore considered to be unreasonable and disproportionate given the low numbers affected as demonstrated in the evidence section above.</p>				
Completed by:	Tim Cook & Vicki Dawson			
Date	09/01/23			
Signed off by:				
Date	20/1/23			
Equality Lead/Manager sign off date:	 Dave Crisfield 25th January 2023			
To be reviewed by: (officer name)				
Review date:				



Transformation, Income, and Saving Proposal No 34

Somerset Equality Impact Assessment

Organisation prepared for

Sedgemoor District Council

Version

V1

Date

January 2023

Description of what is being impact assessed

The increase of some of the daily rate of parking on the beaches at Brean and Berrow, coming into place in April 2023.

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics, Somerset's Joint Strategic Needs Analysis, should be detailed here

There is little data available on the number of car park users and who fall into the different protected characteristics and therefore difficult to establish the scale of the impact for different groups.

The charges haven't increased for some time, it might impact people on low incomes, but it's a 50p increase on a full day ticket – there are still other options for people to park near the beach for less, access onto the beach is free – the charge only comes in when you park on the beach.

There is still a different parking rate for disabled users. For blue badge holder – the daily rate hasn't changed but there has been an increase to the annual parking permit

It is recognised that the increase in charges will affect both residents and visitors and could deter visitors but there are alternative sites available away from the beach for people to use

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

Increase to our internal charging structure, this is not something we would not normally consult on. Once agreed the prices will be made public.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. Using the table below, detail what considerations and potential impacts against each of these using the evidence that you have collated and your own understanding. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> Maybe impact due to the cost-of-living increases, but with a 50p rise, it still makes it an affordable option for a day trip, although there are alternative options available elsewhere to park 	☐	☒	☐
Disability	<ul style="list-style-type: none"> Increase to the Annual disabled car pass (£5 over the whole year), but no increase for daily car rates for blue badge holders, meaning that this is a small impact for those the choose the annual disabled car pass but remains the same of day users with a blue badge 	☐	☒	☐
Gender reassignment	<ul style="list-style-type: none"> No impacts identified 	☐	☐	☐

Marriage and civil partnership	<ul style="list-style-type: none"> No impacts identified 	□	□	□
Pregnancy and maternity	<ul style="list-style-type: none"> No impacts identified 	□	□	□
Race and ethnicity	<ul style="list-style-type: none"> No impacts identified 	□	□	□
Religion or belief	<ul style="list-style-type: none"> No impacts identified 	□	□	□
Sex	<ul style="list-style-type: none"> The 50p increase could be seen to be out of line taking into consideration the cost of living increases being seen more widely. The costs for parking haven't increased for some time and there are alternative sites available for people to park to access the beach. 	□	⊗	□
Sexual orientation	<ul style="list-style-type: none"> No impacts identified 	□	□	□

<p>Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.</p>	<ul style="list-style-type: none"> • The 50p increase could be seen to be out of line taking into consideration the cost of living increases being seen more widely. The costs for parking haven't increased for some time and there are alternative sites available for people to park to access the beach • Carers of disabled people would have no impact if using on the day charge as there is no change. A small impact if using the annual pass 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	Action complete
			<input type="checkbox"/>
	Select date		<input type="checkbox"/>

If negative impacts remain, please provide an explanation below.

The beach by its very nature is a dangerous place, shifting sand and tides, and access to the beach remain issues for the council to consider as part of their responsibilities under Health and Safety Legislation.

The Equality Act 2010 recognises that there may well be times when there is a need to discriminate but in doing so there must be an objective justification.

The Equality Act says discrimination can be justified if the person who's discriminating against can show it's a proportionate means of achieving a legitimate aim. A legitimate aim is the reason behind the discrimination. This reason must not be discriminatory in itself and it must be a genuine or real reason. An example of legitimate aims is the health, safety and welfare of individuals.

<p>Completed by:</p>	<p>Sarah Dowden</p>
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Date	January 2023
Signed off by:	Angela Farmer
Date	16th January 2023
Review date:	

Transformation, Income, and Saving Proposal No 38

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer			
Version	1.0	Date	15 th December 2022
Description of what is being impact assessed			
Increase to customer fees and charges associated with ceremonies (predominantly marriage and civil partnership) and venue applications for a license to hold legal ceremonies.			
Evidence			
<p>What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the <u>Office of National Statistics</u>, <u>Somerset Intelligence Partnership</u>, <u>Somerset’s Joint Strategic Needs Analysis (JSNA)</u>, Staff and/ or <u>area profiles</u>,, should be detailed here</p> <p>The nature of the proposal means that it will impact anyone choosing a civil marriage or civil partnership in Somerset or North Somerset. Customers include residents of both counties as well as non-residents.</p>			
Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?			
<p>Consultation has not been undertaken. It is a statutory right for couples to be have the opportunity for their relationship to be legally recognised, and the use of the service is also a personal choice.</p> <p>The nature of the service means that some couples will want and/or can afford a more lavish celebration than others. It is the aim of the registration service to ensure the provision on offer meets the needs of all sectors of the community. As a result, simple ceremonies continue to be made available at the statutory fee of £57 in 6 locations across the large geographical area. These are in addition to the ceremony fee proposals listed above which meet the needs of couples on a range of budgets.</p>			

		Negative outcome	Neutral outcome	Positive outcome
Analysis of impact on protected groups				
The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.				
Age	People of all ages (over the legal age of consent) continue to be able to use this service.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	We recognise that some disable people are less likely to have as much disposable income due to the costs associated with their disability. This and the availability of accessible venues could put them at a disadvantage.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	Access to the service for people that have undergone or are undergoing gender reassignment is not impacted and continues to be available in line with marriage/civil partnership legislation.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage and civil partnership	Having considered this Protected character we do not foresee any disproportionate positive or negative impact on marriage and civil partnership.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Pregnancy and maternity	Having considered this Protected character we do not foresee any disproportionate positive or negative impact on pregnancy or maternity.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race and ethnicity	Having considered this Protected character we do not foresee any disproportionate positive or negative impact on race or ethnicity.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	The Registration service deliver ceremonies which by law are secular in nature. The service is open to couples of all faith groups as well as those with no religion or belief.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	Having considered this Protected character we do not foresee any disproportionate positive or negative impact on sex.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	Having considered this Protected character we do not foresee any disproportionate positive or negative impact on sexual orientation.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	The increase in charges could make it harder for people on low incomes to access the service in the way they would prefer. Small ceremonies remain available at the statutory fee of £57, and the service continues to offer a range of 'mid budget' options across the area. The service understands that some customers that have already booked their ceremony some time in advance may not have included the increase into their budget. In order to mitigate this, all customers have been told at the time of booking that fees can increase. All customers will be given a minimum of 3 months' notice of the new fee. In cases of significant hardship the service will discuss with couples on an individual basis and offer payment options.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Registration service to circulate and publish new fees asap.	31/01/2023	Gen Branch	n/a	<input type="checkbox"/>
Registration service to ensure customers have information on the full range of ceremony offers, including small ceremonies and accessible venues provided for the statutory fee.	ongoing	Gen Branch	Review of website and promotional literature.	<input type="checkbox"/>
In cases of significant hardship the service will discuss with couples on an individual basis and offer payment options.	ongoing	Gen Branch	On individual basis	<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>

If negative impacts remain, please provide an explanation below.

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Completed by:	Genevieve Branch
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Date	04/01/2023
Signed off by:	Sue Crowley
Date	04/01/23
Equality Lead/Manager sign off date:	4/1/23
To be reviewed by: (officer name)	
Review date:	

Transformation, Income, and Saving Proposal No 39

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

Organisation prepared for

Somerset County Council

Version

2

Date Completed

16/01/2023

Description of what is being impact assessed

The loss of physical newspapers (national) in libraries.

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset’s Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#), should be detailed here

Increased use of enewspapers over past 2 years (c5,000 ‘checkouts’ per month); and reduction in the number of physical visits to libraries. Financial data in relation to the costs of providing these resources (ie physical/electronically).

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

No public consultation – proposed change in response to the need for MTFP savings and reductions in service.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> National data shows that older generations are more likely to access physical newspapers. Removal of physical papers could negatively impact on this group. 	☒	☐	☐
Disability	<ul style="list-style-type: none"> Having considered disability we do not foresee any disproportionate positive or negative impact 	☐	☒	☐
Gender reassignment	<ul style="list-style-type: none"> Having considered gender reassignment we do not foresee any disproportionate positive or negative impact 	☐	☒	☐
Marriage and civil partnership	Having considered marriage & civil partnership we do not foresee any disproportionate positive or negative impact	☐	☒	☐
Pregnancy and maternity	Having considered pregnancy & maternity we do not foresee any disproportionate positive or negative impact	☐	☒	☐

Race and ethnicity	<ul style="list-style-type: none"> Having considered race & ethnicity we do not foresee any disproportionate positive or negative impact 	□	⊗	□
Religion or belief	Having considered religion or belief we do not foresee any disproportionate positive or negative impact	□	⊗	□
Sex	<ul style="list-style-type: none"> Having considered sex we do not foresee any disproportionate positive or negative impact 	□	⊗	□
Sexual orientation	<ul style="list-style-type: none"> Having considered sexual orientation we do not foresee any disproportionate positive or negative impact 	□	⊗	□
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> Having considered these Other characteristics we do not foresee any disproportionate positive or negative impact 	□	⊗	□
Negative outcomes action plan Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.				
Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Age related impacts. Tablets and free internet/wifi available at all Somerset libraries to enable supported online access	01/01/2023	Darren Smart	Usage data Compliments & Concerns	⊗

<p>via libraries staff & volunteers – both core libraries and Community Library Partnerships. 1000+ daily, weekly and monthly newspapers from over 100 countries (and in 60 languages), including 166 local, regional and national UK titles are available electronically.</p>				
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				
Completed by:	Sue Crowley/Darren Smart			
Date	16/01/2023			
Signed off by:				

Date	
Equality Lead/Manager sign off date:	20.01.2023
To be reviewed by: (officer name)	
Review date:	

Transformation, Income, and Saving Proposal No 40

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

<u>Organisation prepared for</u>	<u>Somerset County Council</u>		
<u>Version</u>	<u>2</u>	<u>Date Completed</u>	<u>16/01/2023</u>

Description of what is being impact assessed

Reduction of online information resources (details on these services is below)

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset’s Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#), should be detailed here

Data showing low usage of these resources and/or low impact (as equivalent information is freely available). Financial data in relation to the costs of providing these resources.

- The resources affected include:
- Driving Theory Pro (£1446)– 41 users have currently signed up for an account.
 - Go Citizen (£745) - 4 users have currently signed up for an account.
 - Oxford Online (£9367 per annum) – this includes 7 different applications. Usage varies widely from just 2 unique requests through to 4195 unique requests (ie unique users). The most well used applications include the Oxford English Dictionary, Oxford Dictionaries, and Oxford Dictionary of National Biography.
 - The same information is freely available via other online and physical resources.

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

No public consultation – proposed change in response to the need for MTFP savings and reductions in service.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> No adverse impact as the equivalent information is available from other (free) resources. Customers will be able to access this resource through their own device or through the Public Access Network in Libraries. 	□	⊗	□
Disability	<ul style="list-style-type: none"> No adverse impact as the equivalent information is available from other (free) resources. Customers will be able to access this resource through their own device or through the Public Access Network in Libraries. 	□	⊗	□
Gender reassignment	No adverse impact as the equivalent information is available from other (free) resources. Customers will be able to access this resource through their own device or through the Public Access Network in Libraries.	□	⊗	□
Marriage and civil partnership	No adverse impact as the equivalent information is available from other (free) resources. Customers will be able to access this resource through their own device or through the Public Access Network in Libraries.	□	⊗	□

Pregnancy and maternity	No adverse impact as the equivalent information is available from other (free) resources. Customers will be able to access this resource through their own device or through the Public Access Network in Libraries.	□	⊗	□
Race and ethnicity	<ul style="list-style-type: none"> No adverse impact as the equivalent information is available from other (free) resources. Customers will be able to access this resource through their own device or through the Public Access Network in Libraries. 	□	⊗	□
Religion or belief	No adverse impact as the equivalent information is available from other (free) resources. Customers will be able to access this resource through their own device or through the Public Access Network in Libraries.	□	⊗	□
Sex	No adverse impact as the equivalent information is available from other (free) resources. Customers will be able to access this resource through their own device or through the Public Access Network in Libraries.	□	⊗	□
Sexual orientation	No adverse impact as the equivalent information is available from other (free) resources. Customers will be able to access this resource through their own device or through the Public Access Network in Libraries.	□	⊗	□
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	No adverse impact as the equivalent information is available from other (free) resources. Customers will be able to access this resource through their own device or through the Public Access Network in Libraries.	□	⊗	□

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
				<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>

If negative impacts remain, please provide an explanation below.

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Completed by:	Sue Crowley/Darren Smart
Date	16/01/2023
Signed off by:	

Date	20.01.2023
Equality Lead/Manager sign off date:	
To be reviewed by: (officer name)	
Review date:	

Transformation, Income, and Saving Proposal No 52 and 54

Somerset Equality Impact Assessment

Before completing this EIA, please ensure you have read the EIA guidance notes – available from your Equality Officer

Organisation prepared for

Somerset Council – Somerset Lifeline

Version

1.0

Date Completed

10/08/2022

Description of what is being impact assessed

The Lifeline services that are currently provided in Sedgemoor, Somerset West and Taunton and South Somerset are being combined to create 'Somerset Lifeline' from April 2023.

This service provides vulnerable people with help in the event of emergencies and/or the need for support through the provision of an emergency alarm, monitored by a 24/7 contact centre and on-call emergency response officers.

This impact assessment is in relation to the decision to introduce one, unified set of fees and charges for customers. Charges in Sedgemoor and South Somerset were not increased last year, whilst customers in Somerset West and Taunton experienced a 5% increase. The fees and charges proposal is for a universal 3% increase. This has been kept lower for customers to ensure that the increased cost is more manageable.

As a minimum, the costs of the service must cover the costs of running Somerset Lifeline or the service would be subsidised by the Council. Under the current financial constraints, subsidising this service would not be sustainable

Evidence

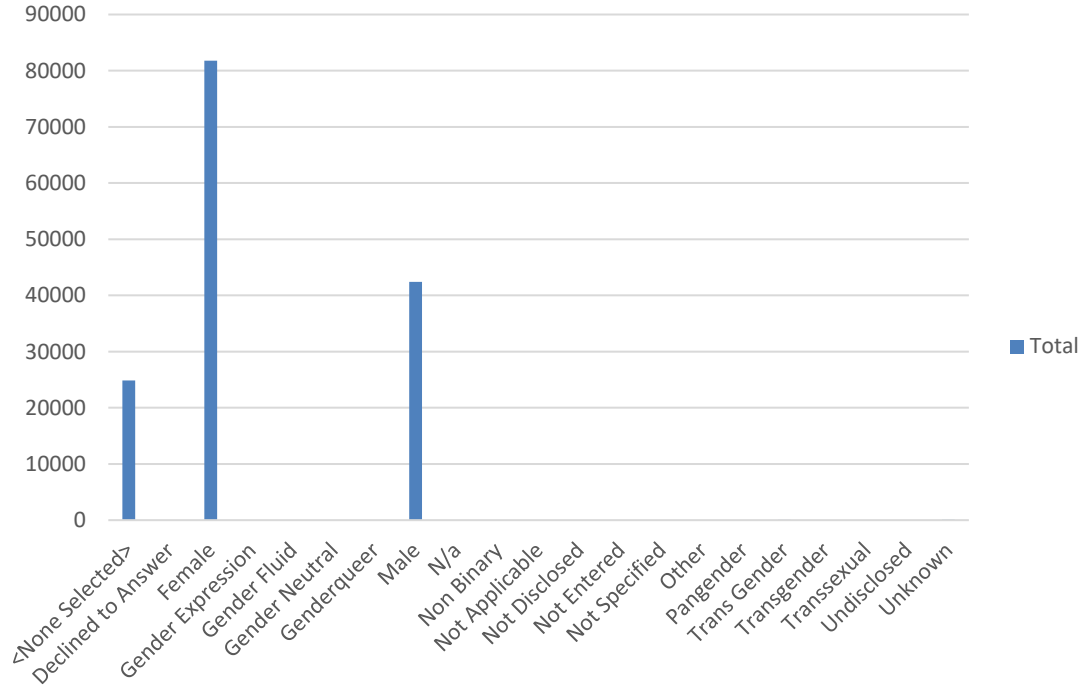
What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset's Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#), should be detailed here

1. Our current customers:

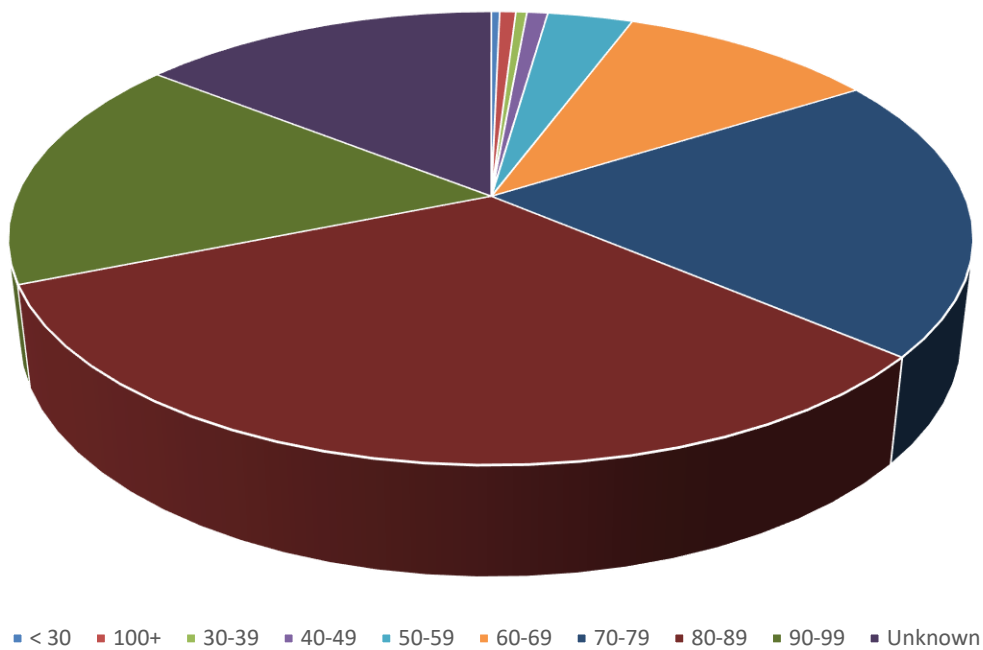
The data collated across each of the current local authority services identifies the following:

- Most customers are female, accounting for 65% of those where data is present.
- Transgender customers account for 0.02% of customers.
- 93.4% of customers are aged 60+
- 58.0% of customers are aged over 80
- 5.9% of customers are of working age.

Customers by Gender (all services)



Customers by Age (all services)



**Please note that this data includes customers of external organisations that contract to our services*

2. Broader demographics

Whilst making considerations regarding fees and charges, the following broader demographic has been considered:

Misc.	Total population	562,225	100.0%
	Live in rural area	269,868	48.0%

Ethnicity	White British	531,865	94.6%
	Black & Ethnic Minority	11,245	2.0%
	Polish	5,622	1.0%
	German	2,249	0.4%
	Irish	2,249	0.4%
	South African	2,249	0.4%
	Portuguese	965	0.2%

Location	South Somerset	168,350	29.9%
	West & Taunton	155,120	27.6%
	Sedgemoor	123,180	21.9%
	Mendip	115,590	20.6%

Sexual orientation	Heterosexual	535,238	95.2%
	Gay/Lesbian	5,060	0.9%
	Bisexual	6,184	1.1%
	Other	2,249	0.4%
	Don't Know	13,493	2.4%

Disability	Have long-term condition/disability	105,698	18.8%
	No disability	456,527	81.2%

Homelessness (Rough sleepers in 2017)	Mendip	19	0.0034%
	Sedgemoor	7	0.0012%
	South Somerset	4	0.0007%
	West & Taunton	27	0.0048%
	Total	57	0.0101%

Marriage/Civil partnership	Single	120,825	27.8%
	Married	224,255	51.5%
	Same-sex civil partnership	699	0.2%
	Separated	10,322	2.4%
	Divorced	44,329	10.2%
	Widowed	34,952	8.0%

Carers	Provide care (1 in 9)	50,712	9.0%
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Age range	Male	% Male	Female	% Female	Total	% Total
0	14,580	5.3%	13903	4.8%	28,483	5.1%
0-5	16,307	5.9%	15908	5.5%	32,215	5.7%
5-10	16,483	6.0%	15669	5.4%	32,152	5.7%
10-15	15,022	5.5%	14021	4.9%	29,043	5.2%
15-20	13,237	4.8%	11791	4.1%	25,028	4.5%
20-25	14,542	5.3%	14010	4.9%	28,552	5.1%
25-30	14,845	5.4%	15616	5.4%	30,461	5.4%
30-35	14,347	5.2%	15351	5.3%	29,698	5.3%
35-40	13,945	5.1%	15102	5.2%	29,047	5.2%
40-45	17,479	6.4%	18922	6.6%	36,401	6.5%
45-50	20,337	7.4%	21626	7.5%	41,963	7.5%
50-55	20,400	7.4%	21320	7.4%	41,720	7.4%
55-60	18,379	6.7%	19170	6.7%	37,549	6.7%
60-65	18,286	6.7%	19235	6.7%	37,521	6.7%
65-70	18,269	6.7%	19414	6.7%	37,683	6.7%
70-75	12,385	4.5%	14035	4.9%	26,420	4.7%
75-80	8,541	3.1%	10125	3.5%	18,666	3.3%
80-85	4,771	1.7%	7123	2.5%	11,894	2.1%
85-90	2,401	0.9%	5328	1.9%	7,729	1.4%
All	274556	100.0%	287669	100.0%	562225	100.0%

3. Comparison of charges with other local/similar providers:

Provider	Response	Price per week (Analogue)	Price per week (Digital)	Connection fee
Age UK		3.96	4.15	69.00

Aster		3.58		
Bournemouth & Poole	6.58	3.99	6.02	32.00
Bristol City Council Care line		3.50		15.00
Careline24		2.67		40.00
Carelink (North Somerset)		2.90		45.00
Dorset County Council		-	4.30	30.45
Lifeline 24		3.00		
Progress lifeline	7.15 or 7.84	4.38	5.07	
Saga		3.68		
Telecare24		2.31		
Yourlife Yourway	5.20	3.35		

4. Consideration has been given to the current cost of living crisis:

Any changes to customers fees and charges must take into consideration the impact on customers given the 'cost of living crisis' - the fall in 'real' disposable incomes (that is, adjusted for inflation and after taxes and benefits) that the UK has experienced since late 2021. It is being caused predominantly by high inflation outstripping wage and benefit increases and has been further exacerbated by recent tax increases.

- Without any new policy changes, the typical real household income is projected to fall by 5 per cent in 2022/2023 and a further 6 per cent in 2023/2024 equating to a £3,000 drop in income.
- Average real incomes are set to be 7% lower in 2024/2025 than in 2019/2020 (the worst parliament on record for growth, by a large margin), and incomes across the distribution are currently projected to be lower in 2026/2027 than in 2016/2017 and only marginally above where they were in 2006/2007.
- The number of people living in absolute poverty is currently projected to rise from 11 million in 2021/2022 to 14 million in 2023/2024 - a rise from 17 to 21 per cent, including 30 per cent of children.

It is expected that the cost-of-living crisis won't just be a problem this winter but will be for years to come. Energy bills may stay high in the long term, and so may prices. Higher prices across the board mean that higher benefits will be needed.

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

- Housing 3 – Private Sector and Universal Provision Sub Workstream (Service Alignment)
- Informal consultation with Senior Leadership

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	As the data shows, most customers of our technology enabled care services are older, with 58% being over the age of 80 and 93.4% over the age of 60. This reflects the traditional nature of service provision, having been developed to support sheltered housing schemes. An aim of the service is to increase subscriptions amongst younger vulnerable people through providing modern technology which breaks the stigma of pendant alarm provision.	□	⊗	□

Disability	Although data is not easily obtainable regarding the nature of disabilities experienced, most of our customers will be experiencing a form of disability.	☐	☒	☐
Gender reassignment	The data analysed does not indicate any negative impacts on this protected group.	☐	☐	☒
Marriage and civil partnership	The data analysed does not indicate any negative impacts on this protected group.	☐	☐	☒
Pregnancy and maternity	The data analysed does not indicate any negative impacts on this protected group.	☐	☐	☒
Race and ethnicity	The data analysed does not indicate any negative impacts on this protected group.	☐	☒	☐
Religion or belief	The data analysed does not indicate any negative impacts on this protected group.	☐	☒	☐

Sex	The data analysed does not indicate any negative impacts on this protected group.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	The data analysed does not indicate any negative impacts on this protected group.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Negative outcomes action plan				
Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.				
Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
<p>To assist with the increased charges to both new and existing customers, Somerset Lifeline have ensured that there is a consistent approach regarding VAT exclusion. This means that any customer that is classified as chronically sick or disabled will be exempt from paying VAT for their ongoing Lifeline subscription.</p> <p>A person is 'chronically sick or disabled' if they are a person with a:</p> <ul style="list-style-type: none"> physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out everyday activities condition which the medical profession treats as a chronic sickness, such as diabetes 	31/10/2022	Gareth Denslow and Richard Burge	There will be no need for ongoing monitoring.	<input checked="" type="checkbox"/>

A hardship policy will be developed to ensure that customers who are experiencing financial difficulties can receive a reduced subscription to assist them for an agreed period of time. This policy/procedure will also include how the service can assist customers to access support regarding finance and access to benefits that may assist them.	31/03/2022	Gareth Denslow and Richard Burge	Once implemented there will be no need for ongoing monitoring.	<input checked="" type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				
Completed by:	Gareth Denslow			
Date	9/11/2022			
Signed off by:				
Date	20.01.2023			
Equality Lead/Manager sign off date:				
To be reviewed by: (officer name)				
Review date:	31/03/2023			

Transformation, Income, and Saving Proposal No 55

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

Organisation prepared for

Building Control

Version

1

Date Completed

28/12/2022

Description of what is being impact assessed

NS-2324-TSIGP-76 Building Control Access audits

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset's Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#), should be detailed here

Approved Document M.

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

The access audits are carried out by a Building Control Surveyor. These are done for businesses to determine whether their existing premises complies with Approved Document M (Access to and Use of Buildings) of the Building Regulations at the time that the audit is done. A report is produced that only **recommends** where improvements can be made to premises. The report highlights either compliance and none compliance of the building. If the company decides to carry out works to improve access and use of a building, then a Building Regulation application would be required and positive outcomes may be achieved, if they choose not to carry out the works, then the building is no worse than before, which provides a neutral outcome.

Setting up costs are high risk and medium risk when brand established. The ability to sustain growth and acquire additional business is paramount along with investing in training and development of staff to diversify resources into consultancy work. We need to ensure staff are

well trained and able to compete with the services offered by the private sector in a competitive market. The market is regularly changing to offer alternative services to clients' which compliment building regulation work. Back filling of posts may be required to carry out statutory function works.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	•	□	⊗	□
Disability	•	□	⊗	□
Gender reassignment	•	□	⊗	□
Marriage and civil partnership	•	□	⊗	□

Pregnancy and maternity	<ul style="list-style-type: none">•	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race and ethnicity	<ul style="list-style-type: none">•	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<ul style="list-style-type: none">•	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<ul style="list-style-type: none">•	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<ul style="list-style-type: none">•	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none">•	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>

If negative impacts remain, please provide an explanation below.

Completed by:

Paul Grummett

Date

28/12/22

Signed off by:

Date	
Equality Lead/Manager sign off date:	20.01.2023
To be reviewed by: (officer name)	
Review date:	

Transformation, Income, and Saving Proposal No 67

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

<u>Organisation prepared for</u>	<u>Somerset Waste Partnership (SWP)</u>		
<u>Version</u>	<u>NS-2324-TSIGP-258</u>	<u>Date Completed</u>	<u>05/01/23</u>

Description of what is being impact assessed

Increase in charge for Bulky Waste Collection from £61.80 to £68.00 (10% Increase) per transaction (3 Items)

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset’s Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#), should be detailed here

The bulky waste collection service allows any Somerset Resident to arrange for collection of Bulky Household waste items from their property. There are around 2000 collections a year so the financial saving proposed based on a 10% inflationary increase is the correct forecast. We encourage reuse and signpost to it before people consider using bulky waste collection We have reviewed national services provided by the commercial market where prices tend to be higher than the charges we are applying. It should be noted that a free service is provided at HWRCs, though clearly this is only available for those that can access an HWRC. Many of the items we collect through the bulky waste service have the potential to be reused, and SWP signposts people to use these reuse services before booking a bulky waste collection. Such collections are organised by many charities and furniture reuse groups and through forums/websites such as Freegle – and most of these are free. Many electrical (and some other) items are covered by take-back schemes run by various organisations (where they have a responsibility to take back an item for free) and we promote these.

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

No consultations other than with Members have taken place. The price rise is linked to inflation and directly associated to contract costs, meaning that these paid for services are not subsidised by the general council tax payer (in line with the 'producer pays' principle used across much of the waste and resources sector).

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> Older and younger people might not have access to vehicles to take bulky waste to the recycling centre so may be at a disadvantage if they cannot use one of the other services (often free) that we signpost people to – including furniture reuse, freegle and other services. 	⊗	⊗	□
Disability	<ul style="list-style-type: none"> This group could be at an increased disadvantage as they are more likely to have less disposable income and more likely to be reliant on this method of disposal. Prior to booking the service we promote other services that encourage reuse of items (many of the items we collect on this service can be reused) and many of these routes are free – charity collections, furniture reuse groups, freegle. 	⊗	⊗	□

Gender reassignment	<ul style="list-style-type: none"> Having considered gender reassignment we do not foresee any disproportionate positive or negative impact. 	□	□	□
Marriage and civil partnership	<ul style="list-style-type: none"> Having considered marriage and civil partnership we do not foresee any disproportionate positive or negative impact. 	□	⊗	□
Pregnancy and maternity	<ul style="list-style-type: none"> Having considered pregnancy and maternity we do not foresee any disproportionate positive or negative impact. 	□	⊗	□
Race and ethnicity	<ul style="list-style-type: none"> Having considered race and ethnicity we do not foresee any disproportionate positive or negative impact. 	□	⊗	□
Religion or belief	<ul style="list-style-type: none"> Having considered religion and belief we do not foresee any disproportionate positive or negative impact. 	□	⊗	□
Sex	<ul style="list-style-type: none"> Having considered sex we do not foresee any disproportionate positive or negative impact. 	□	⊗	□
Sexual orientation	<ul style="list-style-type: none"> Having considered sexual orientation we do not foresee any disproportionate positive or negative impact. 	□	⊗	□

Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> Low Income, the inflationary rise may be a barrier to low income families utilising the service. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Negative outcomes action plan
 Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Monitor changes in take-up of the service and in fly-tipping so that we can consider whether further mitigations are needed	06/09/2023	Mike Cowdell	Data	<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>

If negative impacts remain, please provide an explanation below.

Completed by:	Mike Coddell
Date	06/01/2022
Signed off by:	Mickey Green
Date	06/01/2022
Equality Lead/Manager sign off date:	20.01.2023
To be reviewed by: (officer name)	
Review date:	

Transformation, Income, and Saving Proposal No 80

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

<u>Organisation prepared for</u>	<u>Somerset County Council</u>		
<u>Version</u>	<u>1</u>	<u>Date Completed</u>	<u>3rd January 2023</u>
<u>Description of what is being impact assessed</u>			
Increase in On Street Car Parking Fees across Somerset by 10% with minimum increase of 10p.			
<u>Evidence</u>			
What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics , Somerset Intelligence Partnership , Somerset’s Joint Strategic Needs Analysis (JSNA) , Staff and/ or area profiles ,, should be detailed here			
None			
Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?			
No, initial proposals only. Formal changes to the on street charges will go through formal statutory processes.			

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> None identified 	□	⊗	□
Disability	<ul style="list-style-type: none"> None. Identified, Disabled Blue badge holders can park for free in on street charging areas. 	□	⊗	□
Gender reassignment	<ul style="list-style-type: none"> None identified 	□	⊗	□
Marriage and civil partnership	<ul style="list-style-type: none"> None identified 	□	⊗	□
Pregnancy and maternity	<ul style="list-style-type: none"> None identified 	□	⊗	□

Race and ethnicity	<ul style="list-style-type: none"> None identified 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<ul style="list-style-type: none"> None identified 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<ul style="list-style-type: none"> None identified 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<ul style="list-style-type: none"> None identified 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> Low Income –Low income motorists who chose to park on street rather than in an off street car park in could see a small increase in the charge. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Negative outcomes action plan Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.				
Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
An alternative would be for those motorists affected to make use of the reduced bus fares which are likely to be a cheaper alternative to using a private car.	04/01/2023	Motorist	By monitoring the on street	<input type="checkbox"/>

			charge bay usage	
The increase in charges will be publicised in advance to give all motorists the opportunity to make adjustments if needed.	02/05/2023	Service Manager – Parking Services	Through consideration of any feedback received	<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				
Completed by:	Bev Norman			
Date	23rd Jan 23			
Signed off by:				

Date	
Equality Lead/Manager sign off date:	20.01.2023
To be reviewed by: (officer name)	
Review date:	

Transformation, Income, and Saving Proposal No 81

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

Organisation prepared for Somerset County Council

Version 1 Date Completed 3rd January 2023

Description of what is being impact assessed

Increase in Off Street Car Parking Fees across Somerset by 10% with minimum increase of 10p.

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset's Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#),, should be detailed here

None

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

No, initial proposals only and high level. Formal changes to the off street charges will go through formal statutory consultation processes.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> None identified 	□	⊗	□
Disability	<ul style="list-style-type: none"> None Identified. No changes are being made for Disabled Blue badge holder arrangements in car parks. 	□	⊗	□
Gender reassignment	<ul style="list-style-type: none"> None identified 	□	⊗	□
Marriage and civil partnership	<ul style="list-style-type: none"> None identified 	□	⊗	□
Pregnancy and maternity	<ul style="list-style-type: none"> None identified 	□	⊗	□

Race and ethnicity	<ul style="list-style-type: none"> None identified 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<ul style="list-style-type: none"> None identified 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<ul style="list-style-type: none"> None identified 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<ul style="list-style-type: none"> None identified 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> Low Income –Low income motorists who chose to park in off street car parks rather than on the street could see a small increase in the charge. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Negative outcomes action plan				
Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.				
Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
An alternative would be for those motorists affected to make use of the reduced bus fares which are likely to be a cheaper alternative to using a private car.	04/01/2023	Motorist	By monitoring the off street	<input type="checkbox"/>

			charge bay usage	
The increase in charges will be publicised in advance to give all motorists the opportunity to make adjustments if needed.	02/05/2023	Service Manager – Parking Services	Through consideration of any feedback received	<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				
Completed by:	Bev Norman			
Date	4th Jan 23			
Signed off by:				

Date	
Equality Lead/Manager sign off date:	20.01.2023
To be reviewed by: (officer name)	
Review date:	

Transformation, Income, and Saving Proposal No 84

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

<u>Organisation prepared for</u>	Somerset Waste Partnership (SWP)		
<u>Version</u>	NS-2324-TSIGP-257	<u>Date Completed</u>	05/01/23
<u>Description of what is being impact assessed</u>			
Increase of Garden Waste Collection Annual Subscription from £57.20 to £62.90 (10% Increase) per year (25 Collections)			
<u>Evidence</u>			
<p>What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics, Somerset Intelligence Partnership, Somerset's Joint Strategic Needs Analysis (JSNA), Staff and/ or area profiles, should be detailed here</p> <p>The garden waste collection service allows any household resident to annually subscribe to fortnightly collection of garden waste from their property. The scale of the service is significant with around 54,000 properties subscribing to the service annually. One of our core principles underpinning our charges is the 'producer pays' principle – meaning the person that produces the waste pays to deal with it.</p>			
<p>Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?</p> <p>No consultations other than with Members have taken place. The price rise is linked to inflation and directly associated to contract costs, meaning that these paid for services are not subsidised by the general council tax payer.</p>			

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> Having considered age we do not foresee any disproportionate positive or negative impact. 	☐	☒	☐
Disability	<ul style="list-style-type: none"> This group could be at an increased disadvantage as they are more likely to have less disposable income and more likely to be reliant on this method of disposal. 	☒	☒	☐
Gender reassignment	<ul style="list-style-type: none"> Having considered gender reassignment we do not foresee any disproportionate positive or negative impact. 	☐	☒	☐
Marriage and civil partnership	<ul style="list-style-type: none"> Having considered marriage and civil partnership we do not foresee any disproportionate positive or negative impact. 	☐	☒	☐
Pregnancy and maternity	<ul style="list-style-type: none"> Having considered pregnancy and maternity we do not foresee any disproportionate positive or negative impact. 	☐	☒	☐

Race and ethnicity	<ul style="list-style-type: none"> Having considered race and ethnicity we do not foresee any disproportionate positive or negative impact. 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<ul style="list-style-type: none"> Having considered religion and belief we do not foresee any disproportionate positive or negative impact. 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<ul style="list-style-type: none"> Having considered sex we do not foresee any disproportionate positive or negative impact. 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<ul style="list-style-type: none"> Having considered sexual orientation we do not foresee any disproportionate positive or negative impact. 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> Low Income, the inflationary rise may be a barrier to low income families utilising the service. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Negative outcomes action plan Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.				
Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Monitor take-up of service to identify if further mitigations are required in addition to free disposal at recycling sites and subsidised home composters.	06/09/2023	Mike Cowdell	Subscription data	<input type="checkbox"/>

	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				
Completed by:	Mike Coddell			
Date	06/01/2022			
Signed off by:	Mickey Green			
Date	06/01/2022			
Equality Lead/Manager sign off date:	20.01.2023			
To be reviewed by: (officer name)				
Review date:				

Transformation, Income, and Saving Proposal No 88

Somerset Equality Impact Assessment

NS-2324-TSIGP-173 - Trading Standards - managed service levels and staffing reduction

Organisation prepared for	SCC/Somerset Council		
Version	1.0	Date Completed	8 January 2023

Description of what is being impact assessed

Proposed revenue saving as part of the MTFP process for the new Somerset Council of £50,000 pa from 2023/24 in Somerset provision for costs of joint trading standards service with Devon, Plymouth and Torbay Councils (Heart of the South West trading standards joint service). This savings option involves implementing a managed reduction in staffing levels equivalent to 1 FTE in Somerset. It is envisaged that the savings option will be delivered by natural turnover of staff in the service and the implementation of succession planning, including an apprenticeship post in lieu of a senior post to provide savings in the staffing budget.

While the impact on service delivery will be managed and minimised it is envisaged that this will necessitate the reduction/removal of discretionary trading standards activity in Somerset and a lower level of service delivery compared to the other areas served by the partnership. This is likely to include reduced enforcement activity specifically in areas such as scams, age restricted sales and doorstep crime but also business advice and consumer education.

While trading standards is a universal service impact through protecting consumers and facilitating fair trading practices is of particular value and importance to lower income and vulnerable groups, including older people and people with disabilities. These impacts have been considered in respect of any impact on discretionary service delivery as a result of this savings proposal.

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset's Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#), should be detailed here

No published data sets have been used – conclusions drawn from service specific insight

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

Impact assessed jointly with lead officers from Heart of the South West Trading Standards service given specialist knowledge of service and its impacts on individuals.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<p>With the increase of complexities of scams, students and young people are at a higher risk of being scammed and the phenonium of secondary age school's children now vaping (and smoking Shisha) is a great cause for concern.</p> <p>Individuals in older age groups are typically more vulnerable to unfair trading practises, scams and rogue trading. Older individuals also typically have greater levels of concern about these potential incidences. The reduction in service capacity associated with this savings proposal is likely to mean that the level of preventative work and scope to engage in proactive responses with other Somerset services and agencies (eg anti scams work and multi agency campaigns and responses) is likely to reduce.</p>	⊗	□	□

Disability	Trading Standards services in particular support residents with disabilities and mental health needs, including intervening on their behalf but also undertaking talks for the deaf and blind and installing call blockers and camera doorbells to protect those who suffer from dementia. Trading Standards has also supported the farming community with mental health during and post Covid 19. The reduction in service capacity associated with this savings proposal, while not effecting individual casework, is likely to mean that the level of preventative work and scope to engage in proactive responses with other Somerset services and agencies in these instances may need to be reduced.	☒	☐	☐
Gender reassignment	None	☐	☒	☐
Marriage and civil partnership	None	☐	☒	☐
Pregnancy and maternity	None	☐	☒	☐
Race and ethnicity	Trading standards consumer protection services and work to promote a fair trading environment are relevant to supporting refugees who have settled in Somerset as a result of the refugee resettlement programme	☒	☐	☐

Religion or belief	None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	Individuals in lower age groups are typically more vulnerable to scams and rogue trading, with a small minority of unscrupulous traders looking to exploit their need for less expensive goods and services. This is particularly relevant in the context of the current cost of living crisis and for some low-income individuals this may compounded by other protected characteristics including older age and disability. The reduction in service capacity associated with this savings proposal is likely to mean that the level of preventative work and scope to engage in proactive responses with other Somerset services and agencies (eg response in general to scams and in particular to financial scams such as "loan sharking" plus multi agency campaigns and responses) is likely to reduce.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Ensure service activity within available resources targeted at benefitting individuals in most vulnerable groups and least advantaged local communities	Ongoing	Fakir Osman Paul Hickson	Quarterly performance monitoring of trading standards service delivery	<input type="checkbox"/>

If negative impacts remain, please provide an explanation below.

There will unavoidably be some negative impact associated with this change but the above action is designed to minimise and mitigate this.

Completed by:	Paul Hickson/Fakir Osman
Date	5 January 2023
Signed off by:	Paul Hickson
Date	5 January 2023
Equality Lead/Manager sign off date:	20.01.2023
To be reviewed by: (officer name)	
Review date:	

Transformation, Income, and Saving Proposal No 96

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

<u>Organisation prepared for</u>	<u>Somerset County Council</u>		
<u>Version</u>	<u>1</u>	<u>Date Completed</u>	<u>6/1/23</u>

Description of what is being impact assessed

The Council currently makes certain orders (modification and diversion) that make changes to the Definitive Map & Statement for public rights of way. Notice of these orders need to be advertised in a local newspaper in the area to which the order relates. New legislation will amend the relevant schedules to require the notice of such orders to be published on a website maintained by the authority.

Once there is no requirement to advertise in a local newspaper it is unlikely that the Council would continue to spend money to continue to advertise notice of orders in a local newspaper. This will have an impact on those that do not have access to the internet and would not receive a notices of such orders under other statutory provision. It should be noted that we are required to have copies of orders on deposit at Council Offices available for inspection and this will not change, and notices are also posted on site at either end of the route(s) in question. These aspects are not changing.

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset’s Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#),, should be detailed here

We do not collect evidence to understand how much of existing contact arises from notice of orders being published in newspapers, but it is considered to be negligible. The majority of people that respond to orders that are made, tend to be landowners and stakeholders that we are obliged to notice direct anyway or stakeholders/ individuals that have already submitted formal requests to be notified direct of any such orders.

ONS data for 2020 for over 16’s in Dorset & Somerset indicates that:

- 94.5% have used the internet in the last 3 months
- 1.8% used the internet over 3 months ago
- 3.5% have never used the internet

Whilst this data is not solely for Somerset it does indicate there is only a small percentage of the adult population that have never used the internet.

ONS data for 2020 indicates that 96% of UK households have internet access.

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

The change in notice advertising is not something of choice, it will flow from new legislation. In that regard it is not common for the Council to consult on the change, as there would have been opportunity for any consultation/campaigning in the lead up to the legislation being passed. The nuance of this legislative change is that it doesn't prevent us from continuing to advertise in local newspapers but it would be a voluntary cost to the Council as opposed to a compulsory cost, a cost that it is not proposed that it continues to bear.

When the regulations that effect the legislative change are published, briefings will be given to Councillors and to the Somerset Local Access Forum and this will be an opportunity for them to raise any concerns with the approach the Council intends to take and their views can be taken into account.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
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Age	<ul style="list-style-type: none"> Negative – the older age groups are those that in general terms use the internet less often or have no internet access, thus they may be reliant on local newspaper notices to know about changes to their local rights of way network. Positive – there is a general trend across all age groups of news consumption via non-print media, i.e.: television, internet and social media. Advertising online when we haven't previously will enable a reach to a wider audience. 	☒	☐	☒
Disability	<ul style="list-style-type: none"> Having considered Disability we do not foresee any disproportionate positive or negative impact 	☐	☒	☐
Gender reassignment	<ul style="list-style-type: none"> Having considered Gender Reassignment we do not foresee any disproportionate positive or negative impact 	☐	☒	☐
Marriage and civil partnership	<ul style="list-style-type: none"> Having considered Marriage and Civil Partnership we do not foresee any disproportionate positive or negative impact 	☐	☒	☐
Pregnancy and maternity	<ul style="list-style-type: none"> Having considered Pregnancy and Maternity we do not foresee any disproportionate positive or negative impact 	☐	☒	☐
Race and ethnicity	<ul style="list-style-type: none"> Having considered Race and Ethnicity we do not foresee any disproportionate positive or negative impact 	☐	☒	☐

Religion or belief	<ul style="list-style-type: none"> Having considered Religion or Belief we do not foresee any disproportionate positive or negative impact 	□	⊗	□
Sex	<ul style="list-style-type: none"> Having considered Sex we do not foresee any disproportionate positive or negative impact 	□	⊗	□
Sexual orientation	<ul style="list-style-type: none"> Having considered Sexual Orientation we do not foresee any disproportionate positive or negative impact 	□	⊗	□
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> Positive: local newspapers are not delivered to all residences and a percentage of such residences will have internet access, therefore the switch to online advertising will be beneficial for some in areas where they do not receive delivery of their free local newspaper. Negative: rural or deprived areas may not have/be able to afford any/ high quality internet access, making it difficult to access the notices. Libraries and Council offices would be alternatives to be able to access the information. 	⊗	□	⊗
Negative outcomes action plan				
Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.				
Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
A notice will be placed in relevant newspapers advising of the change in advertising of notices for certain orders and	TBC, but post	Pete Hobley	These actions will be added	□

advising of other methods of being kept up to date of orders that are made.	publication of regulations		to current Sharepoint location relevant to the legislative change and will form part of a wider action plan	
A briefing of Councillors, Local Access Forum and other stakeholders	TBC, but post publication of regulations	Pete Hobley	These actions will be added to current Sharepoint location relevant to the legislative change and will form part of a wider action plan	□
Ensure that the Council's website is amended to enable publication of notices and that they are easy to navigate to	TBC, but post publication of regulations	Pete Hobley	These actions will be added to current Sharepoint location relevant to the legislative change and will	□

			form part of a wider action plan	
Consider other means of online communication for raising awareness of notices to minimise the impact of no hard copy print advertising of the notice	TBC, but post publication of regulations Select date	Pete Hobley	These actions will be added to current Sharepoint location relevant to the legislative change and will form part of a wider action plan	<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				
It is not possible to eliminate all negative impacts. For those who do not access or do not have access to the internet the change will have a negative impact. However, we have no data to suggest that the change would result in a lesser response to the orders that we make. It is considered that the change would have the opposite effect and the reach of notices that orders have been made would be far wider than it is currently.				
Completed by:	Pete Hobley			
Date	6/1/23			
Signed off by:	Pete Hobley			
Date	6/1/23			

Equality Lead/Manager sign off date:	17.01.2023
To be reviewed by: (officer name)	Pete Hobley
Review date:	Once notified that regulations have been published

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Somerset Council

Fees & Charges

2023-2024

Somerset Council Fees & Charges (Appendix 4)		2023-24
Arts & Entertainment	Unit	Fee (£) (including VAT)

Octagon Theatre

Hire Charges (Commercial)

Get In / Rehearsal	4 hours	750.00
Get In / Rehearsal	8 hours	1,440.00
Get In / Rehearsal (Additional Hour: Standard)		228.00
Get In / Rehearsal (Additional Hour: After 2400)		252.00
Performance	Mon-Thu	1,860.00
Performance	Fri-Sun	2,040.00
2 Performances: (Same Day)		2,880.00
2 Performances: (Same Day)		3,000.00
Johnson Studio	Per hour	34.20
Brochure	Full page	780.00
Brochure	Half page	480.00
Brochure	Quarter page	300.00

Hire Charges (Not for Profit)

Get In / Rehearsal	4 hours	630.00
Get In / Rehearsal	8 hours	1,074.00
Get In / Rehearsal Additional Hr Standard		198.00
Get In / Rehearsal Additional Hr After 2400		270.00
Performance		1,320.00
2 Performances (Same Day)		2,220.00

Week long mid-week performance (subject to conditions)

Johnson Studio	Per hour	26.40
Johnson Studio	Per hour (booking 10 or more sessions)	21.60
Brochure	Full page	780.00
Brochure	Half page	480.00
Brochure	Quarter page	300.00

Technical and Other Charges

Ticket Printing	Per ticket	0.12
Follow Spots - per rehearsal / performance		115.20

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Arts & Entertainment	Unit	Fee (£) (including VAT)

Technical Equipment Available to Hire		
Sound		
Piano and tuning		210.00
Lapel/head/ hand held radio microphones and PCC (floor mics)	Per unit (daily)	36.00
Lapel/head/ hand held radio microphones and PCC (floor mics)	Per unit (weekly)	96.00
Westlands		
Hire Charges (Commercial)		
Get In / Rehearsal Additional Hr Standard		222.00
Get In / Rehearsal Additional Hr After 2400		252.00
Performance	Mon-Thu	1,716.00
Performance	Fri-Sun	1,824.00
2 Performances (Same Day)	Mon-Thu	2,520.00
2 Performances (Same Day)	Fri-Sun	2,760.00
Standing Gig	12 hours	3,600.00
Standing Gig	Additional hours	564.00
Flatfloor Setup		114.00
Trade Fair Operating		180.00
Party / Ball / Function	Mon-Thu	138.00
Party / Ball / Function	Fri-Sun	168.00
Wheeldon 1 or Parish		25.20
Wheeldon 1 & 2		37.20
Wheeldon 1, 2 & 3		48.00
Preview	Full page	732.00
Preview	Half page	408.00
Preview	Quarter page	240.00
Hire Charges (Not for Profit)		
Get In / Rehearsal Additional Hr Standard		198.00
Get In / Rehearsal Additional Hr After 2400		240.00
Performance	Mon-Thu	1,260.00
Performance	Fri-Sun	1,500.00
2 Performances (Same Day)	Mon-Thu	1,860.00
2 Performances (Same Day)	Fri-Sun	2,100.00
Flatfloor Setup	Per hour	108.00
Trade Fair Operating	Per hour	150.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Arts & Entertainment	Unit	Fee (£) (including VAT)

Hire Charges (Not for Profit)		
Party / Ball / Function	Mon-Thu	150.00
Party / Ball / Function	Fri-Sun	174.00
Wheeldon 1		19.80
Wheeldon 1 & 2 or Parish Suite		26.40
Wheeldon 1, 2 & 3		34.80
Parish Room		0.00
Preview	Full page	732.00
Preview	Half page	408.00
Preview	Quarter page	240.00
Technical and Other Charges		
Ticket Printing	Per ticket	0.12
Technical Equipment Available to Hire		
Sound		
Lapel/head/ hand held radio microphones and PCC (floor mics)	Per unit (daily)	36.00
Lapel/head/ hand held radio microphones and PCC (floor mics)	Per unit (weekly)	96.00

Somerset Council Fees & Charges (Appendix 4)	2023-24
Bereavement Services	Fee (£) (including VAT)

Cremation	
Cremation of the body of a child under 18 years	0.00
Cremation of body parts	0.00
Early Direct Cremation 8.00am, 8:15am, 8:30am or 8:45am (no attendance)	531.00
Early Chapel time 9.00am or 9.30am*	807.00
Cremation of the body whose age exceeds 18 years (10am – 4pm)*	946.00
Note: * This fee includes use of chapel for 30 minutes, use of the Obitus Music System, services of Chapel Technician, medical referee fees, national environment levy for mercury abatement, provision of container for cremated remains, certificate for burial of cremated remains, unwitnessed interment of cremated remains in the Garden of Rest.	
Extended 1 hour chapel service	1,169.00
Early delivery of coffin in advance of a service	59.00
Same day collection of cremated remains (prior arrangement only)	59.00
Overrunning of chapel time 5 minutes or more. Note: Over runs significantly impact on later services and their mourners. Undertakers need to effectively manage their individual service lengths.	404.00
Fee for late paperwork (paperwork must be received 3 clear working days prior to service)	59.00
Service in Chapel (Shepton or Street)	54.00
Cremated Remains	
Purchase of scatter tube (large)	23.00
Purchase of scatter tube (small)	12.00
Purchase of rose casket	71.00
Purchase of willow casket	76.00
Holding of cremated remains after 6 Weeks (fee per month or part thereof).	46.00
Interment of Cremated Remains	
Witnessed interment in Garden of Rest, or scattering in woodland	91.00
Interment in any purchased grave (witnessed or un-witnessed)	188.00
Exclusive Rights of Burial	
Note: All SW&T fees below include the memorial permit fee but does not include the permit fee for kerb memorials or memorials over 36" high.	
Purchase of Grave Rights	
50 years	966.00
75 Years	1,204.00
100 years	1,359.00
Additional fee for pre-purchasing graves	174.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)	2023-24
Bereavement Services	Fee (£) (including VAT)
Taunton & Wellington Cemetery Only	
Cremated remains grave (75 years)	871.00
Cremated remains grave (100 years)	1,003.00
Interments in Full Burial Graves	
Note: <i>The fees indicated below include the digging and backfilling of the grave but do not include the walling of a vault or walled grave</i>	
Of a body of a child up to the age of 18	0.00
For the body of a person whose age exceeds 18 years	
at SINGLE depth	807.00
at DOUBLE depth	946.00
at TREBLE depth	1,069.00
Burial in Natural Burial Copse	1,071.00
Additional charge for burial (within 48 hours)	390.00
Other Fees & Charges	
Burial service in Crematorium Chapel	224.00
Transfer of Exclusive Rights of Burial	82.00
Lifting & levelling tablets and headstones	70.00
Turfing grave (one-off) including levelling & new turfs	47.00
Grave maintenance	
Grass cut weekly & memorial washed twice a year (price per year)	117.00
Exhumation of a full interment (depending on depth)	3,465.00
Exhumation of Cremated Remains	214.00
Memorials & Inscriptions	
Note: <i>Memorials & inscriptions may only be placed on a purchased grave</i>	
In any "Traditional" Section	
Flat stone or kerbstone	238.00
Headstone up to 36" or cross with base, or a tablet	227.00
Total surround including headstone - this option is not available at Taunton Crematorium	573.00
Inscribed stone vase	84.00
Slab or Ledger * this option is not available at Taunton Crematorium	403.00
In any "Lawn" Section	
Headstone up to 36" or cross with base	227.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)	2023-24
Bereavement Services	Fee (£) (including VAT)

In any "Monolith" Section	
Headstone up to 4'	227.00
Cremated Remains tablet or headstone up to 36"	227.00
Each removal of memorial for additional inscriptions	84.00
Re-fixing or making safe a memorial	84.00
Miscellaneous Fees	
Certified extract from the register of burials	45.00
Certified extract from the register of cremations	45.00
Register search	31.00
Refurbish pre-purchased wooden bench & plaque	111.00
Costs for additional maintenance works unspecified within fees table per hour	45.00
Obitus Music System	
Provision of audio recording	53.00
Provision of DVD/USB	74.00
Webcast of live service	79.00
Webcast of live service & 28 day watch again	85.00
Provision of webcast & DVD / USB	103.00
Subsequent copies of USB/DVD	23.00
Visual Tributes	
Halo Photo	0.00
Single Photo Holding Picture	28.00
up to 25 photos simple slideshow	57.00
26 - 50 photos simple slideshow	93.00
51-100 photos simple slideshow	129.00
up to 25 photos professional slideshow	93.00
26 - 50 photos professional slideshow	114.00
51 – 75 photos professional slideshow	139.00
76 – 100 photos professional slideshow	160.00
Family supplied video	38.00
Copy of tribute on USB stick/DVD	29.00
Subsequent copies of USB/DVD	23.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)	2023-24
Bereavement Services	Fee (£) (including VAT)

Memorials	
Inscription into the Book of Memory (permanent memorial), memorial cards, miniature books	
Two-line inscription	79.00
Five-line inscription	101.00
Five-line inscription with flower	174.00
Five-line inscription with motif, badge, coat of arms etc.	198.00
Eight-line inscription	144.00
Eight-line inscription with flower	216.00
Eight-line inscription with motif, badge, coat of arms etc.	240.00
Leather Recordia Panel (15-year lease)	
Single panel	259.00
Extension of lease for single panel per 5-year period	46.00
Double panel	451.00
Extension of lease for double panel per 5-year period	80.00
Plaque (Shepton or Street)	51.00
Cornish Granite Tablet (10-year lease)	
Memorial tablet without vase containing 25 letters	506.00
Memorial tablet with vase containing 25 letters	595.00
Provision of flower container in existing tablet	86.00
Cost of renewal for 10-year period	274.00
Cost of renewal for 5-year period	144.00
Cost of renewal for 3-year period	89.00
Cost of renewal for 1 year period	33.00
Cost of each additional letter/number	4.00
Cast Bronze Memorial Plaque	
Plaque Cost (5 Year Lease)	363.00
Cost of renewal for 5-year period	191.00
Cost of renewal for 3-year period	125.00
Cost of renewal for 1 year period	46.00
Refurbishment of current plaque	33.00
Black Granite Plaque with Posy Holder (15-year lease)	
Plaque with text only	316.00
Plaque with text and motif	351.00
Plaque with photo	405.00
Extension of lease per 5-year period	46.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)	2023-24
Bereavement Services	Fee (£) (including VAT)
Black Granite Plaque with Rose Bush (15-year lease)	
Plaque with text only	563.00
Plaque with text & motif	596.00
Plaque with photo	636.00
Extension of lease per 5-year period	85.00
Granite Bench Plaque (20-year lease)	
Plaque with text only	479.00
Plaque with text & motif	512.00
Plaque with photo	553.00
Extension of lease per 5-year period	85.00
Vase Holder Plaque (15-year lease)	
Plaque with text only	430.00
Plaque with text & motif	463.00
Plaque with photo	519.00
Extension of lease per 5-year period	85.00
Barbican remembrance plaque (15-year lease)	
Natural slate plaque in Memorial Walkway	416.00
Woodland Memorial Boardwalk Inscription (10-year lease)	
Engraved inscription on memorial tread of boardwalk (carried out in house)	220.00
Mushroom plaque (10-year lease)	
Engraved inscription on cast bronze plaque in woodland and copse	194.00
Vault Options (Available in Taunton Cemetery & Crematorium only)	
Sanctum above ground vault for 75 years	1,296.00
Family Sanctum above ground vault for 75 years	2,369.00
Double leaf above ground vault for 75 years	1,296.00
Single leaf above ground vault for 75 years	918.00
Vase holder (leaf vault only)	213.00
Inscription on vault (incl. 80 characters)	158.00
Additional charge for each additional characters on vault	1.96
Standard design on vault	56.00
Photo Plaque	103.00
Large or bespoke design fee dependant on size, detail etc.	POA

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)	2023-24
Bereavement Services	Fee (£) (including VAT)

Niche Options (Available in Wellington Cemetery Only)	
Sanctum Columbarium Niche for 75 years	1,296.00
Children's Garden Memorial Options (18-year lease)	
Note: Taunton Cemetery & Crematorium Only	
Baby cast bronze memorial plaque	107.00
Granite pedestal plaque*	146.00
Teddy pedestal plaque *	146.00
Ellie elephant columbarium niche*	270.00
*Standard design in addition to inscription	52.00
Renewal for 10 years	50% of current fee

Somerset Council Fees & Charges (Appendix 4)	2023-24
Building Control	Fee (£) (including VAT)

Please contact Building Control directly for current prices.	POA
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Somerset Council Fees & Charges (Appendix4)		2023-24
Closed Circuit Television	Unit	Fee (£) (including VAT)

Charge for viewing videotape by a solicitor/insurer	Per incident	72.60
Copy of the incident on tape		204.60

Somerset Council Fees & Charges (Appendix 4)	2023-24
Countryside Services	Fee (£) (including VAT)

Countryside guided walks	
Groups	60.00
Adult	8.00
Child	6.00
Educational group visits (Schools) per 2 hours (or half day session) / Ranger	65.00
Educational Activities (School Holidays)	
Adult	8.00
Child	6.00
Slide Talks (per attendance and 1 hour talk. total c.2 hours)	50.00
Reptile Translocation (Base Payment)	570.00
Reptile Translocation (5 Year Commuted Sum)	285.00
Trail Events (depending on materials & prizes) Note: <i>Some events are grant funded or subsidised and lower ticket prices will reflect this for certain events.</i>	1.00 to 3.00
Wood Sales (dependent on load size)	POA
Activity Licence	56.00

Somerset Council Fees & Charges (Appendix 4)	2023-24
Court Fees	Fee (£) (including VAT)
Court Fees	76.00

Somerset Council Fees & Charges (Appendix 4)		2023-24
Customers & Community	Unit	Fee (£) (including VAT)

Police & Crime Commission contribution to Business Intelligence	Annual contribution from Police re activities within Business Intelligence	Annual	5,547.00
Blue Badge	Charges to members of the public for Disabled Car Badges issued	Per badge	10.00

Somerset Council Fees & Charges (Appendix 4)	2023-24
Democratic Services	Fee (£) (including VAT)

Contribution to Lieutenancy (Annual contribution to Lieutenancy from Bath & North East Somerset Council and North Somerset Council)	6,000.00
Committee Services Support (Annual charge for support to Pension Fund - Meeting and governance support to Pensions Committee and Pensions Board)	10,000.00
School Exclusions (Adhoc support to Academies)	1,710.00

Somerset Council Fees & Charges (Appendix 4)		2023-24
Environmental Health (Resorts)	Unit	Fee (£) (including VAT)

Resorts & Beach parking

Cars	per vehicle	6.50
Cars after 2-30pm	per vehicle	3.00
Berrow and Brean Residents - Cars	per vehicle	3.00
Horse Box, Minibus & Caravanettes	per vehicle	10.00
Horse Box, Minibus & Caravanettes - Disabled Badge Holder	per vehicle	5.00
Horse Transporter	per vehicle	16.00
Horse Transporter - Disabled Badge Holder	per vehicle	8.00
Coach	per vehicle	16.00
Car - Disabled Badge Holder	per vehicle	3.00
Car Berrow and Brean Residents - Disabled Badge Holder	per vehicle	2.00
Windsurfers, Kite surfers and other wind-powered water sports	per vehicle	3.00
Annual Parking Pass - Cars	per vehicle	70.00
Annual Parking Pass - Cars Disabled Badge Holder	per vehicle	60.00
Annual Parking Pass - Horsebox/Caravanette	per vehicle	75.00
Annual Parking Pass - Horsebox/Caravanette Disabled Badge Holder	per vehicle	65.00
Annual Parking Pass - Horse Transporter	per vehicle	90.00
Annual Parking Pass - Horse Transporter Disabled Badge Holder	per vehicle	85.00
Annual Jetty Permits - Boats general users	per permit	110.00
One Day Launch Charge BOS Jetty- Boats general users	per day	25.00
Annual Jetty permit - Burnham Boat owners club	per year	160.00
EA/Government-Commercial - Hovercraft	per launch	180.00
EA/Government-Commercial - Hovercraft Annual charge	per year	830.00
Recreational - Hovercraft	per launch	73.00

Beach Concessions

Burnham/Brean Beach Concessions	per pitch	POA
Berrow Beach Concessions	per pitch	POA
Filming/photography charges	by negotiation according to facilities, staffing requirements & circumstances	POA

Somerset Council Fees & Charges (Appendix 4)	2023-24
Environmental Health Services	Fee (£) (including VAT)

Private Water Supplies	
Reg 9 - Risk Assessment (5 yearly)	336.00
Reg 10 - Risk Assessment (5 yearly)	197.00
Reg 9 - Routine Sampling	282.00
Revisit (Notices Served)	255.00
Revisit (Notices not Served)	137.00
Private Water Supply - Risk Assessment (Non-Statutory)	436.00
Private Water Supply - Sampling (Non-Statutory)	382.00
Environmental Protection	
Request for Environmental Information	113.00
Environmental Protection Officer Hourly Rate	55.00
Planning Application Advice	
Pre-Planning Advice (including meeting)	446.00
Review of technical report (Additional charge)	372.00
Local Authority Pollution Prevention & Control (LAPPC)	
Application Fee	
Standard process (includes solvent emission activities)	1,650.00
Additional fee for operating without a permit	1,188.00
PVRI, and Dry Cleaners	155.00
PVR I & II combined	257.00
VRs and other Reduced Fee Activities	362.00
Reduced fee activities: Additional fee for operating without a permit	99.00
Mobile plant	
Note: Additional amount to be added where an application is for a combined Part B and waste application.	279.00
For the first and second applications	1,650.00
for the third to seventh applications	985.00
for the eighth and subsequent applications	498.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)	2023-24
Environmental Health Services	Fee (£) (including VAT)

Annual Subsistence Charges		
Standard process	Low	772.00
	Medium	1,161.00
	High	1,747.00
Standard process (combined Part B and waste installation)	Low	875.00
	Medium	1,317.00
	High	1,954.00
PVR1	Low	79.00
	Medium	158.00
	High	239.00
Dry Cleaners	Low	79.00
	Medium	158.00
	High	239.00
PVR I & II combined	Low	113.00
	Medium	226.00
	High	343.00
VRs and other Reduced Fees	Low	228.00
	Medium	365.00
	High	550.00
Mobile plant		
Note: Additional amount to be added where a Part B installation is subject to reporting under the E-PRTE Regulation		103.00
for first and second permits	Low	646.00
	Medium	1,034.00
	High	1,508.00
for the third to seventh permits	Low	385.00
	Medium	617.00
	High	924.00
For the eighth and subsequent permits	Low	198.00
	Medium	316.00
	High	473.00
Late payment Fee		52.00
LAPPC (Part B) Charges		
Standard process transfer		169.00
Standard process partial transfer		497.00
New operator at low risk reduced fee activity (extra one-off subsistence charge - see Art 15(2) of charging scheme)		78.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)	2023-24
Environmental Health Services	Fee (£) (including VAT)

LAPPC (Part B) Charges (continued)		
Surrender: all Part B activities		0.00
Reduced fee activities: transfer		0.00
Reduced fee activities: partial transfer		47.00
Temporary transfer for mobile plant		
First transfer		53.00
Repeat following enforcement or warning		53.00
Standard process		1,050.00
Standard process where the substantial change results in a new PPC activity		1,650.00
Reduced fee activities		102.00
LAPPC (Part B) mobile plant charges (Not using simplified permits)		
Application fee		
First and second permits	Low	2296.00
	Medium	2684.00
	High	3156.00
Third to seventh permits	Low	1370.00
	Medium	1602.00
	High	1909.00
Eight and subsequent permits	Low	696.00
	Medium	814.00
	High	971.00
LA-IPPC (Part A2) charges		
Note:—Every subsistence charge in the table below includes the additional £103 charge to cover LA costs in dealing with reporting under the E-PRTR Regulation.		
Application		3,363.00
Additional fee for operating without a permit		1,188.00
Annual Subsistence	Low	1,446.00
	Medium	1,610.00
	High	2,333.00
Late payment fee		52.00
Substantial variation		202.00
Transfer		235.00
Partial transfer		698.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)	2023-24
Environmental Health Services	Fee (£) (including VAT)

Food Safety	
Request for a Rescore	205.00
Export Certificates	141.00
Replacement certificates	19.00
Voluntary Surrender, Certification & Condemnation (1st hr) including administration	145.00
Safer Food Better Business Pack (Caterers)	37.00
Safer Food Better Business Pack (Retailers)	37.00
Safer Food Better Business Pack (Indian cuisine)	37.00
Safer Food Better Business Pack (Chinese cuisine in English)	37.00
Safer Food Better Business Pack (Chinese cuisine in Cantonese)	37.00
Safer Food Better Business Pack (Childminders)	32.00
Safer Food Better Business Pack (Residential care homes)	32.00
Safer Food Better Business Pack (Year's supply of diary sheets)	32.00
Food Hygiene Training (Level 2)	POA
Food Hygiene Training (Level 3)	POA
Food Safety Officers Hourly Rate	53.00
Health & Safety	
Health & Safety Training	POA
First Aid training 1 Day	POA
First Aid training 3 days	POA

Somerset Council Fees & Charges (Appendix 4)		2023-24
Electric Vehicle Services	Unit	Fee (£) (including VAT)
Electric Vehicle Charging Point	Charge per Kwh	0.58

Somerset Council Fees & Charges (Appendix 4)	2023-24	
Fixed Penalty Notices	Fee (£) (including VAT)	Fee (£) (including VAT) If paid within ten days

Note: *Reduced charge payable if timely payment received within 10 days of issue.*

Depositing Litter	150.00	100.00
Household waste duty of care	400.00	250.00
Failure to produce waste documents	300.00	180.00
Failure to produce authority to transfer waste	300.00	180.00
Failure to comply with a waste receptacles notice	100.00	60.00
Fly posting and graffiti	150.00	100.00
Fly tipping	400.00	300.00
Failure to comply with a community protection notice	100.00	80.00
Abandoned vehicles	200.00	120.00
Nuisance Parking	100.00	60.00
Failure to comply with a public space protection order including dogs	100.00	60.00

Somerset Council Fees & Charges (Appendix 4)		2023-24
Harbour & Port	Unit	Fee (£) (including VAT)

Slipway fees Watchet & Minehead

Annual		185.00
Weekly		50.00
Daily		15.00
Annual Kayak launch (junior u16's)		50.00
Annual Kayak launch (full price)		63.00
Daily Kayak launch (junior u16's)		4.00
Daily Kayak launch (full price)		6.00

Leisure Mooring fees

Annual (permanent mooring only)	Per metre or part metre	56.00
Weekly	Per metre or part metre	19.00
Flat fee (half day)	Per metre or part metre	13.00
Flat fee (full day)	Per metre or part metre	19.00

Commercial Mooring fees

Annual (permanent mooring only)	Per metre or part metre	86.00
Flat administration fee for transfer between moorings	Per metre or part metre	72.00

Harbour dues for vessels under 400 gross registered tonnes

Annual	Per metre	310.00
Six monthly	Per metre	215.00
Weekly	Per metre	80.00
Daily	Per metre	25.00

Vessels over 400 gross registered tonnes (excluding hobbling duties)

Per Visit		476.00
Per Cancelled Visit		239.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Harbour & Port	Unit	Fee (£) (including VAT)

Non-Standard use of the harbours

Annual		595.00
Weekly		179.00
Daily		61.00
Price for charities & community groups - Annual		120.00
Minehead & Watchet advertising board - Annual		150.00

Commercial Vessels from Sea to Berths/operations within the port

Harbour Conservancy Dues	per visit	477.00
Pilotage Charges (per Pilot)	per act	580.00
Boarding and Landing	per act	259.00
Cargo Tariff - Dry Bulk products	per tonne	0.23
Cargo Tariff - Project Cargo (ALL)	per unit	2,209.00
Boarding/Landing outside normal area - addition to (3) above	per act	433.00
Attendance fee (Pilotage not completed)	per act	433.00

Commercial Vessels based/launched within the port limits

Harbour Conservancy Dues for vessels launched within the port	per visit/launch	214.00
Harbour Conservancy Dues for commercial vessels based within the Port of Bridgwater	annual	476.00
Commercial vessel operating within the Port	daily	107.00

Pilotage Exemption Certificates

Charge for a Pilotage Exemption Examination/ Re examination	per examination	610.00
Issue of Pilotage Exemption Certificate and annual renewal of certificate	per renewal	61.00
Any alteration for a Pilotage Exemption Certificate	per alteration	61.00
Charge on Pilotage Exemption Certificate vessels	1st visit	580.00

Miscellaneous Charges

Notice to Mariners - to issue, edit or cancel on behalf of third parties	per request	375.20
Services of the Pilot Vessel with 2-man crew (subject to availability)	per hour	610.00

Pilotage for non-compulsory vessels

To River Brue & Highbridge	per attendance	440.00
To Comwich	per attendance	440.00
To Dunball	per attendance	440.00
To Bridgwater	per attendance	440.00

Somerset Council Fees & Charges (Appendix 4)		2023-24	
Health & Safety		Unit	Fee (£) (including VAT)
Civil Marriage H&S Inspections	Charge to Inspect Venues and produce H&S report who require licence to undertake civil marriages	Per hour or part	60.00
Mileage Charge for undertaking FRA/H&S Training away from SCC premise	Charge for mileage from officers base to venue and return to base	Current mileage rate + 5p per mile	0.60
Allowing Academies to access Occupational Health and Care First contracts	Charges to Academies for access to: <ul style="list-style-type: none"> Occupational Health Care First 	<u>Occupational Health</u> £2.00 per head (access fee) + charge on a pay as you go = cost + 10% <u>Care First</u> £3.20 per head.	

Somerset Council Fees & Charges (Appendix 4)		2023-24	
Highways & Transport Commission		Unit	Fee (£) (including VAT)
Stopping up the highway admin fee	Fee for application to stop-up the highway	One application	100.00
Obstructions on the highway (S115) admin	Administrative fee for authorising parking of goods vehicles, transfer of goods or temporary storage of goods which are to be hauled; on land adjoining a highway.	One application	165.00
Planting trees and shrubs (S142)	Fee for administering a licence to permit the occupier or the owner of any premises adjoining the highway to plant trees, shrubs etc in a highway.	One inquiry	75.00
Roads records (initial inquiry)	Fee for administering an initial inquiry into the status of a road as held on the roads records database.	Fee for each extra question asked.	40.00
Roads records (complex follow-up enquiry)	Fee for administering a more complex follow-up inquiry into the status of a road as held on the roads records database.	One application	7.00
Stopping up the highway legal fee	Legal fee for processing a stopping up of the public highway.	One application	3500.00 to 6000.00
Obstructions on the highway (S115) legal fee	Legal fee for authorising parking of goods vehicles, transfer of goods or temporary storage of goods which are to be hauled; on land adjoining a highway.	7.5% of cost of the works being approved and supervised	350.00
Estate Roads Team - S38 ledger for salaries costs	Charge for providing technical approval of new estate roads proposals and administering advance payments code.	One travel plan/ planning application. 4 levels of fee	Virement (annually) of lump sum of 223,000.00 to estate roads team from the holding account
Travel Plan Fee			
Fee for review and approval of travel plans submitted through the development planning process.		Measures Only	700.00
		Travel Plan Statement	2,000.00
		Standard Travel Plan	3,000.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Highways & Transport Commission	Unit	Fee (£) (including VAT)

Traffic Modelling		
Protocol and fees for third party use of strategic traffic models.		
Level 1 Access (annually)	1 Junction	180.00
	2 Junctions	336.00
	3 Junctions	480.00
	4 Junctions	600.00
	Additional Junctions	108.00
Level 2 Access	3 months	6,480.00
	6 months	10,920.00
	12 months	19,200.00
Level 3 Access + 25% for Audit Report		Level 2 Access Charges + 25%
Survey and Data Report		60.00
Model Validation Report and network plots		60.00
Model Forecast Report		60.00

Somerset Council Fees & Charges (Appendix 4)		2023-24
Highways		Fee (£) (including VAT)

Highway licenses (Skips)	Application/permission to deposit a builders skip on the highway for the temporary storage of builders material or refuse in accordance with: Highways Act 1980, Section 139, 140 & 140A Road Traffic Regulations Act 1984, Section 65 Builders Skip (Markings) Regulations 1984 Environment Protection Act 1990, Section 34 Local Authorities (Transport Charges) Regulations 1998	65.00
Highway licenses (Scaffold)	Application/permission to place scaffolding, hoarding or any other structures on the highways in accordance with: Sections 169, 172 and 173 of the Highways Act 1980	90.00
Highway licenses (S184 vehicle access)	Application for a vehicle crossing over footways and verges in accordance with: Section 184 of the Highways Act 1980,	218.00
Highway licences (S171 minor works)	Application for minor works on or near the public highway – subject to planning conditions, for example, a waiting bay – charge.	250.00
Highway licences (S171 minor works)	Application for minor works (involving excavations) on or near the public highway.	232.00
Highway licences (S171 minor works)	Application for the deposition of materials (including work equipment, building materials, rubbish, and other things)	50.00

Somerset Council Fees & Charges (Appendix 4)	2023-24
Innovation Centre	Fee (£) (including VAT)

Yeovil Innovation Centre	
Small Meeting Room per hour max 6-person boardroom style	£14.00
Medium Meeting room per hour max 10 board room style	£28.00
Medium meeting room per hour max 10 board room Partners	£21.00
Medium Large meeting room max 15 boardroom 25 theatre style	£42.00
Medium Large meeting room max 15 boardroom 25 theatre style (partners rate)	£34.00
Large Meeting Room max 25 Boardroom 40 theatre style	£70.00
Large Meeting Room max 25 Boardroom 40 theatre style (partners rate)	£41.50
Photocopying starts at 25p per coloured A4	£0.30
Tea, coffee, and Biscuits	£6.00

Somerset Council Fees & Charges (Appendix 4)				2023-24	
Land Charges	Mendip	Sedgemoor	South Somerset	Somerset West and Taunton	Somerset County Council
LLC1 (Registers Only) Residential	44.00	37.00	30.00 (No VAT)	10.00	-
Con29R Residential	91.00	94.80	145.80	126.00	-
LLC1 and CON29R Residential	135.00	131.8	175.80	136.00	-
LLC1 (Registers Only) Commercial	44.00	37.00	30.00	-	-
CON29R Commercial	91.00	94.8	145.80	-	-
LLC1 and CON29R Commercial	135.00	131.8	175.80	-	-
CON290 Question 4	25.00	9.00	11.40	9.60	0.50
CON290 Question 5	4.50	9.00	11.40	9.60	0.50
Question 6	1.00	9.00	11.40	9.60	-
Question 7	1.00	9.00	11.40	9.60	-
Question 8	1.00	9.00	11.40	9.60	-
Question 9	8.00	9.00	11.40	9.60	-
Question 10	1.00	9.00	11.40	9.60	-
Question 11	1.00	9.00	11.40	9.60	-
Question 12	1.00	9.00	11.40	9.60	-
Question 13	1.00	9.00	11.40	9.60	-
Question 14	1.00	9.00	11.40	9.60	-
Question 15	1.00	9.00	11.40	9.60	-
Question 16	0.25	9.00	11.40	9.60	0.25
Question 17	0.25	9.00	11.40	9.60	0.25
Question 18	9.00	9.00	11.40	9.60	0.25
Question 19	4.50	9.00	11.40	9.60	-
Question 20	1.00	9.00	11.40	9.60	-
Question 21	0.50	9.00	11.40	9.60	0.50
Question 22.1-22.3	0.50	9.00	11.40	9.60	0.50
Additional Enquires (Each)	15.00	12.00	16.00	-	See response to solicitor's questions below
Additional Parcels of Land	TBC	12.60	13.50	13.20	-
LLC1 only	4.00	-	1.00 (No VAT)	-	-
Con29 only	10.00	-	12.50	-	7.00
LLC1 & Con 29	14.00	-	13.50	-	-
Applicant Own Question	-	12.00	13.50	-	-
NLIS LLC1 Search Only	-	37.00	30.00	-	-
NLIS CON 29 part II-each question	-	9.00	11.40	-	-
NLIS Additional Parcel	-	12.60	13.50	-	-
NLIS Own Question	-	12.00	13.50	-	-

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)				2023-24	
Land Charges	Mendip	Sedgemoor	South Somerset	Somerset West and Taunton	Somerset County Council
Registration of a charge in part 11 of the register	-	-	71.50	-	-
Filing a definitive certificate of the Lands Tribunal under Rule 10 (3)	-	-	2.60	-	-
Filing a judgement, order or application for the variation or cancellation of an	-	-	7.70	-	-
Inspection of documents filed under Rule 10 in respect of each parcel of land Official Search (including issue of official certificate of search)		-	2.60	-	-
In any one part of the register	-	-	5.60	-	-
In the whole of the register	-	-	32.00	-	-
And in addition, in respect of each parcel of land above one, where under	-	-	1.15	-	-
Office copy of any entry in the register (not including a copy or extract of any)	-	-	1.65	-	-
Con29 required enquiries					
One parcel of land	-	-	153.00	-	-
Each additional parcel			17.00	-	-
Form LLC1 and CON29 Required Enquiries	-	-	175.80	-	-
Summary Basic Fees – Additional parcel (when both forms are submitted together)	-	-	16.50	-	-
Summary Basic Fees – Search only – additional parcel		-	1.00	-	-

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)				2023-24	
Land Charges	Mendip	Sedgemoor	South Somerset	Somerset West and Taunton	Somerset County Council
Solicitors' own enquiry	-	-	-	13.30	40.00 fee for answering one question with a plan re any follow-ups from solicitors that are above and beyond the core CON29 question. Discretion exercised where appropriate.
2.1	-	-	-	-	2.15
2.2-2.5					0.50
3.2					0.25
3.4					1.80
3.5					0.25
3.6					1.80
3.7					0.25
Base Fee	-	-	-	-	2.30

Somerset Council Fees & Charges (Appendix 4)		2023-24
Legal Services	Unit	Fee (£)

Note: The VAT liability, added at the prevailing rate, is dependent on the factors of each case. These are indicative prices based on standard hours to complete a typical transaction. Where there is complicated or additional work required or high value transactions, there may be additional charges applied. Please contact our legal services to confirm specific fees in these circumstances.

Commercial	per hour	276.00 (including VAT)
Non-commercial (indicative rate – please contact the Council)		POA

Shared Ownership

Replying to mortgage/landlord questionnaire	per questionnaire	115.00
Notice of assignment (charge dependent on terms of lease)	per notice	115.00
Licence (where qualified prohibition)	per licence	460.00
Deed of variation (where absolute prohibition)	per deed	460.00
Licence to assign	per licence	460.00
Extension of lease	per lease	1725.00

Right to Buy

Mortgage redemption to Land Registry; cancellation of land charges (Unregistered land)	per mortgage	115.00
Deed of Postponement	per deed	115.00
Consent to works (including Retrospective)	per consent	115.00
Registration of RTB assignment of flats for new owner	per assignment	115.00
Landlord questionnaire - Lease - LPE1	per questionnaire	115.00
Deed of release of covenant	per deed	920.00
156A Certificate of compliance (Landlord Right of First Refusal)	per consent	115.00
Extension of lease	per lease	1725.00
Certificate of compliance with restriction on title	per certificate	115.00

Section 106

Section 106 Agreement (Note: minimum charge applies)	per hour	276.00 (including VAT)
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Commercial

Licence to assign a VAT exempt lease or alter a VAT exempt lease	per licence	770.00
Licence to assign a VAT Standard lease or alter a VAT standard lease	per licence	924.00 (including VAT)
Grant of VAT (exempt) lease	per hour	230.00
Grant of VAT (standard rated) lease	per hour	276.00 (including VAT)

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Legal Services	Unit	Fee (£)

Sale of Land

VAT exempt	per hour	230.00
VAT at standard rate	per hour	276.00 (including VAT)
Grant of Easement	per hour	230.00
Transfer of public open space	per hour	230.00

Land and Property

Transactions (including transfers, leases, and licences)		230.00
Grant of Mortgage		230.00
Deeds of Release/Rectification/Easements etc.		230.00
Discharge of Mortgage		57.50
Copy or release of title deeds from SSDC's deeds		57.50

Planning and Highway Matters

Agreements/Unilateral Undertakings and miscellaneous agreements (including Variations, Supplemental Agreements and Releases) minimum charge		828.00
Public Path Diversion Order		115.00
Public Path Stopping Up Order		115.00
Temporary Road Closure Order		115.00

Litigation

Civil Costs (To be changed in line with any future changes to the Solicitors' Guideline Hourly Rates)		126.00 to 255.00
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Miscellaneous Matters

Copying Documents		POA
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Somerset Council Fees & Charges (Appendix 4)		2023-24
Library Services	Unit	Fee (£) (including VAT)

Hire Charge			
Audio Book	3-week loan period	2.40	
DVD	2-week loan period	2.00	
DVD Premium Films		2.00	
DVD Boxed Sets		2.00	
Photocopying			
Photocopies (Black & White)	Printing charge 10% discount if spend £5+	1 A4 Copy	2.00
Printing Charge			
Prints from Microfilm or Microfiche	1 A4 Copy	2.00	
Prints from PCs (Black & White)	Charge per side of 1	0.15	
Prints from PCs (Colour)	A4 page	0.40	
Fax Transmission			
UK	First Page	1.10	
	Subsequent Page	0.60	
Europe	First Page	3.10	
	Subsequent Page	0.60	
Rest of the world	First Page	2.58	
	Subsequent Page	0.60	
Inward Transmission - received	A4 Page	0.60	
Overdue Charge			
Adult Items	Daily	0.25	
DVD		0.40	
Reservation Charge			
Adult Items	Per item	1.20	
DVDs		1.00	
Titles outside LibrariesWest		4.80	
Periodical articles outside LibrariesWest	Per Article	4.80	
Reading Groups	Per Set	6.60	

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Library Services	Unit	Fee (£) (including VAT)

Damaged or Lost

Adult Fiction, non-fiction, graphic novels, large print, books on prescription		9.00	
Children's fiction & non-fiction, young adult fiction & non-fiction	Per item	5.00	
Adult Reference book		30.00	
Children's Reference book		15.00	
Adult audio book (set)	Per Set	30.00	
Children's audio book		15.00	
Language course		36.00	
DVD	Per Item	12.00	
DVD boxed set		24.00	
Music score		15.00	
Drama, single copy		5.00	
Membership Cards	Replacement Charge	Per Card	2.40

Room Hire

Main Library Room	Per Session (Whole day)	90.00
	Per Session (Half day)	48.00
Small room	Per Session (Whole day)	60.00
	Per Session (Half day)	24.00
Taunton Meetings room	Per Session (Whole day)	119.00
	Per Session (Half day)	78.00
Taunton Meetings room - Evenings	For up to 2 hours (Minimum charge)	78.00
	Subsequent Hourly charge	31.00
Taunton Meetings room - Sunday & Bank Holiday	Supplement Charge	25.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Library Services	Unit	Fee (£) (including VAT)
Performing Arts		
Return of Incomplete music set without prior notification	Per Set	12.50
Somerset		
Annual Subscription	Per group with 20 members or less	24.00
	Per group with 21-50 members	60.00
	Per group with more than 50 members	84.00
Request: Vocal Set	Per 5 copies	4.50
Request: Orchestral Set	Per Set	18.00
Request: Drama Set		12.50
Overdue Charge: Vocal Set		12.00
Overdue Charge: Orchestral Set		6.00
Overdue Charge: Drama Set		3.50
Non-Somerset		
Annual Subscription:	Per group with 20 members or less	36.00
	Per group with 21-50 members	72.00
	Per group with more than 50 members	96.00
Request: Vocal Set	Per 5 copies	5.00
Request: Orchestral Set	Per Set	20.00
Request: Drama Set		14.00
Overdue Charge: Vocal Set		14.00
Overdue Charge: Orchestral Set		9.50
Overdue Charge: Drama Set		4.50
Hire of Glass Box		
Whole Day	Per Session	90.00
Half day		48.00
Taunton Library Display & Exhibition Fees		
Non-third sector organisations	Per Session	84.00
Third sector organisations		42.00
All other Libraries		
All Exhibitors	Per Session	20% Commission on all sales

Somerset Council Fees & Charges (Appendix 4)		2023-24
Licensing Services	Unit	Fee (£) (including VAT)

Animal Licensing

Note: (Vets fees are not included and must be borne by the applicant)

Vary animal activities licence		102.00
Request re-inspection		106.00
Grant		
Animal Boarding	Application Fee	274.00
	1 Year Licence	58.00
	2 Year Licence	112.00
	3 Year Licence	165.00
Dog Breeding	Application Fee	302.00
	1 Year Licence	58.00
	2 Year Licence	112.00
	3 Year Licence	165.00
Pet Shop	Application Fee	316.00
	1 Year Licence	58.00
	2 Year Licence	112.00
	3 Year Licence	165.00
Hiring of Horses	Application Fee	305.00
	1 Year Licence	58.00
	2 Year Licence	112.00
	3 Year Licence	138.00
Keeping or training of animals for exhibition		389.00
Dangerous Wild Animals		298.00
Zoos		1494.00
Renewal		
Animal Boarding	Application Fee	242.00
	1 Year Licence	58.00
	2 Year Licence	113.00
	3 Year Licence	165.00
Dog Breeding	Application Fee	238.00
	1 Year Licence	58.00
	2 Year Licence	112.00
	3 Year Licence	165.00
Pet Shop	Application Fee	253.00
	1 Year Licence	58.00
	2 Year Licence	112.00
	3 Year Licence	165.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Licensing Services	Unit	Fee (£) (including VAT)
Renewal (continued)		
	Application Fee	300.00
Hiring of Horses	1 Year Licence	58.00
	2 Year Licence	112.00
	3 Year Licence	165.00
Keeping or training of animals for exhibition		399.00
Dangerous Wild Animals		367.00
Zoos		1449.00
Caravan Sites		
Caravan Site Licence	Grant	176.00
	Transfer	40.00
	Variation	146.00
Annual Fee		22.00
Site Owner Register	Application	58.00
	Renewal	58.00
Gambling Act 2005 (Statutory Fees)		
New Regional Casino:		
New Application		12750.00
New Application – with Provisional Statement		6800.00
Provisional Statement		12750.00
Transfer		5525.00
Re-instatement		5525.00
Variation		6375.00
Annual Fees		12750.00
New Large Casino		
New Application		8500.00
New Application – with Provisional Statement		4250.00
Provisional Statement		8500.00
Transfer		1830.00
Re-instatement		1830.00
Variation		4250.00
Annual Fees		8500.00
New Small Casino		
New Application		6800.00
New Application – with Provisional Statement		2550.00
Provisional Statement		6800.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Licensing Services	Unit	Fee (£) (including VAT)
New Small Casino (continued)		
Transfer		1530.00
Re-instatement		1530.00
Variation		3400.00
Annual Fees		4250.00
Bingo		
New Application		2975.00
New Application – with Provisional Statement		510.00
Provisional Statement		2975.00
Transfer		1020.00
Re-instatement		1020.00
Variation		1500.00
Annual Fees		850.00
Betting – not on course		
New Application		2550.00
New Application – with Provisional Statement		510.00
Provisional Statement		2550.00
Transfer		1020.00
Re-instatement		1020.00
Variation		1275.00
Annual Fees		510.00
Track Betting (on course)		
New Application		2125.00
New Application – with Provisional Statement		400.00
Provisional Statement		2125.00
Transfer		800.00
Re-instatement		800.00
Variation		1100.00
Annual Fees		850.00
Adult Gaming Centre		
New Application		1700.00
New Application – with Provisional Statement		510.00
Provisional Statement		1700.00
Transfer		1020.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Licensing Services	Unit	Fee (£) (including VAT)
Adult Gaming Centre (continued)		
Re-instatement		1020.00
Variation		850.00
Annual Fees		850.00
Family Entertainment Centre		
New Application		1700.00
New Application – with Provisional Statement		400.00
Provisional Statement		1700.00
Transfer		800.00
Re-instatement		800.00
Variation		850.00
Annual Fees		650.00
Family Entertainment Centre Gaming Machine Permits		
New application		300.00
Renewal		300.00
Change of name		25.00
Copy of permit		15.00
Licensed Premises Gaming Machine Permit		
New Application		150.00
Variation		100.00
Transfer		25.00
Change of Name		25.00
Copy of permit		15.00
Annual Fee		50.00
Notification of 2 or less Gaming Machines		50.00
Prize Gaming Permit		
New Application		300.00
Renewal		300.00
Change of name		25.00
Copy of permit		15.00
Club Gaming Permit		
New Application		200.00
Variation		100.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Licensing Services	Unit	Fee (£) (including VAT)

Club Gaming Permit (continued)		
Copy Permit		15.00
Renewal		200.00
Annual Fee		50.00
Club Machine Permit		
New Application		200.00
Variation		100.00
Copy Permit		15.00
Renewal		200.00
Annual Fee		50.00
Lotteries		
New		40.00
Renewal		20.00
Temporary Use Notice		
New		40.00
Replacement		20.00
Occasional Use Notice		0.00
Licensing Act 2003		
Premises Licence/Club Premises Certificate Grant		
Band A		100.00
Band B		190.00
Band C		315.00
Band D		450.00
Band D*		900.00
Band E		635.00
Band E*		1905.00
Note: *Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D & E only)		

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Licensing Services	Unit	Fee (£) (including VAT)
Premises Licence/Club Premises Certificate Variation		
Band A		100.00
Band B		190.00
Band C		315.00
Band D		450.00
Band D*		900.00
Band E		635.00
Band E*		1905.00
Note: *Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D & E only)		
Annual Fee		
Band A		70.00
Band B		180.00
Band C		295.00
Band D		320.00
Band D*		640.00
Band E		350.00
Band E*		1050.00
Note: *Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D & E only)		
Annual Fee - Additional Fee		
5,000 to 9,999		500.00
10,000 to 14,999		1000.00
15,000 to 19,999		2000.00
20,000 to 29,999		4000.00
30,000 to 39,999		8000.00
40,000 to 49,999		12000.00
50,000 to 59,999		16000.00
60,000 to 69,999		20000.00
70,000 to 79,999		24000.00
80,000 to 89,999		28000.00
90,000 and over		32000.00
Other		
Personal Licence	Grant	37.00
	Renewal	37.00
Temporary Event Notice (TEN)		21.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Licensing Services	Unit	Fee (£) (including VAT)
Other (continued)		
Replacement Premises Licence		10.50
Provisional Statement		315.00
Change of name and/or address		10.50
Variation of DPS		23.00
Disapplication of DPS		23.00
Transfer of Premises Licence		23.00
Interim Authority Notice		23.00
Change of Club name or rules		10.50
Change of Club address		10.50
Replacement TEN		10.50
Replacement Personal Licence		10.50
Name/address change (Pers. Lic)		10.50
Right of freeholder to be notified of licensing matters		21.00
Minor Variation		89.00
Pavement Licensing		
Section 115E Pavement Cafés	New Applications	373.00
	Renewal Applications	302.00
Pavement Licence	Grant	100.00
	Renewal	100.00
Skin Piercing		
Premise Registration		125.00
Personal Registration		34.00
Scrap Metal Dealers Act		
SMD Site	Grant	565.00
	Renewal	529.00
SMD Collector	Grant	312.00
	Renewal	290.00
SMD - Variation		36.00
SMD Variation from collector to site licence		331.00
Sex Establishments		
Grant		1020.00
Licence	Renewal	297.00
	Variation	37.00
	Transfer	29.00

Somerset Council Fees & Charges (Appendix 4)		2023-24
Licensing Services	Unit	Fee (£) (including VAT)

Street Trading Consents		
Street Trading Grant	1 day	80.00
	1 week	80.00
	1 month	80.00
	1 year	531.00
Street Trading Renewal		404.00
Miscellaneous		
Hypnotisum Permission		199.00
Film Classification		£90 per hour (based on film length)

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Licensing Services	Unit	Fee (£) (including VAT)

Taxi Licensing

Note: (MOT & Plate Test fees are not included and must be borne by the applicant)

Driver licence grant	Application fee	145.00
	1 year	49.00
	1 year w. DBS	101.00
	2 years	90.00
	2 years w. DBS	142.00
	3 years	130.00
	3 years w. DBS	182.00
Driver licence renewal	Application fee	110.00
	1 year	49.00
	1 year w. DBS	101.00
	2 years	90.00
	2 years w. DBS	142.00
	3 years	130.00
	3 years w. DBS	182.00
Knowledge test		62.00
Replacement driver badge		15.00
Vehicle licence	grant	124.00
	grant w. internal plate	131.00
	renewal	113.00
	renewal w. internal plate	120.00
Private hire operator grant	Application fee	47.00
	1 year licence fee	44.00
	2 year licence fee	84.00
	3 year licence fee	125.00
	4 year licence fee	165.00
	5 year licence fee	206.00
Private hire operator renewal	Application fee	45.00
	1 year licence fee	44.00
	2 year licence fee	84.00
	3 year licence fee	125.00
	4 year licence fee	165.00
	5 year licence fee	206.00
Request to approve vehicle advertising		29.00
Replacement vehicle plate		18.00
Replacement vehicle windscreen sticker		9.00

Somerset Council Fees & Charges (Appendix 4)		2023-24
Lifeline Service	Fee (£) (excluding VAT)	Fee (£) (including VAT)

Note: Customers will be eligible for zero VAT rating on a number of these charges if they are disabled or have a chronic illness.

Rental (charge per week)

Analogue Monitoring	£5.86	£7.03
Analogue Response	£6.90	£8.28
Digital Monitoring	£7.92	£9.50
Digital Response	£9.46	£11.35
Audio Extender - TeleAlarm	£1.90	£2.28
Audio Extender - Tunstall Sound Booster	£1.90	£2.28
Chair Sensor	£3.30	£3.96
Bed Sensor - Over Mattress	£3.30	£3.96
Bed Sensor - Under Mattress	£3.30	£3.96
Bogus Caller	£1.90	£2.28
CO2 Detector	£1.90	£2.28
Epilepsy Sensor	£5.70	£6.84
Pendant - additional or replacement	£0.75	£0.90
Fall Detector - Ivy	£1.90	£2.28
Fall Detector - Vibby	£1.90	£2.28
Flood Detector	£1.90	£2.28
Heat Detector	£1.90	£2.28
Jelly bean switch	£1.90	£2.28
Pill Dispenser	£3.30	£3.96
Monitoring for purchased equipment or hardship rate	£3.35	£4.02
Movement Detector	£1.90	£2.28
Pressure Mat	£1.90	£2.28
Pull Cord	£1.90	£2.28
Smoke Detector	£1.90	£2.28
Sounder Beacon	£1.90	£2.28
Temperature Extreme Sensor	£1.90	£2.28
Tunstall Sound Booster	£1.90	£2.28
Universal Sensor (Door/Property Exit)	£1.90	£2.28

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Lifeline Service	Fee (£) (excluding VAT)	Fee (£) (including VAT)

Purchase		
Set-up fee	£45.00	£54.00
Chair Sensor	£67.00	£80.40
Bed Sensor - Over Mattress	£75.00	£90.00
Bed Sensor - Under Mattress	£70.00	£84.00
Bogus Caller	£53.00	£63.60
Care Assist	£159.00	£190.80
Care Calls	£1.00	£1.20
CO2 Detector	£95.00	£114.00
Electrical extension lead	£5.00	£6.00
Enuresis Sensor	£65.00	£78.00
Epilepsy Sensor	£75.00	£90.00
Pendant - additional or replacement	£50.00	£60.00
Fall Detector - Ivi	£100.00	£120.00
Fall Detector - Vibby	£95.00	£114.00
Flood Detector	£90.00	£108.00
Heat Detector	£70.00	£84.00
Internal Batteries Recharge	£15.00	£18.00
Jelly bean switch	£58.00	£69.60
Key Safe - Masterlock	£40.83	£49.00
Key Safe - Supra C500	£49.99	£59.99
Key Safe - Supra Permanent Keysafe	£69.99	£83.99
Lifeline Unit	£149.00	£178.80
Lifeline Unit - GSM/Hybrid	£280.00	£336.00
Lifeline Unit - SmartHub (including sim)	£235.00	£282.00
Medication Dispenser Carousel	£29.00	£34.80
Medication Reminder Dispenser - PivoTell Advance	£208.00	£249.60
Medicine Dispenser Key	£5.00	£6.00
Pill Dispenser	£178.00	£213.60
Minuet Watch - Guardian	£135.00	£162.00
Minuet Watch - Guardian SIM after 1 year	£99.00	£118.80
Minuet Watch - Tunstall	£100.00	£120.00
Movement Detector	£65.00	£78.00
Piper System Charges - South Somerset Schemes	£58.00	£69.60
Pressure Mat	£9.50	£11.40
Property Exit Sensor Kit	£240.00	£288.00
Pull Cord	£67.00	£80.40
Smoke Detector	£65.00	£78.00
Sounder Beacon	£73.50	£88.20

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Lifeline Service	Fee (£) (excluding VAT)	Fee (£) (including VAT)

Purchase (continued)		
Telephone extension lead	£2.50	£3.00
Telephone socket doubler	£0.85	£1.02
Temperature Extreme Sensor	£105.00	£126.00
Tunstall Sound Booster	£98.80	£118.56
Universal Sensor (Door/Property Exit)	£110.00	£132.00

Somerset Council Fees & Charges (Appendix 4)	2023-24
Parks & Open Spaces	Fee (£) (including VAT)

Daily Hire Fee	
Seafront, Minehead (wide section) parallel to Warren Road	234.30
Wilton Lands	333.30
Destination Sites	
Vivary Park	1313.40
Wellington Park	858.00
Blenheim Gardens	584.10
Neighbourhood Sites	
Castle Green	239.80
Dobree Park	239.80
French Weir Park	239.80
Goodland Gardens	239.80
Hamilton Park	239.80
Somerset Square	239.80
Taunton Green	239.80
Victoria Park	239.80
Wellington Playing Field	239.80
Longrun Meadow	239.80
All SSDC neighbourhood sites	0.00
Local Sites	
Cotford St Luke Recreation Ground	128.70
Galmington Playing Field	128.70
Gordon Hawkins Playing Field	128.70
Greenway Recreation Ground	128.70
Higher Holway	128.70
Hudson Way	128.70
Lyngford Park	128.70
Moorfields	128.70
Priorswood Playing Fields	128.70
Roughmoor	128.70
Weirfield Green	128.70
Wellington Recreation Ground	128.70
All SSDC local sites (There are no current charges for areas within the old SSDC area, these will form part of a future review and potential harmonisation of the charging regime.)	0.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Parks & Open Spaces	Unit	Fee (£) (including VAT)

Local Sites (continued)		
Public Open Spaces, primary sites including. <ul style="list-style-type: none"> • Blake Gardens • Eastover Park • Manor Gardens • St Mathews Field • Apex Park and Marine Cove 	Per booking	38.50
Additional charge when additional administration is involved, such as notifications to local residents.		59.40
Small Scale Fitness Activities		
Less than 50 people for less than 2 hours - Single park (flexible hour for 12 months)	Per session	238.70
Less than 50 people for less than 2 hours - Up to 5 locations (flexible hour for 12 months)	Per session	357.50
Less than 50 people for less than 2 hours - Permit renewal	Per session	27.50
Additional Charges		
Events charge for checking application and raising permit to use land		0.00
Note: Use of onsite electricity and water supplies will be charged at current unit cost plus a 10% administration fee where utilised. A refundable damage deposit will also be requested, the rate to be set by an authorised officer of the council, dependant on the type of event. Additional commercial services requested of the Open Spaces service will be charged at the appropriate chargeable rates.		54.09
Temporary compound license	Per week	110.00
Temporary works access license	Per day	22.00
Sponsorship		
Roundabout Sponsorship - Major Road	12 months	2310.00
Roundabout Sponsorship - Minor Road	12 months	1100.00
Roundabout Sponsorship - Roundabout Sign	Per sign installed or replaced	550.00
Planting Flower Beds - Bed area	Up to 9m ²	239.80
Planting Flower Beds - Bed area	10m ² to 15m ²	357.50
Planting Flower Beds - Bed area	More than 15m ²	478.50

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Parks & Open Spaces	Unit	Fee (£) (including VAT)

Sports Pitch Hire

Junior Sized Pitch Hire		32.01
Junior Sized Pitch Hire *Sedgemoor. Not all pitches offer changing rooms		19.90
Senior Sized Pitch Hire		59.29
Football or Rugby Pitch *Sedgemoor not all pitches offer changing rooms		29.70
American football Train senior (AFT SR)		55.00
American football Train junior (AFT JN)		29.70
American football match Junior (AFMASR)		330.00
American football match senior (AFMASR)		165.00
American baseball (Victoria Park) (BB)		68.20
American baseball (Victoria Park) training (BBTRA)		23.10
Tennis Courts (Taunton Green and Vivary Park)	Per hour	6.00
	Annual pass	36.00
Mini / 7 a side / 5 a side		16.04
Training (no nets or flags)	Per hour	11.32
Netball	Per court, per hour	11.32
Croquet	Per pitch, per game	16.04
Rounders (lines marked)	Per pitch, per match	16.04
Junior Cricket pitch (Schools)	Per match	16.04
Changing Facilities		14.00
Toilet Facilities (under 16)		3.43
Public Liability Cover for season, home games only based on 10 bookings	Seniors	38.50
	Juniors	26.40
Litter Clearance following games. (Payment made in one month of account)		27.04

Pitch and Putt

Adult	Per person, per round	4.27
Adult Concession	Per person, per round	3.44
Junior	Per person, per round	3.30
Junior Concession	Per person, per round	2.71
Tee Break (Off Peak 12-2pm weekday)	Per person, per round	2.43
Family Ticket (2 adults and 2 children)	Per person, per round	12.38

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Parks & Open Spaces	Unit	Fee (£) (including VAT)

Mini Golf

Adult	Per person, per round	2.75
Adult Concession	Per person, per round	2.24
Junior	Per person, per round	1.79
Junior Concession	Per person, per round	1.46
Family Ticket (2 adults and 2 children)	Per person, per round	7.34

Artificial Grass Pitch

(Cascul)/Club Bookings) - with floodlights	Full pitch	59.59
(Cascul)/Club Bookings) - without floodlights	Full pitch	50.41
(Cascul)/Club Bookings) - with floodlights	1/3 pitch	24.75
(Cascul)/Club Bookings) - without floodlights	1/3 pitch	22.00
(YSHC) - with floodlights	Full pitch	41.53
YSHC) - without floodlights	Full pitch	38.73
Schools - with floodlights	Full pitch	33.00
Schools - without floodlights	Full pitch	28.41
Schools - with floodlights	1/3 pitch	16.04
Schools - without floodlights	1/3 pitch	14.21

Yeovil Recreation Centre

Athletics Arena - Club training	Per hour	27.92
Athletics Arena - Club event	Per hour	52.03
Athletics Arena - Community room (casual user)	Per hour	11.00
Athletics Arena - Community room (non-profit)	Per hour	5.50

Land Use Fees

exc Legal fees refer to Council - Hard landscape	Private	56.10
	Commercial	84.70
exc Legal fees refer to Council - Soft landscape	Private	84.70
	Commercial	112.20

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Parks & Open Spaces	Unit	Fee (£) (including VAT)
Commercial Desirable Location		
(for non-trading use) - Selling of membership		24.20
(for non-trading use) - Charitable Stall		POA
Events and Miscellaneous in Neighbourhood Services		
Large Commercial Event 1000 > *		438.90
Medium Commercial Event 500 > < 1000 *		288.20
Small Commercial Event < 499 *		184.80
Circus or Fairs –Charge + refundable deposit of £471.50	Per day or part of day	435.60
Road Closure - New		173.80
Admin Charge for small charity events	Up to 100 people per day/part day	51.34
	More than 100 people per day/part day	100.84
Small events	Up to 300 people per day/part day	POA
Large events	Between 300 and 1000 people per day/part day	POA
Markets		
Wells		
Christmas Market		66.00
Christmas Chalet Hire		154.00
Pitch Wednesday	Per 2.5m stall	33.00
	Per 3x3 Gazebo	33.00
Pitch Saturday	Per 2.5m stall	33.00
	Per 3x3 Gazebo	35.20
Frome		
Pitch Wednesday	Per 3m stall	24.20
Pitch Saturday	Per 3m stall	40.70
Glastonbury		
Pitch Tuesday	Per 3m stall	24.20
Shepton Mallet		
Pitch Friday	Per 3m stall	24.20
Street		
Pitch Thursday	Per 3m stall	24.20

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Parks & Open Spaces	Unit	Fee (£) (including VAT)

Plant Nursery Sales

- Hanging basket 12		24.00
- Hanging basket 14		27.36
- Hanging basket 16		33.55
- Hanging basket 18		46.08
- Barrier troughs		33.55
- Window boxes		24.75
- Half rounds		33.55
- Large tubs		66.00
- Bedding plants 10cm pot		1.60
- Bedding plants 6 pack		4.13
- Herb pack		4.95
- Veg / herb pot 1ltr		3.30
- Veg / herb 10cm pot		1.93
- Shrubs (various)		5.50 to 88.00
- Compost (75L bags)		5.95
- House plants (various)		3.30 to 11.00
- Parish Ranger scheme (per hour)		23.65

Taunton Nursery

Hanging Basket 16"		24.00
Patio Planter		21.00
Patio Plants 3 ltr		5.00
Herbaceous Perennials 10cm		1.75
Herbaceous Perennials 1 ltr		3.50
Herbaceous Perennials 3 ltr		7.50
Bedding, Patio plants 1 ltr		3.50
Bedding 10 cm (Basket and Patio plants)		1.50
Bedding 6 pack		3.00

Somerset Council Fees & Charges (Appendix 4)		2023-24
Planning	Additional charges	Fee (£) (including VAT)

The planning charges in this document are non-statutory. For statutory charges, refer to the following guidance.

Link: [Statutory fees for planning applications](#)

URL: <https://www.gov.uk/guidance/fees-for-planning-applications>

Pre-Application planning advice

Level 1: Written advice within 20 working days	Householder Dwelling extensions, dormer windows, garages, fences, sheds etc to a single dwelling unit. Non material amendments, all non-material amendments regardless of scale. Advertisements, all proposals. Work to Trees, all proposals	A 1-hour meeting with an Officer can be arranged at an additional cost of £60 per meeting	150.00
Level 2: Written advice within 20 working days (includes a meeting of 1 hour)	Listed Buildings Advice about repairs, general alterations, major extensions etc		210.00
Level 3: Written advice within 20 working days (includes a meeting of 1 hour)	Single Dwellings Self build, infill, Agricultural Workers Dwellings	Additional meetings of 1 hour can be arranged at a cost of £60 per meeting	350.00
Level 4: Written advice within 20 working days (includes a meeting of 1 hour)	Small Minor Erection of 2-4 dwellings, including conversion or change of use to flats/houses. Commercial development of up to 500m ² of non-residential floorspace. Community buildings or facilities, including recreation, sports, and schools, up to 501m ² or up to 0.6ha site area		600.00
Level 5: Written advice within 20 working days (includes a meeting of 1 hour)	Large Minor Erection of 5-9 dwellings including conversion or change of use to flats/houses. Commercial development of between 501 and 1,000 m ² of non-residential floorspace. Community buildings or facilities, including recreation, sports, and schools, over 501m ² or over 0.6ha site area Agricultural or forestry development (not dwellings) over 0.6ha site area. Renewable energy proposals up to 2 hectares	Additional meetings of 1 hour can be arranged at a cost of £100 per meeting	1,000.00
Level 6: Written advice within 20 working days (includes two meetings of 1 hour each)	Small Major Erection of 10-49 dwellings including conversion or change of use. Listed Buildings - major extensions/alterations to multiple listed buildings. Commercial development of between 1,001 and 5,000 m ²		1,850.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Planning	Additional charges	Fee (£) (including VAT)

Pre-Application planning advice (continued)			
Level 7: Written advice within 20 working days (includes two meetings of 1 hour each)	Large Major Erection of 50-100 dwellings including conversion or change of use. Commercial development over 5,000 m2. Renewable energy proposals 2 hectares and over	Additional meetings of 1 hour can be arranged at a cost of £100 per meeting	2,640.00
Level 8	Minerals and Waste The fee will be calculated by officers based on the number and scale of the advice sought.		POA
Level 9	For all proposals that do not fit within the above criteria, are complicated or require a bespoke level of service including multiple meetings or significant economic development proposals. Please email (generic email address) with details of your proposal and a Senior Officer will respond to discuss a bespoke pre-application advice service.		POA
Planning Performance agreements			
Level 1	Householder Dwelling extensions, dormer windows, garages, fences, sheds etc to a single dwelling unit. Non-material amendments - all non-material amendments regardless of scale. Advertisements – all proposals. Works to Trees – all proposals. Certificate of Lawful Development – proposed/existing - all proposals. (All above are eligible for the Fast Track PPA Service)	£	200.00
Level 2	Listed Buildings Repairs, general alterations, major extensions etc. Discharge of conditions 1-3 planning conditions	Additional multiples of 3 conditions will be charged a further £150	350.00
Level 3	Small Minor. Erection of 1-3 dwellings, including conversion or change of use to flats/houses. Commercial development of up to 500m2 of non-residential floorspace. Community buildings or facilities, including recreation, sports, and schools, up to 501m2 or up to 0.6ha site area. Change of use of land or buildings with no physical development proposed (not to residential). Agricultural or forestry development		1,700.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Planning	Additional charges	Fee (£) (including VAT)

Planning Performance agreements (continued)		
Level 4	Large Minor. Erection of 4-9 dwellings including conversion or change of use to flats/houses. Commercial development of between 501 and 1,000 m2 of non-residential floorspace. Community buildings or facilities, including recreation, sports, and schools, over 501m2 or over 0.6ha site area Agricultural or forestry development (not dwellings) over 0.6ha site area. Renewable energy proposals up to 2 hectares.	3,500.00
Level 5	Small Major Erection of 10-49 dwellings including conversion or change of use. Listed Buildings - major extensions/alterations to multiple listed buildings. Commercial development of between 1,001 and 5,000 m2	6,500.00
Level 6	Large Major Erection of 50-100 dwellings including conversion or change of use. Commercial development over 5,000 m2. Renewable energy proposals 2 hectares and over	£10,000.00
Level 7	Minerals and Waste. For all minerals and waste proposals	POA
Level 8	For all proposals that do not fit within the above criteria, are complicated or require a bespoke level of service including multiple meetings or significant economic development proposals. Agreements can also be agreed on a lump sum and hourly rate basis. Please email (generic email address) with details of your proposal and a Senior Officer will respond to discuss a bespoke pre-application advice service.	POA
Planning Obligations		
Section 106 monitoring fee per agreement		300.00
Financial obligation (per trigger point)		300.00
Affordable Housing obligation (per trigger point):		300.00
Non-financial obligation (per trigger point)		300.00
Obligation without a trigger		300.00
Planning obligations - impact of phosphates		
Section 106 monitoring fee per agreement payable at signing of agreement		300.00
Submission of monitoring report payable on submission of each and every monitoring report		300.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Planning	Additional charges	Fee (£) (including VAT)

Other planning charges (S106)

Request to confirm compliance with a Section 106 obligation or Community Infrastructure Levy (CIL)	This is a desktop check of the Council's records. If the clause in the agreement requires something to be undertaken on site, it would be necessary to undertake a site visit for which there may be an additional charge	Per hour	100.00
Request to modify or discharge a Section 106 obligation	Fee for the submission of an application to consider whether changes should be made to a planning obligation or to discharge an existing obligation – to be paid at point of receipt.		1,000.00
Request to modify or discharge a Section 106 obligation	If the request to modify or discharge a Section 106 obligation relates to affordable housing obligations and the Applicant is a Registered Housing Association.		500.00
Submission of documents to discharge a Section 106 obligation	Fee for the submission of an application to consider whether changes should be made to a planning obligation or to discharge an existing obligation – to be paid at point of receipt.		1,000.00
Submission of documents to discharge a Section 106 obligation	If the request to modify or discharge a Section 106 obligation relates to affordable housing obligations and the Applicant is a Registered Housing Association.		500.00

Other planning charges

Planning History charge		Per hour	54.00
Minerals and Waste Monitoring Fee		Per site visit	400.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Planning	Additional charges	Fee (£) (including VAT)

Other planning charges (continued)			
Copies of planning application documents held on microfiche	If you require a copy of an application decision or a tree preservation order and the documents are only available on microfiche.	Minimum charge	24.00
Fees for the assessment of the viability of developments	Where a viability appraisal is received as part of a planning application submission or at pre-application stage this will require an assessment to be undertaken to verify the assumptions being made. The cost for undertaking this assessment will be met by the developer and will be agreed between the Council and the developer prior to instruction. Payment must be received in full before the assessment is carried out (payment of VAT may be variable).		POA
Confirmation that no planning enforcement action will be taken or confirmation that an enforcement notice has been withdrawn	If an interested party, such as a solicitor or owner, wishes to receive in writing from the Planning Service either that no enforcement action will be taken following an investigation or that an enforcement notice will be withdrawn, this can be confirmed by letter for a fee.		100.00
High Hedge Complaints	Application to investigate a valid complaint of a high hedge and, if upheld, order the hedge owner to take action to remedy the problem.		500.00

Somerset Council Fees & Charges (Appendix 4)	2023-24
Private Sector Housing	Fee (£) (including VAT)
Enforcement Notices (HA2004)	383.00
HMO Licence NEW	780.00
HMO Licence RENEWAL	660.00
HMO Licence Extra room (over 5)	34.00
Discretionary visits (incl. immigration visit)	237.00
Hourly rate	52.00

Somerset Council Fees & Charges (Appendix 4)		2023-24	
Registration Services		Unit	Fee (£) (including VAT)
Birth, Death, and Marriage Certificates	Birth, Death, and Marriage Certificates issued by a Registrar or Superintendent Registrar. Issued at time of Registration, or if requested later then processed within 15 working days sent Second class post	Per Certificate	11.00
Civil Partnership Certificates Issued by the Local Registration Authority	Issued at time of registration, or if requested later then processed within 15 working days sent Second class post	Per Certificate	11.00
Priority Service - Birth, Death and Marriage Certificates issued by a Registrar or Superintendent Registrar	On or before next working day (orders up to 3pm) Sent First Class	Per Certificate	35.00
Priority Service - Certificates Issued by the Local Registration Authority		Per Certificate	35.00
Notice of Marriage - Persons subject to the Home Office Referral and Investigation Team	Entry of Each Notice of Marriage for persons subject to HORIT	Per Entry	47.00
Notice of Marriage - all other persons	Entry of Each Notice of Marriage	Per Entry	35.00
Foreign Divorce - Superintendent Registrar consideration	Consideration by Superintendent Registrar of a divorce obtained outside of the British Isles	Per Divorce Application	50.00
Foreign Divorce - Registrar General Consideration	Consideration by the Registrar General of a divorce obtained outside of the British Isles	Per Divorce Application	75.00
Marriage Fee - Attendance at the Ceremony	Attendance at the Register Office does not include a certificate	Per Ceremony	46.00
Marriage Fee - Attendance at a Registered Building	Attendance at the Registered Building does not include a certificate	Per Ceremony	86.00
Notice of Civil Partnership for persons subject to the Home Office Referral and Investigation Team	Entry of each Notice of Civil Partnership for persons subject to HORIT	Per Entry	47.00
Notice of Civil Partnership for all other persons	Entry of each Notice of Civil Partnership	Per Entry	35.00
Foreign Civil Partnership Dissolution - Registration Authority	Consideration by the registration authority of a Civil Partnership Dissolution obtained outside of the British Isles	Per Dissolution Application	50.00
Foreign Civil Partnership Dissolution - Registrar General	Consideration by the Registrar General of a Civil Partnership Dissolution obtained outside of the British Isles	Per Dissolution Application	75.00
Civil Partnership Attendance fee	Attendance at the Civil Partnership Registration at the Register Office (does not include a certificate)	Per Ceremony	46.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)			2023-24
Registration Services		Unit	Fee (£) (including VAT)
Conversion of Civil Partnership to a Marriage	At the Register Office	Per conversion	45.00
Civil Partnership Conversion two-step process	Completing the declaration	Per conversion	27.00
Civil Partnership Conversion two-step process	Signing the declaration in a religious building registered for the marriage of same sex couples	Per conversion	91.00
Waiver Application	Application to the Registrar General to reduce the statutory waiting time of Notice of Marriage/Civil Partnership (in addition to NOM fee)	Per Application	60.00
Registrar General's Licence	Attendance per ceremony - no certificate included	Per Ceremony	15.00
Change of Forename (Space 17)	Change of forename added within 12 months of birth registration	per Application	40.00
Correction Application - Local	Consideration by Registrar/Superintendent Registrar of a correction	per Application	75.00
Correction Application - General Register Office	Consideration by the Registrar General of a correction.	per Application	90.00
Citizenship Ceremony (Private)	Attendance Private Citizenship (Register Office)	Per Ceremony	POA
	Attendance Private Citizenship (Approved Premises)		
Marriage and Civil Partnership			
Approved Premises/External Venue			
Attendance at Marriage and Civil Partnership ceremonies by two staff. (one certificate included)	Monday - Thursday	Per Ceremony	465.00
	Friday		495.00
	Saturday		495.00
	Sunday		545.00
	Bank Holiday		645.00
Frome			
Emma Sheppard Meeting Room (max party size 20)	selected Saturdays only	Per Ceremony	215.00
Council Chamber (max party size 100)			365.00
Taunton (The Old Municipal Buildings)			
Attendance at Marriage and Civil Partnership ceremonies by two Registrars. (one certificate included)	Vivary Room (max party size 40)	Per Ceremony	215.00
	Tudor Hall (max party size 100)		365.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24	
Registration Services		Unit	Fee (£) (including VAT)
Weston			
Use of the Hutton Suite (max party size 40), including the attendance of two Registrars. (one certificate included).	Monday – Friday	Per Ceremony	165.00
	Saturday		165.00
Use of the Old Council Chambers (max part size 60), including the attendance of two Registrars. (one certificate included).	Monday – Friday		215.00
	Saturday		215.00
Yeovil			
Use of Abbey Manor (max party size 40), including the attendance of two Registrars. (one certificate included).		Per Ceremony	215.00
Welcome and Renewal of Vows			
Each extra child added to Welcome ceremony booking	Each extra child per existing child		60.00
Each extra Couple added to Renewal Ceremony Booking	Each extra couple per Renewal booking		60.00
Approved Premises/External Venue			
Attendance at Welcome/Renewal of Vows Ceremony by one Registrar. Includes Commemorative Certificate.	Monday - Thursday	Per Ceremony	465.00
	Friday		495.00
	Saturday		495.00
	Sunday		545.00
	Bank Holiday		645.00
Taunton (The Old Municipal Buildings)			
Welcome/Renewal of Vows Ceremony by one Registrar. Includes Commemorative certificate.	Vivary Room (max party size 40)	Per Ceremony	215.00
	Tudor Hall (max party size 100)		365.00
Weston			
Welcome/Renewal of Vows Ceremony by one Registrar at the Hutton Suite (max party size 40). Includes Commemorative certificate	Monday - Saturday	Per Ceremony	165.00
			215.00
Welcome/Renewal of Vows Ceremony by one Registrar at Old Council Chamber (max party size 60). Includes Commemorative certificate			
Yeovil			
Welcome/Renewal of Vows Ceremony by one Registrar at Abbey Manor (max party size 40). Includes Commemorative certificate		Per Ceremony	215.00

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)		2023-24
Registration Services	Unit	Fee (£) (including VAT)

Approved Premises (New Application)

Application for Approved Premises Licence with 2 Rooms Licensed	Valid for 3 years	Per Licence Application	TBC
Application for Approved Premises Licence with 3 Rooms Licensed			TBC
Application for Approved Premises Licence with 4 Rooms Licensed			TBC
Application for Approved Premises Licence with 5+ Rooms Licensed			TBC

Approved Premises (Renewal)

Renewal of existing licence under same terms (required every 3 years)	Per Renewal	TBC
Renewal including application for addition of 1 room		TBC
Renewal including application for addition of 2 rooms		TBC
Renewal including application for addition of 3 rooms		TBC
Application to review refused Approved Premises Application	Per Application	TBC

Somerset Council Fees & Charges (Appendix 4)	2023-24
Rights of Way	Fee (£) (including VAT)

Land Charges	Question 2.1	2.15
Land Charges	Question 2.2-2.5	0.50
Land Charges	Question 3.2	0.25
Land Charges	Question 3.4	1.80
Land Charges	Question 3.5	0.25
Land Charges	Question 3.6	1.80
Land Charges	Question 3.7	0.25
Land Charges	Question 4	0.50
Land Charges	Question 16	0.25
Land Charges	Question 17	0.25
Land Charges	Question 21	0.50
Land Charges	Question 22.1-22.3	0.50
Land Charges	Base Fee	2.30

Somerset Council Fees & Charges (Appendix 4)		2023-24
Somerset Waste Partnership	Unit	Fee (£)
Garden Waste	Bin for 1 year	62.90
	Pack of 10 waste sacks	31.10
Bulky Waste	1 to 3 items	68.00
	Per additional item (up to 5)	17.00
Asbestos	Maximum of 16 sheets or 1 tonne	280.40
Asbestos at recycling sites	Per sack or sheet equivalent	15.00
Plasterboard at recycling sites	Per sack or sheet equivalent	5.10
Gas Bottles	Up to 10kg	7.80
	10kg to 20kg	15.50
	Specialist Cylinders	45.50
Soil & Hardcore	Single carrier bag	No Charge
	Rubble sack	4.40
Small van or Trailer		22.70
Soil & Hardcore - Medium van or trailer		45.50
Tyres	per Un-rimmed tyre	4.40
	per rimmed tyre	5.80
	per large (e.g., lorry type tyre)	59.00

Somerset Council Fees & Charges (Appendix 4)		2023-24
Sports Facilities	Unit	Fee (£) (including VAT)
Yeovil Recreation Centre		
Athletics Arena		
Adult Casual Session		5.00
Adult Casual Concession		4.00
Adult Concession 90 mins		6.00
Junior Casual Session		4.30
Junior Casual Concession		3.50
Junior Concession 90 mins		5.20
Track Pass		
Adult		110.30
Adult concession		83.80
Junior		66.20
Junior Concession		50.80
Athletics Arena - Club Use		
Club Training	Per hour	32.00
Club Meeting		59.60
Athletics Arena - Educational Establishment		
Training	Per hour	30.90
Meetings		46.30
Athletics Arena – Floodlights		
Training	Per hour	20.30
Meetings		24.60
Community Space		
Casual/exercise		10.50
Charity/non profit		5.25
Miscellaneous		
Activity License		56.00
Rounders(per pitch/max 4 pitches)		5.25

Somerset Council Fees & Charges (Appendix 4)		2023-24
Street Naming & Numbering	Unit	Fee (£) (including VAT)

Change of individual property name		82.50
New address for a single new property		110.00
New development 10 plots or less	Initial charge	121.00
	Per additional plot	11.00
New development more than 10 plots	Initial charge	110.00
	Per additional plot	11.00
Merger of two or more properties into one, where new address required	Initial charge	110.00
	Per additional plot	11.00
Property division		110.00
Confirmation of official address		38.50
Change of existing street name of residents request	Initial charge	137.50
	Per additional plot	11.00
Changes to existing street naming and numbering	Per 30 mins	55.00
Naming of new street or renaming a street		110.00
Renumbering of scheme following development changes	First address	110.00
	Per additional address	11.00
Nameplates erected for each new street (developers option)	First address	220.00
	Per additional address	137.50

Somerset Council Fees & Charges (Appendix 4)	2023-24
Streetscene	Fee (£) (including VAT)

MOT Testing Centres		
Fleet Management		
Hackney/Private Hire		63.80
Hackney/Private Hire Retest - up to 3 items		10.73
Hackney/Private Hire Retest		22.83
Hackney/Private Hire with MOT (58 +35)		102.30
Trailer Testing Fee		28.60
Private Purchase Inspections		53.90
MOT Testing (Class 4)	Public	49.50
	Staff	38.50
	Trade	44.00
MOT Testing (Class 5)	Public	60.50
	Staff	60.50
	Trade	52.80
MOT Testing (Class 7)	Public	60.50
	Staff	52.80
	Trade	52.80
SSDC internal hourly		49.01
SSDC external hourly		70.01

Somerset Council Fees & Charges (Appendix 4)	2023-24
Tourism & Heritage	Fee (£) (including VAT)

Heritage		
Photocopying A5 - A3, black and white or colour (minimum charge per item)		0.50
Identification Service		Free on public ID days as advertised
Research		
First initial enquiry via e-mail, telephone, or visit		Free of charge
Additional supervised visit to the store		13.70
Talks		57.00
Loan Box - charge per term		27.40
Tours		
per person during working hours		3.60
per person during evening (minimum charge 25.00)		7.20
Postcards, Greeting cards, calendars		
Yeovil in the Past Calendar	Per calendar	7.20
Yeovil Greeting Cards	Individual	1.50
	Pack of 5	7.50
Yeovil Postcards	Individual	0.50
	Pack of 3	1.00
	Pack of 6	2.00
First World War booklet		2.00
Outreach events (Drop in outreach events at partner venues)		Donation
Photograph for publication (Per item)		
Not-for-profit		7.00
Commercial		50.00
Written off stock		Donation

Continued on the next page...

Somerset Council Fees & Charges (Appendix 4)	2023-24
Tourism & Heritage	Fee (£) (including VAT)

Tourism	
Cartgate TV screen advertising	
Screen only	
12 months	1,110.00
Low season (per month)	65.00
High season (per month)	105.00
Display package - screens & leaflet display by screen	
12 months	1,475.00
Low season (per month)	95.00
High season (per month)	140.00
Premium package - screens, leaflets, info to staff	
12 months	1,820.00
Low season (per month)	115.00
High season (per month)	190.00

Somerset Council Fees & Charges (Appendix 4)		2023-24
Traffic Management	Unit	Fee (£) (including VAT)

Road Injury Collision data requests	Staff costs for time and checking and an element of validation & Data system costs		210.00
Temporary Traffic Signals	NRSWA 1991		28.50
Section 50 Licence			340.00
Section 50 Licence(with site visit)			390.00
(CAT 0,1 & 2 or Traffic Sensitive)			
Somerset Permit Scheme	Minor Permit		58.00
	Immediate		54.00
	Standard Permit		114.00
	PAA Permit		92.00
	PA Permit		186.00
	Permit Variation		45.00
(CAT 3, 4 and non-Traffic Sensitive)			
Somerset Permit Scheme	Minor Permit		30.00
	Immediate		25.00
	Standard Permit		57.00
	PAA Permit		60.00
	PA Permit		98.00
Occupancy Charges			
Traffic-sensitive street or protected street not in road category 2, 3 or 4	NRSWA 1991	Per first three days	5,000.00
		Per day thereafter	10,000.00
Traffic-sensitive street or protected street in road category 2	NRSWA 1991	Per first three days	3,000.00
		Per day thereafter	8,000.00
Traffic-sensitive street or protected street in road category 3 or 4	NRSWA 1991	Per day	750.00
Other street not in road category 2, 3 or 4	NRSWA 1991	Per day	2,500.00
Other street in road category 2		Per day	2,000.00
Other street in road category 3 or 4		Per day	250.00
Street not in road category 2, 3 or 4 (outside of carriageway)	NRSWA 1991	Per day	2,500.00
Street in road category 2 (outside of carriageway)	NRSWA 1991	Per day	2,000.00
Street in road category 3 or 4 (outside of carriageway)	NRSWA 1991	Per day	250.00

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Somerset Council Fees & Charges (Appendix 4)		2023-24
Traffic Management	Unit	Fee (£) (including VAT)

Regulation 19, Regulation 20 and Fixed Penalty Notices			
Regulation 19: Offence to undertake works without a required permit.	Somerset Permit Scheme	If paid within 29 days	120.00
		If not paid within 29 days	500.00
Regulation 20: Offence to breach a permit condition	Somerset Permit Scheme	If paid within 29 days	80.00
		If not paid within 29 days	300.00
Fixed Penalty Notice	NRSWA 1991	If paid within 29 days	80.00
		If not paid within 29 days	120.00
Standard Inspection charge (Non-Sample)	NRSWA 1991		47.50
Sample inspection charge	NRSWA 1991		50.00
Permit Variation (CAT 3, 4 and non-Traffic Sensitive)	Somerset Permit Scheme		35.00
Temporary Traffic Regulation Order Application Fee	Charges are applied to cover all SCC costs associated with making temporary Traffic Regulation Orders	Temporary Traffic Regulation Order	1,375.00
Temporary Traffic Regulation Notice Application Fee	Charges are applied to cover all SCC costs associated with making temporary Traffic Regulation Notices	Temporary Traffic Regulation Notice	495.00
Tourist Sign Applications (Brown Signs)	Recoverable costs associated with the supply and installation of directional signage for tourist facilities and attractions	Scheme costs vary and are recharged to the applicant	On Application
Temporary Traffic Regulation Order required within 12 weeks (Fast Track) Application Fee	Charges are applied to cover all SCC costs associated with making temporary Traffic Regulation Notices	Temporary Traffic Regulation Order (Fast Track)	2,475.00
Additional Temporary Traffic Regulation Order Public Notice Fee	Charges are applied to cover all SCC costs associated with making temporary Traffic Regulation Notices	Temporary Traffic Regulation Order Additional Public Notice	550.00

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Somerset Council Fees & Charges (Appendix 4)		2023-24	
Traffic Management		Unit	Fee (£) (including VAT)
Permanent Traffic Regulation Order Fee	Charges are applied to cover all SCC costs associated with making permanent Traffic Regulation Orders	Permanent Traffic Regulation Order	3,300.00
Transport Data Speed and Traffic Count Radars			
Internal Charge	7-day on-site survey	based on hours and rates (grade 13 of the team working)	297.00
External Charge			363.00
CCTV for vehicle and pedestrian counts			
Internal Charge	5-day on-site survey		429.00
External Charge			495.00
Transcribing of CCTV data & Validation			
Internal Charge	Transcribing calculated separately at enumerator time cost, as it cannot be predicted prior to the survey		125.40
External Charge			165.00
Transport data Requests	Staff costs for time and checking and an element of validation costs		231.00
THE NEW ROADS AND STREET WORKS ACT 1991 SECTION 50 placement of Survey Counters, Traffic Monitoring equipment works without excavation, and enumerator surveys	Licencing of third-party surveys on SCC highways		118.80

Somerset Council Fees & Charges (Appendix 4)	2023-24
Transporting Somerset	Fee (£)

Accessible Transport Contributions	POA
Administration Fee for arranging Health Transport	POA
Bus Fares for passengers	POA (Route dependant)
Rental of Park and Ride Spaces	1073.10
Replacement of lost/stolen/damaged concessionary fare cards	10.00
Schools Early Closure Admin Fee	POA

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Summary of Additional Funding Requests by Directorate

Directorate	Requirement type	Title	Description of requirement	Lead Member	Director	2023.24 £m	2024.25 £m	2025.26 £m
Climate & Place	Change in legislation	Development of new Somerset Local Plan	A new Local Plan for Somerset is required within 5 years of Vesting Day. The creation of a Local Plan is a Statutory Requirement. This is a cyclical activity and only a minimal amount is included in base budgets.	Cllr Ros Wyke	Mickey Green	0.790	0.000	0.000
	Demand/ demography	Project management - Major Road Network schemes to Capital Funding	Contribution to project management for the Major Road Network schemes.	Cllr Mike Rigby	Mickey Green	(0.010)	0.000	0.000
		Disposal Contract volume growth	The growth in housing will result in an unavoidable increase in waste volumes	Cllr Sarah Dyke	Mickey Green	0.311	0.154	0.159
		Funding of completion of secondment contract.	To honour fixed term secondment until 5/9/23	Cllr Sarah Dyke	Mickey Green	0.053	(0.053)	0.000
		TMC Cashable Saving	Prior year saving not achieved	Cllr Mike Rigby	Mickey Green	0.080	0.000	0.000
		Further Education Supported Services Contract Pressures	County Ticket has been suspended as it was no longer fit for purpose. Revenue now taken on the bus but as passengers are travelling less than previously the revenue has fallen. Contract prices have increased with inflationary pressures. We have a duty to provide access to Further Education.	Cllr Mike Rigby	Mickey Green	0.247	0.000	0.000
		Inflation (general)	Electricity Inflation	Forecast increase in electricity budget. Includes 22/23 in year budget pressure of £350k and forecast increase in prices of 75% as unmetered supply.	Cllr Ros Wyke	Mickey Green	2.967	1.221
	Forecast increase in electricity budget. Includes 22/23 in year budget pressure of £40k and forecast increase in prices of 40%			Cllr Ros Wyke	Mickey Green	0.088	0.034	0.020
	Drainage Board Levies		Inflation on Drainage Board Levies	Cllr Sarah Dyke	Mickey Green	0.071	0.000	0.000
	Inflationary impacts on delivery of maintenance function for Rights of Way		Additional funding required to cover the inflationary pressures of materials and labour.	Cllr Sarah Dyke	Mickey Green	0.030	0.000	0.000

Directorate	Requirement type	Title	Description of requirement	Lead Member	Director	2023.24 £m	2024.25 £m	2025.26 £m
Climate & Place	Policy/financing change	Replacement of lost LEP income	Somerset County Council has Service Level Agreements (SLAs) with the Local Enterprise Partnership (LEP) of £265k pa. This income has enabled budget reductions in previous MTFP rounds. Government is reviewing LEPs and the Heart Of the South West (HOSW) LEP is reviewing its operating model. This pressure is based on remaining impacts of this after mitigating management action	Cllr Val Keitch	Mickey Green	(0.115)	0.000	0.000
		Multi-year financial support for Somerset Local Nature Partnership and for Somerset Environmental Records Centre	SERC and the LNP will be leading on delivery of the Local Nature Recovery Strategy for Somerset, for which Somerset County Council is the Responsible Authority.	Cllr Sarah Dyke	Mickey Green	0.095	(0.095)	0.000
	Inflation (contractual)	Highways Maintenance (Contract Inflation)	Highways Maintenance Contract inflation	Cllr Mike Rigby	Mickey Green	0.541	0.313	0.138
		Highways Bridges and Structures (Contract Inflation)	Bridges and Structures contract inflation	Cllr Mike Rigby	Mickey Green	0.062	0.036	0.016
		Technically Competent Manager - closed landfill inspections	SCC operate 3 permitted facilities as part of the current highways contract and require TCM (Technically Competent Manager) cover to demonstrate it is managing and operating the permitted waste activities using sufficient competent persons and resources.	Cllr Mike Rigby	Mickey Green	0.020	(0.020)	0.000
		Emergency Overspend	Due to climate change and the unpredictable nature of emergency events the annual budget is constantly overspent	Cllr Mike Rigby	Mickey Green	0.050	0.000	0.000
		Highway Lighting Maintenance (SSE) contract	Inflation on costs for the Highway Lighting Maintenance contract	Cllr Mike Rigby	Mickey Green	0.159	0.092	0.040
		Inflationary costs	CPI (Consumer Price Index) applied to contract costs across Accessible Transport, Contract Bus, County Ticket Routes	Cllr Mike Rigby	Mickey Green	0.491	0.235	0.090

Directorate	Requirement type	Title	Description of requirement	Lead Member	Director	2023.24 £m	2024.25 £m	2025.26 £m
Climate & Place	Inflation (contractual)	Contract Inflation - Disposal Contract	Inflation on the Disposal contract using a mix of RPI (Retail Price Index) and Baxter baskets of indices	Cllr Sarah Dyke	Mickey Green	3.475	1.854	1.025
		Contract Inflation - Collection Contract	The collection contract inflation allows for both housing growth and price inflation. Inflation is a mix of CPI (Consumer Price Index) and a Baxter basket	Cllr Sarah Dyke	Mickey Green	2.130	1.362	0.674
		Trading Standards - adjustment for joint service salary related costs	Provision for inflation/annual changes to salary, NI and superannuation costs for the HoSW (Heart of the South West) joint trading standards service employed by DCC on behalf of SCC to meet the additional cost of the equivalent core team compared to 2022/23	Cllr Federica Smith-Roberts	Mickey Green	0.087	0.028	0.028
		Exmoor National Park Authority (ENPA) contribution	Additional funding required to ensure Exmoor National Park Authority (ENPA) retain an Agency Agreement with SCC to perform the maintenance function for Rights of Way within the National Park	Cllr Sarah Dyke	Mickey Green	0.037	0.000	0.000
Climate & Place Total						11.856	5.159	2.922
Corporate Areas	Inflation (general)	Increase in pension costs	Increase in pension costs over next 3 years	Cllr Liz Leyshon	Jason Vaughan	0.120	0.000	0.000
	Policy/financing change	Resilience Budget for Business As Usual	To add resilience to service budgets throughout the Local Government Reorganisation (LGR) process	Cllr Liz Leyshon	Jason Vaughan	(1.473)	0.000	0.000
		Environment Agency Levy	The Environment Agency (EA) levy on the County Council to fund its local flood defence programme. (increased by 2% each year)	Cllr Liz Leyshon	Jason Vaughan	0.015	0.015	0.000
		Update discontinued services in line with current forecasts	Update discontinued services in line with current forecasts	Cllr Liz Leyshon	Jason Vaughan	0.006	0.006	0.000
		Reduction in income from the Housing Revenue Account	Reduction in income from the Housing Revenue Account	Cllr Liz Leyshon	Jason Vaughan	0.223	0.000	0.000
		Pension Revaluation	Estimated Increase in Pension Costs - Tri-Annual Review	Cllr Liz Leyshon	Jason Vaughan	0.000	0.000	0.000
		Devon & Severn IFCA Levy	Update Devon & Severn Inshore Fisheries Conservation Authority (IFCA) Levy in line with budget paper	Cllr Liz Leyshon	Jason Vaughan	0.001	0.001	0.000
Corporate Areas Total						(1.109)	0.022	0.000

Directorate	Requirement type	Title	Description of requirement	Lead Member	Director	2023.24 £m	2024.25 £m	2025.26 £m
Communities Services	Change in legislation	Contracts for vehicle hire, play areas and tools	Contracts for vehicle hire, play areas and tools funded by capital	Cllr Federica Smith-Roberts	Chris Hall	0.236	0.000	0.000
		Contract hire currently funded by capital	Contract hire funded by capital	Cllr Federica Smith-Roberts	Chris Hall	0.012	0.000	0.000
		Car cruising Injunction legal and associated costs Cheddar Gorge	Evidence for Injunction currently with barristers for legal view on potential of achieving an injunction. If approved would aim to move to full application through the courts. This to include consultation, advertising and signage. It is a rough estimation.	Cllr Adam Dance	Chris Hall	0.030	(0.030)	0.000
	Inflation (general)	Utilities Cost Inflation - Chilton Trinity Pool	Through the PFI (Private Finance Initiative) contract with BSF (Building Schools for the Future), 1610 operate the Pool facilities at Chilton Trinity pool in Bridgwater. As per the contract provisions, Sedgemoor DC undertake to pay the utilities costs. Current costs are c.£96k, these are expected to rise by at least 400% to c.£400k p/a	Cllr Federica Smith-Roberts	Chris Hall	0.300	(0.300)	0.000
		Provision for increase in utilities costs across leisure sector	Service delivery across the leisure sector is under significant pressure due to increases in utilities costs, calling into question the ongoing viability of contractors / service providers. Provision will need to be made for non-contractual contributions to utilities costs of service providers where ongoing service provision is at risk due to a rise in these costs	Cllr Federica Smith-Roberts	Chris Hall	0.500	(0.500)	0.000
	Policy/financing change	Fleet Contract	Somerset West and Taunton have a fleet contract with Specialist Fleet Services. This budget growth represents the contract budget required for 23/24. This includes the lease element which would be accounted for as capital if the council had adopted the lease accounting standard (IFRS16).	Cllr Federica Smith-Roberts	Chris Hall	0.010	(0.010)	0.000
		Lifeline Unit purchase for lease.	Funding required to purchase Lifeline Units for lease to customers.	Cllr Federica Smith-Roberts	Chris Hall	0.029	0.000	0.000

Directorate	Requirement type	Title	Description of requirement	Lead Member	Director	2023.24 £m	2024.25 £m	2025.26 £m
Communities Services	Inflation (contractual)	Contracts	Service providers that help local authorities to prevent and relieve homelessness are facing increased costs due to energy, wages and cost of living increases.	Cllr Federica Smith-Roberts	Chris Hall	0.164	0.063	0.043
		Contract inflation on idverde contract	10.1% inflation uplift from December 23. Split Taunton contract £67,973, Minehead contract £42,824 and Toilet cleansing £10,858	Cllr Federica Smith-Roberts	Chris Hall	0.122	0.065	0.035
			10% inflation - inflation based on GM87 (Grounds Maintenance 1987 index) which is and RICS (Royal Institute of Chartered Surveyors) index, estimated.	Cllr Federica Smith-Roberts	Chris Hall	0.153	0.085	0.037
		Additional contract costs for heritage services	Heritage services managed for SCC by the South West Heritage Trust, in particular as a result of rising utility and staff costs for running unique museum, archive and historic environment services and sites in Somerset.	Cllr Federica Smith-Roberts	Chris Hall	0.105	0.240	0.000
Communities Services Total						1.660	(0.387)	0.115
Accountable Bodies	Demand/demography	Resource requirement for management of new CDS contracts	<p>SCC is the accountable body for the CDS (Connecting Devon & Somerset) programme. The programme has expanded over recent years originally delivering 1 contract with BT and is now delivering 6 contracts with a range of suppliers and Voucher Top Up Schemes with DCMS. Accordingly there is significantly more work being undertaken liaising with multiple suppliers across the region. In addition funding has been secured from multiple grant providers and their respective funding requirements must be honoured.</p> <p>In recognition of the significant increase in project and contract management work the programme team has been expanded over the past six months. Delivery under the contracts is expected to continue until 2024. This project continues to extend digital infrastructure across the region benefiting both residents and businesses.</p>	Cllr Mike Rigby	Jason Vaughan	0.000	0.072	0.004
	Policy/financing change	Somerset Rivers Authority (SRA) Budget	Somerset Rivers Authority (SRA) Budget to match precept income.	Cllr Liz Leyshon	Jason Vaughan	0.072	0.015	0.015
Accountable Bodies Total						0.072	0.087	0.019

Directorate	Requirement type	Title	Description of requirement	Lead Member	Director	2023.24 £m	2024.25 £m	2025.26 £m	
Adults Service	Change in legislation	Fair Cost of Care - Residential	Fair Cost of Care	CLlr Heather Shearer	Mel Lock	5.833	0.000	0.000	
		Fair Cost of Care - Nursing	Fair Cost of Care	CLlr Heather Shearer	Mel Lock	7.735	0.000	0.000	
		Fair Cost of Care - Homecare	Fair Cost of Care	CLlr Heather Shearer	Mel Lock	3.431	0.000	0.000	
		Reforms	Reforms - Staffing	CLlr Heather Shearer	Mel Lock	1.600	0.400	0.000	
		Better Care Support Costs - IT	Better Care Support Costs - IT	CLlr Heather Shearer	Mel Lock	0.116	0.000	0.000	
	Demand/ demography	Adults Service Demographic Growth	CCG Pooled Budget Income		CLlr Heather Shearer	Mel Lock	(1.330)	0.000	0.000
			Demographic Growth for Adults Services (Direct Payments)		CLlr Heather Shearer	Mel Lock	0.330	0.312	0.392
			Demographic Growth for Adults Services (Home Care)		CLlr Heather Shearer	Mel Lock	0.294	0.307	0.304
			Demographic Growth for Adults Services (Placements)		CLlr Heather Shearer	Mel Lock	1.387	1.378	1.354
			Demographic Growth for LD Services (Supported Living)		CLlr Heather Shearer	Mel Lock	0.477	0.478	0.478
			Demographic Growth for Learning Disabilities Services (Day Care)		CLlr Heather Shearer	Mel Lock	0.103	0.103	0.103
			Demographic Growth for Learning Disabilities Services (Direct Payments)		CLlr Heather Shearer	Mel Lock	0.245	0.245	0.245
			Demographic Growth for Learning Disabilities Services (Home Care)		CLlr Heather Shearer	Mel Lock	0.067	0.067	0.067
			Demographic Growth for Learning Disabilities Services (Placements)		CLlr Heather Shearer	Mel Lock	0.481	0.482	0.482
			Demographic Growth for Learning Disabilities Services (Shared Lives)		CLlr Heather Shearer	Mel Lock	0.042	0.043	0.043
			Demographic Growth for Mental Health Services (Direct Payments)		CLlr Heather Shearer	Mel Lock	0.034	0.035	0.037
			Demographic Growth for Mental Health Services (Home Care)		CLlr Heather Shearer	Mel Lock	0.106	0.108	0.111
			Demographic Growth for Mental Health Services (Placements)		CLlr Heather Shearer	Mel Lock	0.335	0.341	0.344
			In Year Pressure (Day Care)		CLlr Heather Shearer	Mel Lock	1.651	0.000	0.000
			In Year Pressure (Direct Payments)		CLlr Heather Shearer	Mel Lock	0.947	0.000	0.000
			In Year Pressure (Home Care)		CLlr Heather Shearer	Mel Lock	1.977	0.000	0.000
			In Year Pressure (Residential & Nursing)		CLlr Heather Shearer	Mel Lock	6.397	0.000	0.000
			In Year Pressure (Residential)		CLlr Heather Shearer	Mel Lock	0.735	0.000	0.000

Directorate	Requirement type	Title	Description of requirement	Lead Member	Director	2023.24 £m	2024.25 £m	2025.26 £m	
Adults Service	Demand/ demography	Named Transitions (LD Services)	Demographic Growth	Cllr Heather Shearer	Mel Lock	1.000	1.000	1.000	
		CCG Pooled Budget Income	Demographic Growth	Cllr Heather Shearer	Mel Lock	(0.604)	(0.604)	(0.605)	
		Technology Enabled Care	Putting in equipment/technology to enable services users to remain in their homes	Cllr Heather Shearer	Mel Lock	0.450	0.000	0.000	
	Inflation (general)	Provider Inflation	Fee Inflation for Social Care providers		Cllr Heather Shearer	Mel Lock	9.979	38.175	36.931
			Clinical Commissioning Group (CCG) Pooled Budget Income		Cllr Heather Shearer	Mel Lock	(2.047)	(2.388)	(2.346)
Adults Service Total						41.771	40.481	38.942	
Children's Service	Change in legislation	Change in requirement for numbers of Unaccompanied Asylum Seeking Children (UASC) children being taken into care	Change in requirement for numbers of Unaccompanied Asylum Seeking Children (UASC) children being taken into care	Cllr Tessa Munt	Claire Winter	0.108	0.181	0.083	
		Inter-agency increased spend and formula review	Increased contribution to regional adoption agency following review of the original funding formula	Cllr Tessa Munt	Claire Winter	0.123	0.135	0.085	
	Demand/ demography	Continued funding for the two additional posts for the SEND Business Support team.	There has been an increase in the number of Education, Health and Care Plans (EHCPs). Whilst there has been an increase in capacity in the operational team there has been no corresponding increase in the Business Support Team. This will contribute to Special Educational Needs & Disabilities (SEND) Improvement.	Cllr Tessa Munt	Claire Winter	0.051	0.000	0.000	
		Continued funding for an additional post supporting the Tribunal Process for the SEND Business Support team.	There has been an increase in the number of Special Educational Needs and Disabilities (SEND) Tribunal Panels. This additional support will establish permanent support to the Tribunal Panels plus the Weekly Mediation Panel and the Local First Panel. This will contribute to SEND Improvement.	Cllr Tessa Munt	Claire Winter	0.024	0.000	0.000	

Directorate	Requirement type	Title	Description of requirement	Lead Member	Director	2023.24 £m	2024.25 £m	2025.26 £m
		Careers & Enterprise Company (CEC)	Continue the support which has been provided to the Careers & Enterprise Company (CEC) and the HoSW Careers Hub since its inception in 2015, by all Local Authorities (LAs) who are part of the Hub (Somerset, Devon, Torquay and Plymouth). Each LA has historically supported the Hub with match funding.	Cllr Tessa Munt	Claire Winter	0.075	0.000	0.000
Children's Service Page 274	Demand/ demography	Somerset Works	Somerset Works and the Somerset Works Partnership College (SWPC) are currently delivered with external funding - European Social Fund (ESF), Community Renewal Fund (CRF) and Covid funding. The projects work to help prevent young people from becoming NEET (Not in Education, Employment or Training) or to engage those who become NEET on leaving statutory education.	Cllr Tessa Munt	Claire Winter	0.100	0.600	0.000
		Additional Equipment for Community Equipment Store for children and young people	Additional Equipment for Community Equipment Store because demand has consistently exceeded supply over the last 5 years. In addition the unit prices of the equipment have increased over the last five years.	Cllr Tessa Munt	Claire Winter	0.150	0.000	0.000
		Increase in care days	Those children in care remain in the care of an external placement provider for longer periods than previous	Cllr Tessa Munt	Claire Winter	8.123	0.682	1.639
		Setting Up Home Allowances increased demand due to increasing CLA numbers	Anticipated increase in Leaving Carers as a result of population increase aged 0 to 17	Cllr Tessa Munt	Claire Winter	0.145	0.000	0.000
		Direct Payments demand	To support families with disabled children to care for their child at home	Cllr Tessa Munt	Claire Winter	0.745	0.301	0.301
		Section 17 Placements	Increased demand for Disability Placements	Cllr Tessa Munt	Claire Winter	0.127	0.000	0.127
		Home to School transport	There is an overall increase in pupil numbers for 2022/23 which will continue for the next 5 years.	Cllr Tessa Munt	Claire Winter	0.350	0.000	0.000
		Population Increase - Children Looked After (CLA)	Anticipated increase in Children Looked After (CLA) as a result of population increase aged 0 to 17	Cllr Tessa Munt	Claire Winter	0.327	0.207	0.089

Directorate	Requirement type	Title	Description of requirement	Lead Member	Director	2023.24 £m	2024.25 £m	2025.26 £m
Children's Service	Demand/ demography	Population increase Children In Need (CIN) and Child Protection (CP)	Anticipated increase in CIN/CP (Children In Need/Child Protection) as a result of population increase aged 0 to 17	Cllr Tessa Munt	Claire Winter	0.204	0.129	0.056
		Increased staffing capacity Statutory SEND (Special Educational Needs & Disabilities) team	The overall requirement for Statutory EHC (Education, Health & Care plan) Assessments and the processing/supporting of Annual Reviews has continued to grow. The ability of the Statutory SEND (Special Educational Needs & Disabilities) team to deliver both the statutory functions relating to the EHC processes and to continue our commitment to improving the experience for children, young people and their families will not be achieved without increased capacity.	Cllr Tessa Munt	Claire Winter	0.497	0.000	0.000
		Home to School transport SEN (Special Educational Needs)	The demand for this service is continuing to increase in excess of previous predictions	Cllr Tessa Munt	Claire Winter	1.905	0.617	0.297
	Inflation (general)	Inflation for staying put allowances and other leaving care allowances	Contractual inflation for staying put and leaving care allowances paid to young people	Cllr Tessa Munt	Claire Winter	0.053	0.025	0.010
		Fostering fees and allowances inflation increase	To recruit and retain in house foster carers and the provision of special guardianship support (to remove children from the care system to the care of a family member)	Cllr Tessa Munt	Claire Winter	0.448	0.483	0.198
		Direct Payments inflation	To support families with disabled children to care for their child at home	Cllr Tessa Munt	Claire Winter	0.125	0.075	0.029
		Transport inflation	Inflationary pressure is expected to drive higher unit costs in 2023/24.	Cllr Tessa Munt	Claire Winter	0.121	0.062	0.031
		Somerset Parent Carer Forum	To continue to support Somerset Parent Carer Forum	Cllr Tessa Munt	Claire Winter	0.051	0.000	0.000
	Policy/financing change	Adjustment to funding stream	Change current Dedicated Schools Grant (DSG) allocation from 67% to 50%.	Cllr Tessa Munt	Claire Winter	0.089	0.000	0.000
		Interest on School Balances	Interest on School balances	Cllr Tessa Munt	Claire Winter	0.084	0.000	0.000

Directorate	Requirement type	Title	Description of requirement	Lead Member	Director	2023.24 £m	2024.25 £m	2025.26 £m
Children's Page 276	Inflation (contractual)	Children's Services contracts	Contractual inflation for all contracts managed by Commissioning Team	Cllr Tessa Munt	Claire Winter	0.192	0.104	0.041
		P2i cost of living pressures (YMCA Dulverton Group, YMCA Brunel Group)	Cost of living pressures in terms of operational building running costs and staff salaries. P2i (Pathway to Independence) is a block contract delivering 179 beds and supported accommodation for young people aged 16-25 years old	Cllr Tessa Munt	Claire Winter	0.245	0.136	0.052
		External placements inflation	Contractual inflation for external placement contracts	Cllr Tessa Munt	Claire Winter	5.482	2.830	2.272
		Section 17 Placements	Contractual inflation for disability placements	Cllr Tessa Munt	Claire Winter	0.114	0.059	0.053
		Home to School transport	The Council is experiencing significant inflationary pressure on this service.	Cllr Tessa Munt	Claire Winter	2.000	0.746	0.286
		Home to School transport SEN (Special Educational Needs)	The Council is experiencing significant inflationary pressure on this service.	Cllr Tessa Munt	Claire Winter	1.368	1.061	0.506
		Children's Service Total						23.427
Strategy, Workforce & Localities	Demand/ demography	Additional Legal Staff	Additional Legal Staff	Cllr Liz Leyshon	Alyn Jones	0.250	0.000	0.000
		Policy/financing change	Election & Member Development	May 2020-21 Council Election and Member Induction/Council Support	Cllr Liz Leyshon	Alyn Jones	(0.024)	0.000
	Scrutiny Review		Scrutiny Policy and Research Support	Cllr Liz Leyshon	Alyn Jones	(0.032)	0.000	0.000
Strategy, Workforce & Localities Total						0.195	0.000	0.000
Resources & Corporate Services	Change in legislation	Introduction of 3rd party Office 365 backup	SCC don't use a 3rd party Office 365 backup tool whereas most of the Districts have one. This backup would need to be in place for the whole organisation as it makes no sense to have it in place for a subset of staff	Cllr Mike Rigby	Jason Vaughan	0.155	0.000	0.000
		Cessation of infection control measures.	Reversal of former pressure as enhanced COVID infection control measures no longer required.	Cllr Ros Wyke	Jason Vaughan	(0.120)	(0.043)	0.000

Directorate	Requirement type	Title	Description of requirement	Lead Member	Director	2023.24 £m	2024.25 £m	2025.26 £m
Resources & Corporate Services	Demand/ demography	Allow sharing of Power BI reports with outside Organisations	Sharing of Power BI reports with outside organisations	Cllr Mike Rigby	Jason Vaughan	0.082	0.000	0.000
		Increase in Azure Costs	Tranche 2 plans to consolidate District and SCC data centres down from 8 and to consolidate backup and DR into Azure will require more capacity with Azure	Cllr Mike Rigby	Jason Vaughan	0.150	0.000	0.000
		Increase in cost of running Azure Sentinel Cyber Security system	As we move to a single platform for the new authority we will have an increase in the logs and data analysed but our Cyber Security system (Azure Sentinel)	Cllr Mike Rigby	Jason Vaughan	0.012	0.000	0.000
		Microsoft premiere support	Increase in staff numbers and associated Microsoft products means the cost of Microsoft support will increase	Cllr Mike Rigby	Jason Vaughan	0.060	0.000	0.000
		Office 365 licences for Volunteers	Information governance rules stops the use of personal email accounts for volunteers e.g. Foster carers	Cllr Mike Rigby	Jason Vaughan	0.008	0.000	0.000
		Extended support for SQL server for Acolaid	Microsoft only support their database product SQL server for 10 years for free, beyond that time extended support has to be purchased to continue to receive security updates. Legacy applications with SW&T require this as they are running on older versions of SQL Server (2012 or older)	Cllr Mike Rigby	Jason Vaughan	0.025	0.000	0.000
		Efficiency Savings Target Removed	Efficiency Target no longer achievable	Cllr Liz Leyshon	Jason Vaughan	0.200	0.000	0.000
		Commercial and Procurement Contract rationalisation	Unachievable Prior Year MTFP Savings C&SS- 2122-09 - Cross Cutting - Commercial & Procurement C&P Strategic Mgr. - Commercial post to focus on commercial activities	Cllr Liz Leyshon	Jason Vaughan	0.233	0.000	0.000
		Dynamics 365 Support staff	New support team needed to support Dynamics 365	Cllr Mike Rigby	Jason Vaughan	0.150	0.000	0.000
		Dynamics 365 Licences	Licences for new Dynamics Finance and Procurement functionality	Cllr Mike Rigby	Jason Vaughan	0.450	0.000	0.050

Directorate	Requirement type	Title	Description of requirement	Lead Member	Director	2023.24 £m	2024.25 £m	2025.26 £m	
Resources & Corporate Services	Inflation (general)	Electricity Inflation	Forecast increase in electricity budgets. Includes 22/23 in year budget pressure, forecast consumption and forecast increase in prices of 40%.	Cllr Ros Wyke	Jason Vaughan	1.313	0.668	0.401	
		Gas Inflation	Forecast increase in gas budgets. Includes 22/23 in year budget pressure, forecast consumption and forecast increase in 23/24 prices of 72%	Cllr Ros Wyke	Jason Vaughan	1.236	0.837	0.502	
		Business Rates Inflation	Business rates increase.	Cllr Ros Wyke	Jason Vaughan	0.000	0.099	0.101	
		Water	Increase in water charges	Cllr Ros Wyke	Jason Vaughan	0.013	0.008	0.009	
		Repairs and Maintenance Inflation	Inflation on materials and labour	Cllr Ros Wyke	Jason Vaughan	0.398	0.000	0.000	
	Policy/financing change	Early Contract Release	Early release from Hart contract - reduction in income.	Cllr Liz Leyshon	Jason Vaughan	0.165	0.000	0.000	
	Inflation (contractual)	Other contracts	Forecast increase on cleaning contracts	Cllr Ros Wyke	Jason Vaughan	0.052	0.000	0.000	
		Contract inflation - Idverde contract	10% inflation on contract for Public Conveniences and Facilities Management function.	Cllr Ros Wyke	Jason Vaughan	0.059	0.000	0.000	
		Extension Of Trapeze contract due to resource pressures	SCC transport system was due to be replaced with a new system in Oct/Nov 2022, resource pressures within the service has meant this project has been delayed, so the Trapeze contract will need to be extended by 2 years	Cllr Mike Rigby	Jason Vaughan	0.010	0.000	(0.010)	
	Inflation (contractual)	Azure File share	We need to shutdown EOL hardware in the SCC data centre and migrate the files onto a cloud service	Cllr Mike Rigby	Jason Vaughan	0.010	0.000	0.000	
		Contract Inflation	ICT Contract Inflation	Cllr Mike Rigby	Jason Vaughan	1.453	0.000	0.000	
		SDC cost pressures	Increase in annual cost to support ICT contracts that currently sit outside Sedgemoor District Council (SDC) ICT Budget	Cllr Mike Rigby	Jason Vaughan	0.018	0.000	0.000	
	Resources & Corporate Services Total						6.134	1.570	1.052
	Local Government Reorganisation	Policy/financing change	Final Year of LGR Implementation	Final Year of LGR Implementation	Cllr Val Keitch	Alyn Jones/ Jason Vaughan	0.903	(0.903)	0.000
	Local Government Reorganisation Total						0.903	(0.903)	0.000
Grand Total						84.910	54.461	49.205	

Parish	2023/24		
	tax base	Special Expense	Council Tax Band D
	£	£	£ p
Ashwick	553.95	2,569.38	4.64
Croscombe	263.50	3,293.75	12.50
Evercreech	950.49	4,349.44	4.58
Frome	9,060.52	37,305.45	4.12
Glastonbury	3,254.62	35,253.61	10.83
Godney	93.83	1,172.88	12.50
Leigh on Mendip	223.42	458.22	2.05
Meare	544.83	5,534.80	10.16
Nunney	325.70	3,960.12	12.16
Pilton	489.41	5,623.79	11.49
Rode	508.61	1,706.80	3.36
Rodney Stoke	560.16	3,046.90	5.44
Shepton Mallet	3,429.64	15,452.31	4.51
Street	3,832.13	47,812.73	12.48
Tellisford	94.05	637.37	6.78
Trudoxhill	183.98	1,252.26	6.81
Walton	457.91	2,573.83	5.62
Wells	4,352.77	41,294.62	9.49
Castle Cary (All Saints Churchyard)	851.11	3,916.00	4.60
Ilchester (St Mary Major Churchyard)	695.40	1,593.00	2.29
Wayford (St Michaels Churchyard)	51.47	1,264.00	24.56
SER TOTAL Tax Base	30,777.50		
TOTAL	205,674.09	220,071.26	1.07

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Detailed Directorate Summaries

Adults Services

The changes to the Adults Services budget are set out in Table 1 below. It shows how the 2023/24 budget has been built from the original 2022/23 budget as the starting point.

Table 1: Changes to the Adults Services Budget

Adults Services	£m	£m
2022/23 Combined Original Base Budget		159.684
Removal of Once off & Inter-Authority Budgets for 2022/23	(1.019)	
In Year Permanent Virements	0.000	
		(1.019)
2022/23 Amended Base Budget		158.665
Additional Funding Requirements:		
Inflation (Contractual and General)	7.932	
Demographic and other Demand Increases	15.124	
Other Funding Requirements	18.715	
Growth	0.000	
Total Additional Funding Requirements		41.771
Pay Award		0.000
Savings Previously Agreed		0.000
Prior Year Savings Not Delivered		0.000
New Savings Proposals		(10.525)

Use Of Reserves		0.000
Technical Adjustments		(3.277)
2023/24 Proposed Budget		186.634
Change £m		27.969
Change %		17.63%

Predicting future years demand is made more difficult by Covid-19 and one of the key challenges around this is identifying whether the current demand is on-going as residents' needs have increased, or whether there is a degree of temporary demand. These budget proposals have tried to strike a balance between the two and to ensure the budget proposals are robust.

Inflationary increases recognise the increased statutory pressures on providers such as increased national living wage, as well as general price inflation which is currently running at 10.1%.

The anticipated demographic growth in demand across the service has been calculated using Office for National Statistics population data and trends from previous years.

Historically Somerset has been a low fee payer for residential and nursing placements, this was highlighted in the recent cost of care exercise undertaken by all England local authorities. As part of this outcome, it is acknowledged we would not be able to achieve the full cost of care outcome next financial year and therefore, need to take a step approach to enable it to be achieved over the next 2-3 financial years.

New transformation saving proposals for 2023/24 included £5m linked to the current exercise being undertaken by Newton Europe to identify savings across the adults system. Work has progressed to identify savings and once confirmed this will be shared at a later date.

The Adults Improvement Programme continues to offer a test and learn environment to test ideas with key stakeholders.

- New Models of Micro Provision are aiming to increase the options available to people and professionals in deciding how their care and support is provided either through a different model to access micro providers or using a different payment method.
- Technology Enabled Care aims to increase the technology options available to support people in their own homes. There has been an ongoing delay in the implementation of the prescriber portal, necessitating mitigating actions and a new agreed timeline. Proposals are now starting to be received and TEC installations have begun. Benefits analysis to be conducted shortly.

The Intermediate Care Model has been under significant pressure with demand, capacity and flow within the wider system creating some challenges that have affected capacity to deliver the improvement plan. As a consequence, the Intermediate Care Board agreed in September the essential deliverables needed ahead of the winter pressures, with the remainder of the plan is due to go on hold until the new year.

Childrens Services

The changes to the Childrens Services are set out in **Table 2** below. It shows how the 2023/24 budget has been built from the original 2022/23 budget as the starting point.

Table 2: Changes to the Childrens Services Budget

Children's Services	£m	£m
2022/23 Combined Original Base Budget		105.048
Removal of Once off & Inter-Authority Budgets for 2022/23	(0.767)	
In Year Permanent Virements	(0.015)	

Appendix 7

		(0.792)
2022/23 Amended Base Budget		104.266
Additional Funding Requirements:		
Inflation (Contractual and General)	10.454	
Demographic and other Demand Increases	12.691	
Other Funding Requirements	0.282	
Growth	0.000	
Total Additional Funding Requirements		23.427
Pay Award		0.000
Savings Previously Agreed		0.000
Prior Year Savings Not Delivered		0.000
New Savings Proposals		(4.625)
Use Of Reserves		0.000
Technical Adjustments		0.000
2023/24 Proposed Budget		123.067
Change £m		18.801
Change %		18.03%

Demand for Children’s Services, especially those with complex needs, continues to increase reflecting - increasing poverty amongst Somerset families, impact of COVID measures on children, and contextual safeguarding issues. The impact of the pandemic has meant that children entering the system have had more complex needs and therefore their care needs are higher costs in their own right. The future demand and inflation are based upon latest forecasts and trends over the last 3 years.

Inflation includes contractual inflation for existing contracts for Home to School transport and care placements as well as several smaller contracts across Children's Services. Rates of inflation vary between contracts, but significant inflationary pressures are expected which are caused by rising fuel costs, driver shortages and wage demand. Although fuel costs have reduced in recent months, it is unclear how this will impact contract costs, when balanced against wage demands and staff shortages.

Demographic and other demand changes include projected increased demand for care and SEND school transport.

Other funding requirements are £0.2m for a change in financing of budgets previously funded by the Dedicated Schools Grant and £0.1m for changes in government policy that impact on the number of UASC children transferred to Somerset as part of the national scheme.

New transformation, savings, and income generation proposals for 2023/24 of £4.6m include our strategic partnership with The Shaw Trust of £1.2m and ongoing savings from the Family Safeguarding transformation programme of £1.3m.

Compared to other local authorities, overall need for social work intervention and care placements are significantly lower, due in part to the Council's investment in Family Safeguarding and the Family Intervention Service (SCCs Early Help Service).

However, the increasing number of children with complex needs is putting a significant capacity and resource strain on the service at all levels. This is due in part to increased need but also changes nationally in the provision of care to those children with the most complex needs, these include:

Regulations which came into force in Autumn 2021 prohibiting the use of unregulated (i.e., not registered with Ofsted) provision for under 16s – this had unintended (but

predictable) consequences of putting even more pressure on an already saturated residential care market.

Changes in access to Tier 4 CAMHS provision (not consulted beyond the NHS) – restricting access to children with a diagnosed mental health disorder who require inpatient treatment.

Secure Estate – issues about the quality of care have led to restrictions to this provision, resulting in children who would have entered the secure estate requiring other residential care provision

Residential Care Staffing – longstanding recruitment and retention issues in the sector have further deteriorated post pandemic resulting in some homes closing at short notice due to inadequate staffing levels.

These are national issues which have been recently highlighted by independent reports commissioned by central Government from the Competition and Markets Authority and an independent expert report – The Care Review. The former has highlighted the profits from private care companies.

Local proposals to improve the availability of local high-quality care placements are being progressed, specifically through the mobilisation of the Strategic Partnership as described above.

The Children's Transformation Programme continues at pace; working with families to deliver sustainable change, enabling them to reduce reliance on statutory services and to achieve excellent outcomes.

The Strategic Partnership (with Homes 2 Inspire and the Shaw Trust) is developing into a strong partnership model which will increase our capacity for providing high quality Somerset homes for our most complex young people, reduce our reliance on unregulated provision and enable improved long-term outcomes.

- The first 2 homes are due to open by end January/ early February 2023 with a further 3 opening during the year. These homes will accommodate our

most complex children, reducing our reliance on external unregistered and high cost provision.

- The partnership is also delivering an innovative career pathway for foster carers and residential staff which is starting to evidence positive results.

Recent benchmarking undertaken against national and southwest trends has evidenced that the Family Safeguarding service is holding off the rise in numbers of younger children coming into care. Interim evaluation of the multi-disciplinary staffing model has evidenced positive feedback from staff and families, who feel supported and empowered to lead their own change. Learning from this model is influencing how we work with partners and agencies to build successful integrated teams.

Recently commissioned external reviews of the drivers of costs in children's services and our school transport system will help us understand what further efficiencies and innovation can be delivered to reduce costs further.

Communities Services

This is a new Directorate and includes Housing, Culture, Customers and Regulatory & Operational services.

The changes to the Communities Services budget are set out in **Table 3** below. It shows how the 2023/24 budget has been built from the original 2022/23 budget as the starting point.

Table 3: Changes to the Communities Services Budget

Communities Services	£m	£m
2022/23 Combined Original Base Budget		36.853
Removal of Once off & Inter-Authority Budgets for 2022/23	(1.198)	
In Year Permanent Virements	(0.033)	
		(1.231)

2022/23 Amended Base Budget		35.622
Additional Funding Requirements:		
Inflation (Contractual and General)	1.344	
Demographic and other Demand Increases	0.000	
Other Funding Requirements	0.317	
Growth	0.000	
Total Additional Funding Requirements		1.660
Pay Award		0.000
Savings Previously Agreed		0.000
Prior Year Savings Not Delivered		0.000
New Savings Proposals		(1.560)
Use Of Reserves		0.000
Technical Adjustments		(0.500)
2023/24 Proposed Budget		35.223
Change £m		(0.399)
Change %		-1.12%

The main pressure within these services is contract pressures especially within leisure centres that have been impacted by fuel and pay inflation. Other pressures are within the provision of accommodation for homelessness.

A large saving in a leisure contract as well as increases in fees and charges provide most of the savings proposals. Fees and charges will be reviewed by Scrutiny Committee and presented to the Executive in February 2023.

Climate and Place Services

This is new a Directorate and includes Climate & Sustainability, Infrastructure & Transport and Economy, Employment & Planning.

The changes to the Climate and Place Services budget are set out in **Table 4** below. It shows how the 2023/24 budget has been built from the original 2022/23 budget as the starting point.

Table 4: Changes to the Climate and Place Services Budget

Climate & Place	£m	£m
2022/23 Combined Original Base Budget		83.069
Removal of Once off & Inter-Authority Budgets for 2022/23	0.076	
In Year Permanent Virements	0.013	
		0.088
2022/23 Amended Base Budget		82.157
Additional Funding Requirements:		
Inflation (Contractual and General)	10.406	
Demographic and other Demand Increases	0.681	
Total Additional Funding Requirements		11.856
Pay Award		0.000
Savings Previously Agreed		(0.120)
Prior Year Savings Not Delivered		0.000
New Savings Proposals		(7.700)
Use Of Reserves		0.000
Technical Adjustments		(0.090)

2023/24 Proposed Budget		87.104
Change £m		3.946
Change %		4.75%

Inflation has had a major impact on services within this Directorate with inflation within waste services estimated to increase by £5.6m. Other contracts that have been impacted are street lighting and highways. Additional funding of £0.8m has been provided for revision of the Local Plan.

The main saving within this directorate is the full rollout saving from the introduction of Recycle More £3.1m, the rolling back of Covid measures £0.6m and the capitalisation of waste bins £1m. There are also a number of proposals to increase fees and charges – these will be reviewed by Scrutiny Committee and presented to the Executive in February 2023.

Strategy, Workforce & Localities Services

This a new Directorate and includes Partnerships & Localities. Strategy & Performance. Governance, Legal & Democratic, and Human Resources services.

The changes to the Strategy, Workforce and Localities Services budget are set out in **Table 5** below. It shows how the 2023/24 budget has been built from the original 2022/23 budget as the starting point.

Table 5: Changes to the Strategy, Workforce, and Locality Services Budget

Strategy, Workforce & Localities	£m	£m
2022/23 Combined Original Base Budget		23.592
Removal of Once off & Inter-Authority Budgets for 2022/23	(3.590)	

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In Year Permanent Virements	0.015	
		(3.575)
2022/23 Amended Base Budget		20.017
Additional Funding Requirements:		
Inflation (Contractual and General)	0.000	
Demographic and other Demand Increases	0.250	
Other Funding Requirements	(0.055)	
Growth	0.000	
Total Additional Funding Requirements		0.195
Pay Award		0.000
Savings Previously Agreed		0.261
Prior Year Savings Not Delivered		0.000
New Savings Proposals		(0.614)
Use Of Reserves		0.300
Technical Adjustments		0.000
2023/24 Proposed Budget		20.159
Change £m		0.142
Change %		0.71%

On 16 November 2022, Executive Members noted that to establish LCN' s in Somerset it could cost up to £0.9m based on modelling at that time from other Unitary authorities and learning from LCN pilots. This comprised predominantly of community development and democratic services staffing, the continuation of the Highways Steward pilot in the Exmoor Area and one-off capital costs for technology. Further work has been done to refine that figure, including evaluation of job descriptions to

understand salary impacts, allocation of the new pay award as well as recognising the part year effect of being able to recruit staff to the new LCN roles.

There was also a recognition that the new Council would not be working from a standing start with their being locality and community development roles and expertise within the current five Councils and wanting to build on this best practice and legacy. Whilst scope and resourcing levels are different in each council, it is expected that there will be officers in the new Somerset Council with the knowledge, skills and experience to develop and manage LCNs. However, at this point in time it is not possible to accurately quantify the capacity that will be available, as in many cases the current roles cover multiple functions, some of which are likely to sit within different directorates in the new Council. Nonetheless a review of community development spend has commenced and we are confident that existing community engagement and development staff and resources could be identified and re-assigned to support LCNS' s over the coming 12 months. Furthermore, there are also opportunities to explore other funding streams with partners and shared models of delivery.

The budget proposals include the setting up of an earmarked reserve of £0.300m to establish LCN' s and to support the completion of a Community Development spend review across the councils to identify existing funding to support LCN' s on an ongoing basis.

Resources & Corporate Services

This is new a Directorate and includes Finance & Procurement, Strategic Asset Management and Information Communications Technology services.

The changes to the Resources & Corporate Services budget are set out in **Table 6** below. It shows how the 2023/24 budget has been built from the original 2022/23 budget as the starting point.

Table 6: Changes to the Resources & Corporate Services

Resources & Corporate Services	£m	£m
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Appendix 7

2022/23 Combined Original Base Budget		18.900
Removal of Once off & Inter-Authority Budgets for 2022/23	(0.418)	
In Year Permanent Virements	0.020	
		(0.398)
2022/23 Amended Base Budget		18.502
Additional Funding Requirements:		
Inflation (Contractual and General)	4.563	
Demographic and other Demand Increases	1.370	
Other Funding Requirements	0.200	
Growth	0.000	
Total Additional Funding Requirements		6.134
Pay Award		0.000
Savings Previously Agreed		0.015
Prior Year Savings Not Delivered		0.000
New Savings Proposals		(4.658)
Use Of Reserves		0.000
Technical Adjustments		0.481
2023/24 Proposed Budget		20.474
Change £m		1.972
Change %		10.66%

The main pressures within this budget are inflationary with £3m required for electricity costs for council premises and £1.5m for increases in ICT contracts.

Savings proposals include additional rental income £0.5m, and rationalisation of ICT licences, applications, decommissioning systems £0.6m, Dividend income £1.7m.

Public Health Services

The changes to the Public Health Services budget are set out in **Table 7** below. It shows how the 2023/24 budget has been built from the original 2022/23 budget as the starting point.

Table 7: Changes to the Public Health Services

Public Health	£m	£m
2022/23 Combined Original Base Budget		1.336
Removal of Once off & Inter-Authority Budgets for 2022/23	0.000	
In Year Permanent Virements	0.000	
		0.000
2022/23 Amended Base Budget		1.336
Additional Funding Requirements:		
Inflation (Contractual and General)	0.000	
Demographic and other Demand Increases	0.000	
Other Funding Requirements	0.000	
Growth	0.000	
Total Additional Funding Requirements		0.000

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Pay Award		0.000
Savings Previously Agreed		0.000
Prior Year Savings Not Delivered		0.000
New Savings Proposals		(0.100)
Use Of Reserves		0.000
Technical Adjustments		0.000
2023/24 Proposed Budget		1.236
Change £m		(0.100)
Change %		-7.49%

The Comprehensive Spending Review committed to maintaining the Public Health grant at current levels in real terms until 2024/25, but we await the detail with concerns over inflationary pressures for both contracts and staff costs. Somerset receives a very low proportion of the overall Public Health grant and is 141st out of the 152 authorities with Public Health responsibilities, when comparing allocation per person in the population.

In addition to the public Health grant, the council provides funding of over £1.3m for services that the public health team manage for the organisation. The savings proposals above relate to these services and include the reduction in dedicated communications support for the central volunteer team £0.010m and a £0.018m reduction for projects within Stronger Communities. The remaining SCC funding in this budget line will still enable the service to function and to fulfil its agreements. It also includes a reduction in contribution for the Somerset Integrated Domestic Abuse service contract of £0.072m. This saving can be achieved as a provider has won a number of lots within the contract and therefore can reduce establishment costs as a result.

Local Government Reorganisation

This budget area includes the LGR Implementation Costs and LGR Business Case savings from staffing that will be allocated out to services during the year.

The changes to the Local Government Reorganisation budget are set out in **Table 8** below. It shows how the 2023/24 budget has been built from the original 2022/23 budget as the starting point.

Table 8 – Changes Local Government Reorganisation

Local Government Reorganisation	£m	£m
2022/23 Combined Original Base Budget		9.404
Removal of Once off & Inter-Authority Budgets for 2022/23	(6.284)	
In Year Permanent Virements	0.000	
		(6.284)
2022/23 Amended Base Budget		3.120
Additional Funding Requirements:		
Inflation (Contractual and General)	0.000	
Demographic and other Demand Increases	0.000	
Other Funding Requirements	0.903	
Growth	0.000	
Total Additional Funding Requirements		0.903
Pay Award		0.000
Savings Previously Agreed		0.000
Prior Year Savings Not Delivered		0.000
New Savings Proposals		(3.900)
Use Of Reserves		0.000

Technical Adjustments		0.000
2023/24 Proposed Budget		0.123
Change £m		(2.997)
Change %		-96.04%

This budget is made up of two elements, £4.023m for the final year of LGR Implementation costs and £3.9m of staff savings as per the LGR Business Case. The staff savings will be allocated to individual services once the restructuring process has been completed and is made up of the reduction of 39 posts in Tiers 1 to 3 (£2.9m) and £1m out of the £9.4m (300 posts) of other staff savings.

Corporate Costs and Special Grants

This budget includes those costs that do not directly relate to individual services and non-service specific grants such as New Homes Bonus. It also includes the estimated increase in the 2023/24 national pay award that will be allocated out to services during the year.

The changes to the Corporate Costs and Special Grants budgets are set out in **Table 9** below. It shows how the 2023/24 budget has been built from the original 2022/23 budget as the starting point.

Table 9 -Corporate Costs and Special Grants

Corporate Costs and Special Grants	£m	£m
2022/23 Combined Original Base Budget		3.954
Removal of Once off & Inter-Authority Budgets for 2022/23	(4.073)	
In Year Permanent Virements	0.000	
		(4.073)

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2022/23 Amended Base Budget		(0.119)
Additional Funding Requirements:		
Inflation (Contractual and General)	0.120	
Demographic and other Demand Increases	0.000	
Other Funding Requirements	(1.229)	
Growth	0.000	
Total Additional Funding Requirements		(1.109)
Pay Award		15.337
Savings Previously Agreed		0.000
Prior Year Savings Not Delivered		0.000
New Savings Proposals		(7.102)
Use Of Reserves		0.000
Technical Adjustments		2.642
2023/24 Proposed Budget		9.649
Change £m		9.768
Change %		8203%

The main areas held within corporate costs is £15.337m in additional pay costs that is being held centrally and the adjustment post actuarial valuation of the pension scheme resulting in a reduction of £7m.

Somerset Council

Capital Strategy 2023/24– 2024/26

Capital Strategy Report 2023/24

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1. Background and Context

This capital strategy for 2023/24 gives a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services along with an overview of how associated risk is managed and the implications for future financial sustainability. This is the first strategy for the new Somerset Council which combines the programmes of all five Councils for the first time.

It addresses the capital components of the wider financial strategies adopted by the Authority. It identifies the links and relationships that need to be made in considering and implementing the Capital Programme to support the emerging Unitary Plan objectives. This is done through the Medium-Term Financial Plan (MTFP) and alerts services to the governance and control framework within which the investment planning and delivery takes place.

This is the first budget setting process for Somerset Council, and this is reflected in the strategy taken towards capital approvals. Firstly, by reviewing priorities and slippage in the short-term to reduce the capital programme. Secondly it constrains new programme approvals to only those that are Health and Safety related, those with the highest priority, and those that are wholly externally funded. This strategy therefore has a focus for 2023/24 but as decisions made this year on capital and treasury management will have financial consequences for many years into the future the potential implications for forward years are set out.

It is clear that the programme will need to be revisited post vesting day. This will enable the new authority to review projects alongside the new Corporate Plan, In addition to this we have requested that all five authorities do not reprofile their programmes after Quarter 2. This enables the new authority to set a programme for 2023/24 but on the understanding that the capital projects currently being delivered will have year end balances that will require reviewing and updating. Therefore, a revised programme will need to be set in Quarter 1 or Quarter 2 of 2023/24.

This report summarises the requirements of and compliance to both national regulatory and to local policy frameworks. Both the Prudential Code and Treasury Management Code have been revised during December 2021. The revised Codes include clarification and examples of what is and is not classified as prudent borrowing activity. These added principles are intended to protect the public purse and avoid misinterpretation of the Code's provisions. The focus is around strengthening the governance and transparency arrangements surrounding commercial activity as well as actively discouraging this activity funded by borrowing. The other edits include proposing of a liability benchmark to be adopted as a treasury management tool over

the coming year and integration of Environmental, Social and Governance risks into the policy framework.

The Capital Programme is the term used for the Council's rolling plan of investment in both its own assets and those of its partners. The programme spans multi-years and contains a mix of individual schemes, many spanning more than one year. Some schemes will be specific investment projects while others may provide for an overarching schedule of thematic works e.g. "Highways".

Investing in assets can include expenditure on:

- Infrastructure such as highways, open spaces, coast protection;
- New build;
- Enhancement of buildings through renovation or remodelling;
- Major plant, equipment and vehicles;
- Capital contributions to other organisations enabling them to invest in assets that contributes to the delivery of the Council's priorities.

The Capital Programme is distinct from the Council's revenue budget which funds day-to-day services, but they are both linked and are managed together. This ensures they contribute to the Council's objectives set out in the Corporate Plan to achieve the most beneficial balance of investment within the resources available.

There is a strong link with the Treasury Management Strategy¹ that provides a framework for the borrowing and lending activity of the Council supporting the historic investment programme. This capital strategy, non-treasury investment strategy, and the capital MTFP align to service planning and the corporate asset strategy. Asset information is overseen by the Asset Strategy Group which manages the built estate as Corporate Landlord and additional (non-property information) is maintained by Services.

2. Capital Expenditure and Financing

Capital expenditure occurs when the Council spends money on assets, such as property or vehicles, that will be used for more than one year. In local government this also includes spending on assets owned by other bodies, and loans and grants to other bodies enabling them to buy assets.

The Council has the ability to set a de-minimis level to capture only significant assets, however does not opt to do so. This allows the Council to review every item of expenditure and capitalise as appropriate.

¹ Treasury Management Strategy link: *to be added when approved at Full Council*

In 2023/24, the Council is planning capital expenditure of £294.0m. The following table shows our planned spend for the future:

Table 1: Estimates of Capital Expenditure

	2022/23 forecast Q2 All Somerset Authorities £m	2023/24 Somerset Council budget £m	2024/25 budget £m	2025/26 budget £m
Capital Expenditure HRA (Housing Revenue Account)	46.8	46.8	37.8	33.7
Capital Expenditure GF (General Fund)	180.2	258.6	59.4	14.2
Total Capital Expenditure	227.0	305.4	97.2	47.6

This table includes an overview of capital spend – including historic County and District Council, General Fund and the Housing Revenue Account spend, to enable comparisons across years to be made. It includes both the current approved capital programme and the proposed 2023/24 programme due to be put to Full Council on 22nd February 2023. For example, the 2023/24 General Fund budget of £258.6m is made up of £196.1m current programme and £62.5m 2023/24 proposed new schemes.

The Housing Revenue Account (HRA) is a ring-fenced, self-financing, account used to manage the Council's housing stock. Somerset Council acts as the Landlord to the tenants of properties in Somerset West and Taunton, whereas the properties in Sedgemoor are managed through an ALMO (Arms-Length Management Organisation) The HRA has its own ring-fenced revenue account, capital programme and reserves. This ensures that council housing neither subsidises, nor is itself subsidised by, Council Tax-payers. The HRA Capital Programme's main purpose is to invest in the housing portfolio to replace major components periodically, to ensure that the decent homes

standard and warmer homes standards are maintained and that fire safety regulations are adhered to.

Within the General Fund service managers bid annually to include projects in the Council’s capital programme. Bids are collated by corporate finance who calculate the financing cost (which can be nil if the project is fully financed). The bids are appraised against a set criterion including a comparison of service priorities against the affordability of the financing costs. Director Groups of previous County and District Councils have undertaken a final review before the draft capital programme is then presented to relevant Scrutiny Committee(s) prior to its consideration by the Cabinet in February for recommendation to Council in February each year.

For full details of the Council’s 2023/24 capital programme, see the main 2023/24 Budget and MTFP report within the papers to Full Council on 22nd February 2023.

All capital expenditure must be financed, either from external sources (government grants and other contributions such as S106 and CIL), the Council’s own resources (revenue, reserves and capital receipts) or debt (borrowing, leasing and Private Finance Initiative). The planned financing of the above expenditure is as follows:

Table 2: Capital financing - HRA

	2022/23 forecast Q2 All Somerset Authorities £m	2023/24 Somerset Council budget £m	2024/25 budget £m	2025/26 budget £m
Major Repairs Reserve	20.9	18.1	17.8	18.5
RTB Receipts	4.7	4.2	8.5	8.3
Grants	3.2	1.5	0.3	
Other Capital receipts	1.6	0.8	11.2	2.4
RCCOs	-	1.2	-	-
Debt	16.4	21.0	-	4.5
TOTAL	46.8	46.8	37.8	33.7

Table 3: Capital financing - General Fund

	2022/23 forecast Q2 All Somerset Authorities £m	2023/24 Somerset Council budget £m	2024/25 budget £m	2025/26 budget £m
External sources	82.4	166.5	19.1	3.5
Own resources:				
Capital receipts	13.0	6.4	2.9	2.8
Revenue / Reserves	5.50	0.1	0.1	0.1
S106/CIL	10.2	10.8	4.4	4.4
Debt	69.1	74.8	32.8	3.4
TOTAL	180.2	258.6	59.4	14.2

Debt is only a temporary source of finance, since loans and leases must be repaid, and this is therefore replaced over time by other financing, usually from revenue which is known as minimum revenue provision (MRP). Planned MRP budgets are as follows:

Table 4: MRP for the repayment of General Fund debt

	2022/23 forecast Q2 All Somerset Authorities £m	2023/24 Somerset Council budget £m	2024/25 budget £m	2025/26 budget £m
Own resources	15.1	21.4	22.7	24.5

- Note Depreciation rather than MRP is used for HRA debt
- Note 22/23 includes voluntary MRP of £3.7m
- The Council's full minimum revenue provision statement is available as part of the 2023/24 Budget and MTFP papers to Full Council on 22nd February 2022.

The Council's cumulative outstanding amount of debt finance is measured by the capital financing requirement (CFR). This increases with new debt-financed capital expenditure and reduces with MRP, lease principal repayments and capital receipts used to replace debt. The CFR is expected to increase by £95.9m during 2023/24. It is worth noting that the Housing Revenue Account uses depreciation and therefore MRP is not charged to the HRA. Based on the above figures for expenditure and financing, the Council's estimated CFR is as follows:

Table 5: Prudential Indicator: Estimates of Capital Financing Requirement

	2022/23 forecast Q2 All Somerset Authorities £m	2023/24 Somerset Council budget £m	2024/25 budget £m	2025/26 budget £m
Housing Revenue Account	189.3	210.3	210.3	214.8
General Fund	945.2	1,022.1	1,031.0	1,015.7
TOTAL CFR	1,134.5	1,232.4	1,241.3	1,230.5

It is important to ensure capital plans are affordable and the Council can meet the costs of this debt over both the short- and long-term. The Council's Medium Term Financial Plan reflects the impact of debt financing costs on revenue budgets in future years. In relation to Housing Revenue Account assets, the HRA Business Plan sets out the impact of capital expenditure over a 30-year period. Other measures of affordability are contained within the prudential indicators set out in the Treasury Management Strategy.

Asset disposals: When a capital asset is no longer needed, it may be sold so that the proceeds, known as capital receipts, can be spent on new assets or to repay debt. Repayments of capital grants, loans and investments also generate capital receipts. The Somerset Councils plan to receive £6.3m of capital receipts in the current financial year, £11.0 in 2023/24, and have £18.7m banked from previous years as at the 31st March 2022.

Table 7: Capital receipts – General Fund

	2022/23 forecast Q2 All Somerset Authorities £m	2023/24 Somerset Council budget £m
TOTAL asset sales	6.3	11.0

Department for Levelling Up, Housing and Communities (DLUHC) have issued a revised 'flexible use of capital receipts' directive. This allows projects which will save revenue budget to be funded from capital receipts. This directive was issued in 2016 and as part of Government announcements in February 2021 this is extended to March 2026. The authority's expected use of receipts under this directive for 2022/23 and 2023/24 is expected to be a total of £15.9m. The Flexible Receipts Strategy outlines that the flexibility will be utilised to fund eligible Local Government Reorganisation costs in 2022/23 and 2023/24'. The Strategy will be presented to full Council approval as part of the MTFP and Budget Setting Report.

3. Treasury Management

Treasury management is the activity of keeping sufficient but not excessive cash available to meet the Council's spending needs, while managing the risks involved. Surplus cash is invested until required, while a shortage of cash will be met by borrowing, to avoid excessive credit balances or overdrafts in the bank current account. The Council typically runs a cash surplus in the short term, particularly at the start of the financial year, as revenue income is received before it is spent.

Due to decisions taken in the past, all of the Somerset authorities have long-term borrowing of £400.3m at an average interest rate of 4.17% within the General Fund and £148.6m at an average interest rate of 2.81% within the HRA. The new authority will continue to maximise the use of the cash held before taking costly external debt, this is referred to as internal borrowing.

The budget for debt interest paid for General Fund debts in 2023/24 is £31.2m, based on an average debt portfolio of £835.5m at an average interest rate of 3.84%. The budget for Treasury and strategic investment income in 2023/24 is £13m based on an average investment portfolio of £350m at an average return of 3.75%. (These figures

are net of balances held on behalf of external investors i.e. the Local Enterprise Partnership).

Borrowing strategy: The Council’s main objectives when borrowing continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio. It strives to achieve as low but more certain cost of finance while retaining flexibility should plans change in future. These objectives are often conflicting, and the Council therefore seeks to strike a balance between internal borrowing, cheaper short-term loans, and long-term fixed rate loans where the future cost is known but is at higher rates.

Table 8: Prudential Indicator: External Debt and the Capital Financing Requirement

	31.3.2023 forecast £m	31.3.2024 budget £m	31.3.2025 budget £m	31.3.2026 budget £m
Short term debt	N/A	210.0	210.0	210.0
Long term debt *	N/A	522.8	511.5	499.6
Assumed debt not yet taken	N/A	261.0	260.0	274.5
PFI & leases	N/A	77.3	76.0	74.7
Total external borrowing	N/A	1,071.1	1,057.5	1,058.8
Housing Revenue Account	189.3	210.3	210.3	214.8
General Fund	945.2	1,022.1	1,031.0	1,015.7
Total CFR	1,134.5	1,232.4	1,241.3	1,230.5

*(reduces for MRP set aside & actual debt repayments)

Statutory guidance is that debt should remain below the capital financing requirement, except in the short-term. As can be seen from table 6, the Council expects to comply with this in the medium term.

Affordable borrowing limit: The Council is legally obliged to set an affordable borrowing limit (also termed the authorised limit for external debt) each year. In line with statutory guidance, a lower “operational boundary” is also set as a warning level should debt approach the limit.

Table 9: Prudential Indicators: Authorised limit and operational boundary for external debt

	2022/23	2023/24	2024/25	2025/26
	limit	limit	limit	limit
	£m	£m	£m	£m
Operational boundary – borrowing	N/A	1,004.4	1,013.1	1,015.7
Operational boundary – PFI and leases	N/A	79.3	78.0	76.7
Operational boundary – total external debt	N/A	1,083.8	1,091.1	1,092.4
Authorised limit – borrowing	N/A	1,039.4	1,048.1	1,050.7
Authorised limit – PFI and leases	N/A	84.3	83.0	81.7
Authorised limit– total external debt	N/A	1,123.7	1,131.1	1,132.4

Please note this includes General Fund and Housing Revenue Account

Treasury investments: is the management of the Council’s cash flows, and treasury investments, and the associated risks. The Council has significant debt and treasury investment portfolios and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Council’s prudent financial management.

Investments made for service reasons or for the purpose of generating a positive income (net of costs), known as non-treasury investments, are not considered to be part of treasury management.

This capital strategy contains the prudential indicators approved by the Council. The Treasury management strategy contains further details on treasury investments criteria and governance. There are also 3 Treasury management indicators that are set out in section 4 of the Treasury Management Strategy for the adoption by the Council.

Risk management: No treasury management activity is without risk. The successful identification, monitoring and control of risks are the prime criteria by which the effectiveness of its treasury management activities will be measured. The main risks to the Council's treasury activities are:

- Credit and Counterparty Risk (security of investments)
- Liquidity Risk (inadequate cash resources)
- Market or Interest Rate Risk (fluctuations in price / interest rate levels)
- Refinancing Risk (impact of debt maturing in future years)
- Legal & Regulatory Risk.

The Authority's policy on treasury investments is to prioritise security and liquidity over yield; that is to focus on minimising risk rather than maximising returns in accordance with DLUHC guidance. Cash that is likely to be spent in the near term is invested securely, for example with the government, other local authorities or selected high-quality banks, to minimise the risk of loss. Money that will be held for longer terms is invested more widely, to balance the risk of loss against the risk of receiving returns below inflation. Both near-term and longer-term investments may be held in pooled funds, where an external fund manager makes decisions on which particular investments to buy and the Council may request its money back at short notice. The strategy includes some prudential indicators which manage risk in setting the boundaries.

Governance: Decisions on treasury management investment and borrowing are delegated to the Director of Resources and staff, who must act in line with the annual treasury management strategy approved by Full Council each year. In formulating the Treasury Management Strategy, and the setting of Prudential Indicators, Somerset Council (SC) adopts the Treasury Management Framework and Policy recommended by CIPFA, see **appendix A** of the Treasury Management Strategy.

Further governance is provided by the comprehensive Treasury Management Practices (TMP's) which set out the main categories of risk that may impact on the achievement of Treasury Management objectives.

A mid-year and an annual outturn report on treasury management activity are presented to Full Council. The audit committee is responsible for scrutinising treasury management decisions.

Treasury (Commercial) investments: Describing the Council's approach to non-treasury investment is a requirement of the DLUHC.

With central government financial support for local public services declining, the Somerset District Councils explored the options of investing in non-treasury investments purely or mainly for financial gain. With financial return being the main objective, with this comes higher risk on commercial investment than with treasury investments. Borrowing to invest purely for commercial income gain is now strongly discouraged by Treasury, to the point the PWLB is explicit in not being used for this sole purpose. The revision to the Prudential Code, 2021, also tightens the regulatory controls on this type of activity. Given the complexity and value of the investments made a separate strategy for Non-Treasury Investments is required and will be presented as part of the MTFP and Budget Setting Report in February 2023.

4. Other long-term liabilities

In addition to debt detailed above, the Council is committed to making future payments to cover its pension fund deficit. The deficit reported in the 2021/22 accounts was £812.7m (as at 31/03/2022). It has also set aside £7m (as at 31/03/2022) as a provision to cover risks of insurance claims, business rate appeals and other legal claims. The Council is also at risk of having to pay for contingent liabilities but has not put aside any money because of the low risk and uncertainties around potential value.

Governance: Decisions on incurring new discretionary liabilities will initially be considered by service managers for discussion with the relevant director. If it is recommended that the liability may be undertaken then the relevant director will consult with the Chief Finance Officer (S151 Officer), Monitoring Officer and Council Solicitor before any recommendation is made to the Senior Leadership Team prior to any decisions taken. Depending on the extent of the liability envisaged, it may be necessary to make a formal decision through a democratic process. The risk of liabilities crystallising and requiring payment is monitored by corporate finance and reported quarterly to audit committee. New liabilities exceeding £500m are reported to Cabinet and Full Council for approval.

- Further details on provisions and contingent liabilities are outlined in each Somerset Councils 2021/22 statement of accounts:

5. Revenue Budget Implications

Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income

receivable. The net annual charge is known as financing costs; this is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants.

Table 10: Prudential Indicator: General Fund Proportion of financing costs to net revenue stream

	2022/23 forecast	2023/24 budget	2024/25 budget	2025/26 budget
Financing costs (£m)	N/A	53.5	55.6	57.6
Proportion of net revenue stream	N/A	9.98%	9.68%	9.13%

Table 11. Prudential Indicator: Housing Revenue Fund Proportion of financing costs to net revenue stream

	2022/23 forecast	2023/24 budget	2024/25 budget	2025/26 budget
Financing costs (£m)	4.9	6.2	6.9	7.2
Proportion of net revenue stream	10.1%	12.1%	12.4%	12.8%

- Further details on the revenue implications of capital expenditure can be found in 2023/24 MTFP report to Full Council on 22nd February 2023.

Sustainability: Due to the long-term nature of capital expenditure and financing, the revenue budget implications of expenditure incurred in the next few years will extend into the future years. The Director of Finance and Governance is satisfied the proposed new capital schemes are prudent, affordable and sustainable. This follows full challenge of all capital bids against a set criteria. There will however be a need to continually review the overall programme against the authority's Corporate Plan and ongoing financial position to ensure that the capital programme continues to meet the objectives of the new authority.

Only schemes that will have fully approved funding in place are considered as part of the capital programme and the cost impact of borrowing forms part of the revenue medium term financial planning.

6. Knowledge and Skills

The Council employs professionally qualified and experienced staff in all positions with responsibility for making capital expenditure, borrowing and investment decisions. For example, the Director of Finance & Governance and section 151 Officer will always be a qualified accountant with substantial experience and there is a range of significant experience and expertise within the Treasury Team. Where necessary, the Council pays for junior staff to study towards relevant professional qualifications, for example CIPFA.

Where the Council needs additional resources, external validation of officers work or where Council staff do not have the knowledge and skills required, use is made of external advisers and consultants that are specialists in their field. The Council currently employs Arlingclose Limited as treasury management advisers. This approach is more cost effective than employing additional resources directly and ensures that the Council has access to knowledge and skills commensurate with its risk appetite.

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Somerset Council – Flexible Capital Receipts Strategy (Revised 2022/23 and 2023/24)

1. Flexible Use of Capital Receipts

Central Government outlined in December 2015 that local authorities would be able under certain circumstances to utilise capital receipts for revenue expenditure in certain circumstances. The criteria for the application of capital receipts for revenue spend has gradually changed over time. The current rules that were introduced in 2021 outline that:

- Only receipts received within the timescales that authorities have a Flexible Receipts Strategy can be used
- Only receipts from PPE (Property, Plant, and Equipment) can be used where the authority ceases to have an interest in the asset
- The authority must be able to demonstrate that ongoing savings are a result of the application of receipts
- Discretionary redundancy payments cannot be funded from capital receipts, but statutory redundancy and pension strain payments are allowable

The current requirement states that the strategy should list each project that plans to make use of the capital receipts flexibility. Council approved the current strategy in February 2022. However, this was before further criteria were outlined by central Government. This Strategy therefore clarifies those outstanding points and will apply to both years.

2. Projects Which Meet the Criteria

The costs of Implementing Local Government Reorganisation meet the criteria. All use of flexible receipts will therefore be linked to the on-going savings plans of £18.5m outlined in the Local Government Reorganisation Business Case, The Strategy should report the impact on the local authority's Prudential Indicators for the forthcoming and subsequent years. The strategy in future years will monitor the performance of the savings delivered. The Strategy must be approved by Council and submitted to the Secretary of State. A revised strategy may be replaced by another during the year through the same approval process.

3. Savings Which Meet the Criteria

The Business case for Local Government Reorganisation in Somerset outlined ongoing savings of £18.5m with once-off implementation costs of £16.5m. In terms of Implementation Costs £599,755 was spent in 2021/22 and it is proposed that the remainder of £15,928,221 of expenditure for 2022/23 and 2023/24 as shown below will be financed from capital receipts with the exception of any discretionary redundancy costs.

Table 1 - LGR Implementation Costs

	2021/22 £m	2022/23 £m	2023/24 £m	Total £m
1. Programme Delivery	0.6	5.6	1.2	7.4
2. Redundancy	-	5.6	2.8	8.4
3. Unallocated		0.7		0.7
Total Implementation Budget	0.6	11.9	4.0	16.5

The budget for 2023/24 reflects this strategy.

4. The Capital Receipts to be Used this Purpose

Capital receipts from the disposal of property, plant, and equipment received in the years in which the flexibility is offered can be used for this purpose.

5. The Impact on Borrowing and Prudential Indicators

The impact of this has been reflected in the prudential indicators as part of setting the 2023/24 budget as follows:

Table 2 - Capital financing - General Fund

	2022/23 forecast Q2 All Somerset Authorities £m	2023/24 Somerset Council budget £m	2024/25 budget £m	2025/26 budget £m
External sources	82.4	166.5	19.1	3.5
Own resources:				
Capital receipts	13.0	6.4	2.9	2.8
Revenue / Reserves	5.50	0.1	0.1	0.1

S106/CIL	10.2	10.8	4.4	4.4
Debt	69.1	74.8	32.8	3.4
TOTAL	180.2	258.6	59.4	14.2

6. Updating the Strategy

The strategy in future years will monitor the savings are delivered. The Strategy must be approved by Council and submitted to the Secretary of State. A revised strategy may be replaced by another during the year with Council approval.

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New Capital Schemes 2023/24

Appendix 10

Ref	Service	Scheme	Description	Bid - Profiled Expenditure				Funding		
				2023.24 (£'m)	2024.25 (£'m)	2025.26 > (£'m)	Total (£'m)	Borrowing	External Funds	Total (£'m)
Fully Meets the Criteria										
C23-053	Adult Social Care	Disabled Facilities Grant	Government grant given to Local Authorities in order to assist individuals to remain in their own homes by providing adaptations or specialist facilities.	4.900	0.000	0.000	4.900	0.000	4.900	4.900
C23-031	CYP - Schools	High Needs Provision (SEN)	In March 2022, the DfE announced the 'High Needs Provision Capital Allocation (HNPCA)' for financial years 2022-23 and 2023-24. This funding is used to support Local Authorities deliver new school places or improve existing provision for children and young people with SEND.	1.966	1.967	1.967	5.900	0.000	5.900	5.900
C23-002	Highways	Highway Lighting - Basic Need	Rolling programme of upgrading lighting columns and lamps which reach their end of life.	0.750	0.000	0.000	0.750	0.000	0.750	0.750
C23-004	Highways	Rights of Way - Basic Need	There are over 6000km of public rights of way across Somerset comprising 4700+ bridges and 36,000+ other structures and assets (stiles, gates, signposts, drainage assets, etc). The extensive network requires a significant rolling capital investment programme to ensure that the network remains available, safe and easy to use for the public.	1.421	0.000	0.000	1.421	0.000	1.421	1.421
C23-013	Highways	Highways - Basic Need	Programmes of highway maintenance construction activity to keep highway assets in a steady state of repair.	26.569	0.000	0.000	26.569	0.000	26.569	26.569
C23-014	Highways	Highway Bridges and Structures - Basic Need	An annual programme to continue addressing the backlog of sub-standard highway structures (e.g. bridges, culverts and other structures).	1.020	0.000	0.000	1.020	0.000	1.020	1.020
C23-007	Leisure	Glastonbury Community Sports & Leisure Hub (MDC)	The aim of the Glastonbury Community Sports & Leisure Hub project is to transform the existing Tor Leisure Centre into a new multipurpose functional facility for a wide range of sports and recreational activities.	1.829	0.000	0.000	1.829	0.000	1.829	1.829
Total Bids that Meet Criteria or Priority				38.455	1.967	1.967	42.389	0.000	42.389	42.389

Ref	Service	Scheme	Description	Bid - Profiled Expenditure				Funding		
				2023.24 (£'m)	2024.25 (£'m)	2025.26 > (£'m)	Total (£'m)	Borrowing	External Funds	Total (£'m)
Health & Safety										
C23-009	Countryside	Chard Reservoir - Dam Works (SSDC)	Programme of works to improve and extend the life of the Reservoir.	0.078	0.003	0.018	0.099	0.099	0.000	0.099
C23-030	CYP - Schools	Schools Basic Need	The provision of additional school places to meet the LA's statutory duty. This bid is for two separate school projects, both requiring a single classroom each.	0.394	0.747	0.109	1.250	1.250	0.000	1.250

New Capital Schemes 2023/24

Appendix 10

Ref	Service	Scheme	Description	Bid - Profiled Expenditure				Funding		
				2023.24 (£'m)	2024.25 (£'m)	2025.26 > (£'m)	Total (£'m)	Borrowing	External Funds	Total (£'m)
C23-036	Economic Development	Frome Enterprise Centre Health and Safety issues	The Frome Enterprise Centre at Keyford Court Frome is part of the Somerset Enterprise Centre network. The centre comprises 16 light industrial units which are currently fully occupied. There are currently 13 tenant businesses operating from this site. The complex was built circa 1984 and is of steel frame and blockwork construction with metal cladding and a corrugated steel sheet roof. At this point in the building life cycle the building is in poor condition and now requires major refurbishment.	0.375	0.450	0.000	0.825	0.825	0.000	0.825
C23-005	Environment	North Hill, Minehead- Cliff Stabilisation (SWT)	This project is to stabilise the cliff at North Hill, Minehead for a period of 50 years. Small cliff falls have occurred at the site causing damage to the properties below the cliff.	1.010	0.000	0.000	1.010	1.010	0.000	1.010
C23-012	Heritage	Heritage Services	SCC, working with the South West Heritage Trust (SWHT), delivers conservation, management and enhancement of the public realm/highway and other sites around the county.	0.055	0.000	0.000	0.055	0.055	0.000	0.055
C23-008	Highways	Traffic Signals Recovery Programme	This project is to invest in the refurbishment of Traffic Signal sites, focussing on those with the highest risk of failure.	4.741	0.000	0.000	4.741	3.541	1.200	4.741
C23-015	Highways	Road Safety - Local Safety Schemes	Schemes are generated through the Road Safety Team as a result of their ongoing review of collision sites to deliver collision and casualty reduction benefits. Schemes are prioritised on the basis of collision volumes and injury severity. A bid for £1.8m is deffered until 2023/24 and the funding here will be utilised for design and preparation	0.500	0.000	0.000	0.500	0.000	0.500	0.500
C23-010	Library Service	Library Service - CCTV	Install CCTV in 4 Libraries (Taunton, Yeovil, Frome, Glastonbury).	0.015	0.000	0.000	0.015	0.015	0.000	0.015
C23-011	Library Service	Library Service - Asset Improvement	The Libraries' asset improvement fund will refurbish the Wellington librariy following the property related works, ensuring the site is fit for purpose for many years to come.	0.045	0.000	0.000	0.045	0.045	0.000	0.045
C23-021	Property Services	Building Compliance (H&S)	Fire Precaution works, High Hazard Asbestos works, Accessibility Improvements, Radon Measures	0.250	0.000	0.000	0.250	0.250	0.000	0.250
C23-022	Property Services	Building Condition Programme (non Schools)	This funding is to address poor condition building issues across the Council's estate (excluding Schools), to ensure buildings are safe and functional and remain operational. This funding only includes those issues identified in poor or bad condition and which are urgent or essential.	0.900	0.600	0.000	1.500	1.500	0.000	1.500
C23-032	Property Services	Schools Condition Programme	The Council has a statutory duty to ensure sufficient provision of new places. In addition, schools must be maintained in an appropriate condition. This funding is to ensure school building are safe and functional and that their condition does not detract from teaching and learning, or lead to unplanned school closures.	3.626	5.432	0.000	9.058	7.058	2.000	9.058

New Capital Schemes 2023/24

Appendix 10

Ref	Service	Scheme	Description	Bid - Profiled Expenditure				Funding		
				2023.24 (£'m)	2024.25 (£'m)	2025.26 > (£'m)	Total (£'m)	Borrowing	External Funds	Total (£'m)
C23-033	Property Services	Replacement Poor Condition School Buildings	The Council has a statutory duty to ensure sufficient provision of new places. In addition, schools must be maintained in an appropriate condition. This funding is to ensure school building are safe and functional and that their condition does not detract from teaching and learning, or lead to unplanned school closures. Recent surveys have identified single prefabricated buildings at two separate sites have reached their end of serviceable life and require replacement.	0.376	0.764	0.060	1.200	1.200	0.000	1.200
C23-046	Somerset Waste Partnership	SWP Waste Containers	Provision of waste containers to residents of Somerset.	1.275	0.000	0.000	1.275	1.275	0.000	1.275
C23-051	Transporting Somerset	Current Districts Fleet Replacement Programme	This bid has been revised down to remove vehicles where the useful life can be extended/alternatives found and to remove funding for electric vehicles. With significant changes expected in how the vehicles are used we cannot be certain that electric vehicles will be viable operationally. This bid is for specialist vehicles such as street sweepers where electric technology lags behind that for cars, and hence the VFM/operational viability of electric alternatives needs further testing. Replacement of these vehicles is now necessary to ensure continued compliance with our statutory responsibilities and to continue to secure commercial income.	0.719	0.000	0.000	0.719	0.719	0.000	0.719
C23-052	Transporting Somerset	Future fleet management and maintenance provision for new Council including readiness for SCC fleet maintenance contract ending in April 2024.	This bid is for the capital equipment (ramps etc) that are necessary in order for us to extend the existing in-house District services to enable them to maintain the legacy County Council fleet (inc minibuses). The SCC contract (c£450k per annum) ends in Spring 2024 and hence the capital is needed in 23/24 to ensure we are ready for this. An invest to save business case is being developed. It also includes funding to implement the findings of the external audit being conducted on O licence compliance.	0.450	0.000	0.000	0.450	0.450	0.000	0.450
Total Health and Safety Bids				14.809	7.996	0.187	22.992	19.292	3.700	22.992

Ref	Service	Scheme	Description	Bid - Profiled Expenditure				Funding		
				2023.24 (£'m)	2024.25 (£'m)	2025.26 > (£'m)	Total (£'m)	Borrowing	External Funds	Total (£'m)
Required for LGR/ Operations										
C23-017a	ICT	ICT - Infrastructure & Hardware	ICT Infrastructure and hardware replacement, consolidation and redesign programme 23/24. This capital bid has been divided into officer deemed priority categories – oPriority 1 being critical infrastructure/hardware refresh oPriority 2 being funding linked to achieving savings from office rationalisation oPriority 3 needing a decision from Members linked to the LCN's	3.090	0.750	0.500	4.340	4.340	0.000	4.340

New Capital Schemes 2023/24

Appendix 10

Ref	Service	Scheme	Description	Bid - Profiled Expenditure				Funding		
				2023.24 (£'m)	2024.25 (£'m)	2025.26 > (£'m)	Total (£'m)	Borrowing	External Funds	Total (£'m)
C23-035	CYP - Social Care	Homes for Children - next phase	This bid builds on the success of last year's capital bid for £3million, supplemented by £1million match funding from the Department for Education (DfE) to purchase several residential properties for short term placements which at present are solely reliant on third party providers - often at significant distances out of county. A total of 10 homes are required to mitigate the high costs of out of county placements.	3.468	0.000	0.000	3.468	3.468	0.000	3.468
C23-024	Property Services	Asset Rationalisation & Face to Face Provision	This capital bid should be read in conjunction with and complements the LGR office rationalisation needs proposal. As a result of upcoming decisions to rationalise customer facing sites for Somerset Council through the Customer workstream linked to Local Community Networks, we anticipate there will be a need for a capital allowance for scoping and implementing customer facing spaces for Somerset Council	0.130	0.070	0.000	0.200	0.200	0.000	0.200
C23-029	Property Services	Somerset Council Signage	Post Vesting Day, Somerset Council properties that have existing Local Authority branding, signage and wayfinding will require changes to reflect the new council's branding which has yet to be designed and confirmed.	0.078	0.000	0.000	0.078	0.078	0.000	0.078
C23-025	Property Services	Office Rationalisation as a result of LGR	Options for rationalising Somerset Council's office accommodation are still being developed and proposals have yet to be shared with Executive Members for consideration. This bid seeks to establish a moderate capital allowance for delivering and implementing office rationalisation decisions once these decisions have been taken.	0.500	0.000	0.000	0.500	0.500	0.000	0.500
C23-xxx	Corporate Services - Finance	Contingency	Additional Capital Contingency Requirement	2.000	0.000	0.000	2.000	2.000	0.000	2.000
Total Bids Required for LGR/ Operations				9.266	0.820	0.500	10.586	10.586	0.000	10.586
Total Proposed New Capital Bids				62.530	10.783	2.654	75.967	29.878	46.089	75.967

Reference	Authority	Directorate Area and Scheme		Forecasted Expenditure					
				2023/24	2024/25	2025/26	2026/27 >	Total	
				£m	£m	£m	£m	£m	
		Adult and Health Services							
1	SCC	Operations	Adult Social Care	2.175	0.284	0.275			2.734
2	SCC	Operations	Learning Disabilities	0.06	0.053				0.113
		Operations Total		2.235	0.337	0.275			2.847
		Children's Services							
3	SCC	Children and Families	Childrens Residential	3.468	0.126	0.071	0.071		3.736
4	SCC	Children and Families	Children Looked After	0.013	0.013				0.026
		Children and Families Total		3.481	0.139	0.071	0.071		3.762
5	SCC	Inclusion	Special Education Needs	3.778	3.769	2.067			9.614
6	SCC	Inclusion	Schools Access Initiative	0.514	0.135				0.649
		Inclusion Total		4.292	3.904	2.067			10.263
7	SCC	Education, Partnership and Skills	Early Years	0.865	0.212				1.077
8	SCC	Education, Partnership and Skills	School Services	27.597	15.016	3.947	2.353		48.913
		Education, Partnership and Skills Total		28.462	15.228	3.947	2.353		49.99
		Climate and Place							
9	SWT	Climate, Environment and Sustainability	Flood & Water Management (Non SRA)	3.649	1				4.649
10	ALL	Climate, Environment and Sustainability	Somerset Waste Partnership	1.345	0.07	0.07			1.485
11	NEW	Climate, Environment and Sustainability	Chard Reservoir Dam Works	0.078	0.003	0.018			0.099
12	NEW	Climate, Environment and Sustainability	North Hill Cliff Stabilisation	1.01					1.01
20	SWT	Climate, Environment and Sustainability	Phosphates	1.795					1.795
		Climate, Environment and Sustainability Total		7.877	1.073	0.088			7.243
13	SCC	Economy, Employment and Planning	Business Growth Fund	1.306	0.434				1.74
14	SCC	Economy, Employment and Planning	Taunton Digital Innovation Centre	1.914					1.914
15	SDC	Economy, Employment and Planning	Bridgwater Town Deal	22					22
16	SDC	Economy, Employment and Planning	Bridgwater Levelling Up Fund	19.7					19.7
17	MDC	Economy, Employment and Planning	Glastonbury Town Deal	11.197	5.008	1.371			17.576
18	MDC	Economy, Employment and Planning	Saxonvale, Frome	0.1	0.1	0.098			0.298
19	SWT	Economy, Employment and Planning	Taunton Town Centre Regeneration	0.5	0.897				1.397
21	SWT	Economy, Employment and Planning	Firepool Development FHSF Phase	7.116					7.116
22	SSDC	Economy, Employment and Planning	Chard Regeneration	1.7					1.7
23	SSDC	Economy, Employment and Planning	Yeovil Refresh	13.472					13.472
24	SWT	Economy, Employment and Planning	Staplegrove Housing Infrastructure Fund	14.216					14.216
25	SWT	Economy, Employment and Planning	Contribution to CDS Broadband	0.55					0.55
26	NEW	Economy, Employment and Planning	Frome Enterprise Centre	0.375	0.45				0.825
		Economy, Employment and Planning Total		94.146	6.889	1.469			104.299

Reference	Authority	Directorate Area and Scheme		Forecasted Expenditure				
				2023/24	2024/25	2025/26	2026/27 >	Total
				£m	£m	£m	£m	£m
27	SCC	Infrastructure and Transport	Bridge Structures	3.52	1.5			5.02
28	SCC	Infrastructure and Transport	Road Structures	30.255				30.255
29	SCC	Infrastructure and Transport	Traffic Control	4.741				4.741
30	SCC	Infrastructure and Transport	Traffic Management	0.89				0.89
31	SCC / SWT	Infrastructure and Transport	Active Travel	1.808	1.666			3.474
32	SCC	Infrastructure and Transport	Integrated Transport	1.007				1.007
33	SCC	Infrastructure and Transport	Small Improvement Schemes	1.527				1.527
34	SCC	Infrastructure and Transport	Highway Lighting	0.75				0.75
35	SCC	Infrastructure and Transport	Rights of Way	1.83				1.83
36	SSDC	Infrastructure and Transport	Car Parks & Parking Services	0.301	0.248	0.248		0.797
37	SCC	Infrastructure and Transport	M5 Junction 25 Improvements	0.9		-0.4		0.5
38	SCC	Infrastructure and Transport	Toneway Corridor Capacity Improvements	0.75				0.75
39	SCC	Infrastructure and Transport	Trenchard Way Residual Works	0.58				0.58
40	SCC	Infrastructure and Transport	Major Road Network	0.1	0.2	0.1		0.4
41	SCC	Infrastructure and Transport	A38 Chelston Link	5.25				5.25
42	SCC	Infrastructure and Transport	J23 Dunball Improvements	5.242				5.242
43	SWT	Infrastructure and Transport	Blue Anchor Coast Protection	2.298				2.298
44	Update	Infrastructure and Transport	Various Other Schemes	0.495				0.495
45	ALL	Infrastructure and Transport	Fleet Management	3.466	0.5	0.5		4.466
46	SCC	Infrastructure and Transport	Bus Service Improvement Programme	3.195	3.743			6.938
Infrastructure and Transport Total				68.905	7.857	0.448		77.21
Community Services								
47	SCC	Cultural Services	Wellington Library Improvements	1.199	0.03			1.229
48	SCC	Cultural Services	Library Services	0.4	0.326			0.726
49	SCC / SWT	Cultural Services	Cultural and Heritage Services	2.124	0.314	0.595		3.033
Cultural Services Total				3.723	0.67	0.595		4.988
50	ALL	Housing	Disabled Facilities Grant	7.084	1.093	1.093		9.27
51	SWT	Housing	Grants to Registered Social Landlords (RSLs)	0.403	0.276			0.679
52	SWT	Housing	Gypsy Site	0.108				0.108
53	SWT	Housing	IAC Staffing and Support	0.102	0.102	0.102		0.306
54	SWT	Housing	Energy Efficiency Grants	0.062	0.062	0.062		0.186
55	SWT	Housing	Home Maintenance	0.057	0.057	0.057		0.171
56	SWT	Housing	Prevention Grants	0.045	0.045	0.038		0.128
57	SWT	Housing	Other Schemes	0.19				0.19
Housing Total				8.051	1.635	1.352		11.038

Reference	Authority	Directorate Area and Scheme		Forecasted Expenditure				
				2023/24	2024/25	2025/26	2026/27 >	Total
				£m	£m	£m	£m	£m
58	SWT	Leisure Centres, Facilities and Services	Wellington Leisure Centre	0.761				0.761
59	NEW	Leisure Centres, Facilities and Services	Glastonbury Community Sports & Leisure Hub	1.829				1.829
		Leisure Centres, Facilities and Services Total		2.59				2.59
60	SWT	Parks and Play Areas	Norton Fitzwarren Playing Pitches (S106)	0.244				0.244
		Parks and Play Areas Total		0.244				0.244
61	SWT	Theatres	Brewhouse Theatre	0.185				0.185
62	SSDC	Theatres	Octagon Redevelopment	16.191	10.527	0.428		27.146
		Theatres Total		16.376	10.527	0.428		27.331
		Resources and Corporate Services						
63	SCC	Finance	Finance - Capital Programme Contingency	2				2
64	ALL	Information Communication Technology	Corporate ICT Investment	3.358	1.098	0.78		5.236
		Information Communication Technology Total		5.358	1.098	0.78		7.236
65	ALL	Strategic Asset Management	Property Services General	3.051	0.798			3.849
66	NEW	Strategic Asset Management	Building Compliance Health & Safety	0.25				0.25
67	NEW	Strategic Asset Management	Asset Rationalisation	0.13	0.07			0.2
68	NEW	Strategic Asset Management	New Somerset Council Signage	0.078				0.078
69	NEW	Strategic Asset Management	Office Rationalisation	0.5				0.5
70	NEW	Strategic Asset Management	Building Condition Programme (Non Schools)	0.9	0.6			1.5
71	SCC	Strategic Asset Management	Outdoor Education Centres Improvements	0.412	0.274			0.686
72	SCC	Strategic Asset Management	Saltlands Solar Park	3.107				3.107
73	SCC	Strategic Asset Management	South West Heritage Trust Building Condition	0.28	0.04			0.32
74	SCC	Strategic Asset Management	Outdoor Education Centres Building Condition	0.96	0.12			1.08
75	SCC	Strategic Asset Management	Estate De-carbonisation	1				1
76	SSDC	Strategic Asset Management	Birchfield Gas Control System (SSDC)	0.394				0.394
77	SSDC	Strategic Asset Management	Capital Works for Investment Properties	1.615	0.288			1.903
		Strategic Asset Management Total		12.677	2.19			14.867
		Strategy, Workforce and Localities						
78	SWT	Grants & Lotteries	Hinkley CIM Funded SWT Projects	0.1				0.1
79	SWT	Grants & Lotteries	Various Other Schemes	0.135	0.135	0.136		0.406
		Grants & Lotteries Total		0.235	0.135	0.136		0.506

Reference	Authority	Directorate Area and Scheme		Forecasted Expenditure				
				2023/24	2024/25	2025/26	2026/27 >	Total
				£m	£m	£m	£m	£m
Paused Schemes - Deferred until 2024/25 with further review in 2023/24								
80	SCC	Children and Families	Homes for Children with Disabilities Phase 2		1.5			1.5
81	SCC	Cultural Services	Bridgwater Library Improvements		1.286	0.139		1.425
82	SSDC	Economy, Employment and Planning	Wincanton Regeneration		1.537			1.537
83	SCC	Infrastructure and Transport	Walton & Ashcott Bypass					
84	SSDC	Strategic Asset Management	Yeovil Crematorium Refurbishment		3.367			3.367
Paused Schemes Total					7.69	0.139		7.829
Total Capital Programme				258.652	59.372	11.795	2.424	332.243

	Total £m
Financed By:	
Grants	193.028
Capital Receipts	12.19
Reserves	0.345
S106 or CiL	19.612
Borrowing	107.068
Total	332.243

2023/24 Non-Treasury Management Investment Strategy

1. Background

- 1.1.** The 2023/24 Non-Treasury Management Investment Strategy for the new Somerset Council is required to be considered by Somerset County Council as part of the 2023/24 budget setting process. This is a complex and highly regulated area of activity, and this strategy has been written to meet the relevant regulatory framework as set out in Annex 12C of this report.
- 1.2.** Councils invest money for three broad purposes:
 - 1) Because it has surplus cash arising from its day-to-day activities or cash that it holds pending its spending plans (known as treasury management investments).
 - 2) To support local public services by lending to other organisations (known as service-based investments).
 - 3) To earn investment income (known as investments made primarily for yield or commercial investments).
- 1.3.** This investment strategy focuses on the second and third of these investment categories and together they are termed non-treasury management investments. The first category is considered in the 2023/24 Treasury Management Strategy. Whilst service investments and investments primarily for yield are entered into and managed outside of normal treasury management activities, the Treasury Management Strategy comes into play in their financing.
- 1.4.** The objectives of this Non-Treasury Management Investment Strategy are to provide:
 - 1) The proposed Strategic Objectives for 2023/24.
 - 2) A high-level overview of the different types of non-treasury investments that will be held by Somerset Council on 1st April 2023.
 - 3) The governance and reporting arrangements for these investments.
 - 4) Management of the investments and the capacity, skills, and knowledge available to the Council.
 - 5) The Annual Review of financial performance, as required under the revised Prudential Code, for 2023/24 of the net cost/return to the General Fund revenue budget of holding the investments for yield.:
 - 6) An explanation of the relevant regulatory framework that needs to be considered when holding, managing, and divesting these investments.
 - 7) An analysis of the associated risks and management's proposed mitigations including indicators which allow Elected Members and the public to assess the level of risk involved.
- 1.5.** Proposed 2023/24 Strategic Objectives

Strategic Objective 1: Ensure the Council has flexibility and choice in obtaining loan finance.

Policy commitments and detailed objectives:

- Ensure the Council meets the criteria for accessing the Public Works Loan Board (PWLB) by not acquiring any new investments that fall within the definition "investments primarily for yield".

Strategic Objective 2: Ensure the investments for yield continue to contribute to the Council's overall financial health.

Policy commitments and detailed objectives:

- Retain the current investments made primarily for yield that will be vested to Somerset Council from the predecessor councils on 1st April 2023 for the immediate future.
- Ensure effective arrangements are maintained to collect all income due in a timely manner, and actively manage tenancy and lease arrangements to minimise losses through voids and/or non-collection of rents and service charges.
- Undertake regular modelling of the net return being achieved and forecast from holding these investments for the portfolio as a whole and for individual properties and from both the shorter and the longer-term viewpoint.
- Establish objectives, aims and expectations around the contribution being targeted from investments for yield.
- Maintain a proactive knowledge of the state of the UK commercial property market.
- Undertake regular reviews of relevant risks and mitigation options.
- Review opportunities for new permitted investment in existing investments to maximise the net return and/or improve the asset value (within acceptable risks).
- Review opportunities for selling the investments to maximise the overall net return, or to minimise future risks (such as reducing the Council's exposure in a particular market sector or geographic location), or to generate capital receipts.
- Review options available to the Council to finance the remaining indebtedness that has arisen from purchasing these investments to maximise the net return or to minimise future risks.
- Obtain relevant expert advice, when needed, to achieve these objectives.

Strategic Objective 3: Ensure commercial property investments are attractive in the market

Policy commitments and detailed objectives:

- Develop a Property Investment Strategy to ensure:
 - Properties remain attractive to tenants for letting and, at least, maintain their investment value.
 - Properties are fit for purpose, safe, and compliant with relevant legislative requirements.
- Review the costs of achieving a) and b) above with the potential return obtainable and the impact on other capital financing needs.

2. Investments Primarily for Yield

Background

- 2.1.** The four predecessor district councils in Somerset all established programmes of investing for the primary purpose of making a yield. Most of the activity focused on acquiring commercial property. Many other councils across the country have also pursued this strategy with levels of local authority investment increasing more sharply in recent years across the sector.
- 2.2.** The net returns make a significant contribution to the funding of the four councils' General Fund revenue budgets because the additional income generated exceeded the returns the councils were able to get with their cash investments and more than covered the costs of any short-term and longer-term borrowing undertaken to fund the capital acquisition costs.
- 2.3.** The primary objective for all four councils was to generate new income to enable them to continue providing essential council services to their communities at a time of declining financial support from central government, and where risk and uncertainty of funding remains high (notably, Government grants and business rates). This was achieved.
- 2.4.** The four councils viewed these acquisitions as long-term investments that would be proactively managed by having the flexibility to respond fluidly to opportunities and changes in the economy, the market, and differing performance across asset classes. The ability to sell properties to reinvest is a common portfolio investment tool in the private sector which helps achieve higher net returns whilst also mitigating risk.
- 2.5.** However, since the strategies were implemented, there have been several changes to the regulatory and economic background that have significantly impacted on this investment activity (see Annex 12C for the detail):
 - a) Changes were made to the PWLB (Public Works Loan Board) terms of lending effectively making it inaccessible for councils who continue acquiring investments made primarily for yield.
 - b) Changes made to the Prudential Code also prohibited acquiring investments primarily for yield with councils needing to pay "due regard to" the guidance as required by legislation.
 - c) Other changes made to the regulatory framework now prohibit councils using the sales proceeds from selling these assets to fund new investments for yield. This means that the approach private property fund managers undertake in selling and

repurposing the proceeds to acquire better performing and/or less risky assets cannot now be undertaken by councils.

d) Unfavourable and very rapid changes to the economic situation, particularly the rise in interest rates during the 2022/23 financial year and the risk of a recession, are putting pressure on the investments achieving a net rate of return in the short and medium term and potentially increase the risks involved in holding these investments.

2.6. Given that PWLB loan finance represents a relatively cheap and easy-to-access source of long-term borrowing, as compared to other often more complex sources of loan finance, it is being recommended in this strategy that Somerset Council ensures it has access to the PWLB if needed and therefore does not undertake any new acquisitions that fall within the definition of "investments primarily for yield".

2.7. The Director of Finance and Governance can confirm that the proposed Capital Budget for Somerset Council for the period 2023/24 to 2027/28 does not contain any budget for acquiring investments primarily for yield.

2.8. The portfolio of investments made primarily for yield is therefore now complete. The focus for Somerset Council will be on proactive management of the investments and associated risks within the regulatory framework as set in the proposed Strategic Objectives shown in paragraph 1.5 of this report.

Commercial Property Acquisitions and their financing

2.9. The period over which these investments were acquired is shown below. No further investments meeting the definition "investments primarily for yield" were acquired after December 2021 when the revised Prudential Code came into effect:

- Mendip District Council: October 2017 to November 2019
- Sedgemoor District Council: December 2018 to December 2020
- Somerset West & Taunton District Council: August 2020 to December 2021
- South Somerset District Council: November 2017 to December 2021.

Table one: Acquisition costs and financing (£000s)

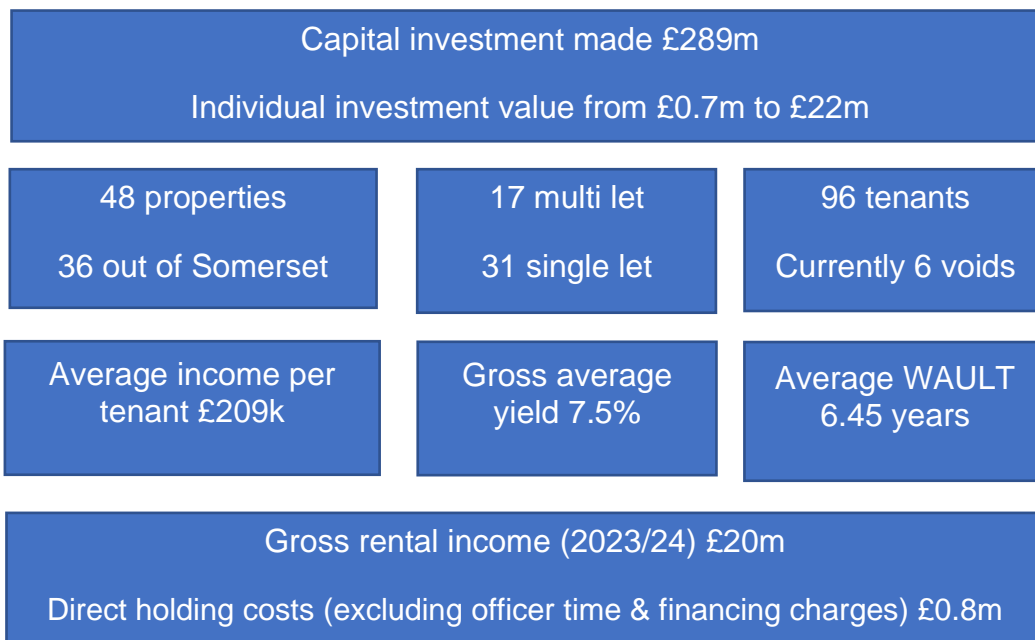
Figures are in £000s	Mendip	Sedgemoor	Somerset West & Taunton	South Somerset	Total
Investment made	50,401	46,500	98,965	93,224	289,091
Funded by:					
Capital Receipts				4,000	4,000
Revenue resources			3,520		3,520
Long term borrowing	50,401				50,401
Short/internal borrowing		46,500	95,445	89,224	231,170

2.10. The councils financed their investment acquisitions through a variety of ways. Most of the funding however was by means of borrowing. Mendip District Council financed their investments through taking out several long-term loans whilst the other three predecessor district councils financed their investments through a mixture of revenue funds, capital receipts, internal borrowing, and shorter-term external loans.

Overview of the commercial property portfolio

- 2.11.** The new Somerset Council inherits a diversified property portfolio, with a balanced spread between asset classes and geographical locations which will help mitigate the potential risk of holding assets all in one sector and/or location.
- 2.12.** The following paragraphs and charts aim to illustrate key aspects of the investments held.

Chart One: Commercial property investments key metrics

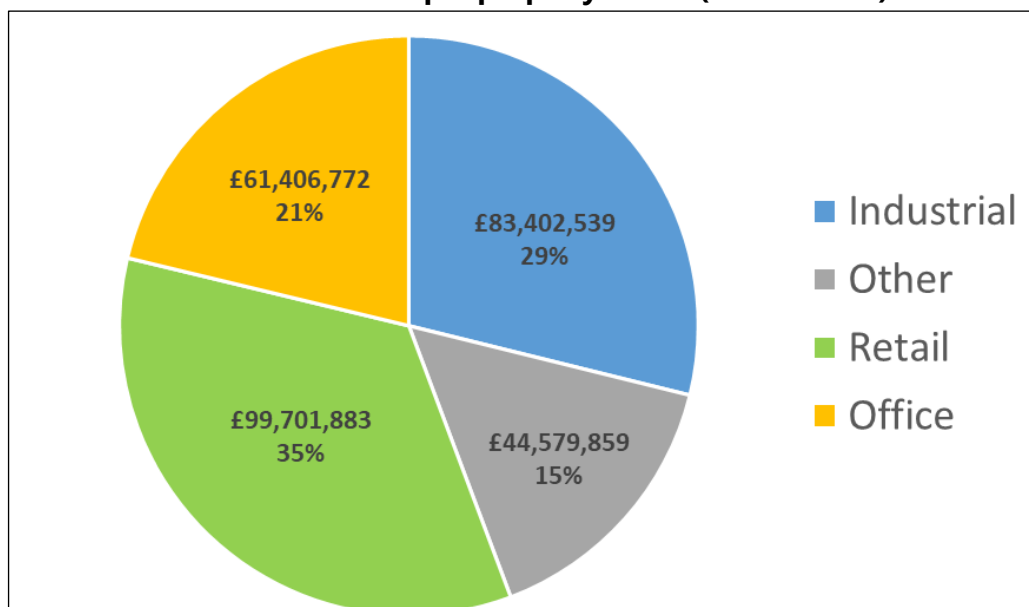


WAULT = weighted average unexpired lease term

Gross Yield = Contracted income return percentage on purchase price

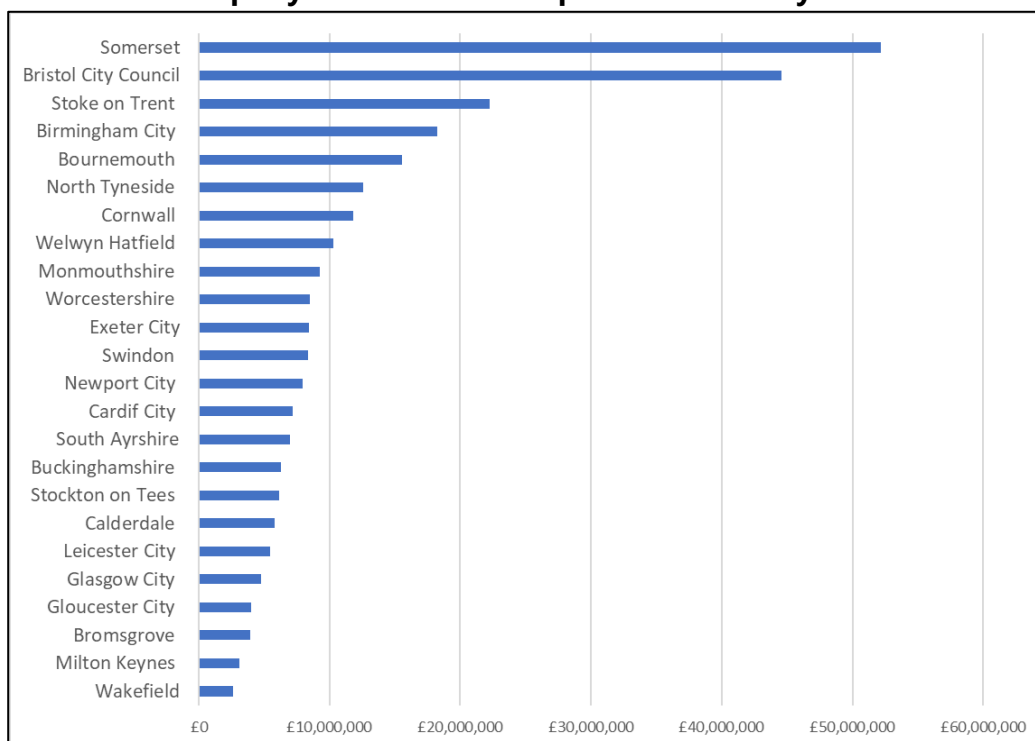
- 2.13. Property sectors:** The portfolio is weighted towards retail and industrial asset classes. 35% of the investment has been made in the retail property sector followed by industrial (29%), office (21%), and the other property sector (21%). investments made in the latter include: a healthcare centre, a gym, and an NCP car park. Of the retail property, 25% can be regarded as high street / town centre retail.

Chart Two: Investments made per property sector (asset classes)



2.14. Location of the investments: 75% of the properties held are located out of Somerset Council's area. By value, £237m (or 82%) of the total investment that has been made is outside of the new council boundary. Chart Three shows the value of investment made across the United Kingdom.

Chart Three: Property investment made per local authority area



2.15. Average size of investments: The average acquisition price was £6.023m with 48% of the £289m invested being on properties acquired within the £5m to £10m range. The largest acquisition of £22m was made for an industrial property in Stoke-on-Trent.

Chart Four: showing size of investments made (numbers = no of properties)

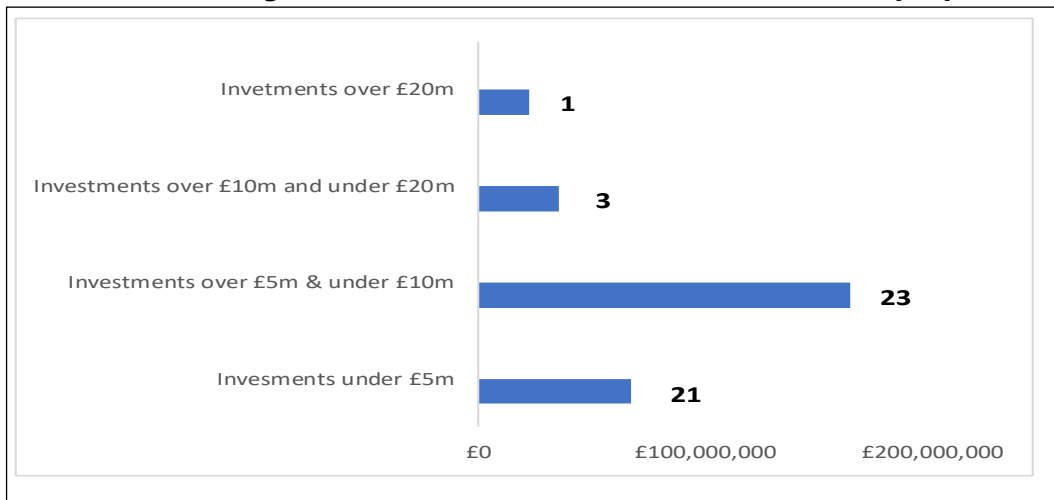
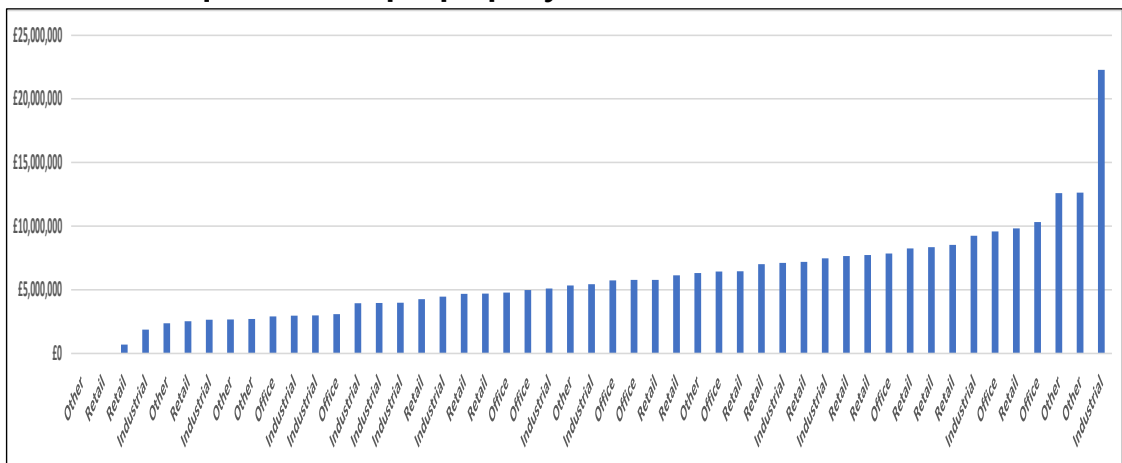
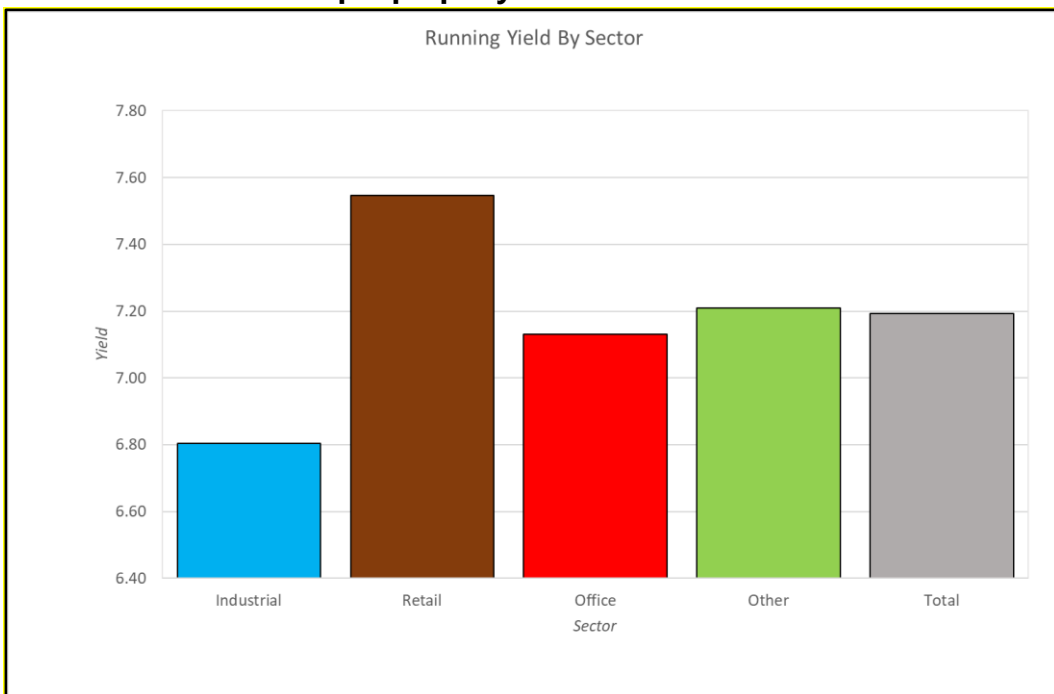


Chart Five: Acquisition cost per property



2.16. Gross yield: (which is the gross current income divided by the investment purchase price) by property sector shows the initial return the contracted rents provide split by district council and by investment sector.

Chart Six: Gross Yield % per property sector



2.17. Investment value: The unaudited value of the commercial property investments as at the end of March 2022 is £264m. As compared to the total investment made (£289m) this is a decrease in value of £25m (9%) but one-off costs of purchase (fees and SDLT) account for most of this difference. A new valuation will be undertaken to produce the 2022/23 Statement of Accounts. It should be noted that £15m of the indebtedness arising from purchasing these assets has already been paid by the predecessor councils through Minimum Revenue Provision (MRP) payments from their revenue budgets.

2.18. Security, liquidity, and yield: The principles of security, liquidity, and yield must be considered when making any investment. When considering treasury management investments, security is the highest priority, followed by liquidity, and yield is a low priority. However, the objectives for investing primarily for yield (i.e. to make a return to support the funding of core council services) has meant that such investments have not always prioritised security and liquidity as highly as treasury investments do.

2.19. Commercial property is not a liquid investment, such as a bank account where one can withdraw needed cash immediately. They can take significant time, and cost, to sell and are only divisible by the individual ownership components. A reasonable rule of thumb is to allow up to 6 months to dispose of an investment property.

2.20. SSDC Opium Power Ltd (SSDC OPL): As part of its commercial strategy, the predecessor South Somerset District Council, invested £42m through a joint venture company, SSDC OPL, in a design, build, finance and operation of battery energy storage systems (BESS) at Taunton, Somerset (SSDC OPL) and at Fareham, Hampshire (FERL 1 and 2).

2.21. The current structure of the JV comprises a parent company, SSDC Opium Power Ltd (SSDC OPL) and two subsidiary companies, Fareham Energy Reserve Ltd (FERL 1) and Fareham Energy Reserve 2 Ltd (FERL 2). There are 100 shares in SSDC OPL: the Council holds 50 and OPL holds 50. All the shares in FERL 1 and FERL 2 are held by SSDC OPL.

2.22. The returns from these investments come by way of interest on the capital lent by SSDC to the joint venture company, and dividends from the profits of the company. In addition, the loan repayments are used to fund the capital budget thus reducing the Council's overall borrowing needs.

Table Two: loans made to SSDC Opium Power Ltd and subsidiaries

Amount Lent	Loan Date	Interest rate	Loan Period	Maturity date
9,840,000	17/05/2018	5.00%	8.25 yrs	31/07/2026
1,284,000	29/03/2019	5.00%	7.35 yrs	31/07/2026
2,033,055	15/08/2019	7.50%	7 yrs	31/07/2026
13,157,055	Total Loan to SSDC Opium Power Ltd			
18,690,560	20/10/2020	4.00%	25 yrs	01/01/2047
18,690,000	Total loan to FERL 1			
10,318,980	26/05/2021	4.00%	25 yrs	01/04/2048
10,630,877	Total loan to FERL 2			
42,477,932	Total loan to SSDC OPL and subsidiaries			

- 2.23.** The loan balance at the end of March 2023 is forecast to be £39m. £3m of the £3.7m scheduled loan repayment for 2022/23 has already been paid (as at the time of writing this report).
- 2.24.** As these projects needed to be constructed prior to any trading, there was an initial period of investment without immediate return. Taunton was completed in 2020, FERL 1 was completed in February 2022, and FERL 2 reached completion in June 2022. The project on this last facility is completing all its technical tests and will shortly start trading.
- 2.25.** SSDC Opium Power Ltd started to generate a profitable trading position during 2020/21. Under the provisions of the Shareholders' Agreement for SSDC OPL any dividend payment requires express consent from the Council. For Taunton, there can be no dividend until the loans are repaid in full. Profits made to date have been used to accelerate the repayment of the loans provided by the Council. The dividend share is 50:50 between the Council and the other shareholder (OPL).
- 2.26.** FERL 1 began to trade during 2022. Loan repayments are being made in accordance with the minimum amounts set out in the loan agreement, leaving a surplus in the company. Any profits are shared 65:35 in favour of the Council. As at the time of writing this report, the predecessor council is considering its position on whether to take a dividend or require the profit to service the earlier repayment of the loan debt outstanding.
- 2.27.** FERL 2 has similar arrangements to FERL 1 other than the profit shares being 70:30 in favour of the Council.
- 2.28.** **Security, Liquidity, and Yield:** The arrangements involve substantially more complexity than the property investments with the company structure, separate accounting and governance, and the need for the Council to appoint Directors to the Board. This investment sector is very specialised requiring niche advisory providers and is focussed on an emerging market which should be viewed as riskier.
- 2.29.** However, the loan principal and interest are being paid in line with the agreed loan schedule. The current income returns to the company are well above the forecasts made when the lending was approved, but this trading information cannot be disclosed in a public report. The investment, like the commercial property portfolio, is not particularly liquid.

3. Investments made for service purposes

- 3.1.** The predecessor councils have lent money to businesses, charities, housing associations, and other public bodies to support their service objectives. The table below shows the service investments (which are in the form of loans) the new Council will inherit on 1 April 2023 (unless any are redeemed early).

Table Three: Service Investments held by Somerset Council

Sector	Total Loan amount £	Financial Year(s) given	Total Balance as at 1/04/23 £	Length of loan period(s) remaining	Interest rate(s)
Registered Housing Association	117,810	1971/72	44,500	10 years	2.84%
Registered Society	1,684,900	2014/15 2015/16 2021/22	1,020,124	7 years	Various 3.49% - 4.89%
Charities	3,566,646	2017/18 2019/20	3,341,363	2- 26 years	Various 2.57% - 4.5%
Local Business	500,000	2018/19	400,223	14 years	3.75%
Council subsidiary	1,480,000	2015/16 2018/19 2019/20 2020/21	1,320,661	22 -27 years	Various 1.11% - 5.04%
College	4,500,000	2019/20	4,176,577	17 years	4.50%
Local Business	190,000	2015/16	88,890	13 years	2.76%
Schools	271,424	various	TBC	various	0%
	12,310,780		10,392,338		

- 3.2.** Members may also wish to note that the Councils currently hold inter-authority service loans, for example in respect of loans provided by the district councils to SCC towards funding capital investment in the Somerset Waste Partnership. When the councils merge to form the new unitary authority on 1 April these loans will be cancelled, leaving the ongoing capital financing requirement to be financed through future treasury management.
- 3.3. Security:** The main risk when making service loans is that the borrower will be unable to repay the principal lent and/or the interest due. However, the total risk exposure to service investments is currently £10.4m, which is not considered to be disproportionate to the overall size of Somerset Council.
- 3.4.** Accounting standards require the Council to set aside loss allowance for loans, reflecting the likelihood of non-payment. The figure for any loans in the statement of accounts at the end of 2023-24 will be shown net of this loss allowance. However, up to this point in time no loss or impairment of these loans has had to be made.
- 3.5. Liquidity:** These investments are not liquid as the repayments are made in line with agreed loan agreements. Table Three shows that most of the outstanding current debt will not be fully repaid before fifteen years.
- 3.6. Yield:** In view of the public service objective, the yield obtained from the service investment has not always been the primary consideration.

Policy for granting service loans

- 3.7.** Whilst given the public service objective, the Council is willing to take more risk than with conventional treasury investments; any decisions on granting such loans will be made on the basis that repayment to the Council remains a firm, secure, and realistic commitment from the applicant.
- 3.8.** The yield obtained will not always be a primary consideration, but the Council will normally seek to at least cover its own financing costs in funding the loan and will pay due regard to market rates.

- 3.9. The Council may also from time to time make Soft Loans (loans charged at interest rates at less than market value). Before such loans are undertaken, the implied subsidy will be clearly identified and quantified as part of the decision-making process.
- 3.10. All loan requests must be set out in a Business Case from the sponsoring service demonstrating how the loan will deliver service outcomes.
- 3.11. Due diligence will be undertaken by carrying out a proportionate review of the credit risk of the applicant, a review of its published financial statements, and the Business Case detailing how the loan will be used.
- 3.12. Where deemed necessary (for example where a large loan request has been made) the Council will seek a legal charge on the underlying assets of the applicant to mitigate against the risk of the applicant defaulting on the loan.
- 3.13. All service investment requests will be considered in the context of the impact on the cumulative total of all such loans made by the Council and any implications for the its shorter and longer-term cash flow requirements.
- 3.14. Total exposure for service loans will be contained within the prudent limit set within the Treasury Management Strategy.

4. Governance and reporting arrangements

- 4.1. In line with legislative requirements this Investment Strategy will be prepared annually and will be approved by full Council as part of the wider budget setting process.
- 4.2. The Audit Committee is responsible for reviewing this Investment Strategy, recommending the strategy to Council for approval. It will receive a Mid-year Review Report and an Outturn report which are also reported to Council.
- 4.3. Monitoring of the budgets associated with these investments (for example, the rental income received compared to budget) will be included in the quarterly corporate budget monitoring report to Executive.
- 4.4. A review of the financial performance in terms of the net return being achieved will be undertaken and reported quarterly in a separate report to Executive.
- 4.5. Significant information about the investments is required to be disclosed annually in the Statement of Accounts. This is subject to external audit.
- 4.6. Further appropriate governance arrangements will be put in place as part of the work on the constitution and democratic arrangements.

Officer delegation:

- 4.7. The Executive Director of Resources & Corporate Services (s151 Officer) has the overall responsibility for delivering the agreed Non-Treasury Management Investment Strategy and the 2023/24 Strategic Objectives.
- 4.8. Appropriate delegations will be made to the Service Director - Strategic Asset Management and the Service Director – Finance & Procurement to support delivery.

5. Management of the investments, capacity, and skills

- 5.1. Property Portfolio Management:** In terms of day-to-day resource requirements and officer focus, the commercial property portfolio and SSDC OPL will need more proactive management than the other non-treasury management investments.
- 5.2.** The four predecessor districts approached portfolio management in a broadly similar way and managed single-let properties in-house with multi-lets managed via external agents with service charge administration costs recovered from tenants. Managing multi-tenanted property is more complex and time consuming than managing single let property.
- 5.3.** Investment property asset management is an area of experience not held by some local authority property specialists. Currently, there are only two investment specialists employed within the predecessor councils.
- 5.4.** At the time of publication of this report, Somerset Council is very much in a transitional phase, with appointments to the tier 3 structure unlikely to be in place in January 2023 and with a clear position from the Chief Executive that the development of detailed structures beneath tier 3 will not be taken forward until service directors are in position.
- 5.5.** It is not possible therefore to give details of the arrangements that will be available to manage the commercial property portfolio apart from the fact that it will fall within the service area for the Service Director - Strategic Asset Management. Sufficient budget for the staffing establishment, advisers and the range of consultancy costs must be retained so that good practice management delivery can be achieved as that is critical to income performance and protecting value.
- 5.6.** The objectives for the management of the commercial property investments will be to:
- a) Ensure that the Council has a fully resourced, proactive, and professional management in the handling of its commercial property to optimise the value of the investments and rental income over time. The evaluation of the mix of in house and external resources is in hand but not yet completed.
 - b) Modernise asset records and systems to ensure the efficient management and recording of property/tenant data and lease renewal dates to aid the timely collection of rents and service charges.
 - c) Ensure Property Finance management is a focussed activity with sufficient resources to deliver ongoing financial due diligence, monitoring and reporting, and to support decision making. This is a critical resource requirement due to

volume and value of financial transactions involved with the portfolio, and the specialised requirements.

- d) Develop a unified policy on the approval and giving of discounts and incentives, deposit management, debt collection, and write-offs.
- e) Ensure effective budgetary control of the Council's financial position through completion of realistic prudent budget estimates and ongoing review of income, debt levels and void rates.
- f) Undertake yearly valuation of investment assets.
- g) Undertake effective rent reviews, re-gearing of leases where appropriate, or remarketing of lease opportunities in a timely and market-focused manner.
- h) Undertake tenant vetting prior to a new lease being granted to minimise credit and default risk.
- i) Ensure tenants fulfil their repair and maintenance obligations of their lease including dilapidation on termination.

5.7. Skills and knowledge available: The Executive Directorate of Resources & Corporate Services will include officers who are qualified chartered accountants and chartered surveyors.

5.8. Ongoing treasury management advice and taxation advice will be provided by specialist advisers to the Council.

5.9. The Council will use valuation experts to value Property, Plant and Equipment and Investment Properties. Expert advice will also be procured to value SSDC Opium Power Ltd battery storage assets which require very specialised advisers.

5.10. The portfolio management approach is being reviewed. Options will be presented with recommendations. Any internal appointments and external advisers can then be appointed and transition from existing arrangements and contracts completed.

5.11. Other specific advice will be procured as and when needed. There will be significant property legal resource requirements. The resourcing approach will need to be agreed and put in place.

5.12. The Council will ensure that appropriate training and learning is given to all officers involved in this area of work.

5.13. It is important that elected members understand the decisions they will be asked to make relating to these investments and indeed this is a regulatory requirement in CIPFA Prudential and Treasury Management Codes.

5.14. To ensure that members have the knowledge and skills required to support them in their decision-making role, a series of training events will be developed during 2023/24 which will cover the relevant knowledge areas.

6. Financial Performance of the investments made primarily for yield

6.1. Financial modelling has been undertaken to determine the net impact on the Council's General Fund revenue budget of holding these investments after

considering the financing costs that can be reasonably associated with the borrowing undertaken to fund their acquisition.

6.2. Borrowing is of three types:

- Internal borrowing – using available cash to purchase the investment instead of putting the cash into the bank or other savings accounts. The use of this cash is temporary as it needs ultimately to be used for its intended budgeted purpose.
- Short term borrowing, generally a year or less, from external institutions.
- Longer term borrowing from external institutions, for example the Public Works Loan Board (PWLB) with lending available for up to 50 years.

6.3. Other longer term financing options may be available such as leases.

6.4. Local government does not borrow specifically for a particular capital purchase of an investment unlike, say, a homeowner who obtains a mortgage to fund a particular property.

6.5. This makes it difficult to be precise about what sort of borrowing has been undertaken in respect of financing these investments as compared to the rest of the capital programme. Mendip District Council obtained longer-term loan finance whilst the other three councils used internal borrowing and short-term loans in different proportions which changed over time.

6.6. A pragmatic view has been taken by calculating the proportion of the Capital Financing Requirement (CFR) (the amount of indebtedness held by the predecessor councils) arising from these investments as a percentage of the overall indebtedness incurred by funding their capital budgets. This amount has then been reduced to take into account the MRP (Minimum Revenue Provision) payments made by the councils since the investments were acquired (by £15m) which has reduced the indebtedness held.

6.7. This CFR position is used as the starting point to analyse whether the gross rental income is sufficient to cover the 2023/24 and future years' financing charges arising from this inherited indebtedness position. Current and forecast interest rates are used as well as the new Council' s proposed MRP Policy.

Other key assumptions made:

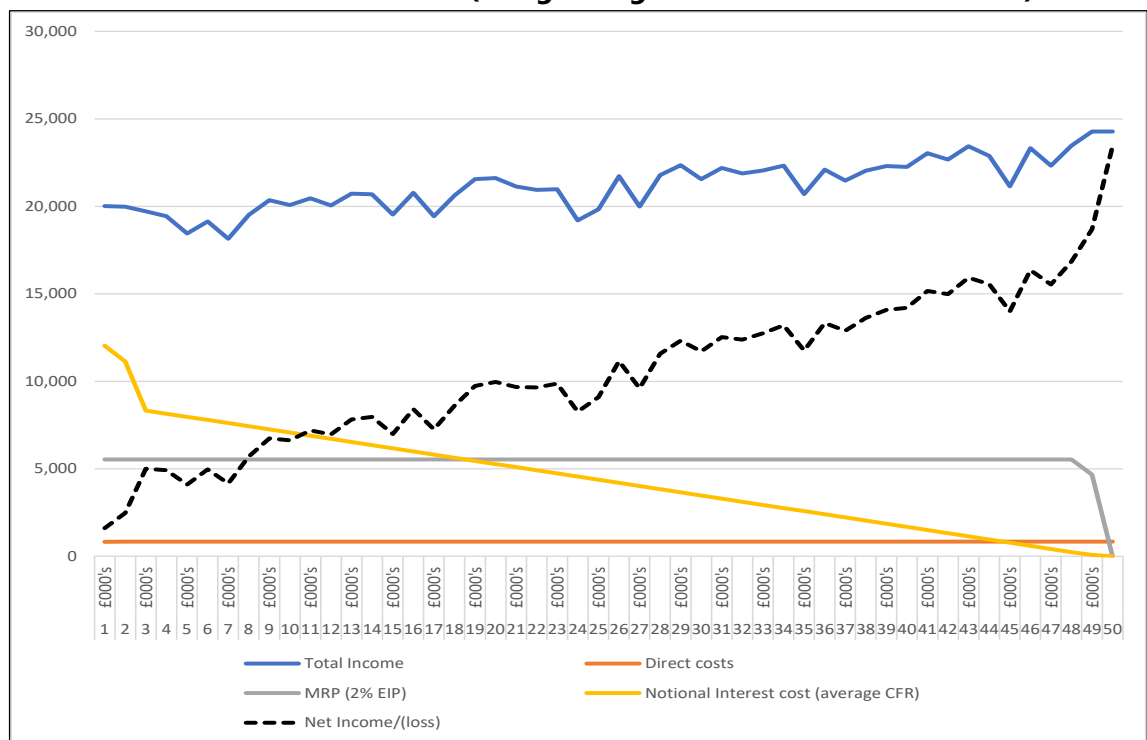
6.8. The worst-case position for borrowing: that is the Council takes out loan finance from the PWLB rather than uses its own cash or short-term borrowing - both of which would have lower interest rate implications than PWLB borrowing. In practice the Council may not be able to use PWLB for a significant proportion of refinancing and will instead prioritise other options such as loans from other local authorities which tend to be cheaper than PWLB.

6.9. An average interest rate of 4.5% is currently being used for budget estimates, derived from assuming PWLB borrowing over a 50-year period. Further work is required to quantify a blended notional interest rate that reflects the Council' s overall approach to treasury management.

6.10. The interest rate forecasts for 2024/25 use advice received from Arlingclose, the Council' s Treasury Management advisers, and is based on their assumption of declining interest rates from 2024/25 and onwards. More detailed advice from the advisers on interest rates is given in the 2023/24 Treasury Management Strategy.

- 6.11. MRP costs of 2% on an Equal Instalments Basis. Further work is needed to finalise the MRP Policy and select a calculation method that reflects a prudent approach for this type of activity and is acceptable both to the S151 Officer and the Council’s external auditor.
- 6.12. Financing costs are expected to reduce as the overall balance of CFR reduces each year. Costs will vary depending on the CFR balance and the interest rates than can be obtained each year.
- 6.13. Rental income is assumed to increase by 2% in a five yearly cycle. This is considered a prudent estimate for forecasting the average direction in the property market erring on the side of caution.
- 6.14. A cautious allowance has also been included in the model for void periods and the potential need for incentives such as a rent-free period for new tenants.
- 6.15. An assumption that the six properties that are currently void remain so over the modelling period, although all appropriate steps are being taken to improve on this assumption.

Chart Seven: Base mode in £000s (using Arlingclose interest rate forecasts)



6.16. Chart Seven above shows a fifty-year net income forecast (the dotted line) given the assumptions listed in the paragraphs above. (Year 1 is 2023/24). Rising interest rates are currently putting pressure on the investments achieving the net returns originally experienced when they were acquired.

6.17. The analysis shows that an estimated net return of 0.8% is forecast to be made in 2023/24 from the commercial property investments. This is at the overall portfolio level and is the estimated surplus after covering direct management costs, interest costs, and debt repayment. The net return however is very sensitive to interest rate changes and

forecast rates going forwards. A 0.5% increase in interest rate assumption decreases the net return to 0.3%.

- 6.18.** Net returns have also been calculated for each individual investment (not shown in this report), although the nature of the spread of investments means the return will vary from asset to asset based on many factors. The range is a negative 0.8% to a positive 4.5%, with 12 out of the 48 investments currently showing a negative return.
- 6.19.** Chart Seven shows that the longer these investments are held, and as the outstanding debt is repaid off, the net return should increase. However, this analysis does not factor in potential risks relating to the individual investments (apart from potential void and rent-free periods) such as landlord capital costs and property obsolescence, nor the risks at portfolio level such as further legislative changes limiting local government holding these investments. A discussion of the potential risks associated with these investments is given in Annex 12B of this report.
- 6.20.** Whilst the overall conclusion from this financial analysis is that Somerset Council retains these investments immediately post vesting day: both the financial and property officers involved in this work could propose individual investments that would be more obvious candidates for selling should the Council wish to consider this post vesting day. A key further element of work that would be needed however to take this forward would be to obtain a more recent valuation of the individual investments before taking a final decision. The latest valuations date from the end of March 2022.
- 6.21.** Regular review of the net return position for the portfolio as well as the individual investments will be needed post vesting day as proposed in strategic objective 2 (paragraph 1.5).

ANNEX 12A: INVESTMENT PRUDENTIAL INDICATORS

Investment cover ratio:

This ratio shows how many times the total net income from non-treasury management investments relating to the Investment Properties can cover the interest costs associated with the outstanding indebtedness that has arisen from funding these investments. This demonstrates the Council's ability to service this indebtedness.

Table: Four Investment Cover ratio: times interest cost covered by income					
Year ended	Gross Income	Direct costs	Net Income	Interest cost	Cover ratio
	£000's	£000's	£000's	£000's	Times
31/03/2024	20,015	840	19,175	12,033	1.6
31/03/2025	19,977	840	19,136	11,129	1.7
31/03/2026	19,712	840	18,872	8,331	2.3

Loan to value ratio:

This is the amount of indebtedness currently held compared to the total asset value. In this instance, the asset value is the total value of the Council's property investments made primarily for yield. This illustrates whether the Council has assets of sufficient value to repay debt if required.

It should be noted that the Asset Valuation is the latest one undertaken, as at 31 March 2022. The next valuation will be undertaken for the 2022/23 Statement of Account (as at 31 March 2023) and is not yet available.

Table Five: Loan to Value ratio: % Closing CFR to Asset Valuation			
Year ended	Closing CFR	Asset Valuation	Cover ratio
	£000's	£000's	%
31/03/2024	264,628	264,167	100%
31/03/2025	259,097	264,167	98%
31/03/2026	253,566	264,167	96%

Total investments made primarily for yield as a proportion of total capital financing requirement (CFR):

This shows how much of the Council's overall CFR (indebtedness) (excluding Housing Revenue Account CFR) pertains to property investments made primarily for yield.

Table Six: % Property Investments CFR to Total CFR			
Year ended	Closing CFR	Total CFR	Cover ratio
	£000's	£000's	%
31/03/2024	264,628	1,022,100	25.9%
31/03/2025	259,097	1,031,000	25.1%
31/03/2026	253,566	1,015,700	25.0%

Income returns:

Net revenue income from commercial properties compared to the value of the property investment portfolio. This represents the yield of the portfolio as a whole – generally, the higher the percentage the better the performance of the portfolio. However, the better the quality of the asset and the tenant, the lower the yield is likely to be. Therefore, a balance needs to be struck between high yield and good quality assets.

Table Seven: Income return: % net compared to Asset Valuation			
Year ended	Net income	Asset Valuation	Cover ratio
	£000's	£000's	%
31/03/2024	1,611	264,167	0.61%
31/03/2025	2,476	264,167	0.94%
31/03/2026	5,010	264,167	1.90%

It should be noted that the Asset Valuation is the latest one undertaken, as at 31 March 2022. The next valuation will be undertaken for the 2022/23 Statement of Account (as at 31 March 2023) and is not yet available.

Gross and net income:

The income received from the Council's investment portfolio at a gross level and a net level (after the deduction of operating costs, interest & MRP). These figures have been incorporated into the 2023/24 and MTFP revenue budget estimates.

Table Eight: Gross & Net income			
Year ended	Gross income	Net income	Cover ratio
	£000's	£000's	%
31/03/2024	20,015	1,611	8.1%
31/03/2025	19,977	2,476	12.4%
31/03/2026	19,712	5,010	25.4%

Net Commercial Income to Net Service Expenditure:

This indicator measures the Council's dependence on the income investments made primarily for yield to deliver core services. It indicates proportionality and whether the authority is taking too much risk in aggregate.

Table Nine: Net Income to Council's Total Net Service cost			
Year ended	Net income	Net Service cost	Cover ratio
	£000's	£000's	%
31/03/2024	1,611	494,820	0.33%
31/03/2025	2,476	542,070	0.46%
31/03/2026	5,010	588,000	0.85%

ANNEX 12B: RISK ANALYSIS AND MITIGATION MEASURES

Risk appetite: can be defined as “the amount of risk that an organisation is prepared to accept, tolerate, or be exposed to at any point in time” . Risk always exists in some measure and can never be totally removed.

The new Somerset Council will need to develop its risk appetite regarding these investments. This will be facilitated by the establishment of an Investment for Yield Performance Review Board as proposed in a previous section of this report. This section on risks applies to all the non-treasury management investments.

At the time of writing this report, it has been assumed that Somerset Council will accept these potential risks at vesting day. The rest of this section describes the key risks involved, giving a monetary value for the total risk exposure, where possible, the likelihood of the risk happening (High, Medium, Low), and proposed mitigation measures.

The potential risks involved can be broadly categorised into two major areas:

- Potential risks at the individual investment and overall portfolio level.
- Potential risks arising from economic and legislative changes

Each predecessor district council built up earmarked reserves to help finance the cost of the potential risks should they arise. It is estimated that the four districts will transfer around £10m in reserves for this purpose on 1 April 2023. This represents some 50% of the 2023/24 gross annual rental income budget from the commercial property investments. A full review of the reserves position will be undertaken during 2023/24.

Potential risks at the individual investment and overall portfolio level:

Risk that loans made to 3rd party organisations are not repaid

Likelihood: This is considered low risk for service investments given the nature of the organisations the predecessor councils have lent to. In terms of SSDC Opium Power Ltd (SSDC OPL) it is considered to be low to medium as the loan is secured against the assets, principal repayments are being made in line with the loan agreement, and two out of the three companies are now trading at a profit.

Total risk exposure: For service investments - £6.6m.
For loans made to SSDC Opium Power Ltd and subsidiaries - £39m.

Risk Mitigation: For new service lending this will include undertaking proportionate:

- Credit rating checks
- Analysis of the financial health of the organisation
- Review of the Business Case on how the loan is to be used
- A consideration of a legal charge on the borrower’ s assets
- Risk Mitigation for SSDC Opium Power Ltd and subsidiaries:
- Lending secured against the assets of the companies.
- Active involvement and monitoring of the JV company is a fundamental mitigation to protect the lending and value of the shareholding.
- Suitable governance for selection of Council appointed directors.
- Monitoring that joint venture companies are correctly resourced in terms of management, advisers, and contractors.
- Appointment of appropriate expert advice when required.
- Full records and documentation for use of Council and compliance with Council accounting, standards, and procedures.

Risk that there are void rental periods

Description: Voids arise from having the property vacant (end of lease and inability to attract a new tenant, or tenant bankruptcy) or from negotiated rent free periods. The former the situation would mean not only the loss of rental income but the requirement to cover property costs such as Business Rates, void service charges, insurance, and security.

Voids frequently require some landlord capital spend to protect the long-term performance of the asset and achieve the best outcome on re-letting. There are fees to be met for letting agents and lawyers. Most new leases include a rent-free period as part of the letting package. Attempts to depart the normal mix of rent levels, lease terms and incentives are likely to frustrate the ability to re-let.

Likelihood: Low/medium: Currently there are six void properties. Most of the properties acquired are below £10m which means less risk of a single large tenant failing.

Total risk exposure: The current gross rental income is £20m.

The table below shows when leases end over the next few years and the rental income that would be at risk if a new lease is not obtained.

Table Ten: Lease end dates over the next few financial years

Financial Year	No of Properties	Rental income at risk £000's	% of overall income at risk
2022/23	9	£966	5%
2023/24	8	£1,388	7%
2024/25	8	£1,012	5%
2025/26	11	£2,533	13%
2026/27	14	£3,072	15%
2027/28	8	£1,622	8%
2028/29	7	£1,358	7%
2029/30	7	£2,004	10%

A small proportion of the properties are judged to involve greater short-term risk:

- M&S retail property at Yeovil (lease ends 31/03/27 – rental £505k pa; market rental value below 60% of passing rent and difficult to re-let)
- Wilko retail property at Yeovil (lease ends 28/04/25 – rental income £435k pa; market rental value below 50% of passing rent and difficult to re-let)
- Lyndon Place office in Birmingham (lease ends 31/10/2026; costly and difficult capital works required; high risk of void – rental income £196k pa)
- NCP (car park) in Bournemouth (tenant defaulted on lease; 12 month rolling agreement, ongoing risk, £200k pa income)

Risk mitigation:

For new tenancies undertake:

- Credit rating checks on tenant
- Analysis of a tenant's financial health, business operations, and future performance
- Consider asking for a deposit from the tenant

For overall portfolio tenancies:

- Establish and maintain robust lease events calendar system and regular monitoring with structured arrangements for action triggers.

- Undertake prudent and realistic annual budgeting for income and costs.
- Proactively manage tenant relationships and intended tenant activity with the objective to secure the highest proportion of lease renewals rather than lease ends and re-letting.
- Proactively market new lease opportunities in a timely manner to minimise letting void periods.
- Retain earmarked risk mitigation reserve for these investments.

Risk that the building condition requires Council expenditure

Risk explanation: Properties may need expenditure to remain attractive to the market or to comply with current or future legislative standards, such as meeting the new Energy Performance Certificate (EPC) standards.

Review of the investment for yield portfolio has not yet identified any unit with an EPC rating worse than E although the review has a small proportion of properties yet to confirm. There will be future management needed for this as the EPC requirements will be increased to the point where a required rating of 'B' or above has been proposed to be needed by 2030.

Total risk exposure: short term risk is already addressed in capital budgets. Modelling should be undertaken to assess this component of risk reserve levels for the medium/long term.

Risk mitigation:

- Dilapidations at lease end are mostly at the expense of the tenant.
- Formal review of all existing let units should identify limitations on tenant repair obligations such as schedule of condition.
- Develop and maintain a robust capital budget for landlord expenditure at every potential lease expiry having regard to potential shortfalls in tenant dilapidations and reinstatement, key risks around building services, and aspects of building upgrades considered optimum for medium term income performance and lettable.
- Ensure management of the dilapidations processes are delivered in line with best practice to minimise cost impact to Council.

Risk that the portfolio is overexposed to certain property sectors and/or geographical locations

Risk explanation: There is more risk in owning a property portfolio where there is limited diversification in terms of geographic location and / or tenancy/property sector invested in.

Likelihood: The commercial property portfolio is diversified in terms of property sector and geographic location. This diversification reduces the risks of exposure to a single asset, tenant, or sector failure.

The portfolio at first glance may appear overweight in retail, but this is mitigated by the mix of high street, out of town, and retail warehouse properties. These are distinct sub-sectors performing quite differently.

Most substantial commercial property investors aim to achieve some portfolio churn in the medium term, selling properties when they offer the peak opportunity to realise capital growth or evolve the balance of the portfolio to respond to future or past changes in sector performance.

However the potential to pro-actively manage the portfolio appears severely limited by the terms of Prudential Code. The meaning of clauses in the Code referring to rebalancing and improvements may be clarified when the policy has been in use for some years.

Risk mitigation:

Whenever the highest-level strategy for commercial investments is set or revised, assessment should be made as to whether to seek recommendations for any properties for disposal due to issues of portfolio balance.

Risk that the Council may not receive the value invested if it sells

Risk explanation: property values can go up and down and there is the risk that the council can make a loss on the sale. Values are prone to fluctuation, for a range of reasons. These include economic shifts, changes in strategic investor requirements, financial market shifts, sector relative pricing, changes in the locality, or asset specific risks, such as tenant failure.

Likelihood: There is an immediate post-acquisition loss of the costs of purchase – assumed to be typically 6.8% of purchase price for Stamp Duty Land Tax and advisory fees. Shorter lease properties, or those where the contracted rent is well above the market rent, tend to progressively reduce in capital value as the lease term reduces. The capital value should return to the best level following successful reletting. In the case of over-rented properties, the eventual value is expected to be below purchase price.

Total exposure: The unaudited value of the investments as at the end of March 2022 are £264m. As compared to the total investment made (£289m) this is a decrease in value of £25m (9%), which is in part expected as initial costs include sunk costs such as taxes and fees above the purchase price. A new valuation will be undertaken to produce the 2022/23 Statement of Accounts, and as at 31 March each year thereafter. Any gains and losses in valuation do not impact on the budget or useable reserves, instead being written off to the Revaluation Reserve and Capital Adjustment Account. Any future actual disposal net proceeds are treated as capital receipts, and it is proposed these will be prioritised to reduce the Capital Financing Requirement (borrowing). If the proceeds fall short of the CFR balance at the time the residual amount will remain to be funded through the annual revenue charge for debt repayment (MRP) or other capital receipts set aside for debt repayment.

Risk mitigation: The council will undertake proportionate due diligence including:

Market Testing – The general presumption should be that any sale of an investment property asset should be subject to an open market sale where reasonable steps have been taken to identify all interests in acquiring the asset subject to expert advice on how best to optimise the value of the sale. There may be situations of a possible “special purchaser” – such as the tenant or owner of neighbouring property – where the price cannot be tested by general marketing. In any such cases, prior approval to engage would be confirmed with the Investment for Yield Performance Review Board. Confirmation that the negotiated price is appropriate and in excess of normal market value will be confirmed by external valuation.

Valuation – When an assessment is being made of whether to sell, advice should be obtained from appropriate specialists on expected selling price as well as best approach to marketing. An external investment agency firm is most likely to be used for sales and they should provide appropriate formal advisory recommendations.

Pre-sales due diligence – prior to any marketing, good practice due diligence should be completed to include legal work on perfecting title; resolution of management matters and assembly of good records and completion of any appropriate data room. The aim is to enable the sales process to progress in the easiest way and be able to close out any intended transaction with the risk that is involved with delays or unknowns coming to light.

Risk that the Council may not receive cash quickly if it wants to sell

Risk explanation: commercial investment property is relatively illiquid. Key reasons are that disposal must involve the whole property interest, and it involves a process of individual marketing, negotiation, due diligence, and then legal transaction. This is demanding and slow compared with assets such as equities, bonds, or investment units. Values are prone to fluctuation, particularly due to changes in the locality, the general economic outlook, or asset specific risks, such as tenant failure. The market is impacted by changes in confidence. Sharp economic downturn may lead to a period of severely restricted buyer demand.

Likelihood: The market fundamentals for this asset class are a fixture which cannot be avoided, and part of the context for direct investment in property. Extreme market cycles are occasional but difficult to predict.

Total exposure: This depends on the high-level strategy. If the intention is a long term "hold" then this risk is in the background. The current Prudential Code means the council could not operate as a "trader" in investment property. If there is an intention to partly or fully divest from the property investment portfolio, this can be planned to be delivered when market conditions are helpful and in an orderly programme.

Risk mitigation:

- Long term cash management planning so that shorter term capital requirements do not need to be linked to property investment sales.
- Any divestment options for investment property should be considered with strategic advice as to the expected market conditions and values, and if implemented then the approach should allow a reasonable time-period for sales to be concluded.
- A high-level strategy for the property investment objectives needs to be formulated and periodically reviewed. This will set and re-set the intentions as to the extent of divestment, if any.
- The property investment team should review the legal package for each asset, manage the physical assets, and tenant relationships and records so that there is a general situation of readiness should there be a decision to sell. Presale packs prepared before any property is put on the market.

Potential risks arising from economic and legislative changes:

Unfavourable economic outlook

Risk explanation: Property financial performance is closely related to factors in the general economy. Including prevailing interest rates.

Likelihood: A significant proportion of the capital financing requirement is currently financed through internal borrowing (which reduces treasury investment risk) and through short term loans. The Council will need to replace short term loans and may need to externalise internal borrowing and is therefore exposed to the interest rates available when refinancing decisions are made. If the cost of borrowing increases this adversely impacts on net income available to fund services.

It is considered highly likely that interest rates will continue to rise for the next 1-2 years but then begin to fall. It is considered unlikely the rates will return to the historic lows seen on the past decade.

Total Exposure: The estimated CFR on 1 April 2023 is £264m. 1% volatility in interest costs for a full year would be £2.64m.

Risk Mitigation:

- Prudent estimates of anticipated interest costs used for the budget.
- Taking advice from Arlingclose on a prudent treasury management approach to support the Council' s overall approach to investment and borrowing.
- Holding adequate reserves to withstand adverse budget variances.
- Applying MRP to reduce debt and therefore the amounts required to be refinanced.

Risk of further changes to legislation

Risk explanation: Government and CIPFA have undertaken significant changes to legislation and guidance over recent years regarding investments made for yield with the impact of restricting activity by councils in this area. There could be further legislation in the future.

Likelihood: Government has already consulted in changes that would require councils to provide Minimum Revenue Provision (MRP) on lending to third party organisations (see Annex 12C).

There is also a possibility that enforcement will result in investment for yield investments having to be held via a company structure rather than directly by councils.

Risk mitigation: to keep aware of possible legislative changes and respond to any further consultations.

ANNEX 12C: RELEVANT REGULATORY FRAMEWORK

Borrowing from the Public Works Loan Board (PWLB)

On 26th November 2020 HM Treasury introduced new lending terms for the PWLB. Guidance issued at that time was further clarified and updated on 21st August 2021.

The changes mean that local authorities will be unable to borrow from the PWLB to finance any expenditure in their capital budgets if they are planning to acquire new investment assets bought primarily for yield in any of the following three financial years.

Local authorities cannot use the receipts from selling investments made for yield to acquire new investment for yield assets. Local authorities can only use the receipts from selling these investments to finance other capital expenditure in service delivery, regeneration, housing, and preventative action, or to repay capital debt.

HM Treasury advise that investment assets bought primarily for yield would usually have one or more of the following characteristics:

- buying land or existing buildings to let out at market rate,
- buying land or buildings which were previously operated on a commercial basis which is then continued by the local authority without any additional investment or modification,
- buying land or existing buildings other than housing which generate income and are intended to be held indefinitely, rather than until the achievement of some meaningful trigger such as the completion of land assembly, and
- buying a speculative investment asset (including both financial and non-financial assets) that generates yield without a direct policy purpose.

This does not prevent local authorities from borrowing for projects that are primarily for other purposes, but which also happen to generate a financial yield.

Local authorities are also able to borrow from the PWLB to finance capital expenditure to maintain existing commercial investments or to fund capital investment needed to increase their value prior to disposal.

Any investment bought primarily for yield which was acquired after 26th November 2020 results in the local authority not being able to use the PWLB to refinance this transaction at any point in the future. Such investments acquired, or contractually committed, prior to 26 November 2020 will not affect the local authority's access to the PWLB.

As a condition of accessing the PWLB, Local Authorities must submit a high-level description of their capital spending and financing plans for the following three years, including their expected use of the PWLB. The S151 Officer needs to confirm that there is no intention to buy investment assets primarily for yield at any point in the next three years. This assessment is based on their professional interpretation of guidance issued.

CIPFA Prudential Code

The Local Government Act 2003 requires Local Authorities to "have regard to" the Chartered Institute of Public Finance and Accountancy (CIPFA) Codes of Practice and they must explain their rationale and get Council approval if they choose to disregard this guidance.

A revised Prudential Code was published in December 2021. Some of the requirements of the revised Code applied with immediate effect following publication; including the stipulation that an authority must no longer borrow to invest primarily for a financial return.

Other changes could be delayed until 2023/24 including the requirement to annually review investments held primarily for yield with a view to divesting where appropriate. Relevant extracts from the Code are given below.

Authorities with existing commercial investments (including property) are not required by this Code to sell these investments.

Such authorities may carry out prudent active management and rebalancing of their portfolios, including repair, renewal and updating of the properties.

However, authorities that have an expected need to borrow should review options for exiting their financial investments for commercial purposes and summarise the review in their annual treasury management or investment strategies.

The reviews should evaluate whether to meet expected borrowing needs by taking new borrowing or by repaying investments, based on a financial appraisal that takes account of financial implications and risk reduction benefits.

CIPFA revised Treasury Management Code (2021) and DLUHC Statutory Guidance on Local Authority Investment Activity (2018)

These essentially contain the same statutory guidance with respect to non- treasury management investments. They contain requirements for councils to:

- Prepare an annual Investment Strategy which must be approved before the start of the forthcoming financial year by full Council.
- Ensure the strategy is publicly available on a local authority's website.
- Disclose the contribution that all non-treasury management investments make towards the service delivery objectives and/or place making role of that local authority.
- Include quantitative indicators within the strategy, that allow Councillors and the public to assess a local authority's total risk exposure because of its investment decisions. This should include how investments are funded and the rate of return.

The guidance requires that councils should consider the long-standing treasury management principles of security, liquidity, and yield (in that exact order) when considering non-treasury investments. These principles are briefly explained below:

- Security - Safeguard the value of, and expected returns from, the council's investment.
- Liquidity - Ensure the investment can be quickly divested to meet the council's cash flow requirements.
- Yield (the net return achieved from the investment) - Investment return is the final objective and should be considered after the security and liquidity requirements have been satisfied.

Minimum Revenue Provision (MRP)

MRP is the minimum amount which a council must charge to its revenue budget each year, to set aside a provision for repaying external borrowing (loans) and/or internal borrowing. It is the statutory duty for each authority to determine each year an amount of MRP that it considers to be prudent in accordance with section 21(1A) of the Local Government Act 2003 (revised 2018).

Recent consultations by DLUHC (Department for Levelling Up, Housing and Communities) indicate they would like to reform the guidance around MRP and, specifically with reference to non-treasury management investments, legislate councils to provide MRP on a debt which

relates to investment for yield assets or capital loans made for yield or for service purposes. The legislation has been delayed and has not yet been introduced. However, the Council's MRP policy will include the approach recommended by the S151 Officer as a prudent provision notwithstanding future guidance.

Legislation regarding the sale of property investments

Compliance with Section 123 of the Local Government Act 1972 will be required which states that "except with the consent of the Secretary of State, a council shall not dispose of land under this section, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained".

Energy Performance Certificates (EPC)

Energy Performance Certificates (EPCs) set out how energy-efficient a property is from A (most efficient) to G (least efficient). They also show the potential level of emissions and associated costs of improving the rating for that property. Owners must obtain an EPC whenever a property is built, sold, or rented.

From April 2023, it will be a legal requirement for all commercially rented properties to have an EPC (Energy Performance Certificate) rating of at least E. This is currently a legal requirement for commercial properties before they can receive a new or renewal lease, but from next year this requirement will be extended to both new and existing commercial leases too.

The responsibility for obtaining an EPC is with the landlord of a property except where a lease is in place with an original term more than 99 years.

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Minimum Revenue Provision (MRP) Policy Statement 2023/24

1. Where the Council finances capital expenditure by debt, it must put aside resources to repay that debt in later years. The amount charged to the revenue budget for the repayment of debt is known as Minimum Revenue Provision (MRP), although there has been no statutory minimum since 2008. The Local Government Act 2003 requires the Council to have regard to the Department for Levelling Up, Housing and Communities's Guidance on Minimum Revenue Provision (the DLUHC Guidance) most recently issued in 2018.
2. The broad aim of the Guidance is to ensure that capital expenditure is financed over a period that is reasonably commensurate with that over which the capital expenditure provides benefits.
3. The DLUHC Guidance requires the Council to approve an Annual MRP Statement each year and recommends a number of options for calculating a prudent amount of MRP. The following statement incorporates options recommended in the Guidance as well as locally determined prudent methods.
4. Due to Local Government Re-organisation, 5 existing councils have merged to form the new Somerset Council from 1 April 2023. Past MRP charges made by each council will not be revisited but a consistent approach has been developed for the new Council from 1 April 2023.
5. For capital expenditure incurred before 1st April 2008, MRP will be determined in accordance with the former regulations that applied on 31st March 2008, incorporating an "Adjustment A" of £9.113m in relation to historic expenditure by South Somerset District Council and an "Adjustment A" of £0.785m in relation to historic expenditure by Sedgemoor District Council.
6. For capital expenditure on operational assets incurred between 31st March 2008 and 31st March 2023, MRP will be determined by charging the expenditure over the expected useful life of the relevant asset by any of the following methods:
 - a. In equal instalments, based upon asset life.
 - b. In equal instalments based upon weighted average life where individual assets funded by borrowing are not known (note – SW&T to 31.3.2021= 45 years, SCC to 31.3.2021= 44 years)
 - c. Using an annuity basis where appropriate (e.g. regeneration assets)
7. For capital expenditure on operational assets incurred post 31st March 2023, MRP will be determined by charging the expenditure over the expected useful life of the relevant asset by either of the following methods:
 - a. In equal instalments, based upon asset life
 - b. Using an annuity basis where appropriate (e.g. regeneration assets)

8. For freehold land, MRP will be applied over 50 years, except where there is a structure on the land which the Council considers to have a life of more than 50 years where in such cases the longer life may also be applied to the land.
9. For capital expenditure not related to council assets but which has been capitalised by regulation or direction (e.g. capital grants to third parties) will be charged in equal instalments over a period of up to 25 years.
10. No MRP will be charged in respect of assets held within the Housing Revenue Account.
11. For assets acquired by leases, MRP will be determined as being equal to the element of the rent or charge that goes to write down the balance sheet liability.
12. Where loans are made to other bodies for their capital expenditure, MRP will be charged in line with the repayment schedules. This would be reviewed and replaced by a prudent provision if it becomes apparent that the loan may not be repaid. This approach will be reviewed again for 2024-25 when the outcome of the consultation on MRP is confirmed.
13. For investment properties, MRP will be calculated over a period of no more than 50 years, and MRP may be calculated using an annuity basis. The basis used will be Option 3c. For existing investment properties, the 50 year term will be reduced by the period that the asset has already been held.
14. MRP will be charged from the start of the financial year after the expenditure is incurred, meaning capital expenditure incurred during 2023/24 will not be subject to a MRP charge until 2024/25.
15. Based on the Council's latest estimate of its capital financing requirement (CFR) on 31 March 2023, the budget estimate for MRP has been set as follows:

Capital Financing Requirement and MRP	31/03/2023	2023-24
	Estimated CFR £'000	Estimated MRP £'000
Capital Finance Requirement at the end of 2022/23 and MRP payable in 2023/24	945.17	21.41

16. It is planned that Somerset County Council will make an additional payment of £3.7m in 2022/23 and each S151 Officer may determine such an overpayment during the year and report this through the Outturn Report.

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Extraordinary Meeting of Scrutiny for Policies and Place Committee

1st February 2023 - Canalside, Bridgwater



SUMMARY OF KEY POINTS

Medium Term Financial Plan (MTFP) – Cllr Liz Leyshon – Executive Member for Finance & Jason Vaughan – Director of Finance and S151 Officer provided an introduction:

- Proposed balanced budget to protect frontline services delivered by existing Councils and voluntary sector partners.
- Complex process of combining five budgets for operation from 1 April.
- Unprecedented demand for services particularly in Social Care, as well as pressures of high inflation and LGR.
- Capital programme updated for new and existing schemes (some with government funding)
- LGR implementation budget £3.12m for 2022-23 with £900,000 additional funding requirements so approx. £4m which is to be funded from flexible use of capital receipts.
- New savings proposals £3.9m related to staffing, £2.9m from tier 2 & 3 appointments and £1m from other appointments equating to 300 posts over 3 years.
- Section 25 Statement to February Executive and Council confirms robust budget proposals with realistic assumptions and projections for service demand; adequacy in level of reserves proposed to stay at £47.4m which is in the approved range of between £30m-50m; therefore assurance can be given to members over the adequacy of the reserves for next year's budget.

Member comments/questions:

- Asked how 1% increase in inflation would affect the budget. Officer stated example of staff pay award that was budgeted at 5%, so if there was an additional 1% inflation this would require £1.5m, which would come from the £6m general contingency.
- Asked for clarification of the £6m contingency. Officer explained this is 1.25% of service spend and any increase to contingency is detracted from services and therefore necessitate balanced approach. Contingency funds to considered with alongside the level of general reserves to get the rounded picture.

- Risk for Somerset Council for 2023-24 higher than most authorities due to LGR and the impact of bringing 5 councils together.
- Stated Education SEND funds for 2023-24 included additional £3.2m from government.
- Asked for confirmation of inflation costs in proposed budget. Officer stated varying forms of inflation e.g. inflationary pay award, waste contract inflationary increases were fully allowed for. General inflationary increases are not included.
- Asked what effect savings from inflationary charge increases (e.g. bulky waste collection) or proposed change to charged services (e.g. grit bins) on those with no alternative. Officer stated that most savings from alternatives to services rather than removal, such as move to charged service for grit bins.
- Request for overview of district capital projects and greater opportunity for scrutiny of larger projects including high profile cases. Officer stated the need for post-vesting review of capital programme when the 2022/23 accounts have been finalised and that the Appendix for February Executive would be reviewed to help provide greater clarity.
- Asked if fall in business rate income would be temporary. Officer outlined complex picture of business rate income and difficult task of predicting income due to government relief schemes. Total income projection for 2023-24 £122.173m, 50% of which goes to central government.
- Stated that CCTV removal saving should be reviewed to make savings only where quality of service is low. Call for review of service.
- Stated that proposed £1m saving in Children's Services from move away from costly unregulated placements, should be viewed as medium risk and was attracting national attention.

In summary:

- Members welcomed the balanced budget proposal and acknowledged the risks around the 2023/24 budget proposals and the use of £10m of reserves to support the budget. Members requested urgent review of CCTV provision. All present were broadly content with the proposals.

Somerset Council - Council Tax Setting 2023/24

1 Executive Summary

- 1.1 Somerset Council will become the billing authority from 1st April 2023. The purpose of this appendix is for Full Council to approve the calculation and setting of the Council Tax for 2023/24. This incorporates the precepts approved by all the local authorities for whom the new Somerset Council collects the council tax – unitary, city, town, parish, police and crime commissioner, and fire and rescue authorities.
- 1.2 The amounts calculated and to be approved fall within the maximum amounts the Council is permitted to charge as determined by the Secretary of State and therefore no referendum is required in order to authorise the calculation.

2 Recommendations

- 2.1 Full Council approve the formal Council Tax Resolution in Appendix 15A.
- 2.2 Full Council notes that if the formal Council Tax Resolution at Appendix 15A is approved, the total Band D Council Tax will be:

	2022/23 *	2023/24	Increase
	£	£	%
Somerset Council	1,402.70	1,449.58	4.99
Somerset Council – Social Care	165.10	196.46	
Police and Crime Commissioner	251.20	266.20	5.97
Devon and Somerset Fire Authority	91.79	96.79	5.45
Sub-Total	1,910.79	2,009.03	5.14
Special Expenses Average	1.07	1.07	0.00
City, Town and Parish Council (average)	88.32	105.99	20.01
Total	2,000.18	2,116.09	5.79

* This is the Harmonised amount for the four districts and the county council for 22/23.

3 Risk Assessment

- 3.1 The key risk is that the Council does not approve the council tax requirement in the correct format. The mitigation for this is that the Council uses the CIPFA format to approve the council tax requirement.

4 Background Information

- 4.1 The Local Government Finance Act 1992 (amended by the Localism Act 2011) requires the Billing Authority to calculate a Council Tax Requirement for the year.

Referendum Principles

- 4.2 Authorities will be required to hold a referendum if their relevant basic amount of council tax (i.e. the band D having excluded local precepts) is in excess of the council tax referendum principles set annually by the Secretary of State. The following council tax referendum limits apply for 2023/24:

Legislation	Plain English
Determine that the Council's basic amount of Council Tax for 2023/24 is not excessive, in accordance with principles approved under Section 52ZC (3A) (a)(b) and 52ZC (3A) (B) of the Act	The Secretary of State for the Ministry of Housing, Communities & Local Government has determined a set of principles which state that for an authority the relevant basic amount of Council Tax is excessive if the amount exceeds the principles set out below

- a. A core referendum principle of up to 3 per cent will apply to shire county councils, shire unitary authorities, metropolitan districts and London boroughs.
- b. Shire districts will have a referendum principle of up to 3 per cent or £5, whichever is higher.
- c. Social care authorities will be able to set a 2 per cent adult social care precept without a referendum (in addition to the existing basic referendum threshold referred to above).
- d. Fire and Rescue Authorities will have a principle of up to £5.
- e. £15 for police authorities and police and crime commissioners including the GLA and the West Yorkshire and Greater Manchester Mayors.
- f. The non-police element of the Greater London Authority (GLA) will have a referendum principle of £23.55.
- g. There will be no referendum principles for mayoral combined authorities (MCAs) except where the Mayor exercises police and crime commissioner functions.
- h. No referendum principles will be set for parish and town councils.

Precept Levels

Somerset Council

- 4.3 Members are being asked to approve a total Council Tax requirement, of £338,547,779 for Somerset Council for 2023/24, which equates to total a Band D equivalent of £1,646.04; This is calculated as an increase of 2.99% for the general precept and 2%

for Adult Social Care. This figure also includes a precept in respect of the Somerset Rivers Authority. Details of the Council Tax charge can be seen in the table below. The total increase for the SCC precept when combining all three elements is 4.99%.

	Precept £	Band D £	Increase £	Increase %
Somerset Council	295,127,922	1,434.93	46.88	2.99
Somerset Council – Social Care	40,406,732	196.46	31.36	4.00
Somerset Council – Somerset Rivers Authority	3,013,125	14.65	0.00	0.00
Total	338,547,779	1,646.04	78.24	4.99

Police and Crime Commissioner

- 4.4 The Avon and Somerset Police and Crime Commissioner approved its Council Tax requirement on 01 February 2023 and set its precept at £54,750,443, which results in a Band D Council Tax charge of £266.20, an increase of £15.00 (5.97%).

Devon and Somerset Fire and Rescue Service

- 4.5 The Devon and Somerset Fire and Rescue Authority is due to approve its Council Tax requirement on 15 February 2023 and be requested to set its precept at £19,907,195 which results in a Band D Council Tax charge of £96.79 an increase of £5 (5.45%).

City, Town, and Parish Councils

- 4.6 The 2023/24 City, Town, and Parish Council Precepts total £21,799,842 which results in an average Band D Council Tax figure of £105.99 (£88.32 for 2022/23) an increase in the average Band D Council Tax for City, Town and Parish Councils is £17.67 (20.00%) which are detailed in Appendix 15C.

Special Expenses

- 4.7 The 2023/24 Special Expense Precepts total £220,071 which are detailed in Appendix 15D.

Collection Fund Surpluses and Deficits

- 4.7 The estimated balance on the Council Tax Collection Fund is forecast on 15th January each year. Any surplus or deficit is shared between the Police and Crime Commissioner, the Fire Authority and Somerset Council, in shares relative to our precept levels.
- 4.8 The estimated balance on the Council Tax Collection Fund is a surplus of £8,034,114. Somerset Council's share of this amounts to £6,662,409 and this is reflected in the General Fund revenue estimates.

5 Legal Implications

5.1 The requirement to set the annual determination is set out in the Local Government Finance Act 1992, as amended by the Localism Act 2011, and this report complies with those requirements.

6 Background Papers

6.1 Local Government Finance Act 1992 (as amended)

6.2 Localism Act 2011

6.3 The Referendums Relating to Council Tax Increases (Principles) (England) Report 2023/24

List of Appendices

Appendix 15A	Council Tax Resolution 2023/24
Appendix 15B	Council Tax Schedule Per Valuation Band 2023/24
Appendix 15C	Town and Parish Precepts 2023/24
Appendix 15D	Special Expenses 2023/24

The Council is recommended to resolve as follows:

1. The Council Tax Base for the year 2023/24 was calculated in accordance with the provisions of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 1992 as amended and made under Section 33 (5) of the Local Government Finance Act 1992, (referred to hereinafter as “the Act”).

			Legislation	Plain English
1	a	205,674.09	the Council Tax Base 2023/24 for the whole Council area [Item T in the formula in Section 31B (3) of the Local Government Finance Act 1992, as amended (the "Act")] and, for dwellings in those parts of its area to which a Parish precept relates as in appendix 15C.	The tax base for the whole district and the taxbase for each City/Town/Parish.

2. Calculate that the Council Tax requirement for the Council’s own purposes for 2023/24 (excluding Parish precepts) is:

2	a	335,534,654	(excluding Parish precepts)
		3,013,125	with an additional requirement for the Somerset Rivers Authority

3. That the Council calculates the following amounts for 2023/24 in accordance with Sections 31B and 34 to 36 of the Act (as amended by the Localism Act 2011 and Local Government Regulations 2012).

			Legislation	Plain English
3	a	£673,775,222	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act, taking into account all precepts issued to it by Parish Councils.	The estimated gross revenue expenditure (including transfers to reserves and deficits on the collection fund) for the General Fund, Special Expenses account, other General Fund revenue reserves and Parish/City/Town precepts
	b	£313,207,530	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act	The estimated gross revenue income (including the transfer of the surplus on the collection fund, formula grant and transfers from reserves) for the same funds as mentioned above.

			Legislation	Plain English
	c	£360,567,692	being the amount by which the aggregate expenditure at 3(a) above exceeds the aggregate income at 3(b) above, calculated by the Council, in accordance with Section 31A (4) of the Act; as its Council Tax requirement for the year. [Item R in the formula in Section 31B of the Act.]	The net (expenditure less income) funding requirement for the General Fund and Special Expenses accounts plus the Parish precepts issued for the year.
	d	£1,753.10	being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B (1) of the Act, as the basic amount of its Council Tax for the year.	The average Band D tax across Somerset inclusive of parish precepts and Special expenses. It is not actually charged anywhere in Somerset but must be calculated by law as part of the Council Tax setting process.
	e	£22,019,913	being the aggregate amount of all special items referred to in Section 34(1) of the Act.	The total of parish precepts received for the year and the net Special expenses.
	f	£1,646.04	being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (2 above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relates.	This is the band D Council Tax for Somerset Council (including the Somerset Rivers Authority) only.

4. To note that the Police Authority and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.
5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2023/24 for each part of its area and for each of the categories of dwellings.

VALUATION BANDS

Council Tax Schedule 2023/24	Valuation Bands							
	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
Somerset Council - General	956.62	1,116.06	1,275.50	1,434.93	1,753.80	2,072.68	2,391.55	2,869.86
Somerset Council - Somerset Rivers Authority	9.77	11.39	13.02	14.65	17.91	21.16	24.42	29.30
Somerset Council - Adult Social Care	130.97	152.80	174.63	196.46	240.12	283.78	327.43	392.92
Police and Crime Commissioner	177.47	207.04	236.62	266.20	325.36	384.51	443.67	532.40
Devon and Somerset Fire and Rescue Authority	64.53	75.28	86.04	96.79	118.30	139.81	161.32	193.58
Totals excluding City/Parish/Town Precepts & Special Expenses	1,339.36	1,562.57	1,785.81	2,009.03	2,455.49	2,901.94	3,348.39	4,018.06
Special Expenses	0.71	0.83	0.95	1.07	1.31	1.55	1.78	2.14
Average City/Parish/Town	70.66	82.44	94.21	105.99	129.54	153.10	176.65	211.98
Total including Average Parish/Town Precept and Average Special Expenses	1,410.73	1,645.84	1,880.97	2,116.09	2,586.34	3,056.59	3,526.82	4,232.18

*The parishes of Comeytrove and Staplegrove are now included within the new Taunton Town Council boundary and therefore haven't set a precept

**Limington and Yeovilton parishes have combined to become Yeovilton and District

Legacy Council	Parish:	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
		£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p
MDC	Ashwick	1,360.5 2	1,587.2 7	1,814.0 3	2,040.7 8	2,494.2 9	2,947.8 0	3,401.3 0	4,081.5 6
MDC	Baltonsborough	1,364.5 1	1,591.9 2	1,819.3 5	2,046.7 6	2,501.6 0	2,956.4 4	3,411.2 7	4,093.5 2
MDC	Batcombe	1,370.9 3	1,599.4 0	1,827.9 0	2,056.3 8	2,513.3 6	2,970.3 3	3,427.3 1	4,112.7 6
MDC	Beckington	1,390.3 1	1,622.0 1	1,853.7 4	2,085.4 5	2,548.8 9	3,012.3 2	3,475.7 6	4,170.9 0
MDC	Berkley	1,356.7 3	1,582.8 4	1,808.9 7	2,035.0 9	2,487.3 4	2,939.5 8	3,391.8 2	4,070.1 8
MDC	Binegar	1,383.0 7	1,613.5 7	1,844.0 9	2,074.6 0	2,535.6 3	2,996.6 5	3,457.6 7	4,149.2 0
MDC	Buckland Dinham	1,375.9 8	1,605.2 9	1,834.6 4	2,063.9 6	2,522.6 3	2,981.2 8	3,439.9 4	4,127.9 2
MDC	Butleigh	1,365.0 9	1,592.5 8	1,820.1 1	2,047.6 2	2,502.6 6	2,957.6 8	3,412.7 1	4,095.2 4
MDC	Chewton Mendip	1,358.7 1	1,585.1 4	1,811.6 1	2,038.0 5	2,490.9 6	2,943.8 6	3,396.7 6	4,076.1 0
MDC	Chilcompton	1,366.1 2	1,593.7 9	1,821.4 9	2,049.1 7	2,504.5 5	2,959.9 2	3,415.2 9	4,098.3 4
MDC	Coleford	1,383.4 9	1,614.0 5	1,844.6 5	2,075.2 2	2,536.3 9	2,997.5 5	3,458.7 1	4,150.4 4
MDC	Cranmore	1,373.3 5	1,602.2 2	1,831.1 3	2,060.0 1	2,517.8 0	2,975.5 8	3,433.3 6	4,120.0 2
MDC	Croscombe	1,376.7 8	1,606.2 3	1,835.7 1	2,065.1 7	2,524.1 1	2,983.0 4	3,441.9 5	4,130.3 4

Appendix 15B

MDC	Ditcheat	1,363.3 4	1,590.5 5	1,817.7 8	2,045.0 0	2,499.4 5	2,953.9 0	3,408.3 4	4,090.0 0
MDC	Doulting	1,379.1 7	1,609.0 1	1,838.8 9	2,068.7 4	2,528.4 7	2,988.1 9	3,447.9 1	4,137.4 8
MDC	Downhead	1,356.0 5	1,582.0 5	1,808.0 7	2,034.0 7	2,486.0 9	2,938.1 1	3,390.1 2	4,068.1 4
MDC	East Pennard	1,351.5 6	1,576.8 0	1,802.0 8	2,027.3 3	2,477.8 6	2,928.3 7	3,378.8 9	4,054.6 6
MDC	Emborough	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
MDC	Evercreech	1,378.1 6	1,607.8 3	1,837.5 4	2,067.2 3	2,526.6 3	2,986.0 1	3,445.3 9	4,134.4 6
MDC	Frome	1,488.0 6	1,736.0 4	1,984.0 7	2,232.0 7	2,728.1 0	3,224.1 1	3,720.1 3	4,464.1 4
MDC	Glastonbury	1,479.9 1	1,726.5 5	1,973.2 2	2,219.8 6	2,713.1 7	3,206.4 7	3,699.7 7	4,439.7 2
MDC	Godney	1,422.2 8	1,659.3 1	1,896.3 7	2,133.4 1	2,607.5 1	3,081.6 0	3,555.6 9	4,266.8 2
MDC	Great Elm	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
MDC	Hemington	1,380.2 5	1,610.2 7	1,840.3 3	2,070.3 6	2,530.4 5	2,990.5 3	3,450.6 1	4,140.7 2
MDC	Holcombe	1,360.0 1	1,586.6 7	1,813.3 5	2,040.0 1	2,493.3 5	2,946.6 9	3,400.0 2	4,080.0 2
MDC	Kilmersdon	1,401.9 4	1,635.5 8	1,869.2 5	2,102.9 0	2,570.2 2	3,037.5 3	3,504.8 4	4,205.8 0
MDC	Lamyatt	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
MDC	Leigh on Mendip	1,376.1 4	1,605.4 7	1,834.8 4	2,064.1 9	2,522.9 1	2,981.6 1	3,440.3 3	4,128.3 8
MDC	Litton	1,367.1 9	1,595.0 3	1,822.9 1	2,050.7 7	2,506.5 1	2,962.2 3	3,417.9 6	4,101.5 4
MDC	Lullington	1,359.8 9	1,586.5 3	1,813.1 9	2,039.8 3	2,493.1 3	2,946.4 3	3,399.7 2	4,079.6 6

MDC	Lydford on Fosse	1,373.7 4	1,602.6 8	1,831.6 5	2,060.6 0	2,518.5 2	2,976.4 3	3,434.3 4	4,121.2 0
MDC	Meare	1,404.8 6	1,638.9 9	1,873.1 5	2,107.2 9	2,575.5 9	3,043.8 8	3,512.1 5	4,214.5 8
MDC	Mells	1,371.0 4	1,599.5 3	1,828.0 5	2,056.5 5	2,513.5 7	2,970.5 8	3,427.5 9	4,113.1 0
MDC	Milton Clevedon	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
MDC	North Wootton	1,360.1 7	1,586.8 5	1,813.5 6	2,040.2 5	2,493.6 5	2,947.0 4	3,400.4 2	4,080.5 0
MDC	Norton St Philip	1,408.6 6	1,643.4 2	1,878.2 1	2,112.9 8	2,582.5 4	3,052.0 9	3,521.6 4	4,225.9 6
MDC	Nunney	1,425.0 2	1,662.5 1	1,900.0 2	2,137.5 2	2,612.5 3	3,087.5 3	3,562.5 4	4,275.0 4
MDC	Pilton	1,370.3 1	1,598.6 9	1,827.0 8	2,055.4 6	2,512.2 3	2,969.0 1	3,425.7 7	4,110.9 2
MDC	Priddy	1,365.9 3	1,593.5 6	1,821.2 3	2,048.8 8	2,504.2 0	2,959.5 0	3,414.8 1	4,097.7 6
MDC	Pylle	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
MDC	Rode	1,374.3 5	1,603.3 9	1,832.4 7	2,061.5 2	2,519.6 5	2,977.7 6	3,435.8 7	4,123.0 4
MDC	Rodney Stoke	1,375.2 2	1,604.4 1	1,833.6 3	2,062.8 2	2,521.2 3	2,979.6 4	3,438.0 4	4,125.6 4
MDC	Selwood	1,351.2 7	1,576.4 7	1,801.6 9	2,026.9 0	2,477.3 3	2,927.7 5	3,378.1 7	4,053.8 0
MDC	Sharpham	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
MDC	Shepton Mallet	1,481.5 0	1,728.4 0	1,975.3 3	2,222.2 4	2,716.0 8	3,209.9 1	3,703.7 4	4,444.4 8
MDC	St Cuthbert Out	1,392.2 7	1,624.2 9	1,856.3 5	2,088.3 9	2,552.4 9	3,016.5 7	3,480.6 6	4,176.7 8
MDC	Stoke St Michael	1,388.7 5	1,620.1 9	1,851.6 6	2,083.1 1	2,546.0 3	3,008.9 4	3,471.8 6	4,166.2 2

MDC	Ston Easton	1,360.0 0	1,586.6 5	1,813.3 3	2,039.9 9	2,493.3 3	2,946.6 6	3,399.9 9	4,079.9 8
MDC	Stratton on the Fosse	1,382.6 6	1,613.0 9	1,843.5 4	2,073.9 8	2,534.8 7	2,995.7 6	3,456.6 4	4,147.9 6
MDC	Street	1,460.7 6	1,704.2 1	1,947.6 7	2,191.1 3	2,678.0 5	3,164.9 8	3,651.8 9	4,382.2 6
MDC	Tellisford	1,343.8 8	1,567.8 4	1,791.8 4	2,015.8 1	2,463.7 8	2,911.7 3	3,359.6 9	4,031.6 2
MDC	Trudoxhill	1,368.9 3	1,597.0 7	1,825.2 3	2,053.3 8	2,509.6 9	2,966.0 0	3,422.3 1	4,106.7 6
MDC	Upton Noble	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
MDC	Walton	1,395.2 8	1,627.8 1	1,860.3 7	2,092.9 1	2,558.0 1	3,023.1 0	3,488.1 9	4,185.8 2
MDC	Wanstrow	1,368.0 8	1,596.0 8	1,824.1 0	2,052.1 1	2,508.1 4	2,964.1 7	3,420.1 9	4,104.2 2
MDC	Wells	1,521.7 2	1,775.3 1	2,028.9 5	2,282.5 6	2,789.8 1	3,297.0 4	3,804.2 8	4,565.1 2
MDC	West Bradley	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
MDC	Westbury Sub Mendip	1,361.7 0	1,588.6 3	1,815.6 0	2,042.5 4	2,496.4 5	2,950.3 4	3,404.2 4	4,085.0 8
MDC	West Pennard	1,354.3 9	1,580.1 1	1,805.8 5	2,031.5 8	2,483.0 5	2,934.5 1	3,385.9 7	4,063.1 6
MDC	Whatley	1,378.2 7	1,607.9 7	1,837.6 9	2,067.4 0	2,526.8 3	2,986.2 5	3,445.6 7	4,134.8 0
MDC	Witham Friary	1,381.4 9	1,611.7 2	1,841.9 8	2,072.2 2	2,532.7 2	2,993.2 1	3,453.7 1	4,144.4 4
MDC	Wookey	1,403.9 5	1,637.9 3	1,871.9 3	2,105.9 2	2,573.9 1	3,041.8 9	3,509.8 7	4,211.8 4
SDC	Ashcott	1,368.6 1	1,596.6 9	1,824.8 1	2,052.9 0	2,509.1 1	2,965.3 1	3,421.5 1	4,105.8 0
SDC	Axbridge	1,442.9 4	1,683.4 1	1,923.9 2	2,164.4 0	2,645.3 9	3,126.3 6	3,607.3 4	4,328.8 0

SDC	Badgworth	1,367.7 3	1,595.6 7	1,823.6 4	2,051.5 9	2,507.5 1	2,963.4 2	3,419.3 2	4,103.1 8
SDC	Bawdrip	1,363.8 3	1,591.1 1	1,818.4 3	2,045.7 3	2,500.3 5	2,954.9 5	3,409.5 6	4,091.4 6
SDC	Berrow	1,418.9 4	1,655.4 1	1,891.9 2	2,128.4 0	2,601.3 9	3,074.3 6	3,547.3 4	4,256.8 0
SDC	Brean	1,368.6 1	1,596.7 0	1,824.8 1	2,052.9 1	2,509.1 2	2,965.3 2	3,421.5 2	4,105.8 2
SDC	Brent Knoll	1,397.7 1	1,630.6 4	1,863.6 1	2,096.5 5	2,562.4 6	3,028.3 6	3,494.2 6	4,193.1 0
SDC	Bridgwater	1,414.0 6	1,649.7 2	1,885.4 1	2,121.0 8	2,592.4 4	3,063.7 9	3,535.1 4	4,242.1 6
SDC	Bridgwater Without	1,366.0 3	1,593.6 8	1,821.3 7	2,049.0 3	2,504.3 8	2,959.7 2	3,415.0 6	4,098.0 6
SDC	Broomfield	1,360.3 9	1,587.1 0	1,813.8 5	2,040.5 7	2,494.0 4	2,947.5 0	3,400.9 6	4,081.1 4
SDC	Burnham-on-Sea & Highbridge	1,416.7 6	1,652.8 7	1,889.0 1	2,125.1 3	2,597.3 9	3,069.6 4	3,541.8 9	4,250.2 6
SDC	Burnham Without	1,360.5 2	1,587.2 6	1,814.0 2	2,040.7 7	2,494.2 8	2,947.7 9	3,401.2 9	4,081.5 4
SDC	Burtle	1,358.1 1	1,584.4 4	1,810.8 1	2,037.1 5	2,489.8 6	2,942.5 6	3,395.2 6	4,074.3 0
SDC	Cannington	1,372.9 8	1,601.7 9	1,830.6 4	2,059.4 6	2,517.1 3	2,974.7 8	3,432.4 4	4,118.9 2
SDC	Catcott	1,365.4 3	1,592.9 8	1,820.5 7	2,048.1 3	2,503.2 8	2,958.4 2	3,413.5 6	4,096.2 6
SDC	Chapel Allerton	1,362.1 3	1,589.1 3	1,816.1 7	2,043.1 8	2,497.2 3	2,951.2 7	3,405.3 1	4,086.3 6
SDC	Cheddar	1,410.9 5	1,646.0 9	1,881.2 6	2,116.4 1	2,586.7 3	3,057.0 4	3,527.3 6	4,232.8 2
SDC	Chedzoy	1,373.7 1	1,602.6 4	1,831.6 1	2,060.5 5	2,518.4 6	2,976.3 6	3,434.2 6	4,121.1 0
SDC	Chilton Polden	1,354.0 9	1,579.7 6	1,805.4 5	2,031.1 3	2,482.5 0	2,933.8 6	3,385.2 2	4,062.2 6

SDC	Chilton Trinity	1,376.9 7	1,606.4 4	1,835.9 5	2,065.4 4	2,524.4 4	2,983.4 2	3,442.4 1	4,130.8 8
SDC	Compton Bishop	1,374.3 9	1,603.4 4	1,832.5 2	2,061.5 8	2,519.7 2	2,977.8 5	3,435.9 7	4,123.1 6
SDC	Cossington	1,364.6 8	1,592.1 1	1,819.5 7	2,047.0 1	2,501.9 1	2,956.8 0	3,411.6 9	4,094.0 2
SDC	Durleigh	1,370.5 1	1,598.9 1	1,827.3 4	2,055.7 5	2,512.5 9	2,969.4 2	3,426.2 6	4,111.5 0
SDC	East Brent	1,363.8 3	1,591.1 2	1,818.4 4	2,045.7 4	2,500.3 6	2,954.9 7	3,409.5 7	4,091.4 8
SDC	East Huntspill	1,390.3 7	1,622.0 9	1,853.8 3	2,085.5 5	2,549.0 1	3,012.4 7	3,475.9 2	4,171.1 0
SDC	Edington	1,369.0 4	1,597.2 0	1,825.3 8	2,053.5 5	2,509.9 0	2,966.2 5	3,422.5 9	4,107.1 0
SDC	Enmore	1,369.2 5	1,597.4 4	1,825.6 6	2,053.8 6	2,510.2 8	2,966.6 9	3,423.1 1	4,107.7 2
SDC	Fiddington	1,362.1 8	1,589.1 9	1,816.2 4	2,043.2 6	2,497.3 3	2,951.3 8	3,405.4 4	4,086.5 2
SDC	Goathurst	1,362.2 5	1,589.2 8	1,816.3 3	2,043.3 7	2,497.4 6	2,951.5 4	3,405.6 2	4,086.7 4
SDC	Greinton	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SDC	Lympsham	1,385.6 5	1,616.5 7	1,847.5 3	2,078.4 6	2,540.3 5	3,002.2 3	3,464.1 1	4,156.9 2
SDC	Lyng	1,364.7 8	1,592.2 3	1,819.7 0	2,047.1 6	2,502.0 9	2,957.0 2	3,411.9 4	4,094.3 2
SDC	Mark	1,359.9 1	1,586.5 4	1,813.2 1	2,039.8 5	2,493.1 6	2,946.4 6	3,399.7 6	4,079.7 0
SDC	Middlezoy	1,376.6 9	1,606.1 2	1,835.5 8	2,065.0 2	2,523.9 2	2,982.8 1	3,441.7 1	4,130.0 4
SDC	Moorlinch	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SDC	Nether Stowey	1,408.7 5	1,643.5 2	1,878.3 3	2,113.1 1	2,582.7 0	3,052.2 8	3,521.8 6	4,226.2 2

SDC	North Petherton	1,381.3 1	1,611.5 2	1,841.7 5	2,071.9 6	2,532.4 0	2,992.8 4	3,453.2 7	4,143.9 2
SDC	Othery	1,365.7 7	1,593.3 9	1,821.0 3	2,048.6 5	2,503.9 1	2,959.1 7	3,414.4 2	4,097.3 0
SDC	Otterhampton	1,395.1 8	1,627.6 9	1,860.2 4	2,092.7 6	2,557.8 3	3,022.8 8	3,487.9 4	4,185.5 2
SDC	Over Stowey	1,370.9 3	1,599.4 0	1,827.9 0	2,056.3 8	2,513.3 6	2,970.3 3	3,427.3 1	4,112.7 6
SDC	Pawlett	1,370.6 9	1,599.1 3	1,827.5 9	2,056.0 3	2,512.9 3	2,969.8 3	3,426.7 2	4,112.0 6
SDC	Puriton	1,392.4 3	1,624.4 9	1,856.5 7	2,088.6 4	2,552.7 9	3,016.9 3	3,481.0 7	4,177.2 8
SDC	Shapwick	1,375.3 4	1,604.5 5	1,833.7 8	2,063.0 0	2,521.4 5	2,979.9 0	3,438.3 4	4,126.0 0
SDC	Shipham	1,356.4 7	1,582.5 3	1,808.6 2	2,034.6 9	2,486.8 5	2,939.0 0	3,391.1 6	4,069.3 8
SDC	Spaxton	1,354.0 7	1,579.7 4	1,805.4 3	2,031.1 0	2,482.4 6	2,933.8 2	3,385.1 7	4,062.2 0
SDC	Stawell	1,359.3 2	1,585.8 6	1,812.4 2	2,038.9 7	2,492.0 8	2,945.1 9	3,398.2 9	4,077.9 4
SDC	Stockland Bristol	1,358.9 6	1,585.4 4	1,811.9 4	2,038.4 3	2,491.4 2	2,944.4 1	3,397.3 9	4,076.8 6
SDC	Thurloxtton	1,374.5 6	1,603.6 4	1,832.7 4	2,061.8 3	2,520.0 2	2,978.2 1	3,436.3 9	4,123.6 6
SDC	Weare	1,353.6 6	1,579.2 5	1,804.8 8	2,030.4 8	2,481.7 1	2,932.9 2	3,384.1 4	4,060.9 6
SDC	Wedmore	1,379.0 3	1,608.8 5	1,838.7 0	2,068.5 3	2,528.2 1	2,987.8 8	3,447.5 6	4,137.0 6
SDC	Wembdon	1,395.5 9	1,628.1 8	1,860.7 9	2,093.3 8	2,558.5 8	3,023.7 8	3,488.9 7	4,186.7 6
SDC	West Huntspill	1,366.5 0	1,594.2 3	1,822.0 0	2,049.7 4	2,505.2 5	2,960.7 4	3,416.2 4	4,099.4 8
SDC	Westonzoyland	1,363.3 6	1,590.5 7	1,817.8 1	2,045.0 3	2,499.4 9	2,953.9 4	3,408.3 9	4,090.0 6

SDC	Woolavington	1,380.2 0	1,610.2 2	1,840.2 6	2,070.2 9	2,530.3 6	2,990.4 3	3,450.4 9	4,140.5 8
SWT	Ash Priors	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SWT	Ashbrittle	1,355.6 8	1,581.6 1	1,807.5 7	2,033.5 1	2,485.4 1	2,937.3 0	3,389.1 9	4,067.0 2
SWT	Bathealton	1,348.9 8	1,573.7 9	1,798.6 4	2,023.4 6	2,473.1 3	2,922.7 8	3,372.4 4	4,046.9 2
SWT	Bicknoller	1,363.3 1	1,590.5 1	1,817.7 4	2,044.9 5	2,499.3 9	2,953.8 2	3,408.2 6	4,089.9 0
SWT	Bishops Hull	1,359.4 9	1,586.0 5	1,812.6 5	2,039.2 2	2,492.3 9	2,945.5 5	3,398.7 1	4,078.4 4
SWT	Bishops Lydeard/Cothelstone	1,375.8 0	1,605.0 8	1,834.4 0	2,063.6 9	2,522.3 0	2,980.8 9	3,439.4 9	4,127.3 8
SWT	Bradford on Tone	1,361.9 8	1,588.9 6	1,815.9 7	2,042.9 6	2,496.9 6	2,950.9 5	3,404.9 4	4,085.9 2
SWT	Brompton Ralph	1,367.4 6	1,595.3 5	1,823.2 8	2,051.1 8	2,507.0 1	2,962.8 2	3,418.6 4	4,102.3 6
SWT	Brompton Regis	1,356.2 3	1,582.2 6	1,808.3 1	2,034.3 4	2,486.4 2	2,938.5 0	3,390.5 7	4,068.6 8
SWT	Brushford	1,396.9 1	1,629.7 2	1,862.5 5	2,095.3 6	2,561.0 0	3,026.6 4	3,492.2 7	4,190.7 2
SWT	Burrowbridge	1,366.4 8	1,594.2 1	1,821.9 7	2,049.7 1	2,505.2 1	2,960.7 0	3,416.1 9	4,099.4 2
SWT	Carhampton	1,379.5 6	1,609.4 7	1,839.4 1	2,069.3 3	2,529.1 9	2,989.0 4	3,448.8 9	4,138.6 6
SWT	Cheddon Fitzpaine	1,383.4 5	1,614.0 1	1,844.6 0	2,075.1 7	2,536.3 3	2,997.4 8	3,458.6 2	4,150.3 4
SWT	Chipstable	1,355.1 5	1,580.9 9	1,806.8 6	2,032.7 1	2,484.4 3	2,936.1 4	3,387.8 6	4,065.4 2
SWT	Churchstanton	1,362.6 4	1,589.7 3	1,816.8 5	2,043.9 5	2,498.1 7	2,952.3 8	3,406.5 9	4,087.9 0
SWT	Clatworthy	1,355.7 7	1,581.7 1	1,807.6 9	2,033.6 4	2,485.5 7	2,937.4 9	3,389.4 1	4,067.2 8

SWT	Combe Florey	1,361.2 9	1,588.1 6	1,815.0 5	2,041.9 3	2,495.7 0	2,949.4 6	3,403.2 2	4,083.8 6
SWT	Comeytrowe *	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SWT	Corfe	1,366.6 1	1,594.3 7	1,822.1 5	2,049.9 1	2,505.4 5	2,960.9 9	3,416.5 2	4,099.8 2
SWT	Cotford St Luke	1,375.4 7	1,604.6 9	1,833.9 5	2,063.1 9	2,521.6 9	2,980.1 7	3,438.6 6	4,126.3 8
SWT	Creech St Michael	1,382.5 7	1,612.9 8	1,843.4 2	2,073.8 4	2,534.7 0	2,995.5 5	3,456.4 1	4,147.6 8
SWT	Crowcombe	1,374.1 3	1,603.1 4	1,832.1 7	2,061.1 9	2,519.2 4	2,977.2 8	3,435.3 2	4,122.3 8
SWT	Cutcombe	1,380.6 4	1,610.7 3	1,840.8 5	2,070.9 5	2,531.1 7	2,991.3 8	3,451.5 9	4,141.9 0
SWT	Dulverton	1,430.1 5	1,668.5 0	1,906.8 7	2,145.2 2	2,621.9 4	3,098.6 6	3,575.3 7	4,290.4 4
SWT	Dunster	1,378.4 0	1,608.1 2	1,837.8 6	2,067.5 9	2,527.0 6	2,986.5 3	3,445.9 9	4,135.1 8
SWT	Durston	1,359.3 6	1,585.9 0	1,812.4 8	2,039.0 3	2,492.1 6	2,945.2 7	3,398.3 9	4,078.0 6
SWT	East Quantoxhead	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SWT	Elworthy	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SWT	Exford	1,381.7 7	1,612.0 4	1,842.3 5	2,072.6 4	2,533.2 4	2,993.8 2	3,454.4 1	4,145.2 8
SWT	Exmoor	1,368.5 7	1,596.6 5	1,824.7 6	2,052.8 5	2,509.0 5	2,965.2 4	3,421.4 2	4,105.7 0
SWT	Exton	1,368.1 5	1,596.1 6	1,824.2 0	2,052.2 2	2,508.2 8	2,964.3 3	3,420.3 7	4,104.4 4
SWT	Fitzhead	1,369.2 5	1,597.4 4	1,825.6 6	2,053.8 6	2,510.2 8	2,966.6 9	3,423.1 1	4,107.7 2
SWT	Halse	1,357.3 5	1,583.5 6	1,809.8 0	2,036.0 2	2,488.4 8	2,940.9 3	3,393.3 7	4,072.0 4
SWT	Hatch Beauchamp	1,354.8	1,580.6	1,806.4	2,032.2	2,483.9	2,935.5	3,387.1	4,064.5

		7	6	9	9	2	4	6	8
SWT	Holford	1,376.2 6	1,605.6 2	1,835.0 1	2,064.3 8	2,523.1 4	2,981.8 9	3,440.6 4	4,128.7 6
SWT	Huish Champflower	1,359.5 1	1,586.0 8	1,812.6 8	2,039.2 6	2,492.4 4	2,945.6 1	3,398.7 7	4,078.5 2
SWT	Kilve	1,369.5 9	1,597.8 3	1,826.1 1	2,054.3 7	2,510.9 1	2,967.4 3	3,423.9 6	4,108.7 4
SWT	Kingston St Mary	1,358.6 2	1,585.0 4	1,811.4 9	2,037.9 2	2,490.8 0	2,943.6 7	3,396.5 4	4,075.8 4
SWT	Langford Budville	1,363.2 3	1,590.4 1	1,817.6 3	2,044.8 3	2,499.2 5	2,953.6 5	3,408.0 6	4,089.6 6
SWT	Luccombe	1,372.8 5	1,601.6 5	1,830.4 7	2,059.2 7	2,516.8 9	2,974.5 1	3,432.1 2	4,118.5 4
SWT	Luxborough	1,359.0 9	1,585.5 9	1,812.1 2	2,038.6 3	2,491.6 7	2,944.7 0	3,397.7 2	4,077.2 6
SWT	Lydeard St Lawrence/Tolland	1,352.8 6	1,578.3 2	1,803.8 1	2,029.2 8	2,480.2 4	2,931.1 9	3,382.1 4	4,058.5 6
SWT	Milverton	1,375.0 3	1,604.1 9	1,833.3 7	2,062.5 4	2,520.8 9	2,979.2 3	3,437.5 7	4,125.0 8
SWT	Minehead	1,457.8 5	1,700.8 1	1,943.8 0	2,186.7 7	2,672.7 3	3,158.6 8	3,644.6 2	4,373.5 4
SWT	Monksilver	1,366.8 0	1,594.5 8	1,822.4 0	2,050.1 9	2,505.8 0	2,961.3 9	3,416.9 9	4,100.3 8
SWT	Neroche	1,369.0 3	1,597.1 9	1,825.3 7	2,053.5 4	2,509.8 9	2,966.2 3	3,422.5 7	4,107.0 8
SWT	Nettlecombe	1,355.3 7	1,581.2 4	1,807.1 5	2,033.0 4	2,484.8 4	2,936.6 2	3,388.4 1	4,066.0 8
SWT	North Curry	1,356.6 7	1,582.7 7	1,808.8 9	2,035.0 0	2,487.2 3	2,939.4 5	3,391.6 7	4,070.0 0
SWT	Norton Fitzwarren	1,358.7 0	1,585.1 3	1,811.6 0	2,038.0 4	2,490.9 5	2,943.8 4	3,396.7 4	4,076.0 8
SWT	Nynehead	1,364.4 5	1,591.8 5	1,819.2 7	2,046.6 7	2,501.4 9	2,956.3 1	3,411.1 2	4,093.3 4
SWT	Oake	1,354.8	1,580.6	1,806.4	2,032.2	2,483.8	2,935.4	3,387.0	4,064.4

		3	2	4	4	6	7	7	8
SWT	Oare	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SWT	Old Cleeve	1,370.3 5	1,598.7 2	1,827.1 3	2,055.5 1	2,512.3 0	2,969.0 8	3,425.8 6	4,111.0 2
SWT	Otterford	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SWT	Pitminster	1,352.1 4	1,577.4 8	1,802.8 5	2,028.2 0	2,478.9 2	2,929.6 3	3,380.3 4	4,056.4 0
SWT	Porlock	1,418.9 3	1,655.4 0	1,891.9 0	2,128.3 8	2,601.3 6	3,074.3 3	3,547.3 1	4,256.7 6
SWT	Ruishton/Thornfalcon	1,381.6 1	1,611.8 7	1,842.1 5	2,072.4 1	2,532.9 5	2,993.4 9	3,454.0 2	4,144.8 2
SWT	Sampford Arundel	1,376.4 2	1,605.8 1	1,835.2 2	2,064.6 2	2,523.4 3	2,982.2 4	3,441.0 4	4,129.2 4
SWT	Sampford Brett	1,355.8 4	1,581.8 0	1,807.7 8	2,033.7 5	2,485.7 0	2,937.6 5	3,389.5 9	4,067.5 0
SWT	Selworthy and Minehead Without	1,373.9 1	1,602.8 7	1,831.8 7	2,060.8 5	2,518.8 3	2,976.7 9	3,434.7 6	4,121.7 0
SWT	Skilgate	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SWT	Staplegrove *	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SWT	Stawley	1,352.2 3	1,577.5 8	1,802.9 7	2,028.3 3	2,479.0 8	2,929.8 2	3,380.5 6	4,056.6 6
SWT	Stogumber	1,382.9 3	1,613.4 1	1,843.9 1	2,074.3 9	2,535.3 7	2,996.3 5	3,457.3 2	4,148.7 8
SWT	Stogursey	1,380.7 8	1,610.8 9	1,841.0 4	2,071.1 6	2,531.4 3	2,991.6 8	3,451.9 4	4,142.3 2
SWT	Stoke St Gregory	1,371.0 9	1,599.5 9	1,828.1 2	2,056.6 3	2,513.6 7	2,970.7 0	3,427.7 2	4,113.2 6
SWT	Stoke St Mary	1,356.3 8	1,582.4 3	1,808.5 0	2,034.5 6	2,486.6 9	2,938.8 2	3,390.9 4	4,069.1 2
SWT	Strington	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6

SWT	Taunton	1,412.4 7	1,647.8 7	1,883.2 9	2,118.7 0	2,589.5 3	3,060.3 5	3,531.1 7	4,237.4 0
SWT	Timberscombe	1,380.2 7	1,610.3 0	1,840.3 6	2,070.4 0	2,530.5 0	2,990.5 9	3,450.6 7	4,140.8 0
SWT	Treborough	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SWT	Trull	1,361.8 6	1,588.8 2	1,815.8 1	2,042.7 8	2,496.7 4	2,950.6 9	3,404.6 4	4,085.5 6
SWT	Upton	1,341.8 9	1,565.5 3	1,789.1 9	2,012.8 3	2,460.1 3	2,907.4 3	3,354.7 2	4,025.6 6
SWT	Watchet	1,442.0 2	1,682.3 4	1,922.6 9	2,163.0 2	2,643.7 0	3,124.3 7	3,605.0 4	4,326.0 4
SWT	Wellington	1,395.7 9	1,628.4 1	1,861.0 5	2,093.6 8	2,558.9 5	3,024.2 1	3,489.4 7	4,187.3 6
SWT	Wellington Without	1,356.5 7	1,582.6 5	1,808.7 6	2,034.8 5	2,487.0 5	2,939.2 4	3,391.4 2	4,069.7 0
SWT	West Bagborough	1,352.7 1	1,578.1 4	1,803.6 1	2,029.0 5	2,479.9 6	2,930.8 6	3,381.7 6	4,058.1 0
SWT	West Buckland	1,355.7 1	1,581.6 4	1,807.6 1	2,033.5 5	2,485.4 6	2,937.3 6	3,389.2 6	4,067.1 0
SWT	West Hatch	1,356.4 1	1,582.4 7	1,808.5 5	2,034.6 1	2,486.7 5	2,938.8 9	3,391.0 2	4,069.2 2
SWT	West Monkton	1,376.5 3	1,605.9 3	1,835.3 7	2,064.7 8	2,523.6 3	2,982.4 7	3,441.3 1	4,129.5 6
SWT	West Quantoxhead	1,351.7 0	1,576.9 7	1,802.2 6	2,027.5 4	2,478.1 1	2,928.6 8	3,379.2 4	4,055.0 8
SWT	Williton	1,418.3 2	1,654.6 9	1,891.0 9	2,127.4 7	2,600.2 5	3,073.0 2	3,545.7 9	4,254.9 4
SWT	Winsford	1,369.3 9	1,597.6 1	1,825.8 5	2,054.0 8	2,510.5 5	2,967.0 1	3,423.4 7	4,108.1 6
SWT	Withycombe	1,387.9 3	1,619.2 3	1,850.5 7	2,081.8 8	2,544.5 3	3,007.1 7	3,469.8 1	4,163.7 6
SWT	Withypool and Hawkridge	1,358.8 3	1,585.2 8	1,811.7 7	2,038.2 3	2,491.1 8	2,944.1 2	3,397.0 6	4,076.4 6

SWT	Wiveliscombe	1,369.7 5	1,598.0 3	1,826.3 3	2,054.6 2	2,511.2 1	2,967.7 9	3,424.3 7	4,109.2 4
SWT	Wootton Courtenay	1,361.8 0	1,588.7 5	1,815.7 3	2,042.6 9	2,496.6 3	2,950.5 6	3,404.4 9	4,085.3 8
SSDC	Abbas and Templecombe	1,375.0 7	1,604.2 4	1,833.4 3	2,062.6 0	2,520.9 6	2,979.3 2	3,437.6 7	4,125.2 0
SSDC	Aller	1,384.2 3	1,614.9 1	1,845.6 3	2,076.3 3	2,537.7 5	2,999.1 5	3,460.5 6	4,152.6 6
SSDC	Ansford	1,393.9 1	1,626.2 1	1,858.5 4	2,090.8 5	2,555.4 9	3,020.1 2	3,484.7 6	4,181.7 0
SSDC	Ash	1,446.1 9	1,687.2 0	1,928.2 5	2,169.2 7	2,651.3 4	3,133.4 0	3,615.4 6	4,338.5 4
SSDC	Ashill	1,357.1 1	1,583.2 8	1,809.4 8	2,035.6 6	2,488.0 4	2,940.4 1	3,392.7 7	4,071.3 2
SSDC	Babcary	1,363.3 4	1,590.5 5	1,817.7 8	2,045.0 0	2,499.4 5	2,953.9 0	3,408.3 4	4,090.0 0
SSDC	Barrington	1,405.2 6	1,639.4 5	1,873.6 8	2,107.8 8	2,576.3 1	3,044.7 2	3,513.1 4	4,215.7 6
SSDC	Barton St. David	1,369.2 8	1,597.4 8	1,825.7 0	2,053.9 1	2,510.3 4	2,966.7 7	3,423.1 9	4,107.8 2
SSDC	Barwick & Stoford	1,421.8 1	1,658.7 7	1,895.7 5	2,132.7 1	2,606.6 5	3,080.5 9	3,554.5 2	4,265.4 2
SSDC	Beercrocombe	1,356.1 1	1,582.1 2	1,808.1 5	2,034.1 6	2,486.2 0	2,938.2 4	3,390.2 7	4,068.3 2
SSDC	Bratton Seymour	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SSDC	Brewham	1,352.5 3	1,577.9 4	1,803.3 7	2,028.7 9	2,479.6 4	2,930.4 8	3,381.3 2	4,057.5 8
SSDC	Broadway	1,358.9 9	1,585.4 7	1,811.9 8	2,038.4 7	2,491.4 7	2,944.4 6	3,397.4 6	4,076.9 4
SSDC	Bruton	1,449.1 7	1,690.6 8	1,932.2 2	2,173.7 4	2,656.8 0	3,139.8 5	3,622.9 1	4,347.4 8
SSDC	Brympton	1,356.9 1	1,583.0 5	1,809.2 1	2,035.3 6	2,487.6 7	2,939.9 7	3,392.2 7	4,070.7 2

SSDC	Buckland St. Mary	1,365.1 7	1,592.6 9	1,820.2 3	2,047.7 5	2,502.8 1	2,957.8 7	3,412.9 2	4,095.5 0
SSDC	Alford (Cary Moor)	1,366.8 6	1,594.6 5	1,822.4 8	2,050.2 8	2,505.9 1	2,961.5 2	3,417.1 4	4,100.5 6
SSDC	Lovington (Cary Moor)	1,366.8 5	1,594.6 5	1,822.4 7	2,050.2 7	2,505.8 9	2,961.5 1	3,417.1 2	4,100.5 4
SSDC	North Barrow (Cary Moor)	1,366.8 6	1,594.6 5	1,822.4 8	2,050.2 8	2,505.9 1	2,961.5 2	3,417.1 4	4,100.5 6
SSDC	South Barrow (Cary Moor)	1,366.8 6	1,594.6 5	1,822.4 8	2,050.2 8	2,505.9 1	2,961.5 2	3,417.1 4	4,100.5 6
SSDC	Castle Cary	1,500.1 4	1,750.1 5	2,000.1 8	2,250.2 0	2,750.2 5	3,250.2 9	3,750.3 4	4,500.4 0
SSDC	Chaffcombe	1,358.7 7	1,585.2 2	1,811.6 9	2,038.1 5	2,491.0 8	2,944.0 0	3,396.9 2	4,076.3 0
SSDC	Chard Town	1,454.7 5	1,697.2 0	1,939.6 7	2,182.1 2	2,667.0 4	3,151.9 6	3,636.8 7	4,364.2 4
SSDC	Charlton Horethorne	1,360.5 9	1,587.3 3	1,814.1 1	2,040.8 7	2,494.4 1	2,947.9 3	3,401.4 6	4,081.7 4
SSDC	Charltons (The)	1,375.8 5	1,605.1 5	1,834.4 7	2,063.7 7	2,522.3 9	2,981.0 1	3,439.6 2	4,127.5 4
SSDC	Charlton Musgrove	1,364.0 6	1,591.3 9	1,818.7 4	2,046.0 8	2,500.7 7	2,955.4 6	3,410.1 4	4,092.1 6
SSDC	Chillington	1,341.1 8	1,564.6 9	1,788.2 4	2,011.7 6	2,458.8 3	2,905.8 8	3,352.9 4	4,023.5 2
SSDC	Chilthorne Domer	1,371.0 3	1,599.5 1	1,828.0 3	2,056.5 3	2,513.5 5	2,970.5 5	3,427.5 6	4,113.0 6
SSDC	Chilton Cantelo & Ashington	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SSDC	Chiselborough	1,374.9 7	1,604.1 1	1,833.2 9	2,062.4 4	2,520.7 7	2,979.0 9	3,437.4 1	4,124.8 8
SSDC	Closworth	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SSDC	Combe St. Nicholas	1,361.5 1	1,588.4 1	1,815.3 4	2,042.2 5	2,496.0 9	2,949.9 2	3,403.7 6	4,084.5 0

SSDC	Compton Dundon	1,425.5 2	1,663.0 9	1,900.6 9	2,138.2 7	2,613.4 5	3,088.6 2	3,563.7 9	4,276.5 4
SSDC	Compton Pauncefoot & Blackford	1,353.3 7	1,578.9 1	1,804.4 9	2,030.0 4	2,481.1 7	2,932.2 9	3,383.4 1	4,060.0 8
SSDC	Corton Denham	1,366.2 1	1,593.9 0	1,821.6 1	2,049.3 1	2,504.7 2	2,960.1 2	3,415.5 2	4,098.6 2
SSDC	Crewkerne Town	1,479.0 4	1,725.5 3	1,972.0 5	2,218.5 5	2,711.5 7	3,204.5 8	3,697.5 9	4,437.1 0
SSDC	Cricket St. Thomas	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SSDC	Cucklington	1,353.2 2	1,578.7 4	1,804.2 9	2,029.8 2	2,480.9 0	2,931.9 7	3,383.0 4	4,059.6 4
SSDC	Cudworth	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SSDC	Curry Mallet	1,373.9 7	1,602.9 5	1,831.9 6	2,060.9 5	2,518.9 5	2,976.9 4	3,434.9 2	4,121.9 0
SSDC	Curry Rivel	1,381.3 1	1,611.5 1	1,841.7 4	2,071.9 5	2,532.3 9	2,992.8 2	3,453.2 6	4,143.9 0
SSDC	Dinnington	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SSDC	Donyatt	1,385.8 5	1,616.8 0	1,847.7 9	2,078.7 6	2,540.7 2	3,002.6 6	3,464.6 1	4,157.5 2
SSDC	Dowlish Wake	1,358.8 7	1,585.3 4	1,811.8 3	2,038.3 0	2,491.2 6	2,944.2 2	3,397.1 7	4,076.6 0
SSDC	Drayton	1,371.1 8	1,599.6 9	1,828.2 4	2,056.7 6	2,513.8 3	2,970.8 8	3,427.9 4	4,113.5 2
SSDC	East Chinnock	1,372.6 8	1,601.4 4	1,830.2 4	2,059.0 1	2,516.5 8	2,974.1 3	3,431.6 9	4,118.0 2
SSDC	East Coker	1,394.9 3	1,627.4 0	1,859.9 0	2,092.3 8	2,557.3 6	3,022.3 3	3,487.3 1	4,184.7 6
SSDC	Fivehead & Swell	1,384.1 5	1,614.8 3	1,845.5 3	2,076.2 2	2,537.6 1	2,998.9 9	3,460.3 7	4,152.4 4
SSDC	Hambridge & Westport	1,395.6 8	1,628.2 8	1,860.9 0	2,093.5 1	2,558.7 4	3,023.9 7	3,489.1 9	4,187.0 2

SSDC	Hardington Mandeville	1,373.2 3	1,602.0 9	1,830.9 7	2,059.8 4	2,517.5 9	2,975.3 3	3,433.0 7	4,119.6 8
SSDC	Haselbury Plucknett	1,373.5 5	1,602.4 6	1,831.4 0	2,060.3 2	2,518.1 8	2,976.0 3	3,433.8 7	4,120.6 4
SSDC	Henstridge	1,410.3 2	1,645.3 6	1,880.4 2	2,115.4 7	2,585.5 8	3,055.6 9	3,525.7 9	4,230.9 4
SSDC	High Ham	1,380.9 1	1,611.0 5	1,841.2 1	2,071.3 6	2,531.6 7	2,991.9 7	3,452.2 7	4,142.7 2
SSDC	Hinton St. George	1,395.0 9	1,627.5 9	1,860.1 2	2,092.6 3	2,557.6 7	3,022.7 0	3,487.7 2	4,185.2 6
SSDC	Horsington	1,368.4 8	1,596.5 4	1,824.6 4	2,052.7 1	2,508.8 8	2,965.0 3	3,421.1 9	4,105.4 2
SSDC	Horton	1,367.1 5	1,595.0 0	1,822.8 7	2,050.7 2	2,506.4 4	2,962.1 6	3,417.8 7	4,101.4 4
SSDC	Huish Episcopi	1,387.1 7	1,618.3 4	1,849.5 5	2,080.7 4	2,543.1 4	3,005.5 2	3,467.9 1	4,161.4 8
SSDC	Ilchester	1,371.4 7	1,600.0 3	1,828.6 2	2,057.1 9	2,514.3 5	2,971.5 1	3,428.6 6	4,114.3 8
SSDC	Ilminster Town	1,460.2 8	1,703.6 4	1,947.0 4	2,190.4 1	2,677.1 8	3,163.9 3	3,650.6 9	4,380.8 2
SSDC	Ilton	1,389.6 6	1,621.2 5	1,852.8 8	2,084.4 8	2,547.7 1	3,010.9 2	3,474.1 4	4,168.9 6
SSDC	Isle Abbotts	1,384.2 0	1,614.8 8	1,845.6 0	2,076.2 9	2,537.7 0	2,999.0 9	3,460.4 9	4,152.5 8
SSDC	Isle Brewers	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SSDC	Keinton Mandeville	1,366.7 8	1,594.5 6	1,822.3 7	2,050.1 6	2,505.7 6	2,961.3 5	3,416.9 4	4,100.3 2
SSDC	Kingsbury Episcopi	1,389.7 5	1,621.3 5	1,852.9 9	2,084.6 1	2,547.8 7	3,011.1 1	3,474.3 6	4,169.2 2
SSDC	Kingsdon	1,417.2 1	1,653.4 0	1,889.6 1	2,125.8 1	2,598.2 2	3,070.6 2	3,543.0 2	4,251.6 2
SSDC	Kingstone	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6

SSDC	Kingweston	1,361.2 9	1,588.1 5	1,815.0 5	2,041.9 2	2,495.6 9	2,949.4 5	3,403.2 1	4,083.8 4
SSDC	Knowle St. Giles	1,351.1 7	1,576.3 4	1,801.5 5	2,026.7 4	2,477.1 4	2,927.5 2	3,377.9 1	4,053.4 8
SSDC	Langport	1,556.0 6	1,815.3 9	2,074.7 4	2,334.0 8	2,852.7 7	3,371.4 6	3,890.1 4	4,668.1 6
SSDC	Long Load	1,384.0 9	1,614.7 6	1,845.4 5	2,076.1 3	2,537.5 0	2,998.8 6	3,460.2 2	4,152.2 6
SSDC	Long Sutton	1,387.9 6	1,619.2 7	1,850.6 1	2,081.9 3	2,544.5 9	3,007.2 4	3,469.8 9	4,163.8 6
SSDC	Lopen	1,380.8 0	1,610.9 2	1,841.0 6	2,071.1 9	2,531.4 6	2,991.7 3	3,451.9 9	4,142.3 8
SSDC	Marston Magna	1,371.3 5	1,599.9 0	1,828.4 7	2,057.0 2	2,514.1 4	2,971.2 6	3,428.3 7	4,114.0 4
SSDC	Martock	1,504.9 7	1,755.7 8	2,006.6 2	2,257.4 4	2,759.1 0	3,260.7 5	3,762.4 1	4,514.8 8
SSDC	Merriott	1,382.0 5	1,612.3 8	1,842.7 3	2,073.0 7	2,533.7 6	2,994.4 4	3,455.1 2	4,146.1 4
SSDC	Milborne Port	1,414.5 3	1,650.2 6	1,886.0 3	2,121.7 8	2,593.3 0	3,064.8 0	3,536.3 1	4,243.5 6
SSDC	Misterton	1,379.6 1	1,609.5 3	1,839.4 8	2,069.4 1	2,529.2 9	2,989.1 6	3,449.0 2	4,138.8 2
SSDC	Montacute	1,430.3 9	1,668.7 7	1,907.1 8	2,145.5 7	2,622.3 7	3,099.1 6	3,575.9 6	4,291.1 4
SSDC	Muchelney	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SSDC	Mudford	1,447.7 4	1,689.0 1	1,930.3 2	2,171.6 0	2,654.1 9	3,136.7 6	3,619.3 4	4,343.2 0
SSDC	North Cadbury	1,362.2 9	1,589.3 3	1,816.3 9	2,043.4 3	2,497.5 3	2,951.6 3	3,405.7 2	4,086.8 6
SSDC	Yarlington (North Cadbury)	1,362.2 9	1,589.3 3	1,816.3 9	2,043.4 3	2,497.5 3	2,951.6 3	3,405.7 2	4,086.8 6
SSDC	North Perrott	1,371.7 3	1,600.3 4	1,828.9 7	2,057.5 9	2,514.8 4	2,972.0 8	3,429.3 2	4,115.1 8

SSDC	Holton (North Vale)	1,356.3 6	1,582.4 0	1,808.4 8	2,034.5 3	2,486.6 6	2,938.7 7	3,390.8 9	4,069.0 6
SSDC	Maperton (North Vale)	1,355.5 0	1,581.4 0	1,807.3 3	2,033.2 4	2,485.0 8	2,936.9 1	3,388.7 4	4,066.4 8
SSDC	North Cheriton (North Vale)	1,366.6 9	1,594.4 5	1,822.2 5	2,050.0 2	2,505.5 9	2,961.1 5	3,416.7 1	4,100.0 4
SSDC	Norton sub Hamdon	1,395.6 2	1,628.2 1	1,860.8 2	2,093.4 2	2,558.6 3	3,023.8 4	3,489.0 4	4,186.8 4
SSDC	Odcombe	1,388.9 8	1,620.4 6	1,851.9 7	2,083.4 6	2,546.4 6	3,009.4 5	3,472.4 4	4,166.9 2
SSDC	Pen Selwood	1,364.6 7	1,592.0 9	1,819.5 5	2,046.9 9	2,501.8 9	2,956.7 7	3,411.6 6	4,093.9 8
SSDC	Pitcombe	1,364.8 9	1,592.3 6	1,819.8 5	2,047.3 3	2,502.3 0	2,957.2 6	3,412.2 2	4,094.6 6
SSDC	Pitney	1,354.8 6	1,580.6 5	1,806.4 8	2,032.2 8	2,483.9 1	2,935.5 2	3,387.1 4	4,064.5 6
SSDC	Puckington	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SSDC	Queen Camel	1,378.5 4	1,608.2 8	1,838.0 5	2,067.8 0	2,527.3 2	2,986.8 3	3,446.3 4	4,135.6 0
SSDC	Rimpton	1,377.5 2	1,607.0 9	1,836.6 9	2,066.2 7	2,525.4 5	2,984.6 2	3,443.7 9	4,132.5 4
SSDC	Seavington St. Mary	1,403.8 7	1,637.8 3	1,871.8 2	2,105.7 9	2,573.7 5	3,041.7 0	3,509.6 6	4,211.5 8
SSDC	Seavington St. Michael	1,403.8 7	1,637.8 3	1,871.8 2	2,105.7 9	2,573.7 5	3,041.7 0	3,509.6 6	4,211.5 8
SSDC	Shepton Beauchamp	1,401.6 9	1,635.2 8	1,868.9 1	2,102.5 2	2,569.7 6	3,036.9 8	3,504.2 1	4,205.0 4
SSDC	Shepton Montague	1,359.5 9	1,586.1 8	1,812.7 9	2,039.3 8	2,492.5 8	2,945.7 8	3,398.9 7	4,078.7 6
SSDC	Somerton	1,513.1 5	1,765.3 2	2,017.5 3	2,269.7 1	2,774.1 0	3,278.4 8	3,782.8 6	4,539.4 2
SSDC	South Cadbury and Sutton Montis	1,363.6 9	1,590.9 5	1,818.2 5	2,045.5 2	2,500.0 9	2,954.6 5	3,409.2 1	4,091.0 4

SSDC	South Petherton	1,445.3 7	1,686.2 5	1,927.1 6	2,168.0 5	2,649.8 5	3,131.6 4	3,613.4 2	4,336.1 0
SSDC	Sparkford	1,360.5 1	1,587.2 4	1,814.0 1	2,040.7 5	2,494.2 6	2,947.7 6	3,401.2 6	4,081.5 0
SSDC	Stocklinch	1,372.1 7	1,600.8 4	1,829.5 5	2,058.2 4	2,515.6 4	2,973.0 2	3,430.4 1	4,116.4 8
SSDC	Stoke sub Hamdon	1,415.9 1	1,651.8 8	1,887.8 8	2,123.8 6	2,595.8 4	3,067.8 1	3,539.7 7	4,247.7 2
SSDC	Stoke Trister & Bayford	1,378.5 2	1,608.2 6	1,838.0 2	2,067.7 7	2,527.2 8	2,986.7 9	3,446.2 9	4,135.5 4
SSDC	Tatworth and Forton	1,372.6 2	1,601.3 7	1,830.1 6	2,058.9 2	2,516.4 7	2,974.0 0	3,431.5 4	4,117.8 4
SSDC	Tintinhull	1,423.1 8	1,660.3 6	1,897.5 7	2,134.7 6	2,609.1 6	3,083.5 5	3,557.9 4	4,269.5 2
SSDC	Wambrook	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SSDC	Wayford	1,399.7 7	1,633.0 5	1,866.3 6	2,099.6 5	2,566.2 5	3,032.8 4	3,499.4 2	4,199.3 0
SSDC	West Camel	1,379.3 6	1,609.2 4	1,839.1 4	2,069.0 3	2,528.8 2	2,988.6 1	3,448.3 9	4,138.0 6
SSDC	West & Middle Chinnock	1,383.7 1	1,614.3 2	1,844.9 5	2,075.5 6	2,536.8 0	2,998.0 4	3,459.2 7	4,151.1 2
SSDC	West Coker	1,386.8 7	1,617.9 9	1,849.1 5	2,080.2 9	2,542.5 9	3,004.8 7	3,467.1 6	4,160.5 8
SSDC	West Crewkerne	1,359.0 4	1,585.5 3	1,812.0 5	2,038.5 5	2,491.5 7	2,944.5 8	3,397.5 9	4,077.1 0
SSDC	Whitelackington	1,344.0 2	1,568.0 1	1,792.0 2	2,016.0 2	2,464.0 3	2,912.0 4	3,360.0 4	4,032.0 4
SSDC	Whitestaunton	1,339.3 6	1,562.5 7	1,785.8 1	2,009.0 3	2,455.4 9	2,901.9 4	3,348.3 9	4,018.0 6
SSDC	Wincanton Town	1,461.4 0	1,704.9 5	1,948.5 3	2,192.0 9	2,679.2 3	3,166.3 6	3,653.4 9	4,384.1 8
SSDC	Winsham	1,389.8 5	1,621.4 7	1,853.1 3	2,084.7 6	2,548.0 5	3,011.3 3	3,474.6 1	4,169.5 2

Appendix 15B

SSDC	Yeovil Town	1,436.1 1	1,675.4 5	1,914.8 1	2,154.1 6	2,632.8 7	3,111.5 7	3,590.2 7	4,308.3 2
SSDC	Yeovil Without	1,367.6 2	1,595.5 4	1,823.4 9	2,051.4 2	2,507.3 0	2,963.1 7	3,419.0 4	4,102.8 4
SSDC	Yeovilton & District **	1,355.0 3	1,580.8 6	1,806.7 1	2,032.5 4	2,484.2 2	2,935.9 0	3,387.5 7	4,065.0 8

Parish Councils, Town Councils, and Parish Meetings in the District have been advised of their individual Council Tax base figures and asked to supply their precept requirements for the financial year 2023/24. These precepts together are used to calculate Council Tax amounts for each parish to be added to the amounts for Somerset Council, Police Authority and Fire Authority.

Legacy Council	Parish/Town Council	2022/23			2023/24			Council Tax Change £	Council Tax Change %
		tax base	precept	Council Tax Band D	tax base	precept	Council Tax Band D		
		£	£	£ p	£	£	£ p		
MDC	Ashwick	540.15	14,300	26.47	553.95	15,015	27.11	0.64	2.4%
MDC	Baltonsborough	448.01	17,000	37.95	450.56	17,000	37.73	(0.22)	-0.6%
MDC	Batcombe	211.28	9,925	46.98	209.60	9,925	47.35	0.37	0.8%
MDC	Beckington	521.92	36,933	70.76	531.58	40,626	76.42	5.66	8.0%
MDC	Berkley	115.64	2,000	17.30	115.11	3,000	26.06	8.76	50.6%
MDC	Binegar	142.25	10,000	70.30	152.51	10,000	65.57	(4.73)	-6.7%
MDC	Buckland Dinham	186.03	7,840	42.14	186.73	10,258	54.93	12.79	30.4%
MDC	Butleigh	408.82	16,500	40.36	414.57	16,000	38.59	(1.77)	-4.4%
MDC	Chewton Mendip	251.84	6,000	23.82	249.86	7,250	29.02	5.20	21.8%
MDC	Chilcompton	882.47	33,000	37.40	896.82	36,000	40.14	2.74	7.3%
MDC	Coleford	743.83	47,213	63.47	748.98	49,574	66.19	2.72	4.3%
MDC	Cranmore	206.50	10,686	51.75	209.61	10,686	50.98	(0.77)	-1.5%
MDC	Croscombe	256.52	11,000	42.88	263.50	11,500	43.64	0.76	1.8%
MDC	Ditcheat	321.26	11,503	35.81	326.18	11,733	35.97	0.16	0.4%
MDC	Doulting	241.51	14,500	60.04	242.84	14,500	59.71	(0.33)	-0.5%
MDC	Downhead	44.27	1,000	22.59	39.94	1,000	25.04	2.45	10.8%
MDC	East Pennard	152.39	2,800	18.37	153.04	2,800	18.30	(0.07)	-0.4%
MDC	Emborough	57.92	0	0.00	61.39	0	0.00	0.00	0%
MDC	Evercreech	926.93	50,375	54.35	950.49	50,963	53.62	(0.73)	-1.3%
MDC	Frome	8,963.56	1,870,628	208.69	9,060.52	1,983,504	218.92	10.23	4.9%
MDC	Glastonbury	3,144.96	419,160	133.28	3,254.62	650,924	200.00	66.72	50.1%

Appendix 15C

Legac y Counci l	Parish/Town Council	2022/23			2023/24			Council Tax Change	Council Tax Change
		tax base	precept	Council Tax Band D	tax base	precept	Council Tax Band D		
		£	£	£ p	£	£	£ p		
MDC	Godney	95.16	8,878	93.29	93.83	10,498	111.88	18.59	19.9%
MDC	Great Elm	78.98	0	0.00	81.22	0	0.00	0.00	0%
MDC	Hemington	291.43	14,569	49.99	293.40	17,994	61.33	11.34	22.7%
MDC	Holcombe	417.98	12,458	29.81	422.29	13,081	30.98	1.17	3.9%
MDC	Kilmersdon	236.34	20,493	86.71	240.00	22,528	93.87	7.16	8.3%
MDC	Lamyatt	92.14	0	0.00	91.54	0	0.00	0.00	0%
MDC	Leigh on Mendip	221.03	11,300	51.12	223.42	11,865	53.11	1.99	3.9%
MDC	Litton	116.32	4,630	39.80	119.80	5,000	41.74	1.94	4.9%
MDC	Lullington	80.54	2,500	31.04	81.17	2,500	30.80	(0.24)	-0.8%
MDC	Lydford on Fosse	237.02	10,000	42.19	232.70	12,000	51.57	9.38	22.2%
MDC	Meare	546.39	42,000	76.87	544.83	48,000	88.10	11.23	14.6%
MDC	Mells	263.93	13,000	49.26	273.59	13,000	47.52	(1.74)	-3.5%
MDC	Milton Clevedon	39.98	0	0.00	38.15	0	0.00	0.00	0%
MDC	North Wootton	146.83	5,522	37.61	149.45	4,666	31.22	(6.39)	-17.0%
MDC	Norton St Philip	492.67	51,213	103.95	511.90	53,212	103.95	0.00	0.0%
MDC	Nunney	311.51	24,540	78.78	325.70	37,890	116.33	37.55	47.7%
MDC	Pilton	483.11	14,000	28.98	489.41	17,100	34.94	5.96	20.6%
MDC	Priddy	287.14	11,500	40.05	288.59	11,500	39.85	(0.20)	-0.5%
MDC	Pylle	71.47	0	0.00	71.38	0	0.00	0.00	0%
MDC	Rode	484.19	20,000	41.31	508.61	24,990	49.13	7.82	18.9%
MDC	Rodney Stoke	552.92	25,802	46.66	560.16	27,084	48.35	1.69	3.6%
MDC	Selwood	387.37	5,000	12.91	391.72	7,000	17.87	4.96	38.4%
MDC	Sharpham	24.67	0	0.00	21.03	0	0.00	0.00	0%
MDC	Shepton Mallet	3,398.07	675,415	198.76	3,429.64	715,750	208.70	9.94	5.0%
MDC	St Cuthbert Out	1,902.22	156,880	82.47	2,039.77	161,883	79.36	(3.11)	-3.8%
MDC	Stoke St Michael	357.63	25,977	72.64	368.21	27,276	74.08	1.44	2.0%
MDC	Ston Easton	224.15	7,000	31.23	226.10	7,000	30.96	(0.27)	-0.9%

Appendix 15C

Legac y Counci l	Parish/Town Council	2022/23			2023/24			Council Tax Change	Council Tax Change
		tax base	precept	Council Tax Band D	tax base	precept	Council Tax Band D		
		£	£	£ p	£	£	£ p		
MDC	Stratton on the Fosse	273.49	17,000	62.16	274.82	17,850	64.95	2.79	4.5%
MDC	Street	3,794.31	580,000	152.86	3,832.13	650,000	169.62	16.76	11.0%
MDC	Tellisford	94.48	0	0.00	94.05	0	0.00	0.00	0%
MDC	Trudoxhill	183.98	6,210	33.75	187.88	7,079	37.68	3.93	11.6%
MDC	Upton Noble	66.89	0	0.00	66.85	0	0.00	0.00	0%
MDC	Walton	451.52	34,247	75.85	457.91	35,837	78.26	2.41	3.2%
MDC	Wanstrow	195.88	7,580	38.70	193.56	8,338	43.08	4.38	11.3%
MDC	Wells	4,308.62	914,670	212.29	4,352.77	1,149,307	264.04	51.75	24.4%
MDC	West Bradley	130.94	0	0.00	131.47	0	0.00	0.00	0%
MDC	Westbury Sub Mendip	364.55	11,995	32.90	375.81	12,595	33.51	0.61	1.9%
MDC	West Pennard	307.71	7,000	22.75	310.42	7,000	22.55	(0.20)	-0.9%
MDC	Whatley	124.31	5,000	40.22	128.49	7,500	58.37	18.15	45.1%
MDC	Witham Friary	162.63	9,975	61.34	162.59	10,274	63.19	1.85	3.0%
MDC	Wookey	475.51	41,254	86.76	486.96	47,180	96.89	10.13	11.7%
SDC	Ashcott	460.74	17,500	37.98	467.20	20,495	43.87	5.89	15.5%
SDC	Axbridge	690.18	99,000	143.44	714.41	111,000	155.37	11.93	8.3%
SDC	Badgworth	227.65	9,500	41.73	232.12	9,880	42.56	0.83	2.0%
SDC	Bawdrip	231.85	8,250	35.58	238.39	8,750	36.70	1.12	3.1%
SDC	Berrow	603.06	63,000	104.47	627.34	74,887	119.37	14.90	14.3%
SDC	Brean	248.56	7,500	30.17	254.73	11,178	43.88	13.71	45.4%
SDC	Brent Knoll	567.00	38,907	68.62	578.36	50,620	87.52	18.90	27.5%
SDC	Bridgwater	9,990.13	912,195	91.31	10,296.83	1,153,746	112.05	20.74	22.7%
SDC	Bridgwater Without	926.84	36,740	39.64	1,061.10	42,444	40.00	0.36	0.9%
SDC	Broomfield	110.41	3,650	33.06	115.73	3,650	31.54	(1.52)	-4.6%
SDC	Burnham-on-Sea & Highbridge	6,431.54	697,808	108.50	6,619.03	768,500	116.10	7.60	7.0%
SDC	Burnham Without	659.53	30,000	45.49	693.24	22,000	31.74	(13.75)	-30.2%

Appendix 15C

Legacy Council	Parish/Town Council	2022/23			2023/24			Council Tax Change	Council Tax Change
		tax base	precept	Council Tax Band D	tax base	precept	Council Tax Band D		
		£	£	£ p	£	£	£ p		
SDC	Burtle	153.40	4,100	26.73	156.50	4,400	28.12	1.39	5.2%
SDC	Cannington	766.74	40,000	52.17	793.20	40,000	50.43	(1.74)	-3.3%
SDC	Catcott	230.54	8,500	36.87	242.99	9,500	39.10	2.23	6.0%
SDC	Chapel Allerton	183.19	6,500	35.48	190.36	6,500	34.15	(1.33)	-3.7%
SDC	Cheddar	2,367.97	237,471	100.28	2,434.32	261,401	107.38	7.10	7.1%
SDC	Chedzoy	162.64	8,200	50.42	168.70	8,692	51.52	1.10	2.2%
SDC	Chilton Polden	297.62	6,756	22.70	305.74	6,756	22.10	(0.60)	-2.6%
SDC	Chilton Trinity	183.03	10,450	57.09	190.58	10,750	56.41	(0.68)	-1.2%
SDC	Compton Bishop	276.57	15,000	54.24	285.43	15,000	52.55	(1.69)	-3.1%
SDC	Cossington	285.95	11,000	38.47	289.60	11,000	37.98	(0.49)	-1.3%
SDC	Durleigh	223.78	9,695	43.32	227.21	10,615	46.72	3.40	7.8%
SDC	East Brent	556.29	20,895	37.56	569.26	20,895	36.71	(0.85)	-2.3%
SDC	East Huntspill	446.16	33,700	75.53	447.88	34,272	76.52	0.99	1.3%
SDC	Edington	163.51	7,000	42.81	168.48	7,500	44.52	1.71	4.0%
SDC	Enmore	114.47	5,003	43.71	117.17	5,253	44.83	1.12	2.6%
SDC	Fiddington	128.13	4,300	33.56	125.63	4,300	34.23	0.67	2.0%
SDC	Goathurst	96.66	3,381	34.98	98.47	3,381	34.34	(0.64)	-1.8%
SDC	Greinton	67.70	0	0.00	69.96	0	0.00	0.00	0%
SDC	Lympsham	365.46	20,000	54.73	374.46	26,000	69.43	14.70	26.9%
SDC	Lyng	120.99	4,500	37.19	123.91	4,725	38.13	0.94	2.5%
SDC	Mark	568.73	17,600	30.95	584.02	18,000	30.82	(0.13)	-0.4%
SDC	Middlezoy	275.28	14,006	50.88	282.20	15,800	55.99	5.11	10.0%
SDC	Moorlinch	106.65	0	0.00	109.77	0	0.00	0.00	0%
SDC	Nether Stowey	598.80	68,748	114.81	629.01	65,466	104.08	(10.73)	-9.3%
SDC	North Petherton	3,517.84	177,800	50.54	3,654.91	230,000	62.93	12.39	24.5%
SDC	Othery	249.48	9,900	39.68	265.01	10,500	39.62	(0.06)	-0.2%
SDC	Otterhampton	304.44	26,000	85.40	310.53	26,000	83.73	(1.67)	-2.0%

Appendix 15C

Legacy Council	Parish/Town Council	2022/23			2023/24			Council Tax Change	Council Tax Change
		tax base	precept	Council Tax Band D	tax base	precept	Council Tax Band D		
		£	£	£ p	£	£	£ p		
SDC	Over Stowey	160.44	7,649	47.68	168.95	8,000	47.35	(0.33)	-0.7%
SDC	Pawlett	414.22	18,000	43.46	425.57	20,000	47.00	3.54	8.1%
SDC	Puriton	798.28	60,000	75.16	810.23	64,500	79.61	4.45	5.9%
SDC	Shapwick	194.37	9,000	46.30	203.80	11,000	53.97	7.67	16.6%
SDC	Shipham	481.96	12,443	25.82	494.81	12,695	25.66	(0.16)	-0.6%
SDC	Spaxton	445.43	9,763	21.92	460.03	10,153	22.07	0.15	0.7%
SDC	Stawell	174.43	4,500	25.80	175.37	5,250	29.94	4.14	16.0%
SDC	Stockland Bristol	71.93	2,063	28.68	73.68	2,166	29.40	0.72	2.5%
SDC	Thurloxton	70.20	3,900	55.56	75.76	4,000	52.80	(2.76)	-5.0%
SDC	Weare	296.19	6,242	21.07	299.54	6,426	21.45	0.38	1.8%
SDC	Wedmore	1,604.15	75,000	46.75	1,627.81	96,850	59.50	12.75	27.3%
SDC	Wembdon	1,282.39	110,992	86.55	1,315.88	110,992	84.35	(2.20)	-2.5%
SDC	West Huntspill	552.99	21,500	38.88	515.82	21,000	40.71	1.83	4.7%
SDC	Westonzoyland	656.79	22,988	35.00	678.93	24,441	36.00	1.00	2.9%
SDC	Woolavington	746.87	45,000	60.25	767.16	47,000	61.26	1.01	1.7%
SWT	Ash Priors	79.21	0	0.00	81.47	0	0.00	0.00	0%
SWT	Ashbrittle	95.06	2,300	24.20	93.96	2,300	24.48	0.28	1.2%
SWT	Bathealton	84.52	900	10.65	83.17	1,200	14.43	3.78	35.5%
SWT	Bicknoller	207.69	6,000	28.89	211.56	7,600	35.92	7.03	24.3%
SWT	Bishops Hull	1,213.94	35,400	29.16	1,231.31	37,170	30.19	1.03	3.5%
SWT	Bishops Lydeard/Cothelstone	1,184.75	61,678	52.06	1,236.65	67,595	54.66	2.60	5.0%
SWT	Bradford on Tone	302.93	10,000	33.01	309.48	10,500	33.93	0.92	2.8%
SWT	Brompton Ralph	100.82	4,250	42.15	103.66	4,369	42.15	0.00	0.0%
SWT	Brompton Regis	228.83	5,750	25.13	227.22	5,750	25.31	0.18	0.7%
SWT	Brushford	242.35	21,000	86.65	243.25	21,000	86.33	(0.32)	-0.4%
SWT	Burrowbridge	207.36	6,600	31.83	208.97	8,500	40.68	8.85	27.8%
SWT	Carhampton	362.65	21,785	60.07	361.30	21,785	60.30	0.23	0.4%

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Legac y Counci l	Parish/Town Council	2022/23			2023/24			Council Tax Change	Council Tax Change
		tax base	precept	Council Tax Band D	tax base	precept	Council Tax Band D		
		£	£	£ p	£	£	£ p		
SWT	Cheddon Fitzpaine	909.06	37,247	40.97	140.04	9,262	66.14	25.17	61.4%
SWT	Chipstable	131.79	3,250	24.66	137.25	3,250	23.68	(0.98)	-4.0%
SWT	Churchstanton	381.74	11,987	31.40	383.57	13,395	34.92	3.52	11.2%
SWT	Clatworthy	39.70	1,000	25.19	40.64	1,000	24.61	(0.58)	-2.3%
SWT	Combe Florey	120.00	4,000	33.33	121.58	4,000	32.90	(0.43)	-1.3%
SWT	Comeytrove*	1,990.73	24,000	12.06	0	0	0	(12.06)	-100.0%
SWT	Corfe	137.01	5,250	38.32	141.25	5,775	40.88	2.56	6.7%
SWT	Cotford St Luke	834.88	33,536	40.17	844.58	45,745	54.16	13.99	34.8%
SWT	Creech St Michael	1,145.99	68,000	59.34	1,149.91	74,528	64.81	5.47	9.2%
SWT	Crowcombe	239.95	11,700	48.76	235.81	12,300	52.16	3.40	7.0%
SWT	Cutcombe	180.29	11,200	62.12	180.88	11,200	61.92	(0.20)	-0.3%
SWT	Dulverton	629.94	83,740	132.93	630.26	85,833	136.19	3.26	2.5%
SWT	Dunster	474.07	28,000	59.06	478.11	28,000	58.56	(0.50)	-0.8%
SWT	Durston	56.13	1,965	35.00	55.92	1,678	30.00	(5.00)	-14.3%
SWT	East Quantoxhead	44.62	0	0.00	40.56	0	0.00	0.00	0%
SWT	Elworthy	31.13	0	0.00	32.78	0	0.00	0.00	0%
SWT	Exford	190.38	12,500	65.66	196.51	12,500	63.61	(2.05)	-3.1%
SWT	Exmoor	70.86	4,025	56.80	75.94	3,328	43.82	(12.98)	-22.9%
SWT	Exton	97.32	4,200	43.16	97.24	4,200	43.19	0.03	0.1%
SWT	Fitzhead	124.37	4,500	36.18	122.69	5,500	44.83	8.65	23.9%
SWT	Halse	149.88	4,100	27.36	151.93	4,100	26.99	(0.37)	-1.4%
SWT	Hatch Beauchamp	254.67	5,000	19.63	257.93	6,000	23.26	3.63	18.5%
SWT	Holford	136.34	7,550	55.38	136.41	7,550	55.35	(0.03)	-0.1%
SWT	Huish Champflower	116.55	3,500	30.03	115.76	3,500	30.23	0.20	0.7%
SWT	Kilve	191.79	5,637	29.39	189.67	8,600	45.34	15.95	54.3%
SWT	Kingston St Mary	431.98	12,385	28.67	485.28	14,020	28.89	0.22	0.8%
SWT	Langford Budville	237.42	8,500	35.80	242.71	8,690	35.80	0.00	0.0%

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Legac y Counci l	Parish/Town Council	2022/23			2023/24			Council Tax Change	Council Tax Change
		tax base	precept	Council Tax Band D	tax base	precept	Council Tax Band D		
		£	£	£ p	£	£	£ p		
SWT	Luccombe	68.55	3,250	47.41	69.67	3,500	50.24	2.83	6.0%
SWT	Luxborough	99.59	2,875	28.87	101.01	2,990	29.60	0.73	2.5%
SWT	Lydeard St Lawrence/Tolland	216.94	4,393	20.25	221.14	4,478	20.25	0.00	0.0%
SWT	Milverton	585.98	28,000	47.78	588.64	31,500	53.51	5.73	12.0%
SWT	Minehead	4,238.04	753,261	177.74	4,271.98	759,293	177.74	0.00	0.0%
SWT	Monksilver	58.67	3,000	51.13	60.74	2,500	41.16	(9.97)	-19.5%
SWT	Neroche	244.76	7,357	30.06	247.16	11,000	44.51	14.45	48.1%
SWT	Nettlecombe	94.49	2,300	24.34	95.81	2,300	24.01	(0.33)	-1.4%
SWT	North Curry	769.13	19,000	24.70	770.15	20,000	25.97	1.27	5.1%
SWT	Norton Fitzwarren	1,284.62	34,120	26.56	1,309.76	38,000	29.01	2.45	9.2%
SWT	Nynehead	167.94	6,725	40.04	178.66	6,725	37.64	(2.40)	-6.0%
SWT	Oake	319.51	6,600	20.66	327.47	7,600	23.21	2.55	12.3%
SWT	Oare	40.31	0	0.00	37.91	0	0.00	0.00	0%
SWT	Old Cleeve	674.48	31,850	47.22	685.24	31,850	46.48	(0.74)	-1.6%
SWT	Otterford	191.08	0	0.00	193.48	0	0.00	0.00	0%
SWT	Pitminster	489.82	9,000	18.37	495.54	9,500	19.17	0.80	4.4%
SWT	Porlock	686.16	71,655	104.43	684.46	81,687	119.35	14.92	14.3%
SWT	Ruishton/Thornfalcon	574.66	33,000	57.43	583.78	37,000	63.38	5.95	10.4%
SWT	Sampfard Arundel	132.24	6,500	49.15	134.92	7,500	55.59	6.44	13.1%
SWT	Sampfard Brett	140.28	3,400	24.24	149.65	3,700	24.72	0.48	2.0%
SWT	Selworthy and Minehead Without	237.97	15,000	63.03	231.58	12,000	51.82	(11.21)	-17.8%
SWT	Skilgate	51.87	0	0.00	51.91	0	0.00	0.00	0%
SWT	Staplegrave*	788.77	12,910	16.37	0	0	0	(16.37)	-100.0%
SWT	Stawley	147.27	2,969	20.16	153.87	2,969	19.30	(0.86)	-4.3%
SWT	Stogumber	322.26	19,000	58.96	326.65	21,350	65.36	6.40	10.9%
SWT	Stogursey	498.24	30,810	61.84	505.81	31,425	62.13	0.29	0.5%

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Legacy Council	Parish/Town Council	2022/23			2023/24			Council Tax Change	Council Tax Change
		tax base	precept	Council Tax Band D	tax base	precept	Council Tax Band D		
		£	£	£ p	£	£	£ p		
SWT	Stoke St Gregory	393.82	17,600	44.69	410.74	19,550	47.60	2.91	6.5%
SWT	Stoke St Mary	209.85	4,600	21.92	215.40	5,500	25.53	3.61	16.5%
SWT	Stringston	42.51	0	0.00	44.81	0	0.00	0.00	0%
SWT	Taunton - Charter Trustees	15,255.85	88,180	5.78	0	0	0	0	-100.0%
SWT	Taunton Town	0	0	0	19,276.13	2,114,000	109.67	103.89	100.0%
SWT	Timberscombe	160.66	8,905	55.43	159.61	9,795	61.37	5.94	10.7%
SWT	Treborough	28.52	0	0.00	28.96	0	0.00	0.00	0%!
SWT	Trull	1,087.58	31,000	28.50	977.79	33,000	33.75	5.25	18.4%
SWT	Upton	82.33	300	3.64	79.03	300	3.80	0.16	4.4%
SWT	Watchet	1,236.03	192,980	156.13	1,253.20	192,980	153.99	(2.14)	-1.4%
SWT	Wellington	5,376.16	413,677	76.95	5,508.96	466,332	84.65	7.70	10.0%
SWT	Wellington Without	307.09	7,550	24.59	309.86	8,000	25.82	1.23	5.0%
SWT	West Bagborough	173.25	3,500	20.20	174.79	3,500	20.02	(0.18)	-0.9%
SWT	West Buckland	438.66	10,756	24.52	444.04	10,888	24.52	0.00	0.0%
SWT	West Hatch	135.44	3,350	24.73	130.95	3,350	25.58	0.85	3.4%
SWT	West Monkton	2,126.44	64,517	30.34	2,183.16	121,710	55.75	25.41	83.8%
SWT	West Quantoxhead	162.15	2,760	17.02	168.81	3,125	18.51	1.49	8.8%
SWT	Williton	923.66	99,200	107.40	945.64	112,000	118.44	11.04	10.3%
SWT	Winsford	165.08	7,500	45.43	166.50	7,500	45.05	(0.38)	-0.8%
SWT	Withycombe	121.59	7,983	65.66	123.55	9,000	72.85	7.19	11.0%
SWT	Withypool and Hawkridge	120.88	3,500	28.95	119.88	3,500	29.20	0.25	0.9%
SWT	Wiveliscombe	1,154.63	54,500	47.20	1,195.33	54,500	45.59	(1.61)	-3.4%
SWT	Wootton Courtenay	164.81	5,400	32.77	166.36	5,600	33.66	0.89	2.7%
SSDC	Abbas and Templecombe	563.73	30,199	53.57	591.80	31,705	53.57	0.00	0.0%
SSDC	Aller	162.80	9,250	56.82	170.43	11,470	67.30	10.48	18.4%
SSDC	Ansford	538.68	38,725	71.89	567.48	46,432	81.82	9.93	13.8%
SSDC	Ash	263.67	42,250	160.24	272.86	43,723	160.24	0.00	0.0%

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Legacy Council	Parish/Town Council	2022/23			2023/24			Council Tax Change	Council Tax Change
		tax base	precept	Council Tax Band D	tax base	precept	Council Tax Band D		
		£	£	£ p	£	£	£ p		
SSDC	Ashill	246.32	6,450	26.19	251.94	6,708	26.63	0.44	1.7%
SSDC	Babcary	123.00	4,317	35.10	120.03	4,317	35.97	0.87	2.5%
SSDC	Barrington	201.98	18,150	89.86	204.06	20,171	98.85	8.99	10.0%
SSDC	Barton St. David	236.74	10,651	44.99	237.32	10,651	44.88	(0.11)	-0.2%
SSDC	Barwick & Stoford	387.40	45,849	118.35	402.89	49,831	123.68	5.33	4.5%
SSDC	Beercrocombe	66.74	1,495	22.40	66.06	1,660	25.13	2.73	12.2%
SSDC	Bratton Seymour	55.11	0	0.00	54.94	0	0.00	0.00	0%
SSDC	Brewham	196.98	4,000	20.31	202.44	4,000	19.76	(0.55)	-2.7%
SSDC	Broadway	353.01	10,000	28.33	356.60	10,500	29.44	1.11	3.9%
SSDC	Bruton	943.51	141,414	149.88	975.12	160,616	164.71	14.83	9.9%
SSDC	Brympton	2,727.67	63,891	23.42	2,822.34	74,319	26.33	2.91	12.4%
SSDC	Buckland St. Mary	228.93	9,000	39.31	232.43	9,000	38.72	(0.59)	-1.5%
SSDC	Alford (Cary Moor)	45.17	1,817	40.23	44.78	1,847	41.25	1.02	2.5%
SSDC	Lovington (Cary Moor)	92.63	3,725	40.21	95.78	3,950	41.24	1.03	2.6%
SSDC	North Barrow (Cary Moor)	64.36	2,589	40.23	65.11	2,686	41.25	1.02	2.5%
SSDC	South Barrow (Cary Moor)	71.33	2,869	40.22	76.77	3,167	41.25	1.03	2.6%
SSDC	Castle Cary	832.51	187,500	225.22	851.11	201,350	236.57	11.35	5.0%
SSDC	Chaffcombe	103.79	3,000	28.90	103.01	3,000	29.12	0.22	0.8%
SSDC	Chard Town	4,291.76	681,615	158.82	4,479.45	775,334	173.09	14.27	9.0%
SSDC	Charlton Horethorne	291.66	8,618	29.55	291.73	9,288	31.84	2.29	7.7%
SSDC	Charltons (The)	420.44	17,000	40.43	438.47	24,000	54.74	14.31	35.4%
SSDC	Charlton Musgrove	194.50	7,200	37.02	205.14	7,600	37.05	0.03	0.1%
SSDC	Chillington	58.63	160	2.73	58.70	160	2.73	0.00	0.0%
SSDC	Chilthorne Domer	196.18	9,500	48.42	200.00	9,500	47.50	(0.92)	-1.9%
SSDC	Chilton Cantelo & Ashington	48.72	0	0.00	49.30	0	0.00	0.00	0%
SSDC	Chiselborough	146.77	7,257	49.44	149.79	8,000	53.41	3.97	8.0%
SSDC	Closworth	89.75	0	0.00	92.69	0	0.00	0.00	0%

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Legacy Council	Parish/Town Council	2022/23			2023/24			Council Tax Change	Council Tax Change
		tax base	precept	Council Tax Band D	tax base	precept	Council Tax Band D		
		£	£	£ p	£	£	£ p		
SSDC	Combe St. Nicholas	585.37	18,740	32.01	602.13	20,000	33.22	1.21	3.8%
SSDC	Compton Dundon	307.86	36,170	117.49	328.07	42,400	129.24	11.75	10.0%
SSDC	Compton Pauncefoot & Blackford	86.75	1,250	14.41	88.05	1,850	21.01	6.60	45.8%
SSDC	Corton Denham	120.13	4,400	36.63	120.40	4,850	40.28	3.65	10.0%
SSDC	Crewkerne Town	2,456.25	466,525	189.93	2,518.38	527,656	209.52	19.59	10.3%
SSDC	Cricket St. Thomas	28.89	0	0.00	39.81	0	0.00	0.00	0%
SSDC	Cucklington	95.81	2,000	20.87	97.62	2,030	20.79	(0.08)	-0.4%
SSDC	Cudworth	29.11	0	0.00	30.97	0	0.00	0.00	0%
SSDC	Curry Mallet	133.54	6,112	45.77	140.56	7,298	51.92	6.15	13.4%
SSDC	Curry Rivel	934.17	53,500	57.27	977.47	61,500	62.92	5.65	9.9%
SSDC	Dinnington	29.89	0	0.00	29.99	0	0.00	0.00	0%
SSDC	Donyatt	162.94	9,350	57.38	166.35	11,600	69.73	12.35	21.5%
SSDC	Dowlish Wake	135.45	3,000	22.15	136.65	4,000	29.27	7.12	32.1%
SSDC	Drayton	180.73	4,020	22.24	184.04	8,785	47.73	25.49	114.6%
SSDC	East Chinnock	222.49	11,120	49.98	227.22	11,356	49.98	0.00	0.0%
SSDC	East Coker	805.83	62,000	76.94	819.73	68,325	83.35	6.41	8.3%
SSDC	Fivehead & Swell	262.78	16,150	61.46	269.30	18,095	67.19	5.73	9.3%
SSDC	Hambridge & Westport	207.04	16,500	79.69	214.85	18,150	84.48	4.79	6.0%
SSDC	Hardington Mandeville	275.55	14,000	50.81	284.61	14,460	50.81	0.00	0.0%
SSDC	Haselbury Plucknett	284.48	14,167	49.80	290.01	14,875	51.29	1.49	3.0%
SSDC	Henstridge	665.70	65,000	97.64	690.06	73,447	106.44	8.80	9.0%
SSDC	High Ham	408.25	23,660	57.95	417.11	26,000	62.33	4.38	7.6%
SSDC	Hinton St. George	227.36	19,511	85.82	233.39	19,511	83.60	(2.22)	-2.6%
SSDC	Horsington	294.84	12,980	44.02	297.17	12,980	43.68	(0.34)	-0.8%
SSDC	Horton	324.15	14,000	43.19	335.83	14,000	41.69	(1.50)	-3.5%
SSDC	Huish Episcopi	983.77	64,890	65.96	1,022.48	73,325	71.71	5.75	8.7%

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Legacy Council	Parish/Town Council	2022/23			2023/24			Council Tax Change	Council Tax Change
		tax base	precept	Council Tax Band D	tax base	precept	Council Tax Band D		
		£	£	£ p	£	£	£ p		
SSDC	Ilchester	668.16	29,000	43.40	695.40	31,900	45.87	2.47	5.7%
SSDC	Ilminster Town	2,036.53	361,231	177.38	2,090.86	379,231	181.38	4.00	2.3%
SSDC	Ilton	333.38	22,500	67.49	344.59	26,000	75.45	7.96	11.8%
SSDC	Isle Abbots	87.81	3,710	42.25	89.21	6,000	67.26	25.01	59.2%
SSDC	Isle Brewers	63.63	0	0.00	65.04	0	0.00	0.00	0%
SSDC	Keinton Mandeville	478.49	19,300	40.34	493.08	20,280	41.13	0.79	2.0%
SSDC	Kingsbury Episcopi	559.12	40,000	71.54	582.15	44,000	75.58	4.04	5.6%
SSDC	Kingsdon	170.21	21,000	123.38	179.83	21,000	116.78	(6.60)	-5.3%
SSDC	Kingstone	53.78	0	0.00	55.26	0	0.00	0.00	0%
SSDC	Kingweston	29.47	1,000	33.93	30.40	1,000	32.89	(1.04)	-3.1%
SSDC	Knowle St. Giles	79.27	1,450	18.29	81.88	1,450	17.71	(0.58)	-3.2%
SSDC	Langport	321.19	89,235	277.83	330.06	107,285	325.05	47.22	17.0%
SSDC	Long Load	139.72	9,544	68.31	142.24	9,544	67.10	(1.21)	-1.8%
SSDC	Long Sutton	391.61	18,450	47.11	394.98	28,795	72.90	25.79	54.7%
SSDC	Lopen	111.84	6,547	58.54	116.87	7,265	62.16	3.62	6.2%
SSDC	Marston Magna	201.01	9,300	46.27	203.46	9,765	47.99	1.72	3.7%
SSDC	Martock	1,669.51	381,763	228.67	1,739.30	432,057	248.41	19.74	8.6%
SSDC	Merriott	743.21	48,000	64.58	749.59	48,000	64.04	(0.54)	-0.8%
SSDC	Milborne Port	1,152.89	119,255	103.44	1,176.96	132,705	112.75	9.31	9.0%
SSDC	Misterton	383.44	24,346	63.49	391.86	23,660	60.38	(3.11)	-4.9%
SSDC	Montacute	245.50	29,430	119.88	256.33	35,000	136.54	16.66	13.9%
SSDC	Muchelney	84.40	0	0.00	86.38	0	0.00	0.00	0%
SSDC	Mudford	281.04	42,000	149.44	287.29	46,705	162.57	13.13	8.8%
SSDC	North Cadbury	442.12	14,235	32.20	453.06	15,584	34.40	2.20	6.8%
SSDC	Yarlington (North Cadbury)	64.13	2,065	32.20	64.42	2,216	34.40	2.20	6.8%
SSDC	North Perrott	120.67	5,500	45.58	126.86	6,160	48.56	2.98	6.5%
SSDC	Holton (North Vale)	122.96	3,178	25.85	124.61	3,178	25.50	(0.35)	-1.4%

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Legac y Counci l	Parish/Town Council	2022/23			2023/24			Council Tax Change	Council Tax Change
		tax base	precept	Council Tax Band D	tax base	precept	Council Tax Band D		
		£	£	£ p	£	£	£ p		
SSDC	Maperton (North Vale)	66.22	1,489	22.49	61.51	1,489	24.21	1.72	7.6%
SSDC	North Cheriton (North Vale)	101.41	4,333	42.73	105.70	4,333	40.99	(1.74)	-4.1%
SSDC	Norton sub Hamdon	318.41	24,955	78.37	325.27	27,450	84.39	6.02	7.7%
SSDC	Odcombe	289.76	20,100	69.37	291.67	21,708	74.43	5.06	7.3%
SSDC	Pen Selwood	170.77	6,313	36.97	163.39	6,202	37.96	0.99	2.7%
SSDC	Pitcombe	190.03	7,151	37.63	190.38	7,291	38.30	0.67	1.8%
SSDC	Pitney	181.56	4,200	23.13	184.92	4,300	23.25	0.12	0.5%
SSDC	Puckington	53.85	0	0.00	52.92	0	0.00	0.00	0%
SSDC	Queen Camel	328.43	20,000	60.90	340.31	20,000	58.77	(2.13)	-3.5%
SSDC	Rimpton	119.42	6,155	51.54	118.09	6,760	57.24	5.70	11.1%
SSDC	Seavington St. Mary	172.88	15,710	90.87	172.95	16,735	96.76	5.89	6.5%
SSDC	Seavington St. Michael	58.22	5,290	90.86	59.58	5,765	96.76	5.90	6.5%
SSDC	Shepton Beauchamp	296.52	23,500	79.25	304.83	28,500	93.49	14.24	18.0%
SSDC	Shepton Montague	94.94	3,000	31.60	98.85	3,000	30.35	(1.25)	-4.0%
SSDC	Somerton	1,976.40	440,000	222.63	2,109.53	549,902	260.68	38.05	17.1%
SSDC	South Cadbury and Sutton Montis	155.85	6,000	38.50	164.41	6,000	36.49	(2.01)	-5.2%
SSDC	South Petherton	1,481.64	210,000	141.73	1,518.69	241,500	159.02	17.29	12.2%
SSDC	Sparkford	305.49	8,200	26.84	353.05	11,200	31.72	4.88	18.2%
SSDC	Stocklinch	61.26	2,500	40.81	60.96	3,000	49.21	8.40	20.6%
SSDC	Stoke sub Hamdon	723.90	71,412	98.65	740.75	85,063	114.83	16.18	16.4%
SSDC	Stoke Trister & Bayford	168.18	14,795	87.97	170.25	10,000	58.74	(29.23)	-33.2%
SSDC	Tatworth and Forton	966.72	46,800	48.41	998.12	49,800	49.89	1.48	3.1%
SSDC	Tintinhull	349.07	39,629	113.53	357.90	45,000	125.73	12.20	10.7%
SSDC	Wambrook	90.71	0	0.00	93.10	0	0.00	0.00	0%
SSDC	Wayford	51.87	3,400	65.55	51.47	3,400	66.06	0.51	0.8%
SSDC	West Camel	185.03	10,000	54.05	188.29	11,297	60.00	5.95	11.0%

Appendix 15C

Legacy Council	Parish/Town Council	2022/23			2023/24			Council Tax Change	Council Tax Change
		tax base	precept	Council Tax Band D	tax base	precept	Council Tax Band D		
		£	£	£ p	£	£	£ p		
SSDC	West & Middle Chinnock	246.46	15,000	60.86	248.00	16,500	66.53	5.67	9.3%
SSDC	West Coker	832.98	65,400	78.51	870.05	62,000	71.26	(7.25)	-9.2%
SSDC	West Crewkerne	220.33	6,470	29.37	222.56	6,571	29.52	0.15	0.5%
SSDC	Whitelackington	73.60	510	6.93	74.40	520	6.99	0.06	0.9%
SSDC	Whitestaunton	114.78	0	0.00	117.90	0	0.00	0.00	0%
SSDC	Wincanton Town	2,145.35	392,734	183.06	2,219.46	406,294	183.06	0.00	0.0%
SSDC	Winsham	288.04	21,043	73.06	304.25	23,042	75.73	2.67	3.7%
SSDC	Yeovil Town	8,930.76	1,273,440	142.59	9,203.55	1,335,693	145.13	2.54	1.8%
SSDC	Yeovil Without	3,053.69	143,716	47.06	3,135.83	132,934	42.39	(4.67)	-9.9%
SSDC	Yeovilton & District	250.40	6,166	24.62	265.87	6,251	23.51	(1.11)	-4.5%
		200,747.16	17,729,719.59	88.32	205,674.09	21,799,841.60	105.99	17.67	20.0%

Special Expenses

	Parish	2022/23			2023/24			Council Tax Change £	Council Tax Change %
		tax base	Special Expense	Council Tax Band D	tax base	Special Expense	Council Tax Band D		
		£	£	£ p	£	£	£ p		
MDC	Ashwick	540.15	2,490.07	4.61	553.95	2,569.38	4.64	0.03	0.65%
MDC	Croscombe	256.52	3,206.40	12.50	263.50	3,293.75	12.50	0.00	0.00%
MDC	Evercreech	926.93	4,215.18	4.55	950.49	4,349.44	4.58	0.03	0.66%
MDC	Frome	8,963.56	36,153.91	4.03	9,060.52	37,305.45	4.12	0.09	2.23%
MDC	Glastonbury	3,144.96	34,165.41	10.86	3,254.62	35,253.61	10.83	-0.03	-0.28%
MDC	Godney	95.16	1,189.50	12.50	93.83	1,172.88	12.50	0.00	0.00%
MDC	Leigh on Mendip	221.03	541.64	2.45	223.42	458.22	2.05	-0.40	-16.33%
MDC	Meare	546.39	5,363.95	9.82	544.83	5,534.80	10.16	0.34	3.46%
MDC	Nunney	311.51	3,837.88	12.32	325.70	3,960.12	12.16	-0.16	-1.30%
MDC	Pilton	483.11	5,450.20	11.28	489.41	5,623.79	11.49	0.21	1.86%
MDC	Rode	484.19	1,654.11	3.42	508.61	1,706.80	3.36	-0.06	-1.75%
MDC	Rodney Stoke	552.92	2,952.85	5.34	560.16	3,046.90	5.44	0.10	1.87%
MDC	Shepton Mallet	3,398.07	14,975.33	4.41	3,429.64	15,452.31	4.51	0.10	2.27%
MDC	Street	3,794.31	46,336.85	12.21	3,832.13	47,812.73	12.48	0.27	2.21%
MDC	Tellisford	94.48	748.64	7.92	94.05	637.37	6.78	-1.14	-14.39%
MDC	Trudoxhill	183.98	1,213.61	6.60	187.88	1,252.26	6.67	0.07	1.06%
MDC	Walton	451.52	2,494.38	5.52	457.91	2,573.83	5.62	0.10	1.81%
MDC	Wells	4,308.62	41,769.99	9.69	4,352.77	41,294.62	9.49	-0.20	-2.06%
SSDC	Castle Cary (All Saints Churchyard)	832.51	3,916.00	4.70	851.11	3,916.00	4.60	-0.10	-2.13%
SSDC	Ilchester (St Mary Major Churchyard)	668.16	1,593.00	2.38	695.40	1,593.00	2.29	-0.09	-3.78%
SSDC	Wayford (St Michaels Churchyard)	51.87	1,264.00	24.37	51.47	1,264.00	24.56	0.19	0.78%

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MTFP

Supplemental Appendix: MTFP Public Consultation Analysis

Summary

The 2023 budget consultation engaged with the business community and members of the public. It gathered 136 responses via the consultation platform and received a further 11 responses by email. The consultation was open for responses between the 10th January to 10th February 2023. It has provided some insight about feelings towards the rise in council tax, and an opportunity for responses on particular areas of the proposed budget where people have a strong opinion.

Summary of findings

Across all the respondents there was a majority of one in favour a lower council tax. The impact of the cost-of-living crisis was the central reasoning behind this view. While a minority felt the level of proposed council tax was appropriate a small group felt it should be raised to protect services. Overall this gave a response of: Lower Council Tax: 67, Proposal is correct or too low 66.

Residents and businesses were also given a brief outline of the services included in each new Department, their budget pressures and how decisions had been arrived at. Ideally these outlines would have been more detailed. A majority felt that, with the information they had, the level of investment and savings was appropriate in all but one Department.

Climate Change and Place was the only Department where a substantial number felt that the balance was incorrect. This was largely driven by criticism of the proposal to reduce council support for parish-based grit bins. In the light of this opposition the Executive has withdrawn this proposal.

Introduction

The consultation asked for views on the overall budget setting for the new Somerset Council. It provided an outline of the Council's thinking in developing the proposed budget and it asked for views on the proposed budget overall and by service.

It stated that there could be some items in the proposed budget that could change the services some residents receive. These will each require a separate consultation and the consultation gave respondents the option to register to take part in those consultations in the future.

The challenge of assembling a single budget for the new Somerset Council on the first day of the new financial year, 1 April 2023, from the five budgets of the existing county and district council in Somerset is explained within the consultation and background information about the unprecedented financial pressures the council

faces as a result of global events such as invasion of Ukraine, the continuing impact of Covid -19 and the period of high inflation.

This report follows a 4-week consultation period which was supported by a communications campaign and business engagement events.

The communications included:

- Featured listing on the Somerset County Council' consultation website
- Multi-channel social media communications
- Press release
- Information shared via business networks

The engagement included

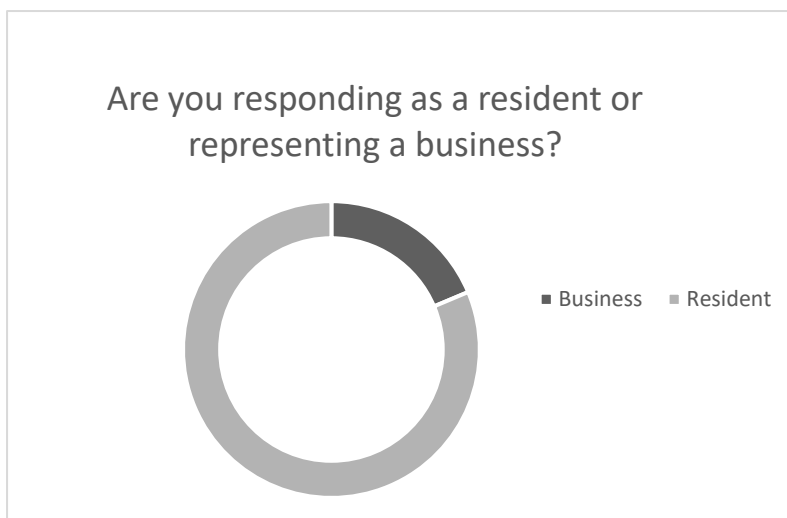
- A meeting with Somerset businesses in Bridgwater
- A meeting with Somerset businesses in Yeovil

A summary of responses to the consultation

The Council received 136 responses, not including the 11 email responses which were specially objecting to one line of the proposed budget (Parish based grit bins).

Question 1

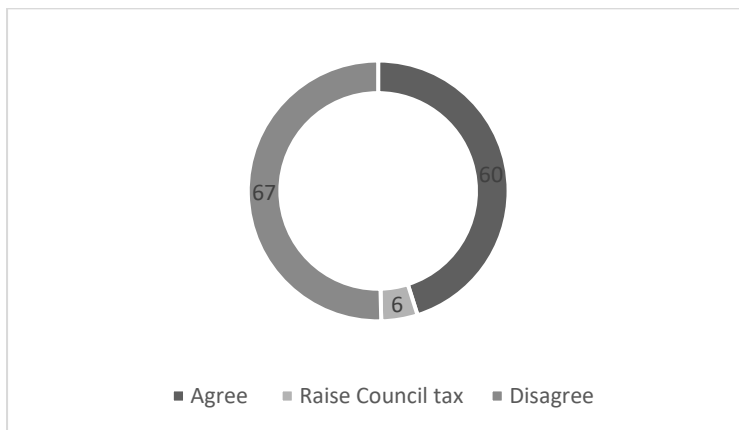
Of the 136 responses, 122 were from residents and 14 were from people representing businesses.



Question 2

In response to Q2 45.1% of respondents agreed with the proposed level of council tax and 54.9% disagreed.

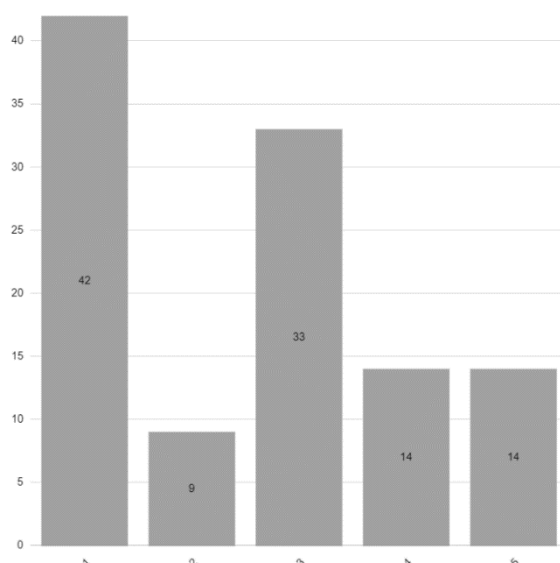
Of the 73 people/ businesses who disagreed with the proposed level of council tax six respondents said it should be increased further, the other 67 stated that it should either not be increased by 4.99% as proposed or should be further reduced.



Question 3

Rate your view on the balance of the council tax rise and council service savings.

1 meaning more savings to be found from existing services, 3 being neutral and 5 increasing income including council tax.



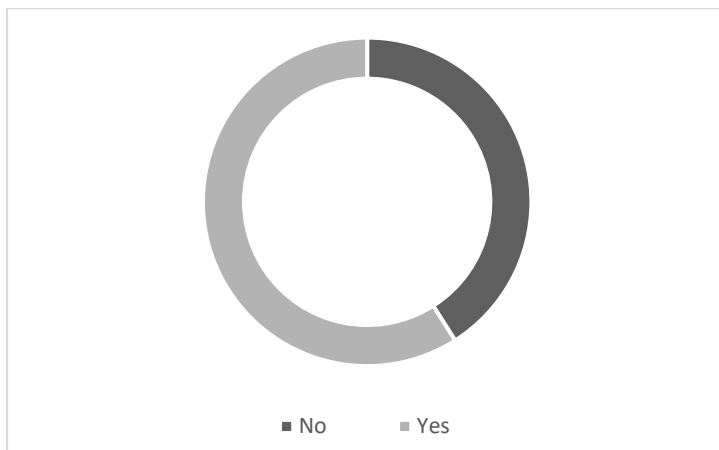
37.5% of respondents think more savings should be found from existing services.

29.5% of respondents are neutral.

12.5% of respondents think the council should increase income, including from council tax.

Question 4 – Adults Social Care

Are you content with the decision-making process behind the department budget (this does not represent approval or otherwise for any separate service-based consultation)?

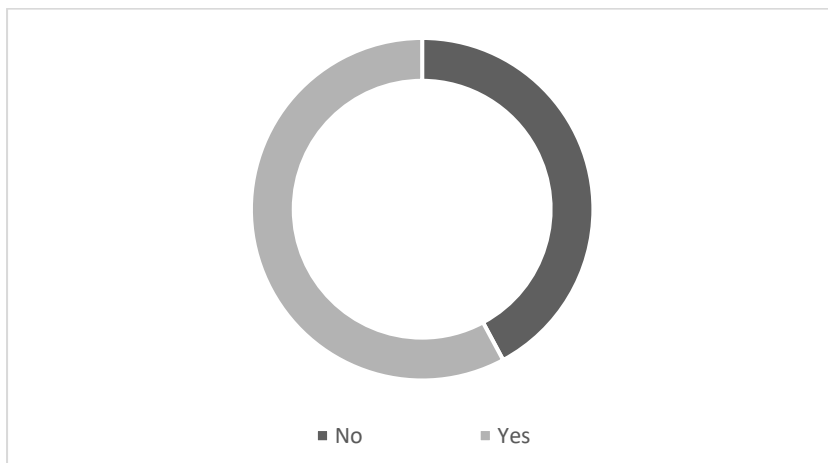


59% of respondents agreed

41% of respondents disagreed

Question 5 – Children's services

Are you content with the decision-making process behind the department budget (this does not represent approval or otherwise for any separate service-based consultation)?

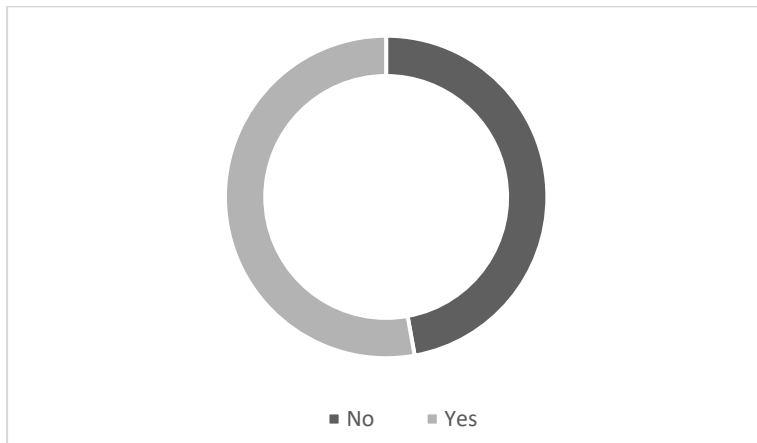


58% of respondents agreed

42% of respondents disagreed

Question 6 – Community services

Are you content with the decision-making process behind the department budget (this does not represent approval or otherwise for any separate service-based consultation)?

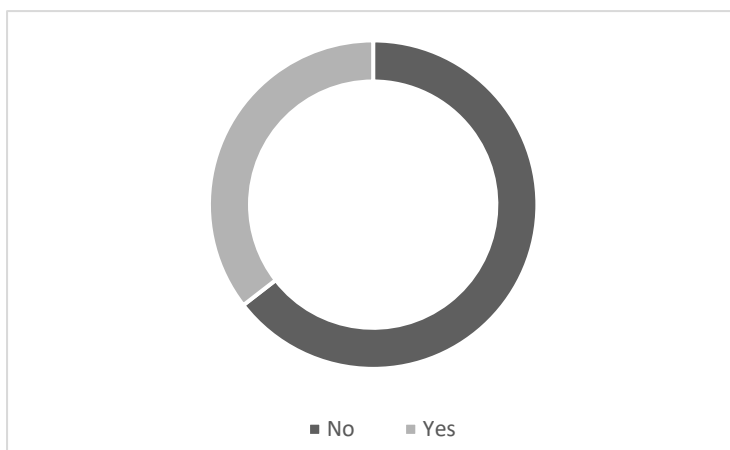


53% of respondents agreed

47% of respondents disagreed

Question 7 – Climate and Place

Are you content with the decision-making process behind the department budget (this does not represent approval or otherwise for any separate service-based consultation)?

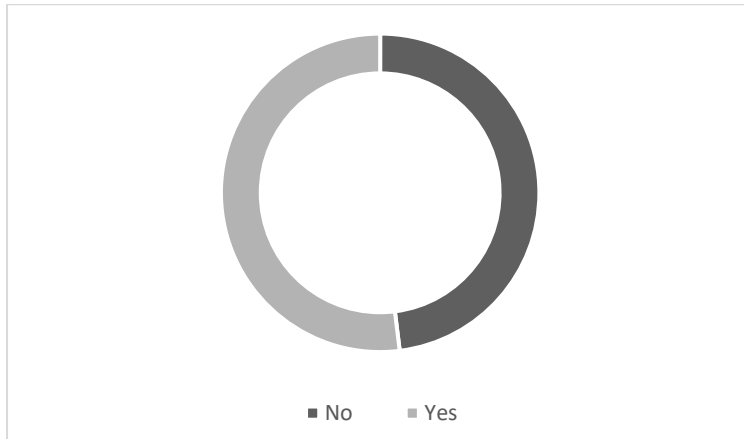


35% of respondents agreed

65% of respondents disagreed

Question 8 – Strategy, Workforce and Localities

Are you content with the decision-making process behind the department budget (this does not represent approval or otherwise for any separate service-based consultation)?

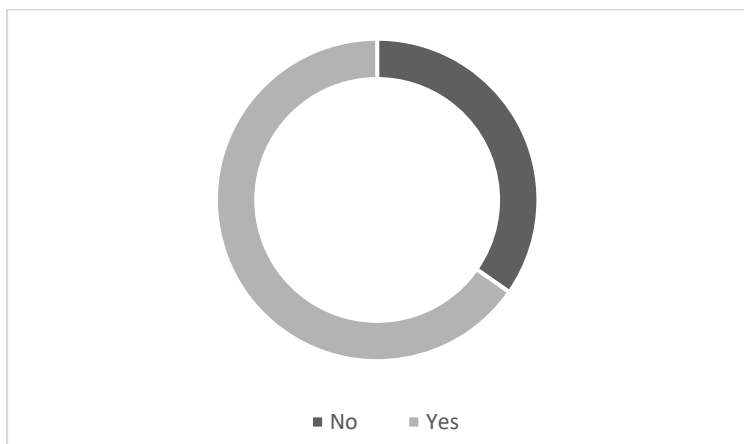


52% of respondents agreed

48% of respondents disagreed

Question 9 – Public Health

Are you content with the decision-making process behind the department budget (this does not represent approval or otherwise for any separate service-based consultation)?

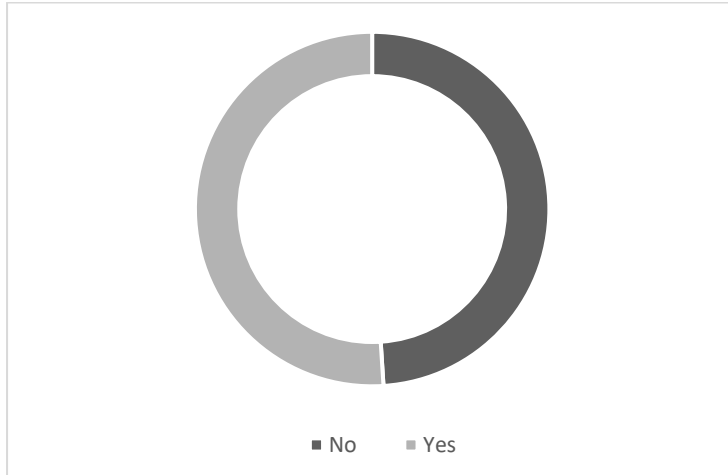


65% of respondents agreed

35% of respondents disagreed

Question 10 – Resources and Corporate Services

Are you content with the decision-making process behind the department budget (this does not represent approval or otherwise for any separate service-based consultation)?

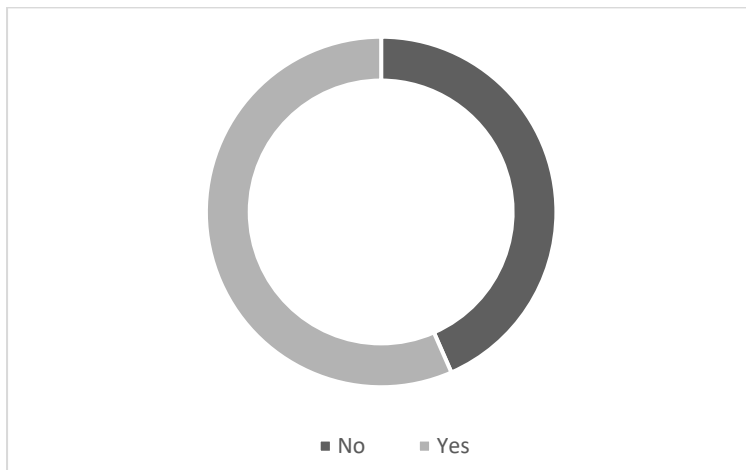


51% of respondents agreed

49% of respondents disagreed

Question 11 – Local Government Reform

Are you content with the decision-making process behind the department budget (this does not represent approval or otherwise for any separate service-based consultation)?



57% of respondents agreed

43% of respondents disagreed

Sample qualitative responses

Below is a sample of comments received about the proposed level of council tax.

As a single person, I can't afford any additional outgoings. I don't agree with my Council tax being increased when I already pay more than my fair share - the 25% single person "discount" should surely be 50%?

We are in a cost of living crisis and households across Somerset are struggling, t Council first and foremost have a responsibility to its residents and is has to start with affordability.

The Unitary Council has a £40m debt largely caused by poor management of the District Councils and this is no doubt part of the impact of this increase. The Unitary Council should be looking at where costs can be retrieved to prevent such a steep rise in Council Tax- this should begin with selling of assets purchased by the district councils that reside outside of the County's Boundary's. South Somerset alone had over £50m of property assets, most of which are external to Somerset. Focus needs to start at home and that means only investing in Somerset.

Also the Council should look at the many unpopular and unproductive projects that are being proposed around Somerset and streamline some of these, the Octagon which is due to get an almost complete rebuild should be scraped at this time.

It should go up more, it's not even in line with inflation.

At a time when many households are struggling I believe the council has a duty to shield its citizens as much as possible. I think 3% would be an adequate increase at this time.

I don't agree to tax increases above my income increase.

In response to question 7 – Climate and Place: , The consultation received 32 comments and 11 emails about the removal of grit bins. Below is a sample of those comments.

We do not believe the Council has taken sufficient note of the impact on road safety and impact of local businesses in rural areas such as Exmoor in the proposal to remove funding for grit bins. Exmoor is particularly prone to significant snow and ice forming on roads due to its altitude (circa 1000ft above sea level). Removing the grit bins is a retrograde step in helping us to keep our community working and creates major safety issues for residents. Our road network is vital for the community, particularly as much of it is far from primary routes. If our roads are not salted this would significantly impact local businesses and puts lives at serious risk.

How can you justify taking away the salt bins and bags. There is a big rural community that is not on the primary gritting routes. It requires volunteers to spread the grit but this is the only way children can get to school and people can get to work. The rural communities do not benefit from bus services and street lighting, what we receive for our council tax is very limited, please do not take away one of the only benefits the Council provides.

To not fill grit/salt bins in our rural area would make driving my children to school or the school bus journeys lethal and there would definitely be an accident in no time at all. Children have already over covid lost so much time at school and it would be awful to have to keep them off school every time the roads are icy! It would be absolutely ridiculous and I'm sure

money can be cut from other areas instead. Please keep our roads safe, it is HIGHLY important ?

We live in the middle of Exmoor... under point 94 grit bins... I own [REDACTED] [REDACTED] due to the lack of gritting this year, the roads into the village were not drivable/passable and I had to close for 5 days in January and also 4 days in December. [REDACTED] is at the bottom of 2 hills... therefore grit bins and gritters are a necessity. Also my 3 children were unable to get to school due to no access and school buses couldn't get in. Exmoor is remote and relies on transportation. We have to have grit bins and gritters to keep the community safe and moving. Do I come to you with a bill for when I close my business due to unsafe roads?? A cost of approx £1000 per day??

We do not have gritted routes all around us so it is imperative that the grit bins and salt bags are refilled so we can take control of our own community. The council cannot cut both, if reducing gritting routes, have to top up salt for members of the community and local parish councils to manage.

All comments will be sent to the appropriate Lead member and Director.

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Executive Report

Forward Plan Reference: FP/23/01/15

Decision Date - 13/02/23

Adoption of the Council Plan for Somerset Council

Executive Member(s): Cllr Bill Revans - Leader of the Council

Local Member(s) and Division: All

Lead Officer: Duncan Sharkey – Chief Executive

Authors: Tony Johnson – Strategic Manager Business Intelligence, Sunita Mills – Strategic Manager Commissioning Development

Contact Details: tony.johnson@somerset.gov.uk, Sunita.mills@somerset.gov.uk

1. Summary / Background

- 1.1 This report summarises the proposed Council Plan for Somerset Council (See appendix B) which details the strategic ambitions and direction of the authority for the term of the administration. This plan aims to give residents, businesses, and communities a transparent view of the strategic direction of the organisation and provides a focal point from which all further strategic planning and decision making can grow.
- 1.2 The plan has been developed at a time of great change in Somerset and given the context of the ongoing work to form the Somerset Council it is designed to allow flexibility for the future development of the business plan.
- 1.3 The plan sets out the vision and details four overarching priorities. The plan also details a number of principles which will guide how the plan is to be delivered.
- 1.4 Stakeholder engagement has taken place, a summary of the feedback can be found in appendix A.

2. Recommendations

- 2.1 **The Executive notes the report from the stakeholder engagement that is included as appendix A and agrees to adopt the Council Plan as set out in appendix B.**

3. Reasons for recommendations

- 3.1 This plan will provide a key focal point for strategic direction of the new authority and provide a transparent document for residents, businesses and communities to see the key priorities of the Council.

4. Other options considered

- 4.1 A number of alternative themes were considered during the early development of this plan. However, these were all based on the priorities set

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out in the manifesto of the administration and adapted to take account of the current environment in which the council will need to operate.

5. Links to County Vision, Business Plan and Medium-Term Financial Strategy

- 5.1** This plan provides the new vision and strategic direction for the Council. Whilst this plan does not include detailed costings it does set out that the delivery of this plan will need to be funded within the Medium-Term Financial Plan.
- 5.2** The Business Plan for Somerset Council will be developed following adoption of the Council Plan, and this will set out in detail how the priorities within the Council plan will be delivered.

6. Consultations and co-production

- 6.1** Consultation on developing the draft plan has been undertaken with:
- Executive [collectively and individually]
 - Directors and strategic leads of existing Somerset Councils
 - Senior Management Teams
 - LGR Corporate Planning Sub-workstream
 - LGR Programme Board and LGR Programme Steering Group
 - LGR Implementation Board (in place of the LGR Joint Scrutiny Panel which was cancelled)
 - Extraordinary Place Scrutiny
- 6.2** Stakeholder engagement took place in January 2023. The responses have been analysed, fed into the final plan, and captured in the stakeholder engagement report which can be found in appendix A.

7. Financial and Risk Implications

- 7.1** There are no direct financial implications to this document, as the plan itself does not deliver projects, programmes or activities. However, the ambitions within are subject to any changes to budget and funding which might affect the level of impact that can be achieved.
- 7.2** There are no specific risks to be linked to the Plan however failure to deliver the plan could cause reputational harm. This will be managed through consistent performance reporting and corrective management actions as set out in the Council's Performance Management Framework.

Likelihood	1	Impact	3	Risk Score	3
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8. Legal and HR Implications

- 8.1** There are no legal implications to this recommendation being accepted, as this plan provides strategic direction only, however there may be future decisions in the delivery of this plan that themselves have legal implications and will need to follow the relevant processes.
- 8.2** The plan itself does not create any staff implications, however a key role in the delivery of this plan is that staff should be able to see how their service plans link through the Business plan to the Council plan.

9. Other Implications

9.1 Equalities Implications

Equalities implications have been considered throughout the development of the plan and a priority of “A Fairer Somerset” has been included with the aspiration of reducing inequalities and recognising that some people can be disproportionately impacted because of protected characteristics.

The forthcoming Somerset Council Business Plan will provide more detail about how the priorities of the Council Plan will be delivered, including the approach to reducing inequalities and increasing fairness and inclusion. The projects, programmes and activities undertaken to deliver the plan will be subject to appropriate due regard of equality and where necessary equality impact assessments on an individual basis.

As part of the engagement, we will be clear about what the priorities mean to us and the impact we think they will have. We will do this in Plain English.

The engagement on the plan will take place with existing partners and we are already clear on the accessibility needs.

We will ensure that engagement with partners captures the impact of the plan on protected groups and these are, in turn, reflected within the final version of the plan.

We will also ensure that the forthcoming Somerset Council Business Plan captures the need to deliver against the priority to improve fairness and inclusion and reduce inequalities.

9.2 Community Safety Implications

Whilst this plan provides strategic direction to services within the authority, it does not have any direct implications on community safety.

9.3 Sustainability Implications

This plan details A Greener, More Sustainable Somerset as one of the key themes for the organisation and provides strategic direction for services within the authority.

9.4 Health and Safety Implications

There are no implications to Health and Safety

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9.5 Health and Wellbeing Implications

This plan gives strategic direction for the authority around improved health and wellbeing, a focus on prevention and the reduction of inequalities.

9.6 Social Value

The Council Plan continues to promote building social value into the strategic direction of the authority.

Once the associated Business Plan is adopted there will be a review of the Council's Social Value priorities to ensure alignment.

10. Scrutiny comments / recommendations:

10.1 The plan was presented to LGR Implementation Board in lieu of the LGR Joint Scrutiny Panel because the later was cancelled. The recommendations from the LGR Implementation Board were-

- adding the importance of education to all the priorities not just in the Fairer Somerset section
- adding the word honesty to the principles
- referring to the West Somerset coastline.

The plan was presented to the Extraordinary Place Scrutiny on 1 Feb, who welcomed it as a good starting point for the corporate planning for the new council. The committee recommended –

- more emphasis on carbon neutrality
- including something on how we listen to and work with children and young people
- referring to regeneration activities
- refining the vision so that it' s less clunky.
- ensure there is ownership of the plan at all levels of the organisation.

Work has taken place to ensure these recommendations are captured within the final version of the text or, where more appropriate, taken forward to inform the development of the Business Plan over the coming months.

11. Background

11.1 The Council Plan sets out the overarching aims of the Council for the coming years. The plan will sit at the top of the Strategic Planning Framework for the council and its themes and priorities will flow through the Business Plan. The Business Plan will set out in more detail how priorities will be delivered, and down in to Service Plans and Individual Plans, hence enabling staff to identify how their work contributes to the Council's overall objectives.

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- 11.2** The plan will provide a clear view on the priorities of the Council to residents, businesses, and partners.
How the organisation will work towards delivering the outcomes of the plan will be described in the Council's Business Plan and Service Plans. The performance reporting arrangements will be detailed in the Business Plan, this will provide the mechanism to track progress and manage delivery of the Plan Priorities.

12. Background Papers

- 12.1** Appendix A – Stakeholder Feedback Summary Report
Appendix B - Council Plan for Somerset Council

Report Sign-Off

		Date completed
Legal Implications	Honor Clarke	02/02/23
Governance	Scott Wooldridge	02/02/23
Corporate Finance	Jason Vaughan	30/01/23
Customers, Digital and Workforce	Chris Squire	02/02/23
Property	Paula Hewitt / Oliver Woodhams	01/02/23
Procurement	Jason Vaughan	30/01/23
Senior Manager	Duncan Sharkey	01/02/23
Commissioning Development	Sunita Mills / Ryszard Rusinek	31/01/23
Executive Member	Cllr Bill Revans - Leader of the Council	30/01/23
<u>Sign-off Key Decision / Consulted on Non-Key Decision</u>		
Opposition Spokesperson Informed	Opposition Spokesperson - Leader - Cllr David Fothergill	02/02/23
Scrutiny Chair Informed	Scrutiny For Policies - Adults and Health Committee - Cllr Rosemary Woods	02/02/23
Scrutiny Chair Informed	Scrutiny for Policies - Childrens and Families - Cllr Leigh Redman	02/02/23
Scrutiny Chair Informed	Scrutiny for Policies and Place Committee - Cllr Gwil Wren	02/02/23
Scrutiny Chair Informed	Scrutiny For Policies and Environment - Cllr Martin Dimery	02/02/23

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Scrutiny Chair Informed	Scrutiny Committee – Joint Scrutiny for Local Government Reorganisation Committee- Cllr Bob Filmer	02/02/23
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Council Plan - Stakeholder Feedback Summary Report

To gather feedback, a simple online questionnaire was created for key stakeholders. A copy of the latest draft Council Plan was made available as a key document within the questionnaire.

This engagement opened on Wednesday 4th January 2023 and closed on Wednesday 18th January 2023. A gentle reminder was also sent on Thursday, 12th January 2023.

The feedback received, as summarised below, is to be considered by the Leader and Deputy Leader before taking a finalised version of this Plan to Councillors in February 2023.

Engagement Summary

We sent the engagement questionnaire to **85** key stakeholders, in addition to senior leadership teams at each District and County Council. Out of those **11%** responded to the online questionnaire, and **2%** provided feedback in the form of an email response. The percentages are based on the online questionnaire returns. However, the emailed feedback is captured in this summarised report.

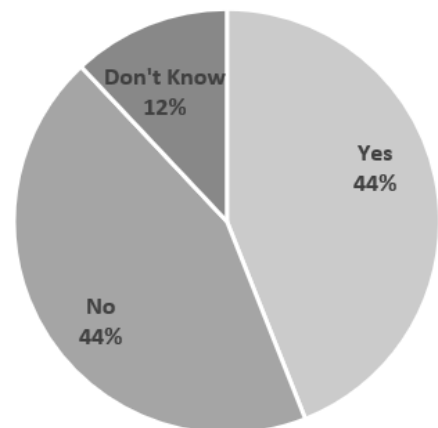
All online responders advised they had read the draft Council Plan and feel that both the vision and priorities will improve the lives of people living in Somerset.

One feedback stated, **'The Council Plan seems to be co-creative, balanced, and a breath of fresh air.'**

Summary of the Vision

44% of online responders agreed the vision – **"The new Somerset Council will build a fairer, greener, more flourishing, Somerset that cares for the most vulnerable and listens to you."** was correct for Somerset Council to work towards. However, this was equal to the percentage of online responders saying it wasn't quite the right vision.

Of those who didn't feel the vision was quite right, or selected don't know, the reasons for this were.



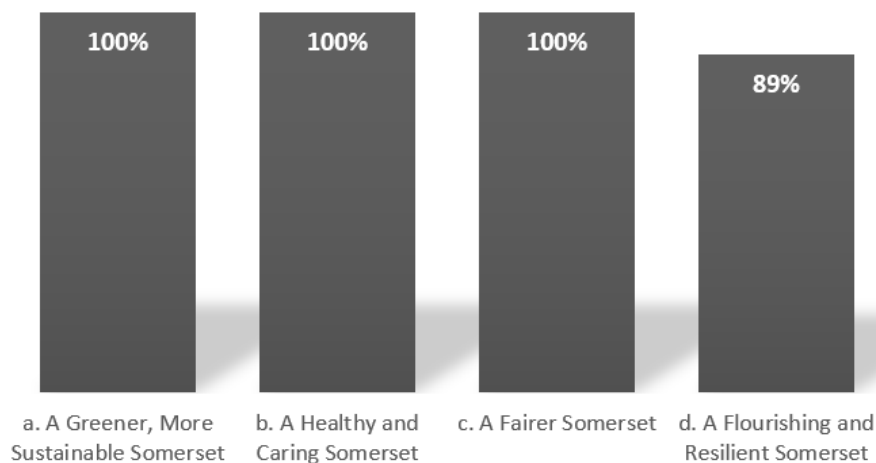
- No mention of safeguarding and crime
- I think by omitting the word resilience from the Vision statement, we miss an opportunity to make the case for that holistic approach to resilience. Also, it ties nicely into the CE Strategy title "Towards a Climate **Resilient** Somerset."

- The word 'resilient' is an important addition, in terms of climate but also for communities and prosperity
- I would like that promotes the health and wellbeing of residents and cares for the most vulnerable.
- The priority for the council must be the most effective delivery of essential public services.

Summary of the Priority Themes

For each priority theme, we asked whether this should be a priority area for Somerset Council to focus on. Bar Graph 1.0, below, indicates most of the online responders agree these are the correct priorities for Somerset Council to focus on.

Bar Graph 1.0



In regard to the 11% (1 responder) advising priority d. A Flouring and Resilient Somerset isn't quite right the reason was;

- prosperity, economic development, and jobs are important. I don't disagree as a priority but shouldn't protecting residents from abuse and crime feature more highly

And, a further comment was made in regard to all the priorities.

- All are worthy themes. Effective delivery of the public service should take priority. Do these themes all have equal merit and are they really interdependent.

Enhancements or omissions to the Council Plan

The main themes that the responders feel is omitted from the Council Plan, or feel could be enhanced, are listed in Table 1.0 below.

Table 1.0

Enhancements or omissions	Themes
crime, disorder, homelessness, drug addiction, abuse, safeguarding, safety	Community Services
Somerset outstanding and nationally designated landscapes (AONBs and Exmoor National Park) underpinned by all the elements that make up a rich and resilient landscape, including nature recovery, appropriate land management that stores carbon, resilient catchments, and vibrant communities.	Climate and Ecological Emergency
When talking about the climate and ecological emergency it is important to add the word adaptation in at some point. Adaptation will become increasingly important as the emergency worsens.	Climate and Ecological Emergency
We suggest that the Plan adds a link back to greener Somerset in relation to the health & well-being benefits that the Protected Landscapes & natural environment provide.	Health and Wellbeing
The reference to improving connectivity needs to recognise Protected Landscapes and the need for sensitive solutions in or within the setting of National Parks and AONBs.	Climate and Ecological Emergency
Farming & land management seem absent – maybe needs a reference in relation to tackling many of the issues facing a rural county in terms of future of farming / forestry?	Climate and Ecological Emergency
We welcome the intent to improve sustainable transport; would it be possible to reference the needs of visitors as well as residents – visitor travel to & around the National Park is one of the big issues identified in our ENP carbon footprint work.	Travel
To enhance the wording around business development.	Business
The Corporate Plan does not say the council will work as quickly as possible towards carbon neutrality	Climate and Ecological Emergency

Renewable energy is missing, it is a key requirement for carbon neutrality that significantly contributes to outcomes in other areas, such as transport and the built environment.	Climate and Ecological Emergency
We should be seeking green and sustainable development that accepts and takes accounts of environmental limits. Rather than a trade-off between the economy and the environment.	Climate and Ecological Emergency
We will be a council that is there whenever our residents need us.” That’s a bold commitment to deliver. I applaud the aspiration/ ambition but doubt the deliverability in each and every circumstance.	Commitment
I can’t see an explicit reference for the need to unlock the key strategic economic sites, to help drive the economy, provide new higher paid employment opportunity, and set Somerset on the map as a leader in Clean and Green Growth, either in the Greener and more Sustainable Priority or the Flourishing and Resilient Priority. This would seem to me to be an omission.	Economy - Growth
Should we not refer to working with/ supporting developers and the need to introduce local policies which support responsible sustainable development?	Planning

Positive Feedback

There was also a lot of positive feedback, such as;

- It is concise and clear and is written in readily understandable layman’s language
- I like the overall “tone” of the document
- I was very encouraged that the Council Plan seems to put climate and the environment at the heart of decision making and recognises its importance in supporting vibrant and flourishing communities and economy.
- Fairer Somerset – we are pleased to see the reference to the particular issues faced by remote rural areas.
- Flourishing Somerset – good to recognise the importance of high-quality jobs in retaining young people. The low wage economy and the need for affordable housing both need to be tackled.

- It is a challenging (given fiscal constraints) plan but one likely to be worthwhile and reap public health and wellbeing benefits enabling residents to feel more empowered to cope with the challenges they face.

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Council Plan for Somerset Council

Introduction from the Leader of the Council

We launch our plan for the new Somerset Council with huge ambition - love for our beautiful county, faith in its amazing people and excitement that as one council we can achieve so much more for our residents, working closely with our partners and communities.

However, we know that this plan has been prepared in challenging times – tougher than anyone currently working in local government can recall. Fourteen years of austerity has reduced the flexibility of councils to respond to residents' needs. The current economic and political trends suggest that central Government may not have the capacity to tackle our crucial long term strategic challenges, such as effective financial support for our care services or reform of our planning system.

But these circumstances make this plan even more important. It would be far too easy to let this national context define our local outcomes and descend into the blame game. This plan sets a foundation for our council and our ambition for our future.

It sets out clear priorities against which we will measure all our policies and actions over the coming years. Woven through all our plans are four threads: a determination to tackle the climate and ecological emergencies; a commitment to developing a fairer Somerset; the compassion to make Somerset a healthier and more caring place to live; and the ambition to create a flourishing and resilient county.

Our beautiful county is at the front line of climate change and the ecological emergency. Our coastline is vulnerable, and the Somerset levels and moors are at imminent risk. We must play our role in the global solutions to our local challenges.

Developing a fairer Somerset will mean reducing inequality. Too many of our families will struggle to put food on the table and heat their homes over the coming years. We need to increase aspiration and opportunity in our schools and ensure good local jobs when young people move into adulthood.

The wellbeing of our residents is key to our ambition of a healthier Somerset. This is why our leisure and cultural services are so important to us. We also need to provide effective care for Somerset residents when they need it, helping them to maintain their independence for as long as possible, and provide effective support to the family carers who play such a part in providing care.

A properly flourishing Somerset requires an enterprising and resilient economy. We understand that the only real long-term growth will be sustainable growth and we plan to become a leader in low carbon technology and energy.

We are councillors because we love Somerset. I can think of no better place to live and work but we want to make it better still, and better for all the people of Somerset.

SUMORSAETE EALLE!

The Opportunities of a new Council

Bringing together the experience, expertise, assets, and networks from the five predecessor councils into the new Somerset Council has created an organisation that is in a stronger position to advocate for Somerset on regional, national and international platforms, as well as meeting the needs of our local communities.

We will work closely with partners to get Somerset's voice heard. We will demonstrate that this is a county that is aspirational, dynamic and will deliver on our promises.

Our single decision-making system creates a more streamlined council and will make it easier and more efficient for us to deliver services. It will be easier for members, officers and public alike to understand the full range of work that is going on across the council, avoiding duplication and gaps.

We will be more joined up in the way we work with partners. Having a single council to work with will make it easier for partners to understand our priorities and issues, they will have fewer points of contact and will hear one voice.

By bringing together our collective assets and developing our plans to make best use of them, we will be better placed to deliver the things that will make a real difference to our residents and communities, from social housing to active travel.

All of this will take time. It won't happen on day one but over the course of this Plan the new Council will focus closely on developing more unified ways of providing services to residents.

Our Vision

Our vision for the new Somerset Council will be our guiding beacon through the next four years.

Somerset Council will build a fairer, greener, resilient, more flourishing Somerset that cares for the most vulnerable and listens to you.

This dynamic vision puts all the people of Somerset at the heart of everything we do; we will be a council that will do our best to be there whenever our residents need us. The way in which we deliver our services may change, but we are committed to making all your interactions with the council easier and build trust over the coming years.

Priorities

We have developed four priorities to make our vision clearer and more meaningful. These priorities are our way of explaining what is important for us to focus on while we are transforming our new Council, while we are delivering our services and while we are planning how to improve those services. In the next section we have also set out the cross-cutting themes which are the threads that will run through everything we do.

priorities diagram

A Greener, More Sustainable Somerset

We recognise the need to take action urgently to tackle the climate emergency. We will integrate environment and sustainability into all our services and at the heart of our decision making. A low carbon future will be hugely beneficial for Somerset, providing a more resilient and equitable society, experiencing better health and wellbeing, a thriving green economy and nature restored.

The Somerset Climate Emergency strategy was developed in partnership and adopted by all councils in 2020. Somerset Council will build on the work carried out by District and County councils and will now address ecological issues alongside the climate emergency. Our target is to decarbonise the activities of the Council and to support Somerset to become a carbon neutral county by 2030.

The new council presents us with a fantastic opportunity to reset and enhance our journey to carbon zero. We will ensure that addressing both climate and ecological emergencies are integrated into all areas of our work, including housing, flooding, land and planning policies, transport, economic development and access. We will support Somerset to become a leader in green technologies and renewable energy by unlocking opportunities for clean economic growth.

Somerset is a largely rural county with invaluable diverse landscapes which include Exmoor National Park, Areas of Outstanding Natural Beauty, woodlands, the Somerset levels and moors and the West Somerset coast. These should be celebrated and accessible to everyone. We are fortunate to have food production as part of our local economy and we will continue to aspire to an environment which promotes healthy and sustainable food and drink. As well as recognising these for the economic benefits they bring, we also appreciate the significant opportunities by creating and protecting ambitious regenerative and nature-friendly farming systems which also produce food and sustainable livelihoods. Agriculture in Somerset is uniquely placed to be part of the solution to tackling climate change by both reducing emissions and acting as a carbon sink, we will support this sector to realise the opportunities. Where we have control, we will manage landscapes to protect habitats and restore biodiversity, and we will use our policies and voice to support and encourage others to do the same.

Working with partners and residents, the Council is one of a number of custodians of the environment. However, it is also our duty to enable provision of homes, economic development, and services for current and future residents. There is frequently tension around what is appropriate development and there is no one-size-fits-all answer to this. As we develop our Local Plan, we will consider introducing local policies and will work with developers to support responsible, sustainable development to deliver the best environmental standards possible. Ultimately, each

proposal will be considered on the evidence provided. Our commitment to restoring biodiversity will be reflected in affordable carbon neutral homes and green jobs and services.

Transport is one of the key drivers of our carbon footprint. Active and sustainable travel options, including walking and cycling and encouraging modes of transport that use renewable energy will help reduce air pollution and green-house gas emissions and give a wider choice of options for local journeys. Alongside this an effective public transport system that meets the needs of more of our residents will be an integral part of our climate change strategy.

Somerset is also home to a range of nationally and regionally significant historic buildings and artefacts. These will be treated sensitively to preserve and celebrate our cultural heritage for present and future generations, with an integrated approach to achieving our climate change goals.

A Healthy and Caring Somerset

We want all our residents to stay as healthy as possible, for as long as possible. Promoting health and wellbeing is a crucial part of our strategy to help people live full and healthy lives for as long as they are able. Those that need help will look to Somerset Council and its partners to support them.

We are committed to improving the health and wellbeing of Somerset residents. We know that when people have the right information and support about their health, and what they can do to prevent poor health themselves, many will take the opportunities to build a healthier lifestyle. We will do what we can to make sure we have an environment that supports healthier lifestyles including access to active travel, leisure facilities, open spaces, good housing, meaningful employment, cultural experiences and social opportunities, our residents' mental and physical health will thrive.

Whenever Somerset residents need support, we will make sure that they can access what they need. That might be directly from the council or in partnership with local communities or the private sector. Often the help that is provided by people from the local community is most effective, so in many cases the role of the Council is to influence the type of services that are available in each community so that they best match local needs.

We are committed to work in partnership with our partners in local health services to help improve and maintain the health of people who already have some diagnosed long term conditions.

We recognise and value our unpaid carers and are committed to supporting them to maintain their health and wellbeing so that they can continue to care for those who need them.

Somerset is a county of amazingly caring and committed communities. Through the covid pandemic we saw hundreds of volunteers eager to help people in their local community. Our role is to assist those people who want to help their community and to encourage those who struggle with time or commitments to do what they can.

The development of Local Community Networks is key to making sure that we understand local needs and truly represent communities to give them the ability to influence the work of the council and make sure the right services are in the right places.

A Fairer, Ambitious Somerset

Somerset is a county of diversity. Somerset Council wants to make this a county of opportunity for all. There are significant differences in the quality of our residents' lives depending on their backgrounds. Those on the lowest incomes are more likely to struggle to pay their energy and food bills, more likely to have housing that is harder to heat, more likely to be victims of crime, and have less access to essential services. Life in these circumstances is harder and more challenging.

A priority for this Council is to do whatever we can to reduce the inequalities that cause these disparities, so that everyone in Somerset can live their lives as they choose.

To change this, we will have to make a greater effort in the parts of Somerset and with particular groups of the population who are struggling the most. We'll work with communities, and through the Somerset Integrated Care Partnership, to get a detailed understanding of what the issues that cause such disparities are and how we will work together to make a difference.

We need our children to get an excellent education and to aspire to achieve their goals in life. Education outcomes in Somerset are not good enough, especially for children from lower income homes or those with additional needs. All children need access to good schools, colleges, further education, and higher education. We want our young people to stay in, or return to, Somerset because they have the option of a well-paid, rewarding job.

It's vital that we listen to those who are the future of Somerset, our Children and Young People's Plan has been co-produced with children and young people and strategic partners. It sets out a shared vision to keep them safe and ensure they can grow up in a child friendly county that supports them to be happy, healthy and prepared for adulthood.

The current cost of living crisis means that more of Somerset's children will grow up in homes that struggle to feed, clothe, and keep them warm. The differences between the lowest and average income homes are stark. We know that those who don't have a good start are more likely to continue to face difficulties throughout their lives and we are committed to working to help significantly reduce number of children who experience poverty.

The lack of affordable housing contributes to the challenges of keeping younger people within Somerset. We will continue to demonstrate leadership around the whole range of housing issues and use the skills and knowledge from a wide range of partners to be innovative in our approach to housing and supporting people who

are struggling. The provision of decent quality, low-carbon social housing will be integral to us in delivering a fairer county.

The rural nature of our county exacerbates the difficulties of getting access to services and jobs. Where access is possible it can take a lot longer, particularly if travelling on foot, by bike or by bus. Our aim is to find ways which improve access to local jobs and services, and to the beautiful Somerset countryside. This will require us to think differently and work with partners to consider the access implications of our plans.

We know that many people want to access the council using their smartphone or computer but for others this is not an option. We will increasingly provide 24-hour digital access to interact with us, but we will still be here if you need to have a conversation with someone. We will work hard to make sure that all contacts with the council are user friendly, promoting a culture of trust and reliability.

Somerset residents who are LGBTQ+, live with disabilities, or come from ethnic minority backgrounds often feel they are not included in our society. Somerset Council will strive to develop an inclusive culture for all our residents.

A Flourishing and Resilient Somerset

Now, more than ever, we need to promote Somerset at a regional, national and international level, promoting the wealth of opportunities to bring investment and highly skilled, well-paid jobs for Somerset people. We will need to be strategic and dynamic to ensure the skilled workforce is available to support the innovative industries that call Somerset their home.

For Somerset to be flourishing and resilient we need to have well balanced communities. Somerset has an older and aging population, we know we need to work hard to attract and keep young people, young families and working age adults in the County.

The need for a thriving education sector will be paramount to making sure that Somerset flourishes economically. Somerset Council will be a strategic leader in improving the education, skills, and vocational training offer at all levels, working closely with partners to raise aspiration and boost local opportunities. We are acutely aware that, without a university, the higher education offer in Somerset holds us back economically. We will work with the sector and industry to bring innovation and investment into Somerset.

A stable and flourishing economy in Somerset will have a unique range of opportunities. We are already home to world leading business at iAero, Hinkley Point, and the Gravity Smart Campus, we will continue to work with these, other business and as part of the Great South West Partnership to unlock opportunities for clean and green growth that will play a prominent role alongside tourism and culture. We already offer so much - from Glastonbury Festival, the largest greenfield music and performing arts festival in the world, Bridgwater Carnival's spectacular procession to the tranquillity of the Exmoor Dark Skies festival. Promoting Somerset as a destination on the national and global stage will support the existing economy, enable regeneration and encourage development of new, creative attractions. This will help us to deal with any future challenges and be resilient to sudden changes.

Businesses need excellent transport and digital connections to access markets, distribute their goods and services and have access to their workforce. We will influence and drive support for improving connectivity to those parts of our county that need it the most.

Remote working and learning are providing more opportunities for people to live in different parts of the country to where they work or attend education, but this doesn't remove the need to strive for better physical connections. We will work to improve the equity of access to opportunities, both physically and digitally, across the county.

Principles

The priorities are underpinned by a set of core principles that guide all our work and daily interactions. We will be:

- A responsible council that acts with integrity
- A listening, empowering council
- A council with evidence based and open decision making
- A collaborative council; and
- An enterprising council.

Somerset Today - In Numbers

Page of graphical representations of Somerset in numbers and statistics

Current Context

The new council comes into existence at the most challenging time for local government in a generation. Fourteen years of austerity and growing demand has reduced the spending power and financial flexibility of all councils. The national cost-of-living crisis is impacting the council and partner organisations just as it is residents. The cost of delivering our services has dramatically increased due to rising energy costs, rising interest rates and increasing numbers of people who need our support.

The council is legally required to balance its budget: there is no overdraft facility that we can use. In recent years Somerset's councils have built up financial reserves but we cannot spend these monies all at once and risk leaving the savings account empty when there will undoubtedly be new challenges ahead.

This means that we are going to have to be incredibly careful with taxpayers' money. The council will have less to spend on a growing range of challenges, while at the same time the challenges our residents face grow too. This means we face a period of difficult decisions to ensure we can keep supporting the Somerset people in greatest need.

This will require us to be more creative about the way we support people. We will need to work with partners in a wide range of organisations with similar goals to look broadly at the ways we currently use our expertise and money to see if, in collaboration with our communities, we can do things better. We will challenge the

way that we have historically delivered services and will listen carefully to understand what works, and what doesn't.

Cross Cutting Themes

Bringing together potentially disparate services, such as public health and housing, into a single organisation will let the new council better co-ordinate the services residents receive. Several of our priorities, such as responding to the climate and ecological crises or reducing health inequalities, will require action from a range of services. There are other cross-cutting themes which will be less visible, but equally important to the way we will work.

In July 2022 the new Health and Care Bill brought Integrated Care Systems (ICSs) into law. This formalised the arrangements for NHS organisations, local councils and other partners in a geographical area to work together to deliver better joined up services, to tackle inequalities and to improve the health of the population.

Somerset Council is a partner organisation within this system because we have a key role to play in Public Health, Adults' and Children's Social Care and Housing. We can also influence the broader factors which contribute to an individual's health and well-being, such as parks or transport or planning. The more we work together with other public services to tackle the complex problems that are facing our communities, the better the services our residents receive will be.

No one wants to be ill and most people don't want to have to rely on the NHS, the Council or community organisation for support. But often they are in this position because of something that could have been prevented if they'd had the knowledge and the help to do something differently. We believe that prevention is the key to a healthier, happier life. That is why this theme will run through everything that we do.

The development of Local Community Networks (LCNs) is fundamental to the commitment to give local residents a voice and more influence over decisions that impact them and their communities. We have already invested significant amounts of energy to understand how LCNs might work and will continue their development through the life of this plan because we see them as fundamental to the future of the county. Their reach will continue to expand as we understand more about the possibilities that they present, and we see them as key to shaping communities.

A key aim for this council is to reconcile into one place the needs for society to thrive and the needs for the planet to continue to sustain us, so that we might understand and manage our impacts on all aspects at the same time. This means that we are able to make decisions with holistic understanding of the implications and adjust our approach, where needed, to ensure we have minimised the impact on the environment and maximised the benefits to society. To make this meaningful for the Council the approach needs to be embedded in all the work that we do. This will

take time as the New Council evolves, but we will start to lay the foundation for this work from day one.

The Role of the Council Plan

The Council Plan is part of our Corporate Planning Framework, which is a suite of documents which guide the way Somerset Council functions. Together, these documents are a resource to help everyone - customers, officers, councillors, partner organisations - understand our ambitions for the new council, how we will fulfil those ambitions, as well as how we can be held accountable.

Somerset Council will continually change, whether it be in response to the changing needs of our residents, such as our work on the Cost-of-Living Emergency, or because of developments in Government policy, the Levelling Up agenda for example, or prevailing social, economic and environmental conditions, like the climate and ecological emergency.

The **Council Plan** sets out the clear vision of how we want our services to develop over the next four years, and the priorities that will underpin the actions of the Council over this time. The priorities are high level to support flexibility; as we have seen, like with the COVID-19 pandemic, there may be events and factors beyond our control which will require us to be flexible. Emerging technology may also enable us to be more creative in the way we deliver services, with greater flexibility allowing us to adopt innovative new models of service, but always with the vision and priorities in mind.

The Business Plan will provide the detail of how the Council Plan will be delivered and monitored. It will set out the priorities for service change and improvement; what is achievable and how we will ensure that we understand whether we are achieving our planned outcomes. The Business Plan will also set out the Council's performance monitoring approach. Annual service plans will flow from the Business Plan. These are working documents where services set out their planned activity and are used as a reference to guide service development and delivery. They are flexible and agile to enable services to react to changing situations.

The **Operating Model** will provide the aspiration for our methods of working to ensure we deliver good value, high quality services. This will include our approach to commissioning – how we address the needs of residents and develop the services to support the best possible outcome for them. The Operating Model will evolve over time as we transform the Council.

The Corporate Governance Framework sets out how the decision-making process works and who is empowered to make which decisions.

The Strategy Framework

A number of strategies for Somerset exist and will continue to guide the work of services until they are replaced. These strategies have been developed in partnership with partner organisations with whom we will continue to work alongside.

The Council is required to have a new Local Plan in place by 2028. This Local Plan is one of a suite of strategic documents we will need to produce that support and complement each other. Using the vision and priorities set out in this plan provides a starting point for developing agreed goals and ambitions in partnership with the community, businesses and the environment at the centre.

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Decision Report - Executive Decision

Forward Plan Reference: FP/22/12/14

Decision Date – 13/02/23

Treasury Management Strategy Statement 2023-24

Executive Member(s): Cllr Liz Leyshon – Executive Member for Resources

Local Member(s) and Division: All

Lead Officer: Jason Vaughan – Director of Finance & Governance (Section 151 Officer)

Author: Alan Sanford – Principal Investment Officer

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1. Summary / Background

- 1.1.** This document sets out proposed Treasury Management strategy for the new Somerset Council (SC) for 2023-24. It brings together the legacy investment and debt portfolios of the 5 councils (as they are known at present) and puts forward proposals for how best to use and adapt current portfolios, to achieve the capital and revenue needs of the new Council going forward. Only Treasury Management investments are dealt with in this strategy. Investments held for service purposes or for commercial activity primarily for yield, collectively referred to as non-treasury investments, are considered in a separate report, the Non-Treasury Investment Strategy.

The Council recognises that effective treasury management underpins the achievement of its business and service objectives and is essential for maintaining a sound financial reputation. It is therefore committed to driving value from all of its treasury management activities and to employing suitable performance measurement techniques, within the context of effective risk management.

This report brings together the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management in the Public Services Code of Practice Revised 2021 Edition (CIPFA TM Code), and the CIPFA Prudential Code for Capital Finance in Local Authorities: Revised 2021 Edition (CIPFA Prudential Code).

The revised CIPFA Prudential Code, does not require that existing commercial investments, including property, be sold, but authorities that have an expected need to borrow should review options for exiting their financial investments for commercial purposes and summarise the review in their annual Treasury Management or Investment Strategies. For obvious reasons a full review of the amalgamated commercial investment portfolio has yet to take place. This has a knock-on effect to Treasury borrowing decisions for 2023-24

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Whilst most of the requirements of the 2018 Department of Levelling Up, Housing, and Communities (DLUHC) Investment Guidance are no longer relevant to Treasury Management Investments (it now overwhelmingly refers to non-treasury investments), it does adhere to DLUHC guidance to prioritise Security, Liquidity and Yield, in that order.

As at 31st December 2022, the 5 Councils combined held nearly £783m of debt as part of their strategy for funding previous years' capital programmes. Of this, £209m is short-term borrowing, mostly due to mature within one year, and primarily borrowed from other Local Authorities. £380.4m is Public Works Loan Board (PWLB) debt, £108m is Lender Option Borrower Option (LOBO) debt, and a further £60.5m of fixed rate bank loans.

The 5 Councils' joint investment balances as at 31st December 2022 stood at just over £413m. This includes approximately £120m of cash held for either external bodies, or entities where the Council is the accountable/administering body. Within this figure £116.5m is invested in Strategic Funds. The largest holding within this figure is a £31m holding in the Churches, Charities, Local Authorities (CCLA) Property Fund.

2. Recommendations

2.1. The Executive is asked to endorse the following and recommend approval by Full Council on 22nd February 2023:

1. To adopt the Treasury Borrowing Strategy (as shown in Section 12 of the report).
2. To approve the Treasury Investment Strategy (as shown in Section 13 of the report) and proposed Lending Counterparty Criteria (attached at **Appendix B** to the report).
3. To adopt the Prudential Treasury Indicators in section 14.
4. To note **Appendix A**, that is adopted as part of the Councils Financial regulations.

3. Reasons for recommendations

3.1 Under new CIPFA guidance the Treasury Management Strategy (TMS) can be delegated to a committee of the Council under certain conditions. However, it is seen as a key element of the overall Capital Strategy and as that must be presented to the Full Council, it is regarded as appropriate that the TMS should be part of that process.

4. Other options considered

4.1. None. The adoption of the TMS is a regulatory requirement.

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5. Links to County Vision, Business Plan and Medium-Term Financial Strategy

- 5.1.** Effective Treasury Management provides support to the range of business and service level objectives that together help to deliver the Somerset County Plan.

6. Consultations and co-production

- 6.1.** None. The adoption of the TMS is a regulatory requirement.

7. Financial and Risk Implications

- 7.1.** The budget for investment income in 2023-24 is £13.0m, based on an average investment portfolio of £350m at an average return of 3.75% (these figures are net of balances held on behalf of external investors i.e. the Local Enterprise Partnership). The budget for debt interest paid in 2023-24 is £32.2m, based on an average debt portfolio of £835m at an average interest rate of 3.84% (note 4.7% for new debt). If actual levels of investments or borrowing, or actual interest rates, differ from the forecast, performance against budget will be correspondingly different.

- 7.2.** The TMS is the Council's document that sets out strategy and proposed activities to conduct Treasury Management activity while mitigating risks.

8. Legal and HR Implications

- 8.1.** Treasury Management must operate within specified legal and regulatory parameters as set out in the summary, and in more detail in the TMPs.

- 8.2.** There are no HR implications.

9. Other Implications

9.1. Equalities Implications

There are no equalities implications.

9.2. Community Safety Implications

There are no community safety implications.

9.3. Sustainability Implications

There are no sustainability implications.

9.4. Health and Safety Implications

There are no health and safety implications.

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9.5. Health and Wellbeing Implications

There are no health and wellbeing implications.

9.6. Social Value

Not applicable

10. Scrutiny comments / recommendations:

10.1. The Audit Committee is the body responsible for ensuring effective scrutiny of the treasury management strategy and policies.

11 Introduction and Background

Treasury management is the management of the Council's cash flows, borrowing and treasury investments, and the associated risks. The Council has significant debt and treasury investment portfolios and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Council's prudent financial management.

Investments held for service purposes or for commercial profit, collectively referred to as non-treasury investments, are considered in a separate report, the Investment Strategy.

Treasury risk management at the Council is conducted within the framework of the CIPFA Treasury Management in the Public Services: Code of Practice 2021 Edition (the CIPFA TM Code) which requires the Council to approve a treasury management strategy before the start of each financial year. This report fulfils the Council's legal obligation under the Local Government Act 2003 to have regard to the CIPFA TM Code.

Within the new code, the new section, 'Prudence in borrowing and investment' is the key change in the code. It states "legitimate examples of prudent borrowing" as:

- Financing capital expenditure primarily related to the delivery of a local authority's functions.
- Temporary management of cash flow within the context of a balanced budget.
- Securing affordability by removing exposure to future interest rate rises.
- Refinancing current borrowing, including adjusting levels of internal borrowing, to manage risk, reduce costs or reflect changing cash flow circumstances.
- Other treasury management activity that seeks to prudently manage treasury risks without borrowing primarily to invest for financial return.

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The CIPFA Prudential Code determines that certain acts or practices are not prudent activity for a local authority and incur risk to the affordability of local authority investment; therefore, in order to comply with the CIPFA Prudential Code:

- An authority must not borrow to invest primarily for financial return.
- It is not prudent for local authorities to make any investment or spending decision that will increase the capital financing requirement, and so may lead to new borrowing, unless directly and primarily related to the functions of the authority; and where any financial returns are either related to the financial viability of the project in question or otherwise incidental to the primary purpose.

Under Section 3 of the Local Government Act 2003 (duty to determine affordable borrowing limit), a Local Council must have regard to the CIPFA Prudential Code. This code requires the setting of a number of Prudential Indicators, benchmarks within which Treasury and Investment Management, and Capital Financing are managed. The setting of Prudential Indicators for Treasury Management requires Authorities to recognise key implications of their borrowing and investment strategies. These relate to the affordability of overall borrowing limits, the maturity structure of borrowing, and longer-term investments.

In formulating the Treasury Management Strategy, and the setting of Prudential Indicators, Somerset Council (SC) adopts the Treasury Management Framework and Policy recommended by CIPFA. These can be found in **Appendix A**.

External Context

Economic background: The ongoing impact on the UK from the war in Ukraine, together with higher inflation, higher interest rates, uncertain government policy, and a deteriorating economic outlook, will be major influences on the Authority's treasury management strategy for 2023-24.

The Bank of England (BoE) increased Bank Rate by 0.5% to 3.5% in December 2022. This followed a 0.75% rise in November which was the largest single rate hike since 1989 and the ninth successive rise since December 2021. The December decision was voted for by a 6-3 majority of the Monetary Policy Committee (MPC), with two dissenters voting for a no-change at 3% and one for a larger rise of 0.75%.

The November quarterly Monetary Policy Report (MPR) forecast a prolonged but shallow recession in the UK with CPI inflation remaining elevated at over 10% in the near-term. While the projected peak of inflation is lower than in the August report, due in part to the government's support package for household energy costs, inflation is expected remain higher for longer over the forecast horizon and the economic outlook remains weak, with unemployment projected to start rising.

The UK economy contracted by 0.3% between July and September 2022 according to the Office for National Statistics, and the BoE forecasts Gross Domestic Product (GDP)

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will decline 0.75% in the second half of the calendar year due to the squeeze on household income from higher energy costs and goods prices. Growth is then expected to continue to fall throughout 2023 and the first half of 2024.

CPI inflation is expected to have peaked at around 11% in the last calendar quarter of 2022 and then fall sharply to 1.4%, below the 2% target, in two years' time and to 0% in three years' time if Bank Rate follows the path implied by financial markets at the time of the November MPR (a peak of 5.25%). However, the BoE stated it considered this path to be too high, suggesting that the peak in interest rates will be lower, reducing the risk of inflation falling too far below target. Market rates have fallen since the time of the November MPR.

The labour market remains tight for now, with the most recent statistics showing the unemployment rate was 3.7%. Earnings were up strongly in nominal terms by 6.1% for both total pay and for regular pay but factoring in inflation means real pay for both measures was -2.7%. Looking forward, the November MPR shows the labour market weakening in response to the deteriorating outlook for growth, leading to the unemployment rate rising to around 6.5% in 2025.

Interest rates have also been rising sharply in the US, with the Federal Reserve increasing the range on its key interest rate by 0.5% in December 2022 to 4.25%-4.5%. This rise follows four successive 0.75% rises in a pace of tightening that has seen rates increase from 0.25%-0.50% in March 2022. Annual inflation has been slowing in the US but remains above 7%. GDP grew at an annualised rate of 3.2% (revised up from 2.9%) between July and September 2022, but with official interest rates expected to rise even further in the coming months, a recession in the region is widely expected at some point during 2023.

Inflation rose consistently in the Euro Zone since the start of the year, hitting a peak annual rate of 10.6% in October 2022, before declining to 10.1% in November. Economic growth has been weakening with an upwardly revised expansion of 0.3% (from 0.2%) in the three months to September 2022. As with the UK and US, the European Central Bank has been on an interest rate tightening cycle, pushing up its three key interest rates by 0.50% in December, following two consecutive 0.75% rises, taking its main refinancing rate to 2.5% and deposit facility rate to 2.0%.

An economic and interest rate forecast provided by Arlingclose is attached at **Appendix C**.

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Internal Context

As at 31st December 2022 the external long-term debt portfolio of SC stood at just under £783m as in **table 1** below.

Table 1 – Debt Portfolio

	Mendip £m	Sedgemoor £m	SCC £m	SSDC £m	SWT £m	Total £m
Short Term Borrowing	0.00	10.00	0.00	126.00	73.00	209.00
Intra-Authority	0.00	25.00	0.00	0.00	0.00	25.00
PWLB	62.79	66.06	159.05	0.00	92.50	380.40
LOBOs	0.00	0.00	108.00	0.00	0.00	108.00
Fixed Rate Loans	0.00	0.00	57.50	0.00	3.00	60.50
Total Borrowing	62.79	101.06	324.55	126.00	168.50	782.90

The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while useable reserves and working capital are the underlying resources available for investment.

Statutory guidance is that debt should remain below the CFR, except in the short-term. The Council expects to comply with this in the medium term.

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The investment portfolio set out in **Table 2** below, at the same time stood at just over £454m, although as at 31st December 2022 just over £130m was cash held on behalf of other entities, primarily where Somerset County Council is the accountable / administering body.

Table 2 – Investments as at 30th September 2022

	Mendip £m	Sedgemoor £m	SCC £m	SWT £m	SSDC £m	Total £m
Call / Notice A/cs	0.00	5.00	0.00	2.10	0.00	7.102
Money Market Funds	9.50	7.40	15.40	15.60	2.70	50.60
Time Deposits / CDs - Banks	33.00	0.00	110.00	0.00	0.00	143.00
Time Deposits - LAs	0.00	0.00	65.00	0.00	0.00	65.00
DMO	0.00	0.00	0.00	5.90	0.00	5.90
Intra-Authority Loans	0.00	0.00	25.00	0.00	0.00	25.00
Strategic Funds	0.00	31.00	45.00	17.00	23.50	116.50
Total Investments	42.50	43.40	260.40	40.60	26.20	413.10

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In **table 3** below, as shown in the Capital Strategy, the 'Assumed debt not yet taken' row indicates a requirement to borrow to finance the capital programme We are currently in discussion with District colleagues regarding borrowing requirements up to vesting day. Timings of actual capital expenditure linked to the capital plan are not totally predictable.

Table 3 - External Debt and the Capital Financing Requirement

	31.3.2023 forecast £m	31.3.2024 budget £m	31.3.2025 budget £m	31.3.2026 budget £m
Short term debt	N/A	210.0	210.0	210.0
Long term debt *	N/A	522.8	511.5	499.6
Assumed debt not yet taken	N/A	261.0	260.0	274.5
PFI & leases	N/A	77.3	76.0	74.7
Total external borrowing	N/A	1,071.1	1,057.5	1,058.8
Housing Revenue Account	189.3	210.3	210.3	214.8
General Fund	945.2	1,022.1	1,031.0	1,015.7
Total CFR	1,134.5	1,232.4	1,241.3	1,230.5

*Reduces for Minimum Revenue Provision (MRP) & debt repayment

CIPFA's Prudential Code for Capital Finance in Local Authorities recommends that the Authority's total debt should be lower than its highest forecast CFR over the next three years. Table 3 shows that the Authority expects to comply with this recommendation during 2023-24.

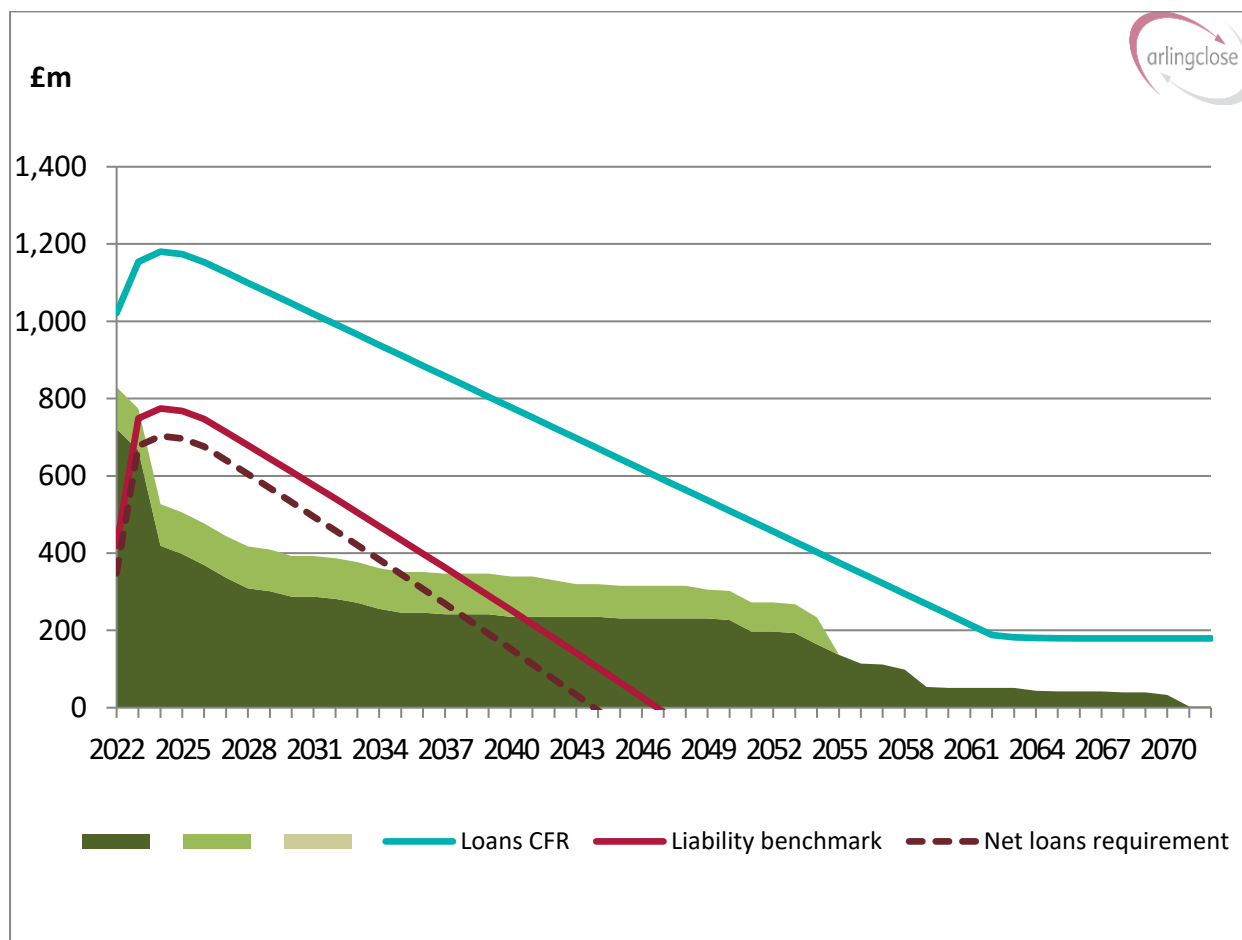
Liability Benchmark: To compare the Council's actual borrowing against an alternative strategy, a liability benchmark has been calculated showing the lowest risk level of borrowing. This assumes the same forecasts as table 3 above, but that cash and investment balances are kept to a minimum level of £75m at each year-end to maintain sufficient liquidity but minimise credit risk.

The liability benchmark is an important tool to help establish whether the Council is likely to be a long-term borrower or long-term investor in the future, and so shape its strategic focus and decision making. The liability benchmark itself represents an estimate of the cumulative amount of external borrowing the Council must hold to fund its current capital and revenue plans while keeping treasury investments at the minimum level required to manage day-to-day cash flow.

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Following on from the medium-term forecasts in table 3 above, the long-term liability benchmark assumes capital expenditure funded by borrowing of £260m next year, minimum revenue provision on new capital expenditure based on a blend of previous District and County approaches and income, expenditure and reserves all increasing by inflation. This is shown in the chart below together with the maturity profile of the Authority's existing borrowing:

Liability Benchmark Graph



The concept is that the chart allows a comparison of current borrowing against the need to borrow, looking at both the amount (on the y axis) and the term (on the x axis). Where actual loans exceed the Liability Benchmark, the authority can make long-term investments for cash flow management or repay loans early; where the Liability Benchmark exceeds loans, the authority can take long-term borrowing or sell investments.

There is no requirement to borrow exactly to the Liability Benchmark, but a decision to borrow more or less, or longer or shorter, than the Liability Benchmark implies a

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deliberate decision to accept additional risk. This may be entirely appropriate if it is accompanied by a reduction in cost, for example through short-term borrowing at

lower margins. The Liability Benchmark provides the tool for local authorities to measure this risk and make such risk/reward decisions openly and explicitly.

These factors represent significant cash flow, and debt and investment portfolio management for the Council's Officers. In the current financial and economic environment and taking into account potential influencing factors, it is imperative that the Council has strategies and policies in place to manage flows and balances effectively. The strategies and policies herein state the objectives of Treasury Management for the year and set out the framework to mitigate the risks to successfully achieve those objectives.

12 Borrowing Strategy

The Council's need to borrow for capital purposes is determined by the capital programme. Council Members are aware of the major projects identified by the 4-year capital medium-term financial plan (MTFP). The Council currently holds £782.9m of loans, as part of its strategy for funding previous years' capital programmes. The balance sheet forecast in the table above shows that the Council will have a need to borrow in future years.

Objectives: The Council's chief objective when borrowing money is to strike an appropriately low risk balance between securing low interest costs and achieving certainty of those costs over the period for which funds are required. The flexibility to renegotiate loans should the Council's long-term plans change is a secondary objective.

Strategy: Given the significant cuts to public expenditure and in particular to local government funding, the Council's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio.

A key determinant of borrowing strategy will be the full review of the amalgamated non-treasury investment portfolio. The revised CIPFA Prudential Code, whilst not requiring that existing commercial investments, including property, be sold, does state that authorities that have an expected need to borrow should review options for exiting their financial investments for commercial purposes as part of the borrowing decision-making process. Whilst the review of non-treasury investments is taking place during 2023-24 it may be necessary to borrow before the full position is analysed and understood.

There is a sizeable proportion of the current debt portfolio that is short-term and will need to be refinanced during 2023-24. The strategy would therefore be to refinance or take any required new debt whilst balancing the needs of budgets and introducing the

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least possible risk into the long-term debt portfolio as the fully amalgamated picture emerges.

With borrowing rates expected to rise and then plateau in the coming months, before reducing from late 2024 (see forecasts in appendix C) it is likely to be more cost effective in the short-term to either use internal resources, or to borrow short (1-3 years) via the local authority market. As medium-term PWLB loans (10-20 years) are currently lower than short and long-term rates, a proportion of loans from the PWLB in this period would provide a suitable balance to the risk of holding too much short-term borrowing. This would be in line with the debt profile indicated by the liability benchmark and would dovetail with existing portfolios.

The Council has previously raised most of its long-term borrowing from the PWLB or via LOBOs with banks. Current policy is not to take further LOBO loans. The Council will continue to assess alternatives to borrowing long-term loans from other sources including banks, pension funds and local authorities, and may wish to investigate the possibility of issuing bonds and similar instruments, in order to lower interest costs and reduce over-reliance on one source of funding in line with the CIPFA TM Code.

The Council may also arrange forward starting loans, where the interest rate is fixed in advance, but the cash is received in later years. This would enable certainty of cost to be achieved without suffering a cost of carry in the intervening period.

The use of Call Accounts and Money Market Funds (MMFs) will continue for short-term liquidity; however, it may be appropriate and/or necessary to borrow short-term (1 week to 3 months) to cover cash flow fluctuations. Where this is deemed advantageous, short-term funds will be obtained from the money market using the services of a panel of money market brokers.

Sources of borrowing: Approved sources of borrowing are cited in the TMPs. Since PWLB rates were reduced in December 2020, commercial lenders' offerings are less attractive than previously, but this option will still be sought and considered. It is envisaged that any new borrowing will be in the short to medium-term periods (up to 20 years), as this is most compatible with the liability benchmark and current maturity profile. A smaller amount of longer-dated borrowing may also be deemed appropriate when considering the overall portfolio.

Variable rate loans currently mitigate the cost of carry. Shorter-dated Equal Instalment of Principal (EIP) loans are cheaper than loans paid on maturity and are repaid systematically in equal instalments over their life. Both will be actively considered, as will shorter dated loans (1-3 years) from other Local Authorities.

No new borrowing will be in the form of LOBOs. Interest rates having risen recently and there is now a reasonable chance that lenders will exercise their options. SC will continue with the current policy not to accept any option to pay a higher rate of interest on its' LOBO loans and will exercise its own option to repay the loan should a lender

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exercise an option. This would reduce refinancing risk in later years. SC will also investigate opportunities to repay where a lender is looking to exit the LOBO by selling the loan. This would be undertaken in conjunction with our treasury advisors. SC may utilise cash resources for repayment or may consider replacing any loan(s) by borrowing from other sources. Depending on prevailing rates and the amount to be repaid, new loans might be taken over a number of maturities. The 'Maturity Structure of Borrowing' indicators have been set to allow for this contingency strategy.

Debt rescheduling: The PWLB allows authorities to repay loans before maturity and either pay a premium or receive a discount according to a set formula based on current interest rates relative to the rate of the loan. Other lenders may also be prepared to negotiate premature redemption terms. The Council may take advantage of this and replace some loans with new loans, or repay loans without replacement, where this is expected to lead to an overall cost saving or a reduction in risk. The recent rise in interest rates means that more favourable debt rescheduling opportunities should arise than in previous years.

13 Treasury Investment Strategy

The revised CIPFA codes were designed to deal with investments specifically held primarily for yield (non-Treasury investments). Previously this did not include the use of Pooled Funds, but it now seems as if they may fall somewhere between the treasury and non-Treasury investment categories. SC and our advisors Arlingclose would argue that they are very much used as a Treasury investment by SC, matching the reserve requirements and debt liabilities.

There will be a review of all Pooled Funds, to ascertain whether the amalgamated portfolio remains appropriate in substance, size, and diversification.

The Council's treasury investments can be divided into two areas. Money that is invested to help smooth anticipated monthly cash flow movements, and funds which have been identified as not being immediately required (core balances), which can be invested over a longer timeframe. Total investment balances as at December 2022 were £413.1m. These balances include just over £120m of cash held on behalf of other entities by Somerset County Council.

As is likely, that a passive borrowing strategy is adopted, i.e. internal borrowing to fund capital expenditure, investment levels will likely decrease. If non-treasury or pooled fund positions are exited, investment balances could possibly be higher.

Objectives: The CIPFA TM Code requires the Council to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income. Where

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balances are expected to be invested for more than one year, the Council will aim to achieve a total return that is equal or higher than the prevailing rate of inflation, in order to maintain the spending power of the sum invested. The Council aims to be a responsible investor and will consider environmental, social, and governance (ESG) issues when investing.

Strategy: As demonstrated by the liability benchmark above, the Council expects to be a long-term borrower and new treasury investments will therefore be made primarily to manage day-to-day cash flows using short-term low risk instruments. Subject to review, the existing portfolio of strategic pooled funds will be maintained to diversify risk into different sectors and to boost investment income.

ESG policy: ESG (Environmental, Social, and Governance) considerations are increasingly a factor in global investors' decision making, but the framework for evaluating investment opportunities is still developing and therefore the Council's ESG policy does not currently include ESG scoring or other real-time ESG criteria at an individual investment level. The Council will look to develop a more effective ESG policy as this area develops.

Business models: Under the new IFRS 9 standard, the accounting for certain investments depends on the Council's "business model" for managing them. The Council aims to achieve value from its internally managed treasury investments by a business model of collecting the contractual cash flows and therefore, where other criteria are also met, these investments will continue to be accounted for at amortised cost.

Implementation: The Section 151 Officer (Director of Finance & Governance) under delegated powers will undertake the most appropriate form of investments in keeping with the investment objectives, income and risk management requirements and Prudential Indicators. The Director of Finance & Governance in turn delegates responsibility for implementing policy to Treasury Management Officers. This is done by using only the agreed investment instruments, and credit criteria below and in **appendix B**. As is current procedure, the use of a new instrument or counterparty would be proposed in conjunction with the Council's Treasury Advisors, Arlingclose and specifically authorised by the Section 151 Officer (Director of Finance & Governance).

Approved Investments: The list below shows currently approved instruments, with a brief description of current and potential investment instrument characteristics underneath.

- Business Reserve Accounts and term deposits.
- Deposits with other Local Authorities.
- Low Volatility Net Asset Value (LVNAV) Money Market Funds
- The Debt Management Office (DMO)
- Variable Net Asset Value (VNAV) Money Market Funds.
- Gilts and Treasury Bills.
- Certificates of Deposit with Banks and Building Societies
- Commercial Paper

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- Use of any public or private sector organisation that meets the creditworthiness criteria rather than just banks and building societies.
- Building Societies – Including unrated Societies with better creditworthiness than their credit rated peers.
- Corporate Bonds – Can offer access to high credit rated counterparties, such as utility, supermarket, and infrastructure companies.
- Covered Bonds and Reverse Repurchase Agreements (Repos) present an opportunity to invest short-term with banks on a secured basis and hence be exempt from bail-in
- Pooled Funds. These funds allow the Council to diversify into asset classes other than those above, without the need to own and manage the underlying investments. Bond, equity and property funds offer enhanced returns over the longer term but are more volatile in the short term. Their values change with market prices, so will be considered for longer investment periods. It would be the Council's intention to be invested in longer-dated Bond Funds, Equity Funds, or Property Funds for at least 3-5 years.

Banks unsecured: Accounts, deposits, certificates of deposit and senior unsecured bonds with banks and building societies, other than multilateral development banks. These investments are subject to the risk of credit loss via a bail-in should the regulator determine that the bank is failing or likely to fail.

Banks secured: Covered bonds, reverse repurchase agreements and other collateralised arrangements with banks and building societies. These investments are secured on the bank's assets, which limits the potential losses in the unlikely event of insolvency, and means that they are exempt from bail-in.

Government: Loans, bonds and bills issued or guaranteed by national governments, regional and local authorities and multilateral development banks. These investments are not subject to bail-in, and there is generally a lower risk of insolvency, although they are not zero risk. Investments with the UK Central Government may be made in unlimited amounts for up to 50 years.

Corporates: Loans, bonds and commercial paper issued by companies other than banks and registered providers. These investments are not subject to bail-in but are exposed to the risk of the company going insolvent.

Registered providers: Loans and bonds issued by, guaranteed by or secured on the assets of registered providers of social housing and registered social landlords, formerly known as housing associations. These bodies are tightly regulated by the Regulator of Social Housing (in England), the Scottish Housing Regulator, the Welsh Government and the Department for Communities (in Northern Ireland). As providers of public services, they retain the likelihood of receiving government support if needed.

Pooled Funds: Shares or units in diversified investment vehicles. These funds have the advantage of providing wide diversification of investment risks, coupled with the

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services of a professional fund manager in return for a fee. Short-term Money Market Funds that offer same-day liquidity and very low or no volatility will be used as an alternative to instant access bank accounts, while pooled funds whose value changes with market prices and/or have a notice period will be used for longer investment periods.

Bond, equity and property funds offer enhanced returns over the longer term but are more volatile in the short term. These allow the Council to diversify into other asset classes without the need to own and manage the underlying investments.

Pooled funds would be the likely vehicles to diversify into more longer-term strategic investments but pose risks to both Security (of market value of investment), and to Liquidity of SC investments. Because the value of pooled fund investments is subject to market fluctuations, there is a possibility that at any given time, the value of the Council's investment could be less than the original sum. However, there would be no realised loss until such time as the investment was sold. Currently there is a statutory override on accounting treatment that means nominal market losses at year-end do not need to be taken through the Income and Expenditure account if certain criteria are met. This might not always be the case in the future.

This risk is mitigated by taking a longer-term view of any investment, initially at least for 3 to 5-years. This would help to smooth any volatility in market values. Current accounting treatment (runs until 31st March 2023) may mitigate the reputational risk of reporting a loss in the I & E, as a 'Pooled Funds Adjustment Account' reserve will hold any unrealised losses (or gains) in capital value.

As Pooled Funds become a greater part of the overall portfolio, investments would be diversified among asset classes so that risks to any specific asset class would be limited.

Liquidity risk—Typically, Pooled Funds are extremely liquid, but by mitigating the risk of capital loss (by having to sell at a price lower than the initial sum invested), Investment would potentially lock away capital for 3 to 5-years plus. The Section 151 Officer will mitigate liquidity risk by determining the level of prudent investment, with reference to the level of core balances and reserves, commensurate with that timeframe.

Upside risk is that income returns are positive and remain above today's cash investment rates. There may also be potential for capital growth.

Real estate investment trusts: Shares in companies that invest mainly in real estate and pay the majority of their rental income to investors in a similar manner to pooled property funds. As with property funds, REITs offer enhanced returns over the longer term, but are more volatile especially as the share price reflects changing demand for the shares as well as changes in the value of the underlying properties. Investments in REIT shares cannot be withdrawn but can be sold on the stock market to another investor.

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Credit outlook:

Credit default swap (CDS) prices have followed an upward trend throughout the year, indicating higher credit risk. They have been boosted by the war in Ukraine, increasing economic and political uncertainty and a weaker global and UK outlook, but remain well below the levels seen at the beginning of the Covid-19 pandemic. CDS price volatility has been higher in 2022 compared to 2021 and this year has seen a divergence in prices between ringfenced (retail) and non-ringfenced (investment) banking entities once again.

The weakening economic picture during 2022 led the credit rating agencies to reflect this in their assessment of the outlook for the UK sovereign as well as several local authorities and financial institutions, revising them to negative from stable.

There are competing tensions in the banking sector which could impact bank balance sheet strength going forward. The weakening economic outlook and likely recessions in many regions increase the possibility of a deterioration in the quality of banks' assets, while higher interest rates provide a boost to net income and profitability. However, the institutions on our adviser Arlingclose's counterparty list remain well-capitalised and their counterparty advice on both recommended institutions and maximum duration remain under constant review and will continue to reflect economic conditions and the credit outlook.

Approved counterparties – Credit Rated: SC maintains a restricted list of financial institutions to be used as counterparties, and in accordance with the credit criteria set out in appendix B. Any proposed additions to the list must be approved by the Section 151 Officer (Director of Finance & Governance).

Approved counterparties – Non-Credit Rated: As investment decisions are never made solely based on credit ratings, and some institutions may not have ratings at all, account will be taken of any relevant credit criteria in appendix B, and any other relevant factors including advice from our treasury advisors for the approval of individual institutions. Again, this will be specifically authorised by the Section 151 Officer (Director of Finance & Governance).

Credit rating: SC has constructed and will maintain a counterparty list based on the criteria set out in **Appendix B**. The minimum credit quality is proposed to be set at A- or equivalent. The credit standing of institutions (and issues if used) will be monitored and updated on a regular basis.

The Council will continuously monitor counterparties creditworthiness. All three credit rating agencies' websites will be visited frequently, and all ratings of proposed counterparties will be subject to verification on the day of investment (DLUHC guidance states that a credit rating agency is one of Standard & Poor's, Moody's Investor Services Ltd, and Fitch Ratings Ltd). All ratings of currently used counterparties will be reported to the regular treasury management meeting, where proposals for any new counterparties will be discussed.

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New counterparties must be approved by the Section 151 Officer (Director of Finance & Governance) before they are used. Any changes to ratings that put the counterparty below the minimum acceptable credit quality whilst we have a deposit, or a marketable instrument will be brought to the attention of the Section 151 Officer (Director of Finance & Governance) immediately, and an appropriate response decided on a case-by-case basis. Sovereign credit ratings will be monitored and acted on as for financial institution ratings. Investment limits are set by reference to the lowest published long-term credit rating from the three rating agencies mentioned above. Where available, the credit rating relevant to the specific investment or class of investment is used, otherwise the counterparty credit rating is used.

Other information on the security of investments: The Council understands that credit ratings are good, but not perfect predictors of investment default. Full regard will therefore be given to other available information on the credit quality of the organisations in which it invests, including those outlined below.

- Credit Default Swaps and Government Bond Spreads.
- GDP and Net Debt as a Percentage of GDP for sovereign countries.
- Likelihood and strength of Parental Support.
- Banking resolution mechanisms for the restructure of failing financial institutions, i.e. bail-in.
- Market information on corporate developments and market sentiment towards the counterparties and sovereigns.
- Underlying securities or collateral for 'covered instruments'.
- Other macroeconomic factors

It remains the Council's policy to suspend or remove institutions that still meet criteria, but where any of the factors above give rise to concern. Also, when it is deemed prudent, the duration of deposits placed is shortened or lengthened, depending on counterparty specific metrics, or general investment factors.

The extent of these restrictions will be in line with prevailing financial market conditions. If these restrictions mean that insufficient commercial organisations of high credit quality are available to invest the Council's cash balances, then the surplus will be deposited with the UK Government via the Debt Management Office or invested in government treasury bills for example, or with other local authorities. This will cause a reduction in the level of investment income earned but will protect the principal sum invested.

Investment limits: Investment limits are set out in **appendix B**. In setting criteria in **appendix B**, account is taken of both expected and possible balances, the availability and accessibility of the various instruments to be used, and their security, liquidity, and yield characteristics.

Liquidity management: The Council uses purpose-built cash flow forecasting software to determine the maximum period for which funds may prudently be committed. The forecast is compiled on a prudent basis to minimise the risk of the Council being forced

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to borrow on unfavourable terms to meet its financial commitments. Limits on long-term investments are set by reference to the Council's medium-term financial plan and cash flow forecast.

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14 Treasury Management Prudential Indicators

The Council measures and manages its exposures to treasury management risks using the following indicators.

The Authorised Limit and Operational Boundary are Prudential Indicators and are authorised by Full Council as part of the Capital Strategy. They are included here for information only. The 'Maturity Structure of Borrowing', 'Principal sums invested for periods longer than a year', and 'Credit Risk' Indicators are specific Treasury Management Indicators and are to be adopted as per the recommendations set out in this paper.

Authorised limit and Operational Boundary: The Council is required to set an authorised limit and an operational boundary for external debt. The authorised limit is the maximum external debt (net of investments) that may be incurred in the specified years. The operational boundary differs from the authorised limit in that it is based on expectations of the maximum external debt according to probable, not all possible events. It is consistent with the maximum level of external debt projected in the Capital Strategy. In order that the preceding borrowing strategy can be carried out, the following Prudential Indicators have been proposed to Council in the Capital Strategy, along with Capital plans and the rationale behind the figures. They are shown again here to give the full picture. (These figures are rounded to the nearest million).

	2022/23 limit £m	2023/24 limit £m	2024/25 limit £m	2025/26 limit £m
Operational boundary – borrowing	N/A	1,004.4	1,013.1	1,015.7
Operational boundary – PFI and leases	N/A	79.3	78.0	76.7
Operational boundary – total external debt	N/A	1,083.8	1,091.1	1,092.4
Authorised limit – borrowing	N/A	1,039.4	1,048.1	1,050.7
Authorised limit – PFI and leases	N/A	84.3	83.0	81.7
Authorised limit– total external debt	N/A	1,123.7	1,131.1	1,132.4

Please note this includes General Fund and Housing Revenue Account

Maturity Structure of Borrowing: The Council has set for the forthcoming year, both the upper and lower limits with respect to the maturity structure of its borrowing. The calculation is the amount of projected borrowing maturing in each period, expressed as a percentage of the total projected borrowing. CIPFA TM Code guidance for the

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'maturity structure' indicator states that the maturity of LOBO loans should be treated as if their next option date is the maturity date. The 'maturity structure of borrowing' indicators have been set with regard to this and having given due consideration to refinancing the significant short-term debt that will mature, possible new borrowing, current interest rate expectations, and the possibility of rescheduling or prematurely repaying loans outlined in the borrowing strategy. The bands and limits give the required flexibility to be able to deliver the borrowing strategy in any of the challenging scenarios that may evolve. They are: -

	Upper Limit	Lower Limit
Under 12 months	50%	15%
>12 months and within 24 months	25%	0%
>24 months and within 5 years	25%	5%
>5 years and within 10 years	25%	0%
>10 years and within 20 years	25%	0%
>20 years and within 30 years	20%	0%
>30 years and within 40 years	30%	10%
>40 years and within 50 years	15%	0%
>50 years	5%	0%

Long-term treasury management investments: The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments.

The prime policy objectives of local authority investment activities are the security and liquidity of funds, and authorities should avoid exposing public funds to unnecessary or unquantified risk. Authorities should consider the return on their investments; however, this should not be at the expense of security and liquidity. It is therefore important that authorities adopt an appropriate approach to risk management with regards to their investment activities.

	2023-24	2024-25	2025-26
No Fixed Date			
Prudential Limit for principal sums invested for periods longer than 1 year	£m 160	£m 160	£m 160

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Long-term investments with no fixed maturity date include strategic pooled funds but exclude Money Market Funds and bank accounts with no fixed maturity as these are considered short-term. As the combined Council will already hold a portfolio of £144m of pooled funds, a prudential indicator of slightly more than this amount is deemed necessary for all years, to allow for deposits slightly over 1 year's duration. This may change after a review of the amalgamated portfolio. The sums indicated in this indicator do not include any investment in non-Treasury Investments covered by a separate Investment Strategy.

Credit Risk Indicator: The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating / credit score of its in-house investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk (in conjunction with Arlingclose) and will be calculated quarterly.

Credit risk indicator	Target
Portfolio average credit rating (score)	A (6.0)

Liability Benchmark: A new Prudential Indicator, the Liability Benchmark has been introduced for 2023-24. Whilst it gives no specific numbers as benchmarks, it is an important tool to help establish whether the Council is likely to be a long-term borrower or long-term investor in the future, and so shape its strategic focus and decision making. The liability benchmark itself represents an estimate of the cumulative amount of external borrowing the Council must hold to fund its current capital and revenue plans while keeping treasury investments at the minimum level required to manage day-to-day cash flow.

The liability benchmark informs both borrowing and investment decisions and is outlined in section 13 under internal context.

15 Other Matters

The CIPFA TM Code requires the Council to include the following in its treasury management strategy.

Derivative Instruments: The code requires that the Council must explicitly state whether it plans to use derivative instruments to manage risks. The general power of competence in Section 1 of the Localism Act 2011 removes much of the uncertainty over local authorities' use of standalone financial derivatives (i.e. those that are not embedded into a loan or investment). However, the Council does not intend to use derivatives.

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Should this position change, the Council may seek to develop a detailed and robust risk management framework governing the use of derivatives, but this change in strategy will require Full Council approval.

External Service Providers: The code states that external service providers should be reviewed regularly and that services provided are clearly documented, and that the quality of that service is controlled and understood.

The Council recognises, as per CIPFA guidance, that, "the overall responsibility for treasury management must always remain with the Council". So as not to place undue reliance on treasury advisors and other external services, the council has always sourced its own information, performed its own analysis of market and investment conditions, and the suitability of counterparties. It continues to do so through embedded practices, thereby maintaining the skills of the in-house team to ensure that services provided can be challenged, and that undue reliance is not placed on them.

Member Training: All public service organisations should be aware of the growing complexity of treasury management in general, and its application to the public services in particular. Modern treasury management, and particularly non-treasury investments demand appropriate skills.

The new Investment Strategy demands a greater level of understanding and involvement by members, and that document sets out the specific requirements for that purpose; However, there should still be an appropriate level of skills and understanding applied to the Treasury Management Strategy.

All Council Members receive introductory training, which includes an overview of the treasury management function. Council Officers would be able and willing to provide a more detailed level of training, if Councillors thought that there would be no conflict of interest.

Through contacts with the CIPFA Treasury Management Forum and its independent Treasury Advisors, SC could also facilitate training via an independent third party. Officers also have contacts within a number of money market brokers and fund managers who could provide training.

As and when needed, information sheets could be prepared and made available to help keep members abreast of current developments.

Markets in Financial Instruments Directive II (MiFID II): As a result of the second Markets in Financial Instruments Directive (MiFID II), from 3rd January 2018 local authorities were automatically treated as retail clients but could "opt up" to professional client status, providing certain criteria was met. This included having an investment balance of at least £10 million and the person(s) authorised to make investment decisions on behalf of the Council have at least a year's relevant professional experience. In addition, the regulated financial services firms to whom this directive

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applies have had to assess that that person(s) have the expertise, experience and knowledge to make investment decisions and understand the risks involved. Each regulated Financial Services firm undertakes a separate assessment with ongoing compliance.

The Council continues to meet the conditions to opt up to professional status and has done so in order to maintain its erstwhile MiFID II status prior to January 2018. As a result, the Council will continue to have access to products including money market funds, pooled funds, treasury bills, bonds, shares and to financial advice.

16 Background papers

Local Government Act 2003 – Guidance under section 15(1)(a) 3rd Edition, effective from 1 April 2018.

The CIPFA ‘Treasury Management in the Public Services’ Code of Practice Revised Edition 2021.

The CIPFA Prudential Code for Capital Finance in Local Authorities: Revised Edition 2021.

Note: For sight of individual background papers please contact the report author.

Report Sign-Off

		Signed-off
Legal Implications	Tom Woodhams	30/1/23
Governance	Scott Wooldridge	26/1/23
Corporate Finance	Jason Vaughan	30/1/23
Human Resources	Chris Squire	N/A
Property	Paula Hewitt / Oliver Woodhams	30/1/23
Procurement / ICT		N/A
Senior Manager	Stephen Morton / Donna Parham	23/1/23
Commissioning Development	Sunita Mills / Ryszard Rusinek	23/1/23
Renewal Board		N/A
Local Member		N/A
Executive Member	Cllr Liz Leyshon - Executive Member for Resources	23/1/23
Opposition Spokesperson	Cllr Mandy Chilcott	2/2/23
Scrutiny Chair	Cllr Gwil Wren	Sent 31/1/23
Audit Committee	Cllr Dean Ruddle / Andy Sully	2/2/23

Treasury Management Policy Statement

Introduction and Background

- 1.1 The Council adopts the key recommendations of CIPFA's Treasury Management in the Public Services: Code of Practice (the code), as described in Section 5 of the Code
- 1.2 The Council will create and maintain, as the cornerstones for effective treasury and investment management:
 - A treasury management policy statement stating the policies, objectives and approach to risk management of its treasury management activities
 - Suitable treasury management practices (TMPs) setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities
 - Investment management practices (IMPs) for investments that are not for treasury management purposes.

The content of the policy statement, TMPs and IMPs will follow the recommendations contained in Sections 6, 7 and 8 of the TM Code, subject only to amendment where necessary to reflect the particular circumstances of this organisation. Such amendments will not result in the organisation materially deviating from the TM Code's key principles.

- 1.3 The Council (ie Full Council) will receive reports on its treasury and investment management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close in the form prescribed in its TMPs and IMPs.
- 1.4 The Council delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to Executive and for the execution and administration of treasury management decisions to the Section 151 Officer, who will act in accordance with the organisation's policy statement, TMPs and IMPs, and if they are a CIPFA member, CIPFA's Standard of Professional Practice on treasury management.
- 1.5 This organisation nominates the Audit Committee to be responsible for ensuring effective scrutiny of the treasury management strategy and policies.

Policies and Objectives of Treasury Management Activities

2.1 The Council defines its treasury management activities as:

“The management of the organisation’s borrowing, investments and cash flows, including its banking, money market and capital market transactions, the effective control of the risks associated with those activities and the pursuit of optimum performance consistent with those risks.”

2.2 This Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the organisation, and any financial instruments entered into to manage these risks.

2.3 This Council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management, and to employing suitable performance measurement techniques, within the context of effective risk management.

2.4 The Council’s borrowing will be affordable, sustainable and prudent and consideration will be given to the management of interest rate risk and refinancing risk. The source from which the borrowing is taken, and the type of borrowing should allow the Council transparency and control over its debt.

2.5 The Council’s primary objective in relation to investments remains the security of capital. The liquidity or accessibility of the Council’s investments followed by the yield earned on investments remain important but are secondary considerations.

Appendix B

Somerset Council Lending Counterparty Criteria 2023-24

The following criteria will be used to manage counterparty risks to Somerset Council investments for new deposits / investments from 1st April 2023.

Please note that the limits in this appendix apply only to Treasury Management Investments, not to those detailed in the Separate Investment Strategy.

Where deposits held were made under previous criteria, there will be no compulsion to terminate those deposits to meet new criteria, where a penalty would be incurred.

Deposits

Any Financial Institution that is authorised by the Prudential Regulation Authority to accept deposits in the UK, or is a UK Building Society can be lent to, subject to the rating criteria below at the time of the deposit.

Unrated Building Societies

Unrated Building Societies as identified by Treasury Advisors can be used, with a maximum of £1m per Society and a maximum maturity of 1 year.

Marketable Instruments – Any bank, other organisation, or security whose credit ratings satisfy the criteria below: -

Rating of Counterparty or Security

Deposits or instruments of less than 13 months duration (refer to long-term ratings)

Fitch A- or above

S&P A- or above

Moody's A3 or above

The maximum deposit / investment amount for any authorised counterparty or security that has as a minimum at least two ratings of the three above will be £20m. This is approximately 4.4% of investment balances held at 30th September, or 6.5% of investment balances minus strategic funds held at 30th September. The % may be significantly less if borrowing up to the CFR is taken early in the year.

The maximum deposit / investment amount for any authorised counterparty or security that has as a minimum - Fitch AA-, S&P AA-, and Moody's Aa3, will be £25m. This is approximately 5.5% of investment balances held at 30th September, or 8.1% of investment balances minus strategic funds held at 30th September. The % may be significantly less if borrowing up to the CFR is taken early in the year.

Deposits or instruments of more than 13 months duration (refer to long-term ratings)

Fitch AA- or above

S&P AA- or above

Moody's Aa3 or above

The maximum deposit / investment amount for more than 13 months for any authorised counterparty or security that has as a minimum at least two ratings of the three above will be £10m. This figure is to be included in the overall figure above.

The allowed deposit amounts above are the single maximum per counterparty at any one time, and that counterparty or security must be rated as above or better by at least two of the three agencies. Short-term ratings will be monitored and considered in relative rather than absolute terms.

It remains the Council's policy to suspend or remove institutions that still meet criteria, but where any of the other factors below give rise to concern. Also, when it is deemed prudent, the duration of deposits placed is shortened or lengthened, depending on counterparty specific metrics, or general investment factors. Where deposits held were made under previous criteria, there will be no compulsion to terminate those deposits to meet new criteria, where a penalty would be incurred.

Operational Bank Accounts

As the Council's current bankers, Nat West are currently within the minimum criteria. If they should fall below criteria, the instant access Call Account facility may still be used for short-term liquidity requirements and business continuity arrangements. This will generally be for smaller balances where it is not viable to send to other counterparties or in the event of unexpected receipts after the daily investment process is complete. Money will be placed in the instant access Nat West call account overnight.

Public Sector Bodies

Any UK Local Authority or Public Body will have a limit of £15m and a maximum maturity of 5 years.

The UK Government, including Gilts, T-Bills, and the Debt Management Office (DMADF) will be unlimited in amount and duration.

The table below gives a definition and approximate comparison of various ratings by the three main agencies: -

Definitions of Rating Agency Ratings

	Fitch		Moody's		S&P	
Short-Term	F1+	Exceptionally strong	P-1	Superior	A-1+	Extremely strong
	F1	Highest quality			A-1	Strong
	F2	Good quality	P-2	Strong	A-2	Satisfactory
	F3	Fair quality	P-3	Acceptable	A-3	Adequate
	B	Speculative	NP	Questionable	B and below	Significant speculative characteristics
	C	High default risk				
	(+) or (-)		(1,2, or 3)		(+) or (-)	
Long-Term	AAA	Highest quality	Aaa	Exceptional	AAA	Extremely strong
	AA	V High quality	Aa	Excellent	AA	Very strong
	A	High quality	A	Good	A	Strong
	BBB	Good quality	Baa	Adequate	BBB	Adequate capacity
	BB	Speculative	Ba	Questionable	BB and below	Significant speculative characteristics
	B	Highly Speculative	B	Poor		
	CCC	High default risk	Caa	Extremely poor		

Financial Groups

For Financial Groups (where two or more separate counterparties are owned by the same eventual parent company) investments can be split between entities, but an overall limit equal to the highest rated constituent counterparty within the group will be used.

Country Limits

Excluding the UK, there will be a limit of £30m. This is approximately 6.6% of investment balances held at 30th September, or 9.7% of investment balances minus strategic funds held at 30th September. The % may be significantly less if borrowing up to the CFR is taken early in the year.

Money Market Funds

Any LVNAV Mpney Market Fund used must be rated by at least two of the main three ratings agency, and must have the following ratings.

Fitch AAmmf

Moody's Aaa-mf

Standard & Poor's AAAM

Subject to the above, deposits can be made with the following limits: -

The lower of £15m or 0.5% of the total value for individual Funds.

No more than 50% of total deposits outstanding are to be held in LVNAV MMFs.

VNAV and other Pooled Funds

Currently, not all Variable Net Asset Value (VNAV) Funds carry a rating. Many VNAV bond funds are not rated. Equity, multi-asset and property funds are also not credit rated.

A full review of Pooled Funds after the amalgamation of the five Council's portfolios will determine strategy and investment in these longer-term assets. It is the Council's intention to not invest further in Pooled Funds until the review is complete.

It is Somerset Council's ambition that any strategic investments within the treasury assets in pooled funds invested in bonds/equities or property would be held exclusively against general and earmarked reserves of the Council or cash and the Council will not borrow or use existing debt to support such investments. Depending on the position inherited from the 5 predecessor Councils a period of adjustment may be needed to realise this ambition and consideration must be given to waiting for the correct pricing point to obtain best value for the Council.

The decision to stay invested / invest further / disinvest / rebalance the Pooled Funds portfolio will be primarily based on the liability benchmark, and specifically whether the duration of debt and the necessary level of reserves supports longer-term investments. As potential investment would lock away capital for 3 to 5-years plus, the level of prudent investment would be commensurate with the level of core balances and reserves available for/during that timeframe.

Diversification of asset classes/funds and the overall level of investment will be determined by the Section 151 Officer with reference to the level of core balances and reserves. Secondly, it will consider the evaluation of the risk/reward characteristics including volatility, expected income return and potential for capital growth of individual funds.

It may be decided that a percentage of core balances and reserves is deemed the most appropriate limit for Pooled Funds, but in any case, this will not exceed the £144.3m in total currently held, or £20m in any one fund. (with the exception of the amalgamated CCLA Property Fund holding which is £31m).

Other Indicators

The Council will continue to use a range of indicators, not just credit ratings. Among other indicators to be taken into account will be:

- Credit Default Swaps and Government Bond Spreads.
- GDP, and Net Debt as a Percentage of GDP for sovereign countries.
- Likelihood and strength of Parental Support.
- Banking resolution mechanisms for the restructure of failing financial institutions, i.e. bail-in.
- Share Price.
- Market information on corporate developments and market sentiment towards the counterparties and sovereigns.
- Underlying securities or collateral for covered instruments.
- Other macroeconomic factors

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Appendix C

Arlingclose Economic Outlook & Interest Rate Forecast

Interest rate forecast:

- The MPC remains concerned about inflation but sees the path for Bank Rate to be below that priced into markets.
- Following the exceptional 75bp rise in November, Arlingclose believes the MPC will slow the rate of increase at the next few meetings. Arlingclose now expects Bank Rate to peak at 4.25%, with a further 50bp rise in December and smaller rises in 2023.
- The UK economy likely entered into recession in Q3, which will continue for some time. Once inflation has fallen from the peak, the MPC will cut Bank Rate.
- Arlingclose expects gilt yields to remain broadly steady despite the MPC's attempt to push down on interest rate expectations. Without a weakening in the inflation outlook, investors will price in higher inflation expectations given signs of a softer monetary policy stance.
- Gilt yields face pressures to both sides from hawkish US/EZ central bank policy on one hand, to the weak global economic outlook on the other. BoE bond sales will maintain yields at a higher level than would otherwise be the case.

	Current	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25
Official Bank Rate													
Upside risk	0.00	0.25	0.50	0.75	1.00	1.00	1.00	1.25	1.50	1.75	1.50	1.25	1.25
Arlingclose Central Case	3.00	3.50	4.00	4.25	4.25	4.25	4.25	4.00	3.75	3.50	3.50	3.50	3.50
Downside risk	0.00	0.25	0.50	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00	1.00	1.00
3-month money market rate													
Upside risk	0.00	0.25	0.50	0.75	1.00	1.00	1.00	1.25	1.50	1.75	1.50	1.25	1.25
Arlingclose Central Case	3.00	3.90	4.40	4.40	4.40	4.35	4.30	4.25	4.00	3.75	3.75	3.75	3.75
Downside risk	0.00	0.25	0.50	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00	1.00	1.00
5yr gilt yield													
Upside risk	0.00	0.60	0.70	0.80	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Arlingclose Central Case	3.36	3.65	3.90	3.90	3.90	3.90	3.80	3.70	3.60	3.50	3.40	3.30	3.20
Downside risk	0.00	0.70	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
10yr gilt yield													
Upside risk	0.00	0.60	0.70	0.80	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Arlingclose Central Case	3.46	3.70	3.75	3.75	3.75	3.70	3.70	3.70	3.70	3.70	3.70	3.70	3.70
Downside risk	0.00	0.70	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
20yr gilt yield													
Upside risk	0.00	0.60	0.70	0.80	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Arlingclose Central Case	3.88	4.00	4.00	4.00	4.00	4.00	3.90	3.90	3.90	3.90	3.90	3.90	3.90
Downside risk	0.00	0.70	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
50yr gilt yield													
Upside risk	0.00	0.60	0.70	0.80	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Arlingclose Central Case	3.24	3.40	3.40	3.40	3.40	3.40	3.30	3.30	3.30	3.30	3.30	3.30	3.30
Downside risk	0.00	0.70	0.90	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00

PWLB Standard Rate (Maturity Loans) = Gilt yield + 1.00%
PWLB Certainty Rate (Maturity Loans) = Gilt yield + 0.80%
UKIB Rate (Maturity Loans) = Gilt yield + 0.60%

Underlying assumptions:

- UK interest rate expectations have eased following the Autumn Statement, with a growing expectation that UK fiscal policy will now be tightened to restore investor confidence, adding to the pressure on household finances. The peak for UK interest rates will therefore be lower, although the path for interest rates and gilt yields remains highly uncertain.
- Globally, economic growth is slowing as inflation and tighter monetary policy depress activity. Inflation, however, continues to run hot, raising expectations that policymakers, particularly in the US, will err on the side of caution, continue to increase rates and tighten economies into recession.
- The new Chancellor dismantled the mini-budget, calming bond markets and broadly removing the premium evident since the first Tory leadership election. Support for retail energy bills will be less generous, causing a lower but more prolonged peak in inflation. This will have ramifications for both growth and inflation expectations.
- The UK economy is already experiencing recessionary conditions, with business activity and household spending falling. Tighter monetary and fiscal policy, alongside high inflation will bear down on household disposable income. The short- to medium-term outlook for the UK economy is bleak, with the BoE projecting a protracted recession.
- Demand for labour remains strong, although there are some signs of easing. The decline in the active workforce has fed through into higher wage growth, which could prolong higher inflation. The development of the UK labour market will be a key influence on MPC decisions. It is difficult to see labour market strength remaining given the current economic outlook.
- Global bond yields have steadied somewhat as attention turns towards a possible turning point in US monetary policy. Stubborn US inflation and strong labour markets mean that the Federal Reserve remains hawkish, creating inflationary risks for other central banks breaking ranks.
- However, in a departure from Fed and ECB policy, in November the BoE attempted to explicitly talk down interest rate expectations, underlining the damage current market expectations will do to the UK economy, and the probable resulting inflation undershoot in the medium term. This did not stop the Governor affirming that there will be further rises in Bank Rate.

Decision Report - Executive Decision

Forward Plan Reference: FP/22/12/02

Decision Date – 13/02/23

Housing Benefit War Pensions Disregard Policy

Executive Member(s): Cllr Liz Leyshon - Deputy Leader of the Council and Lead Member on Finance and Human Resources

Local Member(s) and Division: N/A

Lead Officer: Jason Vaughan, Director of Finance & Governance

Author: Richard Sealy, Assistant Director Customer, Somerset West & Taunton

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1. Summary / Background

- 1.1** The Housing Benefit scheme is a national scheme which is administered locally by the Council on behalf of Government.
- 1.2** The national scheme provides local authorities with the discretion to increase the amount of income that is disregarded in respect of any War Disablement or War Widows Pension by up to 100%. The Council must make a resolution where it wishes to exercise this discretion.
- 1.3** Currently each of the four districts within Somerset applies the maximum 100% disregard for War Disablement and War Widows Pensions.
- 1.4** This report recommends that the Council resolve to maintain the current 100% disregard for War Disablement and War Widows Pensions, as operated by the existing district councils, in relation to the Housing Benefits scheme for Somerset Council from 1 April 2023 onwards. This is consistent with the approach already agreed by Council in relation to the Council Tax Reduction scheme on 23 November 2022.
- 1.5** Appendix A details the proposed policy in relation to War Disablement and War Widows Pensions disregards for Housing Benefits together with detailed definitions in respect of each of the qualifying pensions.

2. Recommendations

- 2.1.** The Executive are requested to recommend approval of the Housing Benefits War Pensions Disregard Policy to Council on 22 February 2023.

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3. Reasons for recommendations

- 3.1.** The proposal provides for continuity of approach to the disregarding of War Disablement or War Widows Pensions for Housing Benefit purposes between the existing four districts and the new Somerset Council. This is also consistent with the approach taken in respect of the Council Tax Reduction scheme agreed by Council on 23 November 2022.
- 3.2.** The disregarding of these benefits for Housing Benefit purposes helps to support the Council's commitments under the Armed Forces Covenant.

4. Other options considered

- 4.1.** The alternatives would be to either reduce or remove the disregard for Housing Benefit purposes. Whilst doing so may produce a small saving, this, arguably, would not be consistent with our commitments under the Armed Forces Covenant. It would also be inconsistent with the approach agreed in respect of the Council Tax Reduction scheme.

5. Links to County Vision, Business Plan and Medium-Term Financial Strategy

- 5.1.** The corporate priorities for the new council are emerging but not yet agreed. It is reasonable to assume however, that the new Council will wish to protect people who are on low incomes and potentially vulnerable. This proposal supports these aims.
- 5.2.** In addition, the Council has signed-up to the Armed Forces Covenant and this proposal supports the objectives of the Covenant.

6. Consultations and co-production

- 6.1.** This recommendation is simply to continue to maintain the 100% disregard that is currently in force across the existing four district councils and which maximises the support available to those in receipt of War Disablement or War Widows Pensions. Consequently, no consultation exercise has been undertaken.

7. Financial and Risk Implications

- 7.1.** The decision to disregard War Disablement or War Widows Pensions for Housing Benefit purposes is a local discretionary decision provided for within the national Housing Benefit legislation. The costs of the disregard are borne locally by the Council.
- 7.2.** The cost of this disregard is not significant and year-on-year the numbers of claimants qualifying for this disregard is reducing. Consequently, we do not

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anticipate anything more than an inflationary increase in cost for the 2023/24 financial year. Set out below are the costs for the last full financial year (2021/22) for the existing four districts.

Mendip	£19,196
Sedgemoor	£13,250
South Somerset	£21,566
SW&T	£46,777
TOTAL	£100,789

7.3. The key risks and proposed mitigating actions are detailed below.

Risk	Mitigation
<p>Cause: Reducing or removing the 100% disregard for War Disablement or War Widows Pensions.</p> <p>Impact: Potentially significant detrimental financial impact on potentially vulnerable claimants & possible legal action in relation to our commitments under the Armed Forces Covenant.</p>	Continue to provide a full 100% disregard for War Disablement or War Widows Pensions.
<p>Cause: Significant increase in the number of claimants qualifying for a disregard.</p> <p>Impact: Significant detrimental impact on our budget / increased costs.</p>	In practice the number of claimants qualifying for this disregard is low and is steadily reducing. This is reflective of the increasingly small proportion of the population in receipt of War Disablement or War Widows Pensions.

8. Legal and HR Implications

- 8.1.** This recommendation is made in accordance with Sections 134(8) of the Social Security Administration Act 1992.
- 8.2.** In addition, on 22 November 2022 Government placed a new legal duty on local authorities to consider the Armed Forces Covenant as part of their decision making processes. Housing is one of the three key areas covered by the new requirements so clearly decisions that relate to Housing Benefit entitlement are likely to be included within this requirement.

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8.3. There are no HR implications resulting from this report.

9. Other Implications

9.1. Equalities Implications

Consideration has been given to our obligations under the Public Sector Equality Duty in proposing the extension of the existing approach currently taken in the existing four districts. An Equalities Impact Assessment has been undertaken and is attached at Appendix B.

This assessment has identified that the policy may impact on the following groups:

- Age
- Disability
- Race and ethnicity
- Veterans

Processes are already in place to provide for additional support, where required, to ensure that people within these groups can understand the benefits and disregards available and are able to claim them.

We have considered the other protected groups when developing the policy but did not identify any specific additional criteria in respect of those groups. The characteristics of the other protected groups are not relevant in regard to determining the applicability of this policy in relation to them.

9.2. Community Safety Implications

There are no direct implications for community safety resulting from this proposal. However, disregarding War Disablement or War Widows Pensions will potentially allow us to pay a greater amount of Housing Benefit to qualifying claimants, which should have a beneficial impact on health and wellbeing.

9.3. Sustainability Implications

There are no sustainability implications resulting from the recommendation in this report.

9.4. Health and Safety Implications

There are no health and safety implications resulting from the recommendation in this report.

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9.5. Health and Wellbeing Implications

Disregarding War Disablement or War Widows Pensions will potentially allow us to pay a greater amount of Housing Benefit to qualifying claimants, which should have a beneficial impact on their health and wellbeing.

9.6. Social Value

There are no social value implications resulting from the recommendation in this report.

10. Scrutiny comments / recommendations:

10.1 The Scrutiny for Policies and Place Committee considered the report and the proposed scheme at their meeting on 10 January 2023 and are happy to support the proposed approach.

11. Background

11.1. The background to this recommendation is covered in Section 1 above.

12. Background Papers

13. There are no background papers relating to this report.

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Report Sign-Off

		Date completed
Legal Implications	Honor Clarke	15/12/22
Governance	Scott Wooldridge	21/12/22
Corporate Finance	Jason Vaughan	13/12/22
Customers, Digital and Workforce	Chris Squire	16/12/22
Property	Paula Hewitt / Oliver Woodhams	08/12/22
Procurement	Claire Griffiths	08/12/22
Senior Manager	Jason Vaughan	13/12/22
Commissioning Development	Sunita Mills / Ryszard Rusinek	08/12/22
Executive Member	Cllr Liz Leyshon - Deputy Leader of the Council and Lead Member on Finance and Human Resources	13/12/22
<u>Sign-off Key Decision / Consulted on Non-Key Decision</u>		
Local Member		N/A
Opposition Spokesperson	Opposition Spokesperson - Finance and Human Resources - Cllr Mandy Chilcott	10/12/22
Scrutiny Chair	Scrutiny for Policies and Place Committee - Cllr Gwil Wren	10/01/23

Housing Benefit War Pensions Disregard Policy

Introduction

This policy sets out the circumstances in which War Pensions will be fully disregarded when working out a claimant's income in their Housing Benefit assessment.

Background

The Housing Benefit scheme is a national scheme that is administered locally by the Council on behalf of Government. The majority of the scheme is mandatory but the Council has discretion to implement a local scheme which will allow certain incomes to be disregarded.

Under Section 134(8) of the Social Security Administration Act 1992 Local Authorities have the discretion to increase the amount of income that is disregarded in respect of any War Disablement or War Widows pension, up to 100%. (NB. The statutory scheme just disregards the first £10 per week from the payment).

Purpose and principles of the policy

The purpose of this policy is to:

1. Ensure all Housing Benefit assessments are dealt with in a fair, consistent and equal manner;
2. Make clear the types of pensions to be disregarded under the Housing Benefit War Pensions Disregard Policy; and
3. Ensure consistency with the Local Council Tax Reduction scheme for 2023/24, which has equivalent provisions as approved by full Council on 23 November 2022.

The policy resolution

In line with Section 134(8) of the Social Security Administration Act 1992, the Council has resolved to disregard 100% of the following prescribed incomes for both working age and pension age claimants, effective from 1 April 2023:

- (a) **War Disablement Pensions** - The war disablement pensions prescribed are:
- any retired pay or pension or allowance payable in respect of disablement under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003;
 - any retired pay or pension payable to a member of the armed forces of the Crown in respect of a disablement which is attributable to service, under:

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- (i) an Order in Council made under section 3 of the Naval and Marine Pay and Pensions Act 1865
- (ii) the Army Pensions Warrant 1977
- (iii) the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Warrant 2010
- (iv) any order or regulations made under section 2 of the Air Force (Constitution) Act 1917
- (v) any order or regulations made under section 4 of the Reserve Forces Act 1996
- (vi) any instrument amending or replacing any of the instruments referred to above or any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown; and
- (vii) a payment made under article 14(1) (b) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005.

(b) **War widow's pensions** - The war widow's pensions prescribed are:

- any pension or allowance payable to a widow, widower or surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;
- a pension payable, to a widow, widower or surviving civil partner of a member of the armed forces of the Crown in respect of death which is attributable to service, under:
 - (i) an Order in Council made under section 3 of the Naval and Marine Pay and Pensions Act 1865
 - (ii) the Army Pensions Warrant 1977
 - (iii) the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Warrant 2010
 - (iv) any order or regulations made under section 2 of the Air Force (Constitution) Act 1917
 - (v) any order or regulations made under section 4 of the Reserve Forces Act 1996
 - (vi) any instrument amending or replacing any of the above or any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown; and
 - (vii) a payment made under article 21(1)(a) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005.

(c) A payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs.

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APPENDIX B

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

Version	1.0	Date	5 Dec 2022
Description of what is being impact assessed			
The proposed Housing Benefit War Pensions Disregard Policy			
Evidence			
<p>What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics, Somerset Intelligence Partnership, Somerset's Joint Strategic Needs Analysis (JSNA), Staff and/ or area profiles,, should be detailed here</p> <p>We have considered data from the existing caseload within the current four district schemes.</p>			
<p>Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?</p>			

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This recommendation is simply to continue to maintain the 100% disregard that is currently in force across the existing four district councils and which maximises the support available to those in receipt of War Disablement or War Widows Pensions. Consequently, no consultation exercise has been undertaken.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	Age is not a factor in determining whether the disregard should apply. However, it is likely that a high number of those qualifying for the disregard will be of pension age. Consequently, actions need to be taken to ensure that they are aware of the disregard and understand how to inform us that they may qualify.	☐	☐	☒
Disability	This policy is targeted at those who qualify for War Disablement Pension, which may be due to both a mental or physical disability. This group may find it more difficult to understand and notify us of the applicability of the disregard.	☐	☐	☒
Gender reassignment	This is not a factor when considering the applicability of the disregard.	☐	☒	☐

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Marriage and civil partnership	This is not a factor when considering the applicability of the disregard.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	This is not a factor when considering the applicability of the disregard.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race and ethnicity	War Disablement or War Widows Pensions are potentially in payment to a range of people from different ethnic backgrounds and potentially different nationalities. Some may require additional support to ensure that they understand the disregard available to them and generally in claiming Housing Benefit. Processes to ensure we pay due regard to circumstances where language may be a barrier are built into our Housing Benefit application procedures already and will cover this aspect as well. Appropriate steps are taken to support people where language is an issue in understanding and applying for Housing Benefit.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion or belief	This is not a factor when considering the applicability of the disregard.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	This is not a factor when considering the applicability of the disregard.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Sexual orientation	This is not a factor when considering the applicability of the disregard.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	This disregard is directly aimed at claimants in receipt of War Disablement or War Widows Pensions and around ensuring they can maximise the support provided through Housing Benefits.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>

If negative impacts remain, please provide an explanation below.

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Completed by:	Mark Antonelli
Date	5 Dec 2022
Signed off by:	Richard Sealy
Date	8 Dec 2022
Equality Lead/Manager sign off date:	Tom Rutland 9 Dec 2022
To be reviewed by: (officer name)	Mark Antonelli
Review date:	Nov 2023

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Decision Report - Key Decision

Forward Plan Reference: FP/22/11/08

Decision Date - 13/02/23

Housing Revenue Account Rent Set Report 2023/24 and Updated 30 Year Business Plan

Executive Member(s): Cllr Federica Smith-Roberts - Lead Member for Communities

Local Member(s) and Division: All

Lead Officer: Jason Vaughan, Director of Finance & Governance

Authors: Alison Turner, Strategic Director & Section 151 Officer SDC, Paul Fitzgerald, Assistant Director & Section 151 Officer SWT

Contact Details: Alison.turner@sedgemoor.gov.uk 01278 435426,
P.Fitzgerald@somersetwestandtaunton.gov.uk 01823 217557

1. Summary / Background

- 1.1.** This report presents The Somerset Unitary Housing Revenue Account (HRA) Rent Set for 2023/24 and the updated 30-year business plan for the New Unitary Council.

2. Recommendations to Council

That the Executive endorse and recommend the recommendations below for approval by the Council, which include changes for rents and service charges to be used to prepare the necessary notices to tenants ready for dispatch following the Council meeting on 22 February 2023 to ensure the 28 days, notice period is met.

That Members approve the following.

- 2.1.** The updated assumptions and figures in the HRA 30-Year Business Plan as summarised in Section 12 and detailed in Appendix A1 (Operating Account) and B1(Capital Programme).
- 2.2.** The single HRA Revenue budget for 2023/24 as detailed in Table 3, section 13, Appendix C.
- 2.3.** An increase of 7% to Dwelling Rents for 2023/24 in line with the Governments rent cap. To continue to increase rent for relets by Sept CPI plus 1% (11.1%).
- 2.4.** An increase of 7% for Sheltered/Extra Care housing Rents in line with the dwelling rents increase.

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- 2.5. An increase of 7% for Shared Ownership properties.
- 2.6. An increase of 7% on affordable rental tenures, with the rent being reviewed at relet based on 80% of market value capped at LHA rate.
- 2.7. An increase based on Sept CPI 10.1% on temporary accommodation charges
- 2.8. The continuation of rent flex at relet for properties in SWT as included in the Rent charging policy, with the rent flex policy being considered in the future for properties within Sedgemoor.
- 2.9. An increase in service charges for tenants in the Sedgemoor area based on actual costs in line with the service charging policy. The service charges are contained in Appendix D
- 2.10. An increase in service charges for tenants in SWT properties of 7% (with the exception of Piper Lifeline at 3%, communal areas at 37%, the introduction of a new management fee at 10%, a new charge for utility for internal areas charge and a new charge for door entry system) 7% is based on the governments rent cap with a commitment to review the option of 'depooling' service charges for 2024/25 to align service charge policies. The detailed service charges are contained in Appendix E alongside a supporting report.
- 2.11. An increase of 7% for garage rents in the Sedgemoor Area and an increase of 7% for garages rented by council tenants in SWT and 10.1% for private/owner occupier rented garages in this area.
- 2.12. An increase of 7% to other Fees & Charges for 2023/24 in the Sedgemoor area (Appendix D) and CPI in SWT area (Appendix E)
- 2.13. The HRA Major Works Capital Programme for 2023/24 totalling £20,910,180 and notes the previously approved Housing Development programme budget totalling £26,423,920 (Appendix F)
- 2.14. The growth bids requested in section 20 totalling £607,170 for two one-year bids and £688,170 per year for two years (totalling £1,376,340 over the two years)
- 2.15. That members note the challenges and next steps for the HRA and landlord services.

3. Reasons for recommendations

- 3.1. The Council is required to set a budget for the Housing Revenue Account each year as part of the Council's annual budget process, and to formally determine the annual

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rent to be charged to tenants in line with regulations and the locally approved rent policy.

4. Other options considered

- 4.1. The Council must set a budget and present a single HRA for the New Somerset Council. The annual rent level also must be approved in order for rent notices to be sent to tenants in advance of April 2023. To meet the requirement of 28 days' notice of a change to a tenants rent it is essential that the rent is set at Council 22nd February 2023. The report contains the proposed estimates for income and expenditure for the single Housing Revenue Account for Somerset Council.
- 4.2. Options for Rent increases on dwellings are limited to a maximum 7% by the cap set by central Government. The government did not apply the cap to sheltered/extra care or shared ownership properties, but the local decision has been to apply the cap. A lower rent level would present significant financial sustainability pressures for the HRA and landlord services which are subject to regulation and considerable cost increases. Costs must be funded by tenants with the HRA being a ring-fenced account that cannot be subsidised by the General Fund.

5. Links to County Vision, Business Plan and Medium-Term Financial Strategy

- 5.1. The Council is required to produce a 30-Year Business Plan under the self-financing arrangements for the Housing Revenue Account (HRA). This was considered and approved by the Executive in December 2022 for the first time for Somerset Council following local government restructuring in Somerset, taking into account the preparations undertaken by the two predecessor Councils that currently operate a HRA (Sedgemoor and Somerset West and Taunton district councils). The HRA is a component of the council's total revenue and capital budgets and is also reflected in the Capital and Treasury Management strategies.

6. Consultations and co-production

- 6.1. An Informal briefing was held with the Tenants Strategic Group at SWT on the budget proposals on the 16th of January. Discussions related to their support for the establishment of a hardship fund in light of cost-of-living pressures in particular.

7. Financial and Risk Implications

- 7.1 The risks are detailed in Section 22 of the report. The Corporate Risk Register includes a Strategic Risks ORG0057 – Sustainable MTFP with a current risk score of 5x5=25. This risk will be reviewed in February in the light of the updated MTFP and final budget.

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8. Legal and HR Implications

- 8.1. The legal implications will be assessed as part of the overall budget process that will conclude in February 2023.

9. Other Implications

Equalities Implications

- 9.1 This report presents the updated HRA 30-year business plan the New Somerset Council. It also presents the Rent Set information for 2023/24 an equalities impact assessment an equality impact assessment has been completed see (Appendix G).

Community Safety Implications

- 9.2 There are no community safety implications arising from this report.

Sustainability Implications

- 9.3 There are no sustainability implications arising from this report.

Health and Safety Implications

- 9.4 There are no health and safety implications arising from this report.

Health and Wellbeing Implications

- 9.5 There are currently no implications.

Social Value

- 9.6 There are currently no implications.

10. Scrutiny comments / recommendations:

- 10.1. The 2023/24 budget proposals will be considered by the Councils Joint Scrutiny Committee in February 2023.

11. Background

- 11.1. Somerset Council will operate a single Housing Revenue Account (HRA) from 1 April 2023, as both Somerset West & Taunton (SWT) and Sedgemoor (SDC) own housing stock and currently operate separate Housing Revenue Accounts as local authority social housing landlords. All income and expenditure regarding Council housing

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landlord functions is accounted for in the HRA which is a ringfenced account separate from the General Fund.

- 11.2.** In 2012 the Government abolished the subsidy system and self-financing was introduced for the Housing Revenue Account. The new system allowed all income from rents to be retained to fund expenditure on landlord functions such as decent homes and management of the stock. The requirement for self-financing was for each council to buy itself out of the system by taking on capital debt, in total this led to a combined debt transfer of approximately £133m and 30-year HRA business planning was introduced. The new system has financial benefits and more flexibility, particularly when the borrowing cap was removed in October 2018 which assisted with the ability to fund new build development. There are specific regulations which govern eligible income and expenditure, and this prevents any cross subsidy between the accounts. The Government have not given full control on issues such as rent rises and standards of delivery, for example decent homes but self-financing definitely gave financial benefits and greater flexibility.
- 11.3.** The combined number of properties as of 1st April 2022 was 9,668 which makes the Unitary a significant social housing landlord within Somerset and gives opportunities for the New Unitary in terms of joint working with Adult Social Care to deliver joint resolutions to issues which improves the service to customers in an efficient way. Sedgemoor owns just under 4,000 properties which are managed by Homes in Sedgemoor (HIS), an Arm's Length Management Organisation (ALMO), under a management agreement. A management fee is paid to cover the day-to-day management and repairs plus a capital fee to keep the homes at the Government's Decent Homes standard. Somerset West & Taunton owns and manages in house approximately 5,700 properties and the landlord function is within the Housing & Communities directorate.
- 11.4.** The draft 30-year business plans were presented to the Executive in December 2022 along with a single business plan for the New Council. This has been reviewed as part of the Rent Set preparations and the summary together with the operating Account Appendix A1 and Capital budget Appendix B1 are included within this report to support members with the recommendation to approve the business plan.
- 11.5.** The HRA revenue and capital budgets for 2023/24 have been prepared for the Somerset Unitary, the legal requirement is for a single Housing Revenue Account to be delivered for 1st April 2023. The rent increase is in line with the Government's cap of 7% which does have an impact on the financial viability of the business plan as inflation is significantly higher than 7%. The figures presented for 2023/24 show an in-year deficit of £1,650,000 with closing balances as at 31st March 2024 estimated at £11,329,000 which is significantly higher than minimum balances. It is important for members to consider the balance in the context of a 30-year business plan, currently the balances go below the minimum at year 8. Any funding decisions need to be

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made in consideration of the 30-year business plan, not looking at individual years in isolation.

12. Business Plan updates – Single Business Plan

12.1. In December the combined HRA 30-year business plan was presented with commentary explaining differences in delivery and operating models. Two business plans were produced because of the different operating models, and they were amalgamated to present a single business plan for the New Council. It is important to note that the authorities had different opening balances and there is a requirement to reduce the use of balances so that the HRA costs are contained within total income each year, and ensure ongoing financial resilience is maintained.

12.2. The business plan had two financial scenarios presented to show the material impact of the rent caps, the main source of revenue, being limited by a rent cap. The table below summarise the forecast general balances based on rents inflating by the Government’s rent cap at 7% (as per the Autumn Statement 17th November 2022). This provides a clear picture of the significant financial impact from the governments rent cap because balances are not sustainable from year 8.

Table 1: December 2022 HRA business plan – HRA balances

Year	Scenario A1 7% rent cap applied Balances £' 000
1 2022/23	13,340
2 2023/24	11,515
3 2024/25	12,414
4 2025/26	11,818
5 2026/27	10,519
6 2027/28	8,404
7 2028/29	5,620
8 2029/30	Below minimum balances: 2,070
9 2030/31	(1,098)
10 2031/32	(5,603)
30 2051/52	(240,302)

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- 12.3.** The HRA's income generating opportunities are restricted and heavily regulated by the Regulator of Social Housing's Rent Policy stipulating caps on increasing tenants' rents and reactive rent caps imposed as seen this November.
- 12.4.** The HRA faces further regulatory pressures, for example in terms of the substantial investment required in existing stock to deliver (a) quality as per the Decent Homes Standard, (b) building safety compliance (as per the requirements of the Building Safety Act 2022 and the new regulatory regime being introduced by the Building Safety Regulator), (c) decarbonisation commitments by 2050, though there is a local ambition for this to be achieved by 2030, as well as (d) continuing to invest in much needed new housing supply.
- 12.5.** In addition, the HRA is operating within a volatile and dynamic economic and political environment.
- 12.6.** The preparation of the HRA rent set budgets have been set following the main assumptions applied in the HRA business plan, for example no changes to rent increases or inflation rates. A summary of the changes between the HRA position for 2023/24 as per the HRA business plan and the HRA 2023/24 Rent Set budgets is shown in the table below. For 2023/24 the difference is £236k more than the HRA business plan which is not a material variance given the value of HRA balances and is mainly due to minor changes on interest on balances and opening balances.

Table 2 Comparison of HRA business plan against HRA rent set budgets for 2023/24

	HRA Bus. Plan	Rent Set	Over/ (Under)	Variance
	(£000)	(£000)	(£000)	%
Total Income	51,103	51,114	(11)	
Total Expenditure	29,731	29,578	153	
Net Cost of HRA Services	(21,372)	(21,536)	164	
Central Costs and Movement in Reserves	23,197	23,186	11	
(Surplus) / Deficit	1,825	1,650	175	
HRA balance brought forward	(13,340)	(13,401)	61	
HRA balance carried forward	(11,515)	(11,751)	236	-2%

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12.7. The HRA Business plan figures are detailed in Appendix A1 (operating account) and Appendix B1 (capital budgets.)

13. Revenue Budget for 2023/24 - Summary Figures – Single HRA

13.1. The recommendation for the revenue budget is as follows:

- the single HRA Revenue budget for 2023/24 as detailed in Table 3, section 13 and Appendix C.

13.2. The draft HRA Revenue Budget for 2023/24 is summarised in Table 3 below.

13.3. The table presents the Revenue Budget for 2023/24 being proposed for each predecessor Council area based on their current operating model to create a combined budget for the single HRA.

Table 3 HRA Revenue Budget for 2023/24:

	SDC (£000)	SWT (£000)	Combined (£000)
Income			
Dwelling Rents	18,038	27,146	45,184
Non Dwelling Rents	556	739	1,295
Charges for Services/Facilities	1,513	1,853	3,366
Other income/contributions	1,084	185	1,269
Total Income	21,191	29,923	51,114
Expenditure			
Repairs and Maintenance	4,380	8,740	13,120
Supervision and Management	5,187	4,054	9,241
Special Services	1,311	1,631	2,942
Rents, Rates, Taxes and Other Charges	681	160	841
Central Recharges (to / from General Fund)	206	3,228	3,434
Total Expenditure	11,765	17,813	29,578
Net Cost of HRA Services	(9,426)	(12,110)	(21,536)
Central Costs and Movement in Reserves			
Interest Payable	2,536	3,256	5,792
Interest Receivable	(254)	0	(254)
Change in Provision for Bad Debts	0	147	147
Depreciation	7,251	9,087	16,338
Capital Financing	1,163	0	1,163
Total Central Costs and Movement in Reserves	10,696	12,490	23,186
(Surplus) / Deficit	1,270	380	1,650
HRA balance brought forward	(10,267)	(3,134)	(13,401)
HRA balance carried forward	(8,997)	(2,754)	(11,751)

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13.4. The detailed HRA revenue account budgets are attached at appendix C.

13.5. The following two sections below provide an explanation of the main proposed changes to the annual revenue budget estimates from 2022/23 to 2023/24.

SWT Summary of Changes

13.6. The draft HRA Revenue Budget for 2023/24 that will be used to fund the current operating model for housing landlord services in the Somerset West and Taunton (SWT) area during 2023/24 is presented in Table 3 above.

13.7. The main changes to the HRA Revenue Budget from 2022/23 to 2023/24, for SWT, is summarised in Table 2 below.

13.8. The main areas of budget growth relate to inflationary pressures with increasing costs on salaries, electricity, gas, fuel, insurance, materials, contracts and the cost of borrowing to fund the capital programme to build new housing supply. The impact on the HRA Budget has been compounded by regulatory restrictions capping rents and service charge increases to 7% reducing the amount of additional income the HRA can generate to meet these pressures.

Table 4: HRA Budget Setting 2022/23 to 2023/24 Changes

	£000	£000
Original Budget 2022/23 (balanced)		0
Reversal of One-Off Budgets in 2022/23		865
Growth in 2023/24:		
Depreciation	1,420	
Net Staffing Costs (including inflation)	1,266	
Net Interest Payable	456	
Cost of Materials Inflation	363	
Shared Staff & Cost Inflation	287	
Vehicle Fleet	178	
Electricity Inflation	96	
Gas Inflation	90	
Hardship Fund	50	
Contractual Inflation	34	
Shop Income	32	
Insurance Premiums Inflation	27	
Grounds Maintenance	23	
Fuel Inflation	21	

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	£000	£000
Meeting Hall Income	7	
Other	45	
Total Growth		4,395
Savings / Increase in Income:		
Dwelling Rents	1,565	
Service Charges	293	
Central Recharges	380	
Pension Deficit	375	
Compliance Activity	136	
One-off Funding	95	
SAP and EPCs	91	
Social Development Enabling Fund	60	
Quarterly Newsletters	12	
Tenants Action Group	10	
Other	42	
Total Savings / Increase in Income		3,059
Budget Gap		2,201
One-Off Adjustment to remove Debt Repayment in 2023/24		(1,821)
One-Off Funding from General Reserves		(380)
Proposed Original Net Budget for 2023/24		0

13.9.The main changes in growth include:

13.10. Depreciation: Depreciation is transferred to the Major Repairs Reserve (MRR) and must be used to fund the capital programme and/or repay capital debt. Depreciation is calculated at the end of the financial year and is based on each of the major components of each property e.g., kitchen, bathroom, roof, etc.

13.11.The significant growth of £1.420m for depreciation is the net impact of an increase in the Housing Price Index inflating the value of assets, the inflated increase in the cost of materials, the reduced useful life as recommended by the External Auditors, offset in part by a reduction in non-dwelling depreciation based on updated projections.

13.12. Net Staffing Costs: The majority of this growth relates to inflationary pressures including the 2022/23 pay award, an estimated 5% pay award for 2023/24, increase

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in employers pension contribution (from 17.5% to 20.1%) and reduced NI Rate – amounting to £731k.

13.13. Another significant element of growth in this area relates to the outcome of a job evaluation process that has increased the salaries of trade staff so that job grades are more consistent with the local and sector marketplace to ensure we can recruit and retain suitable staff to fulfil our repairs and maintenance obligations. This, in addition to other changes such as requested permanent reduction in working hours, has imposed a financial pressure on the service of £365k.

13.14. The budget estimates for 2023/24 contains some extra resource in areas of the business that are under significant pressure, for example in the Leasehold Team to provide sufficient capacity to deal with demand and compliance with relevant legislation, in the Tenancy Management team to meet the growing demand from tenants since Covid and the cost of living crisis to help address increasingly complex and challenging case work in terms of multiple vulnerabilities, and the Property Team to provide sufficient capacity meet increasing regulatory and legislative requirements e.g. Decent Homes, H&S compliance, and our retrofit strategic aims. The financial impact of this extra resource has been offset in part by a number of vacant posts being repurposed to place resource in areas of the business where it is needed most.

13.15. Net Interest Payable: The majority of our capital financing requirement is funded from existing long term external borrowing which continues into 2023/24 and is based on fixed interest rate loans. Therefore, we are able to predict the interest payments for these elements with a high degree of certainty and will cost £2.553m. An assumption has been made that the HRA will refinance £15m at 4.5% at the end of 2022/23 adding a further cost of £675k. The remainder of this budget is subject to the year-end capital financing requirement position and the rate of internal borrowing; this is estimating an internal borrowing cost of c£27k.

13.16. Cost of Materials Inflation: This reflects the rising cost of materials impacting the repairs and maintenance, and voids services.

13.17. Shared Staff and Cost Inflation: This relates to the shared staffing costs inflationary pressure for the 2022/23 pay award, an estimated 5% pay award for 2023/24, increase in employers pension contribution (from 17.5% to 20.1%) and reduced NI Rate. This also includes an inflationary increase in costs for shared (non-staff) costs with the GF.

13.18. Fleet: The 2022/23 revenue budget assumed that the lease element of the fleet contract would be capitalised under IFRS16 Leases. However, the adoption of IFRS16 has been delayed until 2024/25. Therefore, the main growth is for a one-off revenue budget in 2023/24 to cover the lease costs as revenue. These estimates also include updated projections for the cost of vehicles during the year.

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13.19. Electricity Inflation: This growth is a combination of adjusting for inflation in both 2022/23 and estimated inflation for 2023/24 at 57%.

13.20. Gas Inflation: This growth is a combination of adjusting for inflation in both 2022/23 and estimated inflation for 2023/24 at 283%.

13.21. Hardship Fund: A new hardship fund is being proposed to recognise the real challenges tenants will face to be able to afford to live over the coming year. It is a relatively small budget, and the criteria will therefore need to be set at a reasonable high threshold to ensure we reach those most in need, it is envisaged that this fund will be deployed by the SWT Housing Rent Recovery team. It should help minimise the necessity for tenant evictions through non-payment of rent and support those struggling to afford living costs. It is proposed that this is funded by a contribution from HRA General Reserves.

13.22. Contractual Inflation: Across the HRA various supplier contracts have inflated in price as a reaction to the economic climate and rising costs, for example waste disposal, contract cleaning, Deane helpline and water.

13.23. Shop Income: The income from shop rentals is estimated to decrease due to difficulties in reletting void units.

13.24. Insurance Premiums: This growth is a combination of adjusting for inflation in both 2022/23 and estimated inflation for 2023/24 at 10%.

13.25. Grounds Maintenance: The contracted price for the Service Level Agreement for the provision of grounds maintenance across the HRA housing stock open spaces has been reviewed and the price for 2023/24 updated, with an increase of £23k.

13.26. Fuel Inflation: This growth is a combination of adjusting for inflation in both 2022/23 and estimated inflation for 2023/24, as well as adjusting for levels of usage.

13.27. Meeting Hall Income: During COVID the meeting halls were restricted from use. Since the COVID restrictions have lifted the meeting halls have been under-utilised. The expected income from this groups of assets has been reduced by £7k (down to £3k).

13.28. The main changes in savings / increase in income include:

13.29. Dwelling Rent Income: As per section 14, we are proposing to increase rents by 7% (as capped by the government) which provides £1.785m of additional income. We have also adjusted for anticipated stock changes (e.g., RTB Sales of 35 units per year) and updated our void projections which reduces our income by £242k. We also have

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an estimated £22k of new income from the Housing First model which offers additional support to tenants housed (via the homelessness function) through this route. The cost of this additional support is recovered from higher service charges applied that are fully funded for the tenant through benefits.

13.30.For information, the SWT HRA has lost the opportunity of generating c£1m 4.1% (the difference between the cap at 7% and CPI+1% formula rent) of dwelling rent income in 2023/24 due to the rent cap imposed by the government.

13.31.Service Charges: As per section 14 we are proposing to increase service charges by 7% (as capped by the government), with exception to Piper Charges inflating at 3%, communal at 37% and sewerage charges, which gives us an extra £119k of income. We have also adjusted for anticipated stock changes (e.g., RTB Sales of 35 units per year) and updated our void projections which increases our income by £12k. We also have an estimated £162k of new income from the introduction of an administration fee, communal utility charge and door entry charge.

13.32.For information, the SWT HRA has lost the opportunity of generating c£56k (4.1%) of service charge income in 2023/24 due to the cap imposed by the government.

13.33. Central Recharges: The HRA is required to periodically review its share of corporate costs (with the General Fund). The last review undertaken during 2022/23 identified a saving of £380k shared costs. This ensures that the HRA is compliant with the Accounting Code of Practice and that there is no cross subsidy between funds.

13.34.Pension Deficit: The latest actuarial valuation of the pension fund deficit reports a reduced pension deficit payment for 2023/24. This saving has been shared by the GF and the HRA proportionately.

13.35.Compliance Activity: The HRA undertakes a number of compliance activities across its services including gas safety checks (LGSR's), water risk assessments and remedial works, electrical inspections (EICR's), asbestos surveys and re-inspections, fire risk assessment and remedial works, fire safety checks, and lift and stair-lift checks and remedial work. The estimated spend on delivering this activity is reviewed on a regular basis and feeds into the annual budget setting process. The updated estimates for compliance activity in 2023/24 is estimating a saving of £136k against the current years' budget.

13.36.One-Off Funding: The HRA has been able to secure one-off Hinkley Housing mitigation funding of £95k to support existing expenditure such as community and voluntary sector grant payments to third parties to provide enhanced support to tenants and transfer removal grants to help downsize tenants to free up bed spaces. These activities will again come under pressure in 24/25.

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- 13.37.SAP and EPCs:** The Standard Assessment Procedure (SAP) is the UK government's recommended method system for measuring the energy rating of residential dwellings. The EPC is Energy Performance Certificate are a rating scheme to summarise the energy efficiency of buildings. The EPCs are being carried out as part of the capital programme and therefore will be capitalised as they are part of creating the asset or bringing it in use. Once the asset is formed then traditionally the EPC would be treated as revenue. There is a saving of £91k against the current years' budget.
- 13.38.Social Development Enabling Fund:** This budget is to enable the exploration of future social development and regeneration schemes. The HRA is currently fully committed in this respect the next 8 years development activity pipeline and therefore this fund is not needed in 2023/24, as all costs are now contained in specific scheme project budgets.
- 13.39.Quarterly Newsletters:** The HRA currently produces, prints and posts a quarterly newsletter to tenants. The proposal is to continue producing a quarterly newsletter but to reduce print and post to two quarters only, providing the other two quarters online / electronically.
- 13.40.Tenants Action Group:** There has been a historical underspend of £10k in this area that is being proposed to be taken as a saving from 2023/24 onwards.
- 13.41.One-Off Adjustment to Voluntary Revenue Provision (VRP):** As part of the 2022/23 budget there was a one-off adjustment to fund £800k (of the £1.821m base budget) from existing non-RTB capital receipts. Due to the significant inflationary pressures impacting the finances of the HRA and the government imposed cap on rent and service charge increases, the full £1.821m will need to be released from the revenue voluntary repayment of provision (debt) to provide further revenue capacity for on-going in-year operational costs. This will be funded using £350k of new non-RTB capital receipts as per the 5-Year Asset Strategy from 2023/24 (agreed by SWT Full Council 8 Feb 2022 as part of the Budget Setting report). The remaining £1.471m will be funded using Right to Buy (RTB) 'unadjusted allowable debt' capital receipts. This ensures the continued contribution by the HRA to make a voluntary repayment of debt whilst temporarily releasing funds to meet revenue pressures.
- 13.42.One-Off Funding from General Reserves:** The one-off funding of £380k from general reserves has been included subject to 2022/23-year end balances remaining above at least £2.380m. If this is not feasible then we will need to manage this through the budget monitoring process in 2023/24. For example, if there is less spend on the capital programme than anticipated in the budget then this will reduce the Capital Financing Requirement (CFR) which will either reduce the cost of borrowing and / or increase investment income – if this is the case we would look to

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reduce the transfers from general reserves against any variance on net interest payable.

SDC Summary of Changes

Revenue Budget 2023/24

13.43 The draft HRA Revenue Budget for 2023/24 that will be used to fund the current operating model for housing landlord services in the Sedgemoor area during 2023/24 is presented in Table 3 above.

13.44 The main changes to the HRA Revenue Budget from 2022/23 to 2023/24, for SDC is summarised in Table 3 below. The opening HRA balances at 1st April 2023 are at £10.267m and closes balances at 31st March are lower at £8.997m because of an in year net cost of the service at £1.27m. Noting the presentation of the table below is reflective of the different operating model at SDC because the main operating area of expenditure in the HRA is the management fee payable to Homes in Sedgemoor (HiS). The breakdown of the fee is explained in more detail further on in this section and is consistent with the information presented in the HRA business plan (Executive 14th December 2022).

Table 5: HRA Budget Setting 2022/23 to 2023/24 Changes

Changes in original budget 2022/23 to original budget in 2023/24		
	£'000	Main reason
Expenditure		
Repairs & maintenance	284	Mainly due to increase in management fee, see section in report for more about this contained in report item 15.5
Supervision & management	132	
Special services	195	
Rents, rates, taxes and other charges	240	
Depreciation	2,203	Need to increase see item for more detail 15.4
HRA interest payable	791	Per loan agreements
Capital expenditure funded by revenue reduction	(1,614)	Dependant on the capital programme requirements
Net increase in expenditure	2,231	
Income		
Rent income - additional income	1,057	See report section on rents
Service charge income and other income - additional income	104	See report section on service charges
Net increase in income	1,161	
Net increase in expenditure to be funded from HRA	1,070	
Original budget 2022/23 net cost of in year HRA service	200	
Original budget 2023/24 net cost of in year HRA service	1,270	
Difference as explained above	1,070	

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13.45 In the budgets presented in 2023/24 the charge for depreciation has been increased when compared to the original budget in 2022/23, similar to the situation at SWT because of the national pressures faced of increased construction industry prices and the need to review component lifetimes.

HiS Management Fee

13.46 The housing stock in the Sedgemoor area is owned by SDC and managed by HiS under a management agreement with HiS being paid a fee. The annual management fee payable to HiS was included in the business plan and historically had always included annual inflationary increases. If HiS require additional funding this has been requested as growth in addition to the annual fee. The total Housing Management Fee payable to HiS in 2023/24 is at £9,710,320. This includes inflation and an ongoing sum of £224,000. The sum of £224,000 approx. has been in the budget since 2019/20 as an annually assessed one-off growth budget each year following the cessation of the supporting people grant. The grant helped fund the sheltered housing services. A review of the service was carried out for the 'Independent Living Service' (sheltered housing) with a revised scheme being rolled. The revised scheme is now in place and the funding requirement assessed. HiS advised that in 2023/24 a firm ongoing assessment of revenue funding for the Independent Living Service would be required, this assessment is at £224,000 and has to be accommodated in the new fee because the associated income from the new service has been included in the service charges income as an ongoing item.

13.47 HiS have reviewed in detail the management fee for 2023/24 with challenge regarding the increase. Of the increase a sum of £556,500 represents the increase for electricity and gas. Pay increase inflation costs an extra £164,780 and is based upon an estimated 5% pay award, in-line with Somerset Council assumptions because HiS are subject to the same NJC terms and conditions. Asset management inflation for repairs and maintenance is estimated at £287,410. This represents an 8.5% increase. The latest index published by BEIS (Department for Business, Energy and Industry Strategy) shows that the cost of repairs and maintenance materials rose by 22% during 2021/22. The table below shows how the management fee is allocated out across the HRA, noting the budget allocated to each line will be updated in year by advice from HiS.

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Table 6: HiS Revenue Management Fee for 2023/24

	2023/24 Annual Charge £
Income	
Other income	1,077,790
Total Income	1,077,790
Expenditure	
Repairs & maintenance	4,370,050
Supervision and management	4,642,490
Special services	1,237,280
Rents, rates, taxes and other charges	538,290
Total Expenditure	10,788,110
Sub-total: Net management fee	9,710,320

13.48 HiS has produced a MTFP and has a policy on the use of reserves which will present options for investing in initiatives to support the tenants and improve the stock. They have recently approved funding from reserves for a development officer for 3 years to boost development of new homes. HiS reserves need to be considered along with the plans Somerset Council has to invest in the stock and develop new build.

14. Dwelling Rent Income

14.1. Recommendations for rent increases are as follows:

- an increase of 7% to Dwelling Rents for 2023/24 in line with the Governments rent cap. To continue to increase rent for relets by Sept CPI plus 1% (11.1%).
- an increase of 7% for Sheltered/Extra Care housing Rents in line with the dwelling rents increase.
- an increase of 7% for Shared Ownership properties.
- an increase of 7% on affordable rental tenures, with the rent being reviewed at relet based on 80% of market value capped at LHA rate.

14.2. The HRA is a landlord account. The main sources of revenue to finance the housing stock and housing services is from dwelling rents and service charges. Other sources of income are also included such as rent of garages and shops. Because the HRA is a statutory ring-fenced account from the rest of the General Fund the rents cannot be used to subsidise council tax (or vice versa).

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- 14.3.** The setting of social rents is governed by the Government's Rent Standard. In 2019 the Government set a rent policy for social housing that would permit rents to increase by up to CPI plus 1 percentage point per year until 2024/25. There was no commitment to rent increases thereafter. However, whilst rent policies are in place the Government has in the past made changes to the policy for example there was a four-year progressive rent cut period which only ended in 2019/20. The 2019 rent policy then applied for future rent increases. However, the country is facing extreme financial challenges with a cost-of-living crisis and increasing rates of inflation which would have meant social rents for 2023/24 would be increased by 11.1% (September CPI plus 1%). This is a large increase which would severely impact on both tenants that are self-funders/part self-funders and the Government in financing the benefits bill.
- 14.4.** On 31st August 2022 the Government published a consultation paper seeking views on a new Direction to the Regulator of Social Housing in relation to social housing rent policy from April 2023. The consultation closed on 12th October. The paper focussed on the introduction of a rent ceiling from 1st April 2023 to 31st March 2024 which would act as an upper limit on the amount by which social housing providers can increase actual rents in that year. Suggested actual rent ceilings in the consultation were 3%, 5% and 7%.
- 14.5.** On 16th November the Government confirmed in the autumn budget statement that the rent increase ceiling would be at the 7% level with an exception for supported housing and shared ownership properties. It should be remembered that we still have the Government's rent formula for social rents (this does not include affordable rents) which is based on bedroom numbers, property value and local earnings, the formula rent increase does remain at 11.1%. This means for any relet property after 31st March the rent would then be let the Government's formula rent, an increase of 11.1%. Usually both the 'actual rents' and 'formula rents' increase by the same amount.
- 14.6.** The application of formula rents at relet is detailed in the rent policy. This allows actual rents to converge with formula rents for social rent properties. This is in alignment with the Government's policy of rents at local authorities being at the formula rent level. This is because of the long-standing rent convergence process which started back in 2002/03, with subsequent changes meaning now that rent levels can only converge to the prescribed formula rent upon the relet of the property. It is important that rents move towards formula rent in line with both Government and local policy. The HRA is ring fenced and the rent income is the main source of funding. Given the HRA business plan presented in December shows that the plan is not balanced over the 30-year period it is crucial that the income be sensitively managed to cover the essential service costs. Any property being relet would be advertised with this rent level.

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- 14.7.** It should be noted that for affordable rent properties the rent is set at 80% of the market value, thereafter the rent increases according to Government rent increase advice. However upon relet the property then moves to an updated affordable rent following an annual review carried out the authority's valuer, this is so that rents keep track of the local market, albeit being charged at 80% of market value. Affordable rents are capped to LHA levels.
- 14.8.** The Government has, since the HRA business plan was completed requested that local authorities for shared ownership properties voluntarily opt to apply the 7% rent cap in 2023/24 rather than the allowed 11.1%. The actual rents therefore for this category are recommended to also increase in 2023/24 by the 7% increase.
- 14.9.** Locally it is felt that to allow sheltered/extra care properties to increase by the allowed 11.1% would be unfair and unjust when the other tenures have an actual rent cap of 7% applied. Therefore it is recommended that as a local decision for rent set that this tenure also sees an actual rent 7% rent increase applied.
- 14.10.** For all properties then the 'actual' rent increase is recommended at 7%. This is applicable for:
- General Needs tenures
 - Affordable rent tenures
 - Shared ownership tenures (complying to the voluntary request to apply a 7% cap)
 - Sheltered/extra care tenures (local decision)
- 14.11.** We should be mindful of the impact on the HRA business plan of setting rents below inflation. The plan assumed after 2023/24 the rents increasing by CPI plus 1% in 2024/25 which is back in line with the Government rent policy, so at an estimated increase of 6.5%. In the plan thereafter rents are increasing by just CPI, set at 2%. If the Government were to confirm that rents beyond 2024/25 could further increase by a rate more than CPI this will have a beneficial impact on the HRA future balances. The table below shows the impact of two rent sensitivity analyses at CPI plus 0.5% from 1st April 2025/26 and onwards and CPI plus 1% from 1st April and onwards which would improve balances. Noting that at year 30 only the CPI plus 1% per annum is the only sensitivity that brings balances back to positive levels.

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Table 7 Rent Sensitivity Analysis and Impact on Balances

Year	Year	Extra Rent Per Year From 2025/26		HRA Minimum Balance £'000	HRA Balances	
		CPI + 0.5% £'000	CPI + 1.0% £'000		CPI + 0.5% £'000	CPI + 1.0% £'000
30	2051/52	11,615	24,801	6,993	(38,094)	181,036

14.12. The impact on the HRA business plan in 2023/24 with rents set at below inflation means rental income is below the base case model by £1.744m in 2023/24. Over the full 30 years of the plan the total revenue lost is just over £70m. The guidance issued suggests rent increases in future years however we need to keep this situation under review, being mindful that the loss of rental income whilst inflation is higher in 2023/24 cascades through each year because of the cumulative loss.

14.13. The rent budgets presented must take into account voids and bad debts. Advice on the levels for these are taken from HiS for the stock that they manage and SWT for the stock in that geographical area. Stock lost through the Right to Buy is also taken into account in the rent budgets. These factors place a downward pressure on the income collected in year.

Rent Flex

14.14. The recommendation for rent flex is as follows:

- the continuation of rent flex at relet for properties in SWT as included in the Rent charging policy, with the rent flex policy being considered in the future for properties within Sedgemoor.

14.15. The New Somerset rent policy allows rents to have 'rent flex' applied. This means: Flexibility to set rents at up to 5% above social formula rate on general needs housing and up to 10% for sheltered and supported housing. In applying the flexibility, a housing provider should ensure that there is a clear rationale for doing so which takes into account local circumstances and affordability.

14.16. Rent Flex has already been implemented at SWTC. However for tenants in SDC this would be a change in practice and policy and so in accordance with the Housing Act 1985 s105 3b HiS would need to consult with tenants on this policy. It is the intention in 2023/24 this policy will be consulted on with the view to consider applying this in 2024/25 given the current cost of living crisis and the rent increase situation explained earlier in this part of the report.

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14.17. Temporary Accommodation in SWTC area rents

14.18. The recommendation for temporary accommodation rents is as follows:

- an increase based on Sept CPI 10.1% on temporary accommodation charges

14.19. The Homeless Service has an obligation to provide interim accommodation for Customers whom they owe a statutory duty. Their use of our HRA stock, designated as temporary accommodation is preferable to commercial Bed and Breakfast which does not have cooking facilities and is more expensive. The demand for Temporary Accommodation is extremely high at present and the costs of regular turnover of occupants reflects the need for a higher daily rate to cover these related costs.

14.20. In 2022/23 a new daily charge was introduced. It is proposed to inflate this rate by the September 2022 CPI at 10.1% as Temporary Accommodation is exempt from the Rent Standard. The table below shows the daily rates that will be applied for 2023/24.

Table 8: Daily Rates for Temporary Accommodation

No. of Bedrooms	Daily Rate 2022/23	Daily Rate 2023/24	Change
Studio	16.53	18.20	1.67
1-bed	16.53	18.20	1.67
2-bed	20.82	22.92	2.10
3-bed	24.37	26.83	2.46
4-bed	29.84	32.85	3.01

15. Fees and Charges

Service Charges

15.1. The recommendations for service charges are as follows:

- an increase in service charges for tenants in the Sedgemoor area based on actual costs in line with the service charging policy. The service charges are contained in Appendix D
- . increase in service charges for tenants in SWT properties of 7% (with the exception of Piper Lifeline at 3%, communal areas at 37%, the introduction of a new management fee at 10%, a new charge for utility for internal areas charge and a new charge for door entry system) 7% is based on the governments rent

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cap with a commitment to review the option of 'depooling' service charges for 2024/25 to align service charge policies. The service charges are contained in Appendix E alongside a supporting report

15.2.The other major source of revenue for the HRA associated with the tenancies are service charges. There are differences between the two district council's approaches to service charges for social rent properties. The charges for services/facilities budget for 2023/24 is at £3.366m, noting the 2022/23 pre unitary original budget was at £3.044m, a movement of £0.322m.

15.3.At SDC the service charges have been depooled meaning that for social rents the service charges are separate from the rents and are charged based on actual cost in agreement with the local service charging policy. This makes service charges transparent and easy to understand. HiS hold data on their systems for calculating and apportioning service charges except for careline and estate sewerage charges.

15.4.In the SWT area service charges have not yet been depooled and are largely within the rent and therefore increase by the same amount as the rents. This is something that will be looked at in the future to align these charges and potentially generate more revenue. A review of the service charging policies will also be required.

15.5.For more information on SWT fees and charges please see appendix E.

Garage Rents:

15.6. The recommendation for garage rents are as follows:

- an increase of 7% for garage rents in the Sedgemoor Area and an increase of 7% for garages rented by council tenants in SWT and 10.1% for private/owner occupier rented garages in this area.

15.7.The Council owns a number of block garages which are rented out to both HRA housing tenants and private people/organisations.

15.8.In the SDC area there are around 1,200 garages over 95 sites. Many required investments and HiS had reviewed the garages and gave them RAG rating for future use. A number had been identified for demolition and redevelopment and some of the sites are being brought forward as part of the housing development plans (currently including the Sydenham site in the capital programme). A number of garages were also identified for investment and HiS committed to spend up to £1m from their own reserves to fund their refurbishment. HiS have made good progress on these garage sites refurbishing them and an increased rental charge has been approved on the relet of these garages. This investment has not only improved the neighbourhood look and feel but has also had a positive impact on the street scene

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with ASB in these areas seeing a large reduction. The garage charge levels are shown later in the report alongside the service charges.

15.9.The refurbishment programme has had positive feedback and HiS have been successful with the letting. However being mindful of the cost-of-living crisis and the fact that garages are not necessarily a top priority demand for them is fragile. With the market conditions in mind the SDC area garages are looked to increase by 7% in line with the housing rents in order to keep income at least at base line budget levels. Noting there are two levels of charges being non-refurbished and newly refurbished. Any income above the pre-agreed base line budget of £307,300 is paid back to HiS to cover the £1m investment, until the investment is repaid the gain on council balances is nil.

Table 9: Garage rent levels in SDC area (based on a 50-week rent year)

	Weekly Rent 2022/23	Weekly Rent 2023/24	Change
Non refurbished garage (excluding VAT)	9.31	9.96	0.65
Newly refurbished garage (excluding VAT)	11.20	11.98	0.76

15.10.In the SWT area there are around 1400 garages. For 2023/24, private tenants and owner occupiers the weekly rent will increase by September 2022 CPI at 10.1% whereas for council tenants the weekly rent increase will be capped at 7%. The table below shows the weekly rents that will be applied for 2023/24. The level of voids is c240 units. There are some sites earmarked for possible future demolition and redevelopment, however the social development capital programme is at full capacity for the next few years. In terms of asset maintenance there is a £20k capital budget for 2023/24 and a £20k revenue budget for repairs and maintenance.

16. Table 10: Garage rent levels in SWT area

	Weekly Rent 2022/23	Weekly Rent 2023/24	Change
Private Tenants and Owner Occupiers (excluding VAT)	10.57	11.64	1.07
Council Tenants	6.91	7.39	0.48

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Other Income:

16.1. The HRA does have a number of shops/other rental properties and the income from these is laid out in specific rent/lease agreements and income from these will be charged and collected as stipulated.

16.2. The HRA also has a small number of communal / meeting halls can be hired out across both the SDC and SWT areas. The scale of charges for these is shown on the service charges page, income from this activity is minor however we are obliged to show this charge in this report.

17. Capital

17.1. The HRA Capital Programme which consists of three main elements: Major Works, Improvements, and Development and Regeneration. This significant investment will be funded from an appropriate combination of Major Repairs Reserves (from depreciation), revenue contributions, capital receipts, capital grants and borrowing.

17.2. In December the combined Business Plan was presented. There have been no material changes to the capital programmes put forward then. The plan assumed capital expenditure of £1.114billion over the next 30 years. Of this, £346m (including the current year) will be spent during the next 10 years (see table 5 below) and will deliver works as described below. There are some clear differences in the current delivery plans between the two existing Councils that will need to be reviewed and realigned during the next 12-18 months. The 2023/24 detailed capital budget is attached in Appendix F.

Table 11: HRA Business Plan Combined Projected Capital Spend 2022/23 to 2032/33

	2022.23	2023.24	2024.25	2025.26	2026.27	2027.28	2028.29	2029.3	2030.31	2031.32	2032.33
	£,000	£,000	£,000	£,000	£,000	£,000	£,000	£,000	£,000	£,000	£,000
Capital Expenditure:											
Major Works & Improvements	22,801	20,910	19,657	18,179	22,152	22,076	22,697	22,268	22,388	23,947	18,330
Development & Regeneration	24,036	25,934	18,147	15,520	7,182	9,798	10,881	10,131	4,774	3,374	3,476
Total Expenditure	46,837	46,844	37,803	33,699	29,334	31,874	33,578	32,399	27,162	27,321	21,805
Capital Financing:											
MRR	20,895	18,066	17,833	18,454	18,968	19,397	19,911	20,484	21,082	20,042	17,030
Borrowing	16,432	20,979	-	4,541	4,104	6,023	7,015	5,060	-	-	-
RTB 141 Receipts	4,164	4,258	6,314	6,073	2,873	3,919	4,206	4,052	1,909	1,350	1,390
Grants	3,240	1,532	338	-	-	-	-	-	-	-	-
Other Capital Receipts	1,635	847	11,141	2,389	1,081	159	-	285	2,563	3,261	637
Other RTB Receipts	470	-	2,178	2,242	2,308	2,376	2,446	2,518	1,608	2,669	2,748
RCCO	-	1,163	-	-	-	-	-	-	-	-	-
Total Financing	46,836	46,844	37,803	33,699	29,334	31,874	33,578	32,399	27,162	27,321	21,805

Table 12 Movement from HRA business plan to Rent Set on the Capital Programme

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Capital Expenditure	2023/24 Per HRA business plan £'000	2023/24 Per HRA rent set £'000	2023/24 Over/ (Under) £'000	Reason
Major works & improvements	20,910	20,910	0	No change
Development & Regeneration	25,934	26,424	490	New scheme approved SDC 30.11.2022 Carrotts Farm, 3 homes
Total expenditure	46,844	47,334	490	

17.3. Major Works: These schemes will be focusing on ensuring that a decent homes standard is maintained and that the housing stock major components are replaced periodically as per the capital works programme. This will also include unplanned major works on voids where the property is returned in a poor condition and requires a full re-work ahead of the capital works programme.

Somerset West and Taunton

17.4. The services are currently aligning low carbon retrofit expenditure and grants to the Major Works capital programme in order to efficiently deliver low energy targets for 2030 and zero carbon targets for 2050. The services are finding opportunities to increase the specification of decent homes components such as windows, doors, loft insulation and heating to achieve both decency and reduced heat demand. The services are proactive in seeking grant funding to support our low energy targets including Social Housing Decarbonisation Funds and ECO4. Decent homes components have different replacement timespans creating challenges identifying the optimum date at which to replace components to minimise the number of non-decent home and maximise low carbon benefits. The profile of decent homes components is established through stock condition surveys and updating property records following works. Over the next ten years the Council (or the HRA/both) plans to renew c40,000 (increase if for HiS stock) major components from kitchens to windows to roofs to bathrooms.

Sedgemoor District Council

17.5. SDC is committed to keeping homes safe and well maintained, improving energy efficiency to lower bills, and building much needed new social homes. The cost-of-living crisis and a 7% rent cap in 2023/24 will have a significant impact in all areas of the business and has led to the need to achieve savings of more than £24 million in the 30-year Capital Investment Programme.

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17.6. The savings that have been proposed will not have any impact on Landlords Safety or Decent Homes Compliance and our homes will remain safe, legal and to a good standard. The main changes in the Programme will be around the timings of component replacements, delivering services differently and a change in the methodology for certain types of works such as external works. Investment proposals are based upon comprehensive stock condition surveys conducted during 2020 to 2021. The surveys have identified the required component replacement requirements to maintain homes to a Decent Home Standard.

17.7. The cost of achieving Net Zero across the stock in the Sedgemoor district has been previously identified as £70m. This level of possible investment is not included in the 30-year programme. Despite no long-term funding HiS have developed a Sustainability Strategy covering the period up until 2025. By the end of 2025 HiS will have gathered data informed intelligence on the most effective and efficient net zero solutions before embarking on an expensive retrofit programme. Identifying sufficient resource to deliver the required investment presents a significant challenge. Opportunities for securing funding through the Social Housing Decarbonisation Fund (SHDF) and ECO4 grant are being explored. Please see the report item 21 requesting growth to progress a matched funding bid to be able to progress net zero carbon investment works.

17.8. Improvements Programme: This includes schemes such as: Fire Safety which focuses on ongoing fire safety works and ensuring all housing stock continues to adhere to the fire safety regulations; maintenance of Related Assets including garages, meeting / community halls and shops, mobility vehicle storage, package septic treatment plants (PSTP), door entry systems; Exceptional Extensive Works such as asbestos removal, installation of radon sensors and community alarms ; disabled Facilities and Aids and Adaptations for small and large scale home aids and adaptations in tenants homes where there are mobility issues. This is demand led by requests from tenants or through recommendations by occupational therapists or other healthcare professionals. Applications are currently made through the Somerset West Private Sector Housing Partnership; Vehicles, the lease costs can be capitalised whilst the maintenance remains a revenue cost.

17.9. The SDC stock does require some other urgent works for general improvements at La Ciotat House to both the internal and external spaces. And also, recent surveys on Radon presence has identified a need for remediation, please see report item 20 requesting additional funding requirements for these items.

17.10. Development and Regeneration: The predecessor Councils have been developing new Council homes for some years now after a period of not being able to fund new housing for many years. Two major changes enabled this to happen:

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- The ability to retain some of the RTB receipts to invest in new housing which is a complex agreement and requires participating authorities to sign a legal RTB receipts retention agreement with the Government. This change applied from April 2012. The detail of RTB is discussed in section 19.
- The removal of the HRA borrowing cap, in October 2018, allowing investment decisions to be made for housing capital including new housing development.

17.11. Despite the new build programmes the financial viability of the HRA as detailed in the sections above are currently having an impact on the New Build funding within the plans presented. SDC has only included the minimum to utilise right to buy receipts which does not match its aspirations.

Somerset West and Taunton

17.12. The development and regeneration programme includes 341 new homes in its business plan to be delivered up to 2029 over seven schemes or phases. SWT has an ambition of a total of 1000 new homes by 2049. All new homes are built to low energy and low or zero carbon standards meaning they are either carbon neutral from the first day of letting or they will be carbon neutral once the national grid decarbonises. The HRA mainly develops on existing HRA residential land or underused HRA land.

17.13. SWT has a major regeneration project in progress at North Taunton which is a significant financial commitment and one with a significant impact on the community. The scheme involves demolishing a large number of defective non-traditional build Woolaway Homes and replacing them with a larger number of low carbon homes with a wide range of bed sizes and all to a lifetime homes standard. The homes are all built to accessibility standards and the development includes a good proportion of fully adapted properties. The cost of regeneration is high compared to development on a clean site as some properties have to be purchased from private owners before demolition and building and decanting is required and compensation paid.

17.14. Regeneration schemes also place emphasis on initiatives which strengthen the community such as jobs and apprenticeships, school outreach work and community environmental projects. Seaward Way, Minehead and Oxford Inn, Taunton schemes are less complex. Although they will be zero carbon when built they are able to attract more subsidy and the communities have significantly less disruption. The HRA has refined its specification for building new homes to support zero carbon ambitions although budgets have had to reflect the costs of a higher specification for air tightness, insulation and renewable heat and power costs.

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- 17.15.** As the housing stock ages and the service has to consider decency, compliance and energy efficiency some properties may not merit investment. Wordsworth Drive and Coleridge Crescent Flats is an example of a block of properties which has come to the end of its life. The Service is decanting and demolishing the blocks at a cost to the business plan and will come forward with options for the site in due course.
- 17.16.** The HRA Business plan takes into account investing in low carbon measures and has established pathways for its existing homes to Zero carbon. Some homes require a moderate amount of investment to achieve the 2030 target and all homes require a greater amount of investment to achieve the 2050 target. The costs of meeting the 2050 zero carbon target are not calculated within the business plan. The service has identified that alignment of decent homes investment and retrofit investment is essential to move towards zero carbon and that pursuing grant and subsidy is essential. Although the business plan has identified £13m (SWT) of major works capital investment to be aligned to retrofit over the next eight years the full cost of achieving zero carbon in our homes has not been included in the business plan.
- 17.17.** A few homes due to their construction type and structural challenges require a significant amount of investment and the two retrofit schemes at Oake and North Taunton phase E are such examples. These schemes are retaining defective council dwellings through comprehensive structural, and refurbishment works. These homes will be brought up to a zero-carbon standard but require significant investment. A small amount of grant funding has been awarded for these schemes.

SDC (HiS)

- 17.18.** SDC's development and regeneration programme has to date focussed on additional supply of new-build council homes funded within the HRA. The programme includes 144 new rented homes, to be delivered by 2025 and a further phase of 178 new rented homes with potential to be delivered between 2024-2028.
- 17.19.** The SDC HRA new build council development and investment programme operates on a long-term cost neutral basis. Simply put every new build property and project will eventually pay for itself (from future rental income and externally sourced subsidy support) within an agreed payback time period, typically 30 years. It does increase borrowing and does have revenue impact in the early years, but the business case has to demonstrate payback.
- 17.20.** The SDC programme is delivered through a deliberately diverse model which includes the redevelopment of redundant or underused HRA land. SDC has redeveloped and regenerated existing HRA homes, this approach to new supply has been small scale to date due to the financial impact on the HRA. The acceleration and expansion of further large-scale redevelopment and regeneration of existing HRA homes is subject to option appraisal review. This review will be informed and

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influenced by the proactive asset management as the authority strives to modernise the ageing existing HRA stock to the standard demanded in the 21st century and where stock rationalisation will invariably see economically unsound homes sold to generate funds for new replacement homes. The current redevelopment of 6 existing HRA homes at Pen lea House in Bridgwater will see the delivery of 33 low carbon homes. Further exciting community inspired plans exist for HRA homes and land in Highbridge and form part of the wider SDC levelling up bid plans for the town.

17.21. The SDC new build HRA programme goes beyond simply using existing LA land and assets. The programme includes delivery through routes such as purchasing s106 grant free homes secured by the planning system, a unique bespoke homes initiative delivering homes for families with unusual housing need, working alongside parish council(s) to project management and build community sponsored new council homes and the re-purchase of former council homes previously sold under the RTB. The authority remains open to alternative options capable of supporting the delivery of a new generation of council homes.

17.22. The New Somerset Authority will want to in the future align the existing development strategies that currently exist.

17.23. To help finance the new build programmes local authorities can use the retained RTB receipts and homes England grants. For an authority to have access to grant funding from Homes England an extensive application has to be submitted to be on their register. Approved authorities can then place bids for funding from the national Affordable Homes Programme. A new build scheme can only have one source of Government funding so is not permitted to have both Homes England and retained RTB receipts as funding. It is possible that a scheme could not have either of these financing sources however it is good practice for any new build scheme to have a business case established to ensure the scheme is financially viable. Typically, this is usually over a 30-year period to be consistent with the HRA business plan, however there may be exceptions whereby the business case repays over a longer period before becoming self-financing.

17.24. It should be noted that the RTB receipts can only fund up to a maximum of 40% of the scheme costs (assuming enough receipts are available). The balance would have to come from other sources, usually borrowing. Grant funding from Homes England varies but a significant proportion of any approved scheme would be funded from borrowing.

Schemes Partially Funded by RTB Receipts

Because the authorities have signed up to the RTB retention agreement it is crucial that development plans to utilise the receipts are in place. Because of the time limits and flow of receipts there are more detailed plans in place in the earlier part of the

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plan. The current approved new build and / or regeneration schemes in the capital programme part funded by RTB receipts are as shown in the table below.

Table 13: Current Schemes in the Business Plan

New Build Financed in Part by Retained RTB Receipts from 2023/24		
Scheme	No of homes	Estimated Completion Year
Cricketers Farm, Nether Stowey	16	2023/24
Tuckerton Lane, North Newton	6	2023/24
North Taunton Woolaway Project (NTWP) phase A	47	2023/24
SDC area purchase of existing properties	3	2023/24
Sydenham garage redevelopment site, Bridgwater	14	2023/24
Carrotts farm site, North Petherton	3	2023/24

Partially Funded by Homes England Grant

17.25. In the capital programme we can see in next year, 2023/24, will see the completion of the first new build development, being the Bigwood & Staple site in Bridgwater, which has grant funding from Homes England at over £2m, being significant funding of the scheme. The site will have 29 new homes, and all let at social rent levels which was a condition of the grant. One smaller project delivering 2 homes in 2023/24 is underway (one in North Petherton and one at Brent Knoll) which has homes England grant contributing towards the build cost.

17.26. The application to Homes England has continued with a further scheme at the Penlea House site in Bridgwater which delivers 33 new homes, with a completion date in 2024/25. This scheme has been a long time in the planning stage, so it is good to be able to report the actual build of the new homes has just started.

17.27. Future housing development schemes that could potentially be put forward for Homes England grant funding is an area the Housing Development Team work on. Noting these schemes cannot also use retained RTB receipt monies for funding.

Other Schemes

17.28. The HRA also acquires or builds new homes to support the General Funds Homelessness responsibilities. The HRA is purchasing a small number of properties (6) using a combination of Government Rough Sleeper Approved Programme (RSAP) and Better Care funding. The HRA is also considering a new build scheme in Partnership with Citizens Somerset using Modern Methods of Construction (MMC). Both models offer benefits to the HRA by increasing the stock and management and maintenance allowances. The HRA is exploring these models with homelessness, children services and adult social care as they could be cost effective ways to support some accommodation requirements.

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18. Impact of the Right to Buy Policy

- 18.1.** Similar to the HRA business plan the rent set process takes into account the impact of RTB sales. The process of RTB involves a tenant submitting an application for RTB; the authority's Valuer will provide a valuation of the property. However, the tenant is eligible for a discount, according to Government rules, of up to maximum of £87,200 (April 2022 prices) depending on how long they have been a tenant. The increase in the discount from £30,000 started in 2012. Since the discount changes sales have increased; the discount plus houses at Decent Homes standard makes the prospect of buying more attractive. It is estimated that in 2023/24 the average RTB property valuation will be discounted by around 42%.
- 18.2.** In the rent section of the report the income levels will have taken into account RTB sales because less income will be collected. Current estimates of RTB sales are around 55 sales per annum based on current figures. Clearly the sales are demand lead. Whilst this may not seem material given the size of the stock over time this does impact on rental income.
- 18.3.** From each council house sale, a receipt is derived. The receipt has to be 'pooled', so the Council does not get to keep all of the receipt, which has already been diminished by the discount. The receipt is split over the following areas:
- paid back to Government
 - sales costs and buy back allowances
 - towards historic debt (from self-financing)
 - replacement homes (40% maximum of the cost)
 - with a fraction for other capital use
- 18.4.** Both SDC and SWT had signed up to a retention of RTB receipts agreement with the Government so this means that the portion of the receipt for replacement homes can be used within the Council boundary instead of having to pay this back to the Government; there are timing restrictions: a retained RTB receipt has to be used within 5 years of being realised; the receipt can only be used to fund a maximum of 40% of the new housing capital spend with no other government funding. This places pressure on other HRA capital funding sources to meet this cost: the inflow of rental income will help the HRA; however, it is clear that the cost of developing new social housing far outweighs proportion of receipt from the sale (loss) of the RTB property. The capital programme shows the new council house development programme to ensure the Council uses the retained receipts and so none has to be paid back to the Government.

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19. Treasury Management

- 19.1.** Day to day cash flow, investment and borrowing related to housing activity will be undertaken within the overarching framework and operations for treasury management within Somerset Council. Whilst the HRA is a ring-fenced account for accounting and reporting purposes it is not separated within the Council in terms of cash flow, bank accounts etc. Treasury management implications are explained in the Business Plan as reported to the Executive on 14 December 2022.
- 19.2.** The HRA will be charged with the costs of borrowing – both for external loans attributed to HRA capital investment and internal borrowing from Council cash reserves as needed to fully cover the need to borrow (the Capital Financing Requirement – CFR). The estimated CFR on 1 April 2023 is £189m. It is currently projected this will be funded with £139m of external loans and £50m of internal borrowing. These figures will be updated as capital expenditure is incurred, and treasury management decisions are taken regarding use of internal and external borrowing throughout the year. The business plan model uses Major Repairs Reserve and other capital reserves and income first to finance capital spend, with borrowing used as 'last resort' for the residual balance of financing required.
- 19.3.** Current HRA external loans carry an annualised interest rate of 2.83%. It is assumed any new borrowing next year will incur interest costs at an average 4.5%. The 2023/24 Budget includes an estimate of £5.792m (SDC £2.536m and SWT £3.256m) for total interest costs taking into account the forecast financing requirements for the year ahead.
- 19.4.** The HRA will also receive an apportionment of investment interest earned by the Council in proportion to HRA reserve balances. The 2023/24 Budget includes an estimate of £254k (SDC £254k and SWT £0m) for interest income.

20. Growth 2023/24

- 20.1.** The HRA business plan presented in December included agreed housing development plans and also key capital programme works. In the plan for the SDC area reference was made to three additional areas for investment in the stock as advised by HiS however the figures were not included in the capital programme figures because of uncertainty about rent set values. The growth bids/additional funding requirements are now requested for approval and are shown in the tables below.

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Table 14 HRA capital additional funding requirement – one off

HRA Capital One-off Additional Funding Requirements		
Proposed resource bid 2023/24	Amount £	Reason
Radon Remediation	359,850	Recent surveys on Radon presence has identified a need for priority remediation works
La Ciotat House general improvements	247,320	General improvements at LaCiotat House to both internal and external spaces is required
Total	607,170	

Table 15 HRA capital additional funding requirement – two years

HRA Capital Two Year Additional Funding Requirements		
Proposed resource bid 2023/24 & 24/25	Amount £	Reason
Social Housing Decarbonisation Fund Match Funding 23/24	688,170	This sum is required for two years: 2023/24 and 2024/25 so a total of £1.336m. This is to match against a grant bid to the Social Housing Decarbonisation Fund. If the grant is awarded the combined resource will be double the bid value and will enable 118 homes to be retrofitted to a net zero standard
Social Housing Decarbonisation Fund Match Funding 2024/25	688,170	As above text
Total over two years	1,376,340	

21. Challenges and Next Steps

21.1. The Housing Revenue Account has immediate financial challenges to meet the aspirations of the Council and tenants. These include:

- Rental income - Government introduced 7% Rent Cap in 2023/24 – Figures assume 6.5% increase in 2024/25 and CPI at 2% thereafter, future rental increases have not been finalised by government to date.
- Rising costs – regulatory and inflationary pressures plus increasing customer expectations are driving cost increases
- Capital financing and treasury management – significant and increasing need for external borrowing, with average interest costs for new loans estimated at 4.5%

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- Shortage of social housing – development projects being developed but costs increasing impacting on viability
- Right to Buy – tenant purchases continue reducing stock numbers
- Decarbonisation agenda
- Housing Standards – requirement to keep stock at decent home standard including health and safety regulations
- Limited growth in the plan
- Potential requirement to identify match funding for Local Area Housing Fund (LAHF) for refugees.

21.2. As illustrated in this report, the 30-year business plans for SWT and SDC have been consolidated into a single plan which is the legal requirement for the New Council. The plans show that the use of balances need to be reduced but also the plans are not financially sustainable in the medium term, and they do not include a lot of the projects such as decarbonisation, more New Build projects, therefore the next steps are to look into the detail and differences of each plan to maximise funding and delivery.

21.3. Next Steps include:

- Review differences in decent homes delivery plans and align where possible.
- Consider depooling service charges in current SWT area.
- Consider introducing rent flexibility in current Sedgemoor area.
- Setting a Treasury Management policy including the HRA
- considering whether a voluntary provision for repayment of debt is required and most cost-effective routes to raising capital finance
- Review of differences in modelling depreciation
- Comparison of operating costs to identify efficiencies
- Review and alignment where appropriate of New Build aspirations and plans
- Decarbonisation agenda funding and delivery
- Review of the operating delivery models
- Consider match funding options for LAHF initiative.

22. Risks

22.1. Since 2012 the HRA has operated on a 'self-financing' basis, where the income generated from rents and other charges funds the delivery of the social landlord function and maintaining stock. Although 'self-financing' has provided the Council with more flexibility, the HRA is still governed by regulations that restrict full control over income (e.g., increases in rent are capped) and costs (e.g. meeting decent homes standards), and this has brought additional risk. Those risks are primarily concerned with threats to income and expenditure that could compromise the viability of the HRA Business Plan.

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- 22.2.** The Housing Sector as a whole is currently experiencing the most challenging period in a generation as multiple risks crystallise and competing demands place pressure on the service. From a regulatory perspective the service is facing pressure to respond to changing building safety and energy efficiency standards and maintaining the quality of our existing housing stock.
- 22.3.** This has then been compounded by national and global factors (e.g., the impact of Brexit, the COVID Pandemic and the conflict in Ukraine) causing the economic operating environment to become significantly challenging and thus placing considerable financial pressure on the Council's HRA. This is causing significant ongoing disruption to supply chains and the labour market resulting in high-cost inflation and ongoing shortages to deliver remedial works, catch up repairs and energy efficiency improvements.
- 22.4.** It is evident that financial pressures within the Housing service present a significant risk to affordability of existing plans in the short to medium term. *Whilst a balanced budget is being presented to Members in the single HRA plan until year 8 balances are being used to fund ongoing expenditure and the plans may not fully meet the aspirations of the Council and tenants.* Therefore, the New Council will need to review the business plans and the housing Strategy for the whole of Somerset. A number of these issues are detailed in Section 21 of this report and is the next stage after bringing the HRA business plans together in a single format. The next step reviews how they can work together sharing best practice, resources and delivery.
- 22.5. Government Rent Policy Change:** Section 14 and 15 Rents and Service Charges detail the Government's decision to cap rents at 7% for 2023/24. It is not inconceivable that we could see a further change in rent policy from central Government as we have seen before, to perhaps reduce rents or limit increases below current policy. Whilst this will support tenants financially it has a significant impact on our business plan. It also has the effect of a significant saving on the benefit bill for government so speculatively this could be a current consideration for the treasury in light of impact of COVID.
- 22.6. Inflation:** The current economic operating environment is placing financial risk on the Council in terms of rising inflation increasing the cost of supplies such as utilities and materials, as well as staffing costs. Inflation is significantly higher currently than the rent cap at 7%.
- 22.7. Decent Homes Standard:** The changes to the Regulator of Social Housing's Decent Home Standard as well as higher thermal efficiency standard requirements, which are unsupported by additional external grant funding, will place an additional burden on HRA resources available for elemental investment in homes. Once the detail is known, we will need to adapt to ensure we continue to maintain stock at the Decent

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Homes Standard and prepare to meet all the evolving expectations, incorporating the financial impacts into the Business Plan.

22.8. Building Regulation and Fire Safety: The Grenfell Tower tragedy and subsequent Review of Building Regulation and Fire Safety bring a number of operational and financial risks. These risks have been mitigated with the increases in revenue and capital budgets proposed for 2022/23 for compliance related work. However, the exact costs are currently unclear. There are likely to be other impacts as a result, such as impacts on the repairs budget due to additional work to communal areas, more intensive management of flat blocks and further resilience within teams to respond to the volume and breath of enquiries. We will need ensure continued compliance with these statutory requirements.

22.9. Housing White Paper: In November 2020 the Government published the Housing White Paper which sets out the changes to how social landlords will operate. It will require a number of changes to home safety, tenant satisfaction measures, complaints handling, a new inspection regime for social landlords and a strengthened role for the Regulator of Social Housing. Many of the new changes in the white paper have already been mitigated in Housing by strengthening our compliance activities, setting up the new Housing Performance Team to be responsible for communications, performance data and engagement but this will need to be kept under review and self-assessment has begun.

22.10. Retrofit by 2030: There is a duty for social landlords to improve the energy efficiency of its homes. The national climate change requirements set by government under the Clean Growth Strategy 2017 requires all social landlords to achieve EPC C by 2035. However, the strategy also requires landlords to achieve EPC C by 2030 where tenants are in fuel poverty. Therefore, it is prudent to achieve EPC C by 2030. This will require significant financial investment through the capital programme that will add to the capital financing requirement. If this standard is not achieved, then those properties would not be available to let and would result in lost income.

22.11. New Build Homes and Phosphates: The provision of new affordable housing is a key objective for the HRA Business Plan and the HRA has a significant pipeline of new homes to be delivered over the next 8 years. This will require significant financial investment through the capital programme that will add to the capital financing requirement and cost to the revenue account to finance this debt if funded by borrowing.

22.12. These social development schemes inherently carry significant risks. In order to mitigate elements of risk, the Council generally uses design and build contracts which provides clarity of costs when the contract is signed and through this mechanism the Council can ensure it progresses with schemes within budget. In addition to this a bond equivalent of 10% of the contract price has been included

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within the contracts and each phase will require its own individual contract to cover this aspect of risk.

- 22.13.** Of these new build schemes, some of these homes will require phosphates mitigation strategies to gain planning approval. There remains uncertainty on the ability of the Council to mitigate for phosphates. This may result in less affordable housing development and less capital spend.
- 22.14. Right To Buy (RTB) Receipts:** This is a government scheme that enables tenants to purchase their homes at a discount, subject to meeting qualifying criteria. The HRA does not have any control over the number of RTB sales each year and the resulting impact on rental income lost. The capital receipts from the sales retained by the Council can now fund up to 40% of new social housing costs and must be used within five years of receipt, following an amendment to the scheme policy from the 1 April 2021.
- 22.15. Repairs & Maintenance:** Overall this is a very demand led and reactive service based on the needs of the tenants. There are also a number of uncontrollable variables associated with this service such as the weather (e.g., cold winters causing burst pipes, roof leaks, etc), condition of properties when returned (e.g., void refurbishments), consumer demand on minor internal / external repairs (e.g. broken door or fence) and the type of repair work required. As such the levels of demand do not always follow a recognisable trend. We therefore caveat the forecasts in these areas to account for fluctuations. The economic operating environment has also been compounded, creating contractor uncertainty and labour market shortages in some key trade areas, and inflating costs of materials and labour.
- 22.16. Trade Salaries:** We are experiencing a significant increase in construction related salary costs in the sector, with shortages of some key trades, for example electricians. This can mean that some of our salaries are no longer competitive in the market. We have conducted a review of some of our salaries and will be making some changes here, and the cost of this change is incorporated into our MTFP. However, as this review process progresses across all trade areas it may create further revenue pressures that need to be addressed that have not been incorporated into the 2022/23 budget.
- 22.17. Movement in Business Plan Assumptions:** The HRA Business Plan incorporates many assumptions that contribute to the financial assessment of strategic and operational aspirations over the 30-year period. These include rates in inflation on income and expenditure, rates for new borrowing, minimum reserves levels, projected revenue and capital spend, etc. The direct influence officers have on some of these that could have a big impact is minimal (e.g., rates of inflation and borrowing) and we are at risk of having to react to external political and economic market influences as they occur.

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Report Sign-Off

		Date completed
Legal Implications	Tom Woodhams	30/01/23
Governance	Scott Wooldridge	01/02/23
Corporate Finance	Jason Vaughan	26/01/23
Human Resources	Chris Squire	01/02/23
Property	Paula Hewitt / Oliver Woodhams	26/01/23
Procurement	Claire Griffiths	01/02/23
Senior Manager	Jason Vaughan	26/01/23
Commissioning Development	Sunita Mills / Ryszard Rusinek	26/01/23
Executive Member	Cllr Federica Smith-Roberts - Lead Member for Communities	27/01/23

Sign-off Key Decision / Consulted on Non-Key Decision

Local Member		N/A
Opposition Spokesperson	Opposition Spokesperson - Communities - Cllr Faye Purbrick	30/01/23
Scrutiny Chair	Click here to select the relevant Scrutiny Chair	30/01/23

APPENDIX A1 - BASE CASE

New Somerset Council

HRA Business Plan

Operating Account

(expressed in money terms)

Scenario 1 - Rent cap 7%

Year	Year	Income	Expenditure	Balances						
		Total Income	Total expenses	Net Operating Income/ (Expenditure)	Provision for repayment of loans	Capital funded by revenue	Surplus (Deficit) for the Year	Surplus (Deficit) b/fwd	Interest	Surplus (Deficit) c/fwd
		£,000	£,000	£,000	£,000	£,000	£,000	£,000	£,000	£,000
1	2022.23	48,072	(47,507)	565	0	0	565	12,251	524	13,340
2	2023.24	51,103	(52,210)	(1,106)	0	(1,163)	(2,269)	13,340	444	11,515
3	2024.25	55,854	(55,795)	59	0	0	59	11,515	841	12,414
4	2025.26	56,240	(57,405)	(1,165)	0	0	(1,165)	12,414	568	11,818
5	2026.27	57,182	(58,971)	(1,790)	0	0	(1,790)	11,818	492	10,519
6	2027.28	58,078	(60,610)	(2,532)	0	0	(2,532)	10,519	416	8,404
7	2028.29	59,164	(62,257)	(3,092)	0	0	(3,092)	8,404	309	5,620
8	2029.30	60,375	(64,095)	(3,720)	0	0	(3,720)	5,620	169	2,070
9	2030.31	62,579	(65,768)	(3,189)	0	0	(3,189)	2,070	21	(1,098)
10	2031.32	62,493	(66,886)	(4,393)	0	0	(4,393)	(1,098)	(112)	(5,603)
11	2032.33	63,509	(68,303)	(4,793)	0	0	(4,793)	(5,603)	(173)	(10,570)
12	2033.34	64,541	(69,645)	(5,104)	0	0	(5,104)	(10,570)	(186)	(15,861)
13	2034.35	65,589	(71,078)	(5,489)	0	0	(5,489)	(15,861)	(231)	(21,581)
14	2035.36	67,829	(72,656)	(4,827)	0	0	(4,827)	(21,581)	(270)	(26,677)
15	2036.37	67,736	(74,081)	(6,345)	0	0	(6,345)	(26,677)	(323)	(33,346)
16	2037.38	68,888	(75,644)	(6,756)	0	0	(6,756)	(33,346)	(513)	(40,614)
17	2038.39	70,193	(77,239)	(7,045)	0	0	(7,045)	(40,614)	(813)	(48,472)
18	2039.40	71,603	(78,969)	(7,366)	0	0	(7,366)	(48,472)	(1,144)	(56,982)
19	2040.41	73,046	(80,737)	(7,691)	0	0	(7,691)	(56,982)	(1,498)	(66,171)
20	2041.42	75,843	(82,566)	(6,722)	0	0	(6,722)	(66,171)	(1,838)	(74,731)
21	2042.43	76,052	(84,490)	(8,438)	0	0	(8,438)	(74,731)	(2,379)	(85,548)
22	2043.44	77,617	(86,417)	(8,800)	0	0	(8,800)	(85,548)	(3,185)	(97,533)
23	2044.45	79,219	(88,385)	(9,166)	0	0	(9,166)	(97,533)	(4,063)	(110,762)
24	2045.46	80,861	(90,356)	(9,495)	0	0	(9,495)	(110,762)	(5,001)	(125,259)
25	2046.47	82,547	(92,636)	(10,089)	0	0	(10,089)	(125,259)	(5,850)	(141,197)
26	2047.48	85,768	(94,954)	(9,186)	0	0	(9,186)	(141,197)	(6,561)	(156,944)
27	2048.49	86,062	(97,298)	(11,236)	0	0	(11,236)	(156,944)	(7,315)	(175,495)
28	2049.50	87,892	(99,709)	(11,817)	0	0	(11,817)	(175,495)	(8,163)	(195,475)
29	2050.50	89,774	(102,265)	(12,491)	0	0	(12,491)	(195,475)	(9,077)	(217,044)
30	2051.52	91,708	(104,902)	(13,194)	0	0	(13,194)	(217,044)	(10,064)	(240,302)

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APPENDIX B1**New Somerset Council****HRA Business Plan****Major Repairs and Improvements Financing**

(expressed in money terms)

Scenario 1 - Rent cap 7%

		Expenditure						Funding	Shortfall
Year	Year	Major works	New Build Development Costs	New Build Major Repairs	Disabled Adaptations	Other (IT & vehicles)	Total Expenditure	Total Financing	Shortfall
		£,000	£,000	£,000	£,000	£,000	£,000	£,000	£,000
1	2022.23	21,649	24,036	0	600	551	46,837	46,837	0
2	2023.24	19,929	26,424	0	771	210	47,334	47,334	0
3	2024.25	18,484	18,147	0	797	376	37,803	37,803	0
4	2025.26	17,082	15,520	0	820	276	33,699	33,699	0
5	2026.27	21,042	7,182	0	834	276	29,334	29,334	0
6	2027.28	20,941	9,798	11	848	276	31,874	31,874	0
7	2028.29	21,167	10,881	91	820	619	33,578	33,578	0
8	2029.30	20,900	10,131	259	833	276	32,399	32,399	0
9	2030.31	20,866	4,774	399	847	276	27,162	27,162	0
10	2031.32	22,338	3,374	471	862	276	27,321	27,321	0
11	2032.33	16,658	3,476	520	876	276	21,805	21,805	0
12	2033.34	17,216	3,580	575	892	276	22,538	22,538	0
13	2034.35	17,681	3,687	662	907	276	23,214	23,214	0
14	2035.36	18,159	3,798	721	923	276	23,877	23,877	0
15	2036.37	18,652	3,912	743	869	276	24,451	24,451	0
16	2037.38	21,285	7,604	765	884	276	30,813	30,813	0
17	2038.39	18,966	12,177	788	899	276	33,105	33,105	0
18	2039.40	19,462	12,502	811	915	789	34,479	34,479	0
19	2040.41	19,971	12,836	836	931	276	34,850	34,850	0
20	2041.42	20,493	13,178	861	948	276	35,757	35,757	0
21	2042.43	28,805	13,529	903	965	276	44,478	44,478	0
22	2043.44	30,342	13,888	988	983	276	46,477	46,477	0
23	2044.45	31,113	14,256	1,101	866	276	47,612	47,612	0
24	2045.46	31,900	14,633	1,222	881	276	48,912	48,912	0
25	2046.47	32,708	15,019	1,353	849	276	50,205	50,205	0
26	2047.48	27,446	15,415	1,493	863	276	45,492	45,492	0
27	2048.49	28,887	15,820	1,643	878	276	47,504	47,504	0
28	2049.50	29,640	16,236	1,803	893	965	49,537	49,537	0
29	2050.50	30,412	16,661	1,973	909	276	50,232	50,232	0
30	2051.52	31,205	17,098	2,155	925	276	51,659	51,659	0

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INCOME & EXPENDITURE STATEMENT

EXPENDITURE

Repairs & maintenance

Supervision & management

Special services

Rents, rates, taxes and other charges

Depreciation & impairment charges

 Depreciation - Council Houses

 Depreciation - Garages

 Depreciation - Other

TOTAL EXPENDITURE

INCOME

Dwelling rents

Non-dwelling rents

Heating and utility charges

Tenants' charges for services & facilities

Leaseholders' charges for services and facilities

Other income

Increase/(decrease) in impairment of debtors

TOTAL INCOME

NET COST OF HRA SERVICES

HRA services' share of corporate & democratic core

NET COST OF HRA SERVICES INC CDC

Gain/(loss) on sale of HRA non current assets

HRA share of interest payable & similar charges

Interest on revenue cash balances

(SURPLUS)/DEFICIT ON HRA

MOVEMENT IN RESERVES

appropriations to/(from) useable reserves

Transfers to/from the Capital Adjustment Account

 HRA Share of the Minimum Revenue Provision

 Capital expenditure funded by the HRA

Transfer to/from the Major Repairs Reserve (MRA)

 Reversal of the MRA credited to the HRA

Reversal of Items in Net Cost of Services

Transfers to/from the Capital Adjustment Account

 Depreciation - Council Houses

 Depreciation - Garages

 Depreciation - OLB

(Increase)/decrease in the Housing Revenue Account

Housing Revenue Account Balance Brought Forward

Housing Revenue Account Balance Carried Forward

	2022/23		2023/24
	budget	expected actual	budget
	£	£	£
Repairs & maintenance	12,111,240	12,398,663	13,119,220
Supervision & management	9,040,740	9,262,095	9,241,050
Special services	2,792,140	2,483,794	2,942,120
Rents, rates, taxes and other charges	580,240	594,357	841,010
Depreciation & impairment charges			
Depreciation - Council Houses	12,258,270	15,114,500	15,987,730
Depreciation - Garages	200,000	200,000	200,000
Depreciation - Other	256,400	150,571	150,570
TOTAL EXPENDITURE	37,239,030	40,203,980	42,481,700
INCOME			
Dwelling rents	42,561,880	42,613,851	45,183,980
Non-dwelling rents	1,323,660	1,255,924	1,295,180
Heating and utility charges	69,120	69,120	65,450
Tenants' charges for services & facilities	2,677,820	2,603,277	3,003,970
Leaseholders' charges for services and facilities	297,150	197,148	297,150
Other income	1,505,460	1,274,220	1,269,290
Increase/(decrease) in impairment of debtors	(180,000)	(180,000)	(147,120)
TOTAL INCOME	48,255,090	47,833,540	50,967,900
NET COST OF HRA SERVICES	(11,016,060)	(7,629,560)	(8,486,200)
HRA services' share of corporate & democratic core	3,325,950	3,173,000	3,434,640
NET COST OF HRA SERVICES INC CDC	(7,690,110)	(4,456,560)	(5,051,560)
Gain/(loss) on sale of HRA non current assets	0	1,708,320	0
HRA share of interest payable & similar charges	4,628,000	4,503,170	5,791,820
Interest on revenue cash balances	(336,830)	(685,000)	(254,000)
(SURPLUS)/DEFICIT ON HRA	(3,398,940)	1,069,930	486,260
<u>MOVEMENT IN RESERVES</u>			
appropriations to/(from) useable reserves			
Transfers to/from the Capital Adjustment Account			
HRA Share of the Minimum Revenue Provision	1,021,000	0	0
Capital expenditure funded by the HRA	2,778,000	0	1,163,410
Transfer to/from the Major Repairs Reserve (MRA)			
Reversal of the MRA credited to the HRA	12,714,670	15,465,071	16,338,300
Reversal of Items in Net Cost of Services			
Transfers to/from the Capital Adjustment Account			
Depreciation - Council Houses	(12,258,270)	(15,114,500)	(15,987,730)
Depreciation - Garages	(200,000)	(200,000)	(200,000)
Depreciation - OLB	(256,400)	(150,571)	(150,570)
(Increase)/decrease in the Housing Revenue Account	400,060	1,069,930	1,649,670
Housing Revenue Account Balance Brought Forward	(9,223,791)	(12,762,368)	(13,400,758)
Housing Revenue Account Balance Carried Forward	(8,823,731)	(11,692,438)	(11,751,088)

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Sedgemoor Area Fees & Service Charges

APPENDIX D

Service charges for dwellings	HB	Rent £ per week based on 50 week rent year
Cleaning	yes	1.16 - 9.95
Caretaking	yes	2.69 - 16.48
Communal areas, general needs	yes	0.07 - 23.52
Digital aerials	yes	0.63 - 1.53
Door entry	yes	0.19 - 9.79
Extra Care Charge, Inc. aerials; communal cleaning & communal area	yes	14.18 - 26.17
Heating	no	3.56 - 12.01
Independent Living Service - bronze level	yes	10.21
Independent Living Service - silver level (bronze + 6.90) First £10.21 of this charge is eligible for HB	see service description	17.11
Independent Living Service - gold level (bronze + 10.21) First £10.21 of this charge is eligible for HB	see service description	20.43
Laundry	yes	0.28 - 3.30
Lifeline (sheltered & extra care)	no	1.94
Sewerage	no	6.67 - 8.14
Supported housing	yes	0.49 - 38.22

Garage Rents	HB	Rent £ per week based on 50 week rent year excluding VAT
Non refurbished garage rent	no	9.96
Newly refurbished garages	no	11.98

Communal Halls	HB	Per Hour
Resident booking for residents only	no	free
Non resident regular bookings (VAT exempt) (regular booking - a minimum of 1 booking per quarter over 12months or weekly/fortnightly over 3-12 months)	no	9.40
All other bookings (VAT exempt)	no	11.20

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Housing Revenue Account (HRA)

Fees and Charges 2023/24

Background

SWT Council has recently engaged the services of Altair Consultancy and Advisory Services to independently review our approach to service charges to give assurance on whether they are set and applied appropriately. This has resulted in some clear findings and recommendations to ensure fairness and transparency and includes the following:

- SWT Service charges are very low compared to other Housing Providers in our area and not all service charge recoverable expenditure is being identified. Service Charges should be set to fully recover the costs of the service they deliver and currently this is not happening (with any shortfall needing to be covered from rent)
- Service charges should be based on actual expenditure rather than inflationary uplifts, where these costs are known. We have applied this approach to the Communal Charges this year.
- Greater transparency should be offered by separating out charges to give greater granular detail. For example, they recommend we separate out utilities costs from the communal charges.
- Application of service charges should be tenure blind (charge the same level for the same service for leasehold and tenants) to ensure fairness and consistency.
- Introduce a management fee to reflect the costs of managing and delivering service charge work and the related back-office costs. The Housing Sector standard is 10-15%.
- Make further changes in a phased approach over time (e.g. more detailed review of staff activities and charging; creating a sinking fund for capital works on communal areas; and de-pooling charges from rent). This incremental approach will allow the Council to implement change carefully and accurately; ensure that future price changes are not too significant at any time and also consider how SWT and Homes in Sedgemoor better align our approaches.

Further Background

- The fees and charges for the HRA will be approved by Full Council on the 22nd of February 2023.
- The September 2022 CPI figure is 10.1% as published by the Office for National Statistics in October 2022.

- Housing Service Charges are made to housing tenants for the services that they use. Service Charges are set locally each year and are in addition to the Social Rent Charges.
- The government Policy Statement on rents for social housing* sets out that service charges are not governed by the same factors as rent. Registered providers are expected to set reasonable and transparent service charges which reflect the service being provided to tenants. The guidance recommends housing providers should endeavour to keep increases for service charges within the limit on rent changes (7%).

* <https://www.gov.uk/government/publications/direction-on-the-rent-standard-from-1-april-2020/policy-statement-on-rents-for-social-housing>

Legal Authority

- Through Section 2 Part 24 of the Housing Act 1985 (as amended by Local Government & Housing Act 1989) SWT are permitted to make the charges detailed.

Equality Impact Assessment

An Equality Impact Assessment form has been completed and Housing Services will continue to provide several initiatives to enable tenants to manage their finances and maximise their income (such as regular surgeries across the District for tenants, specialist Debt and Benefit drop-in sessions, access to Case Managers who are experienced at debt and benefit advice, as well as signposting to external agencies for support i.e. CAB).

We are aware of the impact of inflation and how some tenants are struggling with the cost of living and have considered this in setting our service charges. Charges have been set to ensure compliance with the government policy statement whilst considering the need to set an affordable budget for the Housing Service for next year and balancing this with affordability pressures of tenants. A comparison of SWT rents and service charges against other social landlords operating in our District (along with the private rented sector average) is shown in **Appendix C** and **Appendix D**.

The 7% level set by the government is justified within their own equality impact assessment to “protect households” as it is well below inflation. We have carefully set our service charges for 2023/24 to ensure we collect the income required to cover costs incurred and therefore minimise the need to make cuts to non-statutory HRA services (which tend to be those that support the most vulnerable tenants and those with protected characteristics – such as commissioned services for mental health support, community groups and financial advice)

We can continue providing services such as additional debt and benefit advisors, commissioned ‘Money Matters’ service such Citizens Advice and Mental Health support through MIND to help support some of our most vulnerable tenants, many of whom will have protected characteristics.

Apart from Deane Helpline, all service charges levied on tenants are HB eligible and therefore those tenants on HB or UC will have these costs paid for them through these benefits. Currently 56% of tenants are on benefits (rising to 71% for Sheltered Tenants and 76% for Extra Care tenants). As a rule, although tenants with disabilities tend to have lower average incomes, they will almost certainly qualify for Housing Benefit or Universal Credit and in addition, people with difficulties with daily activities or mobility may qualify for Disability Living Allowance or Personal Independence Payments. Therefore, none of these tenants will be affected by the increase in service charges. The Deane Helpline price increases are well below inflation and the lowest increases this year and therefore despite not being HB eligible, the impact will be minimal.

Further steps we have taken to mitigate the impact of cost increases to our tenants is to create a hardship fund of £50,000 for next year which we will target to those tenants that are most in need of financial support

Fees & Charges

- The proposal is to increase private garage rents by 10.1% in line with CPI. Council tenanted garages to increase by 7% in line with Service Charges increase for 2023/24
- For council garage tenants the weekly rental will increase from £6.91 per week to £7.39 per week – an increase of £0.48 per week.
- For private tenants and owner occupiers the weekly garage rental will increase from £12.68 (including VAT) per week to £13.96 per week – an increase of £1.28 per week.
- The fees levied for 2023/24 for meeting room hire will be increased by CPI and then rounded to the nearest 10p as requested by tenants during feedback provided in 2017/18.
- The fees levied for 2023/24 for guest room hire will be increased by CPI and then rounded to the nearest 50p as requested by tenants during feedback provided in 2017/18. Guest Rooms are currently not available due to works required to bring to rentable standard.
- Rents for Temporary Accommodation properties will be at the September CPI rate of 10.1% increase. Please see **Appendix B** – Charges for Temporary Accommodation.
- Shared Ownership properties will also have the 7% cap applied.
- For 2023/24 a new charge of a 10% Management Fee will be applied to service charges. This fee has been set at the lower end of the sector norm (10-15%) and is to recover costs of managing and administering service charges. These costs that need to be recovered includes service charge queries, managing services, performing inspections, processing budget setting and financial accounts and administrative duties. This charge is only to recover our costs and not make profit from the money we collect. This service charge is covered by Housing Benefit where the tenant is eligible. The service charges included in the 10% calculation are Grounds Maintenance,

Communal Areas, Laundry, Door Entry and Sewerage. We have opted to exclude some areas from this management fee including Sheltered, Extra Care, Lifeline and heating and utility charges. This is to help ensure that service charges remain affordable for tenants. The average management fee will equate to 26p a week (dependent on which service charges are applicable to that property.)

- For 2023/24 a new Utility charge will be applied for communal blocks to cover the cost of energy usage in communal areas, this has been costed back to the expenditure in 2022/23 and will continue to be paid one year in arrears. The charge for 2023/24 is a standard charge of £0.86 for all applicable dwellings. This will improve fairness and transparency and ensure that the cost is picked up by tenants who benefit from this facility rather than spread across all tenants who also pay their own utility bills.
- Communal door entry systems. Some of our communal properties benefit from electronic key fobs which we incur an annual charge for connection, webhosting, and maintenance (as well as key replacement, enabling new keys and disabling old keys). This has been shared equally across all properties that benefit from this system at £0.23 per week.
- The average net impact in terms of additional weekly costs for a typical tenant would be:

Tenant (example of typical case)	Average weekly Service Chg <u>increase</u> including management fee
General Needs tenant just benefitting from grounds maintenance	0.36
As above, plus communal areas with lighting and automated door opening.	1.98
As above, but also receiving Sheltered Housing Service	3.05
Tenant receiving grounds maintenance, communal areas with lighting, door opening and Extra Care Housing Service	3.88

Note – 56% of general needs tenants, 71% of Sheltered tenants and 76% of Extra Care tenants will have these costs covered through Benefits.

Appendix E below provides further detail of the net impact to tenants, the increases range from an additional £5.79 per week (for both rent and service charges) for a one-bedroom dwelling receiving only the Grounds Maintenance Service to an increase of £10.10 for a 2-bedroom dwelling eligible for all Extra Care and Communal Charges.

Supported accommodation properties will see a maximum increase of £9.39 per week for a 2-bedroom property eligible for Supported Accommodation accommodation services as well as communal services, utilities, door entry, piper lifeline, support services and grounds maintenance.

Extra Care accommodation properties will see a maximum increase of £10.10 per week for a two-bedroom property eligible for all Extra Care accommodation services

as well as communal services, utilities, door entry, piper lifeline, support services and grounds maintenance.

Please see **Appendix A** for further detail – Table of Service Charges.

Exceptions

Charges for properties not on mains sewerage.

- These properties charges for sewerage will be increased in line with the Wessex Water increases for 2023/24 once known. Wessex Water rates for sewerage standing charge per annum and poundage charges are used in the system calculation.
- For 2021-22 these are £7.00 per annum for unmetered sewerage standing charge and £1.57 for the poundage charge payable per £ of rateable value of the property.
- Wessex Water will publish their new charges in February 2023 (available from their website) for 2023/24.

Piper Lifeline

- Piper lifeline will be increased by 3% in line with separate fees and charges report for approval.

Communal Areas

- Communal Areas have now been costed back to expenditure following a place hold of £1.00 in year 2022/23. Expenses for insurance, fire safety and maintenance have been divided between eligible properties. This charge is applicable to any property which has a communal area, and all pay the same rate regardless of what specific services they get. This increase is due to a costing back exercise which has been done in 2022/23 against the expenditure and now accurately reflects the costs incurred by the service.

Budget Impact

In accordance with the 30-year Housing Business Plan, it is proposed to increase Housing (non-rent) Fees and Charges by the 7% Social Rent Cap with the following exceptions:

- Water rates and non mains sewerage rates
- Piper Lifeline
- Communal charge

Appendix A – Table of Service Charges

Charge description	22/23	23/24	Increase
Council Garage	£ 6.91	£ 7.39	£ 0.48
Private Garage ex VAT	£ 10.57	£ 11.64	£ 1.07
Private Garage inc VAT	£ 12.68	£ 13.96	£ 1.28
Communal Areas	£ 1.00	£ 1.37	£ 0.37
Grounds Maintenance	£ 2.06	£ 2.20	£ 0.14
Heating charge	£ 5.67	£ 6.07	£ 0.40
Laundry charge	£ 1.72	£ 1.84	£ 0.12
Piper line for Sheltered Housing	£ 5.49	£ 5.65	£ 0.16
Supported Housing Management	£ 12.97	£ 13.88	£ 0.91
Piper Line for Extra Care Housing	£ 6.34	£ 6.53	£ 0.19
Extra Care Housing Management	£ 24.36	£ 26.07	£ 1.71
Management Fee	N/A	10% of combined Service Charges.	Average £0.24
Utility for Communal Internal Areas	N/A	£0.86	N/A
Door Entry System	N/A	£0.23	N/A

Appendix B – Charges for Temporary Accommodation

Bedroom weight	Current 22/23 Charge £	23/24 Charge £	Actual increase £
1 Bedroom	16.53	18.20	1.67
2 Bedrooms	20.82	22.92	2.10

3 Bedrooms	24.37	26.83	2.46
4 Bedrooms	29.84	32.85	3.01

Appendix C – Table showing average weekly rent and service charges of Housing Providers in Somerset West and Taunton with housing stock of >100 (for period 2021/22)

The following table shows rent and service charges applied by social landlords in our District with stock of more than 100 properties during 2021/22. Rents would typically have increased by 4.1% in 2022/23 and a further 7% in 2023.24. For illustration this would put expected average rent (excluding service charges) for SWT general needs 2 beds at £92.72pw and the equivalent at Magna (the next landlord with most stock) at £105.38pw. Landlords have different service offers and new-build housing programmes and some Supported Housing may be of a more specialist nature, so services may not always be directly comparable.

Housing Provider	Ave weekly social rents in SWT area for 2 bed home	General Needs Units with Service Charges	Average General Needs Service Charges	Average weekly rent – 2 bed Supported Housing	Sheltered/ Extra Care units with service Charges	Average Supported Housing service charge (all bedroom sizes)	Total rent and Service Charges (General Needs)	Total rent and Service Charges (Supported Housing)
Somerset West and Taunton Council	£83.24	4,633	£3.06	£86.94	945	£21.23	£86.30	£108.17
Magna Housing	£94.70	1,088	£12.49	£103.30	510	£23.10	£107.19	£126.40
LiveWest	£95.34	1,008	£5.73	£95.23	79	£53.73	£101.07	£148.96
Sanctuary	£96.13	272	£7.11	£91.36*	36	£96.00	£103.24	£187.36
Abri Group	£103.32	145	£4.58		-	-	£107.90	-
Stonewater	£98.68	127	£7.56		-	-	£106.24	-

Source: - RSH 2022 NROSH SDR Data Rents and Service Charges, General Needs and Supported Housing (Oct 2022)

* The service charge cost applied is an average service charge (rather than specifically for a 2 bedroom size)

** Sanctuary only have one bedroom Supported Housing in our area, so not directly comparable. Hence cheaper than other RPs.

Appendix D – Table showing average private sector rent in Somerset West and Taunton District as at January 2023

The following table is a useful comparator showing the current average cost of renting properties in the private rented sector. The Local Housing Allowance is shown for information purposes only but illustrates that all general needs social housing is within local housing allowance levels. The average 2 bed property private sector rental is now £166.84 a month which is around twice the cost of rent for equivalent SWT social housing.

Property Type	Monthly rent	Weekly Equivalent	Local Housing Allowance Limit
Room in shared house	£459	£105.92	£84.50
Studio	£485	£111.92	£103.50
1 bed	£563	£129.92	£103.50
2 bed	£723	£166.84	£136.93
3 bed	£885	£204.23	£164.55
4 bed or above	£1226	£282.92	£207.12

Source: ONS and DirectGov websites

Appendix E – Table showing the gross impact of rent and service charge increase for different scenarios

The table below illustrates the net impact to tenants between current year and the proposals for 2023/24, the key below explains the different scenarios being illustrated. The charges for both years have been broken down into Rent and Service Charges as well as totalled with the difference highlighted in the column coloured blue.

Bedrooms	Scenario	2022/23			2023/24			Difference
		Rent	Service Charge	Total	Rent	Service Charge	Total	
1	A	£77.53	£2.06	£79.59	£82.96	£2.42	£85.38	£5.79
1	B	£77.53	£3.06	£80.59	£82.96	£3.92	£86.88	£6.29
1	C	£77.53	£3.06	£80.59	£82.96	£5.04	£88.00	£7.41
1	D	£81.05	£21.52	£102.57	£86.72	£24.57	£111.29	£8.72
1	E	£81.72	£33.76	£115.48	£87.44	£37.64	£125.08	£9.60
2	A	£86.67	£2.06	£88.73	£92.74	£2.42	£95.16	£6.43
2	B	£86.67	£3.06	£89.73	£92.74	£3.92	£96.66	£6.93
2	C	£86.67	£3.06	£89.73	£92.74	£5.04	£97.78	£8.05
2	D	£90.59	£21.52	£112.11	£96.93	£24.57	£121.50	£9.39
2	E	£88.86	£33.76	£122.62	£95.08	£37.64	£132.72	£10.10
3	A	£96.37	£2.06	£98.43	£103.12	£2.42	£105.54	£7.11
4	A	£106.21	£2.06	£108.27	£113.64	£2.42	£116.06	£7.79
5	A	£116.71	£2.06	£118.77	£124.88	£2.42	£127.30	£8.53
6	A	£128.36	£2.06	£130.42	£137.35	£2.42	£139.77	£9.35

Scenario A - Tenant only eligible for Grounds Maintenance.

Scenario B - Tenant eligible for Grounds Maintenance, Communal Areas (no internal communal areas or door entry).

Scenario C - Tenant eligible for Grounds Maintenance, Communal Areas, Utilities and Door entry.

Scenario D - Sheltered Housing Tenant eligible for Grounds Maintenance, Communal Areas, Utilities and Door Entry

Scenario E - Extra Care Tenant eligible for Grounds Maintenance, Communal Areas, Utilities and Door Entry

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CAPITAL SPEND	2021/22	2022/23		2023/24
	actual	budget	expected actual	budget
	£	£	£	£
New Build/Acquisitions Housing Schemes				
Withy Cutter, Bridgwater & Alpha House, Highbridge	(2,167)	0	0	0
Penlea House phase one, Bridgwater, Homes England	60,329	3,681,890	1,894,470	2,852,010
Sydenham garage site housing development	53,508	4,153,240	2,505,470	1,647,780
Bigwood & Staple, Bridgwater, Homes England	1,449,362	2,376,000	2,512,980	332,470
Extra sheltered/supported units	21,017	0	0	0
Purchase of existing properties (not new build)	181,519	500,000	500,000	500,000
New build purchase of single units	183,703	0	0	0
Tuckerton Lane N Newton (6 homes)	0	665,000	0	950,000
Brent Knoll (7 homes) s106 build	0	0	9,770	0
Dawes Farm (33 homes) s106 build	1,198,454	0	0	0
Stafflands Farm, (13 homes) N Petherton, s106 build	1,436,069	0	162,440	0
Carrotts Farm, (3 homes) N Petherton, s106	0	0	55,160	489,710
Bespoke homes (2 homes plus extensions) H England	0	0	408,230	587,300
Cricketers, Nether Stowey (16 homes)	0	2,643,240	0	2,643,240
Social Housing Development (SWT)	5,926,683	16,214,803	15,987,480	16,421,410
Total for New Housing	10,508,477	30,234,173	24,036,000	26,423,920
Existing Stock				
HiS capital spend on housing stock	9,883,631	3,413,290	3,663,290	8,561,470
HiS Sheltered/supported housing work	0	0	192,790	0
HiS fire safety cladding	0	2,134,290	2,134,290	0
HiS outbuildings, balconies & Westfield House	0	1,392,770	1,392,770	0
HiS net zero pilot project	0	336,960	336,960	0
SDC Disabled adaptations	303,134	350,000	230,000	400,740
SDC LAD1 Housing thermal works	68,250	0	0	0
SDC Shared ownership capital Improvements	2,000	0	0	0
Major Works (SWT area)	5,662,000	14,946,968	9,821,403	10,867,970
Fire Safety (SWT area)	315,000	3,573,637	3,573,637	150,000
Related Assets (SWT area)	31,000	120,000	2,075	50,000
Exceptional & Extensive (SWT area)	221,000	350,000	350,000	300,000
Vehicles (SWT area)	0	220,000	0	0
ICT & Transformation (SWT area)	394,000	551,405	351,405	210,000
Aids & Adaptations & DFGs (SWT area)	158,000	370,000	370,000	370,000
Sewerage scheme Crickham	27,613	0	382,380	0
Sewerage scheme Burtle	30,295	0	0	0
Sewerage scheme Aley	586	0	0	0
Total Major Works	17,096,509	27,759,320	22,801,000	20,910,180
TOTAL CAPITAL SPEND	27,604,986	57,993,493	46,837,000	47,334,100

FUNDING OF CAPITAL SPEND

Major Repairs allowance	12,548,482	20,715,270	20,895,610	19,108,452
Direct Revenue Funding	6,239,916	2,778,000	0	1,163,410
Borrowing	6,096,871	26,066,391	16,925,278	20,609,661
Use of Capital Grants	125,977	402,229	402,229	1,000,000
Homes England Grant	0	1,527,250	2,819,250	532,250
Grant funding for LAD1 housing thermal works	86,140	0	0	0
Grant funding s106	63,590	210,000	0	0
Use of Capital Receipts	110,000	200,000	0	2,999,077
Use of RTB Capital Receipts	1,054,215	2,687,354	2,687,354	0
Use of Capital Receipts - non restricted	58,494	573,000	470,100	662,400
Use of Capital Receipts - new build	1,221,301	2,834,000	2,637,180	1,258,850
TOTAL CAPITAL PROGRAMME	27,604,986	57,993,493	46,837,000	47,334,100

MAJOR REPAIRS RESERVE

b/f start of year	6,772,947	8,400,692	8,200,692	2,770,152
depreciation - dwellings	12,760,467	12,258,270	15,114,500	15,987,730
depreciation - block garages & area offices	259,400	200,000	200,000	200,000
depreciation - OLB	204,010	256,400	150,570	150,570
transfer to appropriations in HRA	0	0	0	0
use for funding capital expenditure	(11,796,133)	(20,915,270)	(20,895,610)	(19,108,452)
c/f end of year	8,290,692	200,092	2,770,152	0

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Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

Organisation prepared for	Rent Increase 2023/2024		
Version	V1	Date Completed	22nd January 2023

Description of what is being impact assessed

The rent increases for the tenants of Homes in Sedgemoor and Somerset West and Taunton for the financial year 2023/2024

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset’s Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#),, should be detailed here

The Government in the Autumn Statement 2022 set out a limit to rent increases for 2023/24. In their own EIA, they said ‘ The objective of this change of policy is to protect households in our council housing from being required to pay particularly high nominal-terms rent increases due to much of higher levels of inflation than were anticipated when the current policy was introduced... The proposed 7% ceiling would ensure that our annual housing rent increases cannot exceed this level’ ‘The change would benefit (a) social renters who pay their rents without assistance from Housing Support (i.e. housing benefit or the housing element of Universal Credit), and (b) those who receive Housing Support but at a level that or (or would be) limited by the benefit cap or the removal of the spare room subsidy

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1100981/Annex D - impact assessment - social housing rents consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1100981/Annex_D_-_impact_assessment_-_social_housing_rents_consultation.pdf)

For Somerset:

1. General rents – 7% in line with rent cap
2. Service charges
 - a. Sedgemoor - continue on the basis on recovery of costs, in current year based on 21/22 actuals.
 - b.

Somerset West and Taunton – will be capped on the same level as the rent cap at 7%, (with the exception of Piper Lifeline at 3%, communal areas at 37%, the introduction of a new management fee at 10%, a new charge for utility for internal areas charge and a new charge for door entry system).

3. Sheltered housing - 7%
4. Shared ownership – 7%
5. Garage rents
 - a. Sedgemoor - 7%
 - b. Somerset West and Taunton – where tenanted 7%, where non-tenanted inflation 10.1%

There has been joint consultation about the overall rent policy as follow:

Consultation and regular meetings with the SWT's Tenants' Strategic Board – Special meeting planned Dec / Jan 2022

- As part of our consultation on the proposed changes the Council contacted the following groups in 2022, who were identified as having an interest in the proposals for change: - Compass Disability Services, Taunton (Disability); - Age UK, Somerset (Age); - Mind in Somerset, Taunton (Disability); - Moving Together in Somerset (Age); - RAISE, Somerset (Race); and - Caring Minds CIC, Taunton (Carers). In summary the groups were invited to provide comment and feedback on the 7% increase in rent as per Autumn Statement from Chancellor

- Consultation and regular meetings with HIS's Sedgemoor Tenants Assurance Committee (STAC) – next planned meeting January 2023
- Discussion and review with HIS Board at their Away-Day 27th /28th October 2022
- HIS aim to consult with wider tenant body in early 2023

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

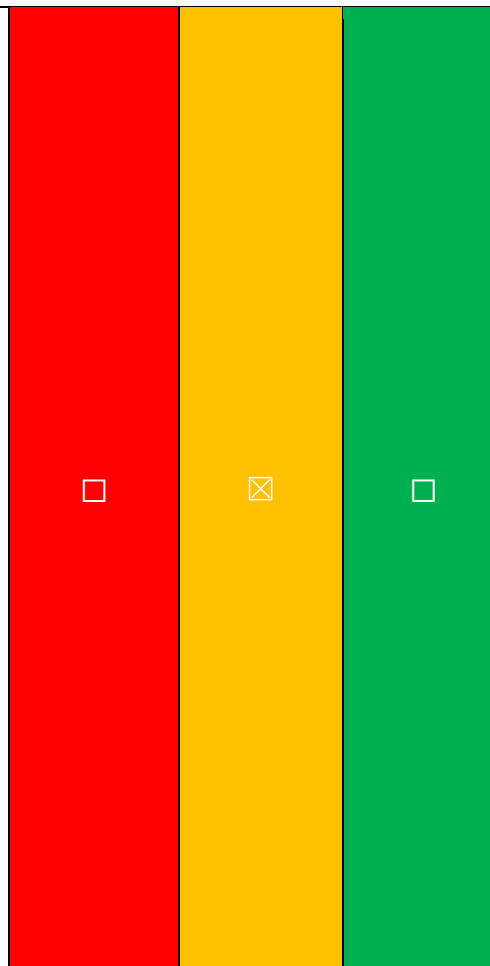
Protected group	Summary of impact
	<p>Every year the housing service reviews rents. This takes into account inflation and any other financial factors in order to ensure there is enough income to deliver services. When doing so the housing service must observe government legislation and guidance. The cost rise to tenants itself is below inflation and is required to ensure the housing service can continue to deliver services for tenants and provide support. Rental income will finance the continued investment in maintaining our existing homes, other assets and neighbourhoods to a high standard with a comprehensive 30 Year HRA Business Plan that sets out a planned programme of capital expenditure, adaptations and routine repairs in place. The rental income will also enable the housing service to continue providing and improve upon the strong community support offered to tenants providing them with additional support to sustain individual tenancies as well as investing in a range of community-based projects and groups.</p> <p>It could be argued that a group such as those with a disability experience greater challenges to access services based on a lower average income than non-disabled people and therefore may be disproportionately adversely affected by any rent and service charge rise. However, people on low incomes will (if they fulfil the conditions) qualify for housing benefit or universal or pension credit and will therefore be protected from significant negative financial impacts. In addition, people who have difficulties with daily activities and or mobility problems may qualify for other benefits (e.g. Disability Living Allowance or its replacement Personal Independence Payment). It is understood there may be an increase in the level of rent arrears due to the transition to Universal Credit, however this risk is being mitigated by the housing service working closely with Citizens Advice to provide advice and support services to Universal Credit claimants. The SWT housing service also has a dedicated team of officers who provide early intervention to support tenants to sustain their tenancy and where necessary assist them to</p>

maximise their entitlement to welfare benefits – currently 56% of SWT existing tenants (72% of HiS) are in receipt of full or partial help with paying their housing costs i.e. housing benefit or universal credit. The HRA business plan makes provision for an amount of bad debt.

The total number of self funders are 2407 (ie 44%). The percentages are lower than the overall for extra care (24%) and sheltered (29%); 1106 (28%) in Sedgemoor.

Age

- 43% of Homes in Sedgemoor tenants and 30% of Somerset West and Taunton tenants are aged over 60
- 56% of Somerset West and Taunton tenants and 72% of Homes in Sedgemoor tenants are in receipt of help with housing costs, whether that is housing benefit or universal credit
- For tenants in sheltered housing this increases to 71% and 76% in Extra Care Housing, receiving support with housing costs
- All tenants will be affected by the rent increase within each area at 7%.
- Tenants where they have to pay a service charge as well, will see increases to these charges, especially in the Sedgemoor area where service charges will be set to recover the actual costs of the services provided. This could impact households who are self-funders, or where a service charge is not supported by support
- People of pensionable age will see their pensions increase in line with the triple lock (approximately 10.1%) and therefore it could be seen that for people of pensionable age the increase will be covered by the increase in income.
- People in receipt of Universal Credit and other benefits will also see an increase of approximately 10.1% and will therefore see an increase in income



	<ul style="list-style-type: none"> • There could also be an impact on people who also rent a garage from the council as garage rent will also increase with Sedgemoor limiting the increase to 7% and Somerset West and Taunton in line with inflation. The increases could negatively impact this characteristic 			
<p>Disability</p>	<ul style="list-style-type: none"> • Approximately 27% of tenants in Somerset West and Taunton and 35% in Sedgemoor have declared that either they or the other person on the tenancy has a disability, which include dementia, hearing loss, mobility, visual loss for example. • Disabled adults are more likely to not be working and therefore could be seen to have a lower household income in comparison to households who are in work • Benefits will increase by 10.1% and therefore with a rent increase lower than benefit increases, it could be argued that the income increase will offset any rent increase at 7% • Service charges increases will be covered by increases in benefits unless the service charge is not covered by support or the actual cost for services charges, as Sedgemoor are proposing, is more than the increases in benefits. This could negatively affect this characteristic • There could also be an impact on disabled people who also rent a garage from the council as garage rent will also increase with Sedgemoor limiting the increase to 7% and Somerset West and Taunton in line with inflation. The increases could negatively impact this characteristic 	<p>□</p>	<p>⊗</p>	<p>□</p>

Gender reassignment	<ul style="list-style-type: none"> There are no impacts identified 	□	□	□															
Marriage and civil partnership	<ul style="list-style-type: none"> There are no impacts identified 	□	□	□															
Pregnancy and maternity	<ul style="list-style-type: none"> There are no impacts identified 	□	□	□															
Race and ethnicity	<p>The table below provides information on the number of council tenants by ethnicity:</p> <table border="1" data-bbox="488 890 1489 1134"> <thead> <tr> <th data-bbox="488 890 824 970">Ethnic Background</th> <th data-bbox="824 890 1160 970">Somerset West and Taunton</th> <th data-bbox="1160 890 1489 970">Sedgemoor</th> </tr> </thead> <tbody> <tr> <td data-bbox="488 970 824 1010">White British</td> <td data-bbox="824 970 1160 1010">68%</td> <td data-bbox="1160 970 1489 1010">72%</td> </tr> <tr> <td data-bbox="488 1010 824 1050">BME</td> <td data-bbox="824 1010 1160 1050">1%</td> <td data-bbox="1160 1010 1489 1050">1%</td> </tr> <tr> <td data-bbox="488 1050 824 1090">No data provided</td> <td data-bbox="824 1050 1160 1090">1%</td> <td data-bbox="1160 1050 1489 1090">3%</td> </tr> <tr> <td data-bbox="488 1090 824 1134">Other</td> <td data-bbox="824 1090 1160 1134">30%</td> <td data-bbox="1160 1090 1489 1134">24%</td> </tr> </tbody> </table> <ul style="list-style-type: none"> In line with other characteristics, people who are of pensionable age or on benefits will see their incomes increase in line with inflation (approximately 10.1%) and therefore the increase set out above will be covered by the increases in support received 	Ethnic Background	Somerset West and Taunton	Sedgemoor	White British	68%	72%	BME	1%	1%	No data provided	1%	3%	Other	30%	24%	□	⊗	□
Ethnic Background	Somerset West and Taunton	Sedgemoor																	
White British	68%	72%																	
BME	1%	1%																	
No data provided	1%	3%																	
Other	30%	24%																	

Religion or belief	<ul style="list-style-type: none"> • There are no impacts identified 	□	□	□
Sex	<ul style="list-style-type: none"> • There are no impacts identified 	□	□	□
Sexual orientation	<ul style="list-style-type: none"> • There are no impacts identified 	□	□	□
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> • All tenants will be affected by the rent increase within each area at 7%. • Tenants where they have to pay a service charge as well, will see increases to these charges, especially in the Sedgemoor area where service charges will be set to recover the actual costs of the services provided. This could impact households who are self-funders, or where a service charge is not supported by support • People of pensionable age will see their pensions increase in line with the triple lock (approximately 10.1%) and therefore it could be seen that for people of pensionable age the increase will be covered by the increase in income. • People in receipt of Universal Credit and other benefits will also see an increase of approximately 10.1% and will therefore see an increase in income 	□	⊗	□

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Publish clear information on rent which helps tenants to manage their own finances	Ongoing	Housing services		<input type="checkbox"/>
Signposting tenants to a relevant benefit agency to help ensure they are maximising their income to meet their living costs	Ongoing	Housing services		<input type="checkbox"/>
Provide the opportunity for tenants to access direct support to check they are in receipt of the welfare benefits they are entitled to claim	Ongoing	Housing services		<input type="checkbox"/>
Identify organisations that can offer additional or specialised support based on particular needs of the tenant	Ongoing	Housing services		<input type="checkbox"/>
Monitoring of rent arrears	Ongoing	Housing services		

If negative impacts remain, please provide an explanation below.

There are no specific negative impacts identified but there is a recognition that the impact of the increases could affect particular protected characteristics, in particular where increases are not necessarily supported by benefits or other means. Support will be available to all tenants as well as signposting.

Completed by:**Alison Turner**

Date	13th January 2023
Signed off by:	Angela Farmer
Date	
Equality Lead/Manager sign off date:	23rd January 2023 – Angela Farmer
To be reviewed by: (officer name)	Tom Rutland
Review date:	

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Decision Report - Executive Decision

Forward Plan Reference: FP/22/11/13

Decision Date – 13/02/23

Proposed Asset Management Strategy for Somerset Council

Executive Member(s): Cllr Ros Wyke - Lead Member for Development and Assets

Local Member(s) and Division: All

Lead Officer: Oliver Woodhams, Head of Corporate Property

Author: Keith Pennyfather, Property Team Leader, Sally Stark, Assets Manager, Victoria Goscomb, Governance & Performance Officer

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S.Stark@somersetwestandtaunton.gov.uk

Victoria.goscomb@somerset.gov.uk

1. Summary / Background

- 1.1** A proposed Asset Management Strategy and Plan for Somerset Council forms Appendix A to this report. It sets out the Council's strategic objectives for property asset management, the approach the Council will take to managing its property assets, and a series of high-level commitments to guide property asset management decisions and policy making.
- 1.2** The scope of the proposed Asset Management Strategy and Plan is focussed on 'real estate' (land and buildings) assets. Infrastructure assets, such as highways, street furniture, coastal and harbour infrastructure, cycle paths, rights of way and flood defences are not in the scope of this document; similarly, vehicles, IT infrastructure, plant and equipment and other asset groups will be governed by separate strategies. The Property Asset Management Strategy and Plan also excludes assets acquired and held for investment yield, and assets held within the Housing Revenue Account – these asset groups are subject to separate policies and plans.
- 1.3** Following discussion at Executive, this document will be brought to the Full Council on the 22nd February 2023 for adoption.

2. Recommendations

- 2.1.** The Executive is asked to:
 - i) Consider and comment on the proposed strategy and plan; and
 - ii) Endorse the plan and recommend its approval by Council at its meeting on 22 February 2023.

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3. Reasons for recommendations

- 3.1** The proposed strategy will provide the strategic direction for the management of land and property assets for Somerset Council. A strategy for asset management provides a framework to guide the management of the property estate, so that it can serve the Council and the people of Somerset as effectively as possible.

4. Other options considered

- 4.1.** The proposed Asset Management Strategy has been developed based on the draft Somerset Council Plan and following an analysis of the land and property estate that the new Council will inherit. The strategy has been developed through the LGR Asset Optimisation workstream, in conjunction with the Lead Executive Members for Development and Assets and Finance.
- 4.2.** The option of not creating an Asset Management Strategy was disregarded as guidance from the Chartered Institute of Public Finance and Accountancy and the Royal Institute of Chartered Surveyors recommends that property is managed strategically. This requires that a strategy be set and overseen.

5. Links to County Vision, Business Plan and Medium-Term Financial Strategy

- 5.1.** The strategies and plan have been developed from the Council Plan Priorities and Vision and are designed to directly support them. Further detail can be found in the Asset Management Strategic Objectives (page 7) in Appendix 1, which details how each of the property strategies contributes to the priorities and vision.

6. Consultations and co-production

- 6.1.** This Asset Management Strategy and Plan has been produced and reviewed by Lead Members and officers from across the five Somerset Councils as part of the Property Assets Optimisation Workstream.
- 6.2.** The Strategy and Plan has also been discussed at the Local Government Reorganisation Asset Strategy Group, which is attended by members and senior officers including representation from Corporate Finance, as well as at a meeting between SLT and Executive on the 12th December 2022, and at the LGR Programme Board on the 22nd December 2022. In addition, it was discussed at the Local Government Reorganisation Joint Scrutiny Committee on the 19th January 2023 and at the Local Government Reorganisation Implementation Board on the 31st January 2023. Feedback from these discussions has been considered and, where appropriate, incorporated into the proposed plan.
- 6.3.** The authors have also undertaken a stakeholder engagement exercise, and this proposed plan incorporates feedback from internal stakeholders and public sector partners.

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7. Financial and Risk Implications

- 7.1. There are no direct financial implications to this Strategy. The strategies contained, however, will be subject to budget and funding opportunities.
- 7.2. There are no specific risks associated with this strategy. All decisions taken with regards to property are subject to the Council's scheme of delegation and constitution and will be assessed individually for their risks.

8. Legal and HR Implications

- 8.1. There are no legal and HR implications arising directly from the recommendations in this report, as this plan provides strategic direction only. However there may be future decisions in the delivery of this plan that themselves have legal or HR implications, and the relevant expert officer advice will be considered as required.

9. Other Implications

9.1. Equalities Implications

This strategy includes a strategic objective to provide assets that are fit for purpose, safe & compliant and as part of that a commitment to consider the location of buildings to support accessibility for people who do not have access to a car, proactively assess the accessibility of buildings and, where reasonable, make adjustments to ensure that buildings are accessible and support customers and staff with protected characteristics.

The strategy and plan will be taken forward through a wide range of actions, programmes and policies. Due regard for the particular needs of people with protected characteristics will be assessed as appropriate as these actions, programmes, and policies are developed; with appropriate mitigations and regard for equalities implications embedded into the policy framework and decision making.

9.2. Community Safety Implications

There are no Community Safety Implications directly associated with this Strategy and Plan.

9.3. Sustainability Implications

While the Asset Management Strategy does not specifically detail actions (as it provides strategic direction only), it does commit to using Council assets to address the Climate Emergency. This includes eliminating or reducing the use of fossil fuel heating systems, supporting active travel, encouraging

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sustainable agricultural practices, and reducing the consumption of embedded carbon in new build and refurbishment projects.

9.4. Health and Safety Implications

This strategy does not itself have any health and safety implications, but it does restate the commitment of the department to providing fit for purpose, safe, and compliant assets, which will help to ensure people are safe when using Council assets.

9.5. Health and Wellbeing Implications

This strategy includes a strategic objective to meet housing and care needs, with an emphasis on social housing, and as part of that a commitment to work with social care commissioners to use the council's asset base to improve the sufficiency of care placements in the county.

9.6. Social Value

Each of the strategies contained within this document has potential social value benefits involved, although the precise nature and financial impact of these has not yet been determined.

For example, strategy statement 4: *The Council's estate is used to meet housing and care needs, with an emphasis on social housing* has clear social value implications as it discusses the use of Council assets to create positive value for local communities. Investment in the council's land and buildings estate will support social value through the councils procurement policies.

10. Scrutiny comments / recommendations:

- 10.1** This Strategy and Plan was discussed at the Local Government Reorganisation Joint Scrutiny Committee on the 19th January 2022. The committee asked the authors to reconsider the social value implications of the proposed strategy, and this feedback has been incorporated into this report.

11. Background

- 11.1.** The proposed Asset Management Strategy and Plan for Somerset Council, which forms Appendix A to this report, sets out the Council's strategic objectives for property asset management, the approach the Council will take to managing its property assets, and a series of high-level commitments to guide property asset management decisions and policy making.
- 11.2.** This Asset Management Strategies and Policies have been produced by Lead Members and officers from across the five Somerset Councils as part of the Property Assets Optimisation Workstream and have now been

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drafted into a full document with background and contextual information. The Executive is asked to review and comment on the proposed strategy and plan.

- 11.3.** Subject to discussion at Executive, this document will be recommended for adoption at the Full Council on the 22nd February 2023.

12. Appendices

Appendix A – Proposed Corporate Property Asset Management Strategy

Report Sign-Off

		Signed-off
Legal Implications	Honor Clarke	26/01/23
Governance	Scott Wooldridge	27/01/23
Corporate Finance	Jason Vaughan	26/01/23
Human Resources	Chris Squire	26/01/23
Property	Paula Hewitt / Oliver Woodhams	31/01/23
Procurement	Claire Griffiths	26/01/23
Senior Manager	Paula Hewitt – Lead Director, Economic and Community Infrastructure	31/01/23
Commissioning Development	Sunita Mills / Ryszard Rusinek	26/01/23
Local Member	All	n/a
Lead Member	Cllr Ros Wyke, Lead Member for Development & Assets	26/01/23
Opposition Spokesperson	Cllr Bob Filmer – Opposition Spokesperson for Development and Assets	19/01/23
Scrutiny Chair	Cllr Bob Filmer – Opposition Spokesperson for Development and Assets	19/01/23

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APPENDIX A: Proposed Property Asset Management Strategy and Plan

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Introduction, Purpose, and Scope

This Asset Management Strategy and Plan has been created as part of the Local Government Reorganisation (LGR) programme in Somerset. Senior officers from the property departments in all five former Somerset Councils have developed the strategy in conjunction with Lead Members from the Somerset Council Executive, and the strategy [has been approved by the full Council¹]. The document sets out the Council's strategic objectives for property asset management, the approach the Council will take to managing its property assets, and a series of high-level commitments to guide property asset management decisions and policy making. The strategy and plan are intended to guide policy and decision making for the first 4-5 years of the new Somerset Council and will be reviewed following the next council elections in 2027, or earlier on the request of the Executive.

Somerset Council has a significant property portfolio stretching across the County. It includes office accommodation, open space, schools, operational properties such as libraries, depots and customer access points, and a significant estate inherited from the five predecessor councils that is leased out. Some property assets are actively used to deliver operational services; others are held for strategic purposes or have been acquired in the past to address a particular objective. The Council's property portfolio will change over time through the acquisition or construction of new assets, remodelling and re-purposing of existing assets, and through the disposal of property interests. Active management of this significant asset base is essential to ensure that the property portfolio delivers value by meeting the changing needs and strategic objectives of the Council, to ensure that assets make a positive contribution to the Council's financial standing over the longer term, and to ensure that the risks associated with holding property are managed effectively.

This Corporate Property Asset Management Strategy provides a framework to guide the management of the property estate, so that it can serve the Council and the people of Somerset as effectively as possible. The overriding intention of the document is to ensure that land and building assets are held by the Council for a clear purpose, and that these assets deliver long term value and are managed and maintained effectively.

The scope of this Asset Management Strategy and Plan is focussed on 'real estate' (land and buildings) assets. Infrastructure assets, such as highways, street furniture, coastal and harbour infrastructure, cycle paths, rights of way and flood defences are not in the scope of this document; similarly, vehicles, IT infrastructure, plant and equipment and other asset groups will be governed by separate strategies. The Property Asset Management Strategy and Plan also excludes assets acquired and held for investment yield, and assets held within the Housing Revenue Account – these asset groups are subject to separate policies and plans.

The first section of this document sets the high-level strategic objectives for property asset management and how these support Somerset Council's Vision and Council Plan priorities, set in the context of some of the challenges and opportunities presented by the Council's property portfolio. This is followed by a second section with further detail on how the Council will manage its property estate, and how the strategic objectives for property asset management will be implemented.

¹ At the time of writing this strategy and plan is put forward to the Executive for them to consider and propose to Full Council.

Asset Management Strategy

This Asset Management Strategy will set strategic priorities for property asset management, and guide policy making and decisions on how the Council's property and land portfolio will be used. It will support Somerset Council's Vision and Council Plan Priorities, the safe and effective delivery of statutory services, and the development of an affordable and sustainable property estate for the long-term future of the Council. The strategy is set by the full Council and can only be varied through a further decision by the full Council.

The Vision for Somerset Council

Somerset Council has set the following vision as its guiding beacon for the next four years:

“The new Somerset Council will build a fairer, greener, more flourishing, more resilient Somerset that cares for the most vulnerable and listens to you.”

Somerset Council Priorities

Four priorities have been developed to clarify the vision and provide a focus for the Council. These are:

- **A Greener, More Sustainable Somerset**
- **A Healthy and Caring Somerset**
- **A Fairer, Ambitious Somerset**
- **A Flourishing and Resilient Somerset**

Somerset Council Principles

The priorities are underpinned by a set of core principles that will guide the work of the Council:

- A responsible council that acts with integrity
- A listening, empowering council
- A council with evidence based and open decision making
- A collaborative council; and
- An enterprising council.

Strategic Context: Asset Management Challenges and Opportunities

Somerset Council is a new organisation, created by combining the functions of 5 predecessor councils (Mendip, Sedgemoor, South Somerset, and Somerset West and Taunton District Councils and Somerset County Council). The Council will inherit a large property asset base, with a wide variety of lease / tenancy arrangements, occupants and building types – managing this large and complex estate will bring challenges. However, the combination of resources, skills and assets inherited from each of the predecessor councils will also bring opportunities, and strategic advantages.

The new Council comes into existence at the most challenging time for local government in a generation. Fourteen years of austerity and growing demand has reduced the spending

power and financial flexibility of all councils, and the cost of delivering our services has dramatically increased due to rising energy costs, rising interest rates and increasing numbers of people who need our support. This means that we are going to have to be incredibly careful with taxpayers' money.

One of the legacies of the years of austerity for property asset management in Somerset (and many other local authority areas nationally) is a **significant maintenance backlog**. Estimating the level of backlog maintenance across the Somerset Council estate is very uncertain, due to the age and quality of existing condition survey data; however a recent high-level estimate has valued the property maintenance backlog for high priority repairs at a range of £30-£40m for Local Authority maintained schools in Somerset, and a further £10-£15m for the non-schools operational properties that the new Council will have maintenance responsibility for. Across the schools and non-schools estate, there are properties that are approaching the end of their lifespan, where repair and maintenance is not economically viable – whilst there are no immediate concerns, in the longer term this issue will need to be addressed. Funding from government to address the condition of school buildings currently falls far, far short of what is needed, both locally in Somerset and at a national level. On top of the financial challenge of this significant maintenance backlog, Somerset Council will also face a **challenge in the cost and difficulty of decarbonising its estate** in order to meet its Climate Emergency Strategy commitments.

The new Somerset Council will also have opportunities to address these financial challenges. Although the challenge presented by the schools maintenance backlog is significant, Somerset Council **is changing its relationship with LA maintained schools** through the agreement of a core set of support services, which will enable a more effective, collaborative approach to addressing repairs and maintenance issues at school sites. If implemented, the current longer-term ambition to transfer all school sites to academy status will change the relationship, and responsibilities for repairs and maintenance, more fundamentally. The predecessor County and District Councils have made a **positive start to estate decarbonisation**, and Somerset Council will inherit a non-schools estate where heat decarbonisation has been achieved in a number of properties, together with a technical / professional property workforce that has developed skills and learning in new, low-carbon technology.

As noted above, the size, diversity and complexity of the Somerset Council estate represents a challenge in itself. Somerset Council will have responsibility for a **very large number of assets**, many of which were acquired historically for different purposes, and some of which confer a **challenging set of legacy obligations on the council** as a landlord. Bringing five councils together, particularly at a point where the use of some operational assets (particularly offices) is changing with post-COVID societal change, creates a unique **opportunity to rationalise the property estate**, seeking opportunities for the co-location of former district and county level services and teams, to transfer or dispose of assets to other bodies, and also **work with local partners to share assets across the public sector** in Somerset. As a unitary authority, Somerset Council has a wider range of operational and strategic objectives, which creates a **broader opportunity to change, re-model and re-purpose land and property assets in order to support a wider range of outcomes**. That said, changing and remodelling the estate will be constrained by a very challenging financial environment – in particular, **significant capital investment is likely to be unaffordable for the new Council** in the short to medium term, in particular with anticipated higher borrowing costs. Financing investment through the sale of surplus assets is also challenging in Somerset, where current **high construction costs often exceed local asset / land values**.

Bringing together professional property staff with a range of experience, expertise and networks from the five predecessor councils into the new Somerset Council will **consolidate**

asset management and real estate expertise in a new property function that will have a level of resilience and capability well beyond any of the predecessor councils. Developing new systems and a consistent approach to asset management will be a challenge, in particular given the **inherited range of approaches to managing property compliance and asset records**. Nonetheless, the property function in the new Somerset Council will enjoy a unique opportunity to establish a modern, effective and efficient approach to asset management, based around **the implementation of a Corporate Landlord model and a new, consolidated asset management system**.

In summary, Somerset Council faces the following asset management challenges:

- *A significant maintenance backlog – particularly in the maintained schools estate – with some assets that are approaching the end of their economic lifespan.*
- *The cost and difficulty of decarbonising the property estate to meet Climate Emergency commitments.*
- *A very large number of diverse assets – including a significant number of ‘legacy’ holdings, some with challenging, historic lease terms.*
- *A challenging financial context – in particular, the affordability of capital investment.*
- *High construction costs which, in Somerset, often exceed local asset / land values.*
- *An inherited range of approaches to managing compliance & asset records.*

... but will also benefit from new opportunities, including

- *A changing relationship with LA maintained schools.*
- *Learning from a positive start to estate decarbonisation.*
- *Changing the use of the estate to support a wider range of outcomes.*
- *The potential rationalisation of the property estate, including co-location with partners.*
- *The consolidation of asset management & real estate expertise from across the five predecessor councils.*
- *The implementation of a new asset management database & corporate landlord model.*

Strategic Context: The Somerset Council Property Portfolio

At the time of publishing this strategy, work is ongoing to identify and gather information on the entire land and property estate through the implementation of a single, combined asset management system. In particular, it will take further time to fully document the full range of small amenity and other land parcels owned by Somerset Council in some urban areas. The statistics on the property estate are always subject to change in the future as assets are acquired and disposed; the portfolio presented here excludes a large number of very small land holdings which are (at the time of writing) still being validated. It also excludes all residential Housing Revenue Account properties, and the vast majority of the public highway network, where the council does not own the underlying land. At the time of publication, excluding a large number of small land parcels and HRA dwellings as noted above, Somerset Council has nearly 1,300 individual real estate assets. These vary very significantly in size, value and type – from small play areas to large secondary schools, office blocks and innovation centres.

Chart 1 overleaf shows how these c.1,300 assets are split between categories – whilst the majority are held for operational purposes, there are groups of assets which have been acquired specifically for investment yield, and others which are leased out with no operational purpose.

Chart 1 – categories of real estate assets – operational and other assets.

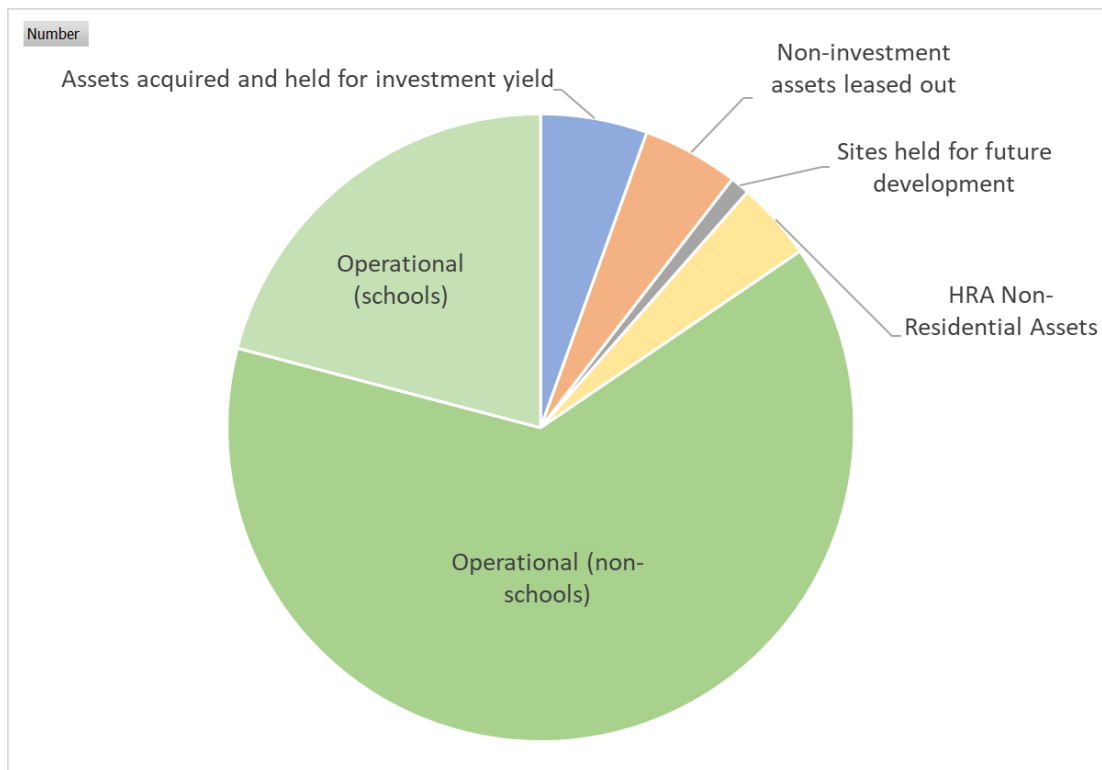
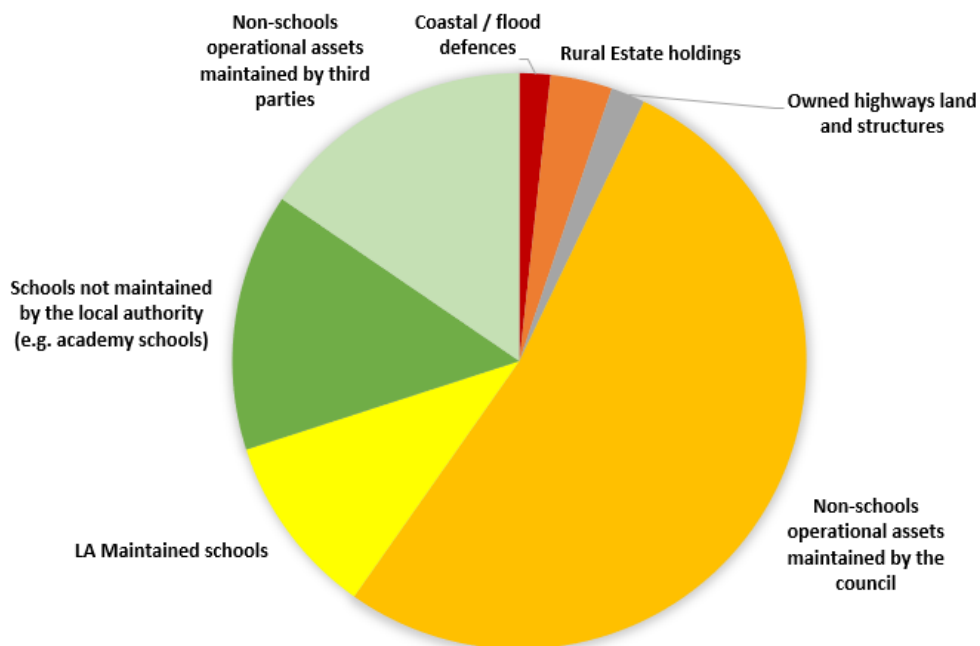


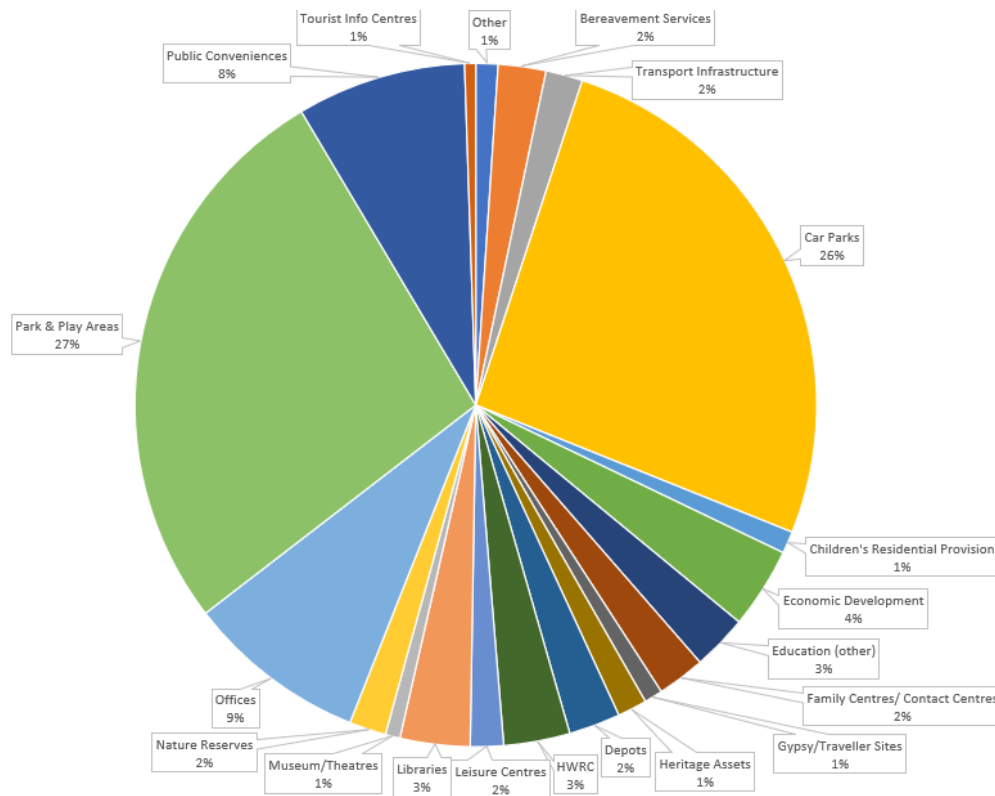
Chart 2a below analyses the subset of c.1,100 operational assets shaded in green above, distinguishing between those assets where the council is responsible for all aspects of asset management (including all repairs and maintenance), and those assets where the council is a landlord and repairs and maintenance risks have been substantively transferred to tenants or other third parties.

Chart 2a – Operational assets categorised by type and repairing liability.



Finally, Chart 2b below provides some further analysis of the c.570 non-school operational assets (the orange segment in Chart 2a above) where the council has responsibility for repairs and maintenance, to illustrate the range of different asset types in this portion of Somerset Council's property portfolio.

Chart 2b – Non-schools operational assets where the council has full repairing liability.



Asset Management Strategic Objectives

The following strategy statements have been developed from the Council Priorities and contextual analysis set out above. These objectives will guide policy making and decisions on how the Council's property and land portfolio will be used.

Strategic Objective 1: The Council's estate is financially sustainable, efficient, and effective.

This strategy objective will ensure that the Council is able to deliver effectively in a very challenging financial environment, and that the property estate does not create an unsustainable burden for future generations of Somerset council taxpayers.

Strategic Objective 2: Assets that are fit for purpose, safe & compliant.

This strategy objective will ensure that the Council meets all legal requirements in the management of its estate, and that assets support effective, modern service delivery for customers and effective, modern workspaces for staff. This includes proactive compliance

with the Equalities Act 2010, relevant Health and Safety regulations, and other relevant legislation.

Strategic Objective 3: Assets that address the Climate Emergency.

This strategy objective will directly support the Council Plan priority to deliver a **greener, more sustainable Somerset**, as well as delivering against the Climate Emergency Strategy goal of decarbonising the local authority estate and operations.

Strategic Objective 4: The Council's estate is used to meet housing and care needs, with an emphasis on social housing.

This strategy objective will directly support the Council Plan priorities to deliver a **healthy and caring Somerset**, and a **fairer and ambitious Somerset**, in particular by ensuring that the council's land and property assets support the ambition to be innovative in its approach to housing, and deliver decent quality, low-carbon social housing.

Strategic Objective 5: The Council's estate supports prosperity and economic growth.

This strategy objective will directly support the Council Plan priority to deliver a **flourishing and resilient Somerset**.

Strategic Objective 6: Address the growing challenges in the Council's school buildings estate.

This strategy objective will also directly support the Council Plan priority to deliver a **flourishing and resilient Somerset**, as well as addressing one of the most significant challenges created by a long period of austerity.

Asset Management Plan

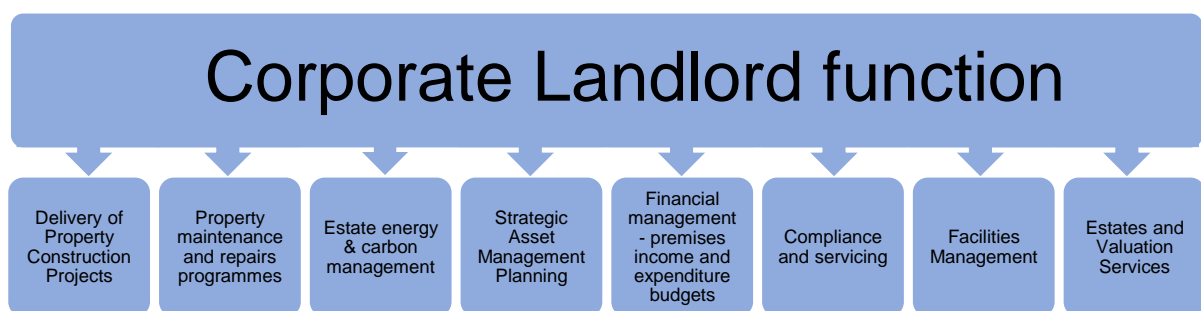
The Asset Management Plan in this section sets out a broad methodology and approach to property asset management which Somerset Council will adopt to deliver the strategic objectives identified in the Asset Management Strategy, as well as providing some additional detail on the initial, high-level plan for its implementation. The Corporate Landlord operating model, in conjunction with a new Asset Management System for Somerset Council, will be central to the effective management of the council's estate and the delivery of strategic objectives. The strategic objectives explained above will be implemented through the framework of policy commitments and high-level plans detailed at the end of this section.

The Corporate Landlord Operating Model

What is The Corporate Landlord Model?

In the past, public-sector assets have often been managed by services rather than a centralised department. For example, the libraries service would be responsible for all or almost all facets of property asset management for the buildings from which they operate – for example, arranging repairs, statutory compliance, and the financial management of premises costs.

The Chartered Institute of Public Finance Accountancy (CIPFA) and the Royal Institution of Chartered Surveyors (RICS) recommend that property is used to meet the requirements and objectives of the organisation as a whole, rather than through decentralised, service-led arrangements². In order to do this, many local authorities are moving towards an asset management approach known as the Corporate Landlord model, which manages assets owned by the Council centrally by one dedicated property department. This allows for improved corporate oversight by the Council of important issues such as compliance and financial management. The approach also drives improvement in the utilisation and long term value of the property estate, by enabling flexibility to adapt to changing requirements, driving the optimisation of properties through co-location, and improving the quality of decision making on asset management issues by bringing a professional, longer term focus. Somerset Council will adopt this approach.



There are also financial benefits to the Corporate Landlord Model; through the benefits of economies of scale, a more focussed financial management of premises costs, and the

² The Royal Institution of Chartered Surveyors. *RICS Public Sector Property Asset Management Guidelines*. Retrieved from RICS.org.uk: <https://www.rics.org/globalassets/rics-website/media/upholding-professional-standards/sector-standards/real-estate/rics-public-sector-property-asset-management-guidelines-2nd-edition.pdf/>

longer term financial benefits of considering whole-life building costs when making property investment or acquisition decisions. The centralised Corporate Landlord property function should be formed by a group of property experts with the appropriate technical / professional expertise, who work in conjunction with service managers who have different skills related to their core delivery functions. This allows the development of a pooled professional resource to focus on asset management leaving service managers and non-property professionals to focus on their various areas of expertise and knowledge. The Property department will engage with services and service users to inform and consult them on prospective changes to the properties that they use.

What does this look like at Somerset Council?

Somerset Council will operate the Corporate Landlord model of property management for the majority of its non-Housing Revenue Account (HRA) land and buildings assets. There may be some exceptions for specialist groups of assets (for example, Leisure Centres) where economies of scale and expertise for some aspects of asset management is more appropriately concentrated in a service department. However, for all non-HRA, non-schools buildings the default operating model will be a Corporate Landlord approach.

The Corporate Landlord function will generally hold the budgets for rental income and premises costs, undertake all statutory compliance, management of records, estates activities, financial management, and improvement works. Generally, the management of building construction projects will be overseen through the Corporate Landlord function – with service commissioners taking a client role. This will ensure that property is treated as a corporate asset and is optimised to meet the needs of the Council as far as possible, as well as allowing strategic oversight of the entire portfolio simultaneously.

Corporate Landlord asset management principles will be extended to the day-to-day management of Somerset Council's Investment for Yield property estate (though, as noted above, these assets will be subject to different strategic objectives and sit outside of the scope of this strategy). Asset management of Local Authority maintained schools will be subject to specific arrangements governed through the Financial Management Scheme for schools, with a policy framework and roles and responsibilities to be developed by the new council in consultation with school leaders.

Working across Somerset Council, with local partners, and with communities

An important principle of the Corporate Landlord model in Somerset is ensuring that the property estate meets the needs of the Council, and the communities and customers it serves. For the Corporate Landlord model to work effectively, it is important that the property function engages thoroughly with its internal customers – the services occupying buildings and service commissioners who deliver outcomes through the council's estate - to fully understand their property requirements. This requires strong relationships to be built and maintained and for communication to be open in both directions. At Somerset Council, a collaborative approach with open communication will be fostered through formal, regular communication and feedback, and informally through a strong collaborative culture and positive working relationships.

Equally important is engagement work with communities and customers, using the insights of community representatives and customer intelligence data to understand how Council assets can be used to meet the needs of the population of Somerset most effectively. This engagement will drive discussions about how asset devolution, or a greater community involvement in local assets, might drive better value and outcomes for communities and customers.

The five predecessor councils have all been active in working with local partners, in particular through a long-running One Public Estate programme in Somerset. Somerset Council will build on this approach, using the opportunity of a stronger, single voice for local government in Somerset to drive collaboration with local partners and stronger engagement with central government departments. This is particularly relevant for local Health and Police partner organisations, who are already integrated into the Somerset Council estate: the council will continue to collaborate closely with these partners, where appropriate taking joint decisions through the One Public Estate and Integrated Care System partner governance.

Property Records and the Asset Management System

A strong grasp of asset management data and property records underpins effective asset management, enabling the efficient evaluation and comparison of properties and land to support decision making and robust record keeping to support estate management and compliance activities. Somerset Council has implemented a new integrated Asset Management System, provided by The Technology Forge, which has an extensive range of asset management functionality.

This asset management database will be a fundamental foundation for property asset management at Somerset Council and will be fully utilised and optimised by the property function. This means that the system will be a single source of property records and data, and the property function will invest in populating the system fully, maintaining the integrity of data records over time, and integrating the new system functionality into day-to-day operations.

Governance & Decision-Making

Decisions on property and assets are made in line with the Somerset Council Scheme of Delegation, Contract Standing Orders, and the council's Constitution. In line with the Council's corporate governance framework, decisions on the acquisition or disposal of assets or spending on building condition works will be made by Executive members, or senior officers in consultation with Executive members as appropriate (depending on agreed thresholds). Informing and consulting with Local members is a key aspect of the Council's decision making governance, and Local members will be involved in the decision making process for asset acquisitions or disposals in their area in accordance with the Council's procedures. An important principle of the Corporate Landlord model, enshrined in the Council's Scheme of Delegation, is that decisions to acquire, grant or dispose of property interests for 'general fund' (i.e. non-HRA), non-schools properties will be overseen by the corporate property function. This will include decisions relating to leasehold interests, licences and tenancies.

Procurement activity will be carried out in consultation with the procurement department and in line with the Contract Standing Orders. Somerset Council's property asset management function will tender a wide range of contracts for condition and improvement programmes, and the construction of major projects.

The Asset Management Group

While this Asset Management Strategy is set by the full Council, its implementation will be driven and overseen by the Somerset Council Asset Management Group. This group will not be a formal committee of the Council, and as such it will not have decision making powers

and will be subject to the Council's wider governance and scrutiny functions. The Asset Management Group will comprise of senior officers, including representatives of the finance and property asset management functions, with Executive Member representation. It will be chaired by the Lead Executive Member. The Asset Management Group may convene sub-groups as required, on a task-and-finish or ongoing basis, to oversee specific asset groups or programmes of work. The group will also be responsible for developing further property policies.

It is important to note that the scope of the Asset Management Group will reflect the scope of this Asset Management Strategy: it will not be responsible for non-property assets, assets held within the Housing Revenue Account, or investment properties held for yield. These asset groups will be subject to separate governance and oversight mechanisms.

A Policy framework for Asset Management

Somerset Council will develop a suite of policies, through the Asset Management Group, and these will be agreed and adopted through the Council's corporate governance framework. The policy framework will be developed to meet the objectives of this Asset Management Strategy and Plan, but will, as a minimum, include policies governing the disposal and acquisition of properties, the operation of the Corporate Landlord model, and the approach to the Council's Rural Estate.

Asset Management Plan – implementing the strategy

Strategic Objective 1: The Council's estate is financially sustainable, efficient, and effective.

Policy commitments and implementation plan:

- Rationalise and reduce the number of buildings and areas of land wherever possible and appropriate, considering potential long- and medium-term needs, and ensuring assets are held for a clear purpose and provide best value.
- Improve the effectiveness and financial sustainability of assets, devolving assets where appropriate and working with partners and services to maximise use and value.
- Adopt and implement a Corporate Landlord model for the non-schools estate, which treats all properties as a corporate resource and manages them centrally.
- Protect heritage assets where and when affordable, bring them into a financially sustainable use, devolving or disposing of them to deliver long term sustainable protection.
- Develop an acquisitions policy to ensure new assets are financially sustainable and reduce costs.
- Develop proactive maintenance strategies, or dispose of assets, to ensure long term affordability.

Strategic Objective 2: Assets that are fit for purpose, safe & compliant.

Policy commitments and implementation plan:

- Work in partnership with building users and service departments to ensure assets are safe, effective and optimised to support service delivery.
- Consider the location of buildings to support accessibility for people who do not have access to a car. Proactively assess the accessibility of buildings and where

reasonable, make adjustments to ensure that buildings are accessible and support customers and staff with protected characteristics.

- Modernise asset records and systems and monitor the condition and safe use of buildings to provide comprehensive assurance of compliance and health and safety.

Strategic Objective 3: Assets that address the Climate Emergency.

Policy commitments and implementation plan:

- Eliminate or reduce the use of fossil fuel heating systems and improve thermal efficiency across the estate, when and where affordable.
- Take opportunities to locate and utilise land and building assets to support active travel.
- Use our land and buildings to generate renewable energy and develop smart systems and processes to optimise energy use across the estate.
- Encourage sustainable agricultural practices on the council's rural estates.
- Develop an acquisitions policy to ensure new assets meet Climate Emergency pledges and reduce the consumption of embodied carbon in new build and refurbishment projects.

Strategic Objective 4: The Council's estate is used to meet housing and care needs, with an emphasis on social housing.

Policy commitments and implementation plan:

- Rationalise and reduce the council's estate in urban areas, to release sites for housing.
- Work with partners, central government and the council's housing services to facilitate the use of surplus land for social housing (including community led and self-build schemes).
- Work with social care commissioners to use the council's asset base to improve the sufficiency of care placements in the county.

Strategic Objective 5: The Council's estate supports prosperity and economic growth.

Policy Commitments and implementation plan:

- Maintain a strategic, targeted network of economic development sites to support business growth.
- Retain a rural estate to develop opportunities to support new entrants to farming.
- Where appropriate and affordable, work with partners and develop opportunities to utilise surplus assets to support regeneration and economic growth.
- Ensure that Asset Rationalisation strategies support the sustainability of Town Centre economies.

Strategic Objective 6: Address the growing challenges in the Council's school buildings estate.

Policy Commitments and implementation plan:

- Lobby and influence central government to provide funds to address the critical condition of Somerset schools.
- Develop strategies for the replacement of end-of-life school buildings.
- Work in partnership with school leaders to improve proactive maintenance practices in schools.
- Work in partnership with school leaders to ensure school buildings are safe.

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Somerset County Council

Council

– 22 February 2023

Report of the Constitution & Governance Committee – Proposed new Constitution for the new Somerset Council

Lead Members: Cllr Theo Butt Philip, Chair of Constitution & Governance Committee and Cllr Bill Revans, Leader of the Council (Executive Arrangements and functions)

Division and Local Member: N/A

Lead Officer & Author: Scott Wooldridge - Monitoring Officer and Head of Governance & Democratic Services

Contact Details: 01823 357628

1. Summary

- 1.1 At its Annual General Meeting in May 2022, the Council agreed an interim Constitution for 2022/23 and recognised that there would be a comprehensive review of the Constitution during 2022/23 through the Constitution and Governance Committee, culminating in the proposed Constitution for the new Somerset Council being recommended to the County Council meeting on 22 February 2023 ahead of vesting day on 1 April 2023.
- 1.2 The Constitution and Governance Committee has been completing a phased review of key elements of the new Constitution for the new Somerset Council over a series of meetings. The proposed new Constitution is appended to this report for consideration by the Committee to recommend this to the County Council for approval on 22 February 2023.
- 1.3 The development of the new Constitution has been undertaken by the LGR Governance Workstream involving the Council's Monitoring Officer in conjunction with the Monitoring Officers of the four district councils. This has involved extensive work and included reviewing best practice from Somerset councils and reviewing the Constitutions of previous local government reorganisations in Buckinghamshire, Wiltshire and Dorset.
- 1.4 The new Constitution sets out how the new council will operate; how it will make decisions and the steps that are to be followed to make sure the new authority's decisions are efficient, transparent and accountable to local people. The Council must ensure that copies of the Constitution are available for inspection by the public at all reasonable hours and supply a copy of the same upon request (upon payment of such reasonable fee as the Council may determine).
- 1.5 A diagram summarising the overall proposed governance structure and illustrating the relationship between the Full Council, Council committees,

Executive, Local Community Networks and Overview and Scrutiny Committees is set out at Part D of the Constitution. The most substantive changes are summarised in the bulleted list below, relating to the Council committees dealing with planning, licensing and regulatory matters and Overview and Scrutiny Committees, along with the 18 new Local Community Networks:

- Full Council
- Council Committees (dealing with non-executive functions) such as Audit Committee, Constitution & Governance Committee, Health & Well-Being Board, Human Resources Committee, Officer Appeals Committee, Pensions Committee and Pensions Board, Standards Committee - minor modifications

New committees/substantive changes for the following:

- a Strategic Planning Committee and four area-based Planning Committees
- a statutory Licensing & Regulatory Committee and sub-committees
- Executive
- 18 Local Community Networks
- 5 Overview and Scrutiny Committees

1.6 The Constitution & Governance Committee considered the draft new Constitution for Somerset Council at its meeting on 14 February. Following debate, the Committee agreed some revisions to the proposed Constitution in respect of :

- Part A – clarified references to electoral divisions due to the Somerset Structural Changes Order 2022 and reference to children looked-after
- Part B – clarified some of procedural matters relating to notices for meetings and members’ attendance at meetings where exempt information is discussed
- Part D – Licensing and Regulatory Committee – noted that the proposals reflected the Committee’s review in December 2022
- Part D – Planning Committees – the Committee undertook an extensive review of the proposals at their meetings on 30 January and 14 February. Specific revisions related to the referral of matters from area-based committees to the strategic planning committee, the scope of functions for the strategic planning committee, the public speaking arrangements at Planning Committees, the proposed arrangements for training all members of the Council, the naming of the area-based planning committees, the referral mechanisms for divisional members or city, town and parish councils to escalate a matter to a planning committee,
- Part E – Local Community Networks – following the Committee’s review on 30 January, the Committee added in a new 5.1 3 (g), clarified the role of the Executive Member in agreeing the initial core membership

for each LCN, proposed the removal of the experienced and trained criteria for a Chair of a LCN and the reduction of the quorum to 30% of those in attendance at a LCN meeting.

- Part G – consideration of the Scrutiny Task & Finish Group recommendations for the appointment of five scrutiny committees and their functions
- Part I – consideration of the extensive work undertaken across the five councils to develop the Officer Scheme of Delegation
- Part J – the inclusion of this section to help promote the key principles of decision making

1.7 Proposals relating to Somerset Council's appointments to its committees and other appointments matters in relation to internal and outside bodies and local authority companies will be presented to the Council meeting on 1 March. The appointments to Somerset Council's committees will be subject to the Council's approval to the new Constitution at its meeting on 22 February (which incorporates the proposed committee arrangements).

2. Recommendation(s)

2.1 The Council is asked to:-

- (1) **Agree the proposed new Constitution for Somerset Council with effect from 1 April 2023 (as set out and appended to this report);**
- (2) **Note that the new Constitution also sets out recommended executive arrangements for executive functions for approval by the Leader of the Council;**
- (3) **Delegate authority to the Monitoring Officer, in consultation with the Leader of the Council and the Chair of the Constitution & Governance Committee, to make any necessary revisions and additions to the new Constitution to meet business needs ahead of the Council's Annual General Meeting in May 2023;**
- (4) **Agree that the Chief Executive is appointed as the Returning Officer and Electoral Registration Officer for the new Somerset Council;**
- (5) **Agree to give delegated authority to the Chief Executive to appoint all Statutory Officers and Proper Officers of the new Council, with the exception of any Statutory Chief Officers e.g. Section 151 Officer.**

- (6) Agree that the word “county” be omitted from the Council’s name and it be known as Somerset Council from 1 April 2023; and**
- (7) Ask that the Constitution & Governance Committee undertakes a review of the new Constitution and report back to the Council no later than June 2024.**

3. Background

3.1 Developing the new Somerset Council’s Constitution

Under Section 9P of the Local Government Act 2000, the Council is required to prepare and keep up to date a Constitution containing the standing orders of the Council and such other information as is required or desirable.

At its Annual General Meeting in May 2022, the Council agreed an interim Constitution for 2022/23 and recognised that there would be a comprehensive review of the Constitution during 2022/23 through the Constitution and Governance Committee, culminating in the proposed Constitution for the new Somerset Council being recommended to the County Council meeting on 22 February 2023 ahead of vesting day on 1 April 2023.

The development of the new Constitution has been undertaken by the Monitoring Officer in collaboration with the four district councils’ Monitoring Officers. The developmental work has been supported by engagement with the Local Government Reorganisation Programme Board (Chief Executives of the five councils) and officers across the various workstreams supporting the delivery of Local Government Reorganisation in Somerset.

The Constitution and Governance Committee has overseen the development of the new Constitution ahead of the Committee recommending it to the Council meeting on 22 February 2023.

The approval or amendment of the Constitution is a non-executive function and is a function for the Council and not the Executive. Nevertheless the Leader and the Executive have been key consultees on proposals since it incorporates the Executive arrangements and their responsibilities in relation to Local Government Reorganisation.

- 3.2 The arrangements for the transition from the existing four district councils and county council to the single unitary council for Somerset are set out in the Somerset (Structural Changes) Order 2022.
- 3.3 The Somerset (Structural Changes) Order 2022 included provisions that the County Council can pass a resolution to omit the word “county” from its name and be known as Somerset Council and the Order agreed that subsection (3)

of section 2 of the 1972 Act (constitution of principal counties in England) shall cease to apply so far as it prescribes the name of that council. It is therefore proposed that the name of the Council be agreed as Somerset Council from 1 April 2023 as this aligns with the unitary council business case and communications to date on the establishment of Somerset Council.

- 3.4 The new authority is legally required to prepare and keep up to date a Constitution which contains the authority's standing orders (i.e. rules of procedure for its meetings); the code of conduct for Members; such information as the Secretary of State may direct; and such information as the authority considers appropriate. The Structural Changes Order provides that the creation of the new unitary authority will be legally based on the district council functions transferring to the legal entity of the County Council and the County Council will then be reorganised to create the unitary authority. This is known as the continuity authority model, as opposed to creating a whole new legal entity.

The current County Council Constitution (originally based on the then Department for Transport, Local Government and the Regions model Constitution) has therefore been taken as the starting point for the new unitary authority Constitution. The amendments are therefore drafted on the basis of the continuing authority model of governance, namely the Leader and Executive model.

3.5 Principles and approach to developing the proposed new Constitution

Principles

At its meeting in September 2022, the Committee agreed the following principles to underpin the development of the new Constitution and council decision making:

- Accountability
- Transparency
- Efficiency
- Proportionality

3.6 Approach

The approach to developing the new Constitution has focused on providing an effective and efficient framework for decision making, scrutiny, participation and accountability without unnecessary burden of bureaucracy.

3.7 The new Constitution has been structured into key parts on the following basis:

- A. Summary and Explanation
- B. Public Participation (description of the arrangements for public participation in meetings, petition scheme and access to information)
- C. Council (a description of functions and procedures for Full Council meetings and arrangements for Honorary Aldermen/Alderwomen)
- D. Committees (description of the committee structure and arrangements along with terms of reference and meeting procedure rules)
- E. Executive (description of the Executive arrangements and meeting procedures)
- F. Joint Arrangements (description of any joint authorities and joint committee arrangements)
- G. Scrutiny (description of the overview and scrutiny functions and arrangements)
- H. Members (description of Member roles, Code of Conduct, Protocol on Member and Officer relations and Scheme of Members Allowances)
- I. Officers (description of management arrangements, Scheme of Delegation to Officers, list of Proper Officers, Employee Code of Conduct, Officer Employment Procedure Rules, Whistleblowing Policy, Contract Procedure Rules and Financial Regulations / Procedure Rules)
- J. Decision Making Arrangements (key principles)
- K. Appendices – supporting guidance and protocols

Approval of the Members' Allowance Scheme (and any supporting documentation) is being sought through a separate process and agreed by full Council at its meeting on 22 February. Following approval the Scheme will be included within the new Constitution.

The list of Proper Officers in Part I will need to be completed as at 1 April 2023 and therefore it is proposed that the Council delegates authority to the Chief Executive to appoint any statutory officers and proper officers of the new Council, with the exception of any statutory chief officers e.g. the Section 151 Officer. Full Council has powers to designate the Statutory Chief Officers of the new Somerset Council.

It is further proposed that the Council appoints the Chief Executive, Duncan Sharkey, as its Returning Officer and the Electoral Registration Officer of the new Somerset Council.

Given the size of the Constitution, it is not proposed to print hard copies of the draft new Constitution but an electronic copy is available to view with the agenda papers published on the Council's website.

It is also recommended that delegated authority be given to the Monitoring Officer by full Council to enable the Monitoring Officer, in consultation with the Leader of the Council and the Chair of the Constitution & Governance Committee, to:

a) make any further necessary consequential or other amendments to the new Constitution for Somerset Council to reflect and implement any further developments in the local government re-organisation process prior to Vesting Day including but not limited to the inclusion of the Members' Allowances Scheme (and supporting guidance documents) once agreed under the separate process and the financial regulations (in conjunction with the Section 151 Officer); and

b) make any necessary textual revisions to ensure that the separate sections of the Constitution are consistent and work together as a whole.

3.8 Previous review of draft elements of the new Constitution by the Committee have focused upon:

- Public participation in committee meetings
- Part C – Council functions, procedure rules and Budget and Policy Framework
- Part D - Committee procedure rules
- Part D - Planning Committee terms of reference
- Part D – Licensing and Regulatory Committee and Sub-Committees terms of reference
- Part E - Local Community Networks – terms of reference
- Part G - Scrutiny arrangements
- Part I – Officer Scheme of Delegation and List of Statutory & Proper Officers

3.9 Review and feedback from the Committee and wider membership of the Council (including the Executive) has been critical in informing and influencing the drafting of the new Constitution. This has included evaluating a number of options and proposals regarding the draft elements considered at previous meetings i.e. Planning Committees terms of reference and Local Community Networks terms of reference.

3.10 The Constitution of Somerset Council is not intended to be set in stone or be an inflexible blueprint. It is therefore recommended that the Constitution & Governance Committee, working with the Monitoring Officer, reviews the new Constitution throughout 2023/24 and makes recommendations as appropriate to ensure that it remains fit for purpose and meets the Council's requirements.

4. Implications

4.1 Legal & Risk:

Under Section 9P of the Local Government Act 2000, the Council is required to prepare and keep up to date a Constitution containing the standing orders of the Council and such other information as is required or desirable.

Legislation sets out those functions of the new Council which must not be the responsibility of the Executive and those functions which authorities may decide either to give to the Executive or not – these are referred to as “local choice functions”, other functions are, by default, the responsibility of the Executive. All non-executive functions are for the Council to approve, whereas all executive functions are for the Leader of the Council to approve.

This report complies with all legal requirements in relation to adopting a Constitution for Somerset Council. The only risk to the Council would result from the Council failing to fulfil its legal obligations and therefore the level of risk arising from the proposals in this report are considered to be low.

4.2 Financial and equalities implications

The Council’s duty under Section 149 of the Equality Act 2010 is to have “due regard” to the matters set out in relation to equalities when considering and making decisions on the provision of services. Members must consider the effect that implementing a particular policy will have in relation to equality before making a decision.

No specific negative equalities implications have been identified with the proposals set out in the new Constitution. Decisions taken by the Council, in accordance with its Constitution, will consider equalities implications and have due regards to its legal duties under the Equality Act 2010. The arrangements for committee meetings will take full consideration of equalities and public accessibility requirements. An Equalities Impact Assessment is not considered necessary for this decision as there are no direct impacts.

The financial implications arising from the proposals in this report can be accommodated within the proposed budget for 2023/24.

4.3 Community Safety, Sustainability, Health & Safety, Health and Well-Being and Social Value Implications

No specific negative implications have been identified.

5. Background Papers

5.1 Council's Constitution

Reports and presentations to the Committee at its meetings in September, November, December 2022 and January 2023

Monitoring Officer report to Council in May 2022

Somerset Structural Changes Order 2022

Local Government Acts 1972 and 2000

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**Somerset
Council**

Constitution

Document Control – version 17/2/2023

Organisation	Somerset Council
Author	Scott Wooldridge, Monitoring Officer
Owner	Governance, Democratic & Legal Services
Protective Marking	OFFICIAL
Review Date	Annually – May Annual General Meeting

Somerset Council
Constitution 2023
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Somerset Council Constitution

Glossary

This glossary explains key terms used in the Council's Constitution but is not part of the Constitution.

Adjourned

To suspend (i.e. a meeting) with the intention to resume it later.

Annual Governance Statement

A public statement which reviews how well the Council has kept to its own governance rules.

Annual Statement of Accounts

See Statement of Accounts.

Anti-Fraud and Corruption Strategy

The Council's strategy for protecting its valuable resources which describes the expectations and practices to avoid their loss.

Asset Management Plan / Strategy

The Council's approach to getting the best possible value and revenue from things it owns (assets), such as buildings, land, roads and technology.

Approved Supplier List

A list of suppliers which have met specific criteria to enable them to provide particular goods or services to the Council.

Balance Sheet

A statement of the Council's assets, liabilities, and capital at a particular point in time which details the balance of the Council's income and expenditure over the preceding period.

Budget

Every year the Council puts a financial plan or budget in place. This shows how and where the Council will spend money to provide services and deliver the aims which it set out in its corporate plan / vision. It also sets the level of Council tax which it will

charge in the next financial year. All councils must set a balanced budget.

Cabinet

Also known as the Executive, the Cabinet is the Council's strategic decision-making body responsible for making the majority of decisions - "Executive Decisions"- for which the Council is responsible. The Cabinet is made up of the Leader and up to nine other elected councillors, including up to two Deputy Leaders, who are appointed and led by the Leader of the Council

Capital and Investment Strategy

The Council's medium to long term plan for investing in its asset base.

Capital Programme

Part of the Medium Term Financial Plan which sets out capital projects approved by full Council over a medium term, multi-year period.

Chair of the Council

The Chair of the Council is an elected member who chairs meetings of the Council and carries out a variety of civic and ceremonial duties. The Chair is elected to be the Chair by the other members of the Council, usually at the Council's Annual Meeting in May. The Chair cannot be a Cabinet Member and is assisted in their work by the Vice-Chair.

Chief Executive

The Council's most senior Officer who is responsible for the management and direction of the Council's Officers. The Chief Executive manages the Council's Senior Leadership Team and is accountable to the Leader of the Council, the Cabinet and the Council as a whole. The Chief Executive is designated as the Council's Head of Paid Service and is one of the Statutory Officers.

Chief Finance Officer

The Chief Finance Officer (CFO) is a Statutory Officer*. The CFO is responsible for managing the Council's finances and providing expert financial advice to the Council. The CFO must be a qualified accountant and balancing the Council's budget each year is one of their major responsibilities. This officer is referred to as the Section 151 Officer throughout this Constitution.

** Section 151 of the Local Government Act 1972 requires every Council to have a Chief Financial Officer.*

Clear Days

Does not include the starting or finishing day. Example: for 5 clear days notice: do not include the day when notice was given. If this was on a Tuesday, time starts to

run on Wednesday. Notice would not be completed until 12.01am the following Wednesday. If clear working days are used Saturday, Sunday or bank holidays would not be counted.

Code of Conduct (Councillor Code of Conduct / Officer Code of Conduct)

A set of rules which elected and co-opted councillors and officers must follow.

Commercial Agreement

A type of contract by way of which goods, services or other tasks are provided or undertaken for consideration (usually money).

Commissioning

Within the Council, the process of specifying, securing and monitoring service delivery by and from a provider- usually from outside the Council (i.e. a contractor).

Committee

A Committee is a formal group of elected councillors whose remit, terms of reference and operating rules are set out in the Council's Constitution. There are many different committees of the Council. Each one makes decisions about a specific area of responsibility – for example audit or planning.

Confidential Information

In relation to meetings and reports this is information which the Council has received from a Government department on terms but which it cannot disclose publicly.

It can also be information which (i) the Council cannot disclose due to a court order or legislation or (ii) is not in the public domain, is information which you would expect to be kept out of the public domain and was given to the Council in such a way that made it clear it was meant to be kept confidential.

Constitution

A governance document, or 'rule book', which sets out how the Council is run, how decisions are made and how it complies with the law.

Contingent Liability

A liability which may be incurred by the Council dependent upon a future uncertain event, eg a court case.

Contract

An agreement which: may be oral, written, partly oral and partly written or implied from conduct between the Council and another person; gives rise to obligations which are enforceable or recognised by law (i.e. legally binding); and commits the Council to paying or doing something.

A reference to a contract may also include a contract to which the Contract Procedure Rules apply and a "call off contract" means an order made or call off

contract entered into under a Framework Agreement.

Contractors

See suppliers.

Contract Management

The process of ensuring the contract results in the benefits and outcomes envisaged and that the advantages secured during the tendering phase are realised and improved through further proactive performance management during its term.

Contract Management System

The IT system and associated processes used to support supplier and contract management, providing visibility and a single view of all Council contracts. It includes the Council's contract register.

Contract Procedure Rules

The part of the Constitution that sets out the procedures to be followed when seeking to establish a contract with an external supplier.

Council

The term often used to refer to the whole organisation (i.e. members and officers); but see full Council below. The Council is led by councillors who are elected by the public. They set the priorities and the budget for the organisation. Staff working for the Council (officers) deliver the day to day operations. The word Council is used to refer both to the organisation as a whole and specifically to the decision-making body.

Council Body

May include any Committee, Board or Panel.

Council Tax

The income collected from residents based on banded property values and which funds a significant proportion of Council services.

Councillor

A councillor is elected and is a member of the Council. Councillors stand for election normally every four years and are accountable to the residents of a specific area (their electoral division) but are responsible for making decisions for the entire Council area.

Councillors do not have to be a member of a political party, but most do; those who do not are known as 'un-grouped' or 'independent' councillors.

Councillor Call for Action

The Councillor Call for Action allows councillors to refer matters of concern within the community to the relevant Board or Committee. The aim of this opportunity is to provide councillors with additional powers that enable them to respond to local community concerns which have proved difficult to resolve.

Debt Management Strategy

The Council's strategy to manage and recover the sums of money it is owed.

Decisions

The choices and agreements made on a particular issue. The Council's Constitution sets out the rules on how formal decisions are to be taken in compliance with the

law. The Constitution also sets out that decisions are to be recorded and published. (see also Key Decisions)

Director

The Council's most senior officers report directly to the Chief Executive and are accountable to Members and the Cabinet. These posts include the statutory Director of Adult Social Services (DASS) and the Director of Childrens Services (DCS).

Disclosable Pecuniary Interest

Means a financial interest as defined in ['The Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#)

Division

A division is an electoral area. Somerset Council has 55 divisions.

Elected Member

See Councillor

Executive

See Cabinet

Exempt Information

In relation to meetings and reports this means information which can be withheld from the public. It must pass one of seven tests in order for it to be exempt and it must also be in the public interest to do so. If an item is deemed to be exempt during a public meeting, then members of the public and any press have to leave the meeting while exempt information is being discussed.

External Auditors

An independent auditor appointed to review the Council's financial and management arrangements.

Financial Year

The financial year for the Council is not the same as the calendar year. Our financial year starts on 1st April and ends on 31st March.

Financial Regulations

The rules which set out how the Council will manage its financial affairs

Forward Plan

A list of the 'key decisions' the Council will make over the next one to four months. The forward plan also includes a summary of any reports which will be presented to the Cabinet. You can see the forward plan for the Council on the website.

Framework

A term used in different ways which refers to the way that the Council operates, for example, policy framework, commissioning framework, governance framework.

Full Council

The full Council is all the 110 councillors who make up Somerset Council. Full Council meets throughout the year with the meeting being chaired by the Chair. Full Council takes specific decisions, including setting the budget. It also appoints committees to make decisions about specific issues such as planning and licensing.

Function

Within the Council, a function is a service which the Council provides or an activity which it undertakes, or which it is has a duty to deliver; for example housing and education.

Head of Paid Service

The Head of Paid Service is a 'statutory officer' with overall responsibility for the employment of Council Officers (currently the Chief Executive).

Independent Person

The Council has to have at least one designated independent person who is not a councillor or a member of staff. The independent person is consulted about complaints made against councillors and also about the dismissal of one of the council's statutory officers.

Key Decision

Key decisions are executive decisions (not those made by committee) and are defined in the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) (Regulations) 2012 and are decisions which:-

- Result in the Council incurring expenditure which is, or making savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- Are deemed significant in terms of their effect on communities living or working within the area of the Council.

The Council has decided that other significant decisions will be treated as key decisions, described in the Constitution. Key decisions are taken by the Leader, the Cabinet, Cabinet Members or Officers under delegated authority.

Leader (of the Council)

Councillors elect a person who will be the leader of the council. Usually this is the leader of the largest political group on the whole council. The Leader of the Council is also the Leader of the Cabinet and will appoint up to nine other councillors to form the Cabinet to take Executive decisions on behalf of the Council. The Leader can

appoint up to two Deputy Leaders from the councillors appointed to the Cabinet.

Lead Member

An elected councillor appointed to the Executive by the Leader. Some Lead Members are assigned responsibility for a specific 'portfolio' and are sometimes referred to as 'Portfolio Holders'. Lead Members can also make key decisions which are included in the Forward Plan.

Legal Professional Privilege

Confidential communications between lawyers and their clients can be withheld from a court or from a third party using legal professional privilege.

Legislation

The Law which can be made by Parliament which takes the form of an Act of Parliament (a statute) or Statutory Regulations or By-laws which can be made by the Council.

Medium Term Financial Plan

Sets out the Council's budget (revenue and capital) over a period of more than one year; is linked to the Corporate Plan and Service Plans.

Member

See Councillor.

Minutes

The formal written record of a meeting. Minutes of Council meetings are available on the Council's website.

Monitoring Officer

The Monitoring Officer is a 'statutory officer' responsible for the lawful and good governance of the Council, in particular the Constitution, decision-making and the conduct of councillors and officers.

Motion

A proposal for a discussion or debate.

Municipal Year

The period between annual meetings of the Council. The municipal year is not the same as the council's financial year, which starts on 1 April. The municipal year usually starts in May but is not a fixed date and as such the number of days in a municipal year varies slightly.

Officer

Someone employed by the council.

Planning Applications

Means planning applications for consent as well as applications for reserved matters approvals.

Planning Officer

Means an employee of the Council tasked with processing and evaluating planning applications

Policy

A policy sets out a strategic objective for the Council and provides a framework of principles and guidelines which officers must follow to achieve those objectives.

Policy Framework

Refers to the Council's strategies and policies.

Point of Order

Where a councillor considers that a breach of the Procedure Rules or legislation has occurred within a debate

Portfolio

Within the Council, a portfolio is a specific area of responsibility, for example housing. You can see the portfolios and who is responsible for each area (the Portfolio Holders) on the website.

Procedure

The means by which a strategy or policy will be implemented or a process which must be followed.

Procurement

How the Council identifies, sources, selects and manages the resources which it needs to buy in to deliver services or meet its strategic objectives.

Proper Officer

A term used to refer to the Council's lead Officer for a particular function.

Quorum

The minimum number of attendees who have to be present at a meeting of the Council, a Committee or Sub-Committee etc to begin and / or conduct its business. If at any time a meeting is not quorate, its decisions at that time are not valid.

Representations

Members of the public can give their views on any Cabinet or Cabinet Member reports or on proposed decision by informing Democratic Services by the deadline outlined in the report

Reserves

Sums of money set aside on the Council's balance sheet. The Council has 'general reserves' and 'earmarked reserves' which are set aside for a specific purpose.

Scheme of Delegation

The Scheme of Delegation sets out how the Council and the Cabinet have delegated authority to a committee or another body or to an individual councillor or senior officer to exercise their powers or perform their functions. The officer Scheme of Delegation concerns those powers and functions delegated to officers. The Scheme of Delegation will also specify any limits on the delegated authority.

Section 151 Officer (S151 Officer)

See Chief Finance Officer.

Standards Complaint

Refers to a complaint made against an elected or co-opted member that the member concerned has failed to comply with the relevant Members' Code of Conduct.

Statement of Accounts

A document required by law which sets out the Council's financial position at 31st March each year and includes the Council's income and expenditure for a given financial year.

Statute

An Act of Parliament – the law.

Statutory

Required by law. Councils have statutory duties including preventing homelessness, managing community safety and determining planning applications.

Statutory Officers

The Council is required by law to appoint officers in certain key roles. The Statutory Officers are the Head of Paid Service; the Monitoring Officer and the Section 151 Officer. The Council must also appoint other officers including a Director for Children's Services and the Director for Adult Social Services, a Director of Public Health and a Scrutiny Officer. For full details see the website.

Sub-Committee

A group of elected councillors from the committee in question convened to undertake a particular task or perform a particular function. The sub-committee then reports back and is accountable to the committee.

Suppliers

Also known as 'contractors' suppliers are those parties which enter into a contract with the Council to provide goods or services.

Trading Account

Services which are funded by generating income from internal and external sources.

Treasury Management Strategy

The way in which the Council manages its cash, borrowing, lending and investments, and associated risks.

Virement

The movement of money from one budget heading to another.

Vires (intra vires / ultra vires)

A Latin word which means 'powers'. Within the Council vires concerns the power or lawful authority to make a decision, perform a function or undertake an action. A decision made, function performed or action undertaken will be 'intra vires' if the Council has the power and lawful authority to do it and 'ultra vires' if it does not.

Part A – Summary and Explanation

Section 1 Summary and Explanation

1. Summary and Explanation

The Council's Constitution

- 1.1 Somerset Council has a Constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that decisions are efficient, transparent, and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose. The Council must operate in accordance with its Constitution and the rules set out in it which the Council has agreed.
- 1.2 The purpose of the Constitution is to ensure that the Council's decision-making and governance arrangements support its corporate aims, objectives and priorities effectively and efficiently. It also ensures that the Council meets its legal duties.
- 1.3 The Council has chosen a Leader and Executive model of governance. This is explained below.

Corporate Objectives and Values

- 1.4 The Council's current corporate objectives, priorities and values are set out in its Council Plan.

Residents' Rights

- 1.5 The Council welcomes the participation of residents in its work.
- 1.6 Residents have several rights in their dealings with the Council. Some of these are legal rights, whilst others depend on the Council's own processes.

- 1.7 Residents have the right to:
- 1.7.1 vote at local elections as long as they are registered and eligible to vote;
 - 1.7.2 contact their local Councillor about any matters of concern to them in their local division;
 - 1.7.3 contact the appropriate Lead Member about any matters of concern that relate to their portfolio;
 - 1.7.4 have access to the Council's Constitution;
 - 1.7.5 attend all meetings of the Council, Executive, Scrutiny Committees, and other Committees except where exempt or confidential matters are being discussed (these are explained in the Access to Information Procedure Rules set out in Part B);
 - 1.7.6 petition the Council on any matter relevant to the Council;
 - 1.7.7 find out what major decisions (referred to as Key Decisions) are to be discussed by the Executive, individual Lead Members and employees and what decisions are likely to be taken by Executive in private and when;
 - 1.7.9 see reports and background papers, and any record of decisions made by the Council, Executive, Scrutiny Committees and other Committees, also individual Lead Members and executive decisions made by Officers (except exempt and confidential information);
 - 1.7.10 complain to the Council through its complaints procedure about something they think the Council should have done that it has not done; something it should have done differently or something it has done that it should not have;

- 1.7.11 complain to the Local Government and Social Care Ombudsman if they think the Council has not followed its procedures properly. This should only happen if they have pursued their complaint through the Council's own complaints process and remain dissatisfied with the outcome. ;
- 1.7.12 compliment the Council where the service they have received has been exceptionally good or speedy and which could help spread good practice across the Council;
- 1.7.13 complain to the Council's Monitoring Officer if they have evidence which they think shows that a Councillor (including a City, Town or Parish Councillor) has not followed their relevant Councillor Code of Conduct set out at Part H.
- 1.7.14 complain to the Council about any Officers' actions or attitude; and
- 1.7.15 inspect the Council's accounts during the limited period of the audit each year and make their views known to the external auditor. The period when accounts are open to inspection is publicised in advance.

What's in the Constitution?

- 1.8 The Constitution is divided into [10] parts.
- 1.9 This part provides a summary and explanation of how the Council operates and sets out the basic principles about its procedures, about which there is more information throughout the Constitution. Part B explains resident's rights and how they can be involved with the Council. Parts C to G set out the functions of the Council, Executive and Committees and how they operate. Part H deals with Councillors including the Scheme of Members Allowances which explains how the councillors are reimbursed for their time and expenses. Part I deals with Officer matters.

- 1.10 Officers, Councillors and Committees must operate in accordance with the Council's Scheme of Delegation and the more detailed rules and procedures set out in the Constitution.

How the Council Operates

- 1.11 Until the next election in May 2027 the Council consists of 110 Councillors. Elections will be normally be held on the first Thursday in May every four years beginning in May 2027. If a Council seat becomes vacant during a Councillor's term of office there may be a by-election. By-elections do not usually take place within 6 months prior to a normal election.
- 1.12 Councillors are democratically accountable to residents of their division. There are 2 councillors elected for each division. The overriding duty of Councillors is to the whole community of Somerset, but they have a special duty to everyone who lives in their division, including those who did not vote for them. Councillors set the policy of the Council and take many decisions. The Council's website contains details of how to get in touch with the Councillors and of any positions they hold in the Council.
- 1.13 Councillors must follow a Code of Conduct to ensure high standards in the way they undertake their duties. If they do not follow the Code, complaints can be made against them. The Code of Conduct and how to make complaints is set out in Part H.
- 1.14 All councillors meet together at least quarterly as the Council and this is called "full Council". At full Council, Councillors: make decisions that the law says are reserved to full Council (see Part C); decide on some of the Council's policies; set the Budget and Council tax each year. Members of the public are welcome to attend Council meetings. The agenda for the meeting including the location of the meeting and reports are published on the Council's website, usually the week before the meeting. The Council is committed to transparency and will ensure it holds full Council meetings, wherever possible,

in venues which have webcasting facilities, and which can accommodate members of the public who wish to attend.

Role of All Councillors

1.15 All Councillors will:

1.15.1 collectively be the ultimate policy-makers and carry out several strategic and corporate management functions;

1.15.2 act as a 'corporate parent' to Somerset's children looked-after and care leavers;

1.15.3 contribute to the good governance of the Council and actively encourage community participation and resident involvement in decision making;

1.15.4 effectively represent the interests of the communities and individual residents of the County in their own division;

1.15.5 respond to residents' enquiries and representations, fairly and impartially;

1.15.6 participate in the governance and management of the Council;

1.15.7 maintain the highest standards of conduct and ethics and observe the [Councillor Code of Conduct for Elected and Co-opted Councillors] (set out in Part H) and the other Codes and Protocols adopted by the Council;

1.15.8 be available to represent the Council on other bodies; and

1.15.9 attend meetings of bodies to which they are appointed or, if they are unable to attend, present their apologies.

1.16 Councillors are entitled to receive allowances to cover their time and expenses in accordance with the Members' Allowances Scheme set out in Part H of this Constitution.

The Chair of the Council

1.17 The Chair is elected by the full Council at its "Annual Meeting" each year, which is usually held in May. The Council also elects a Vice Chair, who acts as Chair when the Chair is not available.

1.18 The Chair (and the Vice Chair) undertake civil and ceremonial roles on behalf of the Council and represent the Council at events. The Chair promotes public involvement in the Council's activities. If you would like to ask the Chair to visit an event you can contact their office via the Council's website.

1.19 Although the Chair is an elected politician and has a vote, there is a duty on them to be impartial in carrying out the role of Chair.

1.20 The Chair presides over meetings of the full Council to ensure that business is carried out effectively and is responsible for upholding and interpreting this Constitution. The Chair's ruling about the Constitution or any proceedings of the Council cannot be challenged, although their interpretation must have regard to the purposes of this Constitution and must be reasonable and lawful.

1.21 Neither the Chair nor the Vice-Chair can be the Leader or a member of the Executive.

Council Business

1.22 At its annual meeting (usually in either April or May) the Council will approve its planned "Calendar of Business and Schedule of Meetings but nothing prevents changes being made to the Calendar of Business and Schedule of Meetings during the following 12 months.

- 1.23 There are three types of full Council meeting which are conducted in accordance with the "Council Procedure Rules" which are set out in Part C:
- 1.23.1 the Annual Meeting;
 - 1.23.2 ordinary meetings;
 - 1.23.3 extraordinary meetings.
- 1.24. There are some decisions which can only be taken by the full Council. The Council sets the "Budget and Policy Framework" for the Council. All decisions must be taken in accordance with the Budget and Policy Framework which can only be changed by full Council. More information about the Budget and Policy Framework is included at Part C
- 1.25. The Council is responsible for electing (and can remove) the Leader of the Council who in turn will appoint a Deputy Leader and an Executive. The Council (mainly through the Scrutiny Committee process and the call-in of decisions) is ultimately responsible for holding the Executive to account. The role of the Council is set out in more detail in Part C and the role of the Executive is set out in more detail in Part E

How Decisions Are Made

- 1.26 Types of Decision:
- 1.26.1 Executive decisions:
 - (a) Key Decisions which can be taken by Executive, or Lead Members; or in the absence of Lead Members, exercised by Officers with delegated powers,;
 - (b) delegated non-Key Decisions. These are normally taken by Officers but can be referred back to Executive or Lead Members.

1.26.2 Non-Executive Decisions:

- (a) Council decisions – decisions reserved to Council by statute such as setting the precept;
- (b) Council reserved decisions – decisions which Council has reserved to itself;
- (c) delegated Council decisions – decisions delegated to Committees and Officers.

1.27 Key Decisions

1.27.1 Key decisions as defined by Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 are decisions which:

- (a) result in expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates;
- (b) are deemed to be significant in terms of their effects on communities living or working in an area comprising two or more electoral divisions in the area of the local authority.

1.28 The Council has resolved that those decisions detailed below shall also be treated as Key Decisions. The Council may change those decisions it has decided to treat as Key Decisions as required in the light of experience of operating the Constitution. The Council has decided that the following are to be treated as Key Decisions. A decision which:

1.28.1 is not consistent with the Revenue Budget, Capital Programme or Borrowing Limits and Financial Procedure Rules approved by the Council;

1.28.2 is in conflict with a policy, plan or strategy approved by the Council or a Committee of the Council;

- 1.28.3 raises new issues of strategy or Policy;
 - 1.28.4 requires the acquisition or disposal of any land or interest in land in excess of a value of £500,000;
 - 1.28.5 comprises or includes the making, approval or publication of a draft or final scheme which may require, either directly or in the event of objections, the approval of a Minister of the Crown;
 - 1.28.6 requires the passage of local legislation;
 - 1.28.7 is of such significance to the locality, the Council or the services which it provides that the decision-taker is of the opinion that it should be treated as a Key Decision;
- 1.29 A decision taker may only make a Key Decision in accordance with the requirements of Parts B and E and, in particular (and to the extent applicable in any given case) with:
- 1.29.1 the Access to Information Procedure Rules;
 - 1.29.2 the Budget and Policy Framework provisions; and
 - 1.29.3 the Executive Procedure Rules.
- 1.30 A key decision may only be taken by the Executive or Lead Members (or where Lead Members are absent, an officer with delegated powers except in a case to which Executive Procedure Rules applies (i.e. Special Urgency or Major Emergency respectively).
- 1.31 All decisions taken by the Council, unless they are delegated to a single Councillor or to an Officer, are taken by a simple majority vote of the Councillors who are at the meeting. Councillors cannot vote unless they are physically present at the time. If there is a tie in the voting, the Chairman of the meeting has a second vote. This is called a "Casting Vote. The Scheme of Delegation in Part I gives details of responsibility for decision making.

- 1.32 When the Council knows when Key Decisions are going to be discussed or made, details will be published on the "Forward Plan" which is published on the Council's website. If these decisions are to be discussed at an Executive meeting, this will generally be open for the public to attend.
- 1.33 The Constitution also provides for decision making which enables the Council to:
- 1.33.1 provide clear leadership to the community in partnership with local people, communities, businesses and other organisations;
 - 1.33.2 support the active involvement of local people and local communities in the process of decision making;
 - 1.33.3 help Councillors represent their constituents effectively;
 - 1.33.4 create a powerful and effective means of holding decision makers to public account;
 - 1.33.5 ensure that no one will review or scrutinise a decision in which they were directly involved;
 - 1.33.6 be clear about who is responsible for making specific decisions and that they explain the reasons for decisions; and
 - 1.33.7 provide a means of improving the delivery of services to the community.
- 1.34 The Council also requires that decisions:
- 1.34.1 *are proportionate, with clear aims and desired outcomes and reasons given;*
show due regard to all relevant and material considerations and disregard irrelevant considerations;
 - 1.34.2 *are taken after due consultation and obtaining professional advice where appropriate;*

1.34.3 show respect for human rights;

1.34.4 pay due regard to equality legislation and the need to prevent people being drawn into terrorism;

1.34.5 take account of the environmental and health impact;

1.34.6 are as open and transparent as possible.

The Executive

- 1.35 The Council has decided to adopt a Leader and Executive (or an “Executive”) form of governance. The Executive is a group of Councillors who are responsible collectively for what the law calls the “executive functions” of the Council. The law sets out what functions are for the Executive and what are the functions of the Council. In all but a very few cases, if the law does not say that something is a function of the Council, it is for the Executive, as the Executive of the Council, to decide.
- 1.36 The Executive is made up of the Leader of the Council and up to 9 other Lead Members. These will include a Deputy Leader (noting that the Deputy Leaders and Lead Members must not together exceed 9 postholders) who are chosen and appointed by the Leader. The Leader may also appoint Associate Lead Members to assist Lead Members in their roles, but these deputies cannot substitute for Lead Members at Executive and can have no individual decision making allocated to them. The Leader may change Executive portfolios and delegations.
- 1.37 Individual members of the Executive have responsibility for specific functions delegated to them by the Leader. Details are set out in Part E. Most of the decisions taken by the Authority are executive decisions in accordance with the law. The Leader also delegates executive decisions to officers.
- 1.38 The Executive is responsible for developing the policies and strategies of the Council which are then approved by Council; and takes most of the decisions

on service provision. These are “executive decisions”. Some decisions are taken by Executive as a whole; but many decisions are delegated to individual Lead Members or to Officers, as set out in the Scheme of Delegation at Part I

- 1.39 The Executive and Lead Members can only make decisions which are in line with the Council's overall Budget and Policy Framework set out in Part C. If the Executive wishes to make a decision outside the Budget and Policy Framework, that decision must be referred to the full Council to decide.

Overview and Scrutiny

- 1.40 Scrutiny Committees are established to support and challenge the work of the Executive and help hold it to account. A Scrutiny Committee can consider decisions of the Executive and delegated decisions if they feel the decision should be looked at before it is implemented. This is called a “call-in”. A Scrutiny Committee may recommend that the decision is reconsidered or ask Council to consider it before it is referred back to Executive and the Executive has to hear what they say and consider the matter again. Lead Members or their Deputies cannot sit on these Scrutiny Committees. More details about Scrutiny Committees is available at Part G.

- 1.41 A Scrutiny Committee may also be consulted by the Executive or the Council on forthcoming decisions and policy development.

- 1.42 A Scrutiny Committee can also sometimes hold inquiries into matters of local concern in which residents may take part. These inquiries may lead to reports and recommendations which advise the Executive or the Council as a whole, and in some cases outside agencies, on policies, budget, and service delivery.

Regulatory and Other Council Committees

- 1.43 Some decisions cannot by law be decided by the Executive including planning and licensing determinations. These are delegated by the Council to Committees.

- 1.44 Council Committees, unlike the Executive and its Executive Committees, must be proportionate to the size of the political groups on the Council. Members of Council Committees are appointed by full Council.
- 1.45 The Council has established Committees to deal with regulatory functions such as licensing and planning matters.
- 1.46 In addition, Councillors take part when required in Appeals Committees and Appointment and Advisory Panels.
- 1.47 These Committees and the other Committees are explained in more detail in Part D.

The Council's Employees

- 1.49 The Council has people working for it (called Officers) to give advice, implement and make decisions in accordance with the Scheme of Delegation and carry out the day-to-day delivery of Council services. Officers are paid in accordance with the Council's pay policy statement which is reviewed each year.
- 1.50 The Council's management structure is set out on the Council's website.
- 1.51 The recruitment, selection and dismissal of Officers has to comply with the Council's Employment Procedure Rules which are set out in Part I.
- 1.52 Some of the Council's officers - the Monitoring Officer (Governance) and the Section 151 Officer (Finance) have a specific duty to ensure that the Council acts within the law and uses its resources wisely.
- 1.53 Officers must comply with the Employee Code of Conduct which is set out in Part I.

Local and Partnership Working

- 1.54 The Council works closely with other organisations and creates new partnerships to help the Council meet its corporate vision and objectives. In addition, the way in which the Council delivers some of its services and functions to residents and businesses will be reviewed to ensure the Council delivers value for money.
- 1.55 Local Community Networks aim to ensure strong connections between Somerset Council and local communities. The Local Community Networks are advisory and may make recommendations to decision-makers in accordance with their terms of reference. The Local Community Networks do not have any decision-making powers other than the allocation of the budget devolved to them. More information about the Local Community Networks is available on the Council's website.
- 1.56 The Council also supports a number of strategic partnerships such as the Heart of the South West Local Enterprise Partnership, Avon and Somerset Police and Crime Panel and the Somerset Rivers Authority.

Joint Arrangements

- 1.55 The Council and the Executive may exercise their functions in several ways, for example they can:
- 1.55.1 enter into arrangements or agreements with any person or body to deliver a service;
 - 1.55.2 establish joint arrangements including a joint committee with one or more other local authorities to exercise functions;
 - 1.55.3 co-operate with, or facilitate or co-ordinate the activities of, any person or body;
 - 1.55.4 exercise on behalf of that person or body any functions of that person or body; or

1.55.5 delegate functions to another local authority.

Contracts and Contracting Out

- 1.55 Every Contract made by the Council has to comply with the Contract Procedure Rules and Financial Procedure Rules set out at Part I
- 1.56 The Council (for non-executive functions) and the Executive (for executive functions) may contract out functions within the law, but the Council retains ultimate responsibility for those functions.

Documents

- 1.57 Where any document is necessary for any legal procedure or proceedings on behalf of the Council, it will be signed by the Service Director- Governance, Legal and Democratic Services, the Monitoring Officer or another person authorised by them unless any enactment requires otherwise, or the Council has authorised another person in this regard.

Common Seal of the Council

- 1.58 The Common Seal of the Council is the official stamp of the Council to be used on deeds or other documents and will be kept in a safe place under the custody of the Service Director- Governance, Legal and Democratic Services.
- 1.59 A decision of the Council or one of its Committees acting under delegated powers, or of the Executive, or of a Committee of the Executive, or the Leader or a Lead Member acting under delegated powers, or one made in accordance with the Scheme of Delegations to Officers set out in Part I of this Constitution, will be sufficient authority for sealing any document necessary to give effect to the decision.
- 1.60 The Common Seal will be affixed to those documents which in the opinion of the Service Director- Governance, Legal and Democratic Services should be sealed or are required to be sealed by the Contract Procedure Rules. The Common Seal will be attested by the Monitoring Officer, Service Director-

Governance, Legal and Democratic Services or any other Officer authorised for the purpose by the Chief Executive, Monitoring Officer or Service Director-Governance, Legal and Democratic Services.

Changes to the Constitution

- 1.61 The Constitution has been formally adopted by the Council. The Council will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.
- 1.62 The Monitoring Officer has authority to make minor amendments and corrections to the Constitution to reflect decisions made by Council and Executive and changes to the legislation.
- 1.63 Any substantive changes to the Council's decision-making arrangements and Committee structure will be considered by the Constitution and Governance Committee who will recommend changes to full Council who will have to approve them prior to implementation.

Publication

- 1.64. The Monitoring Officer will ensure that copies of this Constitution are available for inspection by members of the public on the Council's website and at the Council's main office. A paper copy of the Constitution can be purchased by the press and members of the public on payment of a reasonable fee.

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Part B – Public Participation

Section 1 Public Participation

Section 2 Access to Information Procedure Rules

Section 3 Petition Scheme

Section 4 Citizens' Responsibilities and Obligations

1. Public Participation with [Somerset Council]

- 1.1 Somerset Council encourages and actively supports people getting involved in the Council's work to the area of Somerset. The Council wants to make it easy for people to get involved and give their views to help influence and develop what the Council does and the decisions it takes.
- 1.2 The Council welcomes suggestions which will help improve the way it works and how it involves the public. You can make suggestions on the Council's website.
- 1.3 There are lots of ways you can get involved with the work the Council does and find out about the decisions it makes.

Attendance at Meetings of Council, Executive and Committee Meetings

- 1.4 The public are encouraged to attend meetings of the Council to hear debates and are able to speak at certain meetings.
- 1.5 You can find out when and where the Council has its meetings on the website. You can also see what will be covered in the meetings by looking at the agenda and reports for each meeting. These are published on the Council's website at least five days ahead of the date of the meeting.
- 1.6 There are limited occasions when the Council needs to discuss confidential issues and information. When this happens press and public can be excluded from the meeting while confidential issues and information are discussed. This is

sometimes called a private session. Private sessions will only be held when absolutely necessary and when it is legally justified; and are carried out in accordance with the requirements of local government legislation with regard to notice of what will be discussed.

Public Speaking

1.7 The public can speak in accordance with set procedures at the following meetings:

1.7.1 Scrutiny Committees;

The Scrutiny Committees are open to the public and public involvement in key issues is encouraged. Please see the website for further details.

1.7.2 LOCAL COMMUNITY NETWORKS:

The Council encourages people to attend LOCAL COMMUNITY NETWORKS meetings, ask questions and get involved. The rules for public speaking at Local Community Networks are set out in their terms of reference document which are published on the Council's website.

1.7.3 Other Meetings:

Special rules apply to the public speaking at other meetings such as at the Planning Committees and Licensing and Regulatory Committees. Further details can be found on the sections covering these Committees at Part D and Part G.

Planning Committees, Licensing Committee and the Licensing Sub-Committees

1.8 Although special rules apply to speaking at these Committees it is also possible to write-in beforehand with views that you want the Committee to consider. There are rules about this which are set out on our website and in Part D.

Executive

1.9 The Executive has developed a Forward Plan which can be found on the Council's website. The Forward Plan indicates the most important decisions (known as Key Decisions) which the Executive will be taking in the future and when this is likely to be done.

1.10 If you are interested in attending an Executive meeting when a Key Decision is discussed, you can subscribe to electronic updates which will let you know when the meeting will take place. Details of Executive meetings are also published on the Council's website.

1.11 You can also send in your views to the Executive in writing to [democracy@somerset.gov.uk.]

Scrutiny Committees

1.12 The Council has a number of Scrutiny Committees which deal with separate parts of the Council's work. The Scrutiny Committees help the Council to develop new policy by finding out what is needed and they also act as a "critical friend" to hold decision makers to account. Scrutiny Committees also carry out inquiries and reviews and welcome suggestions from residents as to areas which could be investigated. You can find more information about the Scrutiny Committees in Part G.

LOCAL COMMUNITY NETWORKS

1.13 Local Community Networks (LCNs) will take place in local areas across Somerset. The LCNs welcome public participation. You can find out more information about the LCNs and what they do at Part E and on the Council's website.

Petitions

1.14 The Council is pleased to accept petitions dealing with something for which the Council is responsible. There are rules which set out how to make a petition to the Council, what happens when a petition is received and how the Council will

respond. The Council's Petition Scheme detailed at Section 3 below and on the Council's website.

- 1.15 Petitions need to clearly show what they are about. Names of everyone who supports the petition must be set out in an identifiable way. Some petitions, for example, those asking for the Council to have a different form of governance, must follow special rules as are set out in the law.

Consultation

- 1.16 The Council makes every effort to consult as widely and as fairly as possible on the decisions to it intends to make and the action it intends to take. Sometimes, with matters such as planning and licensing applications, there are specific statutory consultation processes which the Council must follow. Outside of the requirements of statutory consultations the Council will try to consult on important decisions as widely as possible and give consideration to the results of the consultations.

Councillors

- 1.17 The area of Somerset Council is divided into administrative areas, called Divisions. Each Division is represented by two elected Councillors as detailed on the Council's website. If you are registered and eligible to vote you can vote for the people that you want to represent your Division at Somerset Council during local elections which are normally held every four years unless there is a vacancy or the Government has set a different time for an election. You can find out more about elections and how to register to vote on the Council's website. Although they have responsibility for the whole of the Somerset Council area, your local Division Councillors also have a particular responsibility to the residents of their Division.

- 1.18 You can find out who your local Councillor is, and how to get in touch with them on the Council's website.

1.19 Your local Councillors may hold scheduled sessions where you can meet them face to face to talk about issues which concern you, or where you need advice about Council matters. You can find out how to contact your local Councillor using the contact details available on the Council's website.

Webcasting and Social Media

1.20 Members of the public are welcome to come and watch meetings of [Somerset Council] in person. Many meetings are also available to view online using the webcast service

1.21 Updates from Somerset Council can also be found on social media:

[Facebook]

[Twitter]

[Youtube]

[Linked In – Somerset Council]

1.22 Many local Councillors also have their own private (not provided by the Council) social media accounts.

Budget and Policy Development

1.23 Somerset Council wants to include and involve local people when Councillors come to set the budget and other key policies so that residents can influence the decisions the Council make.

1.24 When appropriate the Council runs consultations inviting people to have their say. Focus groups and residents or user panels may also be arranged as a way of seeking out views. In addition, LCNs will publicise proposed changes or consultations with a view to encouraging members of the community to have their say.

2. Access to Information Procedure Rules

Introduction

2.1 The Council is committed to the principles of transparency laid down in the "Access to Information Legislation" (including the Freedom of Information Act 2000 and Environmental Information Regulations 2004). In accordance with the legislation, the Council maintains a Publication Scheme approved by the Information Commissioner which is available on the Council's website. The Council is committed to:

- 2.1.1 promoting a positive attitude to dealing with requests for information;
- 2.2.1 maintaining information in an orderly and efficient fashion and disposing of information that is no longer required;
- 2.2.3 increasing awareness and understanding of the implications of the legislation, both amongst its employees and amongst members of the public.

These Access to Information Procedure Rules make provision for access to information to relevant matters set out in this Constitution. They do not affect any additional rights to information contained elsewhere in this Constitution or the law.

Scope

2.2 Unless otherwise stated these Rules apply to all meetings of the Council, Scrutiny Committees, Joint Committees, and other Council Committees including the Health and Wellbeing Board and public meetings of the Executive (together called "meetings").

Rights to Attend Meetings

2.3 Members of the public may attend, record, photograph, film and report on all meetings in accordance with the Openness of Local Government Bodies Regulations 2014 subject only to the exceptions in these Rules.

- 2.4 Members of the public who wish to report or record public meetings are required to comply with any Council guidance on the reporting and recording of meetings which may be issued on practical arrangements. The Council will not permit the recording or reporting of proceedings where the public are not allowed to attend the meeting, or that part of the meeting, by reason of the likely disclosure of exempt or confidential information.
- 2.5 It is recommended that members of the public who wish to record, photograph, film and report on public meetings advise Council Officers in advance of the meeting so that all necessary practical arrangement can be made.
- 2.6 In relation to Executive Meetings, non-Executive Members can attend the meeting as a member of the public. Members of the public are not able to ask questions at Executive Meetings however, a Councillor attending as a member of the public will be allowed to ask questions at the meeting subject to complying with any relevant procedural rules.

Notices of Meeting

- 2.7 The Council normally gives at least 5 clear days' notice of public meetings by posting details of the meeting on the Council's website and at the Council's principal offices. If the meeting is convened at shorter notice than 5 days, then public notice is given at the time the meeting is convened.
- 2.8 Meetings will normally be held in public unless the confidential content of the meeting requires it to be heard in in the absence of the public and press in a private session.
- 2.9 If the Executive wishes to consider an item in private it will give 28 clear Days' notice of its intention to do so on the Forward Plan unless there are exceptional circumstances.
- 2.10 After having given 28 clear days' notice of its intention to consider an item in private, a further notice at least 5 clear working days before the meeting that the

meeting will proceed in private will be given. This Notice will be given by the Monitoring Officer (the Proper Officer) and will give the Executive's reasons for meeting in private, details of the representations received that a private meeting should not take place and contain a statement of the Council's response.

2.11 If it is proposed that the Executive consider an item in private and 28 clear days' notice of such a meeting has not been given on the Forward Plan, the agreement of the Chair of the appropriate Scrutiny Committee is required if the public are to be so excluded.

Access to Agenda and Reports Before the Meeting

2.12 The Council will make copies of the agenda and reports of meetings open to the public available on the Council's website and available for inspection at its main office at least five clear days before the meeting. Where an urgent item is added after this time, the Monitoring Officer shall make each such report available to the public as soon as the report is completed and sent to Councillors, and will ensure that the report is open to public inspection from the time the item was added to the supplementary agenda.

Supply of Copies

2.13 The Council will make available to any person:-

2.13.1 any agenda and reports which are open to public inspection;

2.13.2 any further statements or particulars necessary to indicate the nature of the items in the agenda; and

2.13.3 If the Monitoring Officer considers it appropriate, copies of any other documents supplied to Councillors in connection with an item;

2.14 The Council may charge to supply this information where permitted to do so under its "Charging Policy"

Access to Minutes etc. After the Meeting

2.15 Draft minutes of a decision are only confirmed as a correct record of a decision when:

- 2.15.1 approved as a correct record of the decision at the next convenient meeting of the body which made the decision (Council, Committees and Sub-Committees);
- 2.15.2 signed as a correct record of the decision by the Proper Officer (Executive and Executive Committees);
- 2.15.3 Signed by the Lead Member who has taken the decision or by an Officer alone.

2.15 Where appropriate, the Council will prepare and make available on request a draft decision notice as soon as practicable after the decision has been made, but any such draft should not be relied on as a correct record until it has been confirmed as such.

2.16 The Council will make available access to copies of the following after a meeting in accordance with its "Retention Schedule":

- 2.16.1 the minutes of the meeting, or, where appropriate, records of decisions taken, together with reasons, for all meetings of the Executive excluding any part of the minutes of proceedings when the meeting was not open to the public and which disclose exempt or confidential information;
- 2.16.2 a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- 2.16.3 the agenda for the meeting; and
- 2.16.4 reports relating to items when the meeting was open to the public provided that such reports do not contain confidential or exempt

information or, if they do, the information disclosed is no longer confidential or exempt.

Background Papers

2.17 The author of a report for a meeting will set out list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

2.17.1 disclose any facts or matters on which the report or an important part of the report is based; and

2.17.2 which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information as defined in Rules 2.20 and 2.22.

If there are no relevant background papers then the report should state none.

2.18 The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers, except in so far as they disclose exempt or confidential information.

Summary of the Public's Rights

2.19 A written summary of the public's rights to attend meetings and to inspect and copy documents is kept at the Council's principal offices and is available on the Council's website [here](#).

Confidential Information – Exclusion of the Public and Press

2.20 The public and the press must be excluded from an item at a meeting whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information would be disclosed.

Meaning of Confidential Information

2.21 For the purposes of access to reports, confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by reason of a court order or any enactment.

Exempt Information – Discretion to Exclude Public

2.22 The public may be excluded from an item at a meeting whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings, that exempt information would be disclosed.

2.23 Where a decision on an item at a meeting will determine any person's rights or obligations, or adversely affect their possessions, Article 6 of the European Convention on Human Rights establishes a presumption that the discussion of the item will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

Meaning of Exempt Information

2.24 Subject to paragraph 2.25 below, and to the test of the Public Interest set out in paragraph 2.25 below, information is exempt information where it falls within any of the following categories:

- (a) information relating to an individual;
- (b) information which is likely to reveal the identity of an individual;
- (c) information relating to the financial or business affairs of any particular person (including the public authority holding the information), except where the information is required to be registered under certain prescribed statutes detailed in Part 2 of Schedule 12A Local Government Act 1972 from time to time which include the Companies Acts (as defined by s.2 of the Companies Act 2006) and the Charities Act 2011.

- (d) "financial or business affairs" includes contemplated, as well as past or current activities;
- (e) information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the Authority. "Labour relations matter" means any matter which may be the subject of a trade dispute, or any dispute about any such matter (i.e. a matter specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992;
- (f) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings;
- (g) information which reveals that the Authority proposes:
 - (a) to give under any enactment a notice, under or by virtue of which requirements are to be imposed on a person; or
 - (b) to make an order or direction under any enactment.
- (h) information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

2.24 Information pertaining to planning permission falling within any of the categories in paragraph 2.24 above is not thereby exempt if it relates to proposed development for which the local planning authority may grant itself planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992.

Public Interest Test

2.25 Information falling within any of categories in Rule 2.24 which is prevented from being exempt because either:

2.25.1 it falls within category c., and is required to be registered under the prescribed enactments; or

2.25.2 rule 2.24 applies; it is exempt information if, and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Freedom of Information Act 2000 and Environmental Information Regulations 2004

2.26 In compliance with the Freedom of Information Act 2000, the Council will respond to any requests for information. There is no charge for responding to requests for information other than 'disbursement' costs; however, a charge may be made if it exceeds the Government's advisory fee level or if the request is one which comes under the Environmental Information Regulations 2004.

Exclusion of Public Access to Reports

2.27 The Monitoring Officer may exclude access by the public and the press to a report which, in his or her opinion, relates to an item during which, in accordance with Rule 2.20 or 2.22, the meeting is likely not to be open to the public; or, as the case may be, was not open to the public. Such reports will be marked "Not for Publication", together with the category of information likely to be disclosed. Before the public and the press are excluded in accordance with this provision, the Council must have complied with the notice provisions in Rule 2.7 and notice of the proposal to meet in private will have been given by the Council's Proper Officer.

Rights of Access to Information by Councillors

- 2.28 Where a Committee has resolved to exclude the public from a meeting or part of a meeting on the grounds that exempt or confidential information is being considered, a Councillor may attend the meeting and/or inspect any exempt or confidential documents relating to the business of the Committee if they can demonstrate a "need to know".
- 2.29. A Councillor's "need to know" arises when they requires the information in order to carry out properly their duties as a Councillor. It may apply to information about matters affecting his/her electoral division or matters which relate to a Council body or informal working group to which they belong. It does not arise where a Councillor would simply like to know what is in a document or what may be said at a meeting. It also does not enable a Councillor to "trawl" through a large number of files in search of information (sometimes known as "fishing for information"). Whether a need to know arises in a particular case will be a matter of fact and degree to be decided in the light of all the circumstances of the request.
- 2.30 It is a general presumption that all reports, including those containing confidential or exempt information, will be available to Scrutiny Committees where they are relevant to that business to be conducted by that Scrutiny Committee. This presumption may be dis-applied in exceptional circumstances.
- 2.31 In the event of a dispute, the Monitoring Officer will determine whether a Councillor has demonstrated a "need to know". The test applied is whether it is reasonable to refuse the Councillor access to the information given all the circumstances. For example, if a Councillor is motivated by improper or ulterior reasons, it would be appropriate to refuse access.

3. The Council's Petition Scheme

- 3.1 Somerset Council welcomes petitions and recognises that they are one way in which people can let us know their concerns. Councils have discretion on how petitions are approached locally. This is Somerset Council's Petition Scheme.

What is a Petition?

- 3.2 The Council treats as a petition any communication which is identified as being a petition or if it seems to us that it is intended to be a petition and has a minimum of 50 signatories of people who live, work or study in the Somerset Council area
- 3.3 Petitions of 5000 signatures (individually or collectively) will be treated as Large Petitions

The Role of Councillors.

- 3.4 Before considering whether or not to submit a petition to the Council the petition organiser may want to discuss their issue with one of their local councillors. Their Local Councillor will be able to advise whether the matter is one for the Council and also whether a petition is the best form of engagement with the Council on the matter which has been raised.
- 3.5 When a petition is received by the Council which relates to a local matter (particularly affecting a specific ward), the Council will notify each relevant local Councillor.

How Do I Submit a Petition?

- 3.6 You can submit a petition by post, by hand or e-mail
- 3.7 Petitions can be sent to: Monitoring Officer, Somerset Council, or emailed to democratic services or by hand at any of our offices E-petitions must follow the same guidelines as paper petitions. All e-petitions will run for 28 days (unless the Monitoring Officer agrees an alternative timescale) to ensure that the Council's decision making process is not delayed. The petition will need to be checked before it is published on line and if the Council is unable to publish it, an officer will contact the Petition Organiser to explain why.
- 3.8 Petitions can be presented at Council meetings by placing the petition on the front table.

How We Will Deal with a Petition

- 3.9 All petitions submitted to Somerset Council will receive an acknowledgement from the Council within 3 clear working days of receipt.
- 3.10 If the petition is not valid it will be returned to the Petition Organiser with an explanation within 10 clear working days of receipt.
- 3.11 If the petition is valid the Petition Organiser will then be informed of how the petition will be handled within 20 clear working days of acknowledgement
- 3.12 If the Petition Organiser is submitting the petition in response to a Council consultation or on a specific matter, it is important to identify the matter which it relates to, so that the Council can ensure that the petition is considered along with the original matter. See below for further guidance.
- 3.13 Please be aware any petition submitted to the Council will be publicly available and may form part of an agenda and published on the Council's website
- 3.14 A petition must include:-
 - a. what it is about – it must relate to a responsibility of the Council (this must be on each page of the petition)
 - b. What the petitioner wants the Council to do (this must be on each page of the petition)
 - c. name of everyone who supports the petition must be set out in an identifiable way

- d. For paper petitions the signature of each petitioner
- e. The name and contact details of the "petition organiser" or someone the petition organiser would like any correspondence about the petition to be sent. This can be either a postal or an email address The Petition Organiser may include the addresses of petitioners, which may be useful to the Council, for example, in assessing the degree of local support or opposition to a particular matter, but this is not essential.

3.15 The Monitoring Officer may reject a petition if in their view:

- f. It is not relevant to Council functions
- g. It does not qualify under the scheme or does not comply with the above rules
- h. It is vexatious, abusive or otherwise inappropriate
- i. It is a duplicate or repeat petition
- j. It is a petition qualifying under another enactment
- k. It is excluded because for example:
 - l. It relates to a planning decision and/or ancillary applications and decisions and/or follow on decisions;
 - m. It relates to a licensing decision;
 - n. It relates to any other matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment.

3.16 In the period immediately before an election or referendum the Council may need to deal with the petition differently – if this is the case the Monitoring Officer will explain the reasons and discuss the revised timescale which will apply. Political impartiality must be maintained during the pre-election period. If the petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In this case, the Monitoring Officer will write to the Petition Organiser to explain the reasons.

3.17 Different Types of Petition

3.18 There are different types of petitions which are submitted for various reasons:-

- a. Consultation - Petitions are submitted in response to an invitation from the Council to submit representations on a particular proposal. The petition will be taken into account either by the appropriate body, officer, or the Executive Lead Member taking the decision.
- b. Council-wide - the Petition will be presented at full Council.

The Council will not debate the petition unless it is a Large Petition. The relevant Petition Organiser/or the Local Councillor will be allowed 3 minutes to present the petition at the meeting. Except with the consent of the Chairman only one person may speak to present a petition.

If the petition is a Large Petition there will be a debate at a Full Council meeting of a maximum of 15 minutes

At any one meeting, no-one may present more than two petitions unless approved at the time of receipt by the Monitoring Officer in consultation with the Chairman.

The full Council may refer the petition to the relevant Executive Lead Member for consideration. The Executive Lead Member may provide an immediate verbal response to the petition, or refer it to a relevant Committee, Community Board or the Executive for further consideration.

Presentations at Committees may be made by the relevant councillor or the petition organiser. The relevant councillor or the petition organiser will be allowed 3 minutes to present the petition unless otherwise agreed by the Chairman.

- c. Petitions on Local issues will normally be presented to and dealt with by the LCN

A report will be written giving an officer response to the petition which will be considered by the LCN. (If there is a deadline to respond to the petition before the meeting the petition could be considered by the officer, Local councillor and Executive Lead Member). If the LCN does not agree with the officer response they can decide to refer the issue to the relevant Executive Lead Member for reconsideration with an explanation of their reasoning. If there is a petition relating to a local issue which is currently being consulted upon the Monitoring Officer may consider that the best route for this petition is via the Council or Consultation route as explained above to be taken into account by the decision taker rather than being submitted to the LCN

4. Citizens' Responsibilities and Obligations

- 4.1 Citizens must not be abusive, threatening or violent (verbally, physically or in writing) towards Councillors or Officers.
- 4.2 Citizens must not wilfully damage any property owned by the Council, its Councillors or Officers.
- 4.3 Citizens must not misuse any information (for example, for financial gain or commercial benefit) obtained during the course of their contact with the Council.
- 4.4 Citizens must disclose any confidential information obtained during the course of their contact with the Council (unless required to do so by law).
- 4.5 The Council will not tolerate abusive, threatening or violent conduct towards its Councillors or Officers or damage to their or the Council's property and will report such instances to the police.
- 4.6 The Council takes complaints submitted by citizens very seriously but has in place a procedure for dealing with habitual and / or vexatious complainants which it will use if necessary.

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Part C – Council

[Section 1 Role of Council](#)

[Section 2 Budget and Policy Framework](#)

[Section 3 Council Procedure Rules](#)

[Section 4 Budget and Policy Framework Procedure Rules](#)

[Section 5 Honorary Alderman Scheme](#)

Full Council is the term given to a meeting which all Members attend. This Part deals with what full Council does and how these meetings are run. The Rules include how questions are put to Members, how votes are taken and how Members are appointed to serve on committees or sub committees.

These Rules are written in formal language. If you have specific questions our democratic services team will be happy to help you

1. Role of Council

Council Functions

1.1. The Council's functions are:

- adopting and amending the Council's Constitution;
- approving or adopting the Council's budget and policy framework;
- subject to the urgency procedure of the Council's Budget and Policy Framework Procedure Rules, making decisions which relate to an executive function which is covered by the Budget and Policy Framework, when the decision would be contrary to, or not wholly in accordance with the Budget, or would be contrary to the Policy Framework;
- appointing and removing the Leader of the Council;
- deciding the composition of a Council Committee; appointing Members to be members on a Committee, and agreeing and / or amending the terms of reference of a Committee;
- Receiving regular reports from the Leader and the Executive and the Scrutiny Committees regarding their decisions and/or outcomes;
- appointing Members to represent the Council on outside bodies (unless the appointment is or relates to an executive function, or it has been delegated by the Council to an individual or Council body);
- adopting, amending, revoking or replacing the Member Code of Conduct and the Council's Arrangements for Dealing with Standards Complaints;
- adopting, amending, revoking or replacing a Member Allowance Scheme;
- passing byelaws and local legislation;
- public health functions including promoting healthier lifestyles and scrutinising and challenging the NHS and other partners to promote better health and ensure threats to health are addressed;
- confirming and terminating the appointment of the Council's Head of Paid Service (Chief Executive) and Statutory Officers;
- the non-executive functions specified in this Constitution as being the responsibility of the Council;
- appointing Honorary Alderman in accordance with the Honorary Alderman Scheme;

- all other functions which by law must be reserved to the Council.

2. Budget and Policy Framework

2.1. **Policy Framework** means the following plans and strategies:

- Corporate Plan
- Local Plans including the Minerals and Waste plans
- Community Infrastructure Levy (CIL) Charging Schedule
- Treasury Management Strategy
- Capital and Investment Strategy
- Youth Justice Plan
- Housing Strategy
- Licensing Authority Statement of Licensing Policy
- Statement on Gambling Policy
- Policy on Pay

2.2. **Budget.** The Budget including:

- Allocating financial resources to different services and projects
- Setting Council Tax

3. Council Procedure Rules

Annual Meeting of the Council

Timing and Business

3.1. **In** a year where there is an ordinary election of Members, the annual meeting will take place within **21 days** of the retirement of the outgoing Members. In any other year, the annual meeting will take place in May.

3.2. The annual meeting will:

- elect a person to preside if the Chair of the Council is not present;
- elect the Chair of the Council;
- elect the Vice-Chair of the Council;
- approve the minutes of the last meeting;
- receive any announcements from the Chair and / or the Head of

Paid Service and/or Returning Officer;

- Subject to Part E , elect the Leader in the year of an ordinary election of Members;
- appoint the Scrutiny Committees and such other committees and sub-committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions. This will include appointing the Chairs, Vice-Chairs and membership of the committees and sub-committees;
- agree the Scheme of Delegation or such part of it as the Constitution determines it is for the Council to agree; and
- approve a programme of ordinary meetings of the Council for the year.

Scrutiny of Members on Committees and Outside Bodies

3.3. At the annual meeting, the Council will:

- decide which committees and sub-committees to establish for the municipal year;
- decide the size and terms of reference for those committees;
- decide the allocation of seats to political groups in accordance with the political balance rules;
- make appointments to outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable by the Executive or the Leader.
- Receive a report from the Leader about Executive Member appointments and the record of delegations

Ordinary Meetings

3.4. Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. The Chair of the Council and the Leader of the Council may jointly agree to vary the time or date of any ordinary meeting or to cancel any ordinary meeting. If they decide to do so, the decision must be agreed and notified to the Monitoring Officer no less than one month before the date that the meeting was due to take place, unless the variation or cancellation is due to exceptional and unforeseen circumstances (as determined by the Chief Executive in consultation with the Chair of the Council).

3.5. The order of business at ordinary meetings will be as set out below.

3.6. The Chair has discretion to vary the order of business or add items at any meeting. Such a variation may not displace business falling under items a, b,

c, d, e or f. The Chair has discretion to invite a speaker to address the Council meeting, or to permit an Officer of the Council to attend the meeting and present a briefing paper or report on any matter before the Council.

- a. elect a person to preside if the Chair and Vice-Chair are not present (this cannot be a Executive Member);
- b. approve the minutes of the last meeting;
- c. receive any apologies
- d. receive any declarations of interest from Members;
- e. receive any announcements from the Chair;
- f. receive a report from the Leader and receive questions and answers on the report;
- g. receive petitions in relation to matters which in the opinion of the Chair are relevant to the Council's functions;
- h. receive reports from Executive Members and receive questions and answers on the reports;
- i. receive reports from the Council's Committees and receive questions and answers on those reports;
- j. receive any reports from the Council's Scrutiny Committees and receive factual questions and answers on those reports;
- k. receive reports from statutory officers
- l. receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- m. consider any other business specified in the summons to the meeting, including consideration of proposals from the Executive in relation to the Council's Budget and Policy Framework
- n. consider motions; and
- o. deal with questions from Members in accordance with Rule 3.25.

Extraordinary Meetings

Calling Extraordinary Meetings

3.7. The Monitoring Officer may call Council meetings in addition to ordinary meetings and those listed below may request the Monitoring Officer to call additional Council meetings:

- the Council by resolution;

- the Chair of the Council;
- 5 Members if they have signed a requisition presented to the Chair of the Council and the Chair of the Council has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the request. Any requisition must state the business to be transacted, that it falls within the functions of the Council and the reasons why an Extraordinary Meeting is required.

Business

- 3.8. The business to be conducted at an extraordinary meeting shall be restricted to the item of business contained in the request for the extraordinary meeting except that the Chair may at their absolute discretion permit on the grounds of urgency other items of business to be conducted for the efficient discharge of the Council's business.

Time and Place of Meetings

- 3.9. The time and place of meetings will be determined by the Monitoring Officer and notified in the summons.

Notice of and Summons to Meetings

- 3.10. The Monitoring Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least **5 clear working days** before a meeting, the Monitoring Officer will send a summons signed by them to every councillor. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.

Chair of Meeting

- 3.11. The person presiding at the meeting may exercise any power or duty of the Chair

Quorum

- 3.12. The quorum of a meeting will be 28 members. If a quorum is not present within 10 minutes of the scheduled start of the meeting or such longer time as allowed by the Chair, or if during any meeting if the Chair counts the number of Members present and declares there is not a quorum present, the meeting will be adjourned. Remaining business will be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting.

Questions by Members

Questions Without Notice

3.13. Any councillor may ask

- an Executive Member or the Chair of a committee any question on an agenda item. Any questions directed to the Chair of the Audit and Governance Committee must be factual only.
- any Executive Member any question on any issue relevant to their portfolio.

3.14. Questions are normally limited to one (1) minute per councillor unless the Chair consents to a longer period.

3.15. Supplementary questions can only be asked with the consent of the Chair.

Questions on Notice

3.16. Subject to Rule 3.17, any councillor may ask:

- the Chair;
- a member of the Executive;
- or the Chair of any committee or sub-committee

a question on any matter in relation to which the Council has powers or duties or which affects the administrative area of the Council.

Notice of Questions

3.17. A councillor may ask a question under Rule 3.16 (questions on notice) if either:

- they have given notice of the question in writing or by e-mail no later than **noon 3 clear working days** before the day of the meeting to the Monitoring Officer; or
- the question relates to urgent matters, they have the consent of the Chair or councillor to whom the question is to be put and the content of the question is received by the Monitoring Officer in writing or by e-mail by **9.00 a.m. on the day of the meeting**.

Content of Questions

3.18. All questions must, in the opinion of the Chair:

- not be unreasonable;
- contain no expressions of opinion;

- relate to matters on which the Council has or may determine a policy;
- not relate to questions of fact;
- not require the disclosure of confidential or exempt information;
- not relate to a matter which is of purely personal concern to an individual/family member.

Time Allowed for Member Questions Without Notice at Council Meetings

- 3.19. The number of questions asked under Rule 3.13 (without notice) and the total time allowed for consideration of such questions shall be determined by the Chair;
- 3.20. At the conclusion of the response to the question under consideration or at the expiry of such time period as determined by the Chair from the time when the first questioner started to speak, the Chair shall conclude the meeting or proceed to the next item of business.
- 3.21. Any remaining questions shall be responded to in writing before the next ordinary meeting of the Council.

Generally

Record of Questions

- 3.22. The Monitoring Officer will send a copy of any question received under Rule 3.16 (on notice) to the Councillor to whom it is to be put. Copies of all questions under Rule 3.16 (on notice) will be available to all Members and the public attending the meeting.
- 3.23. Rejected questions under Rule 3.16 (on notice) will be returned to the questioner with the reasons for rejection.

Order of Questions

- 3.24. Questions from Members received in accordance with Rule 3.13 (without notice) will be asked in the order determined by the Chair except that if the opposition Group Leader has a question they will be invited to put it first.

Response

- 3.25. An answer to a question under Rule 3.13 (without notice) may take the form of:
- a direct verbal answer;
 - where the desired information is in a publication of the Council or other published work, a reference to that publication; or

- where the reply cannot conveniently be given verbally, a written response will be provided no later than 10 clear working days after the meeting.
- 3.26. The response to a question under Rule 3.16 (on notice) will be in writing which will be provided to the questioner within 10 clear working days of the meeting.
- copies of all questions and responses will be available on the Council's website with the minutes for the relevant meeting.

Reference of Question to the Executive or a Committee

- 3.27. Unless the Chair decides otherwise, no discussion will take place on any question, but any councillor may move that a matter raised by a question be referred to the Executive or the appropriate Committee or sub-Committee as necessary. Once seconded, such a motion will be voted on without discussion.

Motions on Notice

Application of Rules

- 3.28. Rules 3.29 to 3.36 do not apply to motions on notice under Rule 3.37.

Notice

- 3.29. Except for motions which can be moved without notice under Rule 3.38, written notice of every motion, must be delivered by hand or e-mail to the Monitoring Officer not later than 7 clear working days before the Council meeting at which it is to be considered.
- 3.30. Except for amendments which can be moved without notice under Rule 3.38 or are allowed under Rule 3.49, written notice of amendments to a motion must be delivered by hand or e-mail to the Monitoring Officer not less than 2 clear working days before the start of the Council meeting at which the motion to which it relates is to be considered.
- 3.31. Once approved by the Monitoring Officer copies of the amendment will be provided to Group Leaders.

Motion Set Out in Agenda

- 3.32. Motions for which notice has been given will be listed on the agenda in the order in which they were received.

Scope

- 3.33. Motions must be about matters for which the Council has a direct responsibility or duty.
- 3.34. The Chair after consultation with the Monitoring Officer will refuse to accept any motion or amendment to a motion which they deem to be illegal, improper, vexatious or out of order.

Order of and Time Allowed for Motions

- 3.35. Notwithstanding the order of Motions within the Agenda the Chair will decide the order that Motions will be considered and the time allowed for consideration of motions on the Agenda. At the conclusion of such period allowed, the Chair shall put to the vote, without further discussion, all the questions necessary to dispose of the motion then under debate provided that:
 - a. if any speech to be concluded is a speech proposing a motion, the Chair shall allow the motion to be formally seconded (without comment);
 - b. if any speech to be concluded is a speech moving an amendment, the Chair shall allow the amendment to be formally seconded (without comment) and the mover of the motion to exercise their right of reply; and
 - c. otherwise, the Chair shall allow the mover of the motion to exercise their right of reply.
- 3.36. Any remaining motions submitted under this Rule shall be deferred to the next ordinary meeting of the Council, Committee or Sub-Committee and shall be dealt with at that meeting in the same order and before any other motions of which notice is given for that meeting.

Motions to Amend Budget and Policy Framework

- 3.37. Written notice of a motion to move an amendment of the Executive's proposals for the Council's Budget and Policy Framework, subject to the Budget and Policy Framework Procedure Rules, must be delivered to the Monitoring Officer **not later than midday 2 working days before the Council meeting at which it is to be considered**. Motions received after that deadline will only be considered in exceptional circumstances and with the approval of the Chair, Section 151 Officer and Monitoring Officer. The Chair has discretion on how to deal with motions under this Rule.

Motions Without Notice

3.38. The following motions may be moved without notice:

- to appoint a Chair of the meeting at which the motion is moved;
- in relation to the accuracy of the minutes;
- to change the order of business in the agenda;
- to refer something to an appropriate body or individual;
- to appoint a committee or member arising from an item on the summons for the meeting;
- to receive reports or adoption of recommendations of committees or officers and any resolutions following from them;
- to withdraw a motion;
- to proceed to the next business;
- that the question be now put;
- to adjourn a debate;
- to adjourn a meeting;
- to suspend a particular Council Procedure Rule;
- to exclude the public and press in accordance with the Access to Information Rules;
- to not hear further a councillor named under Rule 3.88 or to exclude them from the meeting under Rule 3.89; and
- to give the consent of the Council where its consent is required by this Constitution.

Rules of Debate

No Speeches Until Motion Seconded

3.39. No speeches may be made after the mover has moved a motion and explained the purpose of it until the motion has been seconded.

Right to Require Motion in Writing

3.40. Unless notice of the motion has already been given or the motion is one detailed under Rule 3.38, the Chair will require it to be written down in sufficient time to circulate to all members before it is discussed. The Chair will decide whether there is sufficient time to propose a motion without notice.

Seconder's Speech

- 3.41. When seconding a motion or amendment, a councillor may reserve their speech until later in the debate.

Content and Length of Speeches

- 3.42. Speeches must be directed to the motion under discussion or to a personal explanation or point of order.
- 3.43. Subject to Rule 3.46 below a speech by the mover of a motion may not exceed 5 minutes without the consent of the Chair.
- 3.44. Subject to Rules 3.45 and 3.46 below, speeches by other Members, including those Members seconding or speaking during their right to reply, may not exceed 2 minutes without the consent of the Chair.
- 3.45. When the Council's annual budget is under discussion, the Leader of each political group, apart from the Leader of the Council and the Leader of the largest opposition political group, on the Council may speak for up to 5 minutes or such longer period as the Chair shall allow.
- 3.46. Any speeches by the Leader of the Council or the Leader of the largest opposition political group can be up to 15 minutes or such longer period as the Chair shall allow.

When a Councillor May Speak Again

- 3.47. A councillor who has made a speech on a motion may not speak again whilst it is the subject of debate, except:
- to speak once on an amendment moved by another councillor;
 - to move a further amendment if the motion has been amended since they last spoke;
 - if their first speech was on an amendment moved by another councillor, to speak on the main issue (whether or not the amendment on which they spoke was carried);
 - in exercise of a right of reply;
 - on a point of order; or
 - by way of personal explanation.

Amendments to Motions

- 3.48. An amendment to a motion must be relevant to the motion and will either be:
- a. to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - b. to leave out words;
 - c. to leave out words and insert or add others; or
 - d. to insert or add words
- as long as the effect of b. to d. is not to negate the motion or to introduce a new motion.
- 3.49. Amendments must be in writing and on notice under Rule 3.30 unless the amendment arises during the debate and could not have been reasonably foreseen. The Chair's ruling on the validity of an amendment is final.
- 3.50. Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- 3.51. If an amendment is not carried, other amendments to the original motion may be moved.
- 3.52. If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- 3.53. After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

Alteration of Motion

- 3.54. A councillor may alter a motion of which they have given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- 3.55. A councillor may alter a motion which they have moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- 3.56. Only alterations which could be made as an amendment may be made.

Withdrawal of Motion

3.57. A councillor may withdraw a motion which they have moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No councillor may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

Right of Reply

3.58. The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.

3.59. If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.

3.60. The mover of the amendment has no right of reply to the debate on their amendment. If their amendment is carried, they can have the penultimate speech on the amended motion.

Motions Which may be Moved During Debate

3.61. When a motion is under debate, no other motion may be moved except the following procedural motions:

- to withdraw a motion;
- to amend a motion;
- to proceed to the next business;
- that the question be now put;
- to adjourn a debate;
- to adjourn a meeting;
- to exclude the public and press in accordance with the Access to Information Rules; or
- to not hear further a councillor named under Rule 3.88 or to exclude them from the meeting under Rule 3.89.

Closure Motions

3.62. A councillor may move, without comment, the following motions at the end of a speech of another councillor:

- to proceed to the next business;

- that the question be now put;
 - to adjourn a debate; or
 - to adjourn a meeting.
- 3.63. If a motion to proceed to next business is seconded and the Chair considers the item has been sufficiently discussed, the Chair will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- 3.64. If a motion that the question be now put is seconded and the Chair considers the item has been sufficiently discussed, the Chair will put the procedural motion to the vote. If it is passed the Chair will give the mover of the original motion a right of reply before putting their motion to the vote.
- 3.65. If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair considers the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, the Chair will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

Point of Order

- 3.66. A councillor may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of these Council Procedure Rules or the law. The councillor must indicate the Rule or law and the way in which they consider it has been breached. The ruling of the Chair on the matter will be final.

Personal Explanation

- 3.67. A councillor may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the councillor which may appear to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation will be final.

Motion to rescind a previous decision

- 3.68. No motion or amendment to a motion to reverse a decision made at a meeting of the Council within the preceding six months shall be moved unless the notice of motion is signed by at least 15 Members (including the proposer).

Motion similar to one previously rejected

- 3.69. No motion or amendments to a motion to the same effect as one rejected

by the Council within the preceding six months shall be moved unless the notice of motion is signed by at least 15 Members (including the proposer). Once the Council has determined the extant motion or amendment, no one may propose a similar motion or amendment within a further period of six months.

- 3.70. The requirements in Rules 3.68 and 3.69 above shall not apply where the motion in question arises from the recommendation of the Executive or a committee.

Voting

Majority

- 3.71. Any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put unless the law provides otherwise.

Chair's Casting Vote

- 3.72. If there are equal numbers of votes for and against, the Chair will have a second/ casting vote. There will be no restriction on how the Chair chooses to exercise a second/casting vote.

Method of Voting

- 3.73. Unless a recorded vote is demanded under Rule 3.71 the Chair will take the vote by show of hands, or by use of the Council's electronic voting system, if any, or if there is no dissent, by the affirmation of the meeting.

Recorded Vote

- 3.74. If 15% of Members (rounded up) present at the meeting request it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and included in the minutes.

Right to Require Individual Vote to be Recorded

- 3.75. Where any councillor requests it immediately after the vote is taken, their vote will be recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

Nominations, Elections and Appointments

- 3.76. If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.
- 3.77. Where a vote is taken for the election of the Chair and the out-going Chair is present in the room and not seeking re-election, the out-going Chair will preside over the election of the new Chair.
- 3.78. The out-going Chair shall be deemed to have retired from that position immediately before the start of a meeting at which a Chair is to be elected.
- 3.79. Subject to Rule 3.74 and in accordance with Rule 3.6 b members of the Council shall appoint one of their number to preside over the election of Chair if the Vice-Chair is seeking election as Chair or is not present.
- 3.80. Officers shall not call for nominations for the election of the Chair.

Voting at a Budget Decision Meeting

- 3.81. Immediately after any vote is taken at a budget decision meeting of the Council there must be recorded in the minutes of the proceedings of that meeting the names of the Members who cast a vote for the decision or against the decision or who abstained from voting.

Note: Budget decision means calculation of the council tax requirement, calculation of the basic amount of council tax, additional calculations where special items relate to part only of the area administered by the Council, calculation of council tax for different variation bands, substitute calculations and calculation of the amount payable by billing authorities.

A councillor who has council tax arrears is not eligible to vote on budget decisions.

Minutes

- 3.82. Minutes will contain all motions and amendments in the form and order they were put.

Signing the Minutes

3.83. The Chair will sign the minutes of the proceedings at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting

3.84. Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an extraordinary meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes.

Record of Attendance

3.85. All Members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance where appropriate.

Exclusion of Public

3.86. Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part B of this Constitution or in accordance with the following Rules.

3.87. If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room.

3.88. If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

Members' Conduct

Speaking at Meetings

3.89. When a councillor speaks they must address the meeting through the Chair. If more than one councillor signifies their intention to speak, the Chair will ask one to speak. Other Members must remain silent whilst a councillor is speaking unless they wish to make a point of order or a point of personal explanation.

Chair Speaking

3.90. When the Chair speaks during a debate, any councillor speaking at the time must stop.

Councillor Not to be Heard Further

3.91. If a councillor persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the councillor be not heard further. If seconded, the motion will be voted on without discussion.

Councillor to Leave the Meeting

3.92. If the councillor continues to behave improperly after such a motion is carried, the Chair may move that either the councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

General Disturbance

3.93. If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as they consider necessary.

Suspension and Amendment of Council Procedure Rules

Suspension

3.94. Any of these Council Procedure Rules except Rules 3.72 (right to require individual vote to be recorded) and 3.80 (signing the minutes) may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can either be for an item or for the duration of the meeting.

Amendment

3.95. Any motion to add to, vary or revoke these Council Procedure Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

Application of these Rules

3.96. None of the Council Procedure Rules apply to meetings of the Executive, Committees or Sub-Committees, Joint Committees or other Body of the Council.

4. Budget and Policy Framework Procedure Rules

The Framework for Executive Decisions

- 4.1. The Council is responsible for the adoption of its Budget and Policy Framework as set out in Section 2 above. Once a Budget and the Policy Framework are adopted by Council, it is the responsibility of the Executive to implement the executive functions within that Budget and Policy Framework.

Process for Developing the Budget and Policy Framework

- 4.2. After an appropriate consultation with the community and other stakeholders, the Executive will draft initial proposals in relation to any plan, strategy or budget which forms part of the Council's Budget and Policy Framework.
- 4.3. When the initial proposals have been drafted by the Executive, they will provide a copy to the Chair of the Scrutiny Committee with responsibility for the issue under consideration ("the relevant Scrutiny Committee") (unless it has already considered the initial proposals in accordance with the Scrutiny Committee Procedure Rules set out at Part G of this Constitution).
- 4.4. At the same time the Executive will notify the relevant Scrutiny Committee of the dates and/or proposed timetable within which the Executive intend to develop the proposal and submit them to full Council for approval. The timetable will allow as far as possible for both the Executive and relevant Scrutiny Committee to consider the proposals at ordinary planned meetings.
- 4.5. The relevant Scrutiny Committee will have three weeks to make its response unless the Executive or relevant Executive member has agreed a longer period with the Chair of the relevant Scrutiny Committee.
- 4.6. The Executive will finalise its proposals for consideration by full Council taking into account the recommendations (if any) of the relevant Scrutiny Committee. The report to full Council will include the recommendations (if any) of the relevant Scrutiny Committee, Executive's response to those recommendations (if any) and the extent to which they have been accepted by the Executive.
- 4.7. Full Council will consider the final proposals of the Executive and may:
 - adopt them without amendment;
 - amend them after a motion to amend is put by the Leader and seconded;
 - refer them back to the Executive for further consideration; or

- substitute its own proposals in their place.
- 4.8. If the Council accepts the Executive proposals with or without amendment the decision shall be effective immediately.
 - 4.9. If the Executive proposals are not accepted, the Democratic Services Manager will inform the Leader of the Council's objections and require him/her to reconsider the Executive proposals. The Leader will have 5 clear working days from receipt of the notification to submit a revised proposal or inform the Council of the Executive's disagreement with the objections. The Council's decision will become effective on the expiry of 5 clear working days after notification of the Council's objections unless the Leader submits revised proposals and/or formally objects in that period.
 - 4.10. If the Leader wishes to submit revised proposals and or disagree with the objections of the Council written notice will be given to the Democratic Services Manager to that effect prior to the date upon which the decision is to be effective. The written notice must state the reasons for the revised proposals and/or the disagreement. Where such notice is received the Democratic Services Manager shall convene a further meeting of the Council to reconsider its decision and the decision shall be effective pending that meeting.
 - 4.11. The Council meeting must take place within 10 working days of the receipt of the Leader's written notice unless the Chair of the Council and Leader agree that the matter can wait until the next programmed meeting of the Council. At that Council meeting the decision of the Council shall be reconsidered in the light of any revised proposals submitted and the reasons for those revisions and/or the Executive disagreement and reasons for that disagreement which shall be available in writing to the Council.
 - 4.12. The Council shall at that meeting make its final decision on the matter on the basis of a simple majority.

Decisions Outside the Budget or Policy Framework

- 4.13. Subject to the provisions of the Financial Procedure Rules, the Executive, individual Members of the Executive, delegated officers, committees or joint arrangements discharging executive functions may only take decisions which are in line with the Budget and Policy Framework. If any of these bodies or persons wishes to make a decision which is contrary to the Policy Framework, or contrary to the Budget approved by full Council, then that decision may only be taken by the Council, subject to Rule 4.15 below.
- 4.14. If the Executive, individual Members of the Executive, delegated officers, committees or joint arrangements discharging executive functions want to make such a decision, they shall take advice from the Monitoring Officer and/or the Section 151 Officer as to whether the decision they want to make

would be contrary to the Budget and/or Policy Framework. If the advice of either of those officers is that the decision would not be in line with the existing Budget and/or Policy Framework, then the decision must be referred by that body or person to full Council for decision, unless the decision is a matter of urgency, in which case the provisions in Rule 4.15 (urgent decisions outside the Budget and Policy Framework) below shall apply.

Urgent Decisions Outside the Budget or Policy Framework

- 4.15. The Executive, an individual Executive member or officers, committees or joint arrangements discharging executive functions may take a decision which is contrary to the Council's Policy Framework or contrary to or not wholly in accordance with the Budget approved by full Council only if the decision is a matter of urgency. However, the decision may only be taken:
- if it is not practical to convene a quorate meeting of the full Council; and
 - if the Chair of a relevant Scrutiny Committee agrees that the decision is a matter of urgency.
- 4.16. The reasons why it is not practical to convene a quorate meeting of full Council in time and the consent of the Chair of the relevant Scrutiny Committee to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the Chair of a relevant Scrutiny Committee the consent of the Chair of the Council or, in his/her absence, the consent of the Vice-Chair of the Council will be sufficient.
- 4.17. Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

Call-In of Decisions Outside the Budget or Policy Framework

- 4.18. Where a Scrutiny Committee is of the opinion that a decision is, or if made would be, contrary to the Policy Framework or contrary to or not wholly in accordance with the Budget, it shall seek advice from the Monitoring Officer and/or Section 151 Officer.
- 4.19. In respect of functions which are the responsibility of the Executive, the Monitoring Officer's report and/or Section 151 Officer's report shall be made to the Executive with a copy to every councillor. Regardless of whether the decision is delegated or not, the Executive must meet to decide what action to take in respect of the Monitoring Officer's report and/or the Section 151 Officer's report. It shall prepare a report to full Council in the event that the Monitoring Officer or the Section 151 Officer conclude that

the decision was a departure or prepare a report to the Scrutiny Committee if the Monitoring Officer or the Section 151 Officer conclude that the decision was not a departure.

- 4.20. If the decision has yet to be made, or has been made but not yet implemented, and the advice from the Monitoring Officer and/or the Section 151 Officer is that the decision is or would be contrary to the Policy Framework or contrary to or not wholly in accordance with the Budget, the Scrutiny Committee may refer the matter to full Council. In such cases, no further action will be taken in respect of the decision or its implementation until full Council has met and considered the matter. The full Council shall meet within 21 working days of the request or referral by the Scrutiny Committee. At the meeting it will receive a report of the decision or proposals and the advice of the Monitoring Officer and/or the Section 151 Officer. The Council may either:
- endorse a decision or proposal as falling within the existing Budget and Policy Framework. In this case no further action is required, save that the decision of the Council be minuted and circulated to all Members in the normal way; or
 - amend the Council's Budget or Policy concerned to encompass the decision or proposal and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the Council be minuted and circulated to all Members in the normal way; or
 - where the Council accepts that the decision or proposal is contrary to the Policy Framework or contrary to or not wholly in accordance with the Budget and does not amend the existing Framework or Budget to accommodate it, require the Executive or the decision-taker to reconsider the matter in accordance with the advice of the Monitoring Officer and/or Section 151 Officer.

5. Honorary Alderman / Alderwoman Scheme

Background

- 5.1 Section 249 of the Local Government Act 1972 gives principal councils the power to confer the title of 'Honorary Alderman' or 'Honorary Alderwoman' on persons who have, in the opinion of the Council, rendered eminent services to the Council as past members of that Council, but who are no longer members of the council. The Act does not specify how eminent services are defined, and this is left as a matter of local interpretation.
- 5.2 The Act also provides that in order to confer the title of Honorary Alderman or 'Honorary Alderwoman' on an ex-Councillor, a meeting of the whole Council needs to be convened specifically for this purpose and the resolution passed by not less than two thirds of the voting Members present at that meeting.
- 5.3 The Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008 provide for the continuation of the conferment of Honorary Aldermen or Honorary Alderwoman status from legacy Councils to a new Authority. Section 32 of these Regulations specifically set out this provision. To this end, Honorary Aldermen from the 5 legacy Somerset Authorities became Aldermen for Somerset with effect from 1 April 2020.

Process For Nomination

- 5.4 Nominations shall only be made in the year of the Council Elections.
- 5.5 Any nomination must be proposed and seconded by existing serving Members of the Council.
- 5.6 Nominations received will be submitted to the Monitoring Officer who will then liaise with Group Leaders and the Chair of the Council for consideration.
- 5.7 A report will then be presented to Full Council to consider conferring the Honorary Alderman or Honorary Alderwoman status.
- 5.8 Formal election to the Roll of Honorary Alderman shall be by resolution of the Council, passed by not less than two thirds of those Members present and voting thereon at a meeting of the Council specifically convened for that purpose.

Criteria

- 5.9 A person shall be deemed eligible to be enrolled as an Honorary Alderman or Honorary Alderwoman provided that the person has served as a Member of the Council (and any of the 5 legacy Somerset Local Authorities prior to the establishment of the Council on 1 April 2020) for at least 10 years in total.
- 5.10 Honorary Alderman or Honorary Alderwoman is an apolitical role so individuals should not hold political office
- 5.11 For the purposes of this Scheme, the term "eminent service" is left undefined to allow flexibility when determining nominations

Term of Office

- 5.12 All Honorary Aldermen and Honorary Alderwomen shall be lifetime appointments subject to the withdrawal of Title/Rights as set out below.

Rights & Priveleges

- 5.13 An Honorary Alderman and Honorary Alderwoman is entitled to the following rights & privileges:
- To be presented with an Honorary Aldermen badge.
 - To receive the link to the electronic version of the Full Council summons & Agenda
 - Parking free at each Council Offices when undertaking duties.
 - To receive invitations to all civic/ceremonial, and social events to which Members of the Council are invited.

(Given the capacity issues with Full Council meetings, and the current number of Honorary Alderman and Honorary Alderwoman, no guarantee of attendance at Council meetings can be provided)

Withdrawal of Title/Right

- 5.14 If an existing Honorary Alderman or Honorary Alderwoman stands for election and is not elected, they shall continue in the role. If they are elected to the Council as a Member, the title and rights shall be withdrawn from the individual for such time as they are a serving Member.
- 5.15 It shall be competent for the Council in any other particular case to withdraw the title of Honorary Alderman and the attached rights and privileges. Such

withdrawal of the title shall be by way of formal motion to a meeting of the full Council, (the summons to which contains special notice that such withdrawal is proposed and the reason therefor) and subsequent resolution of the Council passed by not less than two thirds of the Members present and voting thereon at the meeting of the Council. On the passing of such resolution, the Monitoring Officer shall delete the name of the person concerned from the Roll of Honorary Aldermen and advise that person accordingly.

Application of This Scheme

- 5.16 This Scheme shall apply to all Honorary Aldermen and Honorary Alderwomen of the Council – i.e. those Aldermen who have continued from the legacy Councils (paragraph 3 of this Scheme refers) and Aldermen or Alderwomen appointed by Somerset Council.

Part D – Committee Structure and Procedure Rules

Some matters are dealt with by specific committees. These are specific groups of councillors who meet regularly to make decisions about defined parts of the Council's work such as planning and standards. The Council as a whole decides how these committees are made up and who will serve on each committee.

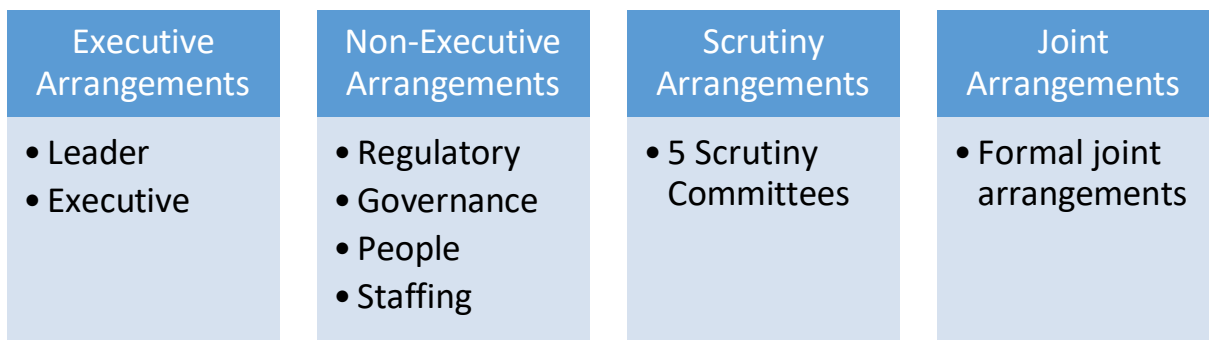
This section sets out the committees in Somerset Council, the scope of their delegated powers, their terms of reference as well as the rules about how committee meetings are run and decisions are made.

These rules are written in formal language. If you have specific questions our democratic services team will be happy to help you.

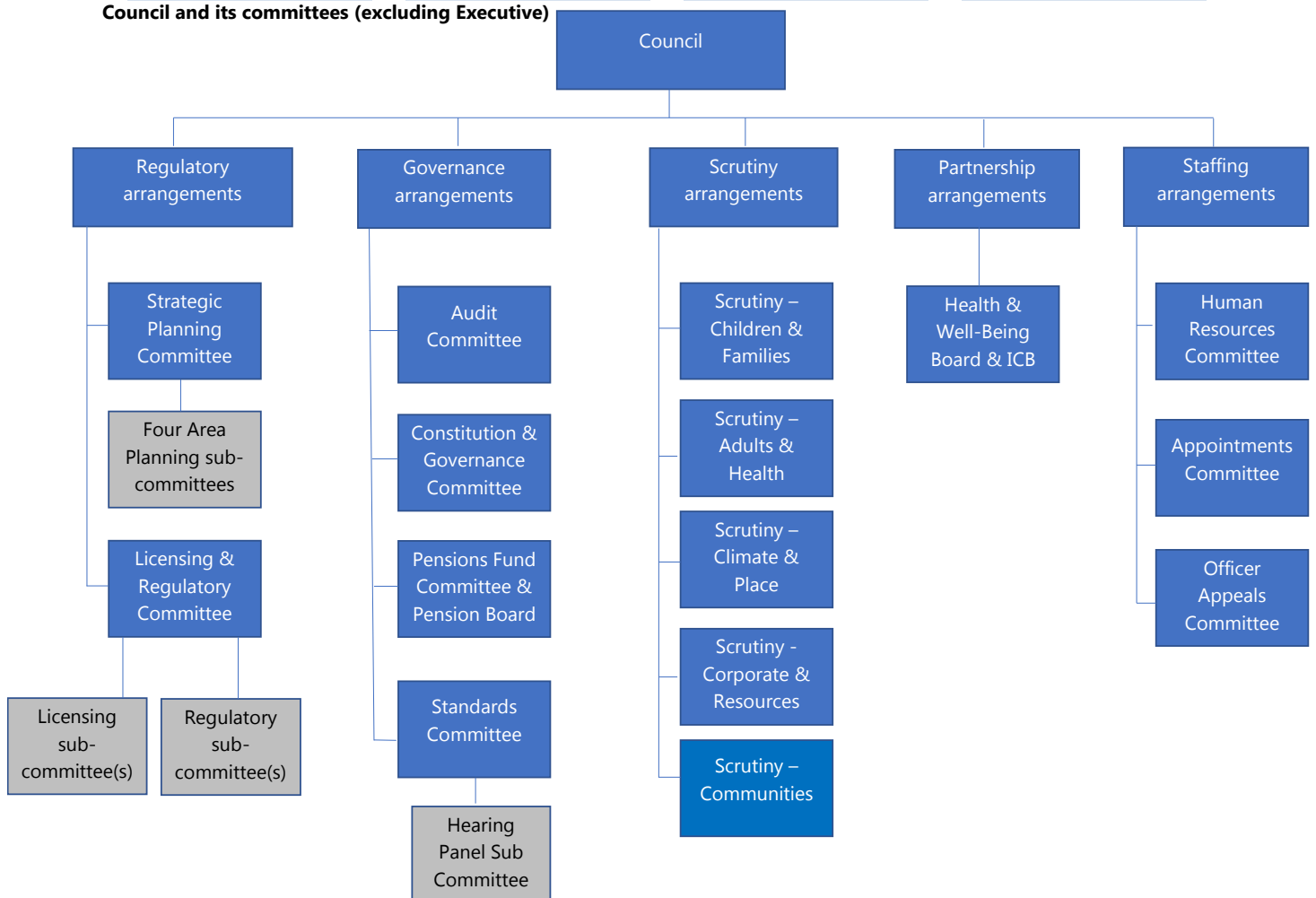
1. Committee Structure

1.1. The Council has decided that certain non-executive functions which are not reserved to the Council as a whole will be the responsibility of the Committees listed below and officers as further detailed in this Constitution by way of the Scheme of Delegation at Part I. Responsibility for some non-executive functions is also delegated to Directors and other senior Officers by way of the Scheme of Delegation in Part I Section 2. In addition to committees, some advisory and operational matters may also be carried out by panels, boards or forums.

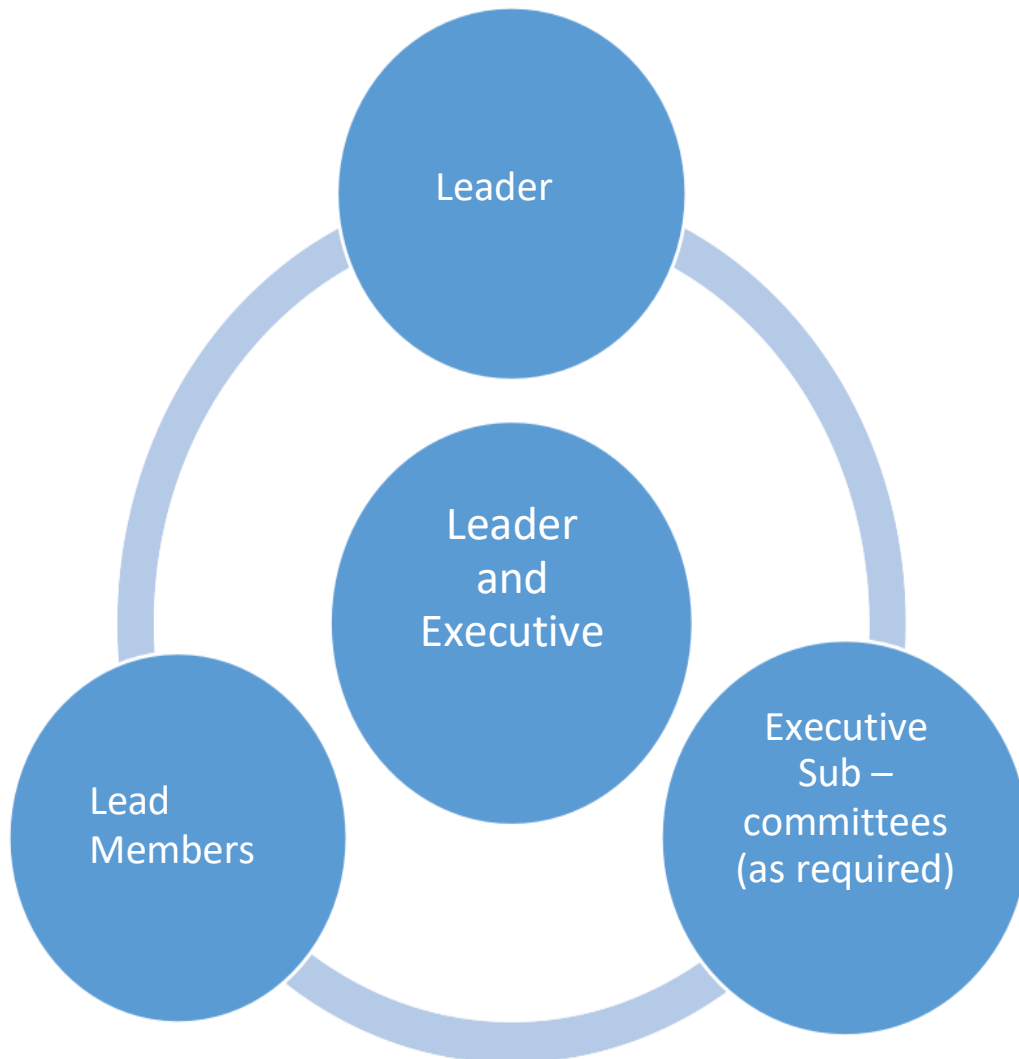
Decision Making



Council and its committees (excluding Executive)



Executive Arrangements



For text explanation of above diagrams please contact Democratic Services. Please see Part E for details of the Executive arrangements.

2. Committee Procedure Rules

Scope

- 2.1. The Council will from time to time appoint such committees as it considers appropriate for the discharge of its functions, in accordance with this Constitution. A duly constituted committee acting in the exercise of its delegated powers and in accordance with its terms of reference shall be entitled to take all necessary action to fulfil its duties.
- 2.2. These Committee Procedure Rules apply to meetings of all Committees and Sub- Committees, with the exception of Licensing Committees and its Sub-Committees and also the Planning Committee and its Sub-Committees.
- 2.3. In the case of the Licensing Committee and its Sub-Committees these Rules are subject to and applied as stated in the Licensing Act 2003 (Hearings) Regulations 2005 and any other relevant legislation and as set out at the end of these Committee Procedure Rules.
- 2.4. Joint Committees and their Sub-Committees will follow these Procedure Rules unless other Rules have been agreed within their terms of reference.

Summons and Agenda

- 2.5. At least **5 clear working days** before a meeting, the Monitoring Officer will send a summons to every Member of the Committee. The summons will give the date, time and place of the meeting and specify the business to be transacted and will be accompanied by such reports as are available.
- 2.6. Any additions or amendments to an agenda that has been sent to Councillors and/or any supplemental agenda must be approved by the Democratic Services Manager and the Chair of the Committee. Approval will only be given where there is a good reason for the addition or amendment and where the need for it could not reasonably have been foreseen at the time when the agenda was compiled.
- 2.7. The Monitoring Officer will give notice to the public of the time and place of any meeting as determined by them in accordance with the Access to Information Rules together with additions or amendments to the agenda that have been sent to Councillors.

Chair

- 2.8. The Council shall appoint the Chairs and Vice-Chairs of Committees at its annual meeting, all of whom shall hold office until the next annual meeting or until their successors are elected or appointed.

- 2.9. If both Chair and Vice-Chair are absent from a meeting a Chair for the meeting will be elected. The person presiding at the meeting may exercise any power or duty of the Chair. (see Voting below for nomination rules)
- 2.10. No person shall hold the office of Chair or Vice-Chair unless they are a member of the committee in question and are also a councillor of the Council unless otherwise allowed under the terms of reference of that committee.
- 2.11. A councillor can be voted to be a Chair of a committee in their absence, provided they remain a member of that committee.

Meetings

- 2.12. The quorum for a committee or sub-committee is one quarter of the total number of members of the committee or sub-committee unless otherwise detailed in the relevant terms of reference but shall not be less than three voting councillors.
- 2.13. If a quorum is not present within 10 minutes of the scheduled start of the meeting or such longer time as allowed by the Chair, the business of the meeting will be adjourned to the next meeting.
- 2.14. All councillors present during the whole or part of a meeting must make their attendance known to the proper officer.

Minutes

- 2.15. The Chair will sign the minutes of the proceedings at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.
- 2.16. Minutes will contain all motions and amendments in the form and order the Chair put them.

Questions

- 2.17. A member of a committee or sub-committee may ask the Chair of it a question on any matter in relation to which the Council has powers or duties or which affects the Somerset Council administrative area and which falls within the terms of reference of that committee or sub-committee. A Chair may allow a councillor who is not a member of the relevant committee or sub-committee to speak on an item of business.

Content of Questions

2.18. Questions must, in the opinion of the Chair:

- a. not be unreasonable;
- b. contain no expressions of opinion;
- c. relate to matters on which the Council has or may determine a policy;
- d. not require the disclosure of confidential or exempt information;
- e. not relate to a matter which is of purely personal concern to an individual/family member.

Time Allowed for Councillor Questions at Committee and Sub-Committee Meetings

2.19. The number of questions and the total time allowed to ask and for consideration of such questions shall be determined by the Chair.

Order of Questions

2.20. Questions will be asked in the order determined by the Chair of the Committee or Sub-Committee.

Written Responses

2.21. Any question which cannot be dealt with during question time or to which a response cannot conveniently be given verbally to a question, will be dealt with by a written response provided within 5 clear working days of the meeting.

Motions

Motions on Notice

2.22. Any member of a committee or sub-committee may propose a motion by giving notice of it **not less than 7 clear working days before a meeting** to the Monitoring Officer. Motions must be framed in appropriate language and must, in the opinion of the Chair of the Committee or Sub-Committee in consultation with the Monitoring Officer be about matters for which the Committee or Sub-Committee has a direct responsibility or duty and motions which they deem to be illegal, improper, vexatious or out of order shall be rejected.

Motions Without Notice

2.23. The following motions may be moved without notice:

- a. to appoint a Chair of the meeting at which the motion is moved;
- b. in relation to the accuracy of the minutes;
- c. to approve the minutes as a correct record;
- d. to change the order of business in the agenda;
- e. to refer a sub-committee's report or any item in it, or any other item, back to a sub-committee;
- f. to appoint sub-committee members if this arises from an item in the agenda of the meeting;
- g. to adopt a report or recommendation of the Executive, another committee, a sub-committee or an officer;
- h. to take an action recommended in an Officer's report, or other report submitted to the Committee or Sub-Committee;
- i. to withdraw a motion or amendment;
- j. to proceed to the next business;
- k. that the question be now put;
- l. to adjourn a debate;
- m. to adjourn the meeting;
- n. to suspend a particular Committee Procedure Rule;
- o. to exclude the public and press in accordance with the Access to Information Rules;
- p. to not hear further a councillor or to exclude them from the meeting for disorderly conduct.

Motions Set Out in the Agenda

2.24. Motions for which notice has been given will be listed on the agenda in the order in which they were received.

Order and Time Allowed for Motions

2.25. Notwithstanding the order of Motions within the Agenda the Chair will decide the order that Motions will be considered and the time allowed for consideration of motions. At the conclusion of the speech being delivered or at the expiry of such time as decided by the Chair from the commencement of the consideration of the first such motion at the meeting, the Chair shall put to the vote, without further discussion, all the questions necessary to dispose of the motion then under debate provided that:

- a. if the speech to be concluded is a speech proposing a motion, the Chair shall allow the motion to be formally seconded (without comment);
- b. if the speech to be concluded is a speech moving an amendment, the Chair shall allow the amendment to be formally seconded (without comment) and the mover of the motion to exercise their right of reply; and
- c. otherwise, the Chair shall allow the mover of the motion to exercise their right of reply.

2.26. Any remaining motions shall be deferred to the next ordinary meeting of the Committee or Sub-Committee and shall be dealt with at that meeting in the same order and before any other motions of which notice is given for that meeting.

Rules of Debate

2.27. The following rules apply to a particular meeting to the extent that the Chair considers appropriate.

No Speeches Until Motion Seconded

2.28. No speeches may be made after the mover has moved a motion and explained the purpose of it until the motion has been seconded.

Right to Require Motion in Writing

- 2.29. Unless notice of the motion has already been given or the motion is one which can be given without notice, the Chair may require it to be written down in sufficient time to circulate to all members before it is discussed. The Chair will decide whether there is sufficient time to propose a motion without notice.

Secunder's Speech

- 2.30. When seconding a motion or amendment, a councillor may reserve their speech until later in the debate.

Content and Length of Speeches

- 2.31. Speeches must be directed to the motion under discussion or to a personal explanation or point of order.
- 2.32. A speech by the mover of a motion may not exceed **5 minutes without the consent of the Chair.**
- 2.33. Speeches by other Councillors, including those councillors seconding or speaking during their right to reply, may not exceed **3 minutes without the consent of the Chair.**

When a Councillor May Speak Again

- 2.34. A councillor who has made a speech on a motion may not speak again whilst it is the subject of debate, except:
- a. to speak once on an amendment moved by another councillor;
 - b. to move a further amendment if the motion has been amended since they last spoke;
 - c. if their first speech was on an amendment moved by another councillor, to speak on the main issue (whether or not the amendment on which they spoke was carried);
 - d. in exercise of a right of reply;
 - e. on a point of order; and
 - f. by way of personal explanation.

Amendments to Motions

- 2.35. An amendment to a motion must be relevant to the motion and will either be:
- a. to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - b. to leave out words;

- c. to leave out words and insert or add others; or
- d. to insert or add words.

As long as the effect of b. to d. is not to negate the motion or to introduce a new motion.

- 2.36. Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- 2.37. If an amendment is not carried, other amendments to the original motion may be moved.
- 2.38. If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- 2.39. After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

Alteration of Motion

- 2.40. A councillor may alter a motion of which they have given notice with the consent of the Committee. The Committee's consent will be signified without discussion.
- 2.41. A councillor may alter a motion which they have moved without notice with the consent of both the Committee and the seconder. The Committee's consent will be signified without discussion.
- 2.42. Only alterations which could be made as an amendment may be made.

Withdrawal of Motion

- 2.43. A councillor may withdraw a motion which they have moved with the consent of both the Committee and the seconder. The Committee's consent will be signified without discussion.
- 2.44. No councillor may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

Right of Reply

- 2.45. The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- 2.46. If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may

not otherwise speak on it.

2.47. The mover of the amendment has no right of reply to the debate on their amendment. If their amendment is carried, they can have the penultimate speech on the amended motion.

Motions Which May Be Moved During the Debate

2.48. When a motion is under debate, no other motion may be moved except the following procedural motions:

- a. to withdraw a motion;
- b. to amend a motion;
- c. to proceed to the next business;
- d. that the question be now put;
- e. to adjourn a debate;
- f. to adjourn a meeting;
- g. to exclude the public and press in accordance with the Access to Information Rules; and
- h. to not hear further a councillor or to exclude them from the meeting for disorderly conduct.

Closure Motions

2.49. A councillor may move, without comment, the following motions at the end of a speech of another councillor:

- a. to proceed to the next business;
- b. that the question be now put;
- c. to adjourn a debate; or
- d. to adjourn a meeting.

2.50. If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, the Chair will give the mover of the original motion a right of reply and then put the procedural motion to the vote.

2.51. If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, the Chair will put the procedural motion to the vote. If it is passed the Chair will give the mover of the original motion a right of reply before putting their motion to the vote.

2.52. If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair thinks the item has not been sufficiently

discussed and cannot reasonably be so discussed on that occasion, the Chair will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

Point of Order

2.53. A councillor may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of these Committee Procedure Rules or the law. The councillor must indicate the rule or law and the way in which they consider it has been breached. The ruling of the Chair on the matter will be final.

Personal Explanation

2.54. A councillor may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the councillor which may appear to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation will be final.

Voting

2.55. Any matter will be decided by a simple majority of those councillors voting and present in the room at the time the question was put unless the law provides otherwise.

2.56. If a councillor arrives before the casting of votes has been commenced they are entitled to vote, unless the Committee or Sub-Committee is sitting in a quasi-judicial capacity (eg Licensing and Regulatory Committee) when a Councillor may not vote unless they have been present to hear all the evidence presented on an agenda item.

2.57. If there are equal numbers of votes for and against, the Chair will have a second/ casting vote. There will be no restriction on how the Chair chooses to exercise a second/casting vote.

2.58. The Chair will take the vote by show of hands, or by use of the Council's electronic voting system if any, or if there is no dissent, by the affirmation of the meeting.

2.59. Where any councillor requests it immediately after the vote is taken, their vote will be recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

2.60. If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one

person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

2.61. Where a vote is taken for the election of the Chair of the Committee or Sub-Committee and the out-going Chair is present in the room and not seeking re-election, the out-going Chair will preside over the election of the new Chair.

2.62. The Chair of a Committee or Sub-Committee shall be deemed to have retired from that position immediately before the start of a meeting at which a Chair is to be elected.

2.63. Subject to Rule 2.63 members of the Committee or Sub-Committee shall appoint one of their number to preside over the election of Chair.

2.64. Officers shall not call for nominations for the election of the Chair.

Rights of Access/Inspection of Documents

2.65. Rights of access to and inspection of documents will be as set out in the Access to Information Procedure Rules.

Councillors' Conduct

Speaking at Meetings

2.66. When a councillor speaks they must address the meeting through the Chair. If more than one councillor signifies their intention to speak, the Chair will ask one to speak. Other councillors must remain silent whilst a councillor is speaking unless they wish to make a point of order or a point of personal explanation.

Chair Speaking

2.67. When the Chair speaks during a debate, any councillor speaking at the time must stop.

Councillor Not to be Heard Further

2.68. If a councillor persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the councillor be not heard further. If seconded, the motion will be voted on without discussion.

Councillor to Leave the Meeting

- 2.69. If the councillor continues to behave improperly after such a motion is carried, the Chair may move that either the councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

General Disturbance

- 2.70. If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as they consider necessary.

Exclusion of the Public

- 2.71. Members of the public and press may only be excluded either in accordance with the Access to Information Rules or in accordance with the following Rules.
- 2.72. If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room.
- 2.73. If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

Appointment of Substitute Members on Committees and Sub-Committees

- 2.74. The substitution rules will not apply to meetings of the Executive, Executive Sub-Committees, the Pension Fund Committee, Pensions Board, Health and Well-Being Board or the Officer Appeals Committee.
- 2.75. Subject to any other restrictions elsewhere in the Constitution, any councillor will be permitted to act as a substitute on a Council Body provided that they have been so appointed by Council to so act. The Proper Officer may consider a request from a councillor of a Council Body or the Leader of the political group of which the councillor is a member to appoint a substitute councillor. The proposed substitute councillor must be from the same political group as the councillor for whom they are substituting, subject to the agreement of the Monitoring Officer in consultation with the Chair of the relevant committee.
- 2.76. In order to be eligible to sit as substitutes on regulatory or administrative committees or panels or staff appointments or

disciplinary bodies established by the Council, councillors must have received formal training in relevant procedures and the law.

- 2.77. Substitute members will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.
- 2.78. Substitute members may attend meetings in that capacity only:
- a. to take the place of the councillor for whom they are designated substitute;
and
 - b. where the ordinary councillor will be absent for the whole of the meeting;
and
 - c. where the ordinary councillor or their group leader has notified the Monitoring Officer or the Democratic Services Manager of the intended substitution by no later than 24 hours before the start of the relevant meeting, or in exceptional circumstances and with the consent of the Monitoring Officer, no later than one hour before the start of the relevant meeting.

Suspension of Committee Procedure Rules

- 2.79. All of these Rules of Procedure except Rules 2.15 (signing minutes) and 2.61 (individual councillor vote to be recorded) may be suspended by the Chair or by motion on notice or without notice if at least one half of the whole number of members of the Committee or Sub-Committee, are present. Suspension can either be for an item or for the duration of the meeting.

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Part D – AUDIT COMMITTEE TERMS OF REFERENCE

1. General

- 1.1 The Audit Committee is a key component of the Council’s governance framework. Its purpose is to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. The Committee’s role in ensuring that there is sufficient assurance over governance risk and control gives greater confidence to all those charged with governance that those arrangements are effective. The Audit Committee has oversight of both internal and external audit together with the financial and governance reports, helping to ensure that there are adequate arrangements in place for both internal challenge and public accountability.
- 1.2 The Audit Committee is directly accountable to Full Council. It is independent of both the executive and the scrutiny functions and is a key advisory committee providing independent oversight, recommendations, opinions and influence on the matters for which it is responsible. To assist the Audit Committee in fulfilling its role, it has a right of access to and is expected to engage constructively with other committees and functions, for example scrutiny and service committees, corporate risk management boards and other strategic groups. The Audit Committee also has the right to request reports and seek assurances from relevant officers.
- 1.3 The terms of reference will be formally approved by the Council.
- 1.4 These terms of reference shall be reviewed by the Council on the advice of the Committee and on a regular basis to ensure that they remain fit for purpose and in accordance with any relevant regulations and guidance. Any revisions will be agreed by the Council and by the Committee.

2. Membership, Chair and Quorum

Number of Members	15 (includes up to 2 Independent members)
Substitute Members Permitted	Yes, provided they have met the training requirement set out in paragraph 7
Political Balance Rules apply	Yes
Appointments/Removals from Office	By resolution of full Council
Restrictions on Membership	Executive members and their deputies may not be a member of this Committee

Restrictions on Chair/Vice- Chair	None
Quorum	Five voting members
Number of ordinary meetings per Council Year	At least 4 per year

3. Responsibilities of the Chair

3.1 The Chair is responsible for:

- (a) ensuring the Committee delivers its purpose as set out in the Committee's terms of reference;
- (b) the arrangements for meetings of the Committee;
- (c) ensuring that Committee meetings are productive and effective and that opportunity is provided for the views of all Committee members to be expressed and considered; and
- (d) seeking to achieve the consensus of all Committee members on the business presented to the Committee and ensure that decisions are properly put to a vote when that cannot be reached.

4. Definitions

AGS means the Council's Annual Governance Statement

CIPFA Guidance means the following documents as amended or updated from time to time:

- CIPFA's Position Statement: Audit Committees in Local Authorities and Police 2022
- Audit Committees: practical guidance for local authorities and police (2022 edition – CIPFA) - The audit committee member in a local authority
- Audit Committees: practical guidance for local authorities and police (2022 edition – CIPFA) - Guiding the audit committee: Supplement to the audit committee member guidance

LGAN means the Local Government Application Note supporting the **PSIAS**

PSAA means Public Sector Audit Appointments Ltd

PSIAS means the Public Sector Internal Audit Standards

QAIP means the Internal Audit Quality Assurance and Improvement Programme

5. Terms of Reference

5.1 As set out in the CIPFA Guidance, the Audit Committee's principal duties are:

Governance, risk and control

- To review the council's corporate governance arrangements against the good governance framework, including the ethical framework, and consider the local code of governance.
- To monitor the effective development and operation of risk management in the council.
- To monitor progress in addressing risk-related issues reported to the committee.
- To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- To consider reports on the effectiveness of financial management arrangements, including compliance with CIPFA's **Financial Management Code**.
- To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
- To review the assessment of fraud risks and potential harm to the council from fraud and corruption.
- To monitor the counter fraud strategy, actions and resources.
- To review the governance and assurance arrangements for significant partnerships or collaborations.

Financial and governance reporting

Governance reporting

- To review the **AGS** prior to approval and consider whether it properly reflects the risk environment and supporting assurances, including the head of internal audit's annual opinion.
- To consider whether the annual evaluation for the **AGS** fairly concludes that governance arrangements are fit for purpose, supporting the achievement of the authority's objectives.

Financial reporting

- To monitor the arrangements and preparations for financial reporting to ensure that statutory requirements and professional standards can be met.
- To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.
- To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Arrangements for audit and assurance

To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.

External audit

- To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by **PSAA** or the authority's auditor panel as appropriate.
- To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
- To consider specific reports as agreed with the external auditor.
- To comment on the scope and depth of external audit work and to ensure it gives value for money.
- To consider additional commissions of work from external audit.
- To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.
- To provide free and unfettered access to the audit committee chair for the auditors, including the opportunity for a private meeting with the committee.

Internal audit

- To approve the internal audit charter.
- To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.
- To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
- To approve significant interim changes to the risk-based internal audit plan and resource requirements.
- To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
- To consider any impairments to the independence or objectivity of the head of internal audit arising from additional roles or responsibilities outside of internal auditing and to approve and periodically review safeguards to limit such impairments.
- To consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:

- updates on the work of internal audit, including key findings, issues of concern and action in hand as a result of internal audit work
- regular reports on the results of the **QAIP**
- reports on instances where the internal audit function does not conform to **PSIAS** and **LGAN**, considering whether the non-conformance is significant enough that it must be included in the **AGS**.
- To consider the head of internal audit's annual report, including:
 - the statement of the level of conformance with **PSIAS** and **LGAN** and the results of the **QAIP** that support the statement (these will indicate the reliability of the conclusions of internal audit)
 - the opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control, together with the summary of the work supporting the opinion (these will assist the committee in reviewing the **AGS**).
- To consider summaries of specific internal audit reports as requested.
- To receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.
- To contribute to the **QAIP** and in particular to the external quality assessment of internal audit that takes place at least once every five years.
- To consider a report on the effectiveness of internal audit to support the **AGS** where required to do so by the accounts and audit regulations.
- To provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

Accountability arrangements

- To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements and internal and external audit functions.
- To report to full council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.
- To publish an annual report on the work of the committee, including a conclusion on the compliance with the **CIPFA Position Statement**.

5.2 In addition to the principal duties set out in 5.1 above, the Audit Committee will:

Annual Approvals

- approve the annual accounts of the Council and the Annual Governance Statement.

Treasury Management

- provide an overview role in Treasury Management matters including regular monitoring of treasury activity and practices.
- review and recommend the Non-Treasury Management Investment Strategy, the Capital Strategy, the Flexible Capital Receipts Strategy, the MRP Strategy, and any appropriate Prudential Indicators to Council.

5.3 In addition to the principal duties set out in 5.1 and 5.2 above, the Audit Committee may be requested to consider a review of a service, a proposed policy or other similar matters by another committee in the organisation or by one of the statutory officers, provided the matter relates to governance, risk or control and the committee does not take on a scrutiny or policy role.

Examples of where it may be helpful for the audit committee to assist include:

- reviewing whether adequate governance, risk management or audit processes are in place in relation to a specific service or new policy area
- providing advice to the executive on possible risks or implications for good governance arising from a proposed course of action or decision.

In each case, the aim of the committee should be to make recommendations in line with its role as set out in paragraph 1 above to help ensure that there are appropriate governance, risk, control and assurance arrangements in place. Audit committee recommendations under this paragraph may support the advice or recommendations of the statutory officers but cannot override that advice.

6. Conflicts of interest

6.1 All members of the Committee must declare on appointment and at any such time as their circumstances change any potential conflict of interest arising as a result of their position on the Committee.

- 6.2 The Council's Monitoring Officer shall include interests registered by all members of the Committee in the published Members' and Co-opted Members' Register of Interests. All such interests are to be registered with the Monitoring Officer within 28 days of appointment to the Committee.

7. Knowledge and understanding including training

- 7.1 All new members must follow an induction training plan and all members of the Committee will be expected to attend the training provided to ensure that they have the requisite knowledge and understanding to fulfil their role.
- 7.2 The Committee has adopted a training policy and all members of the Committee are expected to meet the requirements of that policy.
- 7.3 Failure to attend training may lead to removal from the Committee.

8. Independent Members

- 8.1 Up to two Independent members may be appointed by Somerset Council as non-voting members of the Committee.
- 8.2 Independent members of the Committee shall be appointed and co-opted for a three year term by the Somerset Council following an open and transparent appointments process which considers aptitude, relevant knowledge, skills and experience.
- 8.3 Independent members of the Committee may only be removed during their term of office for good cause by the Somerset Council at a Full Council meeting. It is for the Council, acting reasonably, to determine whether or not it has good cause to terminate before the normal expiry of the term of the Independent Member.

9. Meetings

- 9.1 The frequency of meetings is to be determined by the Committee once it has agreed a workplan, with a minimum of four meetings annually. In addition to this, training sessions will be held as necessary to ensure that Committee members have sufficient knowledge and skills to undertake the role.
- 9.2 The Committee will meet at the Council's main offices, or another location to be agreed by the Chair. Meetings will normally be held during normal working hours at times to be agreed by the Chair.

9.3 As a committee of the Council, the **Committee Structure and Procedure Rules** set out in Part D of the Council's Constitution apply to meetings of the Committee. Committee meetings will be held in open session with closed sessions where appropriate. The agenda papers will be circulated to members of the Committee and published in advance of meeting in line with Council policy. The minutes of meetings will be recorded and published in line with Council policy.

9.4 The following individuals may ask the Chair of the Committee to include items on the Committee's agenda:

- the Chair of the Committee
- any member of the Committee, including co-opted members
- the Chair of Council or any other Committee
- any statutory officer or their deputy
- the Council's external auditor
- the Council's internal auditor

10. Code of Conduct

10.1 All members of the Committee will be required to formally sign up to comply with the Somerset Council Code of Conduct

Part D – Constitution & Governance Committee Terms of Reference

General

The purpose of the Constitution and Governance Committee is to:

- (a) Maintain an effective, up to date and legally compliant Constitution.
- (b) Consider proposals from Council committees for changes to the constitutional arrangements of the Council.
- (c) Submit an annual report to the Council recommending a revised Constitution for approval to the Council's Annual General Meeting. See notes below.
- (d) Receive assurance from the Returning Officer regarding the administration of any elections;
- (e) Oversee the Council's input and response to boundary or electoral reviews as required by the Boundary Commission.

Notes: The functions of the Committee exclude approval of:

- Any changes to the operational arrangements of the Council including the Committee structure – which will be referred to Council for approval as a recommendation
- The Scheme of Members' Allowances which is approved by the Council on the recommendation of the Independent Remuneration Panel;
- The Council's executive arrangements, which are the responsibility of the Leader of Council;
- Any change to the Council's model of democratic governance under the Localism Act 2011.

Membership, Chair and Quorum

Number of Members	13
Substitute Members Permitted	Yes
Political Balance Rules apply	Yes
Appointments/Removals from Office	By resolution of full Council
Restrictions on Membership	None
Restrictions on Chair/Vice- Chair	None
Quorum	5 members
Number of ordinary meetings per Council Year	At least 3 per year

Terms of

Reference

- 1.1. Maintain an overview of all aspects of the Council's Constitution not otherwise reserved to the Standards Committee including but not limited to decision-making, Contract Procedure Rules and Financial Procedure Rules. Any proposed changes to the Council's Constitution are to be recommended to Council for approval.
- 1.2. Review any issue referred to it within these Terms of Reference by the Chief Executive, Monitoring Officer, Section 151 Officer or any Body of the Council.
- 1.3. Consider the Council's corporate governance arrangements and make recommendations to ensure compliance best practice.
- 1.4. Such other matters as required by law or guidance to be the proper remit of the Constitution and Governance Committee.

Somerset Health and Wellbeing Board - Constitution

Introduction

Under the Health and Social Care Act 2012 Somerset Council must establish a Health and Wellbeing Board.

This constitution will cover the operation of the Somerset Health and Wellbeing Board. It will be revised if necessary, in accordance with the legislative requirements.

1. Aim

- 1.1 The Somerset Health and Wellbeing Board (SHWBB) will provide strategic leadership to improve the health and wellbeing of the residents of Somerset through the development of improved and integrated health, public health and adults and children's social care services

2. Functions

- 2.1. The Board, on behalf of Somerset Council and NHS Somerset shall identify and agree health and wellbeing needs and priorities across Somerset through:
 - a) providing a structure for strategic local planning and challenge to the provision of health and wellbeing related services across a range of sectors and providers;
 - b) assessing the needs of the local population and lead the statutory Joint Strategic Needs Assessment ('JSNA') with an annual refresh and publication of the Joint Strategic Needs Assessment (JSNA) to support evidence-based prioritisation, commissioning and policy decisions;
 - c) ensuring that the JSNA drives the development of the Health and Wellbeing Strategy (Improving Lives) and influences other key plans and strategies across the county;
 - d) To undertake the Pharmaceutical Needs Assessment every 5 years or sooner if required;
 - e) The preparation, agreement and publication of the Somerset Health and Wellbeing Strategy (SHWBS). The SHWBS will set a high level joint strategic vision for health and wellbeing, taking into account the JSNA and the Annual Public Health Report, as well as national policy developments and legislation. Organisations represented on the Board have a duty to take heed of the strategy and will be held to account for their contribution to delivery of outcomes;
 - f) actively engaging with the other key partnerships to ensure achievement of outcomes in all agreed areas and to extend the reach of the Improving Lives Strategy by ensuring alignment with other strategies and plans;
 - g) discharging all functions relating to the Better Care Fund that are required or permitted by law to be exercised by the Board including: Agreeing the Better Care Fund; and overseeing the delivery of the Better Care Fund and Improved Better Care

- Fund. This includes providing a regular written progress report on each of the schemes under the fund to the Board;
- h) responsible for overseeing the implementation of the statutory requirement within the Children and Families Act 2014, for local services to work together providing care and support for children and young people with special educational needs and disabilities (SEND), ensuring that local services are fulfilling their role and that children are getting the care they need;
 - i) ensuring that the Local Integrated Care Partnerships, Local Authorities, Clinical Commissioning Groups and NHS England, Police demonstrate how the JSNA has driven decision-making;
 - j) In order to undertake the system leadership role, the Board will receive reports in conjunction with the delivery of the Improving Lives Strategy and outcomes from:
 - STP
 - Somerset Growth Board
 - Safer Somerset Partnership
 - Somerset Childrens Trust
 - Somerset Strategic Housing Group
 - Neighbourhoods Group
 - Children’s and Adults Safeguarding Boards
 - Information Governance Panel;
 - k) providing challenge and encouragement to put prevention central to everything we do in Somerset, with a relentless focus on issues that drive inequalities;
 - l) providing a forum for cross-system learning and support through the Health and Wellbeing Board development sessions and workshops.

2.2 The Board shall:

- a) Oversee, where appropriate, the use of resources across a wide spectrum of services and interventions, to ensure that the SHWBS and priority outcomes are achieved and to drive a genuinely collaborative approach to commissioning, including the co-ordination of agreed joint strategies.
- b) Support the inclusion of the public, patients and communities in the setting of strategic priorities, including (but not solely) through the involvement of local Healthwatch.
- c) Communicate and engage with local people in how they can achieve the best possible quality of life and be supported to exercise choice and control over their own health and wellbeing and that of the people living around them.

Each board member has a responsibility to report and act upon the group or organisation they represent in order to maximise the impact they can make in terms of improving lives (promoting and delivering the health and wellbeing strategy).

In line with the Health & Social Care Act 2012, the work of the Board will be scrutinised through appropriate SCC Scrutiny Committees.

3. Membership

- 3.1 Membership of the Board shall reflect the principle that at least 50% of its voting membership shall comprise elected local councillors. Representation on the Board reflects the statutory membership as required by the Health and Social Care Act.
- 3.2 The full members of the Board (i.e. with voting rights) shall comprise the following:
- Up to 5 members of Somerset Council including the relevant Executive Members for Public Health, Equalities and Diversity, Adult Social Care and Children and Families; 1 member of the Opposition; and 1 other Council member – all to be chosen by the Leader of the Council
 - 3 x NHS Somerset (Integrated Care Board) representatives
 - Director of Public Health
 - Director for Adult Social Services
 - Director for Children’s Services
 - NHS England representative
 - Healthwatch Somerset nominated volunteer representative
 - Avon and Somerset Police representative
 - Somerset NHS Foundation Trust representative
 - Primary Care representative
 - VCSE representative
 - Registered Care Provider representative

Total: 18

- 3.3 Other members may be co-opted by the Board as required but will not have full voting membership.

4. Chairing Arrangements

- 4.1 The Leader of Somerset Council shall appoint the Chair of the Board annually from within the Somerset Council’s representation on the Board. The Leader shall appoint up to 2 Vice-Chairs on an annual basis at least one of which shall come from within the health service representation on the Board.
- 4.2 In the event that the Chair is not present but the meeting is quorate the voting members present at the meeting shall choose which Vice-Chair is to chair that meeting.

5. Quorum

- 5.1 To ensure that sufficient members are present at all meetings for the effective conduct of business the quorum for the Board will comprise eight members (over 50%) and must include at least two voting Members from Somerset Council and one voting member of the SCCG. If a quorum is not present, matters may be discussed, and recommendations made but no decisions taken.

6. Substitutes

- 6.1 No substitutes shall be allowed for members of the Board.

7. Appointments

- 7.1 If the Council wishes to change the voting membership of the Board, then the Council must consult the Board on the proposal. Council nominations must be in accordance with the legislation.

8. Governance and Accountability

- 8.1 In accordance with section 194 of the Health and Social Care Act, the Board shall be a committee of the Council and is to be treated as if it were a committee appointed by the Council under section 102 of the Local Government Act 1972.
- 8.1 The regulations relating to the Board are published as Statutory Instrument 2013 No. 218 entitled, The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
- 8.3 The Regulations modify and disapply certain legislative requirements as they apply to the Board. The provisions which are modified or disappplied are in the Local Government Act 1972 and the Local Government Housing Act 1989.
- 8.4 The Board shall produce an annual report, which will be presented to meetings of both Somerset Council and the SCCG. It shall also report as necessary to the Council's Executive, Full Council and the SCCG as the business dictates.

9. Decisions

- 9.1 The Board shall be accountable for its actions to its individual member organisations for decisions in respect of the JSNA and the SHWBS.
- 9.2 It is expected that Members of the Board will have delegated authority from their organisations to take a full part in the business of the Board.

- 9.3 It is expected that decisions or recommendations shall be reached by consensus. In exceptional circumstances where consensus cannot be achieved and a formal vote is required, the matter shall be decided by a simple majority of those members voting and present in the room at the time the proposal is considered. The vote shall be by a show of hands. If there are equal votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.
- 9.4 Decisions within the terms of reference will be taken at Board meetings and are not subject to ratification or a formal decision process by partner organisations. However, where decisions are not within the delegated authority of the Board, these will be subject to ratification by constituent bodies.

10. Procedural Rules to Apply to Board Meetings

- 10.1 Detailed procedural rules for Board meetings are attached as an appendix.

11. Establishment of Sub-Committees

- 11.1 The Board shall be responsible for the appointment of any sub-committees or working groups to assist with the fulfilment of its functions in accordance with any legislative requirements in relation to their establishment.
- 11.1 The Board shall also be responsible for accepting reports as necessary from partnerships whose business relates to the functions of the Board.

12. Board Members' Conduct

- 12.1 All voting members of the Board must comply with Somerset Council's Code of Conduct including the registration of disclosable pecuniary interests and personal interests.
- 12.2 The Monitoring Officer for Somerset Council will maintain and publish a register of interests of Board members.
- 12.3 The principles of these requirements are consistent with the requirement on SCCG's in relation to conflicts of interest.

13 Work Programme for the Board

- 13.1 The Board shall be responsible for establishing and maintaining its work programme.

14. Review of the Constitution

- 14.1 This constitution will be reviewed as and when required but at least annually by the Council in consultation with other constituent bodies and the Board.

15. Administration of Meetings

- 15.1 Meetings of the Board will be convened by Somerset Council, who will also arrange the clerking and recording of meetings (a member of the Council's Democratic Services Team will act as Clerk).

PROCEDURAL RULES FOR HEALTH & WELL-BEING BOARD MEETINGS

1. Introduction

- 1.1 These rules also detail the rights of the public to be notified of meetings of the Board, to attend and participate in those meetings, and access agendas and papers before and after meetings of the Board.
- 1.2 The term 'clear days' in these rules excludes any Saturday, Sunday, Bank Holiday, Christmas Day or Good Friday, the day that an agenda is sent to the Members of the Board and the day of the meeting.

2. Rights of the Public to Attend Board Meetings

- 2.1 Members of the public may attend Board meetings subject only to the exceptions in these rules.

3. Notice of Board Meetings

- 3.1 The Council shall give at least five clear days' notice of any public meeting of the Board via it's website, the public notice board at County Hall, Taunton and at the venue for the meeting if held elsewhere.

4 Access to Agendas and Reports Before Board Meetings

- 4.1 Copies of agendas and reports are made available for public inspection at County Hall (contact Democratic Services - 01823 357628 at least five clear days before a meeting of Board. If an item is added to the agenda later, the revised agenda and any additional report (s) will be made available for public inspection as soon as they have been sent to members.
- 12.2 Board agendas and papers will also be available to access on the Council's website.

5. Exclusion of Access by the Public to Board Meetings

5.1 Confidential information - requirement to exclude public

- 5.1.1 The Board **must** by resolution, exclude press and public from meetings whenever it is likely that **confidential** information would be disclosed.
- 5.1.2 Confidential information means information given to the Council by a Government Department on terms forbidding its public disclosure or information which is prevented from being publicly disclosed by Court Order.

5.2 Exempt information - discretion to exclude public

- 5.2.1 The Board **may** by resolution exclude press and public from meetings whenever it is likely that exempt information would be disclosed.
- 5.2.2 Exempt information means information falling within the following categories

Category	Qualifications
<p>1. Information relating to any individual.</p> <p>2. Information which is likely to reveal the identity of an individual</p> <p>3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).</p> <p>4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Authority or a Minister of the Crown and employees of, or office holders under, the Authority.</p> <p>5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p> <p>6. Information which reveals that the Authority proposes –</p> <p>(a) to give under any enactment notice under or by virtue of which requirements are imposed on a person; or</p> <p>(b) to make order or direction under any enactment.</p> <p>7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.</p>	<p>1. Information is not exempt information if it is required to be registered under the Companies Act, Charities Act etc.</p> <p>2. Information is not exempt information if it relates to proposed development for which the Council may grant itself planning permission.</p> <p>3. Subject to paragraphs 1 and 2 above, information which falls within paragraphs 1 to 7 opposite is exempt information if and so long as the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>

6. Exclusion of Access by the Public to Reports and Any Other Relevant Documents

- 6.1 Reports containing confidential information will not be made available to the public in any circumstances. Such reports will be marked "Not for publication – Confidential Information".
- 6.2 Reports and documents containing exempt information will not normally be made available to the public. They will be marked "Not for publication" and will include the description of the category of exempt information applicable.
- 6.3 The Board has the option, when the report or documents described at paragraph 6.2 above come to a meeting of the Board, to make them available to the press and public and/or consider the report with the public present, in which case the report can at that stage be made available to the public present and for public inspection beyond the meeting.

7. **Public Question Time**

7.1 The following rules relate to public question time at public meetings of the Board.

(a) "Public question" is defined as the asking of any question or making of a statement in relation to any item on an agenda.

(b) Petitions may be presented on any matter within the overall remit of the Board, whether or not there is a relevant item on the agenda.

(c) Each Board agenda shall include an item to allow public questions to be taken early in the meeting. However, the Chair has discretion to take public questions when the relevant item is reached on the agenda.

(d) A person wishing to raise a matter under public question time is asked to inform the meeting administrator by 5pm three clear working days before the meeting.

(e) The Chair will invite those who have given prior notice to introduce their question / or make their statement. The individual may speak for up to three minutes or longer with the Chair's discretion.

(f) There will be no debate on any question or statement made. They will be answered at the time or noted for consideration when the relevant agenda item is reached. The Chair has discretion to allow a supplementary question.

(g) The time allowed for public question time will not normally exceed twenty minutes unless the Chair directs otherwise.

(h) Where there are a large number of questioners on the same subject, the Chair may ask those concerned to nominate one or more of their number to pose the appropriate question(s).

(i) In exceptional circumstances the Chair may adjourn the meeting temporarily to allow views to be expressed more freely.

8. **Media Attendance and Reporting at Public Meetings**

8.1 Media are welcome to attend public meetings of the Board and report on proceedings. In addition, social media journalists are welcome to record and transmit business at these meetings. This permission is subject to the activity not disrupting the business of the meeting. In the event that the meeting considers confidential or exempt business, then all members of the public and press must leave the room as requested for the consideration of such business.

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Human Resources Committee Terms of Reference

General

The purpose of the Human Resources Committee is to:

- determine, monitor, review and amend staffing policies and practices to secure the best use and development of the council's staff, including the power to deal with all matters relating to staff terms and conditions.
- acts as the Council's Remuneration Committee for Chief Officers pay.

Membership, Chair and Quorum

Number of Members	11
Substitute Members Permitted	Yes
Political Balance Rules apply	Yes
Appointments/Removals from Office	By resolution of full Council
Restrictions on Membership	None
Restrictions on Chair/Vice- Chair	None
Quorum	5 members
Number of ordinary meetings per Council Year	At least 3 per year

Terms of Reference

1.1 The Committee:

- determines, monitors, reviews and amends staffing policies and practices to secure the best use and development of the council's staff, including the power to deal with all matters relating to staff terms and conditions.
- acts as the Council's Remuneration Committee for Chief Officers pay.

Note: The term 'Chief Officers' as used in this delegation reflects the legislative definition. It applies to all officers within the Council's Senior Leadership Team (SLT).

1.2 In exercising the functions outlined above, and in accordance with the Council's approved Pay Policy Statement, the Committee:

- decides whether national pay awards for SLT Officers are applied locally and where it is agreed that these awards will be paid these will be reflected in the next annual review of the Pay Policy Statement
- reviews on at least an annual basis the pay and grading structure of the Council (including SLT officers grades and salaries) and makes recommendations for any changes considered necessary to Council by way of a revised Pay Policy Statement .

1.3 The Committee also has responsibility for employee relations on behalf of the Council. Specifically it will meet as a forum for consultation 3 times a year with representatives of the trades unions and senior officers as set out below. The Committee will then formally consider recommendations arising from these consultative meetings and make decisions or recommendations to Council as necessary. Functions of this meeting:

- (a) To act as a forum for consultation to secure co-operation between the Council and its employees and between the different services of the Council.
- (b) To discuss the conditions of service, hours of employment, remuneration, training and health, safety and welfare at work of employees of the Council within the terms of overall Council HR Policies and Procedures and make recommendations as necessary.
- (c) To take or recommend such action as it may be deemed necessary or desirable to prevent differences and misunderstandings between the Council and its employees, provided that no question of individual discipline, remuneration, promotion or efficiency shall be within the purview of the joint meeting.
- (d) To consider any proposed legislation affecting employees of the Council.
- (e) To encourage, consider and recommend improvements to the organisation, and the study of methods of administration including recruitment and training with a view to improving the efficiency of the service.
- (f) To consider any matter which may be referred to it by a standing Committee of the Council, the Central Safety Committee or alternatively a matter which it may be requested to deal with jointly by the Joint Secretaries.

Part D - Licensing and Regulatory Committee, Regulatory Sub-Committee and Licensing Sub-Committee

Licensing and Regulatory Committee

General

A regulatory Committee of the Council established to be responsible for the discharge of the **Council's licensing, certification and registration functions** under the Licensing Act 2003 and s.101 Local Government Act 1972 and any of the "relevant statutory provisions" within the meaning of Part 1 of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer and matters presently set out in paragraphs (d) to (m) of the Terms of Reference of the County Council's Regulation Committee.

Membership, Chair and Quorum

Number of Members	15
Substitute Members Permitted	Yes
Political Balance Rules apply	Yes
Appointments/Removals from Office	By resolution of Full Council
Restrictions on Membership	Leader, Deputy Leader may not be a member of this Committee. Members of this Committee including substitutes will be required to undertake training as determined by the Monitoring Officer on licensing and regulatory functions and procedures
Restrictions on Chair/Vice-Chair	Executive Leads or Deputy Executive Leads may not hold these offices.
Quorum	5
Number of ordinary meetings per Council Year	At least 4 meetings per municipal year to be diarised.
Standing Sub-Committees	Licensing Sub-Committee and Regulatory Sub-Committee

Terms of Reference

- 1.1 To exercise the Council's responsibilities and functions relating to licensing, registration and other miscellaneous functions as set out in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended ("2000 Regulations").
- 1.2 For the avoidance of doubt, in relation to the grant or issue by the Committee of any approval, consent, licence, permission or registration, the exercise of the responsibilities for the functions referred to above, includes responsibility for:
 - a. The imposition or amendment, modification or variation of any term, condition, limitation, or restriction.
 - b. The decision to take enforcement or other action in respect of a breach of any term, condition, limitation, or restriction.
 - c. The decision to revoke, vary or modify any approval, consent, licence, permission, or registration.
 - d. Where permissible by law, the decision to impose a charge and the amount of any such charge.
 - e. Where permissible by law, to determine and set the fees and charges in respect of any approval, consent, licence, permissions, or registration including consideration of any representations thereon or objections thereto.
- 1.3 To exercise the Council's functions under the Gambling Act 2005 as amended but not covered by the 2000 Regulations including those functions under Part 8 of the Gambling Act 2005 **except** the adoption of the Section 349 Gambling Act 2005 - Statement of Principles (adoption by full Council) and the passing of a resolution under Section 166 of the Gambling Act 2005 - resolution not to issue a casino premises licence (resolution by full Council - S154 (2)(a) of the Gambling Act 2005) having first sought the views of the Executive.
- 1.4 To exercise the Council's licensing and registration functions under the Local Government (Miscellaneous Provisions) Act 1982, as amended.
- 1.5 To set all non-statutory/discretionary fees and standard conditions and the licensing of premises for skin piercing and associated practices including acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis.

- 1.6 To exercise the Council's licensing and registration functions under the Caravan Site Act 1968 and Mobile Homes Act 2013 and related legislation including the setting of fees.
- 1.7 To develop, review and adopt statutory and relevant discretionary Policies in relation to the functions undertaken by this Committee. and to refer agreed policies to full Council where relevant, for noting.
- 1.8 To consider any matter referred to the Committee by the Council, another Committee, the Executive or an Executive Lead which relates to functions for which the Committee is responsible.
- 1.9 To establish a standing Sub-Committee to be known as the **Regulatory Sub-Committee** to consider and determine any applications and/or matters that by law or in accordance with the Council's adopted Policies or this Constitution require a hearing to be conducted.
- 1.10 To establish a standing Sub-Committee to be known as the **Licensing Sub-Committee** to consider and determine any applications and/or matters that by law or in accordance with the Council's adopted Licensing Policy and Gambling Statement of Principles or this Constitution require a hearing to be conducted.

Delegations

- 1.12 All functions are delegated to the Licensing and Regulatory Committee other than any matter delegated to a named Officer in the Scheme of Delegation for Officers in connection with licensing functions.

Regulatory Sub-Committee

General

A regulatory sub-committee of the Licensing and Regulatory Committee established to conduct hearings and make determinations in respect of the Council's regulatory licensing functions.

Membership, Chair and Quorum

Number of Members	3
Substitute Members Permitted	Yes - from Members of the Licensing and Regulatory Committee
Political Balance Rules apply	No
Appointments/Removals from Office	By the Democratic Services Manager subject to member's availability and when reasonably practical, on the basis of appropriate geographical representation
Restrictions on Membership	Only members of the Licensing and Regulatory Committee are eligible
Restrictions on Chair	None
Quorum	3
Number of ordinary meetings per Council year	Sub-Committee meetings to be scheduled once a month

Terms of Reference

- 1.1 To conduct hearings and make determinations under or in respect of the following legislation and functions as required by law or in circumstances where the appropriate designated officer is unable to make a decision under the Scheme of Delegation for Officers or considers it appropriate to refer the decision to the Regulatory Sub-Committee.
- a. licensing of Hackney Carriage Private Hire Drivers, Vehicles, Operators and related enforcement
 - b. classification of films
 - c. licensing of sex establishments and venues
 - d. registration/licensing of premises and individuals for skin piercing and associated practices including acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis
 - e. licensing of caravan sites and camp sites
 - f. licensing/ consent for Street Trading and

- g. such other matters as the Sub-Committee may be required by law either by means of policy or bye law adoption or statutory guidance in connection with the discharge of any of the matters referred to in these Terms of Reference

Delegations

- 1.2 Decisions on all matters falling within these Terms of Reference.

Notes

- 1.3 The Democratic Services Manager is authorised to constitute the Sub-Committee from the membership of the Licensing and Regulatory Committee having regard to member availability, together with a standby in case a member of the Sub-Committee is unable to participate or continue for any reason.
- 1.4 When reasonably practical, a Sub-Committee meeting should be held at the area offices or a suitable alternative which are closest to the premises or issue that is the subject of the meeting.
- 1.5 Members are appointed for a single meeting/hearing only.
- 1.6 The licensing of scrap metal dealers under the Scrap Metal Dealers Act 2013 is not specified in the 2000 Regulations and therefore until such time as there is further guidance or a change in the legislation the duties and responsibilities under the 2013 Act are deemed to be an executive function and do not therefore fall within the remit of the main Licensing Committee or Sub-Committee.

Licensing Sub-Committee

General

A licensing sub-committee of the Licensing and Regulatory Committee established to conduct hearings and make determinations in respect of the Council's statutory licensing functions

Membership, Chair and Quorum

Number of Members	3
Substitute Members Permitted	Yes
Political Balance Rules apply	No
Appointments/Removals from Office	By the Democratic Services Manager subject to member's availability and when reasonably practical, on the basis of appropriate geographical representation
Restrictions on Membership	Only members of the Licensing and Regulatory Committee are eligible
Restrictions on Chair	None
Quorum	3
Number of ordinary meetings per Council year	Sub-Committee meetings to be scheduled once a month

Terms of Reference

- 1.1 To conduct hearings and make determinations under or in respect of the following legislation and functions as required by law or in circumstances where the appropriate designated officer is unable to make a decision under the Scheme of Delegation for Officers or considers it appropriate to refer the decision to the Licensing Sub-Committee -
- a. Licensing Act 2003
 - b. Gambling Act 2005
 - c. Such other matters as the Sub-Committee may be required by law or in connection with the discharge of any of the matters referred to in these Terms of Reference.

Delegations

- 1.2 Decisions on all matters falling within these Terms of Reference.

Notes

- 1.3 The Democratic Services Manager is authorised to constitute the Licensing Sub-Committee from the membership of the Licensing and Regulatory Committee having regard to member availability, together with a standby in case a member of the Sub- Committee is unable to participate or continue for any reason.
- 1.4 When reasonably practical, a sub-committee meeting should be held at the Council offices or a suitable alternative which are closest to the premises or issue that is the subject of the meeting.
- 1.5 Members are appointed for a single meeting/hearing only.

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Part D – Licensing Sub-Committee Hearing Procedure

Licensing Sub-Committee and Regulatory Sub-Committee Hearings

Whilst written for the Licensing Sub-Committee, these Procedure Rules can be easily adapted for any Regulatory Sub-Committee hearing.

ADMINISTRATION IN RELATION TO A HEARING

1. Prior written notice of the Hearing will have been given to the interested/relevant Parties.
 - (a) Where a Party has informed the Authority that they will not be attending or represented, the Hearing may proceed in their absence.
 - (b) Where a Party has not replied to the notice, does not attend and is not represented, the Sub-Committee may proceed with the Hearing in that Party's absence or adjourn the Hearing if it is considered necessary in the public interest to do so.
 - (c) If a Party has indicated they will attend but does not appear, that Party must inform the Authority of any delay, with reasons and in consideration the Sub-Committee may decide to proceed with the Hearing or adjourn to later that same day or another time. If a Party is more than 15 minutes late and has not contacted the Authority with details of any delay, the Sub-Committee can decide to proceed with the Hearing or adjourn to later that same day or to another time.
2. If the Hearing is held in a Party's absence, the Sub-Committee will consider the application, representation or notice made by that Party.
3. Under the Licensing Act 2003 (Hearings) Regulations 2005 (Hearing Regulations) an Authority may dispense with a hearing if all persons required by the Act to agree that such a hearing is unnecessary, other than the Authority itself, have done

so by giving notice to the Authority that they consider a hearing to be unnecessary.

Where all the persons required by the Licensing Act 2003 to agree that a hearing is unnecessary have done so in accordance with the Hearing Regulations, the Authority, if it agrees that the hearing is unnecessary, must give notice to the Parties that the hearing has been dispensed with.

4. If it is the case that the Authority does not agree that the hearing should be dispensed with, the application/notice will still be determined by the Sub-Committee in public, unless it is considered to be in the public interest that the determination should be in private, on the basis of advance papers provided, with the Licensing Officer introducing their report and answering any queries the Sub-Committee may have before it makes its' determination.
5. Representations can be withdrawn by prior notice up to 1 day before the Hearing or orally at the Hearing.
6. Hearings shall take place in public, except where, the Authority considers that the public interest in excluding the public from all or part of the Hearing outweighs the public interest in it remaining public. The Authority considers it to be in the public interest to exclude the press and public, including the Parties, when the Sub-Committee is deliberating in order to reach its' decision. Where facilities permit, public hearings will be available to be viewed and participated in online using the Authority's webcast service. Members of the public who wish to record, photograph, film and report on public hearings are asked to advise the Democratic Services Officers before the Hearing so that where possible all necessary practical arrangements can be made.
7. At the Hearing any Party can be assisted or represented by any person whether or not that person is legally qualified.
8. The Hearing will be before a Sub-Committee which will be made up of three Members of the Authority's Licensing and Regulatory Committee who will at the beginning of the Hearing agree and identify which of them is to act as the Chair for the Hearing. Each matter/application will be dealt with individually and the

three Members must be able to participate in relation to each application to be considered at the Hearing and remain until the application/notice is determined.

9. The Chair will address any issues relating to registerable interests under the Authority's Member Code of Conduct at the Hearing after the introductions of persons in attendance have been made.
10. Members of the Sub-Committee must consider beforehand if they need to declare any registerable interest in which case they will not be allowed to attend the Hearing. Members who have a Disclosable Pecuniary Interest will not be able to attend the Hearing either. Members should also consider beforehand if they have or would be considered to have predetermined the matter in which case, they should also distance themselves from determination of the matter and not attend the Hearing.
11. Members of the Sub-Committee will have received advance notice of the Hearing (in accordance with the relevant legislation) in relation to each application/notice to be considered, which will include the Licensing Officer's Report and associated papers and Members will be expected to have read those papers ahead of the Hearing.
12. Account can be taken of documentary or other information produced by a Party in support of their application, representation or notice either 1 working day before the Hearing or, with the consent of all other Parties including the Sub-Committee at the Hearing. In both cases the Party seeking to introduce the information should provide sufficient copies of the same for all relevant Parties including the Sub-Committee Members.
13. Any Party wishing to call another person (other than the person representing them) to make oral representations, must provide details of this to the Authority within the time stated in the Notice of Hearing which the Authority will serve on the Parties. At the beginning of the Hearing the Sub-Committee will consider any such requests and confirm whether permission is granted for that person to speak.
14. The Sub-Committee may disregard any information which is not considered relevant to the application/representation/notice.
15. The purpose of the Hearing is to enable those with a right to appear, to amplify their written application or representation. It is also to assist the Sub-Committee to

gather evidence and understand the relevant issues. The Parties (including other persons on their behalf) will be allowed an equal reasonable period of time to address the Hearing and ask questions. The Chair may set such maximum period of time in the interests of the progress of the Hearing and in the public interest. Where representations made relate to the same or similar issues, a spokesperson should be appointed where possible to speak on behalf of any person who has made a written representation.

16. The Parties can ask questions of each other in accordance with the procedure below. The Chair can stop a Party asking questions if they feel the questions are unnecessary. Parties are expected to treat other Parties with respect and any form of harassment or excessive questioning will not be tolerated. In such cases the Chair will ask the Party to discontinue that type of questioning. The Chair can require any person (including any of the Parties) who is disrupting the proceedings to leave the Hearing.
17. The decision of the Sub-Committee will be made after the close of the Hearing for that matter and confirmed in writing to the Applicant and all Parties who submitted relevant representations, together with details of the right to appeal, within the time limits set out in the legislation and regulations.
18. The date of formal notification for the purpose of any appeal against the Sub-Committee's decision will be the date of the letter or electronic communication from the Authority enclosing the Decision Notice.
19. The Sub-Committee may depart from this procedure (as varied/amended from time to time based on changes to law and practice) if it considers it necessary and/or equitable to do so.

AT THE HEARING

19. The Chair will open the Hearing and introduce the Sub-Committee and Officers. They will then ask each Party to introduce themselves.
20. The Chair will confirm that if a Party is not present their representation/application will be read and taken in to account in reaching the decision.

21. The Chair will address any registerable interest arising under the Code of Conduct.
22. The Chair will consider any submitted requests from a Party for permission for another person to appear at the Hearing. If necessary, the Sub-Committee will retire to deliberate before making a decision.
23. The Chair will confirm that the Hearing will take the form of a round-the-table discussion led by the Sub-Committee in accordance with this procedure. If all Parties present confirm that they have seen and understood the procedure to be followed at the Hearing and agree that they are ready to proceed then the Hearing shall commence.
24. The Chair will remind everyone that the purpose of the Hearing should be borne in mind at all times i.e.

To enable those with a right to appear, to amplify their written application or representation. It is also to assist the Sub-Committee to gather evidence and understand the relevant issues.
25. The Chair will confirm what advance papers have been received and that these have been read.
26. The Chair will make clear that all Parties should only address the Sub-Committee in relation to matters they have raised in their application/representation. Any Party wishing to submit late evidence at the Hearing will only be able to do so with the consent of all Parties present and with the consent of the Sub-Committee.
27. The Chair will confirm whether all Parties have seen and understood the procedure to be followed and are ready to proceed with the Hearing.
28. The Chair will ask the Applicant whether they wish to make any amendments to their application with a view to addressing any issues raised by representations.
29. Order of Oral Presentation
 - (a) The Licensing Officer will present their report outlining the details of the application/notice/representations received.

- (b) Any Party may question the Licensing Officer.
- (c) The Members may question the Licensing Officer.
- (d) Responsible Authorities will present their case and call any witnesses.
- (e) Any Party may question the Responsible Authorities and any witnesses.
- (f) Members may question the Responsible Authorities and any witnesses.
- (g) Other Person(s) will present their case in turn and call any witnesses.
- (h) Any Party may question the Other Person(s).
- (i) Members may question the Other Person(s).
- (j) The Applicant/Licence Holder will present their case and call any witnesses.
- (k) Any Party may question the Applicant/Licence Holder and any witnesses.
- (l) Members may question the Applicant/Licence Holder and any witnesses.

The Chair at their discretion, may change the order of oral presentation at any stage, if it is considered to be beneficial to the flow of the hearing.

- 30. Before moving on to the next Party, the Chair will check there are no further points the current Party wishes to make or any further questions that need to be put to that Party.
- 31. The Licensing Officer may present any further information such as proposed non-mandatory Conditions deriving from the Operating Schedule or suggested by any Party. However, it will remain for the Sub-Committee to determine what conditions will apply, if any, should the application be successful.
- 32. Each Party will be invited to make closing submissions in the following order –
 - a. Responsible Authorities
 - b. Other Persons

- c. The Applicant
- d. Licensing Officer

- 32. The Chair will then close the Hearing and the Sub-Committee will retire to determine the matter. The Legal Advisor will retire with the Sub-Committee to answer any points of law.
- 33. The Sub-Committee will come to a decision which will be sent to the Applicant and all other relevant Parties together with the details of the right to appeal.

NOTE:

In producing this procedure the following has been considered: -

The relevant legislation and statutory guidance together with local policies and procedures.

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Part D – PENSION FUND COMMITTEE (SOMERSET COUNCIL PENSION FUND) TERMS OF REFERENCE

1. General

- 1.1 The Pension Fund Committee is a committee with delegated decision making powers for the Fund in accordance with Section 101 of the Local Government Act 1972.
- 1.2 The terms of reference will be formally approved by the Council as the Administering Authority and by the Committee itself thereafter.
- 1.3 These terms of reference shall be reviewed by the Council on the advice of the Committee and on a regular basis to ensure that they remain fit for purpose and in accordance with any regulations and guidance issued by the Secretary of State. Any revisions will be agreed by the Council and by the Committee.

2. Membership, Chair and Quorum

Number of Members	10 (see details below)
Substitute Members Permitted	No
Political Balance Rules apply	Yes
Appointments/Removals from Office	By resolution of full Council
Restrictions on Membership	None
Restrictions on Chair/Vice- Chair	None
Quorum	3 members (to include either the Chair or Vice-Chair)
Number of ordinary meetings per Council Year	At least 4 per year

- 2.1 The Committee shall consist of 10 members and be constituted as follows:
- (a) Nine employer representatives
- (i) Seven employer representatives will be Somerset councillors who are not a member of the Board or Executive and will be selected by the

Administering Authority having taken account of their relevant experience and their knowledge and understanding of the Local Government Pension Scheme;

- (ii) One employer representative of the Police and Crime Commissioner for Avon & Somerset to be selected by the Police and Crime Commissioner having taken account of their relevant experience and their knowledge and understanding of the Local Government Pension Scheme;
- (iii) one employer representative to be nominated by the remaining employers within the Fund who are not represented by (i) or (ii) above having demonstrated their relevant experience, their capacity to represent other scheme employers and their knowledge and understanding of the LGPS. In the event of there being more than one nomination, the Administering Authority will arrange for a voting process of the qualifying employers.

(b) One scheme member representative:

- (i) To be nominated by the Unions.

2.2 The Chair and Vice Chair will be appointed annually by the Council as Administering Authority.

2.3 Due to the specialist knowledge requirements of Committee members, substitutes to the appointed members of the Committee are not permitted.

2.4 The committee will also be attended by:

- (i) Relevant officers; and
- (ii) a specialist independent adviser. In this respect the term independent means:
 - (i) having no current employment, contractual, financial or other material interest in either Somerset County Council or any scheme employer in the Fund; and
 - (ii) not being a member of the LGPS in the Fund.

The independent advisor will be a remunerated position.

3. Responsibilities of the Chair

3.1 The Chair is responsible for:

- (a) ensuring the Committee delivers its purpose as set out in the Committee's terms of reference;
- (b) the arrangements for meetings of the Committee;
- (c) ensuring that Committee meetings are productive and effective and that opportunity is provided for the views of all Committee members to be expressed and considered; and
- (d) seeking to achieve the consensus of all Committee members on the business presented to the Committee and ensure that decisions are properly put to a vote when that cannot be reached.

4. Definitions

- the Fund - Somerset Council Pension Fund.
- the Committee – The Pension Fund Committee of Somerset Council.
- the Board – The Pension Fund Board of Somerset Council.
- LGPS – The Local Government Pension Scheme

5. Terms of Reference

5.1 The Committee will be provided with full delegated powers to discharge the functions of the Council in its role as the administering authority of the Somerset Council Pension Fund as defined in the LGPS Regulations.

5.2 The Committee's principal duties are:

- (i) Ensure the fund is run in line with all relevant law, statutory guidance and industry codes of best practice.
- (ii) Ensure all contributions due are collected from employers.
- (iii) Ensure that all benefits due are paid correctly and in a timely manner.
- (iv) Decide the aims of the investment policy.
- (v) Make arrangements for managing the fund's investments.
- (vi) Regularly monitor investment performance.
- (vii) Make arrangements to publish the fund's annual report and accounts.
- (viii) Consult stakeholders, and publish the funding strategy statement, statement of investment principles and other policies and documents as necessary.

- (ix) Order actuarial valuations to be carried out in line with the Local Government Pension Scheme Regulations.
- (x) Consider requests from organisations who want to join the fund as admitted bodies and consider any requests to change the terms of an existing admission agreement.
- (xi) Make representations to the Government about any planned changes to the Local Government Pension Scheme and all aspects of managing benefits.
- (xii) Put in place a written Scheme of Delegation to support the discharge of the above duties.

6. Conflicts of interest

- 6.1 All members of the Committee must declare on appointment and at any such time as their circumstances change any potential conflict of interest arising as a result of their position on the Committee.
- 6.2 On appointment to the Committee and following any subsequent declaration of potential conflict the conflict must be managed in line with the, the internal procedures of Somerset Council, the requirements of the Public Service Pensions Act 2013 and the requirements of the Pensions Regulator's codes of practice on conflict of interest for Committee members.
- 6.3 The Council's Monitoring Officer shall include interests registered by all members of the Committee in the published Members' and Co-opted Members' Register of Interests. All such interests are to be registered with the Monitoring Officer within 28 days of appointment to the Committee.

7. Knowledge and understanding including training

- 7.1 All new members must follow an induction training plan and all members of the Committee will be expected to attend the training provided to ensure that they have the requisite knowledge and understanding to fulfil their role.
- 7.2 The Committee has adopted a training policy and all members of the Committee are expected to meet the requirements of that policy.
- 7.3 Failure to attend training or participate in the processes referred to above may lead to removal from the Committee.

8. Term of office and removal from office

- 8.1 The members of the Committee serve for a four year term, subject to the following:
- (a) the representatives of the administering authority shall be appointed annually by the Somerset Council Annual Council Meeting, but with a view to maintaining stability of membership;
 - (b) the representatives of the Police and Crime Commissioner for Avon and Somerset can be replaced by them at their behest, but with a view to maintaining stability of membership;
 - (c) the members' representative may be replaced by the Unions, but with a view to maintaining stability of membership.
- 8.2 Members of the Committee will be expected to attend all meetings and training sessions. This will be recorded and published.
- 8.3 Other than by ceasing to be eligible for appointment to the Committee, Committee members may only be removed from office during their term of appointment by the unanimous agreement of all of the other members of the Committee at a meeting of the Committee where this is specified as an agenda item or with the agreement of the Council at a Full Council meeting.
- 8.4 Arrangements shall be made for the replacement of Committee members in line with the procedures for their original appointment.

9. Meetings

- 9.1 The frequency of meetings is to be determined by the Committee once it has agreed a workplan, with a minimum of four meetings annually. In addition to this, training sessions will be held as necessary to ensure that Committee members have sufficient knowledge and skills to undertake the role.
- 9.2 The Chair of the Committee may call additional meetings with the consent of other members of the Committee. Urgent business of the Committee between meetings may, in exceptional circumstances, be conducted via

communications between members of the Committee including telephone conferencing and emails.

9.3 The Committee will meet at the Council's main offices, or another location to be agreed by the Chair. Meetings will be held during normal working hours at times to be agreed by the Chair.

9.4 As a committee of the Council, the Rules of Procedure in the Council's constitution apply to meetings of the Committee. Committee meetings will be held in open session with closed sessions where appropriate. The agenda papers will be circulated to members of the Committee and published in advance of meeting in line with Council policy. The minutes of meetings will be recorded and published in line with Council policy.

10. Voting rights

11.1 Each of the 10 members of the Committee will have voting rights. In the event of a tied vote the Chair has the option of having a final casting vote.

11. Code of Conduct

12.1 All members of the Committee will be required to formally sign up to comply with the Somerset Council Code of Conduct

12. Allowances and Expenses

13.1 Any councillor of the Council appointed to the Committee will be entitled to receive allowances in accordance with the Council's constitution (Scheme of Members' Allowances).

13.2 Reimbursement of expenses for all members of the Committee will be claimable in line with Somerset Council's agreed expenses rates.

13. Budget

14.1 All costs arising from accommodation and administrative support to conduct its meetings and other business, and the training needs of the Committee will be met by the Fund.

14.2 The Council's Democratic Services will provide the secretariat services to the Committee, the cost of which will be met by the Fund.

14. Accountability and reporting

15.1 The Committee is accountable solely to Somerset Council for the effective operation of its functions.

15.3 The Committee shall report annually to Council on its work.

15. Data protection and Freedom of Information

16.1 For legal purposes the Committee is considered a committee of and part of the administering authority legal entity. Therefore the Committee must comply with the Council's Data Protection and Freedom of Information policies.

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PART D - PENSION FUND BOARD (SOMERSET COUNCIL PENSION FUND) TERMS OF REFERENCE

1. Introduction

- 1.1 The Pension Board is established under Section 5 of the Public Service Pensions Act 2013 and regulation 106 of the Local Government Pension Scheme Regulations 2013 (as amended).
- 1.2 The Board is established by Somerset Council in its capacity as the Administering Authority of the Somerset Council Pension Fund and operates independently of the Pension Fund Committee.
- 1.3 The terms of reference will be formally approved by the Council as the Administering Authority and by the Board itself at its first meeting.
- 1.4 These terms of reference shall be reviewed by the Council on the advice of the Board and on a regular basis to ensure that they remain fit for purpose and in accordance with any regulations and guidance issued by the Secretary of State. Any revisions will be agreed by the Council and by the Board.

2. Membership, Chair and Quorum

Number of Members	6 (see details below)
Substitute Members Permitted	No
Political Balance Rules apply	Yes
Appointments/Removals from Office	By resolution of full Council
Restrictions on Membership	None
Restrictions on Chair/Vice- Chair	None
Quorum	3 members (must include one employer representative and one member representative)
Number of ordinary meetings per Council Year	At least 2 per year

- 2.1 The Board shall consist of 6 members and be constituted as follows:
- (a) Three employer representatives
 - (i) one employer representative will be a Somerset Councillor who is not a member of the Pensions Fund Committee and will be selected by the Administering Authority having taken account of their relevant experience, their capacity to represent other scheme employers and their knowledge and understanding of the Local Government Pension Scheme;
 - (ii) two employer representatives to be nominated by the employers having demonstrated their capacity to represent other scheme employers, their relevant experience and their knowledge and understanding of the LGPS. In the event of there being more than one nomination, the Administering Authority will carry out a selection process.
 - (b) Three scheme member representatives
 - i) two members representatives will be nominated by the recognised trade unions having demonstrated their capacity to represent other scheme employers, their relevant experience and their knowledge and understanding of the LGPS;
 - ii) one members representative will be open to all scheme members. The administering authority shall contact scheme members advising them of the role and seeking nominations and asking them to demonstrate their capacity to represent other scheme members, their relevant experience and their knowledge and understanding of the LGPS. In the event of there being more than one nomination, the Administering Authority will carry out a selection process.
- 2.2 Due to the specialist knowledge requirements of Board members, substitutes to the appointed members of the Board are not permitted.

2.3 If a representative is not offered by any of the groups above the administering authority can allocate the place to another group so long as there remains 3 employer and 3 scheme member representatives.

3. Responsibilities of the Chair

3.1 The Chair is responsible for:

- (a) ensuring the Board delivers its purpose as set out in the Board's terms of reference;
- (b) the arrangements for meetings of the Board;
- (c) ensuring that Board meetings are productive and effective and that opportunity is provided for the views of all Board members to be expressed and considered;
- (d) seeking to achieve the consensus of all Board members on the business presented to the Board and ensure that decisions are properly put to a vote when that cannot be reached.

3.2 The Chair will be appointed annually by Board. The Chair will be rotated around the 6 members of the Board.

4. Definitions

- the Fund - Somerset Council Pension Fund.
- the Board – The Pension Fund Board of Somerset Council.
- the Committee – The Pension Fund Committee of Somerset Council.
- LGPS – The Local Government Pension Scheme

5. Purpose and functions of the Board

5.1 The regulations state that the role of the Board is to assist the Administration Authority to:

- (a) secure compliance with:
 - the LGPS Regulations;

- any other legislation relating to the governance and administration of the LGPS; and
 - the requirements imposed by the Pensions Regulator in relation to the LGPS, and
- (b) ensure the effective and efficient governance and administration of the LGPS.
- 5.2 The Board will assist the Administering Authority by making recommendations about compliance, process and governance. The Board does not have a decision making role with regard to strategy or policy and can only challenge decisions made by the Committee where the Board considers a decision to be in breach of the relevant Regulations (or overriding legislation). The Board's role is to have oversight of the governance process for making decisions and agreeing policy.
- 5.3 In discharging its role, the Board's remit shall cover all aspects of governance and administration of the LGPS, including funding and investments. The Board must have regard to advice issued by the Scheme Advisory Board in accordance with section 7(3) of the Public Service Pensions Act 2013.
- 5.4 The Board will exercise its duties in the following areas:
- (a) monitor compliance with the relevant legislation and Codes of Practice set by The Pensions Regulator;
 - (b) review and ensure compliance of the Fund's:
 - (i) governance compliance statement
 - (ii) funding strategy statement
 - (iii) pension administration strategy statement
 - (iv) discretionary policy statement
 - (v) communications policy statement
 - (vi) statement of investment principles
 - (vii) annual report and accounts
 - (c) review and scrutinise the performance of the investments in relation to its governance and administration, policy objectives and performance targets;
 - (d) review and scrutinise the performance of the administration of members and employers in relation to its governance and administration, policy objectives and performance targets;

- (e) ensure policies and processes are in place so that employers comply with their obligations under the regulations;
- (f) review the processes for setting strategy, policy and decision-making and ensure they are robust;
- (g) agree the annual internal audit plan for the Fund;
- (h) consider the output of any internal audit work carried out on the Fund;
- (i) consider the external audit report on the Fund's Annual Report and Statement of Accounts;
- (j) review the Fund's risk register;
- (k) monitor the Fund's Internal Dispute Resolution Procedures;
- (l) from time to time the administering authority may consult the Board or ask assistance on specific issues.

5.5 Under Regulation 106(8) the Board has the general power to do anything which is calculated to facilitate or is conducive or incidental to, the discharge of its functions.

5.6 The Board must always act within its Terms of Reference.

6. Conflicts of interest

6.1 All members of the Board must declare on appointment and at any such time as their circumstances change any potential conflict of interest arising as a result of their position on the Board.

6.2 On appointment to the Board and following any subsequent declaration of potential conflict the conflict must be managed in line with the Board's policy on conflicts of interest, the internal procedures of Somerset County Council, the requirements of the Public Service Pensions Act 2013 and the requirements of the Pensions Regulator's codes of practice on conflict of interest for Board members.

6.3 The Council's Monitoring Officer shall include interests registered by all members of the Board in the published Members' and Co-opted Members'

Register of Interests. All such interests are to be registered with the Monitoring Officer within 28 days of appointment to the Board.

7. Knowledge and understanding including training

- 7.1 All new members must follow an induction training plan and all members of the Board will be expected to attend the training provided to ensure that they have the requisite knowledge and understanding to fulfil their role.
- 7.2 All members must be prepared to participate in such regular personal training needs analysis or other processes as are put in place to ensure that they maintain the required level of knowledge and understanding to carry out their role.
- 7.3 Failure to attend training or participate in the processes referred to above may lead to removal from the Board.

8. Term of office and removal from office

- 8.1 The members of the Board serve for a four year term, subject to the following:
 - (a) the representatives of the administering authority shall be appointed annually by the Somerset Council Annual Council Meeting, but with a view to maintaining stability of membership;
 - (b) the two union nominated member representatives can be amended at any time by the unions, but with a view to maintaining stability of membership.
- 8.2 Members of the Board will be expected to attend all meetings and training sessions. This will be recorded and published. The membership of any member who fails to attend for two consecutive meetings or two consecutive training events shall be reviewed by the Board and shall be terminated in the absence of mitigating factors
- 8.3 Subject to 8.4 below, a Board member can be removed from the Board in the following circumstances (but not limited to):

- (a) A poor attendance record;
- (b) if a member does not undertake training as requested by the administering authority;
- (c) if a member is In breach of Council's Code of Conduct / Declarations policy;
- (d) if a member has a conflict of interest that cannot be managed in accordance with the Board's conflicts policy;
- (e) if a representative member ceases to represent their constituency e.g. leaves the employer so no longer has the capacity to represent the Fund's employers.

8.4 Other than by ceasing to be eligible for appointment to the Board, Board members may only be removed from office during their term of appointment by the unanimous agreement of all of the other members of the Board at a meeting of the Board where this is specified as an agenda item or with the agreement of the Council at a Full Council meeting.

8.5 Arrangements shall be made for the replacement of Board members in line with the procedures for their original appointment.

9. Meetings

9.1 The frequency of meetings is to be determined by the Board once it has agreed a workplan, with a minimum of two meetings annually. In addition to this, training sessions will be held as necessary to ensure that Board members have sufficient knowledge and skills to undertake the role.

9.2 The Chair of the Board may call additional meetings with the consent of other members of the Board. Urgent business of the Board between meetings may, in exceptional circumstances, be conducted via communications between members of the Board including telephone conferencing and emails.

9.3 The Board will meet at the Council's main offices, or another location to be agreed by the Chair. Meetings will be held during normal working hours at times to be agreed by the Chair.

9.4 As a committee of the Council, the Rules of Procedure in Section 6 of the Council's constitution apply to meetings of the Board. Board meetings will be held in open session with closed sessions where appropriate. The agenda papers will be circulated to members of the Board and published in advance of meeting in line with Council policy. The minutes of meetings will be recorded and published in line with Council policy.

10. Voting rights

11.1 Each of the 6 members of the Board will have voting rights. In the event of a tied vote the Chair has the option of having a final casting vote.

11. Code of Conduct

12.1 All members of the Board will be required to formally sign up to comply with the Somerset Council Code of.

12. Allowances and Expenses

13.1 Any councillor of the Council appointed to the Board will be entitled to receive allowances in accordance with the Council's constitution (Scheme of Members' Allowances).

13.2 Reimbursement of expenses for all members of the Board will be claimable in line with Somerset County Council's agreed expenses rates.

13. Budget

- 14.1 All costs arising from accommodation and administrative support to conduct its meetings and other business, and the training needs of the Board will be met by the Fund.
- 14.2 The Council's Democratic Services will provide the secretariat services to the Board, the cost of which will be met by the Fund.
- 14.3 The Board will have open access to all officers involved in the running of the Fund and any advisors already employed by the Fund (e.g. the Fund's Actuary).
- 14.4 The Board may make requests to the Section 151 Officer to approve any additional expenditure required to fulfil its obligations which will then be charged to the Fund. This would include any officer resources not already employed by the Fund.

14. Accountability and reporting

- 15.1 The Board is accountable solely to the County Council for the effective operation of its functions.
- 15.2 The Board shall report to the Committee as often as the Board deems necessary and at least annually on:
- (a) a summary of the work undertaken;
 - (b) the work plan for the next 12 months;
 - (c) areas raised to the Board to be investigated and how they were dealt with;
 - (d) any risks or other areas of potential concern it wishes to raise;
 - (e) details of training received and planned; and
 - (f) details of any conflicts of interest and how they were dealt with.

- 15.3 The Board shall report annually to Full Council on its work. It will also and as necessary from time to time report to Full Council any breach in compliance, or other significant issue, which has not been resolved to the satisfaction of the Board within a reasonable time of being reported to the Committee.
- 14.4 The Board shall report to the Scheme Advisory Board:
- (a) any areas of persistent non-compliance;
 - (b) any areas of non-compliance with the LGPS Regulations that have been reported to the Committee and full council but persist to be of a material concern.
- 15.5 The Board shall report to the Pensions Regulator all material breaches of the Pensions Regulator regulatory guidance, following notification to full council and the Committee.

15. Data protection and Freedom of Information

- 16.1 For legal purposes the Board is considered a committee of and part of the Administering Authority legal entity. Therefore the Board must comply with the Council's Data Protection and Freedom of Information policies.

Part D - Planning Committee Procedure Rules

Terms of Reference of Planning Committees

1. The Planning Committees

- 1.1 The Full Council will appoint one Strategic Planning Committee and four area-based Planning Committees¹ to exercise functions and responsibilities relating to:

Town and Country Planning and Development Control (excluding the preparation of plans and policies) as specified in Schedule 1 of the Local Authorities Functions and responsibilities (England) 2000 as amended by subsequent regulations.

The functions of the Planning Committees does not include:

- matters reserved to full council
- matters where functions are exercised under delegated powers in the officer scheme of delegation save where an officer declines the delegation and the matter would otherwise fall within the terms of reference of the Planning Committees.

These functions will be exercised over the whole geographical area of the Somerset Council on the basis set out below.

2. The remit of the Strategic Planning Committee

- 2.1 The Strategic Planning Committee has the following additional functions:

1. The determination of applications to modify the definitive map or register a town or village green where the Executive Director (Climate and Place) in consultation with the Chair of the Strategic Planning Committee, consider that that the application should be determined by the Strategic Planning Committee taking into consideration the magnitude, nature, and impact of the decision; and

¹ In law these are Sub-Committees under the provision of Section 101 of the Local Government Act 1972.

requests from applicants for definitive map modification order applications to be taken out of turn from the adopted Statement of Priorities.

2. To achieve nutrient neutral development in the Somerset Levels and Moors catchment area in compliance with the Habitats Regulations, the Strategic Planning Committee will have the following responsibilities:
 - a. To have oversight of the programme and delivery of nutrient mitigation projects to support a series of interim measures to offset additional phosphates resulting from affected new developments within the River catchment areas (i.e., Rivers Tone, Parrett, and Brue) affecting the Somerset Levels and Moors Ramsar site and River Axe Special Area of Conservation.
 - b. To have oversight of the monitoring of the performance of the above interim projects once delivered;
 - c. Noting that there is an operational phosphate credit scheme for the River Tone catchment, agree the rollout of criteria to be used for the allocation of any phosphate credits generated from further Council led interim projects and the creation of a legally robust and transparent process for such allocation (including the terms of any S106 obligations with developers/landowners);
 - d. To receive technical reports and updates on the strategic solution to the nutrient enrichment issue.

Note: for the avoidance of doubt the role of the Strategic Planning Committee does not include the determination of any planning applications that include Phosphate mitigation measures, that would ordinarily fall to one of the area-based Planning Committees.

3. Consideration of quarterly officer reports from area based Committees to monitor decision making and workload levels of the Committee.

3. Delegation to the area-based Planning Committee(s)

3.1 All of the functions set out in Para 1.1 above, will be delegated to the relevant area based (these will be known as North, East, South and West) Planning Committees save for the following:

- Waste and Minerals planning applications where the proposed decision is to overturn the Officer recommendation. Such applications will be automatically referred up to the Strategic Planning Committee who will determine the matter at resolution stage in place of the area-based Planning Committees.
- Waste and Mineral planning applications that are a departure from adopted Waste and minerals development plans and recommended for approval by officers
- Applications and matters which fall within the area covered by more than one of the area-based Committees or cross the boundary of the authority.

4. The Referral Process from the area-based Planning Committee to the Strategic Planning Committee

4.1 The consideration by the Strategic Planning Committee, of matters referred to it from the area-based Committees (set out in Para 3 above), shall be conducted as a rehearing of the original application or matter.

4.2 The Strategic Planning Committee shall affirm, vary or overturn the resolution recommended by the area-based Planning Committee.

4.3 The decision of the Strategic Planning Committee will thereupon stand as the decision of the Council as so affirmed or varied as the case may be.

5. Area-Based Planning Committees

5.1 The Full Council will appoint 4 area-based Planning Committees:

- Planning North (covering the former Sedgemoor District Council area)
- Planning East (covering the former Mendip District Council area),
- Planning South (covering the former South Somerset District Council area)
- Planning West (covering the former Somerset West & Taunton District Council area.)

5.2 The geographical responsibilities as set out in a geographical map of the four area-based Planning Committees is available via the Council's website. The principles of geographical determination are set out below:

6. Principles of geographical location

- 6.1 The exercise of the functions and responsibilities by individual area-based Planning Committees are subject to the following geographical condition:
- 6.2 The applications or matters referred to the area-based Planning Committees for determination relates to application sites and functions that arise within the divisions within the former District Council geographical areas.

Procedures

The procedures at the Strategic Planning Committee meetings and area-based Planning Committee meetings will be as follows.

7. Membership and Meeting arrangements

- 7.1 The Strategic Planning Committee will be comprised of 13 members.
- 7.2 The four area-based Planning Committees will be comprised of 13 members (or as otherwise detailed in the area-based Planning Committee Terms of Reference.
- 7.3 The membership of the Strategic Planning Committee shall be drawn from across the

local government area and will be politically balanced. The membership for the area-based Planning Committees will be drawn from the area which that area-based Planning Committee covers, where possible. All these committees shall be politically balanced in compliance with the statutory scheme in the Local Government and Housing Act 1989 and any subsequent legislation.

7.4 The relevant Planning Committees will meet at times and places appointed and published in accordance with the requirements of the Access to Information Rules. The maximum length of a Committee meeting will be up to 4 hours duration (excluding any comfort breaks). All meetings will be webcast and employ the use of hybrid participation technology, but committee members and lead officers must be present in the room.

Number of members of Strategic Planning Committee and area based Planning Committees	13
Substitute Members Permitted	Yes. As far as possible from the same geographical area subject to the political balance rules.
Political Balance Rules apply	Yes
Appointments/Removals from Committee	By resolution of Full Council, Political balance review or notification by Political Group Leader.
Restrictions on Membership	Lead Executive Members are not barred from membership of the Planning Committees, but membership should generally be avoided due to bias or predetermination issues. Chair/Vice-Chair of Strategic Planning Committee may not sit on any area-based Planning

	<p>Committee.</p> <p>The undertaking of such training as determined by the Executive Director (Climate & Place) on planning and other functions falling within the remit of the area-based Planning Committees and Strategic Planning Committee, probity in decision making, is a pre-requisite to membership of, and substitutes for this Committee</p>
Restrictions on Chair/Vice Chair	As above
Quorum	5
Number of ordinary meetings per Council year	At least 2 per year for each committee

Substitution and Membership

- 7.5 Executive Lead Members are not barred from membership of the Planning Committees but membership should generally be avoided due to potential bias or predetermination issues. Associate Lead Members may be members of the Planning Committee(s). Neither Executive Lead Members nor Associate Lead Members may be Chair or Vice-Chair of the Planning Committee(s).
- 7.6 Chair/Vice-Chair of the Strategic Planning Committee may not sit on any of the area-based Planning Committees. Ordinary members of either Committees can sit on Strategic and area-based Planning Committees.
- 7.7 Substitutes may attend meetings in that capacity only to take the place of the member for whom they are the designated substitute where the ordinary member will be absent for the whole of the meeting and where the member has notified the

Democratic Services Manager or the Monitoring Officer of the intended substitution by no later than 24 hours before the start of the relevant meeting, or in exceptional circumstances and with the consent of the Chair, no later than one hour before the start of the relevant meeting.

Chair Responsibilities

7.8 The Chair will preside over meetings of the Planning Committee and, where the Chair is absent for the whole or part of the meeting, the Vice-Chair will preside over the meeting or that part of it. In the absence of both the appointed Chair and Vice-Chair for either the whole of or part of a meeting, the Planning Committee will appoint from those Councillors then present a person to act as Chair for the duration of that meeting or part of it. (All references to 'Chair' in these rules will be read as referring to the person acting as Chair at the relevant meeting or part of it).

7.9 The Chair of the Planning Committee meeting will be responsible for:

- a. calling items for consideration as they appear on the Agenda,
- b. calling and allowing persons to speak at the Planning Committee meeting,
- c. maintaining good order at the Planning Committee meeting. For this purpose, the Chair has the right to curtail any speaker (including a member of the Committee), or to suspend the Planning Committee meeting, in cases of disorder, until good order has been restored.

7.10 In all matters of procedure and interpretation of these rules, the Chair's decision will be final.

7.11 Decisions of the area-based Planning Committees and Strategic Planning Committee are not subject to scrutiny arrangements/call in.

7.12 The order of business for each meeting of the Planning Committees:

- a. Opening matters;

- b. Apologies for absence;
- c. Substitutes
- d. Minutes of the previous meeting;
- e. Declarations of interest;
- f. Planning Applications
 - i) The Chair will announce the agenda item number.
 - ii) The Planning Officer will introduce the application with any relevant updates and provide a visual presentation to aid members' understanding of the context of the application.
 - iii) The Chair will call on public speakers to present in accordance with the Public Speaking Arrangements.
 - iv) The Chair will then ask members/officers if they have any points of clarification on points raised by public speakers.
 - v) The Chair will then ask members if they have technical questions of officers.
 - vi) The entire committee will then discuss/debate the application.
 - vii) Members may seek further clarification of:
 - A) particular points from officers, regarding the application, or
 - B) on points raised by speakers, in the main debate, through the Chair.
 Officers will respond to issues and questions raised by members.
 - viii) The Committee will then make a decision by vote.
- g. Other matters requiring consideration by the committee

7.13 Where there is no provision made in these Planning Committee Procedure Rules the requirements of the Committee Procedure Rules will be followed at the discretion of the Chair.

Minutes

7.14 Minutes will contain all motions and amendments in the form and order they were put.

Approval of Minutes

7.15 At every meeting of the Planning Committee(s) the Chair will move that the minutes

of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

Declarations of Interests

7.16 Declarations will be made in accordance with the Code of Conduct. These declarations will be made at the outset of the meeting under the item listed as 'declarations of interests' on that Planning Committee's agenda or as soon as the interest comes to light.

Public Speaking Arrangements

7.17 If matters are referred to Committee the following will be invited to speak in order at the Planning Committee meeting at which a matter is considered:

- a. Members of the public, or their representatives, who have previously made written representations objecting to or in support of the application;
- b. Parish, Town or City Councils who have previously made written representations objecting to or in support of the application;
- c. Members of the Council who are not members of the Planning Committee;
and
- d. The applicant or agent.

7.18 Anyone wishing to speak at Planning Committee as above on a Planning Application must register their request with Democratic Services by twelve noon one working day in advance of the relevant Committee meeting. Requests will normally be dealt with on a first come first served basis. Details on how to register will be provided in the invitation to speak.

7.19 The circulation of documentation including photographs or presentation materials will be permitted if submitted to the Planning Service and Democratic Services two working days prior to the Planning Committee meeting. Circulation of such documentation provided less than two working days prior to the Planning

Committee(s) will generally not be permissible.

7.20 Anyone wishing to raise a question(s) at Public Participation at Planning Committee must register such question(s) two working days in advance in writing, (refer to Council Procedure Rules Para X) with Democratic Services. Details on how to register will be provided in the invitation to speak. The circulation of documentation including photographs or presentation materials will not be permitted at the Planning Committee meeting.

7.21 The order of speaking and time limits for Planning Committee meetings for each application will be as follows:

Members of the Public or their representatives objecting	Members of the Public or their representatives in support of the application	Parish/Town/City Council(s)	Members of the Council (non planning committee members)	Applicant or Agent
15 mins shared between maximum 5 speakers of 3 mins each	15 mins shared between maximum 5 speakers of 3 mins each	3 minutes each	3 minutes each	3 minutes

7.22 Where speaking times are shared, there is an overall time limit of fifteen minutes in total, with no one person being allowed to speak for more than three minutes.

Speakers in the above categories will be encouraged to coordinate with each other so that repetition can be avoided. Should there be more than three speakers in each category, the time will be divided between them. Should it not be practical for all those wishing to speak to do so and should the speakers within a category not be able to agree on suitable representatives between them, speaking slots shall be allocated in the order that they registered to speak.

7.23 At the Chair's discretion in consultation with the legal advisor the time allowed may be increased. A speaker may nominate a single spokesperson to speak on their behalf.

Voting

7.24 When a Planning Committee is considering any item, a member of the Committee must be present throughout the entire presentation and subsequent debate on the item, in order to vote on that item.

7.25 All members of the Committee will have one vote. The Chair will have a second or casting vote in the event of the votes cast being tied. Matters subject to a vote will be decided by a simple majority of the votes cast.

7.26 Voting will be either for the recommendation as it appears in the written report, including any update report, (or as amended by the Case Officer verbally at the meeting) or subject to a. and b. below for the amendment to the recommendation (as proposed by a member of the Committee) or an alternative proposal. Where there is more than one amendment proposed, they will be voted on in the order in which they are proposed.

- a. Before voting on a resolution, the effect of which is to refuse permission contrary to the officer recommendation, the Committee must identify the planning reasons behind the decision before the vote is taken, which may need to be justified in the event of an appeal or other challenge.
- b. Before voting on a resolution, the effect of which is to grant planning permission contrary to the officer recommendation, the Committee must approve relevant conditions and reasons for the departure from the officer recommendation. The detailed compilation and attachment of relevant conditions and reasons can be delegated to Officers.
- c. Once the Committee has before it the full resolution and the reasons for such, the Chair can invite planning and legal officers to advise on the clarity and validity of the reasons, including any associated risks. If there is any concern about the reasons, the Committee may consider deferring the item to another meeting for the reasons to be tested and discussed at the next convened meeting.

7.27 Any Councillor of the Committee may request that their name be recorded in the Minutes of the meeting recording the way they have voted in respect of any item.

7.28 Where there is ambiguity in the way votes are cast, the Chair may request Committee members to confirm their votes before the Committee's decision is recorded.

Site Visits

7.29 Officers may organise a pre-Committee site visit where they feel it would be a valuable part of the planning process. However, they can cause additional costs and should only be used where the expected benefit is substantial. A decision to carry out a pre-Committee site inspection should normally only take place:

- a) If the impact of the proposed development is particularly difficult to visualise from the plans and any supporting material; or
- b) There is considerable local concern about a proposal, allied to planning reasons for carrying out the visit (e.g. the physical relationship of the site to other sites in the neighbourhood).

7.30 When site inspections take place, careful arrangements must be made to ensure that all parties are treated fairly and equitably, and that the appropriate standards of propriety are seen to be upheld, particularly to avoid the visit being seen as part of a lobbying process. Accordingly, the following rules will apply:

- a) The visit will be led by an Officer of the Planning Service.
- b) Members should not seek to have discussions either with the applicant or with members of the public who may be present. The public should not be invited and have no right to enter a site without the consent of the occupier. However, attendance does occur from time to time and requires careful handling to ensure confidence in subsequent decision making.
- c) If discussions do take place, no view on the merits or otherwise of the proposal should be given, as to do so may lead to suspicion that the individual Member had already made up his or her mind. Members should keep together, avoiding side discussions.

- d) Members should not engage individually in discussions with the applicant, Agent, objectors, third parties or members of the public who may be present as again suspicion may arise that this is part of the lobbying process rather than the information- gathering process.
- e) No hospitality should be accepted at site visits,
- f) Members may, at the site visit, ask officers questions or seek clarification on matters relevant to the site inspection.
- g) A site visit is not a formal meeting of the Planning Committee and therefore a Member with a Disclosable Pecuniary Interest is not debarred from attending. However, such a member must take care to ensure that; i) nothing they do at the site visit breaches the Members Code of Conduct and ii) they do not imply that they will be part of the decision making process at the Planning Committee.

Site Inspections by Individual Members

7.31 Members are able to look at an application site following the receipt of the agenda and prior to the date of the Planning Committee meeting. This will enable them to acquaint themselves with the nature of the proposal and will help avoid delay and unnecessary site visits. However, Members should only conduct such site inspections from a public vantage point and should not meet with or discuss the application with any applicant/agent or third party on site.

Other Matters

7.32 The undertaking of such training as determined by the Executive Director (Climate & Place) on planning and other functions falling within the remit of the area-based

Planning Committees and Strategic Planning Committee, including probity in decision making, is a pre-requisite to membership of, and substitutes for this Committee.

7.33 From time to time the Planning Committee(s) may consider reports on other items falling within the Committees terms of reference, such as performance reports, appeals, or proposed changes to national or regional planning policy.

7.34 In those circumstances the procedure to be followed will be as described for public items above except that, there being no Planning Application for the Committee to determine, there will be a provision for public questions before the Committee and before the Committee proceeds to substantive business.

8. Delegation of functions

8.1 The majority of the Committees functions will be performed by Officers as set out in Part I of the Constitution. These delegations are subject to:

- a) Any such delegation being consistent with the Development Plan, National Planning Policy Framework and any other applicable legislation and government guidance; and
- b) Statutory and customary consultation being carried out.

Where Planning functions are delegated to an officer of the Local Authority, the officer may decline such delegation and refer the application to Committee.

Exceptions to delegated powers

8.2 The following decisions are not within the scope of the powers delegated by this Scheme and shall be taken by the relevant Planning Committee. Where:

- i. The applicant is a Member of the Council or a direct relative of a Member of the Council
- ii. The applicant is one of the Council Officers listed below:
 - Senior Officers of the Council's Senior Management Team;

- Where the applicant is, or is directly related to, a member of staff in the Planning Service;
 - Any other employee who has direct involvement with the planning process in the course of their duties.
- iii Matters which the relevant Executive Director (Climate & Place) considers to be controversial due to their size, nature or impact, or for any other reason.
 - iv. Council's own development (excluding minor alterations² to Council owned assets)
 - v. Where the proposal is a departure from the development plan and the Officer recommendation is to approve (excluding S.73 applications)

Applications delegated to Officers

8.3 Subject to the exceptions to delegated powers above the following matters are delegated to Officers and are exempt from the referral process:

- Certificates of Lawfulness Existing or Proposed
- Prior Approval/Prior Notification – all types
- Approval of details reserved by condition / discharge of Development Consent Order (DCO) requirements.
- Hazardous substance consents
- Any applications for works to trees, hedgerow removal or high hedges
- Permission in Principle (PIP)

Referral Process to relevant Planning Committee

² Minor alterations shall mean any development that is not defined as Major development (see footnote 2) for example:

- a) Less than 10 dwellings
- b) Less 1,000sqm of new office, retail, manufacturing or other floorspace

8.4 The relevant Divisional Member(s) and Parish/Town/City Council will be notified of the following applications. They will be able to request that these applications are referred to the relevant Planning Committee:

- Planning permission (outline and full)
- Advertisement consent
- Listed building consent
- Application for planning permission for relevant demolition in a conservation area
- Reserved matters approval following outline permission
- Variation/removal of conditions – Section 73 applications

8.5 Divisional Members will also be notified of applications for Permission in Principle but the decision would be delegated to Officers meaning they would not be referred to the relevant Planning Committee.

8.6 Divisional Member referral (within 21 days of original notification):

- a. Within 21 days of being notified of a Planning Application, a Somerset Council member can request referral of the application to the relevant Planning Committee by notifying the Planning Service, in writing, stating whether they support or object, with material planning reasons;
- b. If the Officer recommendation is ultimately in agreement with the Member, the decision will be delegated to Officers.
- c. If the Officer recommendation is ultimately not in agreement with the Member view AND the application is classified as a major application³ it will

³ “major development” means development involving any one or more of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where —
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i) above

- automatically be referred to the area-based Planning Committee for a decision.
- d. For all other applications, if the Officer recommendation is ultimately not in agreement with the Member view the Strategic Director (Climate and Place) (in accordance with the delegation scheme) will refer the application to the Chair and/or Vice-Chair of the relevant area-based Planning Committee. The Chair and/or Vice Chair, in consultation (where possible) with the Divisional Members, will determine whether the application should be referred to the area-based Planning Committee for a decision, or whether the exercise of delegated powers is appropriate, providing material planning reasons for this decision.
 - e. On referral to Chair and/or Vice Chair, the Divisional Members will receive a copy of the officer report and will be advised of the decision on whether it stands referred after.

8.7 Divisional Member referral (post 21 days):

- a. As a direct result of substantial changes and re-notification of an application to a Member, a Somerset Council Member will be given a further 14 days, from the date of re-notification, to request that the application is referred to the relevant Planning Committee by notifying the Planning Service in writing stating whether they support or object, with material planning reasons.
- b. If the Officer recommendation is ultimately in agreement with the Member, the decision will be delegated to Officers.
- c. If the Officer recommendation is ultimately not in agreement with the Member view AND the application is classified as a major application⁴ it will

(d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or

(e) development carried out on a site having an area of 1 hectare or more;

⁴ "major development" means development involving any one or more of the following—

(a) the winning and working of minerals or the use of land for mineral-working deposits;

(b) waste development;

(c) the provision of dwellinghouses where —

(i) the number of dwellinghouses to be provided is 10 or more; or

(ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i) above

(d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or

- automatically be referred to the area-based Planning Committee for a decision.
- d. For all other applications, if the Officer recommendation is not in agreement with the Member view, the Executive Director (Climate and Place) will refer the application to the Chair and/or Vice-Chair of the relevant area-based Planning Committee. The Chair and/or Vice Chair, in consultation (where possible) with the Divisional Members will determine whether the application should be referred to the area-based Planning Committee for a decision, or whether the exercise of delegated powers is appropriate, providing material planning reasons for this decision.
 - e. On referral to Chair and/or Vice Chair, the Divisional Members will receive a copy of the officer report and will be advised of the decision as to whether it stands referred after.

8.8 Referral by Parish, Town and City Councils

- a. Within 21 days of being notified of a Planning Application, a Parish, Town or City Council must notify the Planning Service in writing, that:
 - i They wish to refer the Planning Application to the relevant Planning Committee by either supporting or objecting to the application and;
 - ii Provide material planning reasons for the referral
- b. If the Officer recommendation is ultimately in agreement with the Parish, Town or City Council's view, the decision will be delegated to Officers.
- c. If the Officer recommendation is ultimately not in agreement with the Parish, Town or City Council view AND the application is classified as a major application⁵ it will automatically be referred to the area-based Planning

(e) development carried out on a site having an area of 1 hectare or more;

“major development” means development involving any one or more of the following—

(a) the winning and working of minerals or the use of land for mineral-working deposits;

(b) waste development;

(c) the provision of dwellinghouses where —

(i) the number of dwellinghouses to be provided is 10 or more; or

(ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i) above

Committee.

- d. For all other applications, if the Officer recommendation is ultimately not in agreement with the Parish, Town or City Council view then the Strategic Director (Climate and Place) will refer the application to the Chair and/or Vice-Chair of the area-based Planning Committee. The Chair and/or Vice Chair, in consultation (where possible) with the Divisional Members, will determine whether the application should be referred to the area-based Planning Committee for a decision, or whether the exercise of delegated powers is appropriate, providing material planning reasons for this decision.
- e. A Parish, Town or City Council may request an extension of the time limit in which they must notify the Planning Service that they wish to refer a Planning Application in order to allow for consideration at the next meeting of the Parish, Town or City Council (or its Planning Committee). Such a request shall be granted where possible.
- f. On referral to Chair and/or Vice Chair, the Divisional Member will receive a copy of the officer report and will be advised of the decision as to whether it stands referred.

8.9 Referral by Parish, Town and City Councils (post 21 days):

- a. As a direct result of substantial changes and re-notification of an application, the Parish, Town or City Council will be given a further 14 days, from the date of re-notification, to request that the application is referred to the relevant Planning Committee by notifying the Planning Service in writing stating whether they support or object, with material planning reasons.
- b. If the Officer recommendation is ultimately in agreement with the Parish, Town or City Council view, the decision will be delegated to Officers.
- c. If the Officer recommendation is ultimately not in agreement with the Parish, Town or City Council view AND the application is classified as a major application⁶ it will automatically be referred to the area-based Planning

(d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or

(e) development carried out on a site having an area of 1 hectare or more;

⁶ "major development" means development involving any one or more of the following—

(a) the winning and working of minerals or the use of land for mineral-working deposits;

(b) waste development;

Committee for a decision.

- d. For all other applications, if the Officer recommendation is not in agreement with the Parish, Town or Council view, the Executive Director (Climate and Place) will refer the application to the Chair and/or Vice-Chair of the relevant area-based Planning Committee. The Chair and/or Vice Chair, in consultation (where possible) with the Divisional Members will determine whether the application should be referred to the area-based Planning Committee for a decision, or whether the exercise of delegated powers is appropriate, providing material planning reasons for this decision.
- e. A Parish, Town or City Council may request an extension of the time limit in which they must notify the Planning Service that they wish to refer a Planning Application in order to allow for consideration at the next meeting of the Parish, Town or City Council (or it's Planning Committee). Such a request shall be granted where possible.
- f. On referral to Chair and/or Vice Chair, the Divisional Members will receive a copy of the officer report and will be advised of the decision as to whether it stands referred after.

(c) the provision of dwellinghouses where —

(i) the number of dwellinghouses to be provided is 10 or more; or

(ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i) above

(d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or

(e) development carried out on a site having an area of 1 hectare or more;

PART D - Standards Committee Terms of Reference

1. General

- 1.1 The Standards Committee is responsible for promoting and enforcing high standards of conduct by Members and co-opted Members and assisting Members and co-opted Members to observe the Council's code of conduct. The committee will have the roles and responsibilities set out in the Terms of Reference below.
- 1.2 The terms of reference will be formally approved by the Council.
- 1.3 These terms of reference shall be reviewed by the Council on the advice of the Committee and on a regular basis to ensure that they remain fit for purpose and in accordance with any relevant regulations and guidance. Any revisions will be agreed by the Council and by the Committee.

2. Membership, Chair and Quorum

Number of Members	10 (including 5 co-opted community representatives without voting rights)
Substitute Members Permitted	Yes
Political Balance Rules apply	Yes
Appointments/Removals from Office	By resolution of the Council
Restrictions on Membership	May not include members of the Executive
Restrictions on Chair/Vice-Chair	The Committee must be chaired by a Member of the Council
Quorum	3 members who are Members of the Council
Number of ordinary meetings per Council Year	At least 2 per year
Standing Sub-Committees	Hearings Panel

3. Definitions

- 3.1 The following terms:

4. Terms of Reference

- 3.1 The Standards Committee will have the following functions:
- (i) to promote and maintain high standards of conduct by Members, co-opted Members and Officers;

- (ii) to supervise the Council's compliance with legislative requirements in relation to the maintenance of standards of Member conduct;
- (iii) to assist Members and co-opted Members to observe the Members' Code of Conduct;
- (iv) to support the Monitoring Officer in discharging their role in respect of standards of conduct and behaviour;
- (v) to receive reports and advice as required from the Monitoring Officer and any Independent Persons appointed by the Council under section 28 of the Localism Act 2011;
- (vi) to review the operation and effectiveness of the Members' Code of Conduct and recommend any changes considered necessary to the Council for approval;
- (vii) to appoint, as required, from among its membership, a Hearing Sub-Committee to determine allegations of misconduct referred to the Committee by the Monitoring Officer;
- (viii) to keep under review the operation and effectiveness of the Standards Hearing Sub Committee arrangements and to recommend any changes considered necessary to the Council for approval;
- (ix) to review the Monitoring Officer's arrangements for the investigation of allegations of breaches of the Council's Code of Conduct by Members and co-opted Members and to make recommendations for appropriate changes to the Monitoring Officer;
- (x) to make recommendations to Council with regard to the appointment of Independent Persons;
- (xi) to advise (including advising city, town or parish councils in Somerset in respect of members of their councils) on the induction and training of Members and co-opted Members on standards of conduct;

- (xii) to review the operation and effectiveness of the Council's Officer Code of Conduct and make recommendations on proposed changes to the Council;
- (xiii) to determine, subject to the applicable law, the requirements for the registration of Members' and co-opted Members' interests;
- (xiv) to review the Monitoring Officer's maintenance of the Members' and officers' registers of interests and gifts / hospitality;
- (xv) to grant dispensations to Members and co-opted Members from requirements relating to interests as set out in the Member Code of Conduct, and where appropriate, the Planning Protocol. This function has also been delegated to the Monitoring Officer in relation to all grounds of dispensation with a power to refer back to the Standards Committee;
- (xvi) In accordance with the Council's Arrangements for Dealing with Standards Complaints, to assess and / or refer for investigation allegations of misconduct on the part of councillors and co-opted members of the Council, or city, town or parish councillors if requested by the Monitoring Officer;
- (xvii) to make an annual report to the Council on the performance of the Committee's functions.

4. Membership

4.1 The Committee comprises 10 Members as follows:

- (i) 5 Members Somerset Council; and
- (ii) up to 5 co-opted community representatives appointed by Somerset Council as non-voting members of which at least 3 should be members of city, town or parish councils in Somerset.

5. Committee Business

5.4 The following may put items on the Committee's agenda:

- (i) the Committee itself;
- (ii) the Council;
- (iii) the Leader;
- (iv) the Chair of any Council Committee;
- (v) a member of the Committee, including a co-opted member
- (vi) the Chief Executive;
- (vii) the Monitoring Officer;
- (viii) the Chief Finance Officer / Section 151 Officer.

PART D – Standards Hearings Sub-Committee Arrangements

1. General

- 1.1 The Standards Hearing Sub-Committee deals with the assessment and determination of complaints under the Members' Code of Conduct against Members and Co-opted Members where referred by the Monitoring Officer following consultation with the Council's Independent Person. Where an investigation finds evidence of a failure to comply with the Code of Conduct and a local resolution is not appropriate or not possible, a Standards Hearing Sub-Committee shall be convened by the Chair of the Standards Committee (or, where they are the subject of the complaint, the deputy Chair) on the request and advice of the Monitoring Officer to consider and determine the complaint.
- 1.2 The Standards Hearing Sub-Committee will have authority to determine the complaint referred to it and apply sanctions under the Council's procedure.
- 1.3 Given the wider provisions in place for determining complaints against members, it is expected that these arrangements will only be required to be used in exceptional circumstances where the alleged breach of the Code of Conduct is particularly serious and a satisfactory outcome has not been achieved through the other stages of the process.
- 1.4 The terms of reference will be formally approved by the Council.
- 1.5 These terms of reference shall be reviewed by the Standards Committee at least annually to ensure that they remain fit for purpose and in accordance with the law and any regulations. Any revisions will be agreed by the Council.

2. Membership, Chair and Quorum

Number of Members	3
Substitute Members Permitted	No
Political Balance Rules apply	No
Appointments/Removals from Office	As set out in para 4 below
Restrictions on Membership	As set out in para 4 below
Restrictions on Chair/Vice-Chair	Only the Chair or (in their absence) the Vice Chair of the Standards Committee may chair the Hearing Panel
Quorum	3
Number of ordinary meetings per Council Year	None – the Standards Hearing Sub-Committee only meets when convened to hear specific complaints by the Monitoring Officer

3. Terms of Reference

3.1 The Standards Hearing Sub-Committee will:

- (i) hear and determine complaints in relation to serious allegations of breaches of the Council's Code of Conduct by Members and co-opted Members as referred to it by the Monitoring Officer;
- (ii) where it has determined in a case referred to it by the Monitoring Officer that a Member has breached the Council's Code of Conduct for Members decide on an appropriate sanction from among those detailed in paragraph 5 below;
- (iii) on the advice of the Monitoring Officer, adopt a procedure for hearings which:
 - complies with the rules on access to information set out in the Local Government (Access to Information) Act 1985 (as amended, updated or replaced);
 - upholds the principles of natural justice and the right to a fair trial;
 - has regard to any advice and guidance on the conduct of hearings into member conduct issued by the Local Government Association from time to time;

- is appropriate and proportionate taking into account the nature and complexity of the allegations concerned.

4. Membership

4.1 The Standards Hearing Sub-Committee comprises 3 Members.

4.2 Subject to paragraph 4.3, the Members of the Standards Hearing Sub-Committee will be:

- (i) The Chair or (in their absence or disqualification under paragraph 4.3) the Vice Chair of the Standards Committee; and
- (ii) 2 other Members of the Standards Committee nominated by the Chair (or in their absence or disqualification under paragraph 4.3) the Vice Chair of the Standards Committee.

4.3 No Member who is the subject of a complaint to be determined by the Standards Hearing Sub-Committee may:

- (i) act as a member of the Standards Hearing Sub-Committee for the hearing; or
- (ii) nominate a representative to be a member of the Standards Hearing Sub-Committee.

5. Sanctions

5.1 Where the Standards Hearing Sub-Committee has determined in a case referred to it by the Monitoring Officer that a Member has breached the Council's Code of Conduct for Members (or that a member of a city, town or parish council has breached their city, town or parish council's code of conduct for members) it may make a report to the Council (or, where appropriate, the city, town or parish council) for information and may further impose, or recommend that the Council (or the city, town or parish council where appropriate) imposes, any of the following sanctions which the Standards Hearing Sub-Committee determines to be appropriate having regard to its findings:

- (i) a recommendation to the Council (or, where appropriate, the city, town or parish council) that it should make a motion of censure in relation to the Member's conduct;
- (ii) a recommendation;
 - in the case of the Council, to the leader of the Member's political group (where the Member is a member of a political group, and otherwise to the Council) that the Member is removed; or
 - in the case of a member of a city, town or parish council, to the city, town or parish council, that the member is removed;
 from any or all Committees or Sub-Committees of the Council of which they are a member;
- (iii) a recommendation:
 - in the case of an Executive Member, to the Leader of the Council that the Member is removed from the Executive, or removed from particular Executive responsibilities;
 - in the case of the Leader of the Council, to the Council that the Member be removed from their role as Leader of the Council;
- (iv) an instruction to the Monitoring Officer to arrange training for the Member which is appropriate to the Member's conduct (or where appropriate, a recommendation to the city, town or parish council that such training should be arranged);
- (v) the removal of the Member from all outside appointments to which he/she has been appointed or nominated by the Council (or where appropriate, a recommendation to the city, town or parish council that such action should be taken);
- (vi) the withdrawal for a specified period of facilities provided to the Member by the Council, such as a computer, website and/or email and internet access (or where appropriate, a recommendation to the city, town or parish council that such action should be taken);

- (vii) the exclusion for a specified period of the Member from the Council's offices or other premises , with the exception of meeting rooms as necessary for attending Council, Executive, Committee and Sub-Committee meetings (or where appropriate, a recommendation to the city, town or parish council that such action should be taken);
- (viii) if relevant, a recommendation to the secretary or appropriate official of a political group that the Member be removed as group leader or other position of responsibility;
- (ix) A recommendation to the Council (or where appropriate, to the city, town or parish council) that contact between the Member and officers of the Council should be restricted to specified officers only.

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Part E – Executive Arrangements

Section 1 The Role of Executive

Section 2 Executive Arrangements

Section 3 Executive Procedure Rules

Section 4 Executive sub-committees (to be considered by the Executive in March 2023)

Section 5 Local Community Networks

Introduction

The Executive is a group of Councillors made up of the Leader of the Council, who is chosen by the full Council, and up to 9 other Councillors, called Lead Members, who are appointed by the Leader.

Apart from specific functions listed as Council functions in legislation all other responsibilities rest with the Leader and the Executive. These are called "executive functions".

A specific area of responsibility is called a Portfolio and where a Councillor is assigned that area of responsibility that Councillor is also called a Lead Member.

The dates of Executive meetings are set out on the Council's website. Members of the public can attend or watch all Executive meetings in accordance with the Access to Information Procedure Rules at Part B of the Constitution.

This Part E of the Constitution sets out in detail which functions are executive functions, the rules which govern how the Executive makes decisions, and how meetings of the Executive are run.

These rules are written in formal language. If you have specific questions our Democratic Services Team will be happy to help you.

1. The Role of Executive

Functions

- 1.1 The Local Government Act 2000 provides that the functions of a local authority are the responsibility of its Executive (referred to in the Act as the "Executive") except for those which the law requires to be performed by the Council; always provided that such a decision is within the Council's Budget and Policy Framework.
- 1.2 The Local Authorities (Functions and Responsibilities) (England) (Regulations) 2000 is the main piece of legislation governing the functions of a local authority and it lists the different functions which are detailed in the Schedules to the Regulations and can be categorised as:
 - Schedule 1 Functions which must not be the responsibility of the Executive;
 - Schedule 2 Functions which may be the responsibility of the Executive or of the Council - these are known as "local choice" functions:
 - Schedule 3 Functions which may not be the sole responsibility of the Executive;
 - Schedule 4 Circumstances in which functions which would normally be the responsibility of the Executive, are not to be the responsibility of the Executive.
- 1.3 As such, the Council has the discretion to decide which of the functions that fall into Schedule 2 will be the responsibility of the Council (Council Functions) and which will be the responsibility of the Executive (Executive Functions). The Council decides which of the local choice functions will be Council Functions and which of the local choice functions will be Executive Functions.
- 1.4 There are some other pieces of legislation which provide that certain matters must be dealt with by the full Council. These include:
 - (a) setting the Annual Budget and Council Precept;

- (b) agreeing the Council Plan;
- (c) approving the Council's Pay Policy Statement;
- (d) approving the Council's Investment Strategy.

Executive Functions

1.5 Except those Council functions listed at in Schedule 1 of the Regulations referred to in paragraph 1.2 above, the Council has decided that all other functions, including local choice functions, are to be executive functions.

1.6 Responsibility for executive functions rests with the Leader who will decide which functions they will perform personally, and which will be delegated to the Executive as a whole; to an Executive Sub-Committee; individual Lead Members or to Officers.

The Leader has retained the following responsibilities:-

- (a) To refer to Council for approval any proposed executive decision which is outside of the Council's Policy Framework or Budget, or the virement limits set by the Council.
- (b) To exercise any delegated executive decision-making responsibility including where a Lead Member wants to take a decision against officer advice, or where there is uncertainty as to who may take a decision.
- (c) In addition to any specific delegations to Lead Members and Senior Leadership Team Officers, to acquire land by agreement or, failing agreement, by compulsory purchase and to dispose of County Council land – see property purchase provisions 1 to 3 below.
- (d) To appoint any individual to an outside body or partnership or joint committee of two or more authorities where the appointments relate to executive functions.

(e) *The determination of an appeal against any decision made by or on behalf of the authority in respect of Early Years Providers. (Local choice function)*

(f) *The appointment of any individual :*

(i) *to any office other than an office in which they is employed by the authority;*

(ii) *to any body other than:*

- *the authority*
- *a Joint Committee of two or more authorities; or*
- *any Committee or Sub-Committee of such a body, and the revocation of any such appointment*

(‘Local choice’ function for appointments falling under the responsibility of the Leader)

Property Purchase Provision 1 - The Leader can only acquire land after having first considered the Chief Finance Officer’s advice and recommendations on the value and for a sum no greater than the maximum (if any) recommended by the Chief Finance Officer.

Property Purchase Provision 2 - When acquiring land or disposing of land, the Leader will comply with the relevant general procedures laid down by the Council including for dealing with capital payments or capital receipts.

Property Purchase Provision 3 - The Leader shall not re-delegate their power to acquire land, except:-

- (a) where statute permits;
- (b) where the powers concern the compulsory acquisition of land or the acceptance of gifts of land for the creation or improvement of an existing County road - these powers can be delegated to a Sub-Committee comprising the Leader, Deputy Leader and one other Member of the Executive.

The Executive:

- (a) Makes recommendations to Council on the Policy Framework, except where the statutory responsibility for the submission of such recommendations rests with another body;

- (b) Recommends the Annual Budget and Precept to Full Council for approval;
- (c) Advises the Council on the economy, efficiency and effectiveness of its activities and the need for new services and the necessity of existing ones;
- (d) Advises the Council on the overall organisation, co-ordination and management of the Council;
- (e) Advises the Council on its policy and response to international, national and regional initiatives;
- (f) Has responsibility for the overall allocation and control of the financial, staff and land resources of the Council and acts as the 'corporate client';
- (g) Receives the annual outturn reports;
- (h) Approves the Council's risk management strategy and policy statement;
- (i) Recommends the treasury management policy statement to Full Council for approval, on an annual basis;
- (j) Reviews policy and develops and agrees new policy (aside from policies within the Council's Policy Framework) as required, seeking where appropriate to involve scrutiny in the development of proposals;
- (k) Considers recommendations from Scrutiny Committees.

Functions for Lead Members and Officers are set out below and in the Officer Scheme of Delegation.

- 1.7 A decision on any delegated executive function may be referred to the whole Executive when: -
- 1.7.1 The Leader, an Executive Sub-Committee, Lead Member or Officer believes that due to the contentious or 'political' nature of the matter it should be considered and decided by the whole Executive;
 - 1.7.2 The Lead Member takes a different view of the proposal in question and feels unable to be associated with it; or

1.7.3 The Lead Member or Officer believes that they are conflicted or may be accused of bias.

1.8 Under the provisions of the Localism Act 2011 a Lead Member cannot deal with any matter in which they have a "Disclosable Pecuniary Interest" and must take no action other than referring the matter on; usually via the Council's Monitoring Officer and Leader.

Executive Arrangements

1.9 The following parts of this Constitution should be read in conjunction with the Council's:-

- Executive Procedure Rules
- Access to Information Procedure Rules
- Joint Arrangements
- Scrutiny Arrangements

2. Executive Arrangements

The Role of Executive

2.1 The Executive will carry out all of the executive functions

Form and Composition

2.2 The Executive will consist of the Leader of the Council together with such number of elected Councillors of the Council not exceeding [9] as they may appoint to the Executive.

Leader of the Council

2.3 The Leader will be a Councillor elected by Council for such term, not exceeding the date of the next elections to the Council. The Leader will hold office until:

2.3.1 they resigns from the office; or

- 2.3.2 they die;
- 2.3.3 they are removed from office by resolution of the Council on receipt of a Notice of Motion in accordance with the requirements for Motions as set out in the Council Procedure Rules; or
- 2.3.4 they are removed from office by simple resolution of the Council at the meeting of Council following a change in political control of the Council, as signalled to the Monitoring Officer. A change in political control is a change in the composition of the various political groups such that a different group or combination of groups now comprise a majority of the membership of the Council;
- 2.3.5 they are disqualified from being a Councillor;
- 2.3.6 should a situation arise where the Leader no longer holds office as mentioned above, the Deputy Leader will carry out the role and duties of Leader until such time as the Council elects a councillor to the position of Leader;

Deputy Leader of the Council

- 2.5 The Leader following their election will appoint one of the Members of the Executive as their Deputy.
- 2.6 The Deputy Leader may not vary the arrangements made by the Leader or alter any arrangements made by the Leader under this Constitution for the exercise of executive functions, except for:
 - 2.6.1 changes consequent upon the dismissal of a Leader during the period until the new Leader is elected;
- 2.7 The Deputy Leader shall be appointed by the Leader and shall hold office until:
 - 2.7.1 they resign from office; or

- 2.7.2 until the end of the Leader's term of office and the new Leader has been elected; or
- 2.7.3 they are no longer a Councillor; or
- 2.7.4 they are removed from office by the Leader who must give written notice of any removal to the Chief Executive. The removal will take effect two working days after receipt of the notice by the Chief Executive
- 2.7.5 they are disqualified from being a Councillor;

Other Executive Members

Lead Members

- 2.8 Following their election, the Leader will appoint up to 9 further members of the Executive; one of whom will be the Deputy Leader.
- 2.9. Only councillors of Somerset Council may be appointed to the Executive. There may be no co-optees or substitutes for Lead Members. Neither the Chair nor Vice Chair of the Council may be appointed to the Executive, and Lead Members may not be members of the Scrutiny Committees.
- 2.10 Lead Members shall be appointed annually by the Leader and shall hold office until:
 - 2.10.1 the next annual meeting of the Council; or
 - 2.20.2 they resign from office; or
 - 2.20.3 they are no longer councillors; or
 - 2.20.4 they are removed from office by the Leader who must give written notice of any removal to the Chief Executive. The removal will take effect two working days after receipt of the notice by the Chief Executive.

Proceedings of the Executive

2.11 Proceedings of the Executive shall take place in accordance with the Executive Procedure Rules set out below in this Constitution.

Responsibility for Functions

2.12 The Leader will determine which executive functions they are will discharge personally, which shall be retained for decision by the Executive, which shall be allocated to individual Lead Members, and (subject to any statutory requirements and in accordance with the Councils Scheme of Delegation of Officers) which executive functions shall not be retained for decision by the Executive and, therefore, shall be discharged by Officers.

A Lead Member can convene, on an ad hoc basis, a small representative group of Members of the Council (i.e. cross-party) to assist in the consideration of particular issues or matters. These are not formal meetings as defined in the Code of Conduct and the Lead Member is responsible for all of the arrangements.

2.13 These responsibilities may be amended by the Leader on written notice to the Monitoring Officer.

Children's Services - Lead Member arrangements

2.14 In respect of Children's Services, the Leader shall designate a Lead Member as "Lead Member for Children's Services", in accordance with section 19(1), Children Act 2004. The Lead Member for Children's Services shall be responsible for the strategic direction of the Council's Children's Services and their effective overview and shall carry overall political responsibility for those services.

Associate Lead Members

2.15 The Leader may appoint non-Executive Members as Associate Lead Members (provided that the total number of Associate Lead Members does not exceed the number of Lead Members) to advise and assist Lead Members in the discharge of their duties within their portfolio(s).

An Associate Lead Member is not authorised to make any decision normally made by a Lead Member or to deputise for a Lead member at Executive.

Associate Lead Members will:

- (a) Support Lead Members to provide clear political leadership both within and outside of the Council in order to help advance and deliver the Council's priorities and key outcomes
- (b) Focus on information gathering and understanding key policy / service delivery in their areas of responsibility
- (c) Assist with the development of options and policies for consideration by the Executive and relevant Lead Member taking into account national policies and local circumstances
- (d) Brief and make recommendations to Executive and their relevant Lead Members and others on relevant issues in relation to policy and strategy development, service improvement or changes and decision making.
- (e) Represent or deputise for their relevant Lead Member at meetings or events as necessary. NB (The term 'deputise' does not include authority to take formal decisions.)
- (f) Promote and support good governance of the Council and its business.
- (g) Keep other Members of Council informed about their activities,
- (h) Maintain effective working relationships with Senior Leadership Team officers and other Officers.
- (i) Create and maintain effective relationships with partners and organisations to deliver the Council's priorities
- (j) Be accountable to their relevant Lead Member, and ultimately the Leader of the Council, for the development and delivery of policies and strategies to meet the outcomes required by the Council and the Executive.
- (k) Be accountable to their relevant Lead Member for supporting the commissioning and delivery of services to meet the outcomes required by the Council and the Executive. This includes supporting the delivery of Council Plan priorities and Medium Term Financial Plan savings
- (l) Play a key role in supporting transformational programmes within their areas of responsibility
- (m) Play a key role in the delivery of specific projects within their areas of responsibility.

Where an Associate Lead Member is temporarily unable to perform their role e.g. due to illness, then the Leader is able to appoint a temporary Associate Lead Member, ensuring the Monitoring Officer is informed.

Scheme of Delegation to Executive Lead Members

- 2.16 Where executive functions are not reserved to the Council, to Executive or delegated to Officers, they are Lead Member matters in accordance with this scheme and according to their portfolios.
- 2.17 The Monitoring Officer, in consultation with the Leader, shall determine the appropriate Lead Member to deal with a matter in cases of uncertainty.
- 2.18 The following areas of responsibility are included in the matters which may be determined by the appropriate Lead Member:
- 2.18.1 to consider reports prepared by officers and to make any decisions in accordance with the requirements of this Constitution;
 - 2.18.2 to consider draft reports to the Executive with the relevant Director and/or other relevant senior Officer;
 - 2.18.3 to determine how expenditure on services should be undertaken within approved budgets;
 - 2.18.4 to agree annual reports;
 - 2.18.5 to develop and approve service plans of services, including future budget requirements;
 - 2.18.6 to monitor the budget and performance for particular services;
 - 2.18.7 to determine policies for particular services, which are consistent with the Policy Framework;
 - 2.18.8 to agree responses to consultation papers;

2.18.9 to make payment of grants to outside bodies within the list approved by the Executive, except those which fall to the Executive itself to decide;

2.18.10 to approve decisions affecting a particular locality (i.e. which are not service-wide, Council-wide or otherwise corporate).

3. Executive Procedure Rules

Executive Decision Making

3.1 The Leader may decide how the Executive performs its executive functions which may include decisions being made by:

3.1.1 the Executive as a whole;

3.1.2 an Executive Sub-Committee;

3.1.3 one or more Lead Members individually or jointly

3.1.4 an Officer (subject to the Scheme of Delegation to Officers);

3.1.5 joint arrangements;

3.1.6 another local authority.

The Leader's Delegation of Executive Functions

3.2 Each year the Leader will prepare a written record of the delegations of executive functions. The record of delegations will detail the executive functions which the Leader has delegated to the Executive, Executive Committees, specific Lead Members or Officers. The record of delegations will be presented to the Council at the Council's annual meeting and will be included into the Council's Scheme of Delegation which can be found at Part I of this Constitution. The record of executive functions delegations will include:-

The names, contact details and electoral area of those councillors appointed to the Executive by the Leader;

3.2.1 the executive functions to be performed by the Executive;

3.2.2 the executive functions to be performed by a specific Lead Member (including any limitations on their authority);

3.2.3 the terms of reference and constitution of any Executive Committee the Leader has appointed, and the names of the Lead Members appointed by the Leader to serve on any Executive Committee;

3.2.4 the nature and extent of any executive function delegated to any joint committee or body or any other local authority along with the names of the Lead Members appointed to any Joint Committee for the coming year;

3.2.5 any changes to any of the delegations of Officers, the title of the Officer(s) to whom the delegation is made and any limits on their authority.

Sub-Delegations of Executive Functions

3.3 Unless the Council says otherwise, where the Executive or an individual Lead Member is responsible for performing an executive function, they may subdelegate its performance to an Officer.

3.4 Where an executive function has been sub-delegated to an Officer it may still be performed by the person or body who made the sub-delegation.

The Council's Scheme of Delegation of Executive Functions

3.5 The record of delegation of executive functions to Lead Members may be amended by the Leader at any time during the year, but written notice must be provided to the Monitoring Officer and the Lead Member, body or Executive Committee concerned. The notice must set out the extent of the amendment and whether it involves the withdrawal of a delegation from the Lead Member,

body or Executive Committee concerned, or the Executive as a whole. Where the amendment concerns a change to the delegation to a joint Committee or other joint working arrangement, the Monitoring Officer will present to the Council at its next meeting the amendments made by the Leader.

- 3.6 Where the Leader seeks to withdraw a delegation from an Executive Committee, notice to do so will be considered as having been given to the Committee concerned when the Leader has given the notice to the Chair of the Committee.

Conflicts of Interest

- 3.7 Where the Leader has a conflict of interest they are must ensure that they are does not influence the decision to be taken and that the decision is taken by a Lead Member who does not have such a conflict of interest.
- 3.8 If every Lead Member has a conflict of interest, consideration must be given to delegating the decision to the Chief Executive, appropriate Director or senior Officer, or to seeking a dispensation to taking the decision but dispensations are not available in respect of single Lead Member decision making.
- 3.9 Where a decision is being taken regarding a service which is commissioned by a Lead Member from an external service provider, Lead Members must be mindful of potential conflicts of interest arising if they also sit on the board of directors or trustees, or are otherwise involved in the governance of the external provider. In such circumstances Lead Members should seek advice from the Monitoring Officer before agreeing to sit on such a board or governance structure.
- 3.10 If the performance of an executive function has been delegated to an individual Lead Member or Officer and a conflict of interest arises, in the first instance the

executive function will be performed by the person or body by whom the delegation was made.

Executive Meetings

3.11 Executive Meetings are convened and conducted in accordance with the Access to Information Procedure Rules which can be found at Part B of this Constitution

Time and Place of Executive Meetings

3.12 The Executive will usually meet at least 10 times a year. The Monitoring Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules at Part B. At least 5 working days before a meeting, the Monitoring Officer will send a summons signed by him/her to every Member of the Council. The summons will give the date, time and place of each meeting; specify the business to be transacted and will be accompanied by such reports as are available.

Quorum for Executive Meetings

3.13 The quorum for any Executive meeting is 50% of the Executive Members. If a quorum is not present within 10 minutes of the scheduled start of the meeting or such longer time as allowed by the Chair, the business of the meeting will be adjourned to the next Executive meeting.

How the Executive Makes Decisions

3.14 Decisions as to the executive functions which have been delegated to the Executive will be decided by the Executive as a whole, and where a Key Decision is involved in accordance with the rules on Key Decision Making by the Executive and Individual Lead Members.

Chair of Executive Meetings

- 3.15 The Leader, or in their absence the Deputy Leader, will chair Executive meetings. In the absence of both the Leader and the Deputy Leader, the Lead Members present at the meeting will choose from amongst themselves someone to preside at the meeting. The person presiding may exercise any power or duty of the Chair.

Attendance at Executive Meetings

- 3.16 Members of the public and the press may attend all Executive Meetings in accordance with Council's Access to Information Procedure Rules, except:-

3.16.1 where, in accordance with Access to Information Procedure Rules, the Executive has decided that the public and the press should be excluded for all or part of the meeting because a matter to be considered is likely to result in the disclosure of exempt or confidential information.

3.16.2 where, in accordance with the Access to Information Procedure Rules, the person attending the meeting has been removed on the order of the Chair so as to prevent the disruption of the meeting.

- 3.17 Any non-Executive Member may attend an Executive Meeting as a member of the public in accordance with the Council's Access to Information Procedure Rules, except where excluded.

- 3.18 A non-Executive Member may only speak at an Executive Meeting if invited to do so by the Chair.

- 3.19 Officers are expected to attend Executive Meetings as follows:-

3.19.1 the Chief Executive and Executive Directors will attend Executive Meetings. Other Directors and Officers may attend Executive Meetings at the invitation of the Chief Executive and Executive Directors;

3.19.2 the Statutory Officers of the Council or their nominees may attend Executive Meetings and speak on issues affecting their statutory responsibilities as of right, or otherwise when requested to do so by the Chair.

3.20 Lead Members may not appoint substitutes to attend Executive Meetings in their place. The absence of a Lead Member will not prevent the consideration or making of decisions in respect of a matter. If a matter has been delegated to an absent Lead Member, it may be referred to the Executive as a whole for consideration and decisions to be made. An absent Lead Member may ask an Associate Lead Member to speak on their behalf, if permitted by the Chair but Associate Lead Members are not able to vote at Executive Meetings.

Order of Business of Executive Meetings

3.21 The following business will be conducted at each Executive Meeting:-

3.21.1 elect a person to preside if the Leader and Deputy Leaders are not present;

3.21.2 approve the minutes of the last meeting;

3.21.3 receive any apologies for absence;

3.21.4 receive any declarations of interest;

3.21.5 receive any statements from the Leader;

3.21.6 at the Chair's discretion, the allocation of time for non-Executive Members to question Lead Members;

3.21.7 consider petitions referred by full Council which relate to executive functions;

3.21.8 consider other matters set out in the meeting agenda. The agenda will indicate any matters which are key decisions or matters which are exempt or confidential and require the exclusion of the public and / or press.

The Agenda for Executive Meetings

3.22 Except in the case of an urgent Executive meeting, the Monitoring Officer will deliver to Lead Members and make available to the public, the agenda for a Executive Meeting along with the summons setting out the date, time and place of the meeting at least 5 working days before the meeting takes place.

Urgent Executive Meetings

3.23 In accordance with the Access to Information Procedure Rules, an urgent Executive Meeting may be held without 5 working days' notice if an urgent matter requires consideration.

Consultation

3.24 All reports to the Executive from any Lead Member or an Officer which concern the Budget and Policy Framework or proposals which otherwise require a consultation, must include details as to the extent of the consultation and its outcome. The extent of a statutory consultation will be as required by the law; the extent of non-statutory consultations will be as appropriate.

Minutes of Executive Meetings

Signing the Minutes

3.25 The Chair will sign the minutes of the proceedings of meetings of the Executive at the next Executive meeting. The Chair will move that the minutes of the previous Executive meeting be signed as a correct record. The only part of the minutes which can be discussed is their accuracy.

No Requirement to Sign Minutes of Previous Meeting at an Urgent Executive Meeting

3.26 Where an urgent Executive meeting is called in accordance with Rule 3.23, there is no requirement for the minutes of the previous Executive Meeting to be signed at the urgent meeting.

Form of Minutes

3.27 Minutes will contain all motions and amendments in the form and order the Chair put them.

Appointment of Substitute Members at Executive Meetings

3.28 The substitution rules do not apply to Executive meetings.

Generally

Disturbance by the Public

3.29 In accordance with the Access to Information Procedure Rules, if a member of the public interrupts the proceedings of a Executive meeting, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room, or if there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

Exclusion of the Public

3.30 Members of the public and press may only be excluded from a Executive Meeting in accordance with the Access to Information Procedure Rules in Part B of this Constitution.

Questions

3.31 Any Councillor may ask the Executive a question on any matter in relation to which the Council has powers or duties, or which affects the administrative area of the Council.

Content of Questions

3.32 In the opinion of the Chair all questions must:

3.32.1 not be unreasonable;

3.32.2 contain no expressions of opinion;

3.32.3 relate to matters on which the Council has or may determine a policy;

3.32.4 not relate to questions of fact;

3.32.5 not require the disclosure of confidential or exempt information;

3.32.6 not relate to a matter which is of purely personal concern to an individual/family member.

Time Allowed for Councillor Questions

3.33 The number of questions asked and the total time allowed for consideration of such questions shall be determined by the Chair.

3.34 At the conclusion of the response to the question under consideration or at the expiry of such time period as determined by the Chair from the time when the first questioner started to speak, the Chair shall conclude the meeting or proceed to the next item of business.

3.35 Any remaining questions shall be responded to in writing before the next ordinary meeting of the Executive.

Order of Questions

3.36 Questions from Councillors will be asked in the order determined by the Chair.

Response

3.37 An answer to a question may take the form of:

3.37.1 a direct verbal answer;

3.37.2 where the desired information is in a publication of the Council or other published work, a reference to that publication; or

3.37.3 where the reply cannot conveniently be given verbally, a written response will be provided no later than 5 working days after the meeting.

3.37.4 copies of all questions and responses will be available on the Council's website with the minutes for the relevant meeting.

Suspension and Amendment of Executive Procedure Rules

Suspension

3.38 Where allowed by law all of these Executive Procedure Rules may be suspended by motion on notice or without notice if at least one half of the whole number of Lead Members are present. Suspension can only be for a single item or the duration of the Executive Meeting.

Amendment

3.39 Any motion to add to, vary or revoke these Executive Procedure Rules will, when proposed and seconded, stand adjourned without discussion to the next Executive Meeting.

Application of Executive Procedure Rules

3.40 All of the Executive Procedure Rules apply to Executive meetings and Executive sub-committees.

3.41 None of the Executive Procedure Rules apply to meetings of full Council, Committees or Sub-Committees.

Application of Access to Information Procedure Rules to Executive

3.42 The Access to Information Procedure Rules apply to the Executive. If the Executive meets to take a Key Decision, then it must comply with Access to Information Procedure Rules unless General Exception, Special Urgency or Major Emergencies rules apply. A Key Decision is defined in the glossary at Part A of this Constitution and as follows:

Key decisions are executive decisions (not those made by committee) and are defined in the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) (Regulations) 2012 and are decisions which:-

- (a) Result in the Council incurring expenditure ** which is, or making savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (b) Are deemed significant in terms of their effect on communities living or working within the area of the Council.

**There is no definition in the legislation of the word 'significant' in (a) above.

Therefore the Council has decided that the financial threshold at or above which a financial decision is significant (and a Key Decision) will be a total value of £500,000 for capital / revenue expenditure or savings. Money delegated to schools as part of the Scheme of Financial Management of Schools exercise is exempt from these thresholds once it is delegated to the school.

'Key Decisions' can be taken by the Leader, the Executive collectively, jointly by two Lead Members, individual Lead Members, Senior Leadership Team Officers, Executive sub-Committees and Joint Committees with delegated powers from the Executive.

In the event of any doubt, the Monitoring Officer will determine whether a proposed decision is a Key Decision under the definitions set out above.

Non-Key Decisions: These are all 'executive' decisions which fall beneath the 'Key Decision' financial or geographical thresholds. 'Non-Key Decisions' can be taken by the Leader, the Executive collectively, jointly by two Lead Members, individual Lead Members, Executive Sub-Committees and Officers.

LEAD MEMBER AND OFFICER KEY AND LEAD MEMBER NON-KEY DECISIONS – CONSULTATION REQUIREMENTS

Before a Key Decision can be taken, the following must be consulted:

- (a) The relevant Lead Member(s), Associate Lead Member (where appropriate) and Senior Leadership Team Officer(s).
- (b) Any local Member whose electoral division is significantly affected. They must also be informed of any subsequent action / outcome.
- (c) The Chief Finance Officer and the Monitoring Officer and due regard given to their advice where there are likely to be financial, legal or standards implications.
- (d) The relevant Opposition Spokesperson / Leader
- (e) The Chair (or in their absence the Vice-Chair) of the relevant Scrutiny Committee.

Before a Lead Member Non-Key decision is taken, the consultation requirements at (a), (b) and (c) above must be met.

In addition, the relevant Opposition Spokesperson / Leader and the Chair (or Vice-Chair in their absence) of the relevant Scrutiny Committee must be informed of the decision.

Procedure Before Taking Key Decisions

3.43 Subject to General Exception (3.49 below), Special Urgency (3.50 below) or Major Emergencies (see 3.51 below) rules below, a Key Decision may not be taken unless:

3.43.1 at least 28 clear days' notice has been published in connection with the matter in question this Notice will be given by means of the Forward Plan;

3.43.2 at least five clear days have elapsed since the publication of the notice of the decision, unless the decision taker has resolved that implementation of the decision is urgent in which case the decision can be implemented without delay;

3.43.3 where the decision is to be taken at a meeting of the Executive or a Sub-Committee, notice of the meeting has been given in accordance with Access to Information Procedure Rule (notice of meetings).

The Forward Plan

3.44 The Leader will ensure that notice of all Key Decisions (by the Executive and by individual Lead Members) is given at least 28 clear days before they are due to be taken.

3.45 For ease the Council will list all Key Decisions once a month in a [Forward Plan] indicating which decisions the Executive anticipate that they will take during the next 4 months, together with any particularly significant Key Decisions which the Executive anticipates taking within the next 4 to 12 months. The Monitoring Officer may also include in the Forward Plan reference to such other decisions which are to be taken by the Council or any of its Committees or Sub-Committee or Officers as is considered appropriate.

- 3.46 The Forward Plan shall include the following information in respect of each key decision:
- 3.46.1 the matter in respect of which the decision is to be taken;
 - 3.46.2 the person or body by whom the decision is to be taken;
 - 3.46.3 the date on which, or the period within which, the decision is to be taken;
 - 3.46.4 notice, if appropriate, that the Council intends to take a decision in private because the decision contains confidential or exempt information.
- 3.47 Where the Executive anticipate taking a Key Decision on a matter, and inclusion of the matter within the Forward Plan would disclose confidential or exempt information and so prejudice the conduct of the Council's business, the Executive may limit the entry in the Forward Plan to such information as may be disclosed without prejudice provided that notice under rules above has been given.
- 3.48 The Executive shall normally review and update the Forward Plan at least once in every calendar month and shall make arrangements for the revised Forward Plan to be made available on its website.

General Exception

- 3.49 Subject to Special Urgency or Major Emergencies rules below, if a matter which is likely to be a key decision has not been advertised for a minimum of 28 clear days on the Council's website, then the decision may still be taken if:
- a the decision must be taken by such a date that it is impracticable to defer the decision until it has been possible for 28 clear days' notice to be given;
 - b the Monitoring Officer has informed the relevant Scrutiny Committee Chair in advance in writing and made copies of that notice available to

the public at the offices of the Council; and on the Council's website;
and

- c at least five days have elapsed since the Proper Officer complied with (a) and (b) above.

Special Urgency

3.50 If the Major Emergencies rule (3.51 below) does not apply and, by virtue of the date by which a decision must be taken Procedure Rule 3.49 (general exception) cannot be followed and the five days' notice of the decision cannot be given then the decision can only be taken if the decision taker (if an individual) or the Chair of the body making the decision, obtains the agreement of the Leader and the Chair of the relevant Scrutiny Committee that the taking of the decision cannot be reasonably deferred. Notice in writing of the application to the Chair of the appropriate Scrutiny Committee must be published on the Council's website and copies made available to the public at the offices of the Council. If there is no Chair of a relevant Scrutiny Committee, or if the Chair of the relevant Scrutiny Committee is unable to act, then the agreement of the Chair of the Council, or in their absence the Vice Chair will suffice.

Major Emergencies

3.51 In a major emergency listed below, the Leader or Deputy Leader or in their absence the relevant Lead Member or, if appropriate, the Chief Executive or Director may take any immediate urgent decision required without consultation.

3.52 For the purposes of Rule 3.51, a major emergency is any event or circumstance (happening with or without warning) that causes or threatens death or injury, disruption to the community, or damage to property or to the environment on such a scale that the effects cannot be dealt with by the emergency services,

local authorities and other organisations as part of their normal, day-to-day activities.

Report to Council

When a Scrutiny Committee Can Require a Report

3.53 If a Scrutiny Committee believes that a decision has been taken which:

3.53.1 was not publicised to ensure that appropriate notice was given of the decision; or

3.53.2 was the subject of the general exception procedure; or

3.53.3 was the subject of an agreement with a relevant Scrutiny Committee Chair, or the Chair/Vice Chair of the Council under Rule 3.50 (special urgency); or

3.53.4 was taken during a major emergency in accordance with Rule 3.51;

the Scrutiny Committee may require the Executive to submit a report to the Council within such reasonable time as the Committee specifies setting out the reasons for such urgency. The power to require a report rests with the Scrutiny Committee, but is also delegated to the Monitoring Officer, who shall require such a report on behalf of the Scrutiny Committee when so requested by at least 50% of the members of the Scrutiny Committee. Alternatively, the requirement may be raised by resolution passed at a meeting of the relevant Scrutiny Committee.

Quarterly Reports on Special Urgency Decisions

3.54 In any event the Leader will submit quarterly reports to the Council on the Key Decisions taken in the circumstances set out in Rule 3.50 (special urgency) and/or Rule 3.51 (major emergencies) in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken and the reasons for urgency.

Record of Decisions

- 3.55 After any meeting of the Executive, the Monitoring Officer will produce a record of every decision taken at that meeting as soon as practicable. The record will include the date such a decision was made, a statement of the reasons for each decision and, where appropriate, any alternative options considered and rejected at that meeting. The notice will also advise whether the Monitoring Officer has agreed to make a dispensation where a conflict of interest was declared before the decision was taken.
- 3.56 Where an Officer under delegated powers takes an executive decision, a written statement will be produced and published on the Council's website recording the reasons for this decision.

Executive Meetings Relating to Matters Which Are Not Key Decisions

- 3.57 The Executive have decided that meetings of Executive shall be held in public even when not relating to matters which are Key Decisions.
- 3.58 Where a Lead Member or Officer takes a decision other than a Key Decision they are shall keep such notes and records of the decision as they are considers appropriate in the circumstances and taking into account any requirements to produce such information to a Scrutiny Committee, if requested to do so.

Decisions by individual Lead Members or by Directors (or Relevant Senior Officers)

Reports Intended to be Taken into Account

- 3.59 Except as referred to in Rule 3.51 (major emergencies) where a Lead Member receives a report which they are intends to take into account in making any key decision, then they are will not make the decision until at least five days after the receipt of that report.

Provision of Copies of Reports to Scrutiny Committees

- 3.60 On giving of such a report as detailed in Rule 3.59 to an individual decision maker, the person who prepared the report will give a copy of it to the Chair of

the relevant Scrutiny Committee as soon as reasonably practicable, and make it publicly available at the same time, provided that such reports do not contain confidential or exempt information.

Record of Individual Decision

- 3.61 As soon as reasonably practicable after any decision has been taken by a Lead Member or in the case of a Director or relevant senior Officer taking a delegated executive decision which would have been taken by a Lead Member or the Executive, the Proper Officer shall prepare, and publish, a record of the decision; and, as appropriate, a statement of the reasons for it and any alternative options considered and rejected. The provisions of Access to Information Procedure Rules 2.10 to 2.14 (inspection of documents after meetings) will also apply to the making of decisions by Lead Members, or to a decision taken by an Officer. This does not require the disclosure of exempt or confidential information.

Scrutiny Committees' Access to Documents

Rights to Copies

- 3.62 Subject to Rule 3.63 below, a relevant Scrutiny Committee (including any Sub-Committees) will be entitled to copies of any document which is in the possession or control of the Executive or its Committees and which contains material relating to:

3.65.1 any business transacted at a meeting of the Executive or its Committees;

or

3.65.2 any decision taken by an individual Member of the Executive.

Limit on Rights

- 3.63 A Scrutiny Committee will not be entitled to scrutinise:
- a any document that is in draft form and not yet formally available for consideration by the Executive or an individual Lead Member except when this has been agreed by Executive or the Lead Member;

- b any part of a document that contains exempt or confidential information, unless the Monitoring Officer has determined that the information is relevant to an action or decision they are reviewing or scrutinising or is relevant to a decision which they have given notice of their intention to scrutinise.

Additional Rights of Access for Councillors

Material Relating to Previous Business

- 3.64 Subject to the Access to Information Procedure Rules all Councillors will be entitled to inspect any document which is in the possession or under the control of the Executive and contains material relating to any business previously transacted, except to the extent that it contains any exempt information as described in Access to Information Procedure Rules in Part B of the Constitution.

Material Relating to Key Decisions

- 3.65 Subject to the Access to Information Procedure Rules five days before a meeting of the Council's Executive, all councillors will be entitled to inspect any document (except those available only in draft form) in the possession or under the control of the Executive or its Committees which relates to any key decision unless Rule 3.66 a. or b above applies.

Nature of Rights

- 3.66 These rights of a Councillor are additional to any other right they are may have.

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Part E - Local Community Networks

Terms of Reference

The Council will establish 18 Local Community Networks to promote the development of stronger and more resilient communities across Somerset.

For the purposes of the Constitution, the Local Community Networks will be classed as Area Boards.

1.0 Purpose, Role and Function of the Local Community Networks

1.1 The purpose of the Local Community Networks are to be the focus for community development, engagement and partnership working at a local level; improving outcomes for residents and establishing strong connections between the Council, our communities and our partners.

1.2 The Local Community Networks will have the following roles and functions:

- Establishing effective local community engagement and influence;
- Promote enhanced participation in democracy, active community decision making and scrutiny;
- Enhance collaboration by bringing together at a local level representatives from partner organisations, City, town and parish councils, community groups and others
- Ensure local influence over the Council and wider public service activity;
- Share information, ideas and solutions to enable services to be delivered to help meet local need;
- To inspire more responsibility for local place shaping;
- To identify evidence-based community priorities; across Economic, Social and Environmental issues;
- To create plans to reflect how the priorities will be addressed; and
- To identify and secure resource opportunities for local projects

2.0 Local Community Networks Approach

2.1 The Local Community Networks will:

- a) Agree priorities and areas of focus for the local area on an annual basis
- b) Agree a tailored communication and engagement plan for actively involving residents and other local stakeholders

- c) Allocate any funding obtained by the Local Community Network as appropriate, and in accordance with rules and guidance set out by the Council's Contract Procedure Rules and Standing Orders
- d) Provide opportunities to ensure that the local community is able to respond to consultations in a timely manner.
- e) Provide opportunities to ensure good communications and information from Somerset Council, and partners, on local issues.
- f) Make recommendations to Somerset Council and/or other partners on funding local projects.
- g) Make recommendations to Somerset Council, and partners, on key local issues.
- h) Produce an annual report with a self-assessment of success in relation to delivery against the agreed priorities and areas of focus for the local area for the past 12 months.
- i) Hold an annual meeting to enable residents and local stakeholders to input into setting area priorities for the next 12 months and highlight local issues.

3.0 Composition

- 3.1 The Local Community Networks will be constituted as Area Boards. The minutes of the meetings of all Local Community Networks, along with any recommendations, will be considered by the Executive.
- 3.2 In the event of a Somerset Council Councillor being elected following a by-election, the Monitoring Officer has delegated authority to appoint the Councillor to the relevant Local Community Network and Council will be asked to ratify the appointment at its next available ordinary meeting.
- 3.3 Local Community Networks are established for 18 areas covering the county. Any changes to the names of the LCNs or their boundaries will need to be recommended to the Executive Lead Member for Local Government Reorganisation and Prosperity for approval.

4.0 Policy and Constitution

- 4.1 Local Community Networks must operate within the Council's Budget and Policy Framework and in accordance with the requirements of the Constitution.
- 4.2 Each Local Community Network may receive funding as determined from time to time by the Council, partners or through successful funding bids. Local Community Networks will allocate any funds in accordance with the Council's Procedure Rules.

- 4.3 Local Community Networks will be consulted on the development of strategic policies to make sure that local priorities and concerns are taken into account. The Local Community Networks will also be consulted where significant changes, reductions or closures of a service are planned in their local area.
- 4.4 Any key decision or policy proposal of the Council that has, or is likely to have, a significant impact in the local area will be discussed with the Local Community Network.
- 4.5 Where appropriate, Local Community Networks are able to set up Working Groups to cover particular topics. The results and outcomes from the Working Group will need to be fed back to the main meeting of the Local Community Network.
- 4.6 In the event of the topic spanning more than one Local Community Network area, the Working Group will be set up to include representatives from all appropriate Local Area Networks.
- 5.0 Membership & Representation
- 5.1 Each Local Community Network will comprise of the following core membership:
- 1) The elected Somerset Council Councillors representing the electoral divisions covered by the Local Community Network;
 - 2) A member from each City, Town or Parish Council and Parish Meeting within the area covered by the Local Community Network;
 - 3) Representatives from the following groups or organisations:
 - a) Local Neighbourhood policing team;
 - b) Somerset National Health Service
 - c) Devon and Somerset Fire and Rescue Service;
 - d) Education
 - e) Representatives from Voluntary, Community, Faith and Social Enterprise Organisations
 - f) Representatives from Businesses or Trade Groups
 - g) Others as may be considered locally important
- 5.2 The Executive Lead Member for Local Government Reorganisation & Prosperity will approve the core membership of each LCN. Each LCN will review their core membership at their first Annual Meeting and then at least annually and make any recommendations for changes to the Executive Lead Member for Local Government Reorganisation & Prosperity. The core

membership list will be classed as the voting members of the Local Community Network.

- 5.3 Each Local Community Network will support and encourage wider participation and engagement from additional attendees. This could include, for example:
- Local Community and Voluntary Sector Organisations
 - Local Businesses or Trade Groups
 - Housing Associations or Housing Officers
 - Any other relevant local groups which could include youth groups, cultural organisations, environmental groups, older people's groups, disability groups, etc.
- 6.0 Other representation
- 6.1 Local Community Networks can invite any Executive Member to attend their meeting to discuss matters relating to their remit, if appropriate.
- 6.2 Invited Executive Members attending the Local Community Network as a guest will not have voting rights.
- 6.3 For the avoidance of doubt an Executive Member is entitled to vote as a standing Member of the Local Community Network in which their electoral division is located.
- 7.0 Officer Support
- 7.1 Each Local Community Network will be supported by a dedicated Officer from the Unitary Council and Democratic Services Officer(s).
- 7.2 Local Community Networks can ask other officers (including external partners officers) to attend their meetings to discuss items of business on their agenda.
- 7.3 Somerset Council Directors will provide an oversight role for the Local Community Networks, ensuring that officers in their directorates attend and engage with the LCNs as and when appropriate.
- 8.0 Order of business for the Annual Meeting of the Local Community Networks
- 8.1 The date and meeting arrangements for the first Annual Meeting for each Local Community Network shall be agreed by the Monitoring Officer in consultation with the Lead Member for Local Government Reorganisation & Prosperity. The Annual Meeting of the Local Community Networks will take

place annually based on the commencement date of the Local Community Network.

8.2 Items of business for the Local Community Network Annual Meeting will be:

- a) To elect the Chair of the Local Community Network
- b) To appoint the Vice-Chair of the Local Community Network
- c) To receive any apologies for absence
- d) Declarations of Interest
- e) Public Question Time
- f) Approve the minutes from the previous meeting
- g) To consider the Annual Report on the Local Community Network's work in the last 12 months
- h) To determine the priorities and areas of focus for the Local Community Network for the next 12 months
- i) To consider any other business set out in the agenda
- j) To agree the frequency of meetings
- k) To agree the schedule of meetings for the next 12 months

9.0 Order of business for Ordinary meetings of the Local Community Networks

9.1 Items of business for the ordinary meetings of the Local Community Networks will be:

- a) To receive any apologies for absence
- b) Declarations of Interest
- c) Public Question Time
- d) To approve the minutes from the previous meeting
- e) To receive updates on any action points from previous meeting(s)
- f) To consider any other business set out in the agenda

10.0 Process for electing the Chair of the Local Community Networks

10.1 Only members of the core membership are eligible to be nominated as the Chair. Either the Chair or Vice-Chair of the Local Community Network shall be a Somerset Council Councillor.

10.2 Election will take place annually at the Annual Meeting of the Local Community Network.

10.3 The Democratic Services Officer will call for nominations for the position of Chair of the Local Community Network.

- 10.4 Only voting members can make nominations. The nomination must be seconded to be valid.
- 10.5 An individual shall not be nominated in their absence without their written consent.
- 10.6 In the event of only one valid nomination being received, the person presiding will declare the nominated member elected.
- 10.7 In the event of two valid nominations, the Democratic Services Officer will ask for a show of hands for those members in favour of each nominated candidate and declare the candidate receiving the majority of votes (of the core membership present and voting) to be the winner.
- 10.8 In the case of an equal number of votes for the two candidates, a random electronic generator will be used by the Democratic Services Officer to determine the winner of the election and then declare the result.
- 10.9 In the case of three or more valid nominations being made, the Democratic Services Officer will call for a show of hands for each of the candidates. The Democratic Services Officer will then announce the candidate with the least number of votes and that candidate will be eliminated (in the event of a tie for the least number of votes, the Democratic Services Officer will use a random electronic generator to determine which candidate will be eliminated). A further vote shall be taken for the remaining candidates and after each vote the candidate with the least number of votes shall be eliminated until only two candidates remain and a final vote can be taken (following section 10.7 and 10.8 above).
- 10.10 The Chair and Vice-Chair will hold office until the next Annual Meeting unless they resign from the position. In the event of a resignation, an election for the Chair and/or Vice-Chair will take place at the next available meeting.
- 11.0 Chairing arrangements
- 11.1 The Vice-Chair will preside in the absence of the Chair and if neither is present, the Local Community Network will appoint a Chair from among its core membership (section 5.1) for that respective meeting.
- 11.2 The role of the Chair will include:

- a) Providing leadership to ensure that the objectives of the Local Community Networks are met.
- b) Ensuring that the voices of the local community are at the heart of the work of the Local Community Networks.
- c) Working with Officers to set the agendas and to ensure that any action points are picked up and dealt with
- d) Chair the meetings effectively to ensure that its business can be carried out efficiently and that all parties have an opportunity to input
- e) Ensure that the meeting is a forum for debate of matters of interest and/or concern to the local community
- f) Represent the Local Community Network at the quarterly meetings with the Executive Member and Scrutiny Chair(s)
- g) Produce an annual report on behalf of the Local Community Network which will be considered by the Executive

12.0 Local Community Network links to the democratic process

This section will set out how the Local Community Networks will link to the democratic process within Somerset Council.

Council

- 12.1 Somerset Council will review the Terms of Reference for the Local Community Networks at its Annual Meeting each year.

Executive

- 12.3 Local Community Networks can escalate issues of concern to the Executive and/or the relevant Executive Member.
- 12.4 There will be a standing item on Executive agendas to consider and note any minutes from Local Community Network meetings that have taken place. This will include any recommendations that the Local Community Network wish the Executive to consider.
- 12.5 The Executive will also consider the Local Community Network annual report.
- 12.6 The Executive Member with remit for Local Community Networks will meet on a quarterly basis with the Local Community Network Chairs so that common themes and issues can be discussed. The Scrutiny Committee(s) Chairs are also included in this meeting.

Scrutiny Committee(s)

- 12.7 Wherever possible the Scrutiny Committee(s) will avoid duplicating the work of the Local Community Networks.
- 12.8 However, issues of local concern may be identified and added to the Scrutiny workplan via the quarterly meetings with the Executive Member and Local Community Network Chairs.

Planning

- 12.9 Planning matters that fall under the remit of the Planning Committee or Planning Sub-Committees will be out of scope of the Local Community Networks to avoid duplication.

Licensing and Regulatory

- 12.10 Licensing and Regulatory matters that fall under the remit of the Licensing and Regulatory Committee, Licensing Sub-Committee and Regulatory Sub-Committee will be out of scope of the Local Community Networks to avoid duplication.

13.0 Voting

- 13.1 Local Community Networks will seek to reach decisions by consensus where possible, involving the core membership (listed in section 5.1). Prior to such a decision, the Chair may upon their discretion take an indicative vote of the representatives set out in section 5.3.
- 13.2 However, on the occasions where a formal decision needs to be made this will be recommended to the Somerset Council Executive for consideration.
- 13.3 Where a vote is required then this will be by a show of hands of the voting membership present.
- 13.4 Where the vote is tied, the Chair of the Local Community Network shall have a second or casting vote.

14.0 Quorum

- 14.1 Quorum will be 30% of the core membership (section 5.1).

15.0 Meeting frequency and location

15.1 Local Community Networks will meet 6-8 times a year, however this is at the discretion of each individual LCN.

15.2 Local Community Network meetings will be held in accessible venues and will be held in various locations within the local area (dependent on the numbers likely to attend the meeting).

16.0 Access to Information

16.1 Local Community Networks are subject to the Access to Information Rules set out in Part B of this Constitution.

16.2 For example:

- a) Agendas will be published on the Council website 5 clear days before the meeting
- b) Meetings will be open to members of the public and press
- c) Draft minutes will be published on the Council website within 5 working days following the meeting

17.0 Standards of Behaviour and Conduct

17.1 Somerset Council Councillors are subject to the Members Code of Conduct set out in section Y of this Constitution.

17.2 City, Town and Parish Councillors are reminded that they have been elected to the Local Community Network as a representative of their Council, and therefore should follow their Code of Conduct.

17.3 Local Community Network meeting attendees will at all times follow the Protocol on meeting etiquette.

18.0 Review of the Terms of Reference

18.1 The Terms of Reference for the Local Community Networks will be reviewed on an annual basis and agreed at the Somerset Council Annual Meeting. This is to ensure that the Terms of Reference appropriately reflect the role of the Local Community Networks as they evolve over time.

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Part F - Joint Arrangements

Arrangements to promote wellbeing

The Council, in order to promote the economic, social or environmental well-being of its area, may

- (a) enter into arrangements or agreements with any person or body
- (b) co-operate with or facilitate or co-ordinate the activities of, any person or body and
- (c) exercise on behalf of that person or body any functions of that person or body

Joint arrangements

(a) The Full Council may establish joint arrangements with one or more local authorities and / or their executives to exercise functions that are not executive functions in any of the participating authorities or advise the Full Council. Such arrangements may involve the appointment of a joint committee with these other local authorities.

(b) The Executive may establish joint arrangements with one or more local authorities to exercise functions that are executive functions. Such arrangements may involve the appointment of joint committees with these other local authorities.

Delegation to and from other local authorities

(a) The Council may delegate some functions to another local authority or, in certain circumstances, the executive of another local authority.

(b) the decision whether or not to accept such service delegations from another local authority is reserved to the Council meeting.

Contracting out

The Council may contract out to another body or organisation functions which may be exercised by an officer, and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles.

The Council has established joint arrangements in respect of the following:

Joint Committees

Avon and Somerset Police and Crime Panel

The Police and Crime Panel is a statutory joint partnership and scrutiny body that supports and scrutinises the decisions and activities of the Avon and Somerset Police and Crime Commissioner and promotes openness in the transaction of Police business in the Avon and Somerset force area.

The Terms of Reference and Operating Arrangements can be found here <http://www.avonandsomersetpoliceandcrimepanel.org.uk/wp-content/uploads/2022/07/Panel-Operating-Arrangements-31.03.21.docx> and the Rules of Procedure here <http://www.avonandsomersetpoliceandcrimepanel.org.uk/wp-content/uploads/2022/07/Rules-of-Procedure-31.03.21.docx>

Five Councils Partnership Corporate Services Joint Committee

Somerset Council shares some services with South Oxfordshire District Council, Vale of White Horse District Council, Hart District Council and Havant Borough Council. The Councils have formed a Joint Committee to carry out the strategic, financial and operational functions delegated to it by the Five Councils Partnership authorities. The Terms of Reference can be found here

Heart of the South West Joint Committee

The Heart of the South West ('HotSW') Joint Committee is a Joint Committee of local authorities that comprise the HotSW area. The key purpose of the Joint Committee is to be the vehicle through which the HotSW partners will ensure that the desired increase in productivity across the area is achieved. The Terms of Reference can be found here <http://www.hotswjointcommittee.org.uk/panels-key-roles-and-responsibilities/>

Heart of the South West LEP Joint Scrutiny Committee

The Joint Scrutiny Committee provides strategic overview and Scrutiny of the activities of the Heart of the South West (HotSW) Local Enterprise Partnership (LEP) The Terms of Reference can be found here <https://democracy.devon.gov.uk/mgCommitteeDetails.aspx?ID=456>

Integrated Care Partnership

Integrated Care Boards and all upper-tier local authorities that fall within the area of the Integrated Care Boards must establish an Integrated Care Partnership. For Somerset, the Integrated Care Partnership is established jointly by the Integrated Care Board and Somerset Council. The Terms of Reference of the Integrated Care Partnership can be found here:

<https://somersetcc.sharepoint.com/sites/SCCPublic/Council%20Democracy/Forms/AllItems.aspx?id=%2Fsites%2FSCCPublic%2FCouncil%20Democracy%2FIntegrated%20Care%20Partnership%20%2D%20Terms%20of%20Reference%2Epdf&parent=%2Fsites%2FSCCPublic%2FCouncil%20Democracy&p=true&ga=1>

Yeovil Crematorium and Cemetery Joint Committee

The Yeovil Crematorium and Cemetery Committee has been appointed to consider the operations of the Yeovil Crematorium and Yeovil Cemetery and make recommendations to the appropriate member authorities. The Terms of Reference can be found here. <https://www.yeovil.gov.uk/userfiles/files/Agenda130722.pdf>

Other Joint Arrangements

Somerset Rivers Authority

The Somerset Rivers Authority is a partnership between Somerset Council, the Parrett and the Axe Brue Internal Drainage Boards, the Environment Agency, Natural England and Wessex Regional Flood & Coastal Committee. The SRA (Somerset Rivers Authority) oversees the Flood Action Plan for the whole of Somerset and funds works that meet Flood Action Plan objectives. The Terms of Reference and Constitution can be found here <https://www.somsetriversauthority.org.uk/wp-content/uploads/2022/02/ITEM-5-2022-23-SRA-Local-Memorandum-of-Understanding-and-Constitution-4-March-2022.pdf>

Joint Scrutiny Panel – Somerset Rivers Authority

The Joint Scrutiny Panel's purpose is to examine the activities of Somerset Rivers Authority and provide assurance to the SRA's constituent councils and partners that it is operating effectively. The Terms of Reference can be found here [SRA Joint Scrutiny Panel meetings and papers - Somerset Rivers Authority](#)

Standing Advisory Council for Religious Education (SACRE)

The Somerset Standing Advisory Council on Religious Education is a statutory body set up and supported by Somerset Council to help monitor the standards, quality of teaching and provision for RE in local schools; the effectiveness of the locally Agreed Syllabus for RE; and the provision and quality of collective worship in local schools. Its Terms of Reference can be found here <http://www.amvsomerset.org.uk/wp-content/uploads/2021/11/SACRE-Constitution-2011.doc>

Part H - MEMBER ROLE DESCRIPTIONS

All Members of Council

Representative democracy elements	Participative democracy elements
<p>Political Representative</p> <ul style="list-style-type: none"> • Uses political and democratic processes to deliver group manifesto • Provides peer support to other Members / spreads best practice <p>Community Leader</p> <ul style="list-style-type: none"> • Sets direction, make choices and delivers community needs and aspirations at both strategic and local levels • Balances Officer recommendations against community aspirations when making decisions <p>Transformer of Services</p> <ul style="list-style-type: none"> • Leads, supports, co-ordinates partners and partnerships at the local level • Proactively works and supports outcomes across the tiers of government and key partners • Works effectively and in partnership with officers • Influences spending / decision-making in the locality through devolution of resources / decision making – through making representations <u>before</u> decisions are made • Challenges decision-makers / service providers • Varies / enhances / monitors 	<p>Voice of the Local Community</p> <ul style="list-style-type: none"> • For all sectors of the community - challenges the Council / partners • Ensures that the community's voice is heard within the Council <p>Community Leader</p> <ul style="list-style-type: none"> • Makes community led developments happen – supports local projects • Educates local people about the Council and why they should get involved • Promotes the Council and the services it provides • Contributes to and inspires community participation at a local level, including through consultation / mediation • Community champion promoting leadership, direction and vision in local groups and building support for that vision • Freedom to act on local (public realm) issues and resolve / assist through Community Budgets • Be proactive in enabling local people and groups to access services and in responding to enquiries / complaints from constituents <p>Transformer of Services</p> <ul style="list-style-type: none"> • Enable communities to take

<p>service standards</p> <ul style="list-style-type: none"> Measures impact of outcomes on communities <p>Knowledge Champion</p> <ul style="list-style-type: none"> Real source of local knowledge – to the public and to the Council Uses local information to challenge performance / maximise community benefit Develops / maintains a working knowledge of other local organisations and services 	<p>action to meet local problems /needs</p>
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Somerset Council Member role description

Summary

Somerset Councillors represent their local communities, championing the needs and interests of residents and working to make a difference to the people, place and prosperity of their local area and Somerset as a whole. It is a position of critical importance and great responsibility, and Councillors are held to account by the full Council and by the residents they serve.

Main purpose and responsibilities

Community Leader

- To represent and provide visible leadership to local constituents, and the community of Somerset as a whole, and to balance those roles as necessary and appropriate.
- To signpost constituents, and to facilitate them in achieving appropriate support within the Council and with partners, and support constituents with day-to-day service issues.
- To engage the community of Somerset in the work we do, seeking feedback on our services and understanding the needs of residents (including young people) to enable us to deliver better services and make better decisions and also to ensure our residents know how they can influence our decisions.
- To support the development of diverse and sustainable communities who have the skills and are empowered to better help themselves.

- To proactively identify opportunities for us to improve the services we offer our residents and the people and prosperity of Somerset, balancing and respecting the needs of both urban and rural, as well as constantly striving to make the best use of public money in delivering our services in the most efficient way.
- Local Community Networks will be fundamental to how Somerset Council Members will fulfil their community leadership role, influence service delivery and advocate for local communities. LCNs will have real influence as committees of the new Council. Each Somerset Council member will have a seat on the LCN(s) for the area that their division comes within. LCNs will create across Somerset a new type of community engagement and partnership, while enabling tailored innovative services locally designed to meet the needs of present and future communities.
- Through their role on LCNs, Members will be well placed to listen to communities and work with them to harness their strengths and align the support that the council can bring to address local priorities. Members will be able to speak on behalf of and be accountable for the full range of local government services in Somerset and to argue the case for their area. They will have a key role in supporting, establishing and developing close links with other local public services, including the NHS, schools, the voluntary sector and other key partners.

Influencing and Shaping Services

- To identify opportunities for different groups to work together or partner for the benefit of our communities, including other public sector services, the private sector, the voluntary sector and community representatives.
- To work with other Members, irrespective of political allegiance, in the best interests of Somerset.
- To influence the work of the Council through positive engagement in the wide the range of avenues available to them (e.g. motions to Council, scrutiny).
- To scrutinise and challenge decision makers, acting as a critical friend, holding them to account and providing constructive feedback – maximising opportunities to reflect the voices of your community.
- To carry out the range of corporate responsibilities required of the role e.g. being a corporate parent; upholding safeguarding responsibilities;

promoting equality, diversity and fairness; taking an active part in setting the Council's budget and policy framework; considering the impacts of climate change in decision making and their everyday role; explaining decisions made by the Council; attending learning and development events to support in the delivery of their role and acting as a Member of the fire authority.

- Working across Somerset to raise awareness and understanding of how public services are changing, and how that relates to Somerset's communities.

Representative, advocate and knowledge champion

- To attend and participate in meetings of the Council and its committees as appointed by the Council, the Leader or the Group Leader or relevant democratic process and to contribute constructively using their local insight and experience.
- To represent the Council, as appropriate, at City, Town and Parish Councils, including agreeing with them the best way to achieve positive and meaningful engagement, and identifying opportunities to support greater devolution from Somerset Council to the local councils.
- As appropriate, to represent and be an advocate of the Council on national or outside bodies and at national events.
- Foster professional and positive working relationships with officers
- Commit to continuing to develop and enhance their personal skills and knowledge throughout their term of office and encourage others to develop;
- ensure the highest standards of conduct and ethics and to comply at all times with the Council's Code of Conduct
- identify and embrace the development of new and innovative ways of doing things including new technologies, processes and working practices; and
- oversee trends and developments, both at county and national level, and ensure that these are taken into account through the Council's decision-making process.

VALUES

To be committed to and promote high standards of conduct and ethics through upholding the Principles of Public Life and complying with the Council's Code of Conduct:-

- Selflessness – to serve only the public interest and never improperly confer an advantage or disadvantage on any person.
- Honesty and Integrity – to not place themselves in situations where their honesty and integrity may be questioned, to not behave improperly and avoid the appearance of such behaviour.
- Objectivity – to make decisions on merit, including when making appointments, awarding contracts or recommending individuals for rewards or benefits.
- Accountability – to be accountable to the public for their actions and the manner in which they carry out their responsibilities and to cooperate fully and honestly with any scrutiny appropriate to their particular office.
- Openness – to be as open as possible about their actions and those of their authority, and to be prepared to give reasons for those actions.
- Leadership – to promote and support these principles by leadership, and by example, and act in a way that secures or preserves public confidence.

To further observe the following principles:-

1. Duty to uphold the law – to uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.
2. Personal judgement – to take account of the views of others, including their political groups, but to reach their own conclusions on the issues before them and act in accordance with those conclusions.
3. Respect for others – to promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. To respect the impartiality and integrity of the authority's statutory officers and its other employees. To help encourage respect between the Council and other organisations.
4. Stewardship – to do whatever they are able to do to ensure that their authorities use their resources prudently, and in accordance with the law.

Rights and Duties

- a. Members will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
- b. Members will not make public information which is confidential or exempt without the consent of the Council, or divulge information given in confidence to anyone other than a Member or Officer entitled to know it. For these purposes the terms "confidential" and "exempt" shall have the meanings given to them in Local Government Act 1972.

SKILLS

No specific or formal qualifications are required to be a Councillor. The most important qualification is a clear passion for improving the way we support the residents, community, businesses and local organisations of Somerset but knowledge and experience picked up through personal and professional life are important to the role. Such knowledge may include, but is not limited to, housing, regeneration, the needs of specific groups, financial and business planning, legal and regulatory procedures. All Councillors will receive support, as appropriate, to support them in delivering their role.

Equally, having, or being able to develop the following skills, knowledge and attributes will help in the delivery of the role:-

- Communication –the ability to communicate clearly both orally and in writing; to demonstrate active listening and responding; public speaking; negotiation; mediation; peaceful resolution of conflict; knowledge of common communications methods including skype, social media and creativity in delivering messages to different groups.
- Relationship building and teamwork – the ability to create and maintain positive, trusting and constructive relationships across the community including interaction with constituents, the police, health service, charities and voluntary bodies, City, Town and Parish Councils and Council officers.
- Problem solving and analytical skills –acting as a facilitator to enable issues to be resolved; thinking of innovative ways to resolve challenges and differences, being able to bring together different approaches or people to bring varying perspectives on issues, highlighting advantages and disadvantages of different options and acknowledging the potential friction between local and strategic priorities.
- Organisational skills – this includes workload and time management, planning activities, keeping up to date with Committee responsibilities and lines of working, making and keeping appointments and meeting deadlines.
- Information technology skills – including the ability to use email (outlook) and other software such as Microsoft Teams to receive and respond to correspondence from a range of sources and to access information on the internet.

Anticipated hours required to perform the role

National figures show that unitary Members spend on average 27 hours a week on the role. There are formal meetings you will be expected to attend, but much of the work will be in your division when constituents contact you with a problem. The work includes:

- Resolving problems raised by your constituents;
- Attending council and policy making meetings;
- Attending City, Town and Parish council and LCN meetings in your division;
- Representing the council on outside bodies.

Members who have additional regulatory, licensing, scrutiny or executive responsibilities or other special responsibilities will be expected to work additional hours.

The time unitary Members will need to carry out the role will depend on many things:

- If you have lots of meetings to attend, you are likely to spend more time travelling;
- If you are a new Member you will have to spend a lot of time being trained to enable you to carry out the role;
- If you have a particular interest you may choose to become more involved in committees associated with these matters;
- If there are important or controversial issues in your division, they may occupy a lot of your time.

Chair of Council

Election of / Purpose

The Chair of Council is elected annually by the Council.

The Chair's role is to:

- preside at formal meetings of the Council and other Council events
- conduct the affairs of Council and any other duties with no political or personal bias
- represent the Council in ceremonial and similar events
- advance the interests of the Council and of Somerset.

Key responsibilities

1. To chair all meetings of Full Council and provide effective management of the business to achieve good governance and clear decision making;
2. To ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which members of Council are able to hold the Leader, Executive, Lead Members and Officers (where Officers have taken Key Decisions) to account.
3. To uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary;
4. To promote public involvement in the Council's activities.
5. To be the conscience of the Council;
6. To preside at other meetings in connection with the Council's activities, as required.
7. To delegate functions to the Vide-Chair of Council as the Chair sees fit.
8. To help ensure that all Members of Council are able to discharge their responsibilities to the best of their ability.
9. To maintain regular contact with Political Group leaders and any Members who do not belong to a Political Group.

10. To represent the Council and, when appropriate, the County of Somerset, at civic and similar functions, and to host such functions on behalf of the Council as necessary.
11. To act as host to royalty, civic dignitaries and similar visitors to the County or the Council.

Vice-Chair of Council

Appointment / Purpose

The Vice-Chair of Council is appointed annually by full Council.

The Vice-Chair of Council provides the Chair of Council with a dedicated source of support.

Key Responsibilities

1. In the absence of the Chair, to chair meetings of Full Council.
2. At the Chair's request, to preside at other meetings in connection with the full Council's activities.
3. As appropriate, to assist the Chair in the management of Council meetings.
4. To maintain regular contact with Political Group leaders and any Members who do not belong to a Political Group.
5. At the Chair's request, to represent the Council and, when appropriate, the County of Somerset, at civic and similar functions, and to host such functions on behalf of the Council.
6. At the Chair's request, to act as host to royalty, civic dignitaries and similar visitors to the County or the Council.

Leader of Council

Appointment/Purpose

The Leader is appointed by Full Council for a term of four years. The Council, has however, retained the ability to replace the Leader during that period if it so wishes.

In accordance with statute and the Council's Constitution, the key purpose of the Leader's post in summary is to provide the political focus and leadership within and outside of the Council.

Key responsibilities

1. To provide the political leadership to the Council including leading the Executive in the development and delivery of the Council's Policy Framework and Budget.
2. To be the Council's key contact for outside organisations (including Central Government, Local Authority Associations and Council partners), and the media.
3. To provide political direction and leadership to his / her group of Members.
4. In respect of the Executive:
 - To have ultimate responsibility and accountability for the executive decision making arrangements of the Council and for any such decisions that they take under these arrangements
 - To appoint and lead the Executive and ensure that its work and that of the individual Lead Members is planned and conducted in accordance with relevant legislation and the Council's Constitution
 - To ensure the effective integration of roles, responsibilities and functions within the Executive Membership and with Officers via the Executive Scheme of Delegation
5. To communicate the Administration's policies and priorities to the Senior Leadership Team and, in particular to work closely with the Chief

Executive to secure co-ordination of the Council's leadership and management.

6. To communicate the Administration's policies, priorities and actions to all Members of the Council and to promote effective working relationships across the Council's Party Groups.
7. Working with the Chief Executive, the Leader has ultimate responsibility for ensuring that overall partnership working is effective.
8. To ensure that arrangements are in place to enable the views of Members of Council and of other key influencers to be heard and taken into account when Council policy is being formed and decisions taken.
9. To develop effective working relationships with the Scrutiny Committees and other Committees of the Council.
10. To promote and support good governance of the Council and its business.

Deputy Leader of Council

Appointment / Purpose

The Deputy Leader is appointed by the Leader for a four year term of office, although the Leader may remove the Deputy Leader from office at any time. In the event of the removal of a Deputy Leader from office, the Leader must appoint another Deputy Leader for the remainder of the four year term of office.

The primary purpose of the Deputy Leader is to assist and work with the Leader and to deputise for him / her accordingly.

Key responsibilities

1. To deputise for the Leader, as necessary, unless statutory requirements prevent this or the Leader provides otherwise.
2. To discharge other roles and functions, including decision-making responsibilities, as agreed by the Leader.
3. To establish effective working relationships with other Members, particularly Lead Members and including the Chairs of Committees.

4. To establish effective working relationships with the Chief Executive, Senior Leadership Team officers and other staff.

Lead Member

Appointment / Purpose

Lead Members are appointed by the Leader of the Council. Their titles and areas of responsibility are also agreed by the Leader. In addition, the Lead Member with responsibility for children's services has specific statutory responsibilities beyond the roles described below.

Key Responsibilities

Lead Members have a range of corporate (as a Member of the Executive) and individual service responsibilities.

In respect of the corporate role and as a member of the Executive:

1. To promote the Council and its interests inside and outside of the Council on partnerships and outside bodies.
2. To assist in the shaping and development of the Council's strategic priorities and vision.
3. To participate effectively as a member of the Executive, taking joint responsibility for actions and being accountable collectively with other Lead Members.
4. To balance his / her specific service responsibilities with the wider interests of the Council.
5. To promote and support good governance of the Council and its business.

For his / her service responsibilities:

1. To develop expertise, knowledge and take responsibility for a specific service area or areas.
2. To take decisions as delegated by the Leader within the Executive Scheme of Delegation and to be accountable for those decisions.
3. To provide political focus and leadership for the Political Group as the lead spokesperson and 'first' political contact for Opposition Group

Spokespersons, other Members of Council, the public, press and Officers.

4. To represent the Council on external bodies as necessary.
5. To bring forward policy proposals and operational issues for decision, utilising support from scrutiny as necessary, present them for approval as necessary and ensure implementation.
6. To be aware of developments at national, regional and local level and participate as necessary in relevant networks.
7. To maintain an overview of the performance, efficiency and effectiveness of the service(s) and promote excellence in service development and provision.
8. To provide leadership to sub-regional and local partnerships as necessary – in the pursuit of common aims and priorities
9. To assist the activities of the Scrutiny Committees and other Committees of the Council.
10. To keep other Members of Council informed about their activities,
11. To maintain effective working relationships with Senior Leadership Team officers and other Officers.

Associate Lead Member

Purpose and Key Responsibilities

Associate Lead Members are appointed by the Leader of the Council. Their titles and functions are also agreed by the Leader. Their primary role is to provide advice, policy development and support to their Lead Member.

Associate Lead Members will be allocated specific service areas to lead and advise the Executive and relevant Lead Member. They are not able to take decisions. They will:

1. Support their relevant Lead Member to provide clear political leadership both within and outside of the Council in order to help advance and deliver the Council's priorities and key outcomes

2. Focus on information gathering and understanding key policy / service delivery in their areas of responsibility
3. Assist with the development of options and policies for consideration by the Executive and relevant Lead Member taking into account national policies and local circumstances
4. Brief and make recommendations to Executive and their relevant Lead Members and others on relevant issues in relation to policy and strategy development, service improvement or changes and decision making.
5. Represent or deputise for their relevant Lead Member at meetings or events as necessary.
6. Promote and support good governance of the Council and its business.
7. Keep other Members of Council informed about their activities
8. Maintain effective working relationships with Senior Leadership Team officers and other Officers.
9. Create and maintain effective relationships with partners and organisations to deliver the Council's priorities
10. Be accountable to their relevant Lead Member, and ultimately the Leader of the Council, for the development and delivery of policies and strategies to meet the outcomes required by the Council and the Executive.
11. Be accountable to their relevant Lead Member for supporting the commissioning and delivery of services to meet the outcomes required by the Council and the Executive. This includes supporting the delivery of Council Plan priorities and Medium Term Financial Plan savings
12. Play a key role in supporting transformational programmes within their areas of responsibility
13. Play a key role in the delivery of specific projects within their areas of responsibility

Chair of a Scrutiny Committee

Role Purpose

Each of the Scrutiny Committees have a Chair that is elected by Full Council.

The Committee Chairs primary role is to provide leadership for the Council's scrutiny function and in particular for the Scrutiny Committees' activities and meetings.

Key responsibilities

1. To promote the role of scrutiny (as the Council's lead spokesperson) within and outside of the Council and ensure that the Committee's role is understood by all Members of Council, other agencies and the public.
2. To ensure the effectiveness of the scrutiny process and encourage the participation of all Members of the Council in that process.
3. To publicise the Committees' activities to other Members.
4. To lead on the generation and organisation of business for the Committees' work programme and the scrutiny function generally.
5. To ensure that there are effective arrangements in place and applied to hold decision makers to account (Members and Officers – in relation to Key Decisions) through the scrutiny process.
6. To chair the meetings and provide effective management of the business to achieve good governance and clear decision making.
7. To ensure that the Vice-Chair of the relevant Scrutiny Committee is adequately briefed on key issues.
8. To ensure implementation of the Committees' actions through effective monitoring.
9. To establish effective working relationships with the Leader, Executive, Lead Members and the Chair and Vice-Chair of Full Council and Committees of the Council.
10. To establish effective working relationships with the Senior Leadership Team officers and other Officers.

Vice-Chair of a Scrutiny Committee

Appointment / Purpose

Each Scrutiny Committees' Vice-Chair is appointed by Full Council.

The primary purpose of the Vice-Chair is to provide a source of support to the Chairs of the Scrutiny Committees.

Key responsibilities

1. To assist the Chair with the operation and management of the scrutiny function and the management of the relevant Committee's meetings.
2. To chair meetings of the Committee or undertake other responsibilities of the Chair where the Chair is unable to act.
3. To assist the Chair with any aspects of the Council's scrutiny function and / or the relevant Committee's activities including the implementation and monitoring of the Committee's actions and planning / developing scrutiny activity.
4. To establish effective working relationships with the Leader, Executive, Lead Members and the Chair and Vice-Chair of Full Council and Committees of the Council.
5. To establish effective working relationships with Senior Leadership Team officers and other Officers.
6. This is in addition to the responsibilities undertaken as a Scrutiny Committee spokesperson (if appropriate).

Scrutiny Committee Spokesperson

Appointment / Purpose

Each of the political groups who do not hold the chair of a Scrutiny Committee may appoint a formal spokesman for their group from amongst their members on the Committee, to lead for the Group in respect of scrutiny activities.

Key Responsibilities

1. To act as the Political Group's lead spokesman at meetings of a Scrutiny Committee and in respect of other scrutiny business.
2. In co-ordination with the Group Leader, to act as the Political Group's spokesman to the public and press about matters coming to scrutiny and the relevant Scrutiny Committee.
3. To act as the primary point of contact for Council Officers in respect of the Political Group's input to the work of the Scrutiny Committee.
4. To contribute to the generation and planning of business for the Committee's meetings and to attend the Chair's pre-meeting briefing.
5. To maintain an awareness of the contents of the Forward Plan of Key Decisions and of Key Decisions subsequently taken and implemented.
6. To ensure that there are effective arrangements in place and applied to hold decision makers to account [Members and Officers (in relation to Key Decisions))] through the scrutiny process.
7. To establish an effective working relationship with the Chair of a relevant Scrutiny Committee.
8. To establish effective working relationships with Senior Leadership Team officers and other Officers.
9. To liaise with and report back to other Members of their Group about the activities of the Scrutiny Committees and to arrange substitutes as necessary for Group Members.

Chair of Regulation Committee

Appointment / Purpose

The Regulation Committee Chair is elected by the Full Council.

The Chair's primary role is to chair meetings and manage the business of the Committee.

Key responsibilities

1. To chair meetings of the Regulation Committee and provide effective management of the business to achieve good governance and clear decision making.
2. To ensure that applicants and other interested parties are satisfied as to the transparency of the regulatory process.
3. To be the Council's lead spokesperson for the Committee within the Council and externally with partners and individuals.
4. To ensure that the Vice-Chair of the Committee is adequately briefed on relevant issues.
5. To develop and maintain a working knowledge of the Committee's functions and the procedures and practices that govern its operation.
6. To give guidance to Officers as necessary about the Committee's business.
7. To respond to Officers' requests for advice on issues they propose to deal with under delegated powers.
8. To help ensure that all the Committee's Members are adequately trained to discharge the Committee's functions.
9. To establish effective working relationships with Senior Leadership Team officers and other Officers involved in the functions exercised by the Committee.

Vice-Chair of Regulation Committee

Appointment / Purpose

The Regulation Committee's Vice-Chair is appointed annually by the Full Council.

The Vice-Chair's primary role is to support the role of the Chair.

Key responsibilities

1. As appropriate to assist the Chair in managing the Committee's meetings.
2. In co-ordination with the Committee Chair, to act as a Council spokesperson in respect of the Committee's activities.
3. As and when necessary, to chair meetings of the Regulation Committee.
4. Where the Chair is unable to act, to respond to Officers' requests for advice on issues they propose to deal with under delegated powers.
5. To develop and maintain a working knowledge of the Committee's functions and the procedures and practices that govern its operation.
6. To establish effective working relationships with Senior Leadership Team officers and other members of staff involved in the Committee's functions.

Chair of the Pensions Committee

Appointment / Purpose

The Chair of the Pensions Committee is elected by the Full Council.

The Chair's primary role is to chair meetings and manage the business of the Committee.

Key responsibilities

1. To chair meetings of the Committee and provide effective management of the business to achieve good governance and clear decision making.
2. To acquire and maintain sufficient knowledge of the background to the Committee's responsibilities to ensure that the Committee discharges its functions effectively.
3. In chairing Committee meetings, to have regard to the requirements of relevant Regulations which regulate the Committee's activities.
4. To build effective relationships with other Committee members, the Section 151 Officer, Senior Leadership Team and other relevant staff, and any bodies which help the Committee discharge its functions.
5. On behalf of the Committee, to prepare an annual report for inclusion in the Somerset Council Pension Fund Annual Report and Accounts.
6. To keep all Members of Council informed about the work of the Committee.

Chair of the Audit Committee

Appointment / Purpose

The Audit Committee's Chair is elected annually by the Full Council.

The Chair's primary role is to chair meetings and manage the business of the Committee.

Key responsibilities

1. To promote the role of the Audit Committee within the Council and ensure that the Committee's role is understood by all Members of Council, relevant external agencies and the public.
2. To publicise the Committee's activities to other Members, including presenting an annual report to the Annual Meeting of Full Council.
3. To lead on the generation and organisation of business for the Committee.
4. To chair the Committee's meetings and provide effective management of the business to achieve good governance and clear decision making.
5. To ensure that the Vice-Chair of the Committee is adequately briefed on relevant issues.
6. To ensure Committee Members have appropriate training to undertake their role and to arrange for such training to be provided as necessary.
7. To ensure implementation of the Committee's actions through effective monitoring.
8. To establish effective working relationships with external and internal audit, inspection agencies and other relevant bodies.
9. To establish effective working relationships with the Leader, Executive, Lead Members and the Chair of the Scrutiny Committee.
10. To establish effective working relationships with the Senior Leadership Team officers and other Officers.

Vice-Chair of the Audit Committee

Appointment / Purpose

The Audit Committee's Vice-Chair is appointed annually by the Full Council.

The Vice-Chair's primary role is to support the role of the Chair of the Committee.

Key responsibilities

1. As appropriate to assist the Chair in managing the Committee's meetings.
2. In co-ordination with the Committee Chair, to act as a Council spokesperson in respect of the Committee's activities.
3. As and when necessary, to chair meetings of the Committee and in doing so provide effective management of the business to achieve good governance and clear decision making.
4. To develop and maintain a working knowledge of the Committee's functions and the procedures and practices that govern its operation.
5. To establish effective working relationships with external and internal audit, inspection agencies and other relevant bodies.
6. To establish effective working relationships with the Leader, Executive, Lead Members and the Chair of the Scrutiny Committee.
7. To establish effective working relationships with Senior Leadership Team officers and other members of staff involved in the Committee's functions.

Chair of the Constitution & Governance Committee

Role Purpose

The Chair of the Constitution & Governance Committee is appointed annually by the Council.

The Chair's primary role is to chair meetings and manage the business of the Committee.

Key responsibilities

1. To promote the role of the Committee within the Council and ensure that the Committee's role is understood by all Members of Council and the public.
2. To publicise the Committee's activities to elected Members, including presenting an annual report to the Annual Meeting of Full Council.
3. To lead on the generation and organisation of business for the Committee.
4. To chair the Committee's meetings and provide effective management of the business to achieve good governance and clear decision making.
5. To ensure that the Vice-Chair of the Committee is adequately briefed on relevant issues.
6. To ensure implementation of the Committee's actions through effective monitoring.
7. To establish effective working relationships with the Chair of the Council, the Leader of the Council and other key members of the Council including the Leader of the Opposition and the Chairs of the Committees.
8. To establish effective working relationships with the Monitoring Officer and other Officers as necessary.

Chair of the Standards Committee

Role Purpose

The Chair of the Standards Committee is appointed annually by the Council.

The Chair's primary role is to chair meetings and manage the business of the Committee.

Key responsibilities

1. To promote the role of the Standards Committee within the Council and ensure that the Committee's role is understood by all Members of Council and the public.
2. To publicise the Committee's activities to elected Members, including presenting an annual report to the Annual Meeting of Full Council.
3. To lead on the generation and organisation of business for the Committee.
4. To chair the Committee's meetings and provide effective management of the business to achieve good governance and clear decision making.
5. To ensure that the Vice-Chair of the Committee is adequately briefed on relevant issues.
6. To ensure implementation of the Committee's actions through effective monitoring.
7. To establish effective working relationships with the Chair of the Council, the Leader of the Council and other key members of the Council including the Leader of the Opposition and other political group leaders.
8. To establish effective working relationships with the Monitoring Officer and other Officers as necessary.

Leader of the Opposition

Role Purpose

The leader of the largest Opposition Group on the Council is formally designated 'Leader of the Opposition' by the Council.

This designation acknowledges that the Council's largest political group forms the Council's 'Administration' and that the other political groups are not part of that activity. It identifies the Member responsible for providing the focus for those groups' role in opposition.

Key responsibilities

1. To support the democratic process by ensuring that the activities and decisions of the Administration are examined and, where appropriate, challenged.
2. To bring forward alternatives to policies or operational decisions proposed by the Administration, as appropriate.
3. To ensure that the political group sets their expectations of the Group Leader and that those expectations are delivered.
4. To provide political direction and leadership to his/her group of Members, setting standards and expectations and encouraging Members to play a full part in the running of the Council and being effective community leaders.
5. To provide guidance and support to Opposition Group Spokespersons and Committee Chairs / Vice-Chairs as appropriate.
6. To liaise with the Leader of any other political group in Opposition on the Council as appropriate.
7. To be aware of the views of Opposition Members of Council and of other key influencers and use those views in delivering the key responsibilities of the post.
8. To establish effective working relationships with the Leader of Council and the Chair of the Council and its Committees.

9. To establish effective working relationships with Senior Leadership Team officers and, as appropriate, other staff.

Deputy Leader of the main Opposition Group

Purpose of the Post

As the Leader of the largest Opposition Group on the Council is also formally designated Leader of the Opposition, the purpose of the Deputy Leader of the main Opposition Group is to support the Group Leader and to aid the Group's organisation and activities.

Key responsibilities

1. As required by the Leader, to support the role and activities of the Leader and the Group.
2. To undertake the role of and assume the responsibilities of the Leader in the absence of the Leader or where the Leader is unable to act.
3. To establish effective working relationships with Senior Leadership Team officers and, as appropriate, other staff.

Leader of an Opposition Political Group

Purpose of the Post

The purpose of the statutory requirement to designate a Group Leader is to identify and publicise a member of the Group to act as a focal point for the Group and its activities.

Key responsibilities

1. To ensure that the political group sets their expectations of the Group Leader and that those expectations are delivered.
2. To provide political direction and leadership to their group of Members, setting standards and expectations and encouraging Members to play a full part in the running of the Council and being effective community leaders.
3. Together with other opposition group leaders, to support the democratic process by ensuring that the activities of the administration are examined and, where considered necessary, challenged.
4. To provide support and advice to any members of the Group who are Chairs or Vice-Chairs of Committees.
5. When appropriate, to bring forward alternatives to policies or operational decisions proposed by the Administration.
6. To liaise with the Leader of any other political group in opposition on the Council.
7. To establish effective working relationships with the Leader of Council and the Chair of the Council and its Committees.
8. To establish effective working relationships with Senior Leadership Team officers and, as appropriate, other staff.

Opposition Group Spokespersons

Purpose

These posts are held by members of the largest Opposition Political Group on the Council. The sphere of interest of each corresponds with that of a Lead Member. The primary role of the post is to provide an effective political counter-balance to the role of the Lead Member.

Key responsibilities

In respect of the service area(s) for which the post-holder has an interest:

1. To develop expertise and knowledge.
2. To provide political focus and leadership within the Group's membership.
3. To be the Group's lead spokesperson and 'first' political contact for other Members of Council, the public, press and Officers.
4. To lead the development of approaches to policy and operational approaches on behalf of the Group and to present them at member-level meetings, as appropriate.
5. To be aware of policies being developed and decisions being taken by the Administration, including those taken by individual Lead Members, and to challenge/contribute to them as necessary via mechanisms provided for in the Constitution.
6. To keep members of the Group informed.
7. To establish and maintain effective working relationships with Senior Leadership Team officers and other Officers.
8. To establish appropriate contacts with other bodies and with individuals to exchange views and information.

Somerset Council

Members Code of Conduct

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to city, town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring

Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and

contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

6.2 I will not take part in the scrutiny of any decision I have been involved in making. However, I may provide evidence or opinion to those undertaking any scrutiny process.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support

- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

7B Consideration of advice

As a councillor:

7B.1 I will, when reaching decisions on any matter, consider and pay due regard to any relevant advice provided to me by:-

- a) the Council's Chief Finance Officer (S151) and/or**
- b) the Council's Monitoring Officer or the Council's Monitoring Officer and legal advisor (if separate individuals);**

in accordance with their legal requirements.

7B2 I will give reasons for departing from the advice of the Chief Finance Officer (S151) or Monitoring Officer/legal advisor

It is extremely important for you as a councillor to have regard to advice from your Chief Finance Officer or Monitoring Officer where they give that advice under their statutory duties. As a councillor you must give reasons for all decisions in accordance with any legal requirements and any reasonable requirements imposed by your local authority.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I do not make trivial or malicious complaints against other councillors.

8.3 I cooperate with any Code of Conduct investigation and/or determination.

8.4 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings including the complainant and any witnesses.

8.5 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

8 Interests

As a councillor:

8.4 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

9 Gifts and hospitality

As a councillor:

- 9.4 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 9.5 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 9.6 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 that I have been offered but have refused to accept within 28 days of the offer.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office or within 28 days of your interests changing you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"**Disclosable Pecuniary Interest**" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"**Partner**" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registerable Interests as set out in **Table 2**you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

In the event that your non-registerable interest relates to -

- (1) an unpaid directorship on a company owned by your authority or
- (2) another local authority of which you are a member,

subject to your declaring that interest, you are able to take part in any discussion and vote on the matter.

10. Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out their duties as a councillor, or towards their election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or their spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or their spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or their spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You must register as an Other Registrable Interest :

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a city, town or parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

Appendix D

Guidance on Bias and Predetermination –This does not form part of the Code of Conduct

- Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life, you may participate in a decision on the issue in your political role as a councillor. However, you must not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- The courts have sought to distinguish between situations which involve predetermination or bias on the one hand and predisposition on the other. The former is indicative of a ‘closed mind’ approach and likely to leave a decision susceptible to challenge by Judicial Review. Whereas being predisposed on a matter is acceptable provided you remain open to listening to all the arguments and changing your mind in light of all the information presented at the meeting.
- Section 25 of the Localism Act 2011 provides that a councillor should not be regarded as having a closed mind simply because they previously did or said something that, directly or indirectly, indicated what view they might take in relation to any particular matter.
- In the circumstances, when making a decision, consider the matter with an open mind and on the facts made available to the meeting at which the decision is to be taken.
- As a councillor you will always be judged against an objective test of whether the reasonable onlooker, with knowledge of the relevant facts, would consider that you were biased. If you have predetermined your position, you should withdraw from being a member of the decision-making body for that particular matter.

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Part H - PROTOCOL FOR MEMBER / OFFICER RELATIONS

Content:

1. Introduction
2. Members
3. Officers
4. The Relationship: General
5. Family Relationships
6. Officer advice to Party Groups
7. Provision of Support Services to Members and Party Groups
8. Members' Access to Information and to Council Documents
9. Officer – Executive/Chair Relationships
10. Specific Member Roles / Officer Relationships
11. Conduct at meetings
12. Press and Media
13. Correspondence
14. Involvement of local County Councillors
15. Elections
16. Breaches of this Protocol
17. Monitoring, Review and Further Advice

1. Introduction

- 1.1 The purpose of this Protocol is to guide Members and Officers of the Council in their relations with one another. The Protocol's intention is to build and maintain good working relationships between Members and Officers as they work together.
- 1.2 A strong, constructive, and trusting relationship between Members and Officers is essential to the effective and efficient working of the Council.
- 1.3 This Protocol also seeks to reflect the principles underlying the respective Codes of Conduct which apply to Members and Officers. The shared object of these Codes is to enhance and maintain the integrity of Local Government and they therefore demand very high standards of personal conduct.
- 1.4 The following extract from the Local Government Association ("LGA") guidance on the 2020 Local Government Association Model Councillor Code of Conduct states that:

"Both Councillors and officers are servants of the public and are indispensable to one another. Together, they bring the critical skills, experience and knowledge required to manage an effective local authority."

At the heart of this relationship, is the importance of mutual respect. Councillor-officer relationships should be conducted in a positive and constructive way. Therefore, it is important that any dealings between Councillors and officers should observe reasonable standards of courtesy, should show mutual appreciation of the importance of their respective roles and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party.

Councillors provide a democratic mandate to the local authority and are responsible to the electorate whom they represent. They set their local authority's policy framework, ensure that services and policies are delivered and scrutinise local authority services.

Councillors of the executive, chairs and vice chairs of committees have additional responsibilities. These responsibilities will result in increased expectations and relationships with officers that are more complex. Such Councillors must still respect the impartiality of officers and must not ask them to undertake work of a party-political nature or compromise their position with other Councillors or other officers.

Officers provide the professional advice and managerial expertise and information needed for decision making by Councillors and to deliver the policy framework agreed by Councillors. They are responsible for implementing decisions of Councillors and the day-to-day administration of the local authority.

The roles are very different but need to work in a complementary way.

It is important for both sides to respect these differences and ensure that they work in harmony. Getting that relationship right is an important skill. That is why the code requires Councillors to respect an officer's impartiality and

professional expertise. In turn officers should respect a Councillor's democratic mandate as the people accountable to the public for the work of the local authority.

1.5 The provisions of this Protocol are designed to complement the LGA Guidance and LGA Model Code of Conduct and will be interpreted having regard to the requirements of the Members' Code of Conduct, the Officers' Code of Conduct, the Council's Whistleblowing Policy and the Council's policies, procedures and processes. This Protocol sets out how the relationship works and what both Members and Officers can expect in terms of mutual respect and good working relationships.

1.6 Definitions in this document:

- Members: refers to elected or co-opted Members
- Senior Officer: refers to members of the Council's senior leadership team
- Officers: refers to officers employed by the Council
- Administration: refers to the largest ruling political group on the Council.
- Opposition Group: refers to the largest political group in opposition on the Council.

2. Members

2.1 Mutual respect between Members and Officers is essential to good Local Government. Overly close personal familiarity between individual Members and Officers can damage this relationship and can be perceived as inappropriate or favouritism by the public or other Members and Officers.

2.2 It is important that any dealings between Members and Officers should observe reasonable standards of courtesy and that neither party should seek to take unfair advantage of their position.

2.3 In line with the Members' Code of Conduct, a Member must treat others with respect, must not bully or harass people and must not do anything which compromises, or is likely to compromise, the impartiality of those who work for, or on behalf of, the Council.

2.4 Officers can expect Members:

- to give political leadership and direction and to seek to further their agreed policies and objectives with the understanding that Members have the right to take the final decision on issues based on advice
- to act within the policies, practices, processes and procedures established by the Council
- to work constructively in partnership with Officers acknowledging their separate and distinct roles and responsibilities
- to understand and support the respective roles and responsibilities of Officers and their associated workloads, pressures and reporting lines

- to treat them fairly and with respect, dignity and courtesy
- to act with integrity, to give support and to respect appropriate confidentiality
- to recognise that Officers work to the instructions of their Senior Officers and not to individual Members or political groups
- not to subject them to intimidation, harassment, or put them under undue pressure. Members will have regard to the seniority of Officers in determining what are reasonable requests, having regard to the relationship between the Member and Officer, and the potential vulnerability of Officers, particularly at junior levels
- not to request them to exercise discretion which involves acting outside the Council's policies and procedures
- not to authorise, initiate, or certify any financial transactions or to enter into any contract, agreement or undertaking on behalf of the Council or in their role as a Member without proper and lawful authority
- not to use their position or relationship with Officers to advance their personal interest or those of others or to influence decisions improperly
- to comply at all times with the Members' Code of Conduct, the law, the Constitution and such other policies, procedures, protocols and procedures agreed by the Council.

2.5 It is important that Members of the Council:

- respect the impartiality of Officers and do not undermine their role in carrying out their duties
- do not ask Officers to undertake work, or act in a way, which seeks to support or benefit a particular political party or gives rise to an Officer being criticised for operating in a party-political manner
- do not ask Officers to exceed their authority where that authority is given to them in law, by the Council or by their Senior Managers

2.6 The Head of Paid Service, the Monitoring Officer and the Chief Finance (section 151) Officer and other Statutory Officers including the Director of Adult Services, Director of Children Services, Public Health Director and the Scrutiny Officer have specific responsibilities placed on them by law. These responsibilities go beyond their obligations as employees of the Council. Where an Officer is discharging their responsibilities under any statutory office Members shall not:

- improperly interfere with or obstruct the Officer in exercising those responsibilities
- victimise any Officer who is discharging or has discharged their responsibilities of Statutory Office
- compromise or attempt to compromise their impartiality and must allow them to carry out their duties in a neutral, non-biased and non-partisan way

3. Officers

- 3.1 The primary role of Officers is to advise, inform and support all Members and to implement the lawfully agreed policies of the Council.
- 3.2 Officers are responsible for day-to-day managerial and operational decisions within the Council. Members should avoid inappropriate involvement in such matters.
- 3.3 In performing their role Officers will act professionally, impartially and with political neutrality. Whilst Officers will respect a Member's view on an issue, the Officer should not be influenced or pressured to make comments, or recommendations which are contrary to their professional judgement or views.
- 3.4 Officers must:
- implement decisions of the Council and its Committees which are lawful, which have been properly approved in accordance with the requirements of the law and the Council's Constitution and are duly recorded.
 - work in partnership with Members in an impartial and professional manner
 - treat Members fairly and with respect, dignity and courtesy
 - assist and advise all parts of the Council. Officers must always act to the best of their abilities in the best interests of the authority as expressed in the Council's formal decisions.
 - respond to enquiries and complaints in accordance with the Council's procedures.
 - be alert to issues which are, or are likely to be, contentious or politically sensitive, and be aware of the implications for Members, the media or other sections of the public.
 - act with honesty, respect, dignity and courtesy at all times.
 - provide support and learning and development opportunities for Members to help them in performing their various roles.
 - not seek to use their relationship with Members to advance their personal interests or to influence decisions improperly.
 - comply, at all times, with the Officer Code of Conduct, and such other Policies or procedures approved by the Council.
 - Officers have the right not to support Members in any role other than that of Member, and not to engage in actions incompatible with this Protocol. In particular, there is a statutory limitation on Officers' involvement in political activities.

4. The Relationship: General

- 4.1 Members and Officers are indispensable to one another. However, their responsibilities are distinct. Members are accountable to the public, whereas Officers are accountable to the Council as a whole.
- 4.2 At the heart of the Codes, and this Protocol, is the importance of mutual confidence and trust and also of civility. Member/Officer relationships are to be conducted in a positive and constructive way. Therefore, it is important that any dealings between Members and Officers should observe standards of courtesy and that neither party should seek to take unfair advantage of their position nor seek to exert undue influence on the other party. It is also important that such dealings take place only when Members and Officers are acting in their official capacity. It is important that both parties respect the other's free time.
- 4.3 Members should not raise matters relating to the conduct or capability of an Officer, or of Officers collectively, in a manner that is incompatible with this Protocol at meetings held in public, on social media or in the press. Officers do not necessarily have the same right of reply to such comments as Members do and Members should take care not to abuse or exploit this imbalance.
- 4.4 A Member who is unhappy about the actions taken by, or conduct of, an officer should:
- avoid personal attacks on, or abuse of, the officer at all times
 - ensure that any criticism is well founded and constructive
 - ensure that any criticism is made in private
 - take up the concern with the appropriate Senior Manager
 - If the matter is of a particularly serious nature inform the Chief Executive Officer.
- 4.5 Neither should an officer raise with a Member matters relating to the conduct or capability of another Officer or to the internal management of the service in a manner that is incompatible with the objectives of this Protocol.
- 4.6 Potential breaches of this Protocol are considered at paragraph 15 below.

5. Family relationships and friendships on Social Media

- 5.1 Any family relationships between Members and Officers (e.g. parent/child, spouse/partner) must be disclosed as soon as reasonably practicable to the Chief Executive Officer who will then decide how far this needs to be disclosed to others.
- 5.2 A Member should not take up a decision-making role where it would give them decision-making responsibility for any Officer to whom they are closely related so as to avoid any perceptions or accusations of preferential treatment or a lack

of objectivity.

- 5.3 If a Member or Officer is in any doubt about what is appropriate or not in relation to 5.1 or 5.2 above, then they should seek the advice of the Monitoring Officer.
- 5.4 Members and Officers should carefully consider the appropriateness of forming friendships on social media and whether this will infer a friendship between the Officer and Member that could create a perception of lack of objectivity.

6. Officer Advice to Party Groups

- 6.1 There is statutory recognition for party groups and it is common practice for such groups to give preliminary consideration to matters of Council business in advance of such matters being considered by the relevant Council decision making body. Officers may properly be called upon to support and contribute to such considerations by party groups.
- 6.2 The support provided by Officers can take many forms, ranging from a briefing meeting with a member of the Executive or shadow Executive or Chair prior to a Committee meeting, to a presentation to a full party group meeting. Whilst in practice such Officer support is likely to be in most demand from the Administration, such support is available to all party groups.
- 6.3 Any requests for advice or attendance are to be directed through the Group Leaders, Executive Members (or their shadows) or Chairs for the relevant Committee. The request shall be made to the relevant Senior Officer or, in their absence, to their deputy or the next appropriate lower tier Officer. An Officer accepting an invitation to one political group or individual will not decline an invitation to advise another political group or individual on the same subject. However, the Officer is not obliged to offer to advise another political group on the same subject.
- 6.4 Certain points must however be clearly understood by all those participating in this type of process, Members and Officers alike. In particular:
 - (i) Officer support in these circumstances must not extend beyond providing information and advice in relation to matters of Council business. Officers must not be involved in advising on matters of party business. The observance of this distinction will be assisted if Officers are not expected to be present at meetings, or parts of meetings, when matters of *party* business are to be discussed;
 - (ii) Party Group Meetings, whilst they form part of the preliminaries to Council decision making, are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings do not therefore rank as Council decisions and it is essential that they are not interpreted or acted upon as such, particularly having regard to the risk of challenge on the grounds of pre-determination;

- (iii) The presence of an Officer confers no formal status on such meetings in terms of Council business and must not be interpreted as doing so;
- (iv) Similarly, where Officers provide information and advice to a party group meeting in relation to a matter of Council business, this cannot act as a substitute for providing all necessary information and advice to the relevant Council meeting, Committee or Sub-Committee when the matter in question is considered.

6.5 In relation to budget proposals;

- (a) The Administration shall be entitled to confidential discussions with Officers regarding options and proposals. These will remain confidential until determined by the Administration or until published in advance of the Executive /Council meetings, whichever is the earlier;
- (b) The opposition groups shall be entitled to confidential discussions with officers to enable them to formulate alternative budget proposals. These will remain confidential until determined by the respective opposition groups or until published in advance of Executive/Council meetings, whichever is the earlier.

6.6 Special care needs to be exercised whenever Officers are involved in providing information and advice to a party group meeting which includes persons who are not Members of the Council. Such persons will not be bound by the Council's Codes of Conduct (in particular, the provisions concerning the declaration of interests and confidentiality) and for this and other reasons, Officers will only attend in these circumstances where the request has been made to, and agreed by, a Senior Officer. It must then be understood that Officers may not be able to provide the same level of information and advice as they would to a 'Members only' meeting.

6.7 Officers must respect the confidentiality of any party group discussions at which they are present in the sense that they should not relay the content of any such discussion to another party group, unless agreed otherwise.

6.8 Any particular cases of difficulty or uncertainty in this area of Officer advice to party groups should be raised with the Chief Executive Officer who will discuss them with the relevant group leader(s).

7 Provision of Support Services to Members and Party Groups

7.1 Officers provide support services and resources to Members as agreed by the Council to enable them to undertake their various roles. This includes the provision of direct Personal Assistant support to the Leader, Executive and Chair of Council which is provided on a part-time basis.

7.2 The only basis on which the Council can lawfully provide support services (e.g. stationery, typing, printing, photocopying, transport, etc.) to Members is to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business. They should never be used in connection with party political or

campaigning activity or for private (including business) purposes.

8 Members' Access to Information and to Council Documents

- 8.1 Members are free to approach any service area of the Council to provide them with such information, explanation and advice (about the service area's functions) as they may reasonably need in order to assist them in discharging their role as Members of the Council. This can range from a request for general information about some aspect of a service areas activities to a request for specific information on behalf of a constituent. Such approaches should normally be directed to the Senior Manager for the service area concerned.
- 8.2 As regards the legal rights of Members to inspect Council documents, these are covered partly by statute and partly by the common law. Further details on this and the use of Council information that is provided to a Member are set out in the Protocol on Members' Access to Information and other Confidentiality Issues.
- 8.3 Members are expected to give reasonable notice of requests for information and to have regard to the cost of producing detailed information.

9 Officer – Executive Member/Chair Relationships

- 9.1 It is clearly important that there should be a close working relationship between the relevant Executive Member or Chair of a Committee and the Senior Officers who support that Portfolio or Committee. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question the Officers' ability to deal impartially with other Members and other party groups.
- 9.2 Under the Constitution, individual Members of the Executive may, in some situations, take decisions. The Council has put in place mechanisms to ensure that the individual Executive Member seeks advice from relevant Members and Officers before making a decision within their delegated authority. This includes taking legal advice, financial advice and professional officer advice.
- 9.3 The Council's delegation scheme and resolutions passed at Executive or Committee meetings may authorise a named Officer to take action, sometimes in consultation with one or more Members such as the Executive Member or Chair and Vice-Chair of a Committee. In these circumstances it is the Officer, rather than the Member, who takes the decision or action and it is the Officer who is accountable for it.
- 9.4 Finally, it must be remembered that Officers within a service are accountable to their Senior Officer and that, whilst Officers should always seek to assist a Executive Member or Chair (or indeed any Member) they must not, in so doing, go beyond the bounds of whatever authority they have been given by their Senior Officer.

10.1 Leader & Chief Executive Officer / Senior Officers

The Leader gives political direction and leadership to the Council. The role encompasses:

- Setting standards of conduct and expectations for their group of Members and resolving any instances of misconduct by a member of that group that has been referred to him/her from the Standards Committee / Hearing Panel.
- Appointing their Executive and allocating responsibilities to Executive Members and Officers under the Executive Scheme of Delegation
- Encouraging all Members to play a full part in the running of the Council and being effective community leaders.
- Working closely with the Chief Executive Officer to ensure proper coordination of the Council's leadership and management. The Leader and Chief Executive Officer have ultimate responsibility for the corporate working of the Council. They also have responsibility for ensuring that overall partnership working is effective.
- The Chief Executive Officer is responsible to the Leader for the corporate, strategic and operational management of the Council.
- The Council will provide sufficient support and resources to enable the Leader to perform their role effectively.

10.2 Executive Members and Officers

- Executive Members will develop the expertise, knowledge of and responsibility for the service(s) allocated to them by the Leader. This includes taking decisions delegated to them by the Leader within the Executive Scheme of Delegation. The nature of this role means that Executive Members will work closely with their relevant Senior Officer(s) particularly on policy development, decision-making, service delivery and performance issues.
- For their area of responsibility, the Executive Member provides political focus and leadership for their political group and is the lead spokesperson and 'first' political contact for opposition group spokespersons, other Members of Council, the public, press and Officers.
- The Council will provide sufficient support and resources to enable the Executive Member to perform their role effectively.

10.3 Leader of the Opposition and Officers

The Leader of the largest political group in opposition on the Council has several key roles including:

- supporting the democratic process by ensuring that the activities of the Administration are appropriately examined, contributed to and, where considered necessary, challenged through mechanisms provided for in law and within the Constitution;
 - bringing forward alternatives to policies or operational decisions proposed by the Administration, as appropriate;
 - giving political direction and leadership to their group of Members, setting standards of conduct and expectations and resolving any instances of misconduct by a member of that group referred to him/her by the Standards Committee / Hearing Panel
 - liaising with the leaders of other minority political groups on the Council.
-
- The office-holder should establish effective working relationships with particularly the Chief Executive Officer and Senior Leadership Team officers and other Officers, as appropriate.
 - The Council will provide appropriate support, resources and advice to enable the office-holder to perform their role effectively.
 - In addition, other minority Group Leaders will play a similar role as set out above in respect of the members of their own groups.

10.4 Scrutiny Members and Officers

Members of the Council's Scrutiny Committees shall:

- obtain the advice of the Monitoring Officer where they consider there is doubt about the vires for a decision or they consider a decision of the Leader, Executive, Executive Member or an Officer might be outside the policy and / or budget framework.
- when considering calling Officers to give evidence, consult the relevant Senior Officer to identify as to the most appropriate Officer to attend.
- when asking Officers to give evidence, confine questions, so far as possible, to questions of fact and explanation relating to policies and decisions. Officers may be asked to give a professional opinion, but Officers must not be asked questions relating to political views.
- where they consider it appropriate, ask Officers to explain and justify advice given to Members prior to decisions being taken and justify decisions they themselves have taken under the Council's Constitution.
- not question Officers in such a way as to be in breach of the Members' Code of Conduct nor deal with matters which are of a personal or disciplinary nature.

It is not the role of scrutiny to act as a disciplinary tribunal in relation to the actions

of Members or Officers. Neither is it the role of Officers to become involved in what would amount to disciplinary investigations on a Scrutiny Committee's behalf. This means:

- (a) Overview & Scrutiny's questioning about the conduct of individuals should be in the sense of establishing the facts about what occurred in the making of decisions or implementing of Council policies, not to imply criticism or blame;
- (b) In these circumstances, it is for the Chief Executive Officer to institute a formal enquiry, and Overview & Scrutiny may ask (but not require) him/her to do so.

Overview & Scrutiny should not act as a "Court of Appeal" against decisions or to pursue complaints by individuals, as other procedures exist for this. These are internal, for example, the Council's corporate complaints procedure, and external/statutory, for example the Local Government Ombudsman or appeal to the Courts. However:

- (a) Overview & Scrutiny may investigate the manner in which decisions are made but should not pass judgement on the merits or otherwise of a decision in individual cases;
- (b) They can comment on the merits of a particular policy affecting individuals.

Wherever possible Overview & Scrutiny should provide written questions or details of indicative topics to someone invited to appear before the Committee to ensure they have adequate time to prepare for the meeting. In addition, invitees ought to be told the general line that further questioning is likely to take. Questioning should not stray outside the subject area that the Committee has previously indicated.

Officers shall:

- maintain political impartiality at all times when commenting on the Executive's / Council's policies and actions.
- be prepared to explain and justify advice given to Members of the Executive and the Council prior to decisions being taken and justify decisions they themselves have taken under the Council's Constitution.
- ensure that appropriate Officers appear before the relevant Council body.

11. Conduct at meetings of the Council

11.1 Officers should respect Members in the way they respond to Member' questions. Members should not question Officers in a way which could be interpreted as harassment.

11.2 Proceedings must not be used to question the capability or competence of Officers, or to criticise them in public. Chairs and Members need to make a distinction between reviewing the policies and performance of the Council and its services, and appraising the personal performance of Officers (particularly at scrutiny meetings.) The latter is not an appropriate role for Members.

- 11.3 Senior Officers have the right to present reports and give advice to Committees and sub-committees of the Council. All reports to Council meetings include the name of a contact officer, and Members are encouraged to approach that Officer for any query or issue they wish to raise prior to the meeting.
- 11.4 Members on a Committee or sub-committee shall take decisions within the remit of that body, and will not instruct Officers to act otherwise.
- 11.5 At meetings of the Council, a resolution may be passed which authorises a named Officer to take action between meetings in consultation with the Chair, other Member(s) of that body or other Officers. In these circumstances it is the Officer, not the Chair, who takes the action and is responsible for it. Neither the Chair nor any other Member, or group of Members, (other than Executive Members) has any legal power to take decisions on behalf of the Council; neither should they apply inappropriate pressure on the officer.

12. Press and Media

- 12.1 Local Authorities are accountable to their electorate. Accountability requires local understanding. This will be promoted by the Council, explaining its objectives and policies to the electors and customers. Local Authorities use publicity to keep the public informed and to encourage public participation. The Council needs to tell the public about the services it provides. Good effective publicity should aim to improve public awareness of the Council's activities. Publicity is a sensitive matter in any political environment because of the impact it can have. Expenditure on publicity can be significant.
- 12.2. The Council must comply with the provisions of the Local Government Act 1986 ("the Act") regarding publicity. All media relations work will comply with the national Code of Practice for Local Government Publicity. The Code is statutory guidance and the Council must have regard to it and follow its provisions when making any decision on publicity.
- 12.3 All Council press releases should be in accordance with the Council's agreed Media Guidelines and must be issued through the Council's Communications Team.
- 12.4 Members or political groups have the right to issue political press releases but these shall not be prepared or issued using the Council's resources of any kind. If a Member is contacted by, or contacts, the media on an issue, they should:
- indicate in what capacity they are speaking (e.g. as a local County Councillor, in a personal capacity, as a Executive Member, on behalf of the Council, or on behalf of a party group);
 - if necessary, and always when they would like a press release to be issued on a non-party political nature seek assistance from the Council's Communications and Marketing Team;
 - consider the likely consequences for the Council of their statement (e.g. commitment to a particular course of action, image, allegations of predetermination);
 - never give a commitment in relation to matters which may be subject to claims from third parties and/or are likely to be an insurance matter;

- consider whether to consult other relevant Members; and
- take particular care in what they say in the run-up to local or national elections to avoid giving the impression of electioneering, unless they been contacted as an election candidate or political party activist.

It is important for Members to comply with their general obligations in the Code of Conduct when dealing with the press and media and recognise that as a representative of the Council their actions impact on how the Council as a whole is viewed by the public.

- 12.5 Lead Members with special responsibilities will receive training in handling the media and shall receive additional support as required and as appropriate for their roles from the Communications and Marketing Team.
- 12.6 Any press release that may be necessary to clarify the Council's position in relation to disputes, major planning developments, court issues or individuals' complaints should be approved by the appropriate Senior Manager and/or the Monitoring Officer.
- 12.7 Members should have regard to their obligations under 4.3 above when making any statements to the press or media.

13 Correspondence

13.1 Use of Paper

- 13.1.1 The paper containing the Council's corporate identity image must be used for all correspondence written on behalf of the Council. When Members are writing in their capacity as a Member they must make it clear whether they are writing on behalf of the Council or as the divisional member. Members must never use paper or electronic communications containing the Council's corporate identity image for personal, party political or business matters.

13.2 Correspondence between Members and Officers

- 13.2.1 Correspondence from an individual Member to an Officer will not normally be copied by the Officer to any other Member unless it is the intention of the Member that it should be so (e.g. representations made in relation to a planning application). Where, exceptionally, and having sought the advice of a Senior Officer, it is considered appropriate to copy the correspondence to another Member, then the original Member should be given prior notification and be told to whom it is proposed to be copied and the reasons for this proposed course of action. The decision of whether another Member should be sent the correspondence is ultimately for the Chief Executive Officer to take.
- 13.2.2 Particular care needs to be taken with email correspondence where the Council's use of email policy should be followed. For example, when dealing with constituency email correspondence be careful when copying emails when using 'cc' or 'bcc' or 'reply to all'. Only copy your email to those people that really need to see it, don't inadvertently forward confidential information and don't forward a constituent's email to others even within the Council without having first obtained their consent.

14. Involvement of Local County Councillors

14.1 Whenever a public meeting is organised by the Council to consider a local issue, all the Members representing the division or divisions affected should, as a matter of course, be invited to attend the meeting. Similarly, whenever the Council undertakes any form of consultative exercise on a local issue, the relevant local County Councillors should be notified at the outset of the exercise.

15. Elections

15.1 Particular rules apply around elections and by-elections. These are contained in the Somerset Election Protocol.

16. Breaches of the Protocol

16.1 This paragraph of the Protocol should be read in conjunction with the Council's Whistleblowing Policy.

16.2 Where the relationship between Members and Officers breaks down or becomes strained, every effort will be made to resolve matters informally, through conciliation by an appropriate Senior Officer or Members.

16.3 Where a **Member** is dissatisfied with the conduct, behaviour or performance of an Officer, the matter should be raised with the relevant Senior Leadership Team Officer. Where the Officer concerned is a Director, the matter should be raised with the Chief Executive Officer. Where the employee concerned is the Chief Executive Officer, the matter should be raised with the Monitoring Officer.

16.4 The Senior Officer will acknowledge the complaint and advise on next steps. The timescale for dealing with such a complaint will be in accordance with the Council's normal complaints procedure.

16.5 Members have a right to know if action has been taken to address a matter, but they must not, either:

- influence, or seek to influence, the level of disciplinary action to be taken against an Officer, nor
- insist (nor be seen to insist) that an Officer is disciplined.

16.6 Members have a right to be told the outcome of any disciplinary case, but have no entitlement to detailed information about the hearing or its conduct aside from those Members of the Officer Appeals Committee where specific cases are considered by the Committee.

16.7 Where an **Officer** feels that they have not been properly treated with respect and courtesy, and wishes to make a complaint under the Members' Code of Conduct this should be made to the Monitoring Officer. In the event of the concerns being raised informally, the Monitoring Officer may refer the matter to the leader of the relevant party group or to the Member concerned. In the event of a formal complaint, the Monitoring Officer will consider whether the

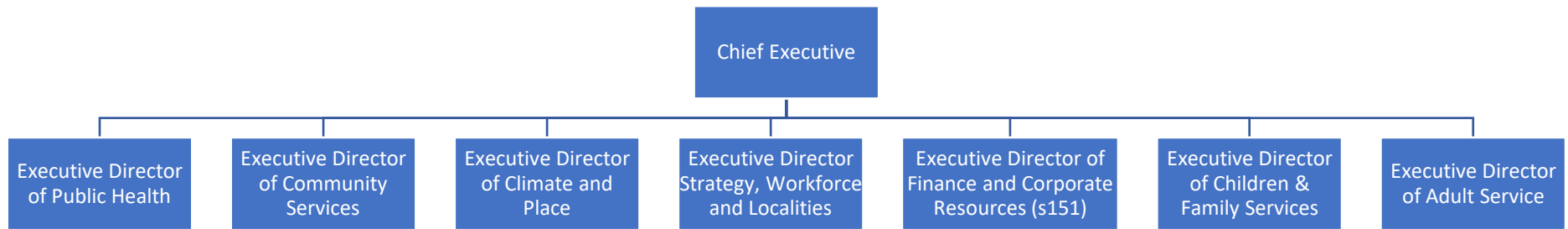
complaint should be referred for investigation, other action or whether no further action should be taken and the Council's procedures for dealing with Members' Code of Conduct complaints will be followed as set out in the Constitution.

- 16.8 Breaches of this Protocol by a Member may constitute a breach of the Members' Code of Conduct.
- 16.9 Breaches of this Protocol by an Officer may be referred for disciplinary action.

17 Monitoring, Review and further Advice

- 17.1 The application and implementation of this Protocol will be monitored and reviewed by the Council's Standards Committee in consultation with the Council's Monitoring Officer.
- 17.2 Further advice on the interpretation of this Protocol is available from the Chief Executive Officer or Monitoring Officer.

Part I – Senior Management Structure



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Part I - Scheme of Delegation to Officers

1. Introduction

- 1.1 All functions of the Council, except those decisions that are specified as member decisions in the Terms of Reference of the Full Council, a Committee or the Executive, or which by law have to be made by members, are delegated to officers.
- 1.2 This Scheme therefore sets out the powers of officers of the Council to discharge the functions of the Council, including making those decisions. The basis for delegation is contained within Section 101 of the Local Government Act 1972, Section 9D and 9DA of the Local Government Act 2000, and the Local Authorities (Functions and Responsibilities) Regulations 2000 as amended.
- 1.3 Officers acting under delegated powers can exercise the full range of powers necessary to discharge the Council's functions, including taking decisions, implementing decisions, managing the services, contracts and staff for which they are responsible.
- 1.4 In this Scheme, executive powers have been delegated to officers by the Leader of the Council under the Local Government Act 2000. Non-executive powers are delegated by the Council under section 101 of the Local Government Act 1972.
- 1.5 In addition to this Scheme, the Full Council, Committees and the Executive may delegate powers to officers, unless their Terms of Reference prohibit further delegation. Such delegations include the full range of powers to discharge the function, unless the decision of the member body limits these powers.

2. Limitations

- 2.2 Any exercise of delegated powers is subject to the following overriding limitations.

2.1 Member Consultation

- 2.1.1 Officers set out in the Scheme are expected to: -
- maintain a close liaison with the appropriate lead Executive member (“Lead Member”) or in their absence the Leader;
 - consult relevant Lead Members when exercising key decision delegations;
 - inform relevant Lead Members when exercising non key delegations;
 - ensure the divisional councillors are consulted or advised of the exercise of any delegated powers that particularly affect their area; and
 - ensure that the Chief Executive (Head of Paid Service), Executive Director of Finance (Section 151 Officer) and the Service Director: Governance, Democratic & Legal Services (Monitoring Officer) are

consulted and advised of any decisions as necessary.

2.1.2 Lead Members for the relevant area should be consulted on the exercise of a delegated power in all cases where:

- there is likely to be significant opposition from members of the public save that this does not relate to objections to planning applications, building control applications, decisions on planning enforcement, proposals to modify the definitive map and statement and commons register or licensing decisions;
- there are significant political sensitivities;
- there is likely to be significant media (including social media) interest; or
- A key decision is being taken.

2.2 Using a Delegation

2.2.1 Before exercising any delegated power, officers must consider in accordance with paragraph 2.1.2 whether or not they need to consult with the relevant Lead Member on the exercise of delegated powers or not to exercise delegated powers but to refer the matter to the relevant Lead Member or Council Body to decide.

2.2.2 The Leader Lead Member or Committee Chair (depending on where the decision sits) may at any time, following consultation with the Chief Executive and relevant officer, require a particular issue or any aspect of delegated powers to be referred to the appropriate Council Body for a decision. This does not limit the general requirements set out elsewhere in the constitution to consult with relevant divisional members, scrutiny chairs and interested groups in reaching decisions.

2.2.3 The Chief Executive can at any time exercise any power delegated to any officer whether specified in this Scheme or otherwise unless expressly prohibited by law. At any time that the Chief Executive is unavailable or absent, or the post is vacant, then any of the Executive Directors can exercise any such power.

2.2.4 The powers and responsibilities are delegated to the officers referred to by title within this Scheme of Delegation. This means that the delegations apply to whoever holds that post title at any time. The powers are automatically transferred to any successor officer to that post. Also, at various times, an officer post may be left vacant, posts may be combined and/or the title changed. For the purposes of this Scheme, reference to any post that is vacant, combined with any other and/or has its name changed shall be construed as referring to the officer post which for the time being takes on the relevant responsibilities of the original post.

2.2.5 Where a delegation to an officer overlaps with any other delegation, then the delegation can be exercised by the officer without reference to any other officer or members and free of any restriction and/or limitation.

2.2.6 These general provisions apply not only to named officers but also to anyone else authorised or nominated by them to exercise delegated authority on their behalf. In

authorising others to act on their behalf attention should be drawn to the requirements of these provisions.

2.2.7 Nothing in this Scheme shall prevent an officer from deciding not to exercise a power and to refer it to some other body /member who also has power to exercise it.

2.2.8 Where a proposed exercise of delegated authority is such that the Leader should be consulted and the Leader is absent or otherwise unavailable then the Deputy Leader can be consulted. Similarly, in the absence of the Chairman of a Committee the Vice-Chairman can be consulted. In the absence of a Lead Member the Leader could be consulted as an alternative.

2.3 Reservations

2.3.1 The scheme does not delegate to officers:

- any matter reserved to Full Council;
- any matter which by law may not be delegated to an officer; or
- Any matter expressly withdrawn from delegation by the Council, Committees, the Leader or Executive.

2.4 Restrictions

2.4.1 Any exercise of delegated powers is subject to:

- any statutory restrictions;
- the Budget and Policy Framework;
- any provision contained in this Constitution including the Procedure Rules;
- the Council's approved budget;
- any strategy or policy set by the Council or its committees, the Executive or the Chief Executive; and
- the Code of Conduct for Employees.

3. Delegations and Proper Officers

3.1 Council decisions are made by elected members but for the Council to be able to function on a day-to-day basis, the law enables the various executive and non-executive functions to be delegated to officers. In addition, there are some functions which the law says must be exercised by specific officers.

3.2 The Council operates a cascade principle of delegation to ensure that decisions are taken at the most appropriate level closest to those who will be affected. This means that the vast majority of the Council's decisions and actions will fall into the category of

operational day to day decisions taken by its officers.

- 3.3 To ensure the smooth functioning of the Council and the efficient delivery of services, the Chief Officers and other named officers have been delegated various powers that they need to perform their roles. Reference to Chief Officers means the Chief Executive, Executive Directors and Service Directors.
- 3.4 Certain officers have specific duties and/ or formal functions to ensure that the Council acts within the law, uses its resources wisely and exercises its powers properly. These officers are known as “Statutory” or “Proper” Officers. A list of Statutory and Proper Officers and their authorised deputies appointed by the Council are attached at Appendix C, together with details of their functions.
- 3.5 This Scheme delegates to officers all the powers and duties relevant to their areas of responsibility detailed within:
- the areas of responsibility in Table A below;
 - the general delegations set out in clause 4;
 - as assigned in specific delegations set out in clause 5; or
 - which have been delegated or granted to the officer from time to time.

Areas of Responsibility

Table A

A link to be provided to this rather than set out in the document

Chief Officer	Main Functions and Areas of Responsibility
Chief Executive	<p>Strategic management of the Authority</p> <p>Head of Paid Service</p> <p>Electoral Registration Officer</p> <p>Returning Officer</p> <p>Development of the culture and standards of the Authority</p> <p>Leading and developing partnerships with the public, private and third sector.</p> <p>Advisor to all members (via the political groups)</p>
<p>Executive Director : Community Services and relevant Service Director for area of responsibility</p>	<p>Housing</p> <ul style="list-style-type: none"> • Strategy and Housing revenue Account Business Plan • Arms Length Management Organisation • Housing Options & Allocations – Homefinder Somerset • Homelessness – Rough Sleepers pathway • Housing and Leaseholder Management • Housing Maintenance - Responsive and Planned (capital programme), compliance, void management • Housing Development & Regeneration • Tenant Services – Worklessness &-Tenancy Management (new tenancies, income, debt and benefit support, rent setting, service charges, tenancy compliance) • Somerset Independence Plus and financial assistance – Disabled Facility Grant, loans, advice • Housing Property Service • Registered Providers and Partnerships • Sheltered and Extra Care • Gypsy, Traveller and Van Dweller Services • People Displacement Schemes and Services

Cultural Services

- Libraries and Local Offer
- Museums
- Theatres
- Leisure Centres, Facilities and Services (contract and direct)
- Sports Development Partnership
- Heritage Assets
- Arts Centres, Facilities, Services and Developments
- Culture Facilities, Services and Developments
- Tourism Facilities, Services and Development including cafes
- Community Facilities

Customer Services

- Customer Service Strategy and Standards
- Corporate Customer Services
- Contact Centre
- Compliments & Complaints, Ombudsman cases
- Local Service Centres
- Customer Engagement and Access

Regulatory and Operational Services

- Environmental Health and Licensing
- Registrars
- Coroners
- Environmental Protection and Enviro-Crime
- Port and Harbour Authority
- CCTV and anti-social behaviour
- Safety Advisory Group
- Private Sector Housing Standards Enforcement
- Street Cleansing
- Grounds Maintenance
- Beach Management
- Unauthorised encampments
- Parks and Play Areas
- Public Toilets
- Dog Wardens
- Operational Service to Partners

	<ul style="list-style-type: none"> • Bereavement Services • Fairs and Markets
<p>Executive Director: Climate and Place and relevant Service Director for area of responsibility</p>	<p>Climate Environment and Sustainability</p> <ul style="list-style-type: none"> • Strategy and Partnership development • Carbon Neutrality • Climate Resilience and adaptation • Renewable Energy • Country Parks, Local Nature Recovery Strategy, Local Nature Reserves, AONB Partnerships (Countryside Services) • Biodiversity (and net gain) and Ecology • Sustainability • Waste Service • Emergency Planning and Business Continuity • Water Management • Lead Local Flood Authority and Land Drainage • Flooding Response • Somerset Rivers Authority • Coastal Protection Authority <p>Infrastructure & Transport</p> <ul style="list-style-type: none"> • Highways Authority (including highway maintenance, asset management, bridges and structures, highway lighting and electrical assets and contract management) • Public Rights of Way • Active Travel • Parking

- Traffic Management
- Transport
- Public Transport
- Fleet Management
- Contracted Transport
- Strategic Transport Planning
- Highways Major Projects
- Road Safety
- Delivery Programme Management
- Infrastructure Commissioning

Economy, Employment & Planning

- Economic Development
- Planning (conservation and heritage at risk, enforcement, Development Management, Local Plan, waste and minerals, S106 allocations, community infrastructure levy, Phosphates)
- Affordable Housing and Enabling
- City/Town Centre Management
- Building Control
- Trading Standards (Devon partnership)
- Skills
- Education Business Partnership
- Economic Infrastructure, services and Innovation Centres
- Regeneration (non-housing)
- Major Projects
- Nuclear Power
- Scientific Services

**Executive
Director: Strategy,
Workforce &
Localities and
relevant Service
Director for area
of responsibility**

Partnership and Localities

- Local Community Networks (LCNs)
- Strategic Partnerships
- City, Town and Parish Council Liaison
- Local devolution - Community Asset Transfers, Service devolution
- Community, Voluntary Faith, Social Enterprise Strategy and Engagement
- Volunteering Services
- Consultation and Engagement
- Locality management, delivery, partnerships and projects
- One Teams
- Community Development
- Special Projects
- Grants & Lotteries

Strategy and Performance

- Strategy and Policy
- Transformation

- Performance and Benchmarking
- Communications
- Programme Management
- Project Management
- Change and Improvement
- Business Intelligence and Analysis
- Legislation and Horizon Scanning
- Statutory Returns
- Data Visualisation & Complex Analytics,
- Data Management /warehousing

	<ul style="list-style-type: none"> • Digital – Development and Service • Commissioning Framework and Development • Address Management (LLGP, LGS, Street Naming and Numbering) • Land Charges • GIS • Corporate Equality and Armed Forces Covenant <p>Governance, Democratic & Legal Services (Monitoring Officer)</p> <ul style="list-style-type: none"> • Member Services and Casework • Lieutenancy • Democratic Services • Legal Services • Elections Operation and Elections Registration • Information Governance and Records Management including GDPR, FOI, RIPA • Corporate governance Framework • Annual Governance Statement • Whistleblowing • Officer Code of Conduct • School Admission, Exclusion and Transport Appeal Hearings • Civic and Ceremonial Duties <p>Workforce</p> <ul style="list-style-type: none"> • Workforce Strategy and Planning • Organisational Health and Wellbeing • Operations • Business Partnering
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	<ul style="list-style-type: none"> • Payroll & Pensions • Organisation Learning and Organisation Development • Corporate/Duty Holder Health and Safety • Staff Benefits • Policy & Reward • Organisational Equality, Diversity and Inclusion • Change Management
<p>Executive Director: Resources & Corporate Services (s151) and relevant Service Director for area of responsibility</p>	<p>Finance & Procurement</p> <ul style="list-style-type: none"> • Finance Services (inc. Business Partners) • Revenues and Benefits • Pension Fund • Capital Management • Treasury & Corporate Debt Management • Housing Revenue Account Financial Strategy • Internal Audit • Procurement • External Audit • Financial Systems • Risk & Insurance Management • Direct Payments • Financial Assessment and Deputyship <p>Strategic Asset Management</p> <ul style="list-style-type: none"> • Corporate Landlord function (land and property asset management) • Asset Management Strategy • Estates and Valuations • Rural estate management • Site acquisition, disposal and development • Property records & database • Commercial investment property

	<ul style="list-style-type: none"> • Facilities management, premises contracts, property maintenance & helpdesk • Premises compliance & risk management, site security and management • Estate decarbonisation strategy and delivery • Schools & general fund condition programme • Closed Churchyards • Construction project delivery – schools and major projects advice & internal consultancy support <p>Information Communication Technology</p> <ul style="list-style-type: none"> • Strategy and Architecture • Operations & Security • Support • Infrastructure • Telephony • Technical Project Delivery • Application Development • Innovation, research and development • Project Pipeline • Supplier Management • Service Management • Future Technology
<p>Executive Director: Public Health and relevant Service Director for area of responsibility</p>	<p>Public Health (Deputy Director Public Health)</p> <ul style="list-style-type: none"> • Provision of Specialist Public Health advice to the system • Influencing policy, practice and commissioning to improve health & wellbeing • Inequality, Inclusion and Diversity (Strategy and Engagement) • Somerset Health and Wellbeing Board (HWBB & ICP) • Protection of the Public’s Health

	<ul style="list-style-type: none"> • Health Improvement • Tackling Health Inequalities • Healthcare Public Health • Specialist public health advice and support to Primary Care Networks/LCNs • Public Health Commissioning • Public Health Nursing • Healthy Lifestyle Services • Provision of Public Health training/lecturing • Centre for Specialist Registrar Training • Behavioural Insights • Public Health Research and Evaluation & links with academia • Health and Care Knowledge, Intelligence & Clinical audit (preferably joint for ICS) • Population Health • Community Safety Partnership • Domestic Abuse • VRU/VAWG
<p>Executive Director: Children's Services and relevant Service Director for area of responsibility</p>	<p>Children and Families</p> <ul style="list-style-type: none"> • Children Looked After and Care Leavers • Assessment and Safeguarding • Youth Justice • Children with Disabilities • Preventative Services • Quality Assurance • Principal Social Worker • Local Safeguarding Partnership <p>Commissioning and Performance</p> <ul style="list-style-type: none"> • Commissioning • Business Support • Partners and Market Development <p>Inclusion</p> <ul style="list-style-type: none"> • Special Educational Needs

	<p>and Disability</p> <ul style="list-style-type: none"> • Access & Additional Learning Needs • Virtual School & Learning Support Service • Special Educational Needs Advisory Services & Educational Psychologist <p>Education, Partnerships and Skills</p> <ul style="list-style-type: none"> • Support services for Education • Early Years • School Improvement • School Place Planning <ul style="list-style-type: none"> • Somerset Association for Headteachers
<p>Executive Director: Adult and Health Services and relevant Service Director for area of responsibility</p>	<p>Operations</p> <ul style="list-style-type: none"> • Acutes • Safeguarding • Partnership • Neighbourhoods/Communities • Integration • Carers • Care/Alarm Lines and Rapid Responders <p>Commissioning</p> <ul style="list-style-type: none"> • Market development • Joint commissioning • Community and Innovation linked to Neighbourhoods • Assurance/inspection • Brokerage • Quality & Performance <p>Transformation</p> <ul style="list-style-type: none"> • Adults' transformation programme • Delivery of legislative change

	<ul style="list-style-type: none">• Adults' strategy and alignment with ICS strategy• Service governance and forward planning• Communications
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4. General Delegations

Delegations to all officers

- 1 To act as a witness:
 - (a) on behalf of the Council in any proceedings in which the Council is directly involved; and/or
 - (b) where so directed by a court, tribunal, hearing or other inquiry with power so to do; and/or
 - (c) in any other circumstance with the prior written approval of the Monitoring Officer.
- 2 To undertake all action required by or identified in Financial Regulations and/or Contract Procedural Rules as applicable to that officer.
- 3 To undertake all action relevant to any matter to which an officer is given a role, power or activity pursuant to any provision set out in the Constitution where the officer is exercising a role as a Proper Officer as identified in Appendix C;

Delegations to Chief Officers

- 4 These general delegations include all powers and duties under all legislation present and future relating to their area of responsibility and all powers and duties incidental to that legislation including but not limited to the following:

General Delegation

- 5 Authority to the Chief Executive, ~~and~~ Executive Directors and Service Directors to discharge the functions and exercise the responsibilities, powers and duties relevant to their areas of responsibility, including the making of key decisions, allocated to them. This includes matters dealt with by them or their staff except for matters specifically reserved
 - To the Executive
 - Committee's or
 - Full Council

This reservation, or limitation, shall be subject to the urgency or emergency provisions set out at paragraphs 39.

- 6 To discharge the functions and exercise the responsibilities, powers and duties relevant to their areas of responsibility, including the making of key decisions, allocated to them. This includes matters dealt with by them or their staff except for matters specifically reserved

- To the Executive
- Committee's or
- Full Council

This reservation, or limitation, shall be subject to the urgency provisions set out at paragraph 39.

- 7 Authority to the Chief Executive, Executive Directors and Service Directors to implement decisions of the Council, Executive, Committees and Subcommittees in the discharge of the Councils functions.
- 8 Authority to the Chief Executive, Executive Directors and Service Directors to take all managerial or professional decisions relevant to their areas of responsibility as detailed in Table A including but not limited to the following:
- Commencing proceedings
 - Seeking planning permission
 - Approving contracts
 - Making amendments to policies

Powers in relation to property

- 9 Authority to enter, inspect and survey land, buildings or premises and issue as necessary any evidence or authority as may be required in order for them to execute their duties in accordance with the Council's statutory powers.
- 10 Authority to undertake all action in connection with the issuing and serving of any notice for the purposes of securing information relating to any function of the Council, including any notice:
- under Local Government (Miscellaneous Provisions) Act 1976; and
 - relating to any town and country planning function of the Council.

Powers in relation to planning

- 11 Agree operational requirements for Agreements made under S106 of the Town and Country Planning Act 1990 or other similar agreements with no financial limit, providing suitable on-going revenue support and exit strategies are in place.
- 12 Agree the completion of Section 106 Agreements on behalf of the Council or other similar agreements with no financial limit, providing suitable on-going revenue support and exit strategies are in place.
- 13 Approve responses to consultation papers.

- 14 Carry out any relevant consultation on behalf of the Council.
- 15 Make appropriate planning applications.
- 16 Approve promotional and marketing campaigns.
- 17 In consultation with the relevant Lead Member, respond to consultations and processes under the Planning Act 2008 concerning nationally significant infrastructure projects, including Community Consultations, draft Statements of Community Consultation, draft scoping reports, draft Development Consent Orders and draft s106 planning obligations, and all pre-examination and examination outputs including Adequacy of Consultation, Relevant Representations, Written Representations, Statement of Common Ground, Local Impact Report, and responses to Examining Authority questions.
- 18 Respond to proposed non-material and material changes to Development Consent Orders and to include all necessary input to Transport Works Act Orders processes including their agreement.
- 19 The discharge of requirements and obligations on consented Development Consent Orders and Transport Works Act Orders as appropriate.
- 20 To discharge the interests of the Council at meetings connected with Nationally Significant Infrastructure Projects with a Development Consent Order.
- 21 Compulsory Purchase Orders

Powers in relation to Partnerships, External Bodies and Boards

- 22 Approve operational frameworks for delivery level partnership / joint working arrangements and Local Community Networks with other public, private, voluntary and community sector organisations.
- 23 When representing the Council or the Executive on a partnership or outside body, take decisions on behalf of the Council subject to the limits of their delegated authority.
- 24 Approve officer appointments to partnership / working groups including with other public, private, voluntary and community sector organisations.

Financial Powers

- 25 Following approval of service revenue and capital budgets, incur expenditure within those budgets.

- 26 Incur expenditure within the revenue and capital budgets in accordance with the virement procedures and delegated limits set out in Financial Regulations and Contract Procedure Rules.
- 27 Accept tenders for contracts in accordance with the Contract Standing Order Rules.
- 28 To approve payments to suppliers prior to the receipt of goods in accordance with the limits set out in Financial Regulations.
- 29 To prepare and submit any application for external grants/funding and/or determine whether to accept the award of any external grant/funding (including any related conditions and/or limitations) provided:
- i) that any costs (including any match funding) to the Council required as part of any grant/ funding being available from a budget within the control of the Chief Officer; and
 - ii) there is prior approval of the Section 151 Officer where s/he is required to sign off on any requirements relating to the grant/funding.
- 30 Direct the delivery of services in compliance with the:
- Constitution
 - Council policy and planning and performance frameworks
 - Schemes of Delegation
 - Financial Regulations
 - Contract Standing Orders
 - Statutory requirements
 - Service budget allocations
- 31 Develop and propose policy changes for service delivery and ensure they identify and agree with the financial implications of all new proposals for new spending and that the relevant Executive Member and, where appropriate, Executive is advised of those implications.
- 32 Responsibility for:
- Ensuring that all staff in their areas of responsibility are aware of their responsibilities under Financial Regulations and other internal regulatory documents and that they comply with them.
 - The accountability and control of staff and the security, custody and control of all resources within their areas of responsibility.
 - Maintaining a record of financial responsibilities delegated to members of staff in their areas of responsibility.
- 33 Authority for all officer decision making is limited according to the financial thresholds below (unless otherwise stated in the specific delegations or sub-delegated in accordance

with paragraph 6.1:

- i) **Decisions involving total expenditure or delivering savings over £250,000 of capital or revenue resources and up to £5 million *** – Only the Chief Executive and/or Executive Directors and/or Service Directors and for any expenditure over £500,000 in consultation with the relevant Lead Member
- ii) **Decisions involving total expenditure or delivering savings up to £250,000 of capital or revenue resources *** – Executive Directors and/or Service Directors
- iii) **Decisions involving total expenditure or delivering savings up to £50,000 of capital or revenue resources *** - All Managers and Officers at Tier 5 or above
- iv) **Decisions involving total expenditure or delivering savings up to £10,000 of capital or revenue resources *** – All officers at Tier 7 or above
- v) **Up to £500 of capital or revenue resources *** – All Council officers.

* These financial threshold figures will relate to total expenditure or savings and not annual figures. All decisions should be taken in accordance with Contract Standing Orders, Financial Regulations and the Council Constitution.

Powers in relation to Contracts and procurement

- 34 Commission, procure, award contracts, review and vary contracts, terminate contracts, acquire goods, works and services to meet the business needs of the Council in accordance with Contract Procedure Rules.
- 35 Give approval to proceed to tender on a contract.

People Management

- 36 Take any action in accordance with the Council's agreed policies and procedures with respect to the recruitment, appointment, promotion, training, grading, discipline, dismissal, determination of wages and salary scales, determination of allowances, determination and application of conditions of service, including but not limited to allocation of leave, honorariums, ill health retirement and determination of establishment.
- 37 Engage temporary staff and consultants to meet business needs where within existing budget allocations.
- 38 Approve changes to the number and distribution of posts for which they are responsible subject to financial provision for the current and future years being available. Where changes are proposed to the Chief Officer structure a report to the Chief Executive will be required before any such changes are implemented. All other changes to structures remain delegated to Chief Officers.

Urgency

- 39 Subject to reporting back to Full council or to the Executive as soon as practicable, a power to the Chief Executive and Executive Directors to act in matters of urgency and to take any decision which could be taken by the Council, the Executive or a Committee as follows:
- At Executive level-in consultation with the relevant Lead Member, where practicable or in their absence the Leader
 - At Committee level-in consultation with the relevant Chair where practicable
 - To make proper officer appointments in cases of interim appointments or in cases of urgency, subject to report to full council where appropriate.
 - Signing of key documents jointly with the Leader of the Council including the annual statement of internal control, annual governance statement and codes of corporate governance.

Emergencies and Major Incidents

- 40 When acting in a decision-making capacity at the Local Resilience Forum's Strategic Co-ordinating Group (Gold), Tactical Co-ordinating Group (Silver), various Recovery Co-ordinating Groups (Gold and Silver) or when operating as the Council's Gold/Silver Chief Officers are authorised for the purposes of the declared emergency to commit the appropriate resources and to suspend aspects of business as usual to comply with the Council's duties in all relevant legislation. Records of emergency spending must be maintained and claims submitted promptly.

Complaints

- 41 To undertake all action in connection with the preparation and issuing of any information and/or response to a complaint against the Council made pursuant to the Council's formal complaints procedure or Ombudsman complaint.
- 42 To resolve a complaint, including the approval of compensation in respect of:
(a) any complaint made through the Council's complaint procedure; and/or
(b) any finding of maladministration by the Local Government and Social Care Ombudsman, including the power to incur expenditure from balances and /or reserves subject to prior approval of the Section 151 Officer.
- 43 Subject to prior consultation with the Monitoring Officer to settle any claim or potential claim made by or against the council in a sum not exceeding £50,000 including power to authorise expenditure from balances and/or reserves subject to the prior approval of the S151 Officer.

5. Specific Delegations

The Chief Executive

Areas of Responsibility

- 44 To exercise all powers and duties of the Head of Paid Service under the Local Government and Housing Act 1989.
- 45 To carry out the powers and duties of any of the officers in their absence or in consultation with them.
- 46 To exercise or carry out any functions, powers or duties of the Council not specifically allocated under this Scheme to any other officer (whether in relation to legislation coming into force after the date of adoption of this Scheme or otherwise).
- 47 To incur expenditure in the event of a civil emergency.
- 48 In cases of urgency to take any decision which could be taken by the Council, the Executive or a Committee, in consultation with the Leader or relevant Chair.
- 49 In cases of emergency to take any decision which could be taken by the Council, the Executive or a Committee, in consultation with the Leader or relevant Chair, to include cases which fall short of a declared emergency but are nevertheless situations in which there will be a risk of significant detriment to the wellbeing of residents if action is not taken.
- 50 To appoint members to Boards, Committees, Local Community Networks and other Council bodies, to fill casual vacancies, in accordance with the wishes of the Leaders of the political groups which have nomination rights and in accordance with statutory rules on proportionality.
- 51 To agree changes to appointments to outside bodies arising from changes in the Executive, members or group nominations.
- 52 To alter the areas of responsibility of the Executive Directors set out in the Areas of Responsibility Table A section of this scheme.
- 53 To make arrangements for the appointment of Chief Officer roles.
- 54 Subject to no objection being raised by the Leader, Executive Member or Committee of the Council, to discharge any function of the Council, Leader, Executive and Lead Members not otherwise delegated to a Chief Officer, including elections, and civic and ceremonial functions of the Council.
- 55 To be the Council's Returning Officer and Electoral Registration Officer, and in particular to decide on the action to be taken in respect of the following in relation to

district and parish elections:

- Any issue relating to nomination papers
- Any alleged infringement of electoral law or practice
- Matters relating to the administration of the election, counting of votes or anything done by any candidate or agent
- Matters relating to Parish Polls
- Matters relating to Neighbourhood Planning Referendums.

- 56 To make Proper Officer appointments in accordance with the Council's Constitution and legislation.
- 57 To ensure that each of the Council services adopt and manage robust Strategic Planning (Corporate, Business and Service Planning) and performance management processes, customer and service reviews to ensure alignment with the priorities of the Council Plan and that services are managed in accordance with the Council's Operating Model.
- 58 To determine any change to the whole or any part of the employee establishment/structure of the Council including power to incur expenditure subject to prior consultation with the Section 151 Officer.
- 59 In consultation with Group Leaders to make temporary appointments to inquorate Parish, Town and City Councils along with the making of the necessary Order under section 91 of the Local Government Act 1972.
- 60 To carry out powers and duties as an employer under the Health and Safety at Work etc. Act 1974.
- 61 To be the Council's Accountable Person under the Building Safety Act 2022 in relation to Westfield House, Bridgwater.
- 62 To exercise any power delegated to any officer whether specified in this officer scheme or otherwise unless solely limited to exercise by that officer by law.

Executive Director: Strategy, Workforce and Performance

Areas of Responsibility

- 63 To discharge the Council's functions and responsibilities relating to Assets of Community Value.

Service Director: Governance, Democratic & Legal Services (Monitoring Officer)

Areas of Responsibility

- 64 Carry out all statutory functions of the Monitoring Officer and any functions allocated to the Monitoring Officer under the Council's Constitution or any of its procedural rules.
- 65 After consulting with the Head of Paid Service and S151 Officer, to report to the Council and to the Executive in any case where s/he is of the opinion that any proposal or decision of the authority has given rise to or is likely to or would give rise to any illegality, maladministration or breach of statutory code under Sections 5 and 5A of the Local Government and Housing Act 1989 (LGHA 89).
- 66 Investigate any matter which s/he has reason to believe may constitute, or where s/he has received an allegation that a matter may constitute, a reportable incident under Sections 5 and 5A of the LGHA 89.
- 67 Appoint a statutory scrutiny officer.
- 68 Execute all documents and take all actions and decisions deemed necessary to enable his/her responsibilities as set out above to be effectively discharged.
- 69 Sign any notice, order, contract or other document on behalf of Somerset Council and to affix the Common Seal of the Council to any document.
- 70 Determine which documents, that are not otherwise determined by statute, should be sealed by the affixing of the Common Seal of the Council that are not otherwise determined by statute.
- 71 Obtain the opinion of counsel on any question of doubt or difficulty concerning the business of Somerset Council and to instruct counsel to represent the Council in any form of proceedings.
- 72 Instruct solicitors and/or experts to provide advice and/or to represent Somerset Council.
- 73 In consultation with those Officers and Members stipulated in the Petition Scheme to determine whether any petition received by the Council should be excluded from the Petition Scheme for any of the reasons referred to in the Petition Scheme.
- 74 To grant exemptions on the political restrictions of Officer posts under the Localism Act 2011
- 75 Grant dispensations to councillors in accordance with the Localism Act 2011 with the power to refer any request for a dispensation back to the Standards Committee.

- 76 Maintain the register of Members' and Officers' interests and register of Gifts and Hospitality;
- 77 Act as the Proper Officer for the preparation, publication and retention of records of decisions taken by or on behalf of the Council and the Executive;
- 78 Undertake minor amendments to update the Council's Constitution and / or to take account of legislative changes provided that it does not involve material changes to principles previously approved by Council (or Leader of Council in respect of the Council's executive arrangements and the part of the Council and Executive Scheme of Delegation that is the responsibility of the Leader) and subject to consultation with the Constitution Committee.
- 79 Interpret the Constitution where the meaning is uncertain or there is a dispute about its meaning.
- 80 Appoint members of School Admissions Appeal Panels in accordance with the Education (Admission Appeals Arrangements) (England) Regulations 2002 as amended.
- 81 Serve statutory notices to ascertain the legal interest in land of any person.
- 82 Institute any proceedings, defend, conduct, withdraw, settle or appeal any legal proceedings or process on behalf of the Council. For the avoidance of doubt this authority shall extend to the taking of all procedural steps, including the service of notices, statutory or otherwise, counter notices, and notices to quit.
- 83 To authorise officers to amend, remove, seek not to contest reasons for refusal of planning applications at appeal.
- 84 In conjunction with the team dealing with Rights of Way to determine applications affecting the register of commons and village greens (under the Commons Act 2006 and any subsequent legislation).-In the case of contested applications affecting the register of commons and village greens ~~matters or matters~~ which require oral representation or an inquiry, an independent inspector shall be appointed.
- 85 Authorise officers of the Council to prosecute or defend or appear in any legal proceedings by virtue of the provisions of Section 222 and 223 of the Local Government Act 1972.
- 86 Authorise officers to amend, remove, seek not to contest reasons for refusal at appeal.
- 87 Authorise the giving of any indemnity by the authority.

- 88 Authenticate documents and contracts on behalf of the authority.
- 89 Exercise the function of Senior Information Risk Owner
- 90 Exercise the function of RIPA SIRO and Authorising Officer under the Regulation of Investigatory Powers Act 2000, to appoint the RIPA Co-ordinator and to designate such other Authorising Officers as he/she considers to be necessary and competent for the purposes of the Act.
- 91 Act as Proper Officer for the Data Protection Act 2018 and the Freedom of Information Act 2000
- 92 Maintain, manage, provide advice and guidance, put in place systems and resources to manage and implement the Council's responsibilities under Freedom of Information and Data Protection legislation
- 93 Act as Proper Officer for receipt and acknowledgement of complaints of failure to comply with the Members' Code of Conduct under the Council's adopted local arrangements.
- 94 Receive, ~~and~~ review and determine complaints received in respect of any alleged breach by a Member of the Code of Conduct for Members and act in accordance with the Council's adopted local arrangements.
- 95 Arrange for investigations to be conducted into alleged breaches of the Members' Code of Conduct and, as appropriate, submit such reports to the relevant Committee in accordance with the adopted local arrangements.
- 96 Undertake resolution of such complaints in accordance with the adopted local arrangements.
- 97 Recruit independent persons to the Standards Committee subject to the appointments being confirmed by Full Council
- 98 Form the Independent Panel on Members' Remuneration subject to the appointments being confirmed by Full Council.
- 99 To act as Company Secretary (or to authorise others to act) in relation to the Council's wholly owned companies.

Service Director Economy, Employment and Planning

Areas of Responsibility

Development Management and Planning Policy

100 To appoint the Chief Planning Officer.

Economic Development

- 101 Management, delivery and implementation of Economic Development functions and promotion of inward investment and enterprise including skills and employment and tourism activity
- 102 Liaising with and represent the Council in relevant Economic Development groups and wider structures
- 103 Administration of grant schemes
- 104 Delivering business support and promotion

Building Control

- 105 In accordance with the Building Act 1984 and Building Safety Act 2022 and any regulations made under those Acts:
- Set charges and carry out any necessary enforcement action
 - Determine all applications made to the Council
 - Discharge the Council's functions, related to the acceptance or rejection of Initial Notices and / or Amendment Notices submitted by approved inspectors under Section 47 of the Building Act 1984
 - Approve, reject or rescind plans of proposed work deposited with the Council
 - Give notice and take such steps as are necessary to remove danger, in respect of dangerous buildings or structures under Section 77 and 78 of the Building Act 1984
 - Consult and process Demolition Notices under Sections 80 and 81 of the Building Act 1984
 - Authorise the issue and ~~service~~ serving of all notices and orders required.
 - Authorise the issuing of all certificates required.
 - Prepare, submit and present the Council's case at appeals instituted by or against the Council.

Chief Planning Officer

- 106 Determine planning applications submitted under the Town and Country Planning Act 1990, grant permission, refuse permission, publicise applications, comment or make

representations on applications, notifications and consultations, to raise objections, to require documentation and information, to take appropriate action on enforcement, to defend planning appeals, to negotiate, authorise sealing, complete, vary, discharge or amend planning obligations and agreements. This authority shall not apply to the determination of applications where;

- a. The applicant is a Member of the Council or is directly related to a Member of the Council:
- b. The applicant is one of the following Council officers:
 - i. members of the Council's Senior Leadership Team,
 - ii. where the applicant is a member of staff or is directly related to a member of staff in the Economy, Employment and Planning service,
 - iii. any employee who has direct involvement with the planning process in the course of their duties
- c. The Service Director Economy, Employment and Planning considers they should be determined by the Planning Committee due to their size, nature, or impact, or any other reason
- d. The Council's own development (excluding minor alterations to Council owned assets)
- e. Waste and Mineral applications that are a departure from adopted Waste and minerals development plans and recommended for approval by officers (excluding S.73 applications).
- f. Applications referred by any Member or the Town or Parish Council for the relevant division or adjoining area Town/Parish Council area where their view is contrary to the officer's recommendation in accordance with the Planning Committee Procedure Rules and Planning Protocol.

107 To treat applications as finally disposed of if there has been no activity on the case and the timeframe for an appeal against non-determination has passed.

108 At the discretion of the Chief Planning Officer to refuse applications where the S106 legal agreement has not been completed within six months of resolution to grant planning permission by the Planning Committee.

109 The authority to decide, whether it is expedient to take enforcement action, and to prepare, issue, serve, amend or withdraw enforcement notices, stop notices, breach of condition notices under relevant legislation.

110 All powers necessary to progress and manage Development Plan Documents (including the Local Plan, Waste and Mineral Plans) , Supplementary Planning Documents and other planning policy documents and related evidence base.

- 111 Provide advice and assistance to community and neighbourhood plans provided for under the Localism Act 2011.
- 112 Approve the terms and manage Planning Performance Agreements (including those for Nationally Significant Infrastructure projects) which include the provision of financial resources by the Developer to this Council.
- 113 Approve or refuse details submitted as part of compliance applications submitted in relation to adopted Local Development Orders and to (1) Issue compliance certificates unconditionally or (2) issue compliance certificates with conditions or (3) refuse compliance applications and withhold compliance certificates. For the Gravity LDO this will be in accordance with the agreed governance structure and in consultation with the Enterprise Zone/Local Authorities Board.
- 114 Make decisions on all matters relating to the following functions of the Council not dealt with above including:
- Heritage and conservation including listed buildings, conservation areas and historic environment, protection and enhancement of listed buildings including Heritage at Risk (building preservation notices in case of emergencies), identification and modification of conservation areas
 - Sustainable Urban Drainage Systems
 - Community Infrastructure Levy expenditure in accordance with priorities set by the Planning Policy Sub Committee and enforcements
 - Advertisement Consent
 - Prior Approvals, Prior Notification and permitted development
 - Permission in Principle (PIP), Technical Details and Follow On Decisions
 - Approval of details reserved by condition
 - Pre-application advice and Planning
 - Planning Performance Agreements and Extension of Time Agreements
 - Certificates of lawfulness of development (CLOPUDS and CLEUDS)
 - Control of demolition
 - Non material amendments
 - Planning Enforcement
 - Any applications for works to trees, hedgerow removal or high hedges
 - Authority to issue, vary, modify or revoke tree preservation orders and authority to make decisions on the confirmation of tree preservation orders, with or without modifications, except where objections have been received and have not been withdrawn, which are reserved for decision to the planning committees
 - Hazardous substance consents
 - Environmental impact assessment, screening and scoping opinions
 - Determinations under the Town and Country Planning Act 1990 Section 106A (3) and (6) relating to the modification of planning obligations and variations to planning obligations secured under Town and country Planning Act 1990 Section 106 save where the modification applied for or variation proposed

would result in a significant departure from the terms of the Committee resolution under which the original obligation was secured.

- S39 agreements under the Wildlife and Countryside Act 1981 with respect to land management and S111 of the Local Government Act 1972 with respect to receipt payments
- Certificates of Lawfulness existing or proposed
- Other functions under Town and Country Planning and Localism legislation and policy guidance except as delegated to any other officers
- Other forms of regulation under environmental and planning legislation
- Determining applications for S.106 agreement expenditure in accordance with priorities determined by the Planning Policy Sub-Committee
- The discharge of requirements relating to Development Consent Orders

Service Director: Infrastructure and Transport

Areas of Responsibility

- 115 Discharge the powers and duties of the Highway Authority and Local Transport Authority including:
- a) Management of Highways.
 - b) .Passenger Transport
 - c) The making of agreements for the execution of highways works under the Highways Act 1980 including powers to negotiate, authorise sealing, complete, vary, discharge or amend highways agreements.
 - d) Local Transport Plan Strategy and Implementation Plan and associated policies and plans.
 - e) Fleet Management.
 - f) Network Management.
 - g) Highways Maintenance (including public rights of way).
 - h) Infrastructure development and delivery.
 - i) Parking
- 116 To hold and exercise ~~of~~ the Council's statutory function of Traffic Manager in accordance with the Traffic Management Act 2004 and in accordance with powers delegated by the Traffic Commissioner.
- 117 To determine applications for Traffic Regulation Orders in accordance with the criteria of the Department of Transport and Council Policy.
- 118 To carry out all functions of the Council relating to public rights of way, common land and town or village greens, with the exception of the following in consultation with the Service Director: Governance, Democratic & Legal Services (Monitoring Officer):
- a) the decision as to whether or not to make a public path or evidential definitive map modification order, and

- b) the decision as to whether or not to register a new town or village green, will be determined by the Strategic Planning Committee in exceptional circumstances. Whether or not exceptional circumstances exist in a) and b) will be determined by the Executive Director; Climate and Place, in consultation with the Chair of the Strategic Planning Committee, considering the magnitude, nature, and impact of the decision; and
- c) requests from applicants for definitive map modification order applications to be taken out of turn from the adopted Statement of Priorities will be determined by the Strategic Planning Committee.

Executive Director : Community Services

Areas of Responsibility

- 119 Oversight of development and implementation of the Cultural Strategy
- 120 Oversight of development and implementation of the Customer Services Strategy
- 121 Proper Officer for Registrars
- 122 Proper Officer under the Building Safety Act 2022
- 123 Oversight of 30 year Housing Revenue Account Business Plan

Service Director : Housing

Areas of Responsibility

- 124 Housing and homelessness strategy and all other related statutory and non-statutory strategies and policies.
- 125 Temporary accommodation, homelessness (all functions under the Housing Act 1985 as amended), housing options, and homelessness prevention, rough sleeping, van dwellers.
- 126 Gypsy and traveller Services.
- 127 All powers necessary to ensure the efficient day to day operation of the Council's Lettings/Homefinder functions including:
 - a. Working with housing organisations to operate the Homefinder Somerset – Choice Based Lettings system;
 - b. Attending and contributing to the success of the Homefinder Somerset Board
 - c. Making decisions under Part 6 of the Housing Act 1996 (as amended);
 - d. Considering and determining housing register applications for social housing under

Part 6 of the Housing Act 1996;

- e. Considering and determining reviews of housing register application decisions under Part 6 of the Housing Act 1996;
- f. Advertising available social housing accommodation held by Somerset Council;
- g. Advertising available housing accommodation held by registered providers landlords.

- 128 All powers necessary to ensure the efficient day to day operation of the Council's Housing Landlord functions including:-
- i. Authority to co-operate with housing associations, wherever possible, in order to provide and maintain accommodation for those in housing need
 - ii. Performing several 'core' housing management functions including
 1. Allocating and letting properties to new tenants;
 2. Collecting rent and service charges and dealing with arrears;
 3. Managing estates and individual tenancies;
 4. Tackling anti-social behaviour;
 5. Involving tenants in designing, improving and scrutinising their services;
 6. Providing support services to people residing on our sheltered housing and extra care housing schemes;
 7. Providing money and debt advice;
 8. Helping people to work and training.

Housing Capital Programme

- 129 All powers necessary to ensure the efficient day to day operation of functions relating to the Council's Housing Capital Programme

Housing Property Compliance

- 130 All powers necessary to ensure the efficient day to day operation of the Council's Housing Property Compliance Functions.

- 131 Dealing with all matters arising under the Building Safety Act 2022.

Housing Asset Management

- 132 Managing all land and property assets relating to Housing Revenue Account (HRA) including strategic and estate management.
- 133 To oversee and manage the contract with Homes in Sedgemoor in accordance with their Management Agreement.
- 134 To exercise the obligations of Homes in Sedgemoor under their Management

Agreement in the event of termination or suspension of the Management Agreement.

- 135 All powers necessary to ensure the efficient day to day operation of the Council's HRA Asset Management Functions Including:
- i. Review of fees for leases, licences, agreements, permissions;
 - ii. Approving and acting upon the Council's valuers' reports in respect of properties included in a compulsory purchase order;
 - iii. Serving the requisite written notice(s) to seek deemed permission on behalf of the Council for the development of HRA land;
 - iv. Determining any requests to use Council-owned land;
 - v. Determining applications relating to HRA land including wayleaves from public utility providers, applications for gate licences;
 - vi. Disposal of Council properties under the Right to Buy scheme including the issuing and signing of documents;
 - vii. Issuing Certificates of Compliance, Deeds of Covenant, Certificates of Pre-Emption, Deeds of Postponement in relation to former Right to Buy properties;
 - viii. Removal of Restrictions, Charges or Notices registered at HM Land Registry;
 - ix. Purchasing properties previously owned by the Council.
- 136 All other functions of the Council in relation to housing excluding private sector housing standards enforcement.

Service Director: Customer Services

Areas of Responsibility

- 137 Customer Insight and Intelligence.
- 138 Customer Experience, Consultation & Feedback.
- 139 Customer services and customer access – including Contact Centre.
- 140 Complaints, compliments and ombudsman cases.

Service Director: Regulatory and Operational Services

Areas of Responsibility

- 141 Registration Services.

Environmental Health and Licensing

- 142 Environmental Health functions including measures to protect public health.
- 143 Housing Standards functions and Environmental Health functions relating to dwellings

(including enforcement of standards in housing stock, responding to housing condition complaints, issuing financial civil penalty notices), advice and improvements to customers regarding homes, HMO licensing and inspection of other high-risk HMO's, residential caravan mobile home and camping sites.

- 144 Dealing with applications and all functions in respect of HMO licensing including setting charges, standards and conditions and any necessary enforcement action.
- 145 All powers under the Housing Act 1985, Housing Act 2004, Housing and Planning Act 2016 and associated Regulations. Including powers of entry, serving notices and orders, executing works in default, recovering expenses, agreeing execution of works, issuing financial penalty notices, granting refusing or revoking of licenses, making of schemes, revocation procedures.
- 146 Operational function of anti-social behaviour service, utilising tools and powers as prescribed in the Anti-Social Behaviour Act 2004 and Anti-Social Behaviour, Crime and Policing Act 2014.
- 147 CCTV operations in accordance with Code of Practice and Regulation of Investigatory Powers Act 2000 legislation.
- 148 To undertake inspections, investigate complaints, serve notices including fixed penalty notices, undertake enforcement action and take prosecutions.
- 149 Bathing water regulation.
- 150 Environmental protection including noise and other statutory nuisance, dark smoke, air pollution, drainage, land pollution, environmental permitting.
- 151 Pest control.
- 152 Air Quality and Control of Pollution.
- 153 Contaminated Land including inspections and ensuring appropriate remediation.
- 154 Private water supply safety.
- 155 Food safety and investigation of infectious diseases.
- 156 Health and Safety enforcement (other than in relation to the Council's duties as an employer).
- 157 Public safety.

- 158 Removal and disposal of abandoned vehicles.
- 159 Investigation and enforcement of waste related offences and other enviro-crime including the use of fixed penalty notices.
- 160 To seize and detain and transfer ownership of stray dogs and if required by veterinary advice, to authorise euthanasia of injured, ill or distressed dogs in accordance with relevant legislation.
- 161 Functions under the Licensing Act 2003, Gambling Act 2005 and all functions of the Council in relation to Licensing including but not limited to hackney carriage, private hire, animal licensing activities, dangerous wild animals, zoo licensing, sex establishments, hypnotism, film certification, street trading applications for licenses. certificates, permits, temporary event notices or registrations including effecting registration, granting, refusing or revoking. Licensing Act 2003 decisions to be taken in accordance with Appendix A. Gambling Act 2005 decisions to be taken in accordance with Appendix B.
- 162 In consultation with the Monitoring Officer to suspend or revoke a hackney or private hire driver's license in the following circumstances: (i) if the driver is charged with, cautioned for, or convicted of an offence under, or otherwise fails to comply with any of the provisions of, the Town Police Clauses Act, 1847 or Part II of the Local Government (Miscellaneous Provisions) Act, 1976; (ii) if the driver is charged with, cautioned for, or is convicted of an offence involving dishonesty, indecency or violence; or (iii) any other reasonable cause including if the driver is charged with or cautioned for an offence under the Town Police Clauses Act 1847 or Part II of the Local Government (Miscellaneous Provisions) Act 1976, or for an offence involving dishonesty, indecency or violence;. until such time as the matter can be considered by the Licensing Sub-Committee.
- 163 To suspend a Hackney Carriage License or a Private Hire Vehicle License where the vehicle fails to meet the requirements of the conditions contained in the Council's policy until such time as the conditions are complied with or the matter is considered by the relevant Licensing Sub-Committee.
- 164 Use powers under the Local Government (Miscellaneous Provisions) Act, 1976 to deal with dangerous trees.
- 165 Approve Public Spaces Protection Orders, unless they are likely to be considered to be sensitive or significant.
- 166 Investigation and enforcement of unauthorised encampments on publicly

owned/managed land.

- 167 Bereavement Services including the arranging of public health funerals where no suitable arrangements have been made or are being made pursuant to the Public Health (Control of Diseases) Act 1984 and the provision of burial and cremation services, both interment and exhumation.
- 168 Civil parking enforcement

Coastal Port and Beaches

- 169 To oversee the management the functions of pilotage and navigation for the Ports of Bridgwater, Minehead, Watchet and Bridgwater Docks.
- 170 To manage the Council's beaches and to restrict access where deemed necessary to protect public safety.

Harbour Master

- 171 To fulfill the role and duties of the Harbour Master and manage the functions of pilotage and navigation for the Ports of Bridgwater, Minehead, and Watchet and Bridgwater Docks on a day to day basis, within approved budgets, to serve any appropriate statutory notices, undertake investigations, inspections and issue relevant Notices, Orders and to undertake all appropriate action under appropriate statutory powers and to ensure compliance with the Port Marine Safety Code, the relevant Port Operations Plan and any local or national legislation or regulations pertaining to the Port(s).
- 172 To control all marine emergencies within the Ports and for the issue of specific directions to shipping as necessary.
- 173 To adjudicate when required on matters relating to navigational safety issues and pilotage when there is a disagreement between the duty pilot and the master of the vessel to be piloted.
- 174 To act as a panel member when required in relation to any examination, disciplinary investigation, or hearing involving a pilot or holder of a pilot exemption certificate, or an application for a pilot exemption certificate. Undertake expert witness, marine consultancy and survey work.

Executive Director: Climate and Place

Areas of Responsibility

- 175 To produce, maintain and deliver the climate emergency strategy
- 176 Emergency planning, business continuity and civil contingencies. Including the appointment of emergency planning officers and other support officers as are required to undertake the various functions and duties to meet the needs of the Council
- 177 To ~~lead~~ lead liaison with National Grid, Somerset Rivers Authority, Connecting Devon and Somerset, Heart of the Southwest Local Enterprise Partnership, Heart of the South West Joint Committee and Devolution work, Peninsula Transport Board and Superfast Broadband.
- 178 To undertake maintenance and repair of water courses, culverts and flood defence schemes where the Council has responsibility for them.
Investigation and enforcement of waste related offences and other enviro-crime environmental offences including the use of fixed penalty notices.
- 179 To be accountable for the statutory responsibilities of the Lead Local Flood Authority or Coastal Protection Authority.
- 180 To implement decisions of the Climate and Environment Sub-Committee of the Executive

Service Director: Climate, Environment and Sustainability

Areas of Responsibility

Climate Emergency

- 181 Provide clear leadership to deliver the Council's strategic priorities and meet the Council's financial targets, as a member of the Council's Senior Leadership Team.
- 182 Advise & guide Elected Members in respect of planning, operational and policy issues

- 183 in relation to the Climate, Environment and Sustainability Services teams.
- 184 Engage in strategic partnerships and promote and communicate the Council's services in respect of the Climate and Ecological Emergency.
- 185 Function as an ambassador for the Council promoting, both internally and externally, the Council's vision, strategic aims, and values in respect of the Climate and Ecological Emergency.
- 186 Ensure compliance with all relevant legislation, organisational policy, and professional codes of conduct to uphold standards of best practice.

Lead Local Flood Authority and Coastal Protection Authority

- 187 Ensure compliance with all statutory duties pursuant of the Flood and Water Management Act (2010), namely:
- Preparation and maintenance of a Local Flood Risk Management Strategy
 - Carry out works to manage flood risk within Somerset
 - Maintain a register of assets that have a significant impact on flooding
 - Investigate and report on significant flooding incidents in Somerset
 - undertake a statutory consultee role providing technical advice on surface water drainage to local planning authorities major developments (10 dwellings or more)
 - co-operate with other Risk Management Authorities
 - play a lead role in emergency planning and recovery after a flood event. Local authorities are 'category one responders' under the Civil Contingencies Act and must have plans to respond to emergencies, and control or reduce the impact of an emergency.
- 188 Undertake powers under the Land Drainage Act (1991) to regulate watercourses to maintain 'proper flow' by:
- issuing consents for altering, removing or replacing certain structures or features on ordinary watercourses; and
 - enforcing obligations to maintain flow in a watercourse and repair watercourses, bridges and other structures in a watercourse
- 189 Ensure the lead on coastal erosion risk management activities in the area.
- 190 Accountable for developing Shoreline Management Plans (SMPs).

Civil Contingencies

Set strategy, and co-ordinate at the tactical level, activity when responding to internal and external emergencies/major incidents.

Coordinate training and exercises commensurate with Strategic Officer responsibilities

including but not limited to Multi-agency Gold Incident Commander (MAGIC).

Somerset Rivers Authority

Ensure the effective management of the Somerset Rivers Authority and that its actions and operation are in accordance with its defined purpose and constitution.

Biodiversity and Ecology

Ensure duty to have regard to biodiversity when developing policy

Ensure adherence to Biodiversity Net Gain obligations pursuant of the Environment Act (2021)

Ensure regard to biodiversity and nature recovery within the planning system

Local Nature Recovery Strategy

Ensure the development and delivery of the Local Nature Recovery Strategy in accordance with the Environment Act (2021)

Areas of Outstanding Natural Beauty

In accordance with s89(2) of the Countryside and Rights of Way Act 2000 (the Act), be accountable for the preparation and publication of a plan which formulates its policy for the management of the AONB and for the carrying out of its functions in relation to it.

In accordance with s89(9) of the Act ensure the review of the AONB Management Plans every five years.

Waste

Ensure adherence of all statutory obligations with regard to the collection and disposal of household waste, including garden and food waste

Service Director: Strategy and Performance

Areas of Responsibility

191 Business Intelligence.

192 Development of the Council Plan.

- 193 Internal and External Communications.
- 194 Marketing, events and campaigns.
- 195 Strategic Planning (Corporate, Business and Service Planning).
- 196 Commissioning Framework.
- 197 All powers necessary to ensure the efficient day to day operation of the Council's Land Charges functions

Service Director: Human Resources

Areas of Responsibility

- 198 Supporting Human Resources Committee.
- 199 Determine any compensation payable on early termination of a contract of employment by reason of redundancy, early retirement or in the interests of efficient exercise of the Council's functions and application for early payment of pension benefits to officers in consultation with the relevant Chief Officer.
- 200 Industrial relations and employment matters.

Executive Director: Resources & Corporate Services (s151)

Areas of Responsibility

- 201 The proper administration of the Council's financial affairs under Section 151 of the Local Government Act 1972 and to exercise any statutory powers and duties and section 114 of the Local Government Finance Act 1988.
- 202 Borrowing and lending within the limits approved by the Council.
- 203 Developing and overseeing the implementation of the Council's Medium Term Financial Plan, Housing Revenue Account 30 year business plan and Annual Budget.
- 204 To set fees and charges.
- 205 To agree the funding of the capital programme.

- 206 Overall management of the internal audit function in accordance with the Accounts and Audit Regulations 2003 (or any amending or substituted legislation, or legislation with a similar purpose or made for similar purposes) and instructing investigations in accordance with the Council's corporate Fraud policy where appropriate.

Service Director: Strategic Asset Management

Areas of Responsibility

- 207 Take all steps necessary for the effective management of the Council's General Fund land and property portfolio including:
- i. freehold acquisitions and disposals where either the capital payment does not exceed £500,000 or the annual rental does not exceed £100,000;
 - ii. authority to declare land and property surplus to the Council's requirements; and
 - iii. authority to enter into leases, grant or vary leases, licenses, dedications, wayleaves, easements of or over any land.
- 208 Authority to sell land or property at an undervalue not exceeding £100,000 (expressed as a capitalised figure) or 20% of the unrestricted value, whichever is the lower.
- 209 To manage leases granted or entered into by the Council including lease renewals, rent reviews, applications for consents and schedules of dilapidations.

Service Director: Finance and Procurement

Areas of Responsibility

- 210 Manage Financial Services.
- 211 Manage corporate loans, investments and cash.
- 212 Authorise (following consultation with the relevant Executive/Service Director and the Monitoring Officer) the making of any ex-gratia payment up to £10000 per event in circumstances where there is no legal liability.
- 213 Manage Microsoft Dynamics system and authorised officer lists.
- 214 Manage procurement strategies in consultation with Commissioning Officers.

- 215 Manages strategic and service-based procurement and purchasing activities.
- 216 Manage the Council's Contract Standing Orders and the register of authorised officers for commissioning, procurement and contract awards.
- 217 Determine liability, demand payment, make arrangements for collection and take action for recovery of Council Tax and Non-Domestic Rates
- 218 Accept external funds and grants to the Council and authorise grants and funding from the Council.
- 219 Maintain, manage, provide advice and guidance, put in place systems and resources to deliver the Council's Governance Framework, including the Annual Governance Statement and Strategic Risk Management.
- 220 To deal with all insurances relating to the Council, any of its services and functions and its Members including the areas of cover, the extent of cover, the negotiation and acceptance of conditions of cover, and settlement of claims against the insurer or by a claimant (so far as permitted by the insurer).
- 221 Undertake all action for the collection of income, interest and costs due to the Council including the power to issue and recover any penalties relating to such matters and/or write off irrecoverable debts in accordance with the limits set out in the Council's Financial Procedure Rules.
- 222 Exercise any other powers conferred on him/her under the Council's Contract or Financial Procedure Rules from time to time.
- 223 Authorise the National Non-Domestic Rates 1 Returns (NNDR1)
- 224 Make decisions on applications for the reduction or remittance of non-domestic rates and discretionary rate relief in accordance with the relevant policy(s) of the Council.
- 225 Pay salaries and allowances and implement salary awards to employees.
- 226 The discharge of mortgages
- 227 All Treasury Management matters including the borrowing of money, management of investment funds and to take all executive decisions on borrowing, investment or financing and to act in accordance with CIPFA's Code of Practice on Treasury Management in Local Authorities.
- 228 To administer the Council's functions in relation to the collection of non-domestic

rates in accordance with the Local Government Act 1988 (as amended) and all relevant regulations made thereunder including the granting of relief under the Act.

- 229 To be responsible for the billing collection and enforcement of council Tax in accordance with Government Regulations and Council policy.
- 230 The Registration of charging orders against properties the subject of rate arrears.
- 231 The determination of benefit claims in accordance with the appropriate regulations.
- 232 To agree in conjunction with the Lead Member amendments to fees and charges unless a key income line identified as requiring Executive approval.
- 233 To exercise any powers and duties relating to the administration of the housing benefits and council tax benefits system within adopted Council policy(s).
- 234 To be responsible for decision making on matters of discretion associated with the benefits system under the adopted Council policy(s).

Executive Director and Service Director: Public Health

Areas of Responsibility

This is a joint appointment with the Secretary of State to:

- 235 Act as an Independent advocate for the health and wellbeing of the local population and reduce the inequalities experienced.
- 236 Monitor and publish an independent Annual Report of the Director of Public Health
- 237 Provide system leadership and assurance that robust arrangements are in place to protect the health and wellbeing of the local population
- 238 In the case of an outbreak or emergency to ensure all necessary public health actions are in place to protect the health of the population.
- 239 Provide leadership across partners to influence and develop strategy and policy to improve population health and wellbeing.
- 240 Act as the principal advisor to the Health & Wellbeing Board and development of the Health and Wellbeing Strategy

- 241 Undertake the Joint Strategic Needs Assessment and Pharmaceutical Needs Assessment
- 242 Undertake the public health statutory duties on behalf of the Council
- 243 Commissioning of public health services including sexual health, substance misuse, lifestyle and public mental health services.
- 244 Leadership and management of the Somerset Public Health Nursing Service
- 245 Commissioning of Community Safety and Domestic Abuse Services
- 246 Provide specialist public health analytical support to ensure NHS commissioning of healthcare is in line with the needs of the local population.
- 247 Monitor strategy and outcomes in relation to the population's public health.
- 248 Equality and diversity activities.
- 249 Facilitate the function and manage statutory responsibilities of the Safer Somerset Partnership (Crime and Disorder Act 1998, Police and Justice Act 2006.
- 250 Manage the delivery of the Safer Somerset Partnership's responsibility to reduce reoffending (Police and Crime Act 2009).
- 251 Deliver Council's responsibilities under the Police, Courts, Sentencing Act 2022 serious violence duty.
- 252 Designated role for the Prevent Duty.
- 253 Manage the Council's response to Modern Slavery
- 254 Responsibility for delivering against the Duty in the Domestic Abuse Act 2021 including service commissioning, managing and leading the Domestic Abuse Partnership Board, publishing Strategy(s) and conducting needs assessments.
- 255 Managing and commissioning for the undertaking of Homicide Reviews on behalf of the Safer Somerset Partnership (Domestic Violence, Crime and Victims Act 2004).

Executive Director: Children's Services

Areas of Responsibility

- 256 Exercise the statutory functions and social services functions (Director of Children's Services statutory role) of the authority under section 18 of the Children Act 2004 (where these are executive functions).
- 257 Provide strategic leadership in the delivery of services to individuals and families including safeguarding and harm reduction services for children, support to those with special educational needs, learning and physical disabilities, sensory impairment and mental health problems and the strategic leadership of schools and learning services.
- 258 Responsible for the strategic direction, operational commissioning, policy and practice of the Council in relation to the safety and protection of individual children and young people at risk of abuse; developing preventative and early intervention approaches working across agencies and professional groups while maintaining and developing robust joint agency partnership arrangements. Responsible also for regulated services provided by the Council for children and young people including placement services and fostering and adoption services to the Regional Adoption Agency (Adopt South West) ensuring that services provided are safe, efficient and effective to meet required regulatory standards and working with commissioners to prepare services for future delivery models
- 259 Exercise on behalf of the Council, the Leader of Council, the Executive and Executive Members the statutory functions and management of services in relation to:
- The authority's role in relation to Education (as the Local Education Authority).
 - Needs analysis.
 - Strategy and policy development.
 - Facilitate Commissioning Strategy implementation.
 - Supporting Families (formerly known as Troubled Families).
 - Children & Young People's Plan.
 - Academy conversions.
 - School Admissions.
 - School Place planning and sufficiency of school places.
 - Children's safeguarding policy and statutory duties (as defined in statute or guidance in relation to the role of the Council / Director of Children's Services).
 - Commission services to meet the needs of children and young people (0-19 year olds).

- Early Help services.
- Special Educational Needs services.
- School Transport services.
- School Improvement services.
- Monitor strategy and outcomes.

Service Director- Children and Families

Areas of Responsibility

- 260 To exercise the management of services on behalf of the Council, the Leader of Council, the Executive and Executive Members, and to direct and / or ensure the effective management of a range of services as specified by the Lead Commissioner Children & Learning and ensure that the services are delivered in accordance with the required quality and performances either in house or by contract with a third party.
- 261 Responsible for the strategic direction, operational commissioning, policy and practice of the Council in relation to the safety and protection of individual children and young people at risk of abuse; developing preventative and early intervention approaches working across agencies and professional groups while maintaining and developing robust joint agency partnership arrangements. Responsible also for regulated services provided by the Council for children and young people including placement services and fostering and adoption services ensuring that services provided are safe, efficient and effective to meet required regulatory standards and working with commissioners to prepare services for future delivery models.
- 262 To exercise statutory functions and responsibility for managing the following services:
- Social Work Assessment and child protection.
 - Emergency Duty Team.
 - Young Carers.
 - Fostering.
 - Adoption agency functions (ADM – Adoption Decision Maker) in relation to Adopt South West.
 - Children Looked After.
 - Children with disabilities.
 - Leaving Care Service.
 - Family Intervention Service.
 - Route one Advocacy Service.
 - Youth Offending Team.
 - Early Help Services as they relate to Social Care responsibilities.
 - Council’s Caldicott Guardian responsibilities (in respect of Children).

- Any other services commissioned by the Director of Children's Services.

Service Director: Commissioning and Performance

Areas of Responsibility

- 263 To exercise the statutory functions and management of services on behalf of the Council, the Leader of Council, the Executive and Executive Members, and to direct and/ or ensure the effective management of a range of services as specified by the Executive Director of Children's Services and ensure that the services are delivered in accordance with the required quality and performance either in house or by contract with a third party. The services to include:
- 264 Commissioning Joint Strategic Needs Analysis as it relates to the Director of Children's Services responsibilities.
- 265 Strategy and policy development with responsibility for the Children's and Young People's Plan.
- 266 Commissioning of Early Help & Prevention Services
- 267 Commission services to meet the needs of children and young people (0-19- year olds), where required jointly with NHS bodies.
- 268 Commission education and care provision for vulnerable children
- 269 Commission housing provision for Care Leavers jointly with Housing Authorities
- 270 Commissioning of Drug, Mental Health and Domestic Abuse Services as they relate to the responsibilities of the Director of Children's Services. Facilitate Commissioning Strategy implementation.
- 271 Monitor strategy and outcomes.
- 272 Troubled Families. (Supporting Families from 2021)

Service Director: Inclusion

Areas of Responsibility

- 273 To exercise the management of services on behalf of the Council, the Leader of

Council, the Executive and Executive Members, and to direct and / or ensure the effective management of a range of services as specified by the Director of Children's Services and ensure that the services are delivered in accordance with the required quality and performances either in house or by contract with a third party.

- 274 Responsible for the Council's functions in relation to inclusive education, special educational needs and disabilities, alternative education provision, educational outcomes for children in care and under achieving groups ensuring the delivery of efficient, effective, and safe learning services that represent best value.
- 275 To exercise statutory functions and responsibility for managing the following services:
- School Admissions and School Admission Appeals.
 - Commission services to meet the needs of children and young people (0-19-year olds).
 - Special Educational Needs services
 - Early Help Services as they relate to education responsibilities
 - School Transport services and School Transport Appeals
 - Electively Home Educated.
 - Gypsy, Romany and Traveller education.
 - Pupil Referral Units.
 - SEN Services.
 - Educational Psychology Services.
 - Home to School Transport (SEN).
 - Autism Services.
 - Physical, Sensory and Occupational Therapy Services (SPOT).
 - Education Attendance.

Service Director: Education, Partnership and Skills

Areas of Responsibility

- 276 To exercise the management of services on behalf of the Council, the Leader of Council, the Executive and Executive Members, and to direct and / or ensure the effective management of a range of services as specified by the Director of children's Services and ensure that the services are delivered in accordance with the required quality and performances either in house or by contract with a third party.
- 277 Responsible for the Council's functions in relation to educational efficiency and effectiveness including performance management and oversight of Local Authority maintained schools, statutory responsibilities for early years funding and sufficiency, coordinated action to improve standards in partnership with educational stakeholders,

commissioning and delivering interventions to improve leadership, governance, curriculum, pedagogy and assessment practices in educational settings, long-term place planning and capital investment in mainstream schools and education strategy development for education for pupils age 2 to 19. Oversight of traded services for education.

278 To exercise statutory functions and responsibility for managing the following services:

- The authority's role in the provision of Education.
- Strategy and policy development for education 2-19 in relation to functions below.
- Education partnership governance and communications.
- System leadership development.
- Education traded services.
- School improvement function.
- Early years improvement function.
- Early years sufficiency.
- Careers and programmes to support pupils 16-19.
- School place planning and reorganisation.
- Subject leadership for SACRE and RE syllabus and Music Hub.
- Standard/s and moderation for evidence-based curriculum, pedagogy and assessment, including early reading.
- Academy conversions.
- Capital investment programme for mainstream schools including creation of free schools.

Executive Director: Adult Services

Areas of Responsibility

279 Exercise the statutory functions and social services functions (Director of Adult Social Services statutory role) of the authority (where these are executive functions), other than those for which the Lead Commissioner Children & Learning (Director of Children's Services statutory role) is responsible under section 18 of the Children Act 2004.

280 Management of services in relation to:

- Needs analysis.
- Strategy and policy development.
- Commissioning.
- Facilitate Commissioning Strategy implementation.
- Safeguarding adults.
- Personalisation and direct payments.

- Functions exercisable on behalf of an NHS body, so far as those functions relate to adults.
- Arrangements to protect and promote the welfare of vulnerable adults, including vulnerable young people moving into adulthood.
- Monitor strategy and outcomes.
- Supporting People.
- Voluntary Sector Support.
- Learning & Disability services commissioning

Service Director: Operations

Areas of Responsibility

- 281 Adult Assessment and Care Management.
- 282 Occupational Therapy.
- 283 Active Living.
- 284 Council's Caldicott Guardian responsibilities (in respect of Adults)
- 285 Any other services commissioned by the Adults and Health Commissioner.

Service Director: Commissioning

Areas of Responsibility

- 286 Needs analysis.
- 287 Strategy and policy development.
- 288 Commissioning all adult services.
- 289 Integration and Better Care Fund.
- 290 Facilitate Commissioning Strategy implementation.
- 291 Monitor strategy and outcomes.
- 292 Learning & Disability services and Mental Health commissioning
- 293 Quality assurance of care

6. Officer Decision-Making

Officer Delegation

- 6.1 Any delegation to an Executive Director or Service Director or an officer includes authority for any further sub-delegation within the relevant area of responsibility (including cross-directorate delegation where appropriate). Officers shall devolve responsibilities for service delivery and management to those staff who represent the nearest practicable point of delivery to the service user.
- 6.2 All Executive and Service Directors will establish a list of authorised officers for the functions / services / budgets that they manage on behalf of the Council.
- 6.3 Where any authorised officer is absent for any period, their immediate line manager or Senior Leadership Team officer with management responsibility for that officer may nominate in writing another officer to act in his or her place and shall make a record of all such nominations with the Council's Monitoring Officer. Alternatively, the line manager for an authorised officer who has overall responsibility for that function may take the decision.

Recording and Publishing Officer Decisions

- 6.4 The following paragraphs establish a system to document certain decisions taken by officers under delegated authority.

Types of officer decisions

- 6.5 An 'Executive decision' is one made in connection with the discharge of a function which is the responsibility of the Leader and Executive and which has been delegated to officers.
- 6.6 A 'Non-Executive decision' is one made in connection with the discharge of a function that is the responsibility of Full Council and its committees and which has been delegated to officers.

Key Decisions

- 6.7 Key Decisions are Executive decisions that are likely to:
- 6.8 (a) result in expenditure or savings of £500k or more; or
- 6.9 (b) have a significant effect on communities living or working in an area comprising two or more wards.
- 6.10 As soon as reasonably practicable after a Key decision has been made, officers must produce a written statement, available for inspection at the Council's offices and published on the Council's website, that includes details of:

- the decision and the date it was made;
- the reasons for it;
- any alternative options considered and rejected;
- any conflicts of interests declared by any Lead Member consulted by the officer and any dispensations granted by the Chief Executive in respect of any declared conflict;
- the report considered by the decision-maker;
- any background documents disclosing facts or matters on which the decision was based and which were relied on to a material extent in making the decision.

Records of officer decisions

6.11 The significance of decisions taken under delegated powers will vary, and officers authorised to make delegated decisions need to exercise judgment in determining whether decisions are significant enough to require formal recording and publishing. Advice of the Monitoring Officer should be taken into account in reaching this conclusion.

Decisions over £500k AND / OR where they have a significant effect on communities living or working in two or more Councillor divisions

6.12 These decisions qualify as key decisions and officers must liaise with the Democratic Services team at the earliest opportunity in order to comply with the necessary pre-publication and consultation requirements ahead of a key decision being taken by an officer, a Lead Member, by two Executive Members or the Executive.

6.13 Specific guidance notes and report templates are available for key decisions on the intranet and from Democratic Services. Democratic Services retain decision records and background papers for at least 6 years.

Decisions involving between £50k and £499k spend / savings, going out to tender (all contract values over £50k), declaring assets/property surplus to requirements (all assets over £50k in value) and consultation responses

6.14 Where officer decisions result in total expenditure or savings of between £50k and £499k (Capital or Revenue) then officers are required to complete the necessary decision record for approval by an authorised officer. The authorised officer signs the record to give their approval. A copy of the completed and signed decision record must be given to the Democratic Services. In all other circumstances, the service will be required to retain a copy of the decision record / evidence of compliance with the Scheme of Delegation and the Council's decision-making requirements.

- 6.15 Specific guidance notes and the decision record template for these decisions are available on the intranet and from Democratic Services. Democratic Services will retain the decision records for at least 6 years, as should report authors.

Decisions involving less than £50k spend / savings

- 6.16 Where officer decisions result in expenditure or savings of less than £50k (Capital or Revenue) then officers are required to produce and keep their own decision records, supporting information and background papers for at least 6 years. Report authors can choose to use the officer decision report template for decisions between £50k and £499k if they so wish, but a copy does not have to be sent to Democratic Services.

- 6.17 The only exceptions to the above arrangements are:

- Provision of SEN services to individuals
- Provision of Safeguarding and Care services to individuals
- Agreed inflationary increases on contracts within Safeguarding and Care
- The purchase of service packs

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Part I

SPECIFIC DELEGATIONS FOR THE LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COMMITTEE	SUB-COMMITTEE	OFFICERS
Application for personal licence		If a police objection is made and not withdrawn	If no objection
Application for personal licence, with unspent convictions		All cases	
Application for Premises Licences/Club Premises Certificate		If a relevant representation is made and not withdrawn	If no relevant representation
Application for provisional statement		If a relevant representation is made and not withdrawn	If no relevant representation
Application to vary Premises Licences/Club Premises Certificate		If a representation is made and not withdrawn	If no representation
Application to vary Designated Premises Supervisor		If a police objection is made and not withdrawn	All other cases

MATTER TO BE DEALT WITH	FULL COMMITTEE	SUB-COMMITTEE	OFFICERS
Application for transfer of Premises Licences		If a police objection is made and not withdrawn	All other cases
Application for an interim authority notice where the Licence holder dies, becomes mentally incapable, becomes insolvent or, is no longer entitled to work in the UK		If a police objection is made and not withdrawn	All other cases
Application to review Premises		All cases	

Licences/club premises registration			
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of an objection to a temporary event notice		If a representation is made and not withdrawn	
Application for a minor variation			All cases

MATTER TO BE DEALT WITH	FULL COMMITTEE	SUB-COMMITTEE	OFFICERS
Application to remove the requirement for a Designated Premises Supervisor and personal licence at a community premises			All cases
Decision to make, vary or revoke an Early Morning Restriction Order	Yes		
Decision to publish a cumulative impact assessment	Yes		
Hearing and determining applications for a Hackney Carriage and Private Hire Vehicle Driver's Licence or Private Hire Operator's Licence Including applications to renew any such licence		Where Officers have material concerns as to whether the applicant is a "fit and proper" person to hold such licence	All other cases

To grant delegated authority to officers to suspend or revoke Hackney Carriage or Private Hire Driver's Licences when required to do so with immediate effect to ensure public safety			All cases
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APPENDIX B

TABLE OF DELEGATIONS OF LICENSING FUNCTIONS- GAMBLING ACT 2005

MATTER TO BE DEALT WITH	FULL COMMITTEE	SUB-COMMITTEE	OFFICERS
Three-year licensing policy	Yes		
Policy not to permit casinos	Yes		
Fee Setting - when appropriate	Yes		
Application for premises licences		If a relevant representation is made and not withdrawn	If no relevant representation
Application for a variation to a licence		If a relevant representation is made and not withdrawn	If no relevant representation
Application for a transfer of a licence		If a relevant representation is made and not withdrawn	If no relevant representation
Application for a provisional statement		If a relevant representation is made and not withdrawn	If no relevant representation
Review of a premises licence		Yes	
Application for club gaming /club machine permits		If a relevant representation is made and not withdrawn	If no relevant representation
Cancellation of club gaming/ club		If a relevant representation is made and not withdrawn	If no relevant representation

machine permits			
Applications for other permits		If a relevant representation is made and not withdrawn	If no relevant representation
Cancellation of licensed premises gaming machine permits		If a relevant representation is made and not withdrawn	If no relevant representation
Consideration of temporary use notice		If a relevant representation is made and not withdrawn	If no relevant representation
Decision to give a counter notice to a temporary use notice		If a relevant representation is made and not withdrawn	If no relevant representation
Determination as to whether a person is an Interested Party			All case
Determination as to whether representations are relevant			All cases
Determination as whether a representation is frivolous, vexatious, or repetitive			All cases

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Part I – Officer Code of Conduct

Introduction

Somerset Council's reputation, trust, and confidence in its integrity is of vital importance. It must discharge its day-to-day responsibilities with openness and honesty, this philosophy is captured in this code. These principles are presented to assist staff in carrying out their day-to-day responsibilities in accordance with legal requirements placed upon them and any policies adopted by the Council. The Council has a responsibility to take appropriate action where employees feel that they are subject to inappropriate action by a third party.

Provisions relating to the conduct expected of local government employees are also embodied in national agreements such as the 'Green Book' for Local Government Services Employees. These are further supported by the codes of ethical behaviour of various professional bodies.

This document may be supplemented by departmental or sectional practice notes, which will give more detailed guidance on particular areas. If further guidance is needed on any aspect of these Standards, it can be obtained initially by approaching a manager.

This policy does not form part of the Somerset Council Terms and Conditions and may be subject to change.

Status of these Standards of Conduct "Code of Conduct"

These Standards are based on a document drawn up by the Local Government Management Board on behalf of the local authority associations. They were adopted in 1993 after consultations with Chief Officers and employee representatives. Whilst not themselves amounting to a disciplinary code, any failure to follow the standards set in this document may, depending upon circumstances, give rise to disciplinary action.

Who are the Standards aimed at?

The Standards apply to all employees of Somerset Council, except for those employed under Teachers Terms and Conditions to which separate standards apply.

Employees must provide services or advice to the best of their ability, within the rules of their relevant professional conduct of any relevant professional or trade body. Employees should consistently offer objective professional and technical advice and always carry out their responsibilities in an impartial manner. Employees are entitled to expect that no Officer or Member of the Council will seek to pressure or persuade them to do otherwise. Where it is alleged that such action has taken place, the Council will investigate the allegation if requested to do so under the appropriate procedures.

There may be occasions when employees, carrying out their duties for the Council, find themselves at odds with national government advice or guidance. In such circumstances it is particularly important that they are seen to behave with complete objectivity and impartiality obtaining managerial and professional advice and guidance where appropriate. Employees are entitled to expect to receive the unequivocal support of senior managers in so doing.

Guiding Principles

In conducting Council business employees should act in accordance with three key guiding principles:

- Ensure that their conduct complies with this Protocol, the spirit of this Protocol, the Council's policies, and the law
- Ensure that their conduct is never influenced by personal gain
- Ensure that their conduct could not give anyone reason to question their motive

Confidentiality and Openness

In general, employees should act on the presumption that open government serves the public better than secrecy.

Wherever it might be relevant to their job, employees should be aware of and implement relevant statute and common law that provides for either confidentiality or rights of access to information for Councillors, auditors, and citizens (and in some cases regulatory bodies and government departments).

Any express or implied responsibility to keep information confidential should be respected by employees and there should be awareness that such responsibility might arise from the nature of the information itself, for example, its commercial or

personal sensitivity. It will be extremely rare that employees will be entitled to accept confidences in the course of their duties that cannot be shared with their manager.

Employees should not use information obtained in the course of their employment for personal gain or benefit nor should they pass it on to others who might use it in such a way. When employees obtain confidential information belonging to the Council then they must not disclose that information to any person not authorised to receive it. When employees receive from Councillors information not belonging to the Council or information belonging to the Council, which is confidential, then they must not disclose that information without the appropriate consent of a Senior Leadership Team Director or Strategic Manager.

In their dealings with employees, Councillors and Chief Officers should ensure that communication is as open and informative as possible within the constraints imposed by the law, by their terms and conditions of employment, by the Council's Constitution, policies, procedures, protocols, commercial considerations, and personal sensitivity.

Protection of Public Funds

Employees must use public funds entrusted to them to the best advantage of the Council and the community they serve, always trying to ensure value for money for the local taxpayer.

Political Neutrality

It is important for the proper functioning of the Council that all Members have trust and confidence in the political impartiality of employees (except in the case of political assistants/political support officers if the Council decides to have such post holder(s)).

All employees of the Council are required to be politically neutral in the completion of their duties and certain posts are politically restricted or politically sensitive. This means that employees in politically restricted or politically sensitive roles may not participate in any formal political activity. The controlling political group may change, and it is important that employees show no bias or personal preference, whatever their personal political beliefs may be.

Employees need to know whether their post is subject to the political restrictions placed on certain post holders by the Local Government and Housing Act, 1989 this can be found in the Recruitment Policy. Relevant employees should be aware of the nature of those restrictions and ensure that they abide by them.

Relationships

All employees must comply with the Member/Officer Protocol and, in this context, particularly the section relating to Personal and Family relationships. Similarly, all employees must comply with the Officer Code of Conduct. For further information or clarification in relation to this issue, please contact the Monitoring Officer or Deputy Monitoring Officer(s).

Elected Councillors

Employees are responsible to the Council. For many, their job is to give advice to Councillors and the Council and all are there to carry out the Council's work. Mutual respect between Councillors and staff is essential to good local government. Close personal familiarity between individual Councillors and employees should be avoided as it can damage the relationship and prove embarrassing to other Councillors and employees (National Code of Local Government Conduct paragraphs 23 to 25).

The Local Community and Service Users

Employees should remember their responsibilities to the community they serve and ensure courteous, high quality, efficient, and impartial service delivery to all groups and individuals within that community. Such courtesy and efficiency should be shown to all persons with whom employees deal remembering that all opportunities need to be taken to enhance the reputation of the Council whether locally, nationally, or internationally.

Appointments and Employee Relationships

Employees should ensure that appointments are made based on merit and in accordance with the Council's policies and procedures. Merit is determined by matching the chosen candidate with the job specification and ignoring all other extraneous considerations. Employees in the course of their duties should not be involved in the appointment, pay adjustment, approval of expenses, promotion, or discipline of partners, relatives, or close friends.

Close personal relationships between employees should not be permitted to influence the way services are provided if that is or could be detrimental to services.

Employees should not be put under pressure by work colleagues, particularly those in a position of seniority, or Councillors to act or not to act so as to breach these standards or any other national, local, or departmental rules of conduct. If such pressure is exerted, it should be reported to the relevant Chief Officer.

Contractors

Relationships with contractors or potential contractors should be made known in accordance with the legal requirements to declare financial interests (Section 117

Local Government Act 1972). Advice on this can be obtained from the Monitoring Officer.

Contracts must be awarded on merit in fair competition against other tenders and no favouritism should be shown to businesses run by friends, partners, or relatives, nor should there be improper discrimination against individuals, groups, or sections of the community. Employees who monitor the performance of contractors should behave in a fair and equitable fashion towards all contractors, including in-house contractor organisations, and should not show favouritism to, or improperly discriminate against, any contractor or breach any duty of confidentiality.

Employees who engage or supervise contractors for the Council and who wish to engage a contractor with whom they previously had or currently have a relationship in a private or a domestic capacity should declare that relationship. Employees should not use, in a private or domestic capacity, a contractor with whom they have had official dealings as employees of the Council, without declaring it to his/her Corporate Manager. Similarly, Contractors should be required to disclose private or domestic relationships with any officer or Member. The Council will seek to ensure that the attention of contractors is drawn to the requirements of the Local Government Act 1972 and these Standards.

Other Employments

Any employee considering additional employment should discuss this with their line manager to determine whether there may be a conflict of interests, consider whether the additional role is manageable, and whether this may negatively affect the employee's wellbeing. If a potential conflict of interest, working times regulations issue or wellbeing concern is found, please contact HR Advisory to discuss this further. Employees will be required to complete the Register of Officer Interests.

Equal Opportunities

All employees must comply with both the spirit and letter of the Equality Act 2010 and the Council's Equal Opportunities policy, treating all members of the public and colleagues with respect and fairness.

Health and Safety

The Council has a legal obligation to protect the health and safety at work of all its employees and others in the workplace. Equally, employees should always be aware of, and fulfil, their legal responsibility to protect their own and others health and safety at work.

Post-Employment Duties

The duty of fidelity which each employee owes to the Council, and which requires an employee to act in an honest fashion and not in a manner which will harm the Council, may in certain respects, continue following the end of that employee's employment. For example, even though the Council no longer employs them, a former employee must not disclose trade secrets or confidential information that belongs to the Council.

Certain employees may have access to intellectual property (such as copyrighted materials), which belong to the Council. An employee might even have contributed to the creation of that intellectual property during the period of employment. However, where part or whole of that property belongs to the Council it cannot be used by a former employee for any purpose without the Council's written agreement. Such intellectual property rights may sometimes be difficult to define but Council or departmental guidance will be issued to cover specific categories.

Personal Interests

An employee must declare as soon as reasonably practicable, to their line manager and Chief Officer any personal interest (whether financial or otherwise) which they have which may conflict, or may be perceived reasonably as conflicting with, the interests of the Council. The Registration of Officers Interests Form must be completed by the employee, this will then be sent to the line manager and Chief Officer to confirm the interest has been officially registered.

Personal interests may be financial, relate to property or concern any other matter; they may concern the employee themselves, family members, or close associates or they may relate to any body including, external organisations, individual persons, or the Council itself.

The obligation to disclose a personal interest only applies when the employee is aware of it or ought reasonably to have been aware of, it may, in some cases, be unreasonable to expect an employee to be aware of or to research the employment, business interests and other activities of family members and close associates. However, employees must not ignore the existence of interests, which, from the point of view of the reasonable person, they should have been aware. Employees are therefore under an obligation to make such inquiries as a reasonable person would think prudent in the circumstances.

Disclosable Interests

Employees must, in accordance with any Council arrangements, register membership of any organisation not open to the public which requires of members any form of

commitment or allegiance, and which has secrecy about rules, membership or conduct.

Gifts and Hospitality

There is a separate policy for Registering Gifts and Hospitality.

Interpretation

Several parts of this protocol refer to a reasonableness test. The Chair of the Council's Standards Committee shall be the ultimate arbiter of what is reasonable in relation to the operation of this protocol.

The "proper business and/or interests of the Council" may include but are not limited to: carrying out the proper functions of the Council and doing anything which is incidental or conducive to carrying out the proper functions of the Council.

The following meanings have been adopted which are consistent with national guidance on the Members' Code of Conduct:

- A "family member" should be given a very wide meaning. It includes a spouse, civil partner or an individual an employee lives with in a similar capacity, parents, parents-in-law, children or stepchildren, grandparents, grandchildren, nephews and nieces and the spouses or partners of these people.
- A person with whom you have a "close association", as defined above, is someone that you are in contact with, regularly or irregularly, and who is more than just an acquaintance. It is someone a reasonable member of the public might think you would be prepared to favour or disfavour. It may be a friend, colleague, business associate, or someone you know through general social contacts.

Version	1
Date	
Relevant Legislation	Local Government Act 1972 Equality Act 2010 Working Time Regulation 1998 National Code of Local Government Conduct

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Part I - Officer Employment Procedures / Arrangements

This section incorporates the Mandatory Standing Order requirements in the Local Authorities (Standing Orders) (England) Regulations 1993 and 2001

1 APPOINTMENT OF OFFICERS:

1.1 The function of appointment, dismissal and taking disciplinary action against, an officer of the council must be discharged, on behalf of the council, by Chief Executive Officer (the head of paid service) or their nominee.

1.2 This does not however apply to the following posts:

- (a) The Chief Executive (Head of paid service)*
- (b) Executive Director – Resources and Corporate Services (Section 151 officer)*
- (c) Service Director – Governance, Democratic and legal Services (monitoring officer)*
- (d) Executive Director of Children and Family Services*
- (e) Executive Director of Adult Services*
- (f) Executive Director of Public Health**
- (g) Executive Director – Strategy, Workforce and Localities
- (h) Executive Director – Community Services
- (i) Executive Director – Climate and Place

And additionally;

- (j) any officer who reports or is directly accountable to the officers listed in (a) to (i) above

Note

*indicates posts that carry posts statutory responsibilities and authority. Statutory designations and these posts have been agreed by the Council to cover these statutory requirements are set out below. The posts of Head of Paid Service, Chief Finance Officer (also known as Section 151 Officer) and Monitoring Officer have a range of key constitutional responsibilities as set out in relevant legislation.

** This post carries statutory responsibility and authority. Any appointment or dismissal process is undertaken jointly with the Secretary of State for Health in accordance with National Health Service Act 2006.

3 The Chief Executive has authority to approve changes to the terms and conditions of all post specified in (b)-(j) in 1.2 above on the recommendation of the Appointments Panel or the Appointments Committee or on his / her own initiative and having obtained the agreement of the Leader of the Council . All decisions taken

by the Chief Executive on such matters will be the subject of a formal Officer Decision which will be published on the Council's website as soon as it is confirmed

1.4 The Chief Executive has authority after having sought the agreement of the Leader, and after appropriate consultations, to agree:

- (i) acting up arrangements into the positions specified in (b)-(j) in 1.2 above to cover periods of temporary absence either planned or unplanned
- (ii) (ii) emergency cover arrangements for the post specified in (b)-(j) in 1.2 above where these positions become vacant between Full Council meetings. Any such agreement will be subject to review and confirmation at the next available Full Council meeting

1.5 The Council's Pay Policy Statement, senior management structure and pay details and a description of the roles of the statutory officers of the Council is available to view on the Council's website via the following link:

<http://www.somerset.gov.uk/organisation/senior-salaries-and-pay-policy>

2 Recruitment

All appointments will be made on merit and in accordance with HR procedure for recruitment which includes :

1. a requirement that any candidate for an appointment as an officer must state in writing whether they have any relationship with any councillor or officer of the Council
2. No candidate so related to a councillor or a senior officer will be appointed without the authority of the relevant Executive Director or an officer nominated by the Executive Director
3. The Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
4. No councillor will seek support for any person for any appointment with the Council.

2.1 Appointment of Officers to post specified in Para 1.2

Appointments to these posts will involve elected Members.

Where a vacancy occurs in these appointments, the recruitment process requires the appointment of an Appointments Panel and then an Appointments Committee.

2.2 Appointments Panel

2.2.1 The Panel comprises 3 members, the Leader of the Council, the Leader of the largest Opposition Group, and the Deputy Leader of the Council (or their nominated representatives) with any relevant Lead Members as consultees

2.2.2 The Panel reviews the terms and conditions of employment relating to the post and where appropriate makes recommendations to the Chief Executive for any changes; decides the appointments process or other course of action; and appoints the Appointments Committee to undertake the appointments process. This review includes reviewing the job and person specifications, the means of advertisement and short-listing arrangements. The Panel will then appoint an Appointments Committee. The Panel can convene virtually or meet as required.

2.2.3 If a Panel decides that no changes to terms and conditions are necessary when it reviews a vacant post then the Panel has authority to progress the recruitment without the need to seek further approvals. If a Panel wishes to make changes to the terms and conditions of a vacant post (other than the post of Chief Executive) then these are subject to the approval of the Chief Executive having obtained the agreement of the Leader of the Council. This includes where a Panel wishes to advertise a salary for a post (other than the post of Chief Executive) above the 'spot' at the bottom of the range. This must be the subject of a Panel recommendation to the Chief Executive for decision. If the Panel's recommendations for changes to terms and conditions relate to the post of Chief Executive then Full Council must agree these changes. In all cases the Panel will appoint the Appointments Committee.

2.3 Appointments Committee

The Committee comprises a maximum of 5 Members including:

- (a) The Leader of the Council (or their nominated representative)
- (b) The Leader of the largest Opposition Group (or their nominated representative)
- (c) Up to 3 other Members of the Council selected in accordance with the rules of political proportionality and including the relevant Lead Member.

Notes:

- (a) It is a statutory requirement that at least 1 member of an Appointments Committee must be a Member of the Executive.
- (b) The Committee appoints its own Chair.
- (c) All Members of the Committee must have up-to-date knowledge of and have received training in the areas of Recruitment and Equalities.

(d) The selection process must be conducted in accordance with the Council's agreed Code of Practice

2.4 The Committee will:

- (a) Interview all short-listed candidates and either
- (b) Appoint a suitable candidate to the post; or

©In the case of the Chief Executive make a recommendation to the Full Council who must approve the proposed appointment before an offer of appointment is made; or
(d) Follow any other course of action decided upon by the Appointments Panel.

2.5 An offer of employment to these posts shall only be made where no justifiable objection has been made by the Lead Member/Executive.

2.6 If the Committee during the course of an appointment process wishes to vary the terms and conditions or the salary already agreed for a specific post, then such a proposal is subject to the approval of the Chief Executive having obtained the agreement of the Leader of the Council. The exception to this is where the Committee's recommendations relate to the appointment of the Chief Executive where only Full Council may amend the terms and conditions to be applied to the post.

2.7 Voting on appointment

Where two or more candidates are interviewed for an appointment to a senior post, and there is not a majority of votes cast in favour of one candidate the candidate receiving the least number of votes will be disregarded and a fresh vote taken, and so on until one candidate receives a majority of the votes.

2.8 Other Officers

Appointment of all other Officers is the responsibility of the Chief Executive as the Head of the Paid Service, or the relevant Officer specified in 1.2 or such officer authorised by one of them. Members cannot be formally involved in these appointments but leading members may be involved on an informal basis. Guidance on this involvement is available from the Service Director-Workforce

3 DISCIPLINARY ACTION (INCLUDING DISMISSAL) IN RELATION TO OFFICERS

3.1 DEFINITION: 'Disciplinary action' means any action confirmed in relation to alleged misconduct and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill-health or infirmity of mind or body.

It only includes failure to renew a contract of employment for a fixed term where the Council has undertaken to renew such a contract.

3.2 GENERAL: The rules set out below are subject to:

- (a) Conditions of service approved by national negotiating bodies recognised by the County Council;
- (b) Special conditions of service prescribed by the Articles of Government and Voluntary Aided schools in relation to non-teaching staff in such establishments;
- (c) Where any disciplinary action is taken, regard having been had to the Council's Disciplinary and Appeals Procedure.

3.3 Disciplinary action in relations to post specified in 1.2

3.3.1 Any proposal for a dismissal of the Chief Executive, the Section 151 Officer or the Monitoring Officer will be determined by the Council on the recommendation of the Independent Persons' (IPs) Panel comprising a minimum of 3 IPs selected to participate by the Chief Executive in accordance with the Local Authority (Standing Orders) (England) (Amendment) Regulations 2015. The IPs will be selected from a joint Somerset Councils' Panel of IPs. The Panel will be appointed by the Chief Executive (or the Head of HR where the Chief Executive is the subject of the proposed dismissal). The Panel shall be appointed a minimum of 20 days before the Council is due to meet to consider the dismissal.

3.3.2 A proposal for a dismissal of an officer specified in 1.2(d)-(j) will be determined by the Council on the recommendation of a special Panel of 6 Members appointed by the Leader of the Council (or their nominated representative) and comprising:-

- (a) The Leader of the Council (or their nominated representative)
- (b) The Leader of the largest opposition group (or their nominated representative)
- (c) 4 other Members of the Council selected by the Leader of the Council in consultation with the other Group Leaders and in accordance with the rules of political proportionality.

3.3.3 Any question of dismissal on the grounds of redundancy (including voluntary), permanent ill-health or infirmity of mind or body in relation to a Chief Officer shall be determined by the Special Members' Panel appointed as specified above with the exception detailed in below

3.3.4 The exception is where a proposed financial settlement for an officer leaving the Council exceeds £100,000. In these circumstances only Full Council can agree the financial settlement.

3.3.5 Any question of disciplinary action in relation to a Chief Officer or the Monitoring Officer shall be determined by the Special Members' Panel appointed in accordance with 3.3.4 above.

3.3.5 The Special Members' Panel referred to in 3.3.4 above, when a proposal is made to dismiss one of these statutory post-holders, shall decide whether there is any justification to the proposal and therefore whether it needs to be investigated. If the decision is that an investigation is necessary the Panel will appoint an investigator. If the investigation confirms a potential dismissal, the Panel will refer the matter to the IPs' Panel for consideration and report to Council. If the investigation recommends disciplinary action then the Special Members' Panel shall consider and decide whether disciplinary action is justified and if so agree any action to be taken.

3.3.6 An Officer who is subject to possible dismissal or other disciplinary action has the right to be informed as to the basis of any action which may be taken and to appear before the relevant Panel prior to a decision being made or before a recommendation is made to Council

3.3.7 The Officer concerned also has the right to appear before and address the Council before a dismissal is confirmed. The Panels and the Council will be advised by the Monitoring Officer and the Service Director-Workforce. If either of these officers is the subject of the Panel's report, the Chief Executive will make alternative arrangements for the provision of advice to the Council in place of that Officer.

3.3.8 Council can only give notice of dismissal to an Officer named in this section (other than the Monitoring Officer) where no justifiable objection has been made by any Member of the Executive.

3.3.9 An Officer specified in 1.2 can be suspended for the purpose of investigating potential gross negligence or gross misconduct where such suspension is considered:

- (a) necessary to allow an investigation to take place
- (b) otherwise desirable in the interests of the Council or the employee

3.3.10 Any such suspension shall be on full pay and terminate no later than 2 months beginning on the day on which the suspension takes effect. The power to suspend a SLT Officer rests with the Chief Executive, in consultation with the Leader. If the Chief Executive is the subject of the proposed suspension, then the Leader shall have the power to suspend the Chief Executive following consultation with the other group leaders and on the advice of the Service Director-Workforce.

3.4 OTHER OFFICERS

3.4.1 As authorised by the Chief Executive as Head of the Paid Service, any Officer specified in (a)-(j) or a Senior Officer nominated by them, can suspend any employee suspected of potential gross negligence or gross misconduct where such suspension is considered:

- (a) Necessary to allow an investigation to take place, or
- (b) Otherwise desirable in the interests of the Council or the employee.

3.4.2 When suspended the employee is entitled to full salary or wages, subject to any agreement to the contrary that they may reach with the Council.

3.3.3 As authorised by the Chief Executive, any Officer specified in 1.2 or their nominated Senior Officer, can dismiss an employee:-

- (a) Employed under a fixed-term or temporary contract of employment which is ending;
- (b) Whose post is or is about to become redundant;
- (c) For unsatisfactory performance at the end of an agreed probationary period;
- (d) Medically certified to be incapable of discharging their duties by reason of ill-health;
- (e) Who has reached compulsory retirement age; or
- (f) For some other substantive reason.

3.3.4 An Officer specified in 1.2 or their nominated Senior Officer, can:-

- (a) Dismiss with due notice any employee who has previously been the subject of formal disciplinary action but whose standards of conduct or capability have remained unsatisfactory;
- (b) Dismiss any employee without notice where satisfied on reasonable enquiry that the employee has been guilty of gross misconduct; subject to prior consultation with the Monitoring Officer and the Service Director-Workforce.

Any appeal against dismissal or disciplinary action will follow the Council's Disciplinary and Appeals Procedure.

Any employee selected for compulsory redundancy has a right of appeal to the Redundancy Review Panel.

GRIEVANCES

Any grievance by a member of staff will be dealt with in accordance with the Council's agreed procedures

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Part I - Contract Procedure Rules

For the Supply of Goods, Provision of
Services and Execution of Works

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Contract Procedure Rules and Standing Orders for the Supply of Goods, Provision of Service and Execution of Works

SECTION A: **PRELIMINARY**

1. **Definitions**

1.1. In these Contract Procedure Rules and Standing Orders the following words and expressions will have the following meanings assigned to them:

Defined term	Definition
Award Criteria	Shall mean the criteria by which the Contract is to be awarded to the successful Supplier
Award Decision	Shall mean the procedure by which the Officer is able to decide to award the Contract to a particular Supplier/s
Best Value	Means the optimum balance of cost, efficiency and effectiveness in the delivery of a council function
Executive Member	Shall mean any Councillor appointed to the Executive by the Leader of Council for the time being, or such Officer as they may duly authorise to act on their behalf or may be authorised to act on their behalf under the Council and Executive Scheme of Delegation
Call-off Contract	Shall mean a Contract awarded under a Framework Agreement or Dynamic Purchasing System

Candidate	Shall mean any and all suppliers participating or expressing an interest in participating in the Council's Quick Quotes, Quotations, Selection Questionnaire and ITT activity
Competitive Dialogue	Shall mean as referred to in regulation 30 of the Procurement Regulations
Competitive Procedure with Negotiation	Shall mean as referred to in regulation 29 of the Procurement Regulations
Constitution	<p>Shall mean the constitutional document approved by the Council which:</p> <ul style="list-style-type: none"> • allocates decision making powers and responsibilities within the Council and with partners • delegates authority to act through the Council and Executive Scheme of Delegation and • regulates the behaviour of individuals and groups through rules of procedure, codes and protocols
Contract	Shall mean a legally binding agreement concluded in writing for consideration (whatever the nature of the consideration, whether by payment or some other form of reward) under which the Council engages a Supplier to provide Goods, Works or Services and where the context requires a Contract shall refer to an order made/call-off contract entered into under a Framework Agreement. All Contracts are let on behalf of the Council as a whole and no service, team, unit or other part of the Council has the legal capacity to enter independently into any Contract
Contracting Authority	Shall mean Somerset Council or any entity over which Somerset Council has control

Contracts Register	Shall mean the Council's repository of Contracts as held on the Council's Electronic Tendering System
Council	Shall mean Somerset Council
Dynamic Purchasing System	Shall mean as referred to in regulation 34 of the Procurement Regulations
Electronic Tendering System	Shall mean the system approved by the Commercial and Procurement team for the purposes of conducting procurement activities electronically
Electronic Signing Software	Shall mean software for the electronic completion of Contracts which complies with the requirements in the Electronic Communications Act 2000
Financial Instructions	Shall mean the Financial Regulations and Financial Procedures, and any subsequent guidance, outlining the Officer's responsibilities for financial matters as issued by the Section 151 Officer in accordance with the Constitution
Find a Tender Service	Shall mean the web-based portal provided for the purpose of 6organization high value contract opportunities as per the Procurement Regulations www.gov.uk/find-tender
Framework Agreement	Shall mean an agreement or other arrangement between one or more contracting authorities and one or more economic operators which establishes the terms (in particular the terms as to price and, where appropriate, quantity) under which the economic operator will enter into one or more contracts with a contracting authority in the period during which the framework agreement applies
Goods	Shall mean physical products purchased or manufactured on request

Governance Board	Shall mean a Council Officer meeting which oversees the annual governance statement and keeps the Constitution and democratic arrangements fit for purpose. It must be noted that this is an advisory and not a decision-making meeting
Grant Agreement	<p>Means an arrangement for the provision of funding to cover, in whole or in part, the running costs of an organization whose work complements the Council's policy objectives and where the arrangement has the following characteristics:</p> <ul style="list-style-type: none"> • the funding is provided in order to achieve agreed outcomes • the recipient has no obligation to spend the funding made available under the arrangement • the recipient will have discretion over the spending of that funding within limits agreed between the Council and the recipient of the funding • the recipient will be liable to repay any funding spent outside the agreed limits • the recipient will be required to pay back any unspent funds either at agreed points during or at the end of the arrangement.
Innovation Partnership	Shall mean as referred to in Regulation 31 of the Procurement Regulations
Invitation to Tender (ITT)	Shall mean the document in the form required by these Rules to seek Tenders from candidates
Key Decision	Shall mean a decision to be taken by the Council with an associated cost or savings value at or above £500,000

Leader of the Council	Shall mean the Councillor appointed by the Council to the position of Leader for the time being or any such Officer as they may duly authorise or may be authorised to act on their behalf under the Council and Executive Scheme of Delegation
Legal Services	Shall mean the Council's internal legal advisory department
Light Touch Regime	Shall mean the rules set out in regulations 74 to 76 of the Procurement Regulations regulating the award of Contracts for social and other services
Member	Shall mean any Councillor appointed to the Council for the time being
Most Economically Advantageous Tender (MEAT)	Shall mean evaluation criteria that reflect the qualitative, technical and sustainable aspects of a Tender submission as well as price, which can be used when reaching a Contract award decision
Negotiated Procedure without Prior Publication	Shall mean as referred to in regulation 32 of the Procurement Regulations
Non-commercial Considerations	Shall mean factors that must not be taken into account at the Award Decision stage, such as the introduction of Selection and Award Criteria that have not been disclosed out the outset of the procurement or that do not meet the principle of MEAT
Non-key Decision	Shall mean a decision to be taken by the Council with an associated cost or savings value of less than £500,000
Officer	Shall mean a person employed by the Council whose responsibility it is to commission or procure Goods, Services or Works or ensure that Officers that they have line or matrix management responsibility for commissions or procures Goods, Services or Works in accordance with these Rules

Open Procedure	Shall mean as referred to in Regulation 37 of the Procurement Regulations
Passport to Procure	Shall mean the procurement training available via The Learning Centre
Procurement Documents	Shall mean the documents provided to candidates at the outset or during the procurement process, the purpose of which is to explain the procurement opportunity, the Selection and Award Criteria, the means of making an Award Decision, the submission requirements and the terms and conditions of contract
Procurement Officer	Shall mean an Officer that has completed the Passport to Procure training and which is employed to Commercial and Procurement
Procurement Regulations	The Public Contracts Regulations (SI: 2015/102) as amended, updated or replaced
Procurement Regulations Threshold	The values specified in regulation 5 of the Procurement Regulations
Quick Quote	Shall mean the procurement process to be followed within the Council's Electronic Tendering System that allows the Officer to seek Quotations from a minimum of three candidates
Quotation	Shall mean the document in the form required by these Rules to seek Quotations from candidates

Relevant Contract	<p>Shall mean a Contract to which these Rules applies, which includes:</p> <ul style="list-style-type: none"> • the supply or disposal of Goods • the hire, rental or lease of Goods or equipment • the provision of Works and the supply of works materials • the provision of Services including consultancy services • the granting of Works Concessions or Services Concessions Contracts. <p>But does not include:</p> <ul style="list-style-type: none"> • dealings in the money market or obtaining finance.
Relevant Legislation	<p>Means:</p> <ul style="list-style-type: none"> • the Procurement Regulations; • the Subsidy Control Act 2022; • the Data Protection Act 1998; • the Freedom of Information Act 2000; • the Environmental Information Regulations 2004; • the Fraud Act 2006; • the Equalities Act 2010; • the Bribery Act 2010; • the Modern Slavery Act 2015; • the Public Services (Social Value) Act 2012; • any legislation pertaining to money laundering; <p>as amended, updated or replaced.</p>
Relevant Policy	<p>Shall mean the policy referred to in <i>Section 16. Relevant Policy</i> and any documents superseding that referred to</p>
Restricted Procedure	<p>Shall mean as referred to in Regulation 28 of the Regulations</p>

Scheme of Delegation	<p>(The Council and Executive Scheme of Delegation) shall mean the high level overarching scheme contained within the Constitution which set outs delegations to directors.</p> <p>(The Officer Scheme of Delegation) shall mean the scheme which sits underneath the Council and Executive Scheme of Delegation, but which is not contained within the Constitution, which sets out the level of delegations below the main scheme and covers Officer delegations</p>
Section 151 Officer	<p>Shall mean the Officer employed in the position of chief finance officer or such Officer as they may duly authorised to act on their behalf</p>
Selection Criteria	<p>Shall mean the Authority's minimum requirements by which the Tenderer is to be assessed as being suitable to deliver the requirements of the contract</p>
Selection Questionnaire	<p>Shall mean the questions to be asked of candidates to assess their suitability as issued by the Crown Commercial Services, an executive agency of the Cabinet Officer; and/or the first stage document of a two-stage procurement process used to assess applications for inclusion in the shortlist of candidates who will be invited to submit a final proposal in every Restricted procedure</p>
Services	<p>Shall mean the supply of time, effort, and/or expertise instead of a tangible product</p>
Services Concession Contract	<p>Shall mean a Contract concluded in writing where the payment is simply that the concessionaire has the right to profit from the Works/Services that are the subject of the Contract</p>

Social Value	Shall mean additional benefit to the community from a commissioning / procurement process over and above the direct purchasing of Goods, Services and outcomes
Standstill Period	Shall mean the minimum ten (10) day period between the notification date of unsuccessful candidates and the date of contract award
Subsidy	Means a subsidy as defined by section 5 of the Subsidy Control Act 2022
Supplier	Shall mean the successful Candidate
Sustainable Procurement	Shall mean the act of adopting social, economic and environmental factors alongside the typical price and quality considerations into the organisation's handling of procurement processes and procedures
Tender	Shall mean the document response from a Candidate in the form required the Invitation to Tender issued by the Council
The Learning Centre	Shall mean the Council's electronic training system
Total Contract Value	The whole of the value or estimated value (in money or equivalent value) for a single purchase or Contract
Transfer of Undertaking (Protection of Employment) ("TUPE")	Shall mean the legislation that applies where either a business transfer or a service provision change takes place. The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) apply to protect UK employees when one of these 'relevant transfers' takes place and the business changes to a new owner
Transparency Code	The Local Government Transparency Code 2015

Works	Shall mean the construction of structures of all kinds, such as buildings, highways, bridges, as well as structural renovations, extensions, and repairs
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SECTION B: **GENERAL INFORMATION**

2. Introduction

- 2.1. The Local Government Act 1972 section 135 requires the Council to have standing orders for how it enters into contracts. These Contract Procedure Rules (the "Rules") are the standing orders required by the 1972 Act. They form part of the Council's Constitution and are, in effect, the instructions of the Council, to officers and elected members, for entering into contracts on behalf of the Council.
- 2.2. These Rules are the Contracting Authority's (the "Council") rules for the buying, renting and leasing of Goods, Services and Works and apply to all procedures for procuring and entering into Relevant Contracts made by the Council unless otherwise specified herein.
- 2.3. The aim of these Rules is to assist Officers in achieving best practice and lawful procurement, to ensure that the Council fulfils its duty of delivering Best Value for its council taxpayers and excellent outcomes for its service users.
- 2.4. The Rules also provide a basis for fair competition by providing transparent and auditable procedures to protect the Council's reputation from any suggestion of dishonesty or corruption.
- 2.5. These Rules apply to all Officers of the Council and all companies or organisations within the Council's control. They are part of the Council's Constitution and therefore Officers have a duty to ensure they have fully understood them and have sufficient authority prior to commencing any procurement or contracting activity (see *Section 12. Pre-Procurement Authorisations*).
- 2.6. Officers must also ensure that any persons or organisations acting on behalf of the Council fully comply with these Rules.
- 2.7. These Rules are mandatory and shall govern and regulate the Council's procurement and contract award procedures. Officers must also refer to the Commercial and Procurement Team ("Commercial and Procurement") for more detailed guidance throughout the procurement process.

- 2.8. The expectation is of compliance to these Rules and in any cases of doubt advice must be sought from Commercial and Procurement. Failure to follow these Rules may be dealt with as a breach of the Council's standards of conduct and in certain instances may be treated as gross misconduct and give rise to action under the Council's disciplinary policy and procedure (see *Section 46. Non-compliance to the Rules*).
- 2.9. If upon reading the Rules the Officer discovers a lack of clarity or wishes to ensure their comprehension and compliance, they must consult with Commercial and Procurement for advice and guidance. The Officer shall not be excused from these Rules on grounds of a lack of understanding.
- 2.10. The administration, monitoring and governance of these Rules shall be the responsibility of Commercial and Procurement.

3. The Procurement Sourcing Strategy

- 3.1. For procurement processes with a Total Contract Value in excess of the Procurement Regulations Threshold the Officer must consult with Commercial and Procurement to develop the procurement sourcing strategy.
- 3.2. The procurement sourcing strategy must, as a minimum, appraise a proposed procurement in a manner commensurate with its complexity, risk and value, by:
 - a. taking into account the requirements from any relevant Best Value review
 - b. considering the Social Value sought
 - c. taking in to account any lessons learned from any market engagement activities and/or audit findings
 - d. defining the key commercial principles, objectives of the procurement, taking into account user requirements and all Relevant Policy and Relevant Legislation
 - e. considering any related risks and impacts
 - f. considering the need to obtain specific assurances regarding any incumbent contractors' business continuity plans and arrangements
 - g. appraising the need for the expenditure and its priority
 - h. considering all of the associated costs, to include initial purchase costs, operating and maintenance costs, costs of associated

consumables, any associated training costs, the cost of disposal and the costs of exiting the contract

- i. taking in to account any tax or VAT issues that may arise
- j. when the purchase of new Goods is proposed, assessing the alternative options for repair, re-use or recycling
- k. considering all lawful means of achieving the anticipated outcomes.

3.3. The procurement sourcing strategy shall result in clear recommendations, as follows:

- a. the proposed scope, key commercial principles and the procurement route to be followed
- b. the relevant evaluation criteria, including the MEAT ratios
- c. the relevant timescales
- d. the means by which the Contract shall be monitored and managed
- e. the resources required.

3.4. The procurement sourcing strategy shall be signed off by the Officer and Commercial and Procurement. Where a change is required to a procurement sourcing strategy that has already been signed off, such changes shall be incorporated in as a variation to the original, agreed between the parties and signed off by the Officer and Commercial and Procurement.

3.5. A template procurement sourcing strategy can be obtained from Commercial and Procurement.

3.6. For those procurements falling within the Light Touch Regime, the Officer must consult with Commercial and Procurement to agree the most appropriate procurement approach, and if a procurement strategy is required.

4. Basic principles

4.1. All procurement and contracting activity and contract and

supplier management must:

- a. comply with these Rules and Financial Instructions
- b. achieve Best Value for public money spent
- c. be consistent with the highest standards of integrity
- d. comply with the Relevant Legislation (including the Council's statutory duties and powers)
- e. comply with any relevant Council policies
- f. support the Council's corporate and departmental aims
- g. ensure that Non-Commercial Considerations do not influence the Award Decision.

4.2. All procurements must comply with the following principles of the Procurement Regulations and UK procurement law and policy:

- a. mutual recognition
- b. non-discrimination
- c. openness and transparency
- d. equal treatment
- e. proportionality.

5. Officer responsibilities

5.1. The Officer is responsible for the commissioning, procurement, mobilisation/transition, contracting activity, Contract, supplier management and must:

- a. comply with and ensure that their Officers comply with these Rules and Financial Instructions
- b. comply with the Relevant Legislation
- c. ensure that any persons or organisations acting on behalf of the Council also fully comply
- d. take account of all necessary legal, financial, procurement, technical and any other professional advice
- e. complete mandatory, role specific training, as directed by the

Commercial and Procurement team.

- 5.2. Prior to commencing a procurement or contracting activity the Officer must:
- a. consider options for delivery of the required Goods, Services or Works
 - b. ensure that there is appropriate Council authority to procure and sufficient budgetary provision approved and in place
 - c. identify the size, scope, commercial principles, term and specification of the Goods, Services and Works required
 - d. check whether the Council already has an available and appropriate Contract in place in the Contracts Register, or an appropriate national, regional or other collaborative contract, Framework Agreement or Dynamic Purchasing System is available for use, by reference to the Commercial and Procurement team
 - e. check whether any employee, either of the Council or of a service provider, may be affected by any transfer arrangement and ensure that any Transfer of Undertaking (Protection of Employment) ("TUPE") issues are considered and obtain legal and HR advice
 - f. for procurement processes with a Total Contract Value above £50,000 the Officer must conduct the procurement activity in conjunction with a certified Procurement Officer of Commercial and Procurement
 - g. for procurement processes with a Total Contract Value at and above Procurement Regulations Threshold there must be an accompanying procurement sourcing strategy in line with *Section 3. The procurement sourcing strategy*.
- 5.3. Officers must ensure that the appropriate Governance process for spending approval is followed. Please refer to the Officer Decision Making guidance on the Council's intranet for the latest advice.
- 5.4. Officers must ensure that all commitments to suppliers are made in the form of a valid Purchase Order, prior to delivery of goods and services, consulting Commercial and Procurement to determine the most effective means of ordering and monitoring of spend against contracts. Any exceptions to this must be agreed with Finance and Procurement of be

covered by the PO exemption policy.

6. Procurement Officer responsibilities

- 6.1. All Officers employed within the Procurement team will complete the Passport to Procure training, which is available through the Learning Centre. Additional and specialist training may also be required in more specialist procurement roles. Once the appropriate training has been completed those Officers will be certified as a Procurement Officer and approved to complete specific procurement activities.
- 6.2. Any Council officer proposing to engage in a procurement process for goods or services above £50,000 shall also complete the Passport to Procure training, before being permitted to participate in any procurement activity.
- 6.3. Officers who have not undertaken the relevant training are not permitted to undertake procurement activity on behalf of the Council without prior consultation with the Commercial and Procurement team.

7. Member responsibilities

- 7.1. The Member must:
 - a. comply with and ensure that Officers comply with these Rules and Financial Instructions
 - b. comply with the Relevant Legislation
 - c. ensure that any persons or organisations acting on behalf of the Council also fully comply
 - d. take account of all necessary legal, financial, procurement, technical and any other professional advice
 - e. comply with the Members' Code of Conduct.

8. Prevention of corruption and collusion

- 8.1. All Officers have a duty in law to avoid any form of behaviour that might distort or restrict competition or call in to question the award of a Contract.
- 8.2. Officers must always comply with the Council's standards of conduct and must not offer, promise, give or receive any gift or reward in respect of

the award or performance of any Contract.

- 8.3. Officers are advised that any behaviour that is deemed to be in contravention of the provisions of the Bribery Act 2010, the Fraud Act 2006 and any amending legislation, and all legislation relating to money laundering may be dealt with as a breach of the Council's standards of conduct. In certain instances this may be treated as gross misconduct and give rise to action under the Council's disciplinary policy and procedure, such as dismissal. Such activity may also be reported to the Police.
- 8.4. Officers are advised to take practical steps to reduce the risk of anti-competitive behaviour, as highlighted by the Office of Fair Trading:
 - a. include non-collusion clauses in Contracts
 - b. ensure sufficient credible candidates, where practicable
 - c. identify and investigate for suspicious bidding patterns
 - d. keep notes of all discussions with candidates.

9. Conflicts of interest

- 9.1. All Officers, Members and key stakeholders involved in a procurement exercise must immediately declare in writing to the Head of Commercial and Procurement any conflicts of interests relating to the procurement activity where they, or their spouse or civil partner, or person with whom they are living as husband and wife or civil partner, have a vested interest that could conflict with the best interests of the Council.
- 9.2. Where a conflict of interest exists the Head of Commercial and Procurement, in consultation with Legal Services, shall consider any appropriate mitigation(s) to be put in place to ensure that such conflicts do not compromise the outcome of the procurement exercise, or whether such Officer, Member or key stakeholder must excuse themselves from the procurement.
- 9.3. Commercial and Procurement officers shall maintain a record of all declarations of interest and mitigations in a procurement exercise as notified by Officers, Members and key stakeholders and shall share the declarations of interest record with Legal Services and Democratic Services. Further advice and guidance can be obtained from the Commercial and

Procurement team.

10. Localism Act 2011

- 10.1. Under the Localism Act 2011 and any amending legislation, community organisations can submit to local authorities an expression of interest to run local services, commonly known as the Community Right to Challenge.
- 10.2. If such an expression of interest is accepted by the Council this will trigger procurement or contracting activity, which is subject to these Rules.

SECTION C: PRE-PROCUREMENT

11. Market engagement

- 11.1. The Officer may, prior to commencing the procurement process, consult potential candidates in general terms about the nature, level and standard of the supply and Contract and seek market views and intelligence that can be used in the planning and conduct of the procurement process provided that this does not result in the violation of the Procurement Regulations principles, prejudice any other interested supplier/s not consulted and/or have the effect of distorting competition, which might manifest itself as:
 - a. a conflict of interest
 - b. evidence of collusion
 - c. a situation which is incapable of being resolved as a result of providing information to other potential candidates.
- 11.2. The Officer shall take advice from Commercial and Procurement to ensure that the proposed method of engaging the market or particular potential candidates does not preclude them from participating in any subsequent procurement activity so as to ensure that the approach does not undermine Best Value, lead to the award of a dissatisfactory Contract or increase the risk of a procurement legal challenge. The proposed method of engaging the market or particular potential candidates must also not prevent the Council from choosing a supplier that offers the best balance between the whole life cost (from acquisition to disposal) of goods and services against predefined requirements.
- 11.3. Suppliers consulted during market engagement activities shall only be excluded from the procurement process where there are no other means to

ensure compliance with this section in its entirety. Potential candidates must be given the opportunity to prove that their involvement in market engagement activities is not capable of distorting competition.

- 11.4. All potential candidates must be informed in advance by the Officer that any information shared as part of such an engagement may be declared as commercially confidential where this applies but that the Council reserves the right to share all information in order to comply with principles of Section 4.2 above. Further advice can be obtained from Commercial and Procurement.

12. Pre-procurement authorisations

- 12.1. Officers must ensure, before entering into any process that will or may result in the incurring of any expenditure for the supply of Goods, Services or Works, be it capital or revenue, that:
 - a. the Strategic Commissioning Group is consulted as part of compliance with the Commissioning Gateway activity for all procurement and contracting activity above £50,000 total contract value
 - b. adequate financial provision is included in the Council's approved revenue budget or capital programme and that such expenditure continues to be available in accordance with the Financial Regulations
 - c. the Council does not already have an available and appropriate existing Corporate Contract, Framework Agreement or Dynamic Purchasing System
 - d. there is no other available and appropriate Contract, Framework Agreement or Dynamic Purchasing Systems that has been procured on the Council's behalf
 - (i) through collaboration with other public bodies, where a competitive process has been followed that complies with the rules of the lead organisation and any Relevant Legislation, but which does not necessarily comply with these Rules or
 - (ii) by a regional or national contracting authority or buying consortia where the process has been conducted in compliance with any Relevant Legislation;
 - e. the Council is not already undertaking a procurement process that

- is within the scope of the proposed procurement; and
- f. all proposed expenditure is reported as a Non Key Decision Report.
- 12.2. Procurement processes may only be carried out once the Non Key Decision Reports has been countersigned by the appropriately empowered officer as set out in the Council's Scheme of Delegation.
- 12.3. The Officer must consult with Commercial and Procurement prior to preparing the Non Key Decision Report.

13. Total Contract Value

- 13.1. The Total Contract Value is calculated as the whole of the value or estimated value of the Contract as follows:
- a. the total amount payable as estimated by the Council and including any additional options, lots, renewals and/or extensions
 - b. where the Contract period is indefinite or uncertain, the value shall be calculated on the basis that the Contract will be for a period of four years and be based on the value of contracts of the same or similar type awarded during the preceding period
 - c. the estimated value of a Framework Agreement or Dynamic Purchasing System shall be the total value of all of the Contracts that may be awarded against that Framework Agreement or Dynamic Purchasing System
 - d. the value of a Concession Contract shall be the best estimate of the financial value to the Contractor that shall be made over the life of the arrangement
 - e. the estimated value of an Innovation Partnership shall be the total estimated value, inclusive of the research and development activities to take place during all stages of the envisaged partnership, as well as the Goods, Services or Works to be developed and procured at the end of the envisaged partnership.
- 13.2. The general rules when calculating the Total Contract Value are as

follows:

- a. purchases of the same or similar type must be aggregated wherever practicable. The value of the Contract shall not be calculated with the intention of excluding it from the scope of the Rules
- b. where there is a common requirement across the Council, the Total Contract Value shall be the aggregate of all purchases across the Council
- c. a Contract shall not be sub-divided with the effect of preventing it from falling within the scope of the Rules
- d. the estimated value shall be calculated as at the moment at which the advertisement is sent or when the Council commences the procurement procedure, whichever is the latter; unless
- e. the estimated value at the point that a Concession Contract to which the Relevant Legislation applies is awarded is more than 20% higher than the previous estimate, in which case the higher value applies.

13.3. When calculating the estimated value of the contract to determine whether the regulations apply, the contract value estimation should be inclusive of VAT irrespective of any VAT exemptions or recovery rates.

14. Procurement Thresholds

14.1. The table below sets out the Council's competition requirements.

Contract type	Total Contract Value	Specification Requirements	Procurement process
Goods, Services and Works	Up to £25,000	Purchasing requisition, specification	Recommended three written quotes, minimum 1 written quote ensuring Best Value <i>See section 20</i>
Goods, Services and Works	Over £25,000 up to £50,000	Purchasing requisition, specification	Minimum of three written quotes <i>See Section 20</i>
Goods and Services	Over £50,000 up to £100,000	Specification, evaluation criteria, terms and conditions	Quick Quote via the Council's Electronic Tendering System
Works	Over £50,000 up to £250,000		<i>See Section 21</i>

Contract type	Total Contract Value	Specification Requirements	Procurement process
Goods and Services	Over £100,000 and less than the Procurement Regulations Thresholds	Tender docs, specification, evaluation criteria, terms and conditions	Invitation to Tender via the Council's Electronic Tendering System <i>See Section 22</i>
Works	Over £250,000 and less than the Procurement Regulations Threshold		
Goods, Services and Works	At and above the Procurement Regulations Threshold	Tender docs, specification, evaluation criteria, terms and conditions	Invitation to Tender as per the Relevant Legislation and via the Council's Electronic Tendering System <i>See Section 23</i>

15. Relevant Legislation

- 15.1. When planning and preparing all procurement and contracting activities the Officer shall have regard to the Relevant Legislation, relevant to the Service being procured as well as procurement activities.
- 15.2. The aims and objectives outlined in the Relevant Legislation shall, where appropriate, be incorporated into the procurement sourcing strategy, award methodology and terms and conditions of contract.

16. Relevant Policy

- 16.1. When planning and preparing all procurement and contracting activities the Officer shall have regard to the Council's Relevant Policy and duties including, but not limited to, the following:

- a. the County Plan
- b. Value for Money Strategy
- c. Sustainable Procurement
- d. Social Value Policy
- e. Fairness and Equality for All
- f. Medium Term Financial Plan
- g. the Climate Emergency
- h. the relevant Service Plan(s)
- i. Managing Contractors policy
- j. Relevant Service commissioning strategy.

16.2. The aims and objectives outlined in the Relevant Policy shall, where appropriate, be incorporated into the procurement sourcing strategy, award methodology and terms and conditions of contract.

16.3. The Local Government Transparency Code 2015 sets out the minimum data that local authorities should be publishing, the frequency it should be published and how it should be published. Procurement will ensure that all contract awards are published in accordance with the Transparency Code.

16.4. Purchase Orders of £5,000 and above will only be approved once Procurement and Finance have checked them. Procurement will examine all off-contract spend and target reductions in discretionary areas of spend and challenge those that should be using existing contracts.

17. Collaborative procurement

17.1. Where the Council takes the lead procurement role in a collaborative procurement these Rules shall apply, as a minimum. Where another public body takes the lead procurement role the Rules of the lead organisation and any Relevant Legislation shall apply.

17.2. Where the Council enters into any formal collaborative procurement arrangements any related collaboration agreement must protect the Council to a level proportionate to the complexity, risk and value involved, whilst at the same time providing the basis for the collaborative approach and delivery of Best Value. As a minimum the collaboration agreement should clearly state:

- a. the nature and extent of the arrangement
- b. legal roles and responsibilities
- c. arrangements for governance, accountability, and dispute resolution
- d. the exit strategy
- e. the auditing arrangements
- f. the cost sharing mechanisms
- g. the process for the induction of new partners.

17.3. Where the Council takes the lead procurement role in a collaborative procurement the Officer shall prepare such a collaboration agreement and ensure that it is countersigned by all partner organisations.

17.4. Where no such formal collaboration agreement exists the Officer must consider how the arrangements meet the requirements of these Rules, which must be documented and approved by the appropriately empowered Officer as set out in the Council's Scheme of Delegation.

18. Use of Framework Agreements and Dynamic Purchasing Systems

18.1. Where an appropriate Council Framework Agreement or Dynamic Purchasing System exists, the Officer must use it for the making of the proposed Purchase.

18.2. Where the Council seeks to establish a Framework Agreement or Dynamic Purchasing System it shall be let and used in full accordance with the Relevant Legislation and terms of the Framework Agreement or Dynamic Purchasing System.

18.3. The use of another relevant organisation's Framework Agreement or Dynamic Purchasing System may be used, subject to consultation with Commercial and Procurement.

18.4. The use of a Framework Agreement or Dynamic Purchasing System may be appropriate where:

- a. Quotations or Tenders are regularly obtained for the same or similar types of Goods, Services or Works and
- b. it is not practical or appropriate that the Goods, Services or Works

in question be aggregated into a single requirement and/or competed under one procurement and

- c. the Total Contract Value of the Goods, Services or Works, if aggregated, would exceed the Procurement Regulations Threshold.

19. Standard Procurement Documents

- 19.1. The Officer must use standard Procurement Documents or relevant Framework Agreement or Dynamic Purchasing System documents to conduct any procurement or contracting activity that will or may result in the incurring of any expenditure for the supply of Goods, Services or Works.
- 19.2. Standard Procurement Documents are stored and maintained by Commercial and Procurement and can be obtained in consultation with a certified Procurement Officer.
- 19.3. Where it is necessary to vary the standard Procurement Documents or relevant Framework Agreement or Dynamic Purchasing System documents the Officer must consult with Commercial and Procurement.
- 19.4. Where it is necessary to vary the standard terms and conditions of contract or relevant Framework Agreement or Dynamic Purchasing System documents the Officer must consult and agree any variations with Legal Services.

20. Procurement process for lower value purchases

- 20.1. For Contracts up to the Total Contract Value of £50,000, where there is a suitable corporate Contract, Framework or Dynamic Purchasing System that corporate Contract, Framework Agreement or Dynamic Purchasing System shall be used, provided that such a course of action achieves the principles of Best Value.
- 20.2. Where no suitable Framework Agreement, Dynamic Purchasing System or corporate Contract is available then achieving Best Value is the primary objective and the Officer is required by these Rules to achieve the following to demonstrate compliance:
 - up to £25,000 - recommend three written quotes, minimum one written quote

- ensuring Best Value
 - over £25,000 up to £50,000 - minimum of three written quotes.
- 20.3. Where the Officer is unable to select a potential candidate and/or demonstrate Best Value as outlined above, the Officer must consult with Commercial and Procurement on the most appropriate way forward.
- 20.4. Acceptance will be notified to the successful supplier by issue of a Purchase Order. The Purchase Order must refer to the Council's standard terms and conditions of contract, except for where the complexity of the Contract requires more bespoke terms, for example a specific stand-alone contract in which case the Purchase Order shall make separate reference to these.
- 20.5. Unsuccessful candidates shall be notified and, at their request, shall be given the reason why they were unsuccessful without breaching the commercial confidentiality of other candidates.
- 20.6. The Officer must inform Commercial and Procurement in a timely manner of the Contract details for any Contract made in excess of £5,000, such that a record can be made on the Council's Contracts Register, in line with the Transparency Code.

21. Quick Quote

- 21.1. For Contracts with a Total Contract Value over £50,000 up to £100,000 for Goods and Services up to £250,000 for Works where there is a suitable corporate Contract, Framework or Dynamic Purchasing System that corporate Contract, Framework Agreement or Dynamic Purchasing System shall be used.
- 21.2. Where no suitable Framework Agreement, Dynamic Purchasing System or corporate Contract is available then achieving Best Value remains the primary objective and the Officer is required by these Rules to achieve a minimum of three Quotations via the Quick Quote process on the Council's Electronic Tendering System, unless a suitable external Framework Agreement or Dynamic Purchasing System is identified and agreed with Commercial and Procurement.
- 21.3. The Officer must not include two stages within a procurement of this

nature (Selection Questionnaire and ITT).

- 21.4. In the event that no suitable candidates can be found on the Council's Electronic Tendering System the Officer may choose to place an advertisement via the system and in Find a Tender so as to attract appropriate candidates to bid.
- 21.5. The Procurement Documents must include:
- a. the Council's standard terms and conditions of contract, the standard form of contract and/or bespoke terms;
 - b. the specification
 - c. the pricing schedule
 - d. the ordering procedures
 - e. commercially confidential information schedules
 - f. completion requirements
 - g. the Selection Questionnaire
 - h. the Award Criteria
 - i. the submission requirements
 - j. a named contract manager.
- 21.6. Acceptance will be notified to the successful supplier by issue of a Purchase Order. The Purchase Order must refer to the Council's standard terms and conditions of contract, except for where the complexity of the Contract requires more bespoke terms, for example a specific stand-alone contract in which case the Purchase Order shall make separate reference to these.
- 21.7. Unsuccessful candidates shall be notified and, at their request, shall be given the reason why they were unsuccessful without breaching the commercial confidentiality of other candidates.
- 21.8. A Contract award record must be made on the Council's Contracts Register and Find a Tender.

22. Procurement processes requiring Invitations to Tender

- 22.1. For Contracts at and above the Total Contract Value over £100,000 for Goods and Services and over £250,000 for Works but less than the

Procurement Regulations Thresholds where there is a suitable corporate Contract, Framework or Dynamic Purchasing System that corporate Contract, Framework Agreement or Dynamic Purchasing System shall be used.

- 22.2. Where no suitable corporate Framework Agreement or Dynamic Purchasing System is available the Officer is required by these Rules to invite Tenders from any and all qualified candidates by advertising the opportunity via the Council's Electronic Tendering System and in Find a Tender, unless a suitable external Framework Agreement or Dynamic Purchasing System is identified and agreed with Commercial and Procurement.
- 22.3. The Officer must not include two stages within a procurement of this nature (Selection Questionnaire and ITT).
- 22.4. The advertisement must include:
 - a. the time period within which interested parties may express an interest in Tendering; and
 - b. the method by which such interest shall be expressed.
- 22.5. An Invitation to Tender shall be sent to all parties who have expressed an interest, specifying a reasonable period for Tenders to be returned.
- 22.6. The Procurement Documents must include:
 - a. instructions to candidates
 - b. the Council's standard terms and conditions of contract, the standard form of contract and/or bespoke terms
 - c. form of tender
 - d. certificate of non-collusion
 - e. the specification
 - f. the pricing schedule
 - g. commercially confidential information schedules
 - h. completion requirements
 - i. the Selection Questionnaire
 - j. the Award Criteria

k. the submission requirements.

22.7. The successful supplier and unsuccessful candidates shall be notified of the outcome by issue of a letter sent electronically via the Council's Electronic Tendering System. Unsuccessful candidates shall at their request be given the reason why they were unsuccessful without breaching the commercial confidentiality of other candidates.

22.8. A Purchase Order must be raised.

22.9. A Contract award record must be made on the Council's Contracts Register and Find a Tender.

23. Procurement processes over the Procurement Regulations Threshold

23.1. For Contracts at and above the Procurement Regulations Threshold where there is a suitable Framework Agreement or Dynamic Purchasing System approved by Commercial and Procurement, that Framework Agreement or Dynamic Purchasing System shall be used.

23.2. Where no suitable Framework Agreement or Dynamic Purchasing System is available the Officer is required by these Rules to invite Tenders from any and all qualified candidates as required in accordance with the agreed procurement process being followed (open, negotiated etc.) by advertising the opportunity via the Council's Electronic Tendering System, in Find a Tender (the UK e-notification service).

23.3. Advice on the most appropriate procedure to the specific case must be obtained from Commercial and Procurement, in conjunction with Legal Services where required.

23.4. In all cases the Relevant Legislation shall be followed to conduct the procurement and contracting activity.

23.5. The Procurement Documents must include:

- a. instructions to candidates
- b. the Council's standard terms and conditions of contract, the standard form of contract and/or bespoke terms
- c. form of tender

- d. certificate of non-collusion
 - e. the specification
 - f. the pricing schedule
 - g. commercially confidential information schedules
 - h. completion requirements
 - i. the Selection Questionnaire
 - j. the Award Criteria
 - k. the submission requirements
 - l. any other requirements as mandated by the Relevant Legislation.
- 23.6. The successful supplier and unsuccessful candidates shall be notified in accordance with the Relevant Legislation and a Standstill Period shall be observed.
- 23.7. A Purchase Order must be raised by the Officer.
- 23.8. A Contract award record must be made on the Council's Contracts Register, in Find a Tender (the UK e-notification service).

24. Light Touch Regime

- 24.1. Certain Services Contracts, as defined in the Relevant Legislation, are not subject to its full rigour. However, the Council will remain bound by the requirement to ensure such procurements do not result in the violation of the Procurement Regulation principles and therefore Officers must ensure that the procedure used is compliant in all respects.
- 24.2. As a minimum the Officer must invite Tenders from any and all qualified candidates by advertising the opportunity via the Council's Electronic Tendering System and in Find a Tender (the UK e-notification service).
- 24.3. Where the Officer believes that their Contract falls within the Light Touch Regime they must consult with Commercial and Procurement prior to commencing any procurement or contracting activity.

25. Selection Criteria

- 25.1. The Selection Questionnaire shall be used to assess a candidate's ability to meet the Council's requirements or minimum standards of suitability, capability, legal status or financial standing and will be

included within the procurement documentation for all contracts over £100,000.

- 25.2. For Contracts with a Total Contract Value of up to £50,000 the Officer may choose to include the Selection Questionnaire within Quotations and may take advice from Commercial and Procurement where necessary.
- 25.3. In any case where the Selection Questionnaire is used its use must be relevant and proportionate to the subject matter of the Contract (going no further than is needed to achieve the Council's objective). In particular, where the Total Contract Value is less than the Procurement Regulations Threshold, the Officer must make an assessment of the requirements of the Contract and decide how far it would be appropriate to use any or all of the questions in the Selection Questionnaire.
- 25.4. Where the Total Contract Value is at or above the Procurement Regulations Threshold the questions in Part 3 of the Selection Questionnaire are optional and should be used only if each such question is:
 - a. relevant to the subject-matter of the procurement
 - b. proportionate.
- 25.5. Selection Criteria must not include:
 - a. award criteria
 - b. non-commercial considerations
 - c. criteria that are not related and proportionate to the subject matter of the Contract.
- 25.6. The Officer shall consult with Commercial and Procurement for advice and guidance on the appropriate use of the Selection Questionnaire and Selection Criteria prior to issuing the Procurement Documents.
- 25.7. The selection of candidates shall only be on the basis of the Selection Questionnaire and only where the Selection requirements are made available to potential candidates within the Procurement Documents.
- 25.8. The Officer may reject candidates that fail against the mandatory and discretionary criteria as detailed within the Selection Questionnaire only in conjunction with Commercial and Procurement and Legal Services, where

relevant.

26. Award Criteria

- 26.1. The Officer shall include the Award Criteria within the Procurement Documents, using these to assess a candidate's ability to deliver the Council's requirements under the Contract, achieving Best Value.
- 26.2. The Contract shall be awarded to the candidate whose Tender best meets the Award Criteria. on the basis of Most Economically Advantageous Tender (MEAT), taking criteria that are proportionate to and linked to the subject matter of the Contract.
- 26.3. The Officer shall consult with Commercial and Procurement for advice and guidance on the appropriate use of the Award Criteria prior to issuing the Procurement Documents.
- 26.4. The award of the Contract shall only be on the basis of the Award Criteria and only where the Award requirements are made available to potential candidates within the Procurement Documents.

27. Most Economically Advantageous Tender

- 27.1. In selecting a preferred supplier, the Council must comply with the general principles of proportionality, mutual recognition, transparency, non-discrimination and equal treatment. In doing so all contract awards must be based on the Most Economically Advantageous Tender (the "MEAT").
- 27.2. The MEAT may be identified by using a price-quality ratio and the default position for such evaluations is a ratio of 60:30:10, 60% price, 30% quality and 10% social value.
- 27.3. However, in discussion with Commercial and Procurement, Officers must ensure the approach used to achieve MEAT is by the best means, using a methodology which is relevant and proportionate to the particular procurement being undertaken.
- 27.4. It is essential to ensure that the methodology used is;
 - a. relevant and proportionate for what is being purchased
 - b. one that will work within that particular market

- c. modelled before publication to ensure it meets the above requirements and does not result in any reporting anomalies.

27.5. Where the Officer fails to gain agreement with their counterpart in Commercial and Procurement on the methodology to be applied, the first point of review is a Strategic Manager in Commercial and Procurement. If agreement still is not achieved, the Officer must develop a business case justifying their approach detailing how it does comply with the requirements as per 27.1 and 27.4 above and obtain the approval of the Executive Director of Resources & Corporate Services of the approach before proceeding with the procurement.

28. Performance bonds and parent company guarantees

28.1. The Officer must consult the Section 151 Officer concerning whether a performance bond is needed where:

- a. the Total Contract Value is at or above £1,000,000 or
- b. where it is proposed to make stage or other payments in advance of receiving the whole of the Contract and there is a concern about the stability of the candidate.

28.2. The Officer must consult the Section 151 Officer concerning whether a parent company guarantee is needed where:

- a. the Total Contract Value exceeds the Procurement Regulations Threshold or
- b. the award of the Contract is based on the evaluation of the parent company or there is some concern about the stability of the candidate.

29. Terms and Conditions of Contracts

29.1. All Contracts, regardless of value, shall be accompanied either by the Council's:

- a. standard terms and conditions of contract or
- b. the standard form of contract or
- c. bespoke terms.

29.2. Whilst some of the terms of the Contract are able to be amended or deleted, the following clauses are mandatory and must be included:

- a. no assignment of the Contract without the written consent of the Council
- b. no sub-contracting of the Contract without the written consent of the Council
- c. cancellation in the event that gratuities, inducements or any other type of consideration in relation to the Contract are offered to an employee, member or any persons or organisations acting on behalf of the Council
- d. compliance with all Relevant Legislation
- e. a statement of the Council's obligations towards its transparency requirements under the Freedom of Information Act 2000
- f. compliance to health and safety regulations
- g. contract exit on expiry (including transfer of the Council's data to the any new contractor and protection against risks to the council arising from the application of TUPE)
- h. termination:
 - (i) in the event of bribery or corruption, the Contract must include a clause empowering the Council to terminate the Contract and to recover from the Supplier the amount of any loss resulting from such termination, and
 - (ii) for all Contracts in excess of the Procurement Regulations Threshold the Contract must include the termination provisions set out in the Relevant Legislation
 - (iii) to include on termination, the repatriation of personal data to the Council as the data controller
- i. indemnity and insurance which adequately protects the Council against risk
- j. protection of personal data including measures required to ensure lawful processing of data in other jurisdictions
- k. confidentiality of sensitive commercial information
- l. dispute procedure
- m. authorised users
- n. governing law

- o. prompt payment and the obligation for Suppliers to pay their sub-contractors promptly, in accordance with the Small Business, Enterprise and Employment Act 2015
 - p. employee vetting, where appropriate and
 - q. where the Contract is for the employment of persons or organisations acting on our behalf, a statement that obliges them to fully comply with these Rules.
- 29.3. Where the Contract provides for the appointment of a nominated sub-contractor the Officer will ensure that the terms and conditions of contract are passed to the main contractor in a way that ensure that they are responsible for ensuring that the nominated sub-contractor is subject to and meets the same requirements as the main contractor, including, but not limited to, the following:
- a. the mandatory clauses identified in these Contract Procedure Rules and Standing Orders
 - b. supporting the local economy and promotion of local employment
 - c. vetting to Enhanced Disclosure level where required.

30. Protection of personal data

- 30.1. Officers must take all reasonable steps, including incorporation of clauses into Contracts with Suppliers, to ensure that the personal data of individuals is protected in accordance with the General Data Protection Regulation (GDPR), Data Protection Act 2018, allied legislation and Codes of Practice from the Information Commissioner's Office (ICO). Officers must ensure the Councils' obligations and risks, in respect of personal data, are considered and indemnities are sought where appropriate. Where under the Contract Personal Data is to be processed outside the UK or EU specific advice must be obtained from legal services before the Contract is entered into.

31. Confidentiality of sensitive commercial information

- 31.1. Officers must take all reasonable steps, including incorporation of clauses into Procurement Documents and Contracts with Suppliers, to ensure that the confidentiality of sensitive business information such as details of pricing and trade secrets are protected in accordance with the Relevant Legislation and guidance. Officers must ensure the Councils' obligations

and risks, in respect of the business information of both the Council and Suppliers, are considered and indemnities are sought where appropriate. More information and guidance can be obtained from Legal Services and the Information Governance Team.

32. Submission, receipt and opening of Tenders

- 32.1. All Contracts above the Total Contract Value of £50,000 shall be submitted electronically through the Council's Electronic Tendering System.
- 32.2. Tenders received after the stated date and time shall not be accepted under any circumstances. For the purposes of these Rules the time will be deemed to be at the first stroke, e.g. noon shall be 12:00:00.
- 32.3. Submissions shall be verified and opened on the Council's Electronic Tendering System by an appropriately empowered Procurement Officer as set out in the Council's Officer Scheme of Delegation.

33. Evaluation of Quotations and Tenders

- 33.1. All submissions received for Contracts above the Total Contract Value of £50,000 shall be evaluated in accordance with the pre-determined Selection and Award criteria, as set out in the Procurement Documents.
- 33.2. The Officer shall ensure that subject-matter experts or appropriately experienced Officers evaluate all submissions in accordance with the pre-determined Selection and Award criteria.
- 33.3. The Officer is obliged to check the arithmetic in compliant submissions. Where arithmetical errors are found they must be notified to the candidate, who must be requested to confirm or withdraw their submission.
- 33.4. The Officer must notify all candidates in writing simultaneously and as soon as possible of the intention to award the Contract. Where the Total Value of the Contract is in excess of the Procurement Regulations Threshold, then the Relevant legislation shall be adhered to in respect of the content of the letter and the Standstill Period.
- 33.5. Apart from the debriefing required or permitted by these Rules the confidentiality of submissions and the identity of candidates must be preserved at all times and information about one candidate's submission must not be supplied to another.

33.6. The results of the Tender evaluation must be recorded and retained on the Tender file in accordance with the Council's records management, retention and disposal requirements.

34. Abnormally low bids

34.1. The Officer may reject a Tender as being abnormally low, but only after they have first:

- a. been presented with the candidate's commercial information from Commercial and Procurement and consulted with a Procurement Officer
- b. requested in writing an explanation from the candidate for those parts of the Tender considered abnormally low
- c. taken account of the evidence provided in response to such a request
- d. verified to the candidate those parts of the Tender considered abnormally low
- e. and only where the explanation provided by the candidate does not satisfactorily account for the low price or costs proposed.

34.2. Where the Officer establishes that the Tender is abnormally low because the candidate has obtained a Subsidy, the Tender will be rejected on that basis, but only after the Officer has first:

- a. consulted with the candidate
- b. consulted with Legal Services
- c. where the candidate is unable to prove that the aid in question is compatible with the regulations governing Subsidies.

34.3. Where the Officer rejects a Tender on the basis of its incompatibility with the rules on Subsidies they will inform the Legal Services and Commercial and Procurement to agree the next steps.

35. Clarification

35.1. Seeking clarification of a Tender to candidates is only permitted by a member of Commercial and Procurement and should in the first instance take place in writing via the Council's Electronic Tendering System. If sufficient clarification cannot be obtained in this manner further means can be

- a. at a meeting, provided that a written record is made of the meeting and
 - b. in a way that is fair, transparent, and equal to all candidates.
- 35.2. There must be no significant variation of the Procurement Documents or standard terms and conditions of contract following such clarification.
- 35.3. Where a clarification would result in a fundamental change to the specification or terms and conditions of contract the Contract must not be awarded but re- tendered.

36. Electronic auctions

- 36.1. Electronic auctions may be used as part of the procurement process as a means of driving additional commercial benefits and as part of the Award Criteria.
- 36.2. The use of electronic auctions must be specified within the Procurement Documents and the Award Criteria associated with the auction must be clearly defined. The auction will be undertaken by Commercial and Procurement using the Council's e-tender system.
- 36.3. Where the Council uses an electronic auction to enable candidates to adjust their Tender price in the light of information from the Tender prices submitted by competing candidates then all such alterations to candidates' pricing will be accepted as permitted by the auction process.

SECTION E: CONTRACTAWARD

37. Intention to award a Contract

- 37.1. For Contracts over the Procurement Regulations Threshold, Officers must allow candidates a mandatory minimum Standstill Period of ten (10) calendar days for electronic Tenders from notification to all candidates before entering into a contractually binding agreement with the successful Supplier(s). It is most important that any communication with the preferred candidate(s) does not constitute a Contract award, conditional or otherwise.
- 37.2. Following any Standstill Period, if appropriate, an award notice must be placed by Commercial and Procurement.

- 37.3. All candidates must be simultaneously notified in writing of the award and all letters informing them of the outcome of the Tender must comply with the Relevant Legislation.
- 37.4. Additional written or verbal debriefing must not be offered to candidates. Where debriefing is requested by candidates the Officer must obtain advice from Commercial and Procurement before responding to the request.
- 37.5. Any complaints, correspondence threatening challenge or formal court proceedings challenging the decision, received from unsuccessful candidates or other third parties must be immediately submitted to Commercial and Procurement and Legal Services for review and response.
- 37.6. A Standstill Period is not necessary for Tenders below the Procurement Regulations Threshold or where they have been subjected to the Light Touch Regime. However, the Officer may use their discretion and include such a period as is required. Such discretion shall only be granted where the Officer has consulted with Commercial and Procurement. Where Commercial and Procurement advises that a Standstill Period is necessary to minimise the risk of a legal challenge, the Officer will include the period in the procurement process. In any case, all candidates must be simultaneously notified in writing of the outcome of the Tender.
- 37.7. Where an unsuccessful candidates requests debrief information the Officer may use their discretion in deciding whether or not to comply with the request; there is no legal obligation imperative on the Officer to do so for under Procurement Regulations Threshold Tenders.

38. Approval to award

- 38.1. Approval to award a Contract, Framework Agreement or Dynamic Purchasing System can only be given as follows:

Total Contract Value	Approval to award
Over £250,000	Only the Chief Executive and/or Executive Directors and Service Directors (Grades 1-3)

Up to £250,000	All Strategic Managers and officers at Grade 6 or above
Up to £50,000	All Service Managers and Officers at Grade 8 or above
Up to £10,000	Officer scale 11 or above
Up to £500	All Council officers

38.2. Where approval is sought to award a Framework Agreement or Dynamic Purchasing System, approval may also be sought to award the subsequent Call-off Contracts as part of the same decision report. Where this is not observed, Officers must seek the appropriate approval to award Call-Off Contracts in accordance with the contract value.

39. Signing of Contract

39.1. Officers must ensure that all the necessary permissions are in place (e.g. funding commitments, licences, and leases) before the Contract is entered into.

39.2. All Contracts made on behalf of the Council must be in writing. Officers must ensure that:

- a. for Contracts up to and including the Total Contract Value of £25,000 a Purchase Order referring to the Council's standard terms and conditions of contract is in place before any Goods, Services or Works are requested or allowed to begin; or
- b. for Contracts over the Total Contract Value of £25,000 a Purchase Order and a signed Contract is in place before any Goods, Services or Works are requested or allowed to begin.

39.3. For Contracts with a Total Contract Value of £100,000 or below for Goods and Services and £250,000 for Works they must always be signed by an Officer with the authority to do so under the Council's Scheme of Delegation (except where the Contract is in the form of a deed in which case paragraph 42.4 applies). If the Officer with responsibility for the decision to enter the Contract is not available to sign the Contract then another Officer with the equivalent level of authority may sign the Contract or it can be signed by any Officer who has been duly authorised.

- 39.4. For Contracts in the form of a deed or with a Total Contract Value over £100,000 for Goods and Services and £250,000 for Works (except where Section 39.7 of these Contract Procedure Rules and Standing Orders requires that the Contract must be sealed with the common seal of the Council) they must always be signed by two (2) Officers, one of which must have the authority to do so under the Council's Scheme of Delegation. If the Officer with responsibility for the decision to enter the Contract is not available to sign the Contract then another Officer with the equivalent level of authority may sign the Contract. The second signatory must be a Procurement Officer with the authority to do so under the Council's Scheme of Delegation or any Officer acting with appropriate delegated authority.
- 39.5. Contracts which these Rules require to be signed may be:
- a. signed electronically and exchanged by email. Where a Contract is signed and exchanged in this way the Officer responsible for securing signatures must follow guidance on electronic signatures issued by Legal Services and must retain a copy of the email from the contractor containing the signed Contract and must provide a copy to the Commercial and Procurement team; or
 - b. signed using Electronic Signing Software. Where Electronic Signing Software other than the Council's designated software is used the Officer authorised to sign the Contract is responsible for checking the compliance of the software to be used.
- 39.6. The Officer responsible for securing signatures must ensure that the person signing on behalf of the Supplier has the authority to bind it.
- 39.7. A Contract must be sealed with the common seal of the Council where:
- a. the price paid or received under the Contract is a nominal price and does not reflect the value of the goods, services or works; or
 - b. there is any doubt about the authority of the person signing for the other party; or
 - c. the contract is required to be sealed by law.
- 39.8. Where Contracts are completed by each side adding their formal seal, the fixing of the Council's seal must be witnessed by or on behalf of the Monitoring Officer. Every Council sealing will be consecutively numbered,

recorded and signed by the person witnessing the seal and a final completed original copy must be returned to Legal Services for storage. The seal must not be affixed without the appropriate authority in accordance with the Council's Constitution.

40. Letters of intent

40.1. Letters of Intent shall only be used in exceptional circumstances and may only be signed by Officers with delegated authority to do so under the Council's Scheme of Delegation. Such exceptional circumstances shall only be determined by Commercial and Procurement in conjunction with Legal Services and as such the Officer must obtain advice on their acceptable use.

41. Early Termination of Contract

41.1. The date on which the Contract will terminate, and the terms on which the Contract may be terminated early (e.g. for breach of Contract) must be clearly described within the Contract.

42. Variation, extension, assignment and novation

42.1. Variation

- a. A variation to a Contract may involve:
 - (i) a change to the specification
 - (ii) a one-off item of work or particular service or
 - (iii) change in terms affecting the Contract.
- b. Variations must not exceed the scope, financial value or duration of the advertised Contract.
- c. Where the Officer considers that a proposed variation may materially change or exceed the specification, price or duration of a Contract, advice must be obtained from Commercial and Procurement and Legal Services.
- d. Variations to Contracts must be approved and signed by the relevant officers in accordance with the Council's Officer Scheme of Delegation.

42.2. Extension

- a. Extensions of Contracts may only be made where:
 - (i) there is budgetary provision
 - (ii) Best Value can be clearly demonstrated and
 - (iii) for Contracts below the Procurement Regulations Threshold:
 - the extension is within the scope (description of Goods, Services or Works, duration and Total Contract Value) and
 - there is a provision stipulated in the original Contract for an extension
 - the extension does not cause the Total Contract Value to exceed the relevant Procurement Regulations Threshold or
 - a waiver request form is completed where no specific provision exists in the Contract
 - (iv) for Contracts at or over the Procurement Regulations Threshold:
 - the extension is within the scope (description of Goods, Services or Works, duration and Total Value) of the original Contract and
 - the original Contract Notice advertised and the Contract permits the extension.
- b. Where the Officer considers that a proposed extension may materially change or exceed the specification, price or duration of a Contract, advice must be obtained from Commercial and Procurement and Legal Services. Extensions to Contracts must be approved and signed by the relevant officers in accordance with the Council's Officer Scheme of Delegation.

42.3. Assignment and Novation

- a. In the event of the Officer becoming aware that a Supplier is entering into a change of control, insolvency, bankruptcy, receivership or liquidation the Officer must inform Commercial and

Procurement and Legal Services immediately. The Supplier shall only be permitted to assign, novate or otherwise dispose of its rights and obligations under the Contract or any part thereof with the prior written consent of the Council. The Council reserves the right to decline a Supplier that is deemed to be not suitable. If a suitable alternative is not identified the Contract must be re-Tendered.

42.4. General

- a. Any approved variation or extension must be by deed or Contract variation, which will be contractually binding on both parties.
- b. Variations, extensions, assignments and novations must only be signed by officers with the delegated authority to do so by reference to the Council's Officer Scheme of Delegation.

43. Supplier Resilience

- 43.1. Contract Managers are required to undertake regular supplier resilience checks. For Tier 1 and Tier 2 contracts, this should be undertaken as a minimum on an annual basis and include checks on the supplier's operational, financial and reputational resilience including business continuity, insurance provision, financial credit rating, identification and management of key risks and emergency planning arrangements such as disaster recovery.
- 43.2. Evidence of review and testing of supplier Business Continuity Plans should be received regularly, for all Tier 1 and Tier 2 contracts at least annually and consideration given to how supplier failure may impact a Service's own business continuity arrangements, whether directly or indirectly.
- 43.3. Further information and guidance on contract management can be found in the Contract Management Framework and in the Managing Contractors policy.

44. Waivers

- 44.1. Whilst the requirements of these Rules must be followed in respect of all Relevant Contracts the requirement to undertake a competitive

tendering exercise may be waived by Commercial and Procurement or the Executive Director of Resources & Corporate Services in highly exceptional circumstances.

- 44.2. The Officer must consult with Legal Services and Commercial and Procurement before submitting a waiver request.
- 44.3. It must be noted that not allowing sufficient time to Tender shall not be considered an emergency.
- 44.4. For Contracts of £100,000 or below for Goods and Services and £250,000 for Works where a waiver is necessary the Officer must complete the relevant waiver request form and obtain the approval of an appropriately empowered officer under the Council's Scheme of Delegation and the Head of Commercial and Procurement.
- 44.5. For Contracts over £100,000 or Goods and Services and £250,000 for Works where a waiver is necessary the Officer must complete the relevant waiver request form and obtain the approval of an appropriately empowered officer under the Council's Officer Scheme of Delegation and Section 151 Officer.
- 44.6. The Officer is responsible for ensuring that the waiver request forms are duly completed, reported to Strategic Commissioning Group (in line with thresholds) and signed prior to the award of a Contract. All waiver requests shall be reported regularly to the Governance Board by the Head of Commercial and Procurement.
- 44.7. No waiver shall be granted for Contracts over the Procurement Regulations Threshold unless expressly permitted by Commercial and Procurement and Legal Services. The officer shall contact Commercial and Procurement for advice under these circumstances. Any request for a waiver deemed by the Head of Service to be a potential breach of the Rules, will be considered within the Council's governance procedures.

45. Exemptions

- 45.1. In addition to the waiver categories above there may be certain, very limited, exemptions from the application of the Rules that apply under the Legislation. These can only be executed with the prior written approval of Legal Services and Commercial and Procurement.

45.2. Pension Fund administration and governance arrangements are separate from main Council affairs and consequently not all of the requirements of these Rules apply to the Pension Fund. Exclusions will in the main only apply to approvals and reporting whilst all other principals surrounding the Rules and statutory requirements will remain. Where exemptions apply, these will be stated in the Pension Fund Scheme of Delegation and updated and approved periodically.

46. Non-compliance to the Rules

46.1. Officers are required to comply with the Rules at all times.

46.2. The Head of Commercial and Procurement shall report any non-compliance to the Rules to the next available meeting of the Governance Board.

46.3. Governance Board shall be responsible for determining the course of action to be taken in the event of non-compliance.

46.4. Where, in consultation with Commercial and Procurement and Legal Services, it is determined that the breach can be remedied by taking appropriate steps or measures the Officer shall comply with the proposed course of action.

46.5. Where the breach has given rise to, or is likely to give rise to, illegality or maladministration the Governance Board shall notify the Monitoring Officer.

46.6. In the event of illegality or maladministration the Governance Board will determine that the Officer is also in breach of the Council's standards of conduct, which under certain circumstances may be treated as gross misconduct and give rise to action under the Council's disciplinary policy and procedure.

46.7. Where the breach gives rise to disciplinary action the Governance Board shall notify the Executive Director of Strategy, Workforce & Localities

46.8. In the event that these Rules are not complied with, this will not invalidate any Contract entered into by or on behalf of the Council, except where the Relevant Legislation provides to the contrary.

SECTION G: **OTHER RELEVANT CONSIDERATIONS**

47. Subsidy control

47.1. In all cases where there is a possibility of the Council providing a Subsidy the Officer must obtain the advice of Commercial and Procurement and Legal Services.

48. Development agreements

48.1. In all cases where there is a possibility of the Council entering a development agreement the Officer must obtain the advice of Commercial and Procurement and Legal Services.

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Part J – Decision making arrangements

1.1 PRINCIPLES OF DECISION-MAKING:

All decisions will comply with the following principles:

- (a) Proportionality (i.e. the action must be proportionate to the desired outcome);
- (b) After consultation and in the light of professional advice from officers;
- (c) Lawfulness, including respect for human rights (see below for further details);
- (d) Efficiency of decision-making;
- (e) A presumption in favour of openness;
- (f) Explanation of the options considered and recording of the reasons for the decision including an evaluation of risk; and
- (g) Clarity of aims and desired outcomes.

1.2 TYPES OF DECISION:

1.2.1 Decisions taken under the authority of Full Council at meetings of the Council, Committees of the Council as detailed in Parts C and D or under the Scheme of Delegation in Part I.

1.2.2 'Executive' decisions under the authority of the Leader at member level as detailed in Part E and the Scheme of Delegation to Officers (Part I). There are two categories of executive decisions – Key Decisions and Non-Key Decisions and different rules apply to each.

Key Decisions - defined in legislation as:

- (a) Resulting in the local authority incurring expenditure** which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; and / or
- (b) Significant in terms of their effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.

**There is no definition in the legislation of the word 'significant' in (a) above. Therefore the Council has decided that the financial threshold at or above which a financial decision is significant (and a Key Decision) will be a total value of £500,000 for capital / revenue expenditure or savings. Money delegated to schools as part of the Scheme of Financial Management of Schools exercise is exempt from these thresholds once it is delegated to the school.

In the event of any doubt, the Monitoring Officer will determine whether a proposed decision is a Key Decision under the definitions set out above.

Non-Key Decisions: These are all 'executive' decisions which fall beneath the 'Key Decision' financial or geographical thresholds.

1.2 **HUMAN RIGHTS ISSUES:**

The Council, the Leader, the Executive collectively, a Lead Member, a Committee of the Council, or an Officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

Appendix 1 - Code of Good Practice for Planning

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1 Introduction

- 1.1** This Code of Good Practice for Planning (the Planning Code) has been adopted by the Council to regulate the performance of its planning function.

The Planning Code has the following objectives:

- To guide members of the Council and officers in dealing with planning-related matters.
- To inform potential developers and members of the public generally of the standards and procedures adopted by the Council in the performance of its planning function.
- To preserve public confidence in the integrity of the planning system by ensuring that decision-making is open, transparent and fair to all parties and to ensure that there are no grounds for suggesting that a decision has been biased, partial or ill founded in any way.
- To minimise the prospect of legal or other challenge to planning decisions.

- 1.2** This Planning Code is not intended to form part of the Code of Conduct for Members (the Members' Code). It is a separate document and is intended to supplement the Members' Code by providing more detailed guidance on the standards applying to planning-related matters. The Members' Code must be applied before the Planning Code.

- 1.3** This Planning Code applies to the proceedings of the Council's Area Planning Committee meetings and the Strategic Planning Committee meetings (hereinafter referred to as Planning Committee) and to any other body of the Council making decisions on planning matters
- 1.4** Planning law requires Local Planning Authorities to determine all planning applications in accordance with the development plan unless material considerations indicate otherwise. This responsibility must be performed without members being unduly influenced by any personal interest or other considerations irrelevant to planning.
- 1.5** Planning matters will be subject to close scrutiny both because large sums of money will be at stake for applicants for planning permission and because the quality of the built and natural environment in which local residents and the wider community live and work may be irrevocably affected.
- 1.6** It is essential that members of the Planning Committee do not give any commitment or impression of a commitment to any particular outcome for a planning matter prior to its consideration at Planning Committee. Planning decisions must be seen to be made impartially and without bias.
- 1.7** It is recognised that members will, from time to time, be approached by developers and objectors in relation to planning proposals. Part of this Planning Code is intended to assist members in dealing with such approaches and to ensure that the integrity of the decision-making process is preserved.
- 1.8** The Human Rights Act 1998 has implications for the planning system and has created enhanced requirements for procedural fairness, transparency and accountability in determining planning applications.

2. Probity in Planning

- 2.1** Probity in planning is about ensuring that decisions on plan making and planning applications are undertaken, on behalf of communities, in a fair, impartial and transparent way.
- 2.2** In accordance with the Local Government Association guidance on Probity in Planning, Lead Members shall not also act as a Member of Planning Committee.
- 2.3** Serving Councillors and Officers (other than when they are acting for the Council) must not act as Agents for people pursuing planning matters within their authority, even if they are not involved in the decision making on them.

3. Declaring Interests

- 3.1** Under the Members' Code, members must declare any personal interest in any matter being considered at a meeting, and must withdraw from the meeting if that personal interest is also prejudicial. The detailed rules on personal and prejudicial

interests are set out in the Members Code, but the following paragraphs give a brief summary.

- 3.2** A personal interest is one that affects the well-being or financial position of a member more than the majority of other people in the relevant Council ward. Members will also have a personal interest in a matter if it affects their partner, relative, friend, close associate, or any organisation with which the member or any of these are connected, or relates to any interest which they must register under the Code of Conduct.
- 3.3** If a personal interest exists, then members must declare it and give brief details of its nature at the beginning of the meeting at which the issue is to be considered, or as soon as the interest becomes apparent.
- 3.4** Whether a personal interest is also a prejudicial interest is a matter of judgment for each member. The question they must ask themselves is: "Would a member of the public, aware of all the facts reasonably think that this interest was so important that my decision would be affected by it?" Members should remember that prejudicial interests can also arise when a matter affects their partners, relatives, friends or organisations with which the member or any of these are involved.
- 3.5** Members with a personal interest that is not prejudicial may remain in the meeting after declaring it, and take part in the debate and vote. If the personal interest is also prejudicial, members may **not** take part in the debate or vote. As permitted by the Members' Code, they may make representations, give evidence or answer questions from the Planning Committee to the same extent as members of the public are permitted to do so (see Section 8 below), but must then leave the room before the debate begins. **Failure to do so could have serious consequences for the member and the Council: see Section 18 below**
- 3.6** The Localism Act 2011 places requirements on Members to notify the Monitoring Officer of or to disclose at the Planning Committee any Disclosable Pecuniary Interests (DPI) and prohibits participation in the business of the Council where a Member has such an interest. The current list of DPIs is set out in the list attached to the Members Code.
- 3.7** The requirement to notify the Monitoring officer of a DPI applies not only to a Member's own interests but also to those of the member's husband/wife or a person with whom the member is living as husband/wife or as if they were civil partners, if the member is aware that that person has an interest. In this Planning Code such a person is referred to as a 'relevant person'.
- 3.8** Failure to so notify/disclose a DPI in the circumstances required by the Localism Act 2011 is a criminal offence. Therefore the requirements as to notification, disclosure and participation must be followed scrupulously and members should review their situation regularly. Whilst advice can be sought from the Monitoring Officer, ultimate responsibility for compliance rests with individual members.

- 3.9** A member may have a DPI in relation to a planning application in a number of circumstances affecting them or a relevant person. Examples include, but are not limited to;
- An application for development of a property owned or leased by the member or a relevant person
 - An application for development of land owned by the member's employer or a relevant person's employer
 - An application for development of a property which the member or a relevant person occupy by way of licence
- 3.10** Unless a member has received a dispensation they must not participate in a discussion or vote on any application in which they or a relevant person has a DPI.
- 3.11** The Localism Act 2011 does not require the disclosure at a meeting of a DPI if the interest already appears on the Register. Members need to be cautious about pending notifications (where the Monitoring Officer has been notified but the register has not yet been updated). There is an ongoing legal obligation to disclose at meetings until the register has been updated and therefore, in cases of doubt the member should disclose at the meeting. In any event members may voluntarily declare a DPI or other interest at a meeting, even when there is no obligation to do so.
- 3.12** Members must withdraw from the room at a meeting during a discussion or vote upon an issue in which they have a DPI. Failure to withdraw will not be a criminal offence but could potentially taint a planning decision and leave it susceptible to a challenge by way of judicial review.
- 3.13** Where a member of the Planning Committee has a DPI (either themselves or through a relevant person) they may not participate in the debate or vote on the planning application. This applies where the member is wishing to speak as a member of the Planning Committee or ward member. However, as a private individual the member can speak and remain in the room but not take part in the debate.
- 3.14** Members with prejudicial interests and /or DPIs should not request that an application is referred to Committee.
- 3.15** Members may take part in decisions relating to land or premises in their wards, subject to complying with the rules in the Members' Code on personal and prejudicial interests. Members with DPIs must not take part in such decisions. If in doubt as to whether an interest should be declared in relation to any matter, members should take advice from the Council's Monitoring Officer or Head of Legal Services.

4 The Integrity of the decision making process/Lobbying

- 4.1** Lobbying is a normal and perfectly proper part of the planning process, and both applicants and objectors should have access to their representatives. However, to

ensure that the integrity of the decision making process is not impaired, it is important that any representations made to members form part of the public information leading to any decision. If an approach is received by a member of the Planning Committee, from any interested party in relation to a current or proposed planning application, then the member shall:

- a) Inform that party that, in order to avoid accusations of partiality, they are only able to offer procedural advice and that they should either write to officers of the Council or write or speak to a member(s) who is not on the Planning Committee. However, members on the Planning Committee are quite free to listen to the views that the lobbyist wishes to express.
- b) Where a member of the Planning Committee receives written representations directly in relation to a planning application, (or proposed planning application) the member should pass a copy of the correspondence to the application Case Officer and the email address in order that those representations can be included in the officer's report to the Planning Committee.

4.2 Lobbying is likely to involve ward members or other members of the Council who are perceived as being interested in or having an influence over the proposal, as well as members of the Planning Committee. Ward members (and other members) who are not members of the Planning Committee are in a different position to that of members of the Planning Committee. Ward Members have a very important function in representing the interests of their area or constituents who are affected by a planning proposal. If they are not on the Planning Committee, there is no reason why they should not have a view on planning proposals which are currently under consideration by the Council and make those views known, providing they do not attempt to exert any improper influence over Planning Committee members or officers.

4.3 Ward members who are on the Planning Committee must remain impartial and keep an open mind about all applications coming before the Planning Committee until the meeting when the application is to be decided. Members of the Planning Committee have a legal duty in making planning decisions to take all the evidence and arguments into account, not to commit themselves to a fixed or final view before hearing these, and not to favour any particular person, group or locality (or appear to do so). The Local Government Association advises that **“councillors who do not feel that they can act in this way should consider whether they are best suited to serve on a planning committee”**. Failure to comply with this duty may result in planning decisions made by the Council being quashed by the courts on the grounds of predetermination or bias. It can also damage the public perception of the impartiality and integrity of the planning process.

4.4 Members of the Planning Committee who wish to take part in a planning decision should not therefore do anything that gives the impression that they have come to a final view before the Planning Committee meeting, such as making a firm view public, or organising support for or opposition to a planning application, or lobbying other members. It is perfectly proper for members to have a “predisposition” in

favour of or against a particular proposal before it is discussed at Planning Committee. It would be unrealistic to expect them to be totally neutral in all cases, and the law does not require this. What is important is that members do not close their mind to further evidence or arguments which may be put forward. Members of the Planning Committee or ward members should also not put pressure on officers for a particular recommendation. This does not preclude members from seeking information or clarification from officers about a planning application.

4.5 Members of the Planning Committee who represent a ward affected by an application may be in a difficult position if it is a controversial matter attracting much lobbying, or on which they have strong personal views. In this situation, a member is perfectly free to choose to support one side or the other, to make their views known and to organise lobbying. **However, a member who makes this choice must not take part in the actual making of the decision.** When the matter comes before the Planning Committee, they will be entitled to make representations, but should not then take any part in the debate or vote

4.6 If a member leads, represents or is a member of a group whose primary purpose is to lobby to promote or oppose a particular development, they will be considered to have predetermined an application relating to that development. However the position is different for membership of general interest groups e. g. English Heritage, RSPB etc. In this case if that organisation has made representations on an application but the member has not been involved in preparing the representations they will not have predetermined merely due to that membership.

4.7 The Localism Act 2011 provided some further clarification in that a member will NOT be considered to be pre-determined;

- By just listening to viewpoints from residents or interested parties
- By making comments which fall short of prejudging the issue
- By seeking information through the appropriate channels
- By acting as a vehicle for the expression or views as a ward member providing they have not committed to vote in accordance with those views or that they are not acting as an advocate for a particular viewpoint.

4.8 In the interests of public participation and involvement, it can be helpful if members involved in the determination of planning applications attend public meetings in relation to planning matters which are under consideration. It is, however, important to ensure that they make clear their position at the outset of the meeting so that there can be no question of misunderstanding or undue influence. Members should identify themselves as being members of the Planning Committee dealing with the application, and make it clear that they are happy to hear views expressed by the public, whether for or against the proposal, but are unable to reach or express any view on the merits or otherwise of the proposal at that stage. Members of the public attending meetings should be advised to contact the relevant officer with their views so that these can be included in the officer's report.

4.9 As no decision on a planning application should be made before the Planning Committee meeting, when all available information is to hand and has been duly considered, any political group meeting prior to the Planning Committee meeting should not be used to decide how members should vote, whether this is for or against an officer's recommendation. Members must be free to take decisions based on relevant planning considerations only, and any use of a political whip to influence voting may amount to maladministration.

5. Discussions with developers

5.1 Discussion between developers or an applicant for planning permission and the Council, either prior to the submission of an application or during the consideration process of the application, can be of considerable benefit to both parties and is generally encouraged as assisting the planning process. However, it would be easy for such discussions to become or be seen (especially by objectors) to become part of a lobbying process. Any involvement of members in discussions with developers or applicants should therefore only take place as part of structured arrangements agreed with officers, and the advice given in Sections 3 and 5 should always be borne in mind.

5.2 The following guidance given by the Local Government Association and the Planning Officers' Society should be followed in relation to such discussions:

- Presentations by applicants should be limited to the development proposal and a question and answer session on factual matters. Where appropriate, they may take place on site or incorporate a site visit.
- To promote transparency of the planning process, the public will be invited to attend developer presentations wherever practicable.
- Members must maintain an impartial listening role and avoid expressing an opinion or giving advice beyond outlining local policies, although questions may be asked to clarify aspects of a proposal and policy concerns may be raised. The chair or officer should explain this role at the outset of the meeting.
- The discussions should not develop into negotiations and it must be made clear that they are not part of the determination process.
- Officers of appropriate seniority (where resources permit) should attend the meeting, and written notes should be kept.
- For major or contentious applications, the involvement of members should be authorised by the Planning Committee and recorded in any subsequent committee report.
- Members should not seek to influence officers or pressure them to support a particular course of action.
- The Council should set out in advance how it will deal with any commercially sensitive or confidential information, bearing in mind the requirements of the Freedom of Information Act and the need for transparency.

5.3 To minimise the risks of predetermination in championing their communities, members are encouraged to promote any community aspirations involving sites,

land or community benefits from development, or other planning issues through the Local Plan or Neighbourhood Plan preparation at the earliest opportunity.

6. Predetermination and Bias

- 6.1** Members must also be aware of and act within the rules on predetermination and bias. Avoidance of bias or predetermination is a principle of natural justice which has evolved through the courts, although section 25 of the Localism Act 2011 is also relevant. Even if a member does not have a DPI or is not acting in breach of the Members' Code they may cause a decision to be invalid if they participate while predetermined or biased. The rules regarding predetermination or bias are likely to be more strictly applied where the Council is making 'quasi-judicial' decisions, such as the determination of a planning application, than in other decisions to be made by the Council.
- 6.2** The basic legal position is that a member should not take part in making a decision on a planning matter if they are biased or has predetermined the matter. Members should bring an unbiased, properly directed mind to the consideration of any matters before them at the Planning Committee. This does not mean that members are not entitled to have and to express opinions about general planning matters, or planning cases. However they must approach, and must be seen to approach, matters before them with an open mind.
- 6.3** In this respect a distinction is to be drawn between those members who are making the decision (speaking and voting as part of the Planning Committee) and those members seeking merely to influence the decision (i.e. making representations as a ward member). The prohibition in respect of predetermination or bias only affects those actually making the decision. A member who has predetermined or who is biased may still speak as a ward member (provided they do not also have a DPI).

7. Predetermination and Predisposition

- 7.1** The law also makes a distinction between predetermination, which rules out participation in decision making and predisposition, which does not.
- 7.2** A member is entitled to have and express views on local matters, both general planning matters and more specific applications. These views may indicate that a member has a predisposition towards a particular policy or viewpoint. This is perfectly acceptable and a member with a predisposition may take part in the decision-making.
- 7.3** A predisposition will move on to become predetermination if, in relation to any matter before the Planning Committee, a member has taken a stance which indicates that they have finally closed their mind on the matter and that nothing they hear at the Planning Committee will alter their position.
- 7.5** There is an acceptance that a member may legitimately consider matters in certain capacities as different factors may apply to different decisions. Where premises require planning permission and a license, members may be asked to sit on both planning and licensing Planning Committees. While the statutory regimes in such cases are different, often the factors to be taken into account can be similar. In these circumstances members should carefully consider whether anything they have done or said in making the earlier decision would demonstrate a predetermination of the second decision. If that is the case the member should not take part in the decision making at the second Planning Committee.

8 Bias

- 8.1** A member should not be party to decisions in which he is actually biased or gives the appearance of being biased to the reasonable observer. The test for the appearance of bias is whether a fair minded and informed observer, having considered the facts, would conclude there was a possibility that the decision maker was biased. The common ground for this test, in deciding whether the decision of the Planning Committee is vitiated was stated by Lord Hope in *Porter v Magill* (2001) UKHL 68.
- 8.2** There is an earlier line of authorities which identify situations in which a Judge or other decision maker whose activities are governed by Public Law is automatically disqualified on grounds of apparent bias. This is so where a decision maker is party to a decision, the paradigm instance of *nemo iudex in causa sua* principle.
- 8.2** Bias may arise by virtue of a member being closely connected with a person who has a vested interest either the applicant or an objector. This may result from a personal connection, such as the applicant being a relative or friend, or result from the member espousing a particular viewpoint (e.g. being part of a lobby group). The role of the Planning Committee is to consider applications in accordance with the legislation and to balance the interests of persons with competing views and this may not be possible where a member is closely connected with a particular party.

8.3 In addition, circumstances which raise the possibility of bias may also lead to an accusation of a breach of the Members' Code, as the Members' Code states that members should act solely in the public interest and not do so in order to gain financial or other material benefits for themselves, their family or friends. Where this might occur, members should not take part in the decision making.

9. Section 25 of the Localism Act 2011

Section 25(2) of the Localism Act 2011 provides that a decision maker is not to be taken to have had, or to have appeared to have had, a closed mind when making a decision just because –

- (a) the decision maker had previously done anything that directly or indirectly indicated what view the decision maker took, or would or might take in relation to a matter, and
- (b) the matter was relevant to the decision.

The section makes it clear that if a councillor has given a view on an issue, this, considered in isolation, does not show that the councillor has a closed mind on that issue. So, the mere fact that a councillor has campaigned on an issue or made public statements about their approach to an item of council business does not prevent that councillor from being able to participate in discussion of that issue and to vote on it.

Having said this, the use of the words 'just because' in section 25 suggest that other factors when combined with statements made etc. can still give rise to accusations of predetermination. This has also been the approach that the courts have taken to this issue. When considering whether predetermination has taken place they will consider all events leading to the decision, (and also, where appropriate, those following the decision) rather than looking at individual events in isolation.

The case law has also made it clear that the words used by particular members and the interpretation put on those words is of particular importance. So care still needs to be taken when making statements in advance of the determination of planning applications as there is a risk that they can be misinterpreted or taken out of context.

Guidance

With this in mind;

- It is always advisable to avoid giving the impression that you have made up your mind prior to the decision making meeting and hearing the officer's presentation and any representations made on behalf of the applicant and any objectors.
- With this in mind, if you do comment on a development proposal in advance the decision, consider using a form of words that makes it clear that you have yet to make up your mind and will only do so at the appropriate time and in the light of

the advice and material put before you and having regard to the discussion and debate in the Panel meeting.

- Particular care should be taken where there are chance encounters with objectors to development proposals or in the context of meetings which are not formally minuted. These are situations where the risk of what you say being misrepresented or taken out of context is particularly high.

10. Dual-hatted Members

10.1 Where a Member is a member of the Planning Committee and is also a city, parish or town councillor, caution needs to be exercised in considering matters at the city/parish/town council stage. This is because of the member's additional responsibility as a member of the Planning Committee charged with making a decision on the planning application. It is important to bear in mind that city/parish/town councils are consultees in the planning process and may be asked for their comments on an application at a time when not all the relevant material planning considerations have become known and the full implications of an application investigated. Members should therefore:

- at the city/parish/town level, make it clear that they will reconsider the matter at the district level, taking into account all relevant evidence and representations at the district tier; strong opposition to or support of an application at the parish or town council meeting would indicate that a dual hatted member had predetermined and therefore debar the member from voting at the Planning Committee
- At the district level, declare a personal interest arising from their membership of the city/parish/town council, and make it clear that the council's view does not bind them and that they are considering the matter afresh.
- Be mindful that if a planning application significantly affects the city, parish or town council (e.g. the city, parish or town council is the applicant or the application affects land owned outright by the city, parish or town council) it is likely that a fair minded observer might consider the Councillor to be biased as a result of his/her membership of the city, parish or town council and therefore in those circumstances a dual hatted member should not take part or vote on such an application.

10.2 The same procedures should be followed by members of the Planning Committee who sit on any other body, which is considering an issue which may subsequently come before the Planning Committee. Members may decide that in some circumstances it would be inappropriate for them to participate in the vote that decides the consultative body's comments and views on an application. A member's expertise as a member of the Planning Committee can sometimes be put to best use in advising and guiding other bodies on which they sit on the planning issues that arise from the application. When the application comes to be decided by the Planning Committee, the views of the city/parish/town council or other consultative body will be one of the material considerations to be considered and taken into account.

10.3 Ward members who make representations on a planning application and who also sit on the Planning Committee should ensure that any comments which they make do not give the impression that they have formed a final view on the application by that stage. Members should keep an open mind until the matter comes before the Planning Committee, and take all relevant considerations into account before making their decision.

10.4 Subject to the guidance listed in para 2.2 above there may be circumstances where a member of the Planning Committee who is also a member of the Council's executive is so closely involved with a proposal coming before the Planning Committee that s/he may not be seen as impartial in relation to the planning decision. This may occur, for example, if the member concerned is committed to the development as a result of his/her responsibilities for furthering the development of the area, and is effectively acting as an advocate for that development. In these circumstances, the member concerned may argue for the development, but should not take part in the debate or vote at the relevant Planning Committee meeting. If in doubt, advice should be taken from the Council's Monitoring Officer.

11. Applications by Members, Officers and the Council, Delegation to Officers and Exceptions to Delegated Powers

11.1 In the event that an application is brought to Planning Committee for probity reasons, members of the Planning Committee will need to consider whether they should declare any personal or prejudicial interest in applications in which other members of the Council or officers are involved. This will normally only be necessary if the member or officer concerned is a "close associate", as that term is used in the Members' Code of Conduct. If in doubt, advice should be taken from the Monitoring Officer or Head of Legal Services.

11.2 Proposals where the Council is the applicant (or a development involving the Council and another party) should be treated in the same way as those by private developers, in accordance with the relevant Town and Country Planning Regulations and government guidance.

11.3 The same procedures also apply to private applications in respect of Council owned land (e.g. prior to a land sale being agreed or negotiated). Decisions must be made strictly on planning merits and without regard to any financial or other gain that may accrue to the Council if the development is permitted. It is important that the Council is seen to be treating such applications on an equal footing with all other applications, as well as actually doing so.

12 Members and decision making

12.1 Members are required to arrive at a decision on granting or refusing permission, and in determining planning applications, members are required to have regard to the

development plan and to any other relevant material considerations. To this end, the reports of officers to members must be accurate and cover all relevant points. These reports:

- a) Should contain a section on the relevance of the development plan, a description of the site and any related planning history with all other relevant material considerations outlined.
- b) Should deal with the substance of any objections or support received and the views of people who have been consulted or notified.
- c) Should incorporate a recommendation for the consideration of members; oral reporting (except to introduce a report or update it) should be extremely rare and carefully minuted when it does occur.
- d) Should contain a technical planning appraisal which clearly justifies the stated recommendation.
- e) If the report's recommendation is contrary to the provisions of the development plan, the material considerations which justify this must be clearly stated.

12.2 Members of Planning Committee must also;

- Come to meetings with an open mind and demonstrate they are open minded.
- Have a duty to take into account any representations made to the Council as a result of the publicity and consultation process for the application. In doing so, it is necessary to decide which representations are material to the decision to be made, and if so, what weight to attach to them. This conclusion should not be reached until all the facts have been presented in the officer's report to the Planning Committee.
- Request further information if it is felt there is insufficient information before the Planning Committee to reach a decision,
- When making a decision contrary to the officer recommendation, identify the planning reasons behind the decision before the vote is taken, which may need to be justified in the event of an appeal or other challenge. In the event of a proposal to grant planning permission contrary to officer recommendation, Members must propose and the Committee must approve relevant conditions and reasons for conditions to be attached to the planning permission. The detailed compilation and attachment of relevant conditions and reasons can be delegated to officers in consultation with the Chair. If members are unable to do this immediately, they should request an adjournment or a deferral in order to seek advice and/or formulate the reasons/conditions.

13 Training

13.1 To ensure that correct procedures are followed and proper planning considerations are employed in decision making, members of the Planning Committee will receive

training on planning functions as soon as possible after appointment to the Planning Committee. The Council's Executive Lead Member responsible for planning will also receive the same training as soon as possible after appointment.

13.2 Under the Council's Constitution, Members may not take part in planning decisions unless they have first received appropriate training on planning functions. Additional training as considered necessary from time to time by the Service Director – Economy, Employment and Planning or Monitoring Officer, should also be attended by all members of the Planning Committee.

13.3 Refresher training, updates, and more detailed training on specific issues will also be provided, and should be taken up by all Planning Committee members.

14 Complaints and Record Keeping

14.1 Whatever procedures the Council operates, it is likely that complaints will be made. In order that any complaints can be fully investigated, record keeping should be complete and accurate. Omissions and inaccuracies could, in themselves, cause a complaint or undermine the Council's case. Every planning application file will contain an accurate account of events throughout its life, particularly the outcomes of meetings or significant telephone conversations.

14.2 The same principles of good record keeping will be observed in relation to all other planning matters. Monitoring of record keeping will be undertaken on a continuous basis by the Service Director Planning and Environment.

15 Role of Officers

15.1 An officer's function is to advise members on all matters of development management procedures and considerations, including planning policy, in their determination of planning and related applications by:

- a) Providing impartial and professional advice which is properly recorded.
- b) Making sure that all the necessary information is available for a decision to be made.
- c) Providing a clear and sufficient analysis of the issues including development plan policies and all other material considerations.
- d) Giving a clear recommendation.
- e) Carrying out the decisions made by members at meetings of the Planning Committee.

Officers who are members of the Royal Town Planning Institute are governed by the Royal Town Planning Institute Code of Professional Conduct which states that RTPI members shall not make or subscribe to any statements or reports which are contrary to their own professional opinions. Officers who are not members of the RTPI should aim to adhere to the same principles of conduct.

15.2 Officers shall also comply with the following:

- a) Informal pre-application advice will be given (where appropriate for a reasonable fee as set out in the published schedule of charges) to prospective applicants prior to submitting an application. Advice will reflect adopted policies within the Development Plan.
- b) Where considered necessary a site visit will be carried out.
- c) Officers will endeavour to deal with, and determine applications in accordance with published service standards.
- d) All applications will be considered by at least two officers, i.e. the case officer plus a senior officer who will authorise the final decision unless internal procedures state otherwise.
- e) In all dealings with applicants, agents, and the public officers should maintain a courteous and professional relationship adhering to the Council's policies and officer codes ensuring that all parties are treated fairly and respecting people's rights.
- f) When an application is submitted by an officer involved in the planning process the officer shall highlight this on the application forms and make the Case Officer aware at the earliest opportunity. Such applications shall be determined in accordance with Appendix K of the Constitution.
- g) Where an officer involved in the planning process has a close personal relationship with any applicant, agent or organisation that could lead to a third party suggestion of bias, the officer will inform the Service Director Planning and Environment and Monitoring Officer in writing and take no part in processing or determining the application.
- h) Officers should not, under any circumstances, accept gifts or hospitality beyond simple basic refreshment where necessary or unavoidable. If, however, a degree of hospitality is unavoidable, it should be ensured that this is of the minimum. All gifts and hospitality beyond simple basic refreshment should be declared to the Monitoring Officer for entry in the Council Register of Gifts and Hospitality.

16 Planning Decisions Contrary to Officer Recommendation and/or Development Plan

16.1 The law requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise.

16.2 In discussing and then determining a planning application, members should confine themselves to the planning merits of the case and the reasons for making a final decision should be clear and convincing and supported by planning evidence. All

decisions must be founded on material planning reasons and there must be planning evidence to substantiate them.

16.3 There is no reason in law why a Planning Committee may not make a decision contrary to the officer's recommendation, whether it is for approval or refusal. Nevertheless, the law does require that in the case of refusals of planning permission, detailed reasons are given, and it is important that where members have made a decision contrary to an officer's recommendations, the reasons for the decision should be made clear. In such a situation, therefore, whether the decision by members is to approve or refuse permission, the planning reasons should be clearly minuted, together with the evidence to substantiate them.

17 Consequences of Failure to Comply with the Planning Code

17.1 This Planning Code, together with the provisions of the Members' Code sets out the standards that the Council will operate in dealing with planning applications. Members and officers should be aware that failure to comply with this Planning Code or the Members' may have legal consequences.

17.2 These include:

- a) A complaint to the Monitoring officer, and a subsequent investigation if informal resolution is not possible, which may result in a member being censured.
- b) An investigation by the Ombudsman if complaints are received about the manner in which a planning application is dealt with. In determining whether or not there has been maladministration the test that is currently used is that members must "at all times avoid any occasion for suspicion and any appearance of improper conduct" and must not allow "the impression to be created that (the Member) is or may be using his position to promote a private or personal interest". Individuals involved may be named, and the Council may be found guilty of maladministration and recommended to compensate the claimant.
- c). Appeal to the Secretary of State. As well as granting planning permission s/he can award costs against the Council if it has acted unreasonably – for example, bias has been present or the decision has been taken for non-planning reasons.
- d). Court action (judicial review) to quash a planning decision, which may succeed if bias or apparent bias was present, or if it is demonstrated that a decision was taken for non-planning reasons or material considerations were ignored. Procedural errors may also have this result if any party was prejudiced. Costs will be awarded against the Council which will have to re-determine the application correctly.

- e) A Human Rights challenge where the potential level of damages awarded for a breach is unlimited.

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Appendix 2 – Somerset Council Whistleblowing Policy

Introduction

The term whistleblowing is generally used only with reference to workers and has a specific legal definition under the Public Interest Disclosure Act 1998, i.e., a disclosure of information which, in the reasonable belief of the worker, is made in the public interest and tends to show serious misconduct. In a non-legal context, the term might also be used to describe a similar disclosure of information, by anyone who is not a worker. The Council recognises that as a public body, it might receive a disclosure of information, not just from its workers, but from members of the public as well.

The term 'worker' includes an employee of the Council, agency staff, contractor or consultant doing work for the Council, collectively referred to in this policy as "employees". A member of the public will be anybody not falling within the definition of 'employees', which could include, the parent of a child at a school, or any person who uses Council services.

This policy applies to disclosures from employees, but also sets out the Council's commitment to deal with disclosures from members of the public in the same way. To this end, where this policy refers to a "whistleblower", it refers to both employees and members of the public who make a disclosure. In this policy, receipt of any such information will simply be referred to as a "concern" or a "disclosure".

Somerset Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we wish to encourage employees and members of the public, who have serious concerns about any aspect of the Council's work to come forward and voice those concerns.

Employees are often the first to realise that there may be something seriously wrong within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

This policy is intended to encourage and enable individuals to raise concerns within the Council rather than overlooking a problem or 'blowing the whistle' outside. The policy makes it clear that individuals can do so without fear of victimisation, subsequent discrimination or disadvantage. The Council is committed to listening to concerns, taking them seriously and ensuring that they are dealt with promptly and fairly.

The policy will be published to ensure that it is available and accessible to employees and members of the public.

The policy can also be used to raise concerns about suppliers and those providing services under a contract with the Council in their own premises, for example, care homes or schools.

The policy is in addition to the Council's Complaints Procedure and other statutory reporting procedures applying to some service areas. A decision on which route each concern takes will be made upon receipt.

There is a Grievance Procedure in place for employees to raise a concern relating to their own employment. The policy is based on the Department for Business Innovation & Skills: Guidance for Employers and Code of Practice and has been discussed with the relevant trade unions and professional organisations and has their support.

In addition to the Council's commitment to protect employees who raise concerns, the Public Interest Disclosure Act 1998 provides a worker with potential protection from detriment and dismissal for making a 'qualifying disclosure'. The Act has rules for making a protected disclosure:

- You must reasonably believe the disclosure is in the public interest.
- You must believe it to be substantially true.
- You must not act maliciously or make false allegations.
- You must not seek any personal gain.

An employee who raises a concern under this policy and reasonably believes the disclosure is in the public interest, will be protected from any claim of defamation by the Council's insurance policy.

Aims and Scope of the Policy

This policy aims to:

- Encourage employees and members of the public to feel confident in raising serious concerns and to question and act upon concerns about practice;
- Provide avenues for employees and members of the public to raise concerns and receive feedback on any action taken;
- Ensure that employees and members of the public receive a response to concerns and that they are aware of how to pursue them if they are not satisfied;
- Reassure employees and members of the public that they will be protected from possible reprisals or victimisation if they have a reasonable belief that the disclosure made is in the public interest.
- Assist with deterrent and detection of wrongdoings.

This policy is intended to cover major concerns reasonably believed to be in the public interest in one or more of the following categories:

- Criminal offences, for example, fraud, theft, physical or sexual abuse.
- Failure to comply with an obligation set out in law.
- Miscarriages of justice.
- Abuse or bullying of clients including children and vulnerable people, Evasion of statutory responsibilities.
- Unauthorised use of public funds or other assets.
- Abuse of power for financial or other gain.
- Endangering of someone's health and safety (employee or member of the public).
- Damage to the environment.
- Other causes of malpractice, negligent, unprofessional or unethical behaviour.
- Covering up wrongdoing in the above categories.

Thus, serious concerns which you have about any aspect of service provision or the conduct of employees or members of the Council or others acting on behalf of the Council can be reported under the Whistleblowing Policy. This may be something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Council subscribes to; or
- is against the Council's Standing Orders, Financial Regulations and policies; or
- falls below established professional standards of practice; or
- amounts to improper conduct.

The whistleblowing procedure cannot be used as an alternative to the council's grievance or safeguarding policy and procedures. Whistleblowing usually has an element of public interest attached to it. Typically, the matter involved presents a risk to others, such as customers, taxpayers, or the environment. A concern about your own employment situation is more properly addressed by means of the council's grievance procedure.

How to Raise a Concern

If you are an employee who has a concern, we hope you will feel able to raise it first with your line manager or Director in writing. To assist you, the concern should be copied to the whistleblowing generic email address: confidential@swapaudit.co.uk (the confidential phone number is 020 8142 8462).

If you feel unable to raise the matter with your Line Manager or Director, for whatever reason, please raise the matter through the confidential phone number on 020 8142 8462 or email to confidential@swapaudit.co.uk. This line is monitored by our Internal Audit provider, South West Audit Partnership (SWAP). SWAP is independent of the Council.

If you are a member of the public, please raise your matter directly with SWAP on the contact details above.

A member of staff will take your call, which will be in complete confidence. It is always helpful if you can give a little background information, but if you are not comfortable doing so, please just leave your contact details. You can leave a home or mobile number if you don't want to be contacted at work, but please let the call recipient know when it would be convenient for you to be called back.

After you make your initial contact, the hotline staff will pass a message on to a member of the SWAP Counter Fraud and Investigations Team who endeavour to respond to all initial calls within 48 hours (excluding weekends). They will then consider what action should be taken.

It is sometimes necessary to undertake an investigation. Investigations are undertaken by staff who have the technical and professional skills relevant to each particular case.

If the above channels have been followed but you continue to have concerns or believe that those listed above are implicated then you should approach one of the following:

- The Chief Executive.
- The Head of Governance and Democratic Services (who is also the Council's Monitoring Officer).

Please consider that:

- When raising a concern, you must declare any personal interest you have in the matter.
- The earlier you express the concern, the easier it is to act.

Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate that there are reasonable grounds for a concern. However, you must not attempt to investigate a concern or accuse individuals directly.

Advice and guidance on how to pursue matters of concern may also be obtained from:

- HR Advisory Service
- The Council's Legal Team
- Your trade union/ a professional association representative.

Employees may wish to consider discussing concerns with a colleague first and may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

Employees may invite a trade union /professional association representative or work colleague to be present during any meetings or interviews in connection with the concerns raised. Meetings can be arranged off-site if necessary.

If there is an immediate risk call 999 for emergency services or 101 for local Police.

If you have concerns regarding abuse to adults or children you may also contact Safeguarding on 0300 123 2224 or out of hours on 0300 123 23 27.

How Will We Respond

The Council (or SWAP) will respond to your concerns as quickly as possible. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

The action taken by the Council will depend on the nature of the concern. Where appropriate, the matters raised may:

- be investigated by management or SWAP Internal Audit Services;
- be referred to the Police;
- be referred to an external auditor;
- form the subject of an independent inquiry;
- be dealt with under a more appropriate Council procedure.

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues or financial irregularities) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Within ten working days, the Council (or SWAP) will write to you:

- acknowledging that the concern has been received;
- indicating how they propose to deal with the matter giving an estimate of how long it will take to provide a final response;
- telling you whether any initial enquiries have been made;
- supplying you with information on staff support mechanisms, and
- telling you whether further investigations will take place, and if not, why not.

The amount of contact will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from you.

The Council will take steps to minimise any difficulties which you may experience as a result of raising a concern. For example, if you are required to give evidence as an employee, the Council will arrange for you to receive advice about the procedure from a nominated officer, usually someone from HR or legal.

The Council accepts that you need to be assured that the matter has been properly addressed and you will be informed of the final outcome of the investigation. In some circumstances, however, it may not be possible to reveal the full details where this relates to personal issues involving a third party or legal constraints.

If you make an allegation that you reasonably believe is in the public interest but it is not confirmed by the investigation, no action will be taken against you.

Support

If you are unsure whether to use this policy or want independent advice or support at any stage, you may contact The independent charity Protect (formerly Public Concern at Work) on 020 3117 2520. Their advisers can give you free confidential advice on how to raise a concerns appropriately.

How the Matter can be taken Further

This policy is intended to help you raise concerns you may have. Hopefully, you will be satisfied with any action taken. If you are not, there are other people you can contact and these are:

- the External Auditor;
- your Trade Union/professional association;
- relevant professional bodies or regulatory organisations (for example Health and Safety Executive)
- Public Concern at Work
- an elected Member of the Council
- the Police;
- the ombudsman;
- your own solicitor.

If you do take the matter outside the Council, you should ensure that you do not misuse confidential information. The person you contact should be able to advise you on this.

The policy, in line with the legislation, provides protection for employees who raise concerns internally. It is inconsistent with the satisfactory operation of the policy to pursue such concerns with the media (newspapers, TV, radio, etc) and employees who do so are unlikely to be protected by the provisions of the Public Interest Disclosure Act and may be subject to disciplinary action.

Anonymous Allegations

This policy encourages you to put your name to your allegation whenever possible.

Concerns expressed anonymously or through a third party are much less powerful and may not be possible to investigate. SWAP will discuss these with the Council's Monitoring Officer, and it will be at their joint discretion as to whether the concern will be considered further.

In exercising this discretion, the factors to be taken into account would include:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

Harassment or Victimisation

The Council recognises that the decision to report a concern can be a difficult one to make. The Council will not tolerate any harassment or victimisation (including informal pressures) and will take action to protect you when you raise a concern where you reasonably believe the disclosure is in the public interest.

Disciplinary action will be taken against an employee if they try to stop you from raising a concern or if an employee is responsible for any act of recrimination against you for raising a concern.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. It must be appreciated, however, that the investigation process may reveal the source of the information, and that a statement may be required as part of the evidence and/or you may be asked to come forward as a witness at the appropriate time. We will keep your identity confidential, if that is what you

want, unless required to disclose it by law (for example, by the police or if it is required to be disclosed for the purposes of subsequent disciplinary action).

False Allegations

If an allegation is knowingly made frivolously, maliciously or for personal gain, disciplinary action may be taken. The Whistleblower does not need evidence but instead need to have reasonable belief that the concerns raised are true.

The Responsible Officers

SWAP will retain a record of all whistleblowing concerns and these will be shared at regular intervals with the Monitoring Officer who has overall responsibility for monitoring the policy and will report annually to the Council's Standards Committee on the operation of the policy.

Links to other Policies

The Council has agreed a Constitution, which sets out how the Council operates, how decisions are made, and the procedures to follow to ensure that these are efficient, transparent and accountable to local people. While some of these processes are required by law, others are a matter for the Council to choose. The Constitution also has a number of rules and regulations to make sure that financial, working and organisational procedures are properly controlled.

Review

The policy will be kept under review and as a result may be subject to amendment by the Whistleblowing Policy Contact Officer:

Monitoring Officer
Somerset Council

Appendix 3 - SOMERSET COUNCIL PROTOCOL: COUNCIL AND THIRD-PARTY RECORDING AND WEBCASTING OF COMMITTEE MEETINGS:

1. Introduction

Somerset Council is committed to being open and transparent in the way it conducts its business. The press and members of the public are therefore welcome to film, photograph or record at any meeting that is open to the public and to use social media platforms such as Twitter, Facebook and Instagram. This is in line with the Government's 'Openness of Local Bodies Regulations' (the 2014 Regulations) which afford members of the public such rights to report

The Council has also put in place arrangements so that the majority of their public meetings including Executive and Full Council should be the subject of live web transmission ('webcasting'), or recorded for subsequent transmission. However, the minutes of a council meeting remain the statutory and legally binding formal record of council decisions.

This Protocol aims to assist the conduct of meetings that are being recorded and/or broadcast and to ensure that in doing so the Council is compliant with its obligations under the Data Protection Act 2018 and the Human Rights Act 1998. It also provides practical information to assist anyone considering recording meetings and anyone speaking at meetings which may be recorded.

In accordance with the Openness of Local Government Bodies Regulations 2014 recording is allowed at all formal meetings of the authority to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings.

In this Protocol references to:

- 'Recording' covers any means used to record the proceedings including filming, audio-recording and the use of photography.
- 'Reporting' covers the reporting of the business of the meeting via any social media.
- 'Council meetings' covers all formal Full Council, Executive and Committee meetings which are open to the press and public to attend and other meetings as agreed at the time by the Council.

2. General

A notice will be included on the agenda and also be displayed on the door and inside the meeting room advising everyone who attends that the meeting may be webcast or recorded and that by attending the meeting they are consenting to the broadcast of their image.

Those wishing to record proceedings (including elected members) should, as a courtesy, inform the chair (or clerk) of the committee of their intentions prior to the beginning of the meeting.

The Chair will make an announcement to attendees at the start of the meeting informing them that the meeting may be webcast or recorded and that the Chair may terminate or suspend the webcast or recording should they consider this desirable to maintain the proper running of the meeting. If objections are raised by members of the public regarding their inclusion in any recording, then the person responsible for the recording must take all reasonable steps to ensure that an individual request not to be recorded is complied with. If, however, a member of the public is actively participating in the meeting e.g. under a public speaking agenda item then this is unlikely to be possible.

Elected members and officers attending a formal public meeting and in an official capacity cannot object to being recorded or filmed. Anyone who has not objected and remains at the meeting after the Chair's announcement will be deemed to have consented to the broadcast of their image.

Recording must be non-intrusive and the Chair may order the removal of a member of the public from a meeting should that person, having been warned, continue to interrupt proceedings as a result of their recording activity. The Chair may also call for any part of the meeting room to be cleared in the event of a general disturbance.

PLEASE NOTE: Any person or organisation choosing to record or broadcast any meeting is responsible for any claims or other liability from them so doing and by choosing to record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.

3. Before the meeting

Anyone intending to record or webcast a meeting should contact the Democratic Services Team on 01823 357628 for advice and guidance. Reasonable advance notice will enable practical arrangements to be made and any special requirements to be discussed.

Flash photography, additional lighting or large equipment will not be permitted, unless agreed in advance and it can be accommodated without causing disruption to

the proceedings. Requests to use equipment of this nature will be subject to consideration of the constraints of the meeting venue.

4. During the meeting

Recordings taken by press representatives, members of the public and elected members may only be taken from the area designated for the press/public, and:

- Recording devices must be in silent mode
- No flash or additional lighting is permitted

Recordings must be taken from one fixed position and must not obstruct others from observing proceedings. Other than in accordance with this provision, members must not record, photograph or film other elected members, staff or members of the public during a meeting.

Any person can provide a written commentary during the course of a meeting that falls under this Protocol, however oral commentaries are not permitted within the meeting room.

Recording of meetings should:

- Not interfere with the effective conduct of the meeting, nor should it be disruptive or distracting. The Chair has discretion to suspend or stop recording at any time if and to take appropriate action if anyone is, in their opinion, doing so in a disruptive manner.
- Not seek to 'overview' sensitive information such as close ups of confidential papers or private notes
- Not obstruct others from observing and participating in the proceedings.
- Cease immediately if and when the meeting resolves to formally exclude the Press and public due to business of an Exempt or Confidential nature.
- Not be edited in a way that could lead to misinterpretation of the proceedings or the comments made, or that ridicules those being recorded.
- When published or broadcast, be accompanied by information including when and where the recording was made and the context in which the discussion took place.
- Be overt (i.e. clearly visible to anyone at the meeting).
- Cease, unless continued recording has been explicitly agreed by the Chair, when the meeting is formally concluded.

The Chair can require recording to be stopped where:

- The requirements of section 4 above are not met by the person doing the recording.

- The press and public are excluded from the meeting due to the nature of (exempt or confidential) business being discussed.
- There is public disturbance or a suspension/adjournment of a meeting.
- The recording has become disruptive or distracting to the good order and conduct of the meeting.
- Where it is considered that continuing the recording might infringe the rights of an individual or intimidate them.

5. Exempt or confidential business

No part of any meeting will be webcast or recorded by the third party after members have passed a resolution excluding the press and public because there is likely to be disclosure of exempt or confidential information. The Democratic Services officer will ensure that the third party recording and broadcasting of the meeting has ceased and will confirm this to the Chair before any discussion of exempt or confidential matters is commenced. If the person doing the recording is not present then the clerk shall remove the equipment from the meeting room for the consideration of confidential or exempt business.

6. Practical advice

1. Speaking at a meeting

Firstly and most importantly remember to speak into the microphone each time to ensure that your words can be clearly heard.

Try to avoid moving unduly whilst speaking and using expansive hand gestures; because the video stream is highly compressed all movement causes temporary pixilation and leads to a diminution of picture quality. In addition the camera operator will struggle to keep a moving person in shot. For the same reason if giving a presentation please try to stand in the same area rather than walking around the room.

When other people near you are speaking please bear in mind that you may still be on camera. Remember that even when there is no audience in the room members of the public can still be watching the meeting or a recording.

2. Microphone noise

Meeting attendees should avoid taping pencils and rings against microphones or touching the cable. When speaking, do not place objects inbetween yourself and the microphone or covering the microphone with papers as this may distort what you are saying.

3. Clothing

It is advisable to avoid bright colours which tend to cause exposure problems when webcast.

Stripes and checked clothes are best avoided as they can cause a strobe effect, especially when the subject is moving.

7. Rules for use of Recordings by Third Parties

- A. The law applies to any information recorded and transmitted including the laws on defamation, public order, Human Rights and Data Protection and intellectual property rights. Freedom of speech within the law should also be exercised with personal and social responsibility.
- B. Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion, and a clear identification of the main speakers and their role or title.
- C. Those making recordings must not edit the recording in a way that appears to have a clear aim to distort the truth or could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts.
- D. Those making recordings will be responsible for any breaches of the law resulting from their use of recorded material. The Council takes no responsibility for any recording carried out by a third party or its subsequent use.

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Appendix 4 – Terms of reference for Independent Remuneration Panel for Somerset Council

1. Function

Under the Local Authorities (Members' Allowances) (England) Regulations 2003, Local Authorities must establish and maintain an Independent Remuneration Panel. The purpose of the Panel is to make recommendations to the Local Authority about the allowances to be paid to Members.

2. Role and Responsibilities

2.1 The Independent Remuneration Panel ("IRP") shall advise and make its recommendations to Somerset County Council until 31/3/23 and then subsequently to the new Somerset Council (a new unitary council established by the Somerset Structural Changes Order 2022 involving the reorganisation of the existing County Council and four district councils in Somerset).

2.2 The Independent Remuneration Panel ("IRP") shall through the form of a report to Somerset County Council :

- (i) recommend to Council a Members' Allowances Scheme for implementation from 1st April 2023 for the new Somerset Council, which sets out recommendations for :-
 - the amount of basic allowance that should be payable to elected members;
 - the roles, responsibilities and duties for which special responsibility allowances should be paid and the amounts for such allowances;
 - whether travelling and subsistence allowances should be paid and if so, the duties to which they should apply and the amount;
 - whether childcare and dependent carers' allowances should be paid and if so, the duties to which they should apply and the amount of these allowances and the means by which they are determined;
 - whether a basic allowance should be paid to co-opted members and if so, the amount;
 - whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated as permitted in law;
 - whether any annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should apply.

(ii) on a four yearly basis, or if otherwise requested, propose recommendations as to any required amendments to the Members' Allowances Scheme in relation to the following matters:

- the amount of basic allowance that should be payable to elected members;
- the roles, responsibilities and duties for which special responsibility allowances should be paid and the amounts for such allowances;
- whether travelling and subsistence allowances should be paid and if so, the duties to which they should apply and the amount;
- whether childcare and dependent carers' allowances should be paid and if so, the duties to which they should apply and the amount of these allowances and the means by which they are determined;
- whether a basic allowance should be paid to co-opted members and if so, the amount;
- whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated as permitted in law;
- whether any annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should apply.

2.2 In making its recommendations at paragraphs 2.1 (i) and (ii) above, the IRP shall undertake a full review of the Members' Allowance Scheme as well as obtaining the views of officers and members of the Council to which it relates and having regard to the following general principles:

- that members undertake their council work for the sake of public service and not private gain;
- the varying demands placed upon members, dependent upon their roles and responsibilities;
- the need to fairly and equitably compensate members, so far as the panel thinks appropriate, for the time and effort they can reasonably be expected to devote to their work as a member of the council;
- the need for the scheme to be economic, efficient to administer and effective;
- the requirement for their report and recommended changes to the scheme of allowances to be easy to understand and adequately justifiable to the electorate;
- That recommendations should confirm with existing legislation and anticipate likely future legislation so far as possible

The Panel will also have regards to comparative data on the allowances paid by other similar local authorities.

2.3 The IRP shall be required in reporting its recommendations to include guidance on what is to be encompassed by each relevant allowance so as to ensure that the Members' Allowance Scheme is consistently applied.

3. Panel Membership and Appointment

3.1 The ("IRP") shall be comprised of 5 members of the public ("IRP Members").

3.2 IRP Members will be sought via advert in accordance with the Council's standard recruitment arrangements. Recruitment should be by public advertisement and direct approach to appropriate business and community/voluntary sector organisations who command local respect and public confidence and would be able to nominate persons who should have the necessary skills, integrity, independence and who are recognisable members of the local business and voluntary/community sectors within their respective areas.

3.3 As part of this a person specification shall be drawn up to ensure that candidates who are appointed:

- are able to demonstrate a high degree of personal integrity;
- are not members of any local authority and are not disqualified from being or becoming a member of a local authority;
- have, if possible the appropriate level of skill, knowledge and understanding of setting remunerations;
- have the necessary time and commitment for the role;
- Are not affiliated to any political party – candidates must disclose the extent of their connections to a political party and whether these are such as to risk the effective discharge of the IRP's functions were the candidate to be appointed;
- A knowledge of local government is preferable however a lack of familiarity will not be a bar to appointment.

3.4 IRP Members will be shortlisted, interviewed and appointed by the Monitoring Officer, in consultation with political group leaders.

3.5 The term of office of IRP Members will be three years in the first instance and a Panel Member may be reappointed for a further consecutive 3 year term. A Panel member shall not serve more than two terms – 6 years in total. The Council or its Constitution & Governance Committee may remove an IRP Member in circumstances where:

- the IRP Member is disqualified from being a member of an authority or is found guilty of any conduct which brings the office into disrepute e.g. being found guilty of a criminal offence, an act of dishonesty or other serious misconduct; or
- the IRP Member is considered to have demonstrated a serious lack of diligence or incompetence; or
- the IRP Member becomes an elected or co-opted member (or an employee) of the authority.

3.6 The IRP shall:

- appoint its own Chair at the first meeting of each municipal year;
- require a quorum of 3 at all meetings;
- meet a minimum of once per municipal year with additional meetings convened as necessary;
- Otherwise devise its own rules for the conduct of meetings in consultation with the Council's Monitoring Officer providing that they are consistent with legislative requirements and general good governance requirements.

4. Panel allowances

In order to avoid any perception of personal gain involved with membership of the IRP, only travel and subsistence allowances will be paid to IRP Members, at the rate approved by the Council annually within the limits determined by the Secretary of State. No other allowances will be paid to IRP Members.

5. Lead officer and support arrangements for the Panel

The Council's Monitoring Officer will be the lead officer and principal contact officer for the IRP. Democratic Services will provide support to the Panel.

Appendix 6 - INDEPENDENT PERSONS PROTOCOL

1. Introduction

1.1 Somerset Council has appointed three Independent Persons (IP) who will be consulted at various stages during Member Conduct reviews. A Reserve Independent Person (RIP) may be appointed to cover the situation when the IPs are unable to act either through non availability or conflict issues.

1.2 The role of IP as described in the legislation is complex with the ability of all parties in a complaint to contact the IP during the course of the matter to seek advice and support.

This protocol seeks to set out the IP's duties and responsibilities, provide clarity on the IP's role and ensure that the 'advice and support' responsibility does not affect the IP's independence and impartiality at the point when their role is most crucial.

1.3 For the avoidance of doubt all references to:

- IP in this protocol also cover the RIP

- The Monitoring Officer include any nominated Deputy Monitoring Officer(s)
- Members include Co-opted Members of the Council's Committees.

2. Duties and Responsibilities of the Independent Person

2.1 To consider any member misconduct complaint referred by the Monitoring Officer (MO) and provide advice to the MO in connection with the determination of the complaint. The final decision on the future treatment of individual complaints rests with the MO.

2.2 To advise any Hearings Panel in connection with the determination of member misconduct complaints in accordance with the Council's arrangements. The final decision in respect of the complaint rests with the Panel.

2.3 To liaise with Members and officers of Somerset Council as required although the primary contact with the Council will be with the MO.

2.4 To attend and participate in meetings of the Standard Committee and any associated meetings in an advisory capacity.

2.5 To provide, as requested, advice to Members about whom a conduct complaint has been received and specifically to discharge the functions detailed in Section 28(7) of the Localism Act 2011.

2.6 To support the promotion and maintenance of high standards of conduct by Members.

2.7 To develop and apply knowledge of the Code of Conduct in relation to any and all matters relating to standards, including the assessment and determination of allegations of member misconduct under the Code of Conduct.

2.8 To analyse and exercise fair and impartial judgement when providing advice on conduct issues.

2.9 To consult, liaise and maintain a professional working relationship with the Council's MO, and other officers of the Council.

2.10 To provide a view on the governance of the Council from an external perspective that will better enable the Council to assess conduct and standards issues.

2.11 To develop a firm understanding of the standards and wider governance framework within which the Council operates.

2.12 To participate in training events relevant to the work of standards within the Council.

2.13 To attend meetings of the Council when required and other meetings as necessary in order to raise the profile of standards within Somerset.

2.14 To participate in any national and / or regional forum established for Independent Persons.

2.15 To undertake such other responsibilities as the MO considers reasonably commensurate with the role.

3. Role of the Independent Person

3.1 It is acknowledged that the IP's skills and experience will assist the ongoing review of the complaint handling process and as such will be a useful resource in undertaking preventative work and/or mediation. However it is essential that the role of the IP is, and is seen to be, independent in any matter to be determined so the IP must not do anything or act in any way that will compromise that independence or be swayed by the arguments of one party over another.

3.2 To assist the IP in maintaining this independence, **all contact** to the IP from any party, whether Members of the public or Members of the Council, should be through the MO or his designated deputy. This is to ensure that contact remains within the bounds of professional relationships. If however direct contact is made with the IP and issues other than procedural issues of the complaint are discussed then the IP will be excluded from being involved in the determination of that particular complaint and the RIP will be substituted.

3.3 In addition the IP

- Should not discuss matters with the press or public.

- Should not form a final opinion on a matter to be determined until the final stage when their opinion on the investigation and its outcomes is presented; until that stage their role is to advise and assist parties.
- Is subject to the Code of Conduct for Members whilst undertaking their role in this process, which imposes a duty of Equality, fairness, objectivity and open mindedness.
- Should ensure that any advice given to one party is shared with all to ensure that any Member Conduct Review is compliant with the rules of natural justice and transparency in its process. The exception to this is where in the opinion of the IP the advice is specific to one party's circumstances. In that case the IP has the discretion not to share the advice with others.
- Should comply with the all relevant Council policies particularly Confidentiality and Data protection.

3.4 Whilst the detailed nature of any discussions that the IP may have with parties can and should be kept confidential, the independent person should keep a record of what views were expressed in a particular case, by them, including being date specific, as such views could change/vary as a case is progressed. These records to be available to the MO and/or Hearing Panel or/and interested party to ensure clarity and avoid any possible misunderstanding or misinterpretation of the views made by the IP in respect of a particular case.

3.5 It is good practice that only one IP should have his/her views sought on each specific case. Therefore the Council should only use the RIP when the IP is either unavailable or consider that they have a conflict of interest in a particular case.

4. **Procedural Matters**

4.1 **The First Stage**

4.1.1 The first stage of an allegation of breach of Member conduct is the receipt of the complaint. On receiving the complaint the MO will inform the IP of the complaint, send him/her copies of the documentation and, within a reasonable timescale will, in conjunction with the IP, take a view as to the severity of the allegation/s and process for the treatment of the complaint.

4.1.2 If the complaint identifies criminal conduct, including failure to declare a Disclosable Pecuniary Interest, (DPI) the MO will consult the IP before referring the matter to the police.

4.1.3 Where the matter is suitable for informal resolution, the complainant and the subject member will be asked to meet with the MO. The MO has the discretion to invite the IP to attend this meeting. This will normally be at separate sessions but, in the case where the complainant is another Member, the MO has the discretion to conduct this meeting with both the complainant and the subject member present at the same time. The MO will then consult the IP (if they were not present at the meeting(s)) to discuss the outcome of the meeting(s) and whether or not informal resolution is still possible. It is for the MO and the IP to agree how they will discuss the outcomes; be it e-mail, telephone or face to face contact. The MO will take notes of all discussions and ensure that all those attending receive a copy. The IP will also be given a copy if they were not present at any meeting. To ensure that the IP is kept fully informed the MO will also

provide the IP with copies of any notes taken of telephone and/or e-mail contact with any party/ies to the complaint.

4.1.4 If the complaint is deemed too frivolous or without merit, the MO will make this recommendation to the IP. If the IP agrees the matter should not be progressed the MO will confirm the recommendation and notify all parties in writing.

4.1.5 If the complaint justifies investigation but informal resolution is not appropriate, the MO will conduct a fact finding exercise to satisfy himself that;

- a) The complaint is against a Member of the Authority,
- b) The Member was acting in that capacity and,
- c) The complaint if proven would amount to a breach of the Code of Conduct.

On collating that information the MO will discuss the complaint with the IP prior to deciding if the complaint merits a full investigation. The IP may provide comments to the MO but must do so if they disagree with the MO's recommendation(s). The MO will then decide whether an investigation is necessary.

4.2 The Second Stage

4.2.1 Once the matter has proceeded to investigation the IP may again be consulted by the MO if the investigation report concludes that there is evidence of a failure to comply with the Code of Conduct and it is considered that the matter can be dealt with by local resolution rather than the need for a hearing. In this case the procedure for informal resolution will be the same as above.

4.3 The Third Stage

4.3.1 If a local hearing is to take place advice will be sought from the IP by the Hearing Panel where;

- a. The Panel are minded to conclude that the Member did not fail to comply with the Code of Conduct.
- b. The Panel are minded to conclude that the Member did breach the Code of Conduct, and
- c. In the case of b above any action to be taken as a result of that breach.

4.3.2 In all of the above scenarios, the Hearings Panel has the decision making responsibility.

Appendix 7 - SOMERSET COUNCIL

MONITORING OFFICER PROTOCOL

A. GENERAL INTRODUCTION TO STATUTORY RESPONSIBILITIES

The Monitoring Officer is a statutory appointment pursuant to Section 5 of the Local Government and Housing Act, 1989, as amended by paragraph 24 of Schedule 5 Local Government Act 2000. This Protocol sets out how those statutory requirements will be discharged at Somerset Council.

The responsibilities of the Monitoring Officer role rests with the Monitoring Officer who undertakes to discharge their statutory responsibilities with a positive determination and in a manner that enhances the overall reputation of the Council. In doing so, they will also safeguard, so far as possible, Members and Officers, whilst acting in their official capacities, from legal difficulties and/or criminal sanctions.

A summary list of the statutory responsibilities appears in the table annexed to this document. In general terms, the Monitoring Officer's ability to discharge these duties and responsibilities will depend, to a large extent, on Members and Officers:-

- (a) Complying with the law of the land (including any relevant Codes of Conduct);
- (b) Complying with any General Guidance issued, from time to time, by the Department of Levelling Up, Housing and Communities, Somerset Council's Standards Committee and the Monitoring Officer;
- (c) Making lawful and proportionate decisions; and
- (d) Generally, not taking action that would bring the Council, their offices or professions into disrepute.

B. WORKING ARRANGEMENTS

It is important that Members and Officers work together to promote the corporate health of the Council. The Monitoring Officer plays a key role in this and it is vital therefore, that Members and Officers work with the Monitoring Officer (and his/her staff) to enable him/her to discharge his/her statutory responsibilities and other duties.

The Monitoring Officer issues guidance to officers to assist them in understanding the nature, breadth and requirements that the Monitoring Officer puts upon all officers. The guidance also explains how the Monitoring Officer will approach the role. The Monitoring Officer considers that the role is a positive and preventative one, related to legality, avoidance of maladministration and observance of codes of conduct / practice where there is actual / potential transgression by the Council. The Monitoring Officer gives authoritative advice and guidance on these issues which will be conducive to a culture of propriety and integrity. This will provide comfort for officers and

Members alike. However, although the Monitoring Officer will seek to be positive about the role, it must be recognised that the role imposes a personal duty to make a public, statutory report where it appears to be necessary. This might ultimately force the authority to consider issues it might not wish to.

The Monitoring Officer and the authority should co-operate in every way possible so as to reduce the chance of the need for the Monitoring Officer to issue a formal report. In support of this, the Monitoring Officer places significant reliance upon the advice and support given by colleagues in Legal Services who will, in providing advice do so in an enabling manner, but also identify areas of particular risk and concern, assisting officers / Members to achieve their objectives, but ultimately in a lawful and proper manner.

The following arrangements and understandings between the Monitoring Officer, Members and Chief Officers are designed to ensure the effective discharge of the Council's business and functions. The Monitoring Officer will:-

Resources

- (a) In accordance with statutory requirements, make a report to the Council, as necessary on the staff, accommodation and resources they require to discharge his/her statutory functions.
- (b) Appoint deputies and keep them briefed on any relevant issues that they may be required to deal with in the absence of the Monitoring Officer.

Access to Information/Meetings

- (a) be alerted by Members and Officers to any issue(s) that may become of concern to the Council, including, in particular issues around legal powers to do something or not, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise;
- (b) have advance notice (including receive Agendas, Minutes, Reports and related papers) of all relevant meetings of the Council at which a binding decision of the Council may be made (including a failure to take a decision where one should have been taken) at or before the Council, The Executive or a Lead Member, Committee meetings and/or the Management Team or Strategic Leadership Team.
- (c) Having the right to attend any meeting of the Council (including the right to be heard) before any binding decision is taken by the Council (including a failure to take a decision where one should have been taken) at or before the Council, The Executive, Committee meetings and/or the Management Team or Strategic Leadership Team.

- (d) In carrying out any investigation(s) have unqualified access to any information held by the Council and to any Officer who can assist in the discharge of his/her functions.

Relationships

- (a) Ensure the other statutory officers (Head of Paid Service and the Section 151 Officer) are kept up-to-date with relevant information regarding any legal, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise.
- (b) Meet regularly with the Head of Paid Service and the Section 151 Officer to consider and recommend action in connection with Corporate Governance issues and other matters of concern regarding any legal, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise.
- (c) Develop effective working liaison and relationship with the Council's Auditors and the Local Government and Social Care Ombudsman (including having the authority, on behalf of the Council, to complain to the same, refer any breaches to the same or give and receive any relevant information, whether confidential or otherwise, through appropriate protocols, if necessary).
- (d) In consultation, as necessary, with the Chair of the Standards Committee, defer the making of a formal report under Section 5 Local Government and Housing Act, 1989 where another investigative body is involved.
- (e) Make arrangements to ensure effective communication between his/her office and the Clerks of Somerset City, Town and Parish Councils on Monitoring Officer and Standards Committee issues.

Ombudsman Complaints

1. prepare reports as required by the Local Government Act 1974 and the Local Government and Housing Act 1989 in relation to complaints which have been the subject of investigation by the Local Government and Social Care Ombudsman and which have revealed maladministration whether or not that maladministration has caused injustice;
2. prepare reports to Members where considered necessary to bring to their attention issues of importance arising out of complaints made to the Local Government and Social Care Ombudsman whether or not investigated or maladministration found;

Standards Matters

- (a) Maintain and keep up-to-date relevant statutory registers for the declaration of members' interests, gifts and hospitality.
- (b) Maintain and keep up-to-date relevant registers for the declaration of officer's interests and gifts and hospitality
- (c) Advise the Standards Committee and its sub-committees in relation to Code of Conduct complaints and allegations of misconduct.
- (d) Be responsible for preparing any training programme for members on ethical standards and Code of Conduct issues; and

Constitution

- (a) Report to the Council, from time to time through the Standards Committee, on the constitution and any necessary or desirable changes following consultation, in particular, with the Head of Paid Service and Section 151 Officer.

Other

- (a) Be the Proper Officer for Access to Information, decision-making, Data Protection Act 1998 and the Freedom of Information Act 2000.

C. MEMBER AND OFFICER RESPONSIBILITIES

To ensure the effective and efficient discharge of the arrangements set out in paragraph 5 above, Members and Officers will report any breaches of statutory duty or Council policies or procedures and other vices or constitutional concerns to the Monitoring Officer, as soon as practicable.

D. ADVICE

The Monitoring Officer is also available for Members and Officers to consult on any issues of the Council's legal powers, possible maladministration, impropriety and probity issues, or general advice on the constitutional arrangements (e.g. Standing Orders, policy framework, terms of reference, scheme of delegations etc.).

E. SANCTIONS FOR BREACH OF SOMERSET COUNCIL'S CODE OF CONDUCT FOR MEMBERS AND THIS PROTOCOL

Complaints against any breach of Somerset's Code of Conduct for Members should be referred to the Monitoring Officer. Complaints against any breach of this Protocol by a Member will be referred to the Standards Committee and to the relevant Group Leader, unless the complaint is against the Group Leader, in which case, reference will be to the Deputy Group Leader. Complaints against any breach of this Protocol by an

Officer may be referred initially to the relevant Executive Director and/or the Chief Executive.

SOMERSET COUNCIL

MONITORING OFFICER PROTOCOL

Summary of Monitoring Officer Functions

	Description	Source
1	Report on contraventions or likely contraventions of any enactment or rule of law.	Section 5 and 5A Local Government Housing Act, 1989
2	Report on any maladministration or injustice where Ombudsman has carried out an investigation	Section 5 and 5A Local Government Housing Act, 1989
3	Appointment of Deputy(s)	Section 5 Local Government Housing Act, 1989 Local Government Act 2000 s 82A
4	Report on resources	Section 5 Local Government Housing Act, 1989
5	Receive copies of whistleblowing allegations of misconduct	Local Code of Conduct for staff/Whistleblowing Policy
6	Investigate misconduct in compliance with Regulations	Localism Act 2011 and any regulations issued under the Localism Act 2011 and guidance issued by the Department for Levelling Up, Housing and Communities (DLUHC)
7	Establish and maintain registers of members interests and gifts and hospitality.	Section 29 of the Localism Act 2011 and Code of Conduct
8	Advice to members on interpretation of Code.	Member Code of Conduct
9	Key role in promoting and maintaining high standards of conduct through support to the Standards Committee.	Localism Act 2011;
10	Ethical framework functions in relation to City, Town and Parish Councils	Localism Act 2011
11	Advice on vires issues, maladministration, financial impropriety, probity and policy framework and budget issues to all members	Local Government Act, 1972 and 2000; Ombudsman publications, Government Regulations and Circulars

1	Maintain, review and monitor the	Constitution articles.....
2	constitution	

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Somerset County Council

County Council

– 22 February 2023

Report of the Human Resources Committee – for decision

Executive Member: Cllr Liz Leyshon - Deputy Leader of Council and Lead Member on Finance and Human Resources

Lead Officer: Chris Squire - Director of Customers, Digital & Workforce

Author: Neil Milne - Governance Specialist, Democratic Services

Contact Details: neil.milne@somerset.gov.uk

1. Summary

1.1 This report covers the meeting of the HR Committee meeting on 24 January 2023 at which we reviewed a number of reports, including NJC Green Book, Chief Officer and Chief Executive Annual Leave Entitlement.

1.2 We noted changes to NJC Green Book annual leave entitlement with effect from 1 April 2023, as a result of the national agreement on the 2022/23 pay award. This covered annual leave entitlement for all staff on Green Book terms and conditions, Somerset Grades up to Grade 4. The report also proposed an increase in annual leave entitlement for the Chief Executive and Chief Officer Grades 1 to 3, in line with NJC Green Book changes from 1 April 2023, and so that it matched with Grades 4 to 8.

1.3 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 matters and increases to leave entitlements to be approved by Full Council.

2. Recommendations

Having noted the nationally agreed NJC Green Book increase of one day to annual leave entitlement from 1 April 2023 we request that Full Council give approval:

- 1. To the Director of Customers, Digital and Workforce, on behalf of the Council to agree with the Green Book recognised trade unions, an amendment to the local collective agreement on annual leave entitlement for all staff on Green Book terms and conditions Somerset Grades up to grade 4, in order to implement the increase**

agreed nationally for NJC Green Book staff (one day).

- 2. To increase the annual leave entitlement by one day (pro-rata) for the Chief Executive and Chief Officers Grade 1 to 3, with effect from 1 April 2023, in line with NJC Green Book changes.**

The Committee accepted these proposals, to add an additional day of leave entitlement for staff and to harmonise leave entitlement for Grades 8 and above. Although the changes to Green Book annual leave entitlement will take effect on 1 April 2023, as this agreement relates to the 2022 pay award, each Somerset District Council will take responsibility for implementing the change in accordance with their current governance arrangements and instruct HR Admin and Payroll services accordingly.

The Council's duty under Section 149 of the Equality Act 2010 is to have "due regard" to the matters set out in relation to equalities when considering and making decisions. There are no direct equality impacts associated with the proposed changes to annual leave entitlement. There are also no direct impacts on sustainability, health and safety, community safety or privacy aspects as a result of the recommendations.

We will bring a report on the Pay Policy Statement PPS (2023-2024) to the 1 March 2023 Full Council meeting.

3. Background papers

Agenda and papers for the HR Policy Committee meeting on 24 January 2023.

Somerset County Council

County Council

– 22 February 2023

Report of the Chief Executive – Senior Leadership Structure, Appointments and Designation of Statutory Roles

Lead Member: Cllr Bill Revans – Leader of the Council

Division and Local Member: n/a

Lead Officer: Duncan Sharkey – Chief Executive

Author: Chris Squire – Director of Customers, Digital & Workforce

Contact Details: chris.squire@somerset.gov.uk

1. Summary

1.1. Somerset Council will be established on 1st April 2023, with the four District Councils being abolished and their functions transferring to Somerset County Council, as the continuing authority. The programme to establish Somerset Council has the following objectives:

- Create a new single unitary Council for Somerset on 1 April 2023 that delivers the approved business case.
- Enable performance capability – to deliver the approved business case vision.
- Develop the new council to optimise benefits and opportunities from 1 April 2023 to 31 March 2025.

1.2. The process to appoint a chief executive for the new council was completed in July 2022, with the appointment of Duncan Sharkey to Somerset County Council (as the continuing authority designated to become Somerset's unitary local authority). The Local Government Reorganisation (LGR) programme is now completing the appointment of Executive Directors and Service Directors of the senior leadership team ('tiers two & three') for the new Council.

1.3. On 18 March 2022 the Secretary of State made the Somerset (Structural Changes) Order 2022 (SCO). The SCO sets out and enables the implementation of local government reorganisation in Somerset. Staff at the four district councils employed immediately before the transfer will become Somerset Council employees on 1 April 2023; in the case of local government reorganisation, this is confirmed in Regulation 3 of the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008.

- 1.4.** A consultation on the proposed new senior leadership structure at Tiers 2 and 3 and pre-transfer collective redundancy consultations, across the four district councils and the County Council, took place from 10th November 2022 to 12th December 2022. This consultation covered:
- The proposed structure for the top 3 tiers of Somerset Council and the process to recruit to the posts at tiers 2 and 3.
 - Proposed redundancies that will be made post Vesting Day by Somerset Council, as a result of Tiers 2 & 3 restructuring.
- 1.5.** The Chief Executive has already taken a decision, following appropriate consultation (as detailed below), in respect of the Tier 2 leadership structure. Processes to appoint to Executive Director ('Tier 2') posts in Somerset Council were completed in January 2023 (subject to required agreement at a meeting of the Council), specifically:
- Executive Director of Climate & Place
 - Executive Director of Community Services
 - Executive Director of Resources & Corporate Services (S151 Officer)
 - Executive Director of Strategy, Workforce & Localities
- 1.6.** The Appointments Committees, at their meetings on 12th, 13th, 16th and 17th January 2023 recommend the following appointments, for endorsement by the meeting of Full Council:
- Executive Director of Resources & Corporate Services (and designation as the Council's statutory Chief Finance Officer / Section 151 officer) – Jason Vaughan
 - Executive Director of Community Services – Chris Hall
 - Executive Director of Strategy, Workforce & Localities – Alyn Jones
 - Executive Director of Climate & Place – Mickey Green
- 1.7.** The Appointments Committee, at its meeting on 12th January 2023, recommends to the meeting of Full Council on 22nd February that Jason Vaughan, Director of Finance & Governance, Somerset County Council, is appointed as the Executive Director of Resources & Corporate Services for Somerset Council and that Full Council are recommended to appoint and designate Jason Vaughan with the statutory functions of the statutory Chief Finance Officer / Section 151 Officer for Somerset Council.

- 1.8.** The appointments have been made in accordance with the terms and conditions governing the posts and in accordance with the powers delegated to the Chief Executive (as Head of Paid Service) and the Appointments Committees. The meeting of Full Council is also asked to endorse the salaries for the Executive Director roles and, furthermore, to endorse the salary structure for Service Director ('Tier 3') posts.
- 1.9.** The implementation of the new structure will also see changes to job titles for other statutory chief officers whose roles are unchanged in the structure. The meeting of Full Council is therefore recommended to designate and empower the following roles, respectively, with the statutory chief officer functions and powers of Director of Adult Social Services, Director of Children's Services and Director of Public Health:
- Executive Director of Adult & Health Services (Mel Lock)
 - Executive Director of Children's Services (Claire Winter)
 - Executive Director of Public Health (Trudi Grant)

2. Recommendations

- 2.1.** To endorse the proposed senior leadership structure (Tiers 1-3) for Somerset Council.
- 2.2.** That the Council accepts the recommendations of the Appointments Committees to make the following appointments:
- Executive Director of Resources & Corporate Services (151 officer) – Jason Vaughan
 - Executive Director of Community Services – Chris Hall
 - Executive Director of Strategy, Workforce & Localities – Alyn Jones
 - Executive Director of Climate & Place – Mickey Green
- 2.3.** To appoint on the basis of the terms and conditions agreed by the Appointments Panel:
- Executive Director of Resources & Corporate Services – pending further work on evaluating the role, within the range £129k - £150k
 - Executive Director of Community Services - £132k
 - Executive Director of Strategy, Workforce & Localities - £136k
 - Executive Director of Climate & Place - £142k

- 2.4.** To designate and empower Jason Vaughan with the statutory chief officer functions of the Section 151 Officer for Somerset Council.
- 2.5.** To endorse the change of job titles for the Director of Adult Social Services, Director of Children's Services and Director of Public Health and to designate and empower the following roles with the respective statutory chief officer functions:
- Executive Director of Adult & Health Services (Mel Lock) – statutory chief officer role of Director of Adult Social Services
 - Acting Executive Director of Children's Services (Claire Winter) – statutory chief officer role of Director of Childrens Services
 - Executive Director of Public Health (Trudi Grant) – statutory role of Director of Public Health
- 2.6.** To endorse the salary structure for Service Director roles:
- Service Director 1 - £115k-£118k
 - Service Director 2 - £110k-£115k
 - Service Director 3 - £100k-£105k
- 2.7.** To delegate to the Chief Executive the final decision on the salary for the Executive Director of Resources & Corporate Services.
- 2.8.** To delegate to the Chief Executive the final decisions on salaries for Service Director appointments.
- 2.9.** To designate and appoint the statutory role of the Electoral Registration Officer within the remit of the Chief Executive

3. Legal Requirements

- 3.1.** The merger of one or more organisations into another will result in the transfer of staff under relevant TUPE legislation. In the case of local government reorganisation, this is confirmed in Regulation 3 of the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008.
- 3.2.** Statutory functions must be delegated through a meeting of Full Council. This applies to the following roles, for the purpose of this paper and Executive and Service Director posts:
- Executive Director of Resources & Corporate Services (Section 151 Officer)
 - Executive Director of Adult & Health Services

- Executive Director of Children's Services
- Executive Director of Public Health

3.3. For most unitary councils, the appointment of the Electoral Registration Officer role would normally sit within the remit of the Chief Executive. At the time of confirming the appointment of the Chief Executive in July 2022, this statutory position was not included. Council are asked to agree the addition of this responsibility to the role of the Chief Executive for Somerset Council, within their existing terms and conditions.

4. Constitutional Requirements

4.1. The Council's Constitution states that any changes proposed to the Senior Leadership Team and supporting officer structures are subject to consultation with the Executive and informing the Full Council of the changes. Changes are agreed by the Chief Executive.

4.2. Appointments to Chief Officer and Deputy Chief Officer posts must be conducted in accordance with relevant legal and constitutional requirements. These will need to follow the requirements set out in the constitution of the continuing authority, in the absence of alternative provisions for the new council. In this case, this will mean using Somerset County Council's Constitution.

4.3. Salaries in excess of £100,000 should be endorsed through a meeting of Full Council, as specified in the Localism Act 2011.

4.4. Appointments Panel

The consequence of this is that as part of these processes, proposals to appoint to Executive Director and Service Directors have been put before respective appointments' panels. The panels consisted of the Leader, the Opposition Leader and the Deputy Leader of the Council (or their nominated representatives) plus the Leaders of the four district councils as consultees.

The role of an Appointments Panel is to review the terms and conditions of employment relating to a post and where changes are required, make appropriate recommendations to the Council, decide on the process and to appoint the Appointments Committee(s) to undertake the appointments' processes.

4.5. Appointments' Committee

The Appointments' Panels have agreed the processes to appoint to the roles and appointed:

- An Appointments' Committee for each of the four Executive Director posts recruited to. The Appointments Committee may comprise up to 5 members: The Leader of the Council (or their nominated representative), the leader of the largest opposition group (or their nominated representative), and up to 3 other members of the Council selected in accordance with the rules of political proportionality and including the relevant Executive Member.
- An Appointments' Committee for each of the 14 Service Director posts that will be appointed to. Please note that these Committees will operate in February and March.
- The Appointments Panel has also appointed an Appointments Committee, with the remit of delegating responsibilities for specific parts of appointments processes, to the Chief Executive. This delegation includes decisions on 'matching' and shortlisting. This Committee consisted of the same members as the Appointments Panel.
- The role of the Appointments' Committee is to 'run' the process. This includes agreeing the shortlist for the role, interviewing and then making a recommendation for appointment to the Council. This must be done before a formal offer of employment is made.

5. Structure (Tiers 2 & 3) of Somerset Council

- 5.1.** The Chief Executive proposed a structure for Tiers 2 & 3 in Somerset Council, with a list of functions by each Executive Director. This proposal was agreed with the Leader of the Council and the Executive. The proposal has subsequently been consulted on with staff and trade unions.
- 5.2.** The Chief Executive wrote to staff on 15th December 2022, following the end of the consultation period, to announce his decision to proceed with appointments to Tier 2 posts. He also said that he was taking further time to consider the impact of the consultation on proposals for Tier 3 posts and the functions that report into them. This consideration has now been concluded.
- 5.3.** The proposed structure can be seen in Appendix One.
- 5.4.** The structure proposes a change to job titles for existing roles that will continue into Somerset Council but remain substantively unchanged. These are as follows:
- Executive Director of Adult & Health Services
 - Executive Director of Children's Services
 - Executive Director of Public Health

- Service Director of Public Health
- Service Director of Children and Families
- Service Director Commissioning & Performance
- Service Director Inclusion
- Service Director Education, Partnerships & Skills
- Service Director Adult Social Care Operations
- Service Director Adult Social Care Commissioning
- Service Director Adult Social Care Transformation

6. The Process

6.1. The process to appoint to relevant Executive Director posts was designed to broaden engagement and involvement and comprised the following timeline:

Date	Event/Action
10.11.22	Consultation with staff commences, covering the proposed structure for Somerset Council and possible redundancies at tiers 1 – 3
29.11.22	Informal briefing meeting for the Appointments Panel (also to decide on future meetings)
w/c 05.12.22	Microsite draft ready for Appointments Group to agree/sign off – to be used for applications
09.12.22	HR all-day meeting to produce indicative job descriptions and other information
12.12.22	T2 & T3 Consultation (30-days statutory pre-transfer collective redundancy consultation) ends
12.12.22	Consider responses to the consultation & JDs - finalised. Internal comms to all 5 authorities to go out around the application and matching processes; this will be confirmed at the end of the week, following consideration of responses to the consultation
12.12.22	Appointments Panel meets (virtually) to consider JDs and other information (e.g. salary levels). This information will be confirmed at the end of the week, following consideration of responses to the consultation.
14/12/22	Chief Executive decision to commence the Tier 2 appointments processes, JDs confirmed for those roles (confirm the structure with the Executive and inform full council at next meeting, 22 nd February)
14.12.22	Notice of Appointments Committees to consider

	matches
14.12.22	Write to staff with draft JDs and links to matching processes, with deadline of 19 th December
14/12/22	With reference to the consultation responses and management actions, Chief Executive decision report drafted and internal member and officer consultation completed
19.12.22	Formal response to consultation issued, including any slot-in or ringfencing processes.
20.12.22	Matching review panel meeting
22.12.22	Appointments Committees meet to consider matches (5 clear working days after the Notice and agendas have been issued)
22.12.22	Microsite to go live and T2 posts open for CVs with a supporting statement (bring forward if no matching requests) Recruitment partner ('Faerfield') to categorise applications for shortlisting (a,b,c), as they are made
02.01.23	Notice of Appointments Committee meetings
03.01.23	Close application window (midnight 2 nd January)
03.01.23	Shortlist packs/report finalised and shared with Appointments Committees
04.01.23	Appointments Committees take place to ratify shortlist, with Duncan Sharkey as advisor to the committees and Faerfield in attendance. Draft interview questions discussed
05.01.23	Faerfield to send out invites to interviews.
w/c 09.01.23	Interviews take place 12 th – 17 th January. One day per role. Appointments Committee meet at end of day to confirm recommendation or next course of action if there are no appointable candidates.
w/c 23.01.23	CEO decision reports drafted with recommendations from each of the Appointments Committee.
22.02.23	CEO report to February Full Council to confirm Tier 2 statutory officer designations
1.4.23	Somerset Council Tier 2 appointments come into effect for the roles recruited to

6.2. 'Matching' and Ring-Fenced Processes

The five local authorities have agreed a set of Organisational Change Principles, which describe how an employee may be slotted into a post or be part of a ring-fenced process for a post if their existing substantive job is a broad match to that role.

There were no matches to Executive Director posts.

6.3. Panel Interviews

The panel interviews comprised the following:

Partners	Organisations represented from a broad range of sectors Somerset, with up to 8 representatives per panel.
Staff	16 staff representing all five Somerset local authorities
Appointments Committee	Appointments Committee plus the Leaders from the four district councils, as consultees

6.4. The recruitment procedure followed Somerset County Council's policy and safer recruitment standards. The Appointments Committees received training in advance of the interview process.

6.5. The Appointments Committees, at their meetings on 12th, 13th, 16th and 17th January 2023 recommend the following appointments, for endorsement by the meeting of Full Council:

- Executive Director of Resources & Corporate Services (Section 151 officer) – Mr Jason Vaughan
- Executive Director of Community Services – Mr Chris Hall
- Executive Director of Strategy, Workforce & Localities – Mr Alyn Jones
- Executive Director of Climate & Place – Mr Mickey Green

6.6. The Appointments Panel has met and agreed the process for the recruitment of 14 Service Directors to Somerset Council, as follows:

- Service Director Climate, Environment & Sustainability
- Service Director Infrastructure & Transport
- Service Director Economy, Employment & Planning
- Service Director Housing
- Service Director Culture
- Service Director Customers
- Service Director Regulatory & Operational
- Service Director Finance & Procurement
- Service Director Strategic Asset Management
- Service Director Information Communication & Technology
- Service Director Partnerships & Localities
- Service Director Strategy & Performance
- Service Director Governance, Democratic & Legal Services
- Service Director Workforce

These processes will take place through March 2023 and reported to the May meeting of Somerset Council.

6.7. Processes to appoint to Service Director posts in Somerset Council exclude the following roles:

- Executive Director of Adult & Health Services
- Executive Director of Children's Services
- Executive Director of Public Health
- Service Director of Public Health
- Service Director of Children and Families
- Service Director Commissioning & Performance
- Service Director Inclusion
- Service Director Education, Partnerships & Skills
- Service Director Adult Social Care Operations
- Service Director Adult Social Care Commissioning
- Service Director Adult Social Care Transformation

This is because these roles are unchanged following Vesting Day.

7. Salaries

Salary benchmarking and comparisons have been made for Executive and Service Directors roles, and approved by the Appointments Panels, as follows:

- Comparisons with other similar local authorities
- Recruitment adverts
- Advice from the recruitment partner for these roles

7.1. Executive Directors

Executive Director roles have been set based on job evaluation outcomes and market factors within the range £129,000 to £150,000

Roles are offered on a spot salary basis:

- Executive Director of Climate & Place - £142k (ED1)
- Executive Director of Resources & Corporate Services – pending further work on evaluating the role, within the range £146k
- Executive Director of Community Services - £132k (ED2)
- Executive Director of Strategy, Workforce & Localities - £136k (ED2)

7.2. Service Directors

Service Director roles have been set at three levels, to reflect job evaluation outcomes and market factors. These are as follows:

- SD1 - £115k-£118k
- SD2 - £110k-£115k
- SD3 - £100k-£105k

Roles will be offered on a spot salary basis.

8. Implications

8.1. Legal and Human Resources - The effect of article 3 of the Somerset (Structural Changes) Order 2022 is to make Somerset County Council the legal entity which adopts the functions of the district councils in Somerset on 1st April 2022. The change in name to Somerset Council and the adoption of the district functions by the Council on the reorganisation date as a continuing authority will have no impact on the employment contracts of officers of the County Council.

District Council Officers who are successful in securing posts at Tiers 2 & 3 of the new Council will be offered the new Council's terms & conditions. The exception is where an officer is transferred in their existing role, where relevant transfer ('TUPE') legislation will apply.

Financial Implications – The proposed salaries have been accommodated within the budget for 2023/24 and the business case for local government reorganisation.

Equalities – An equalities impact assessment has been completed for the consultation on the Tiers 2 & 3 Structure of Somerset Council and the redundancy consultation and no significant concerns were raised as a result.

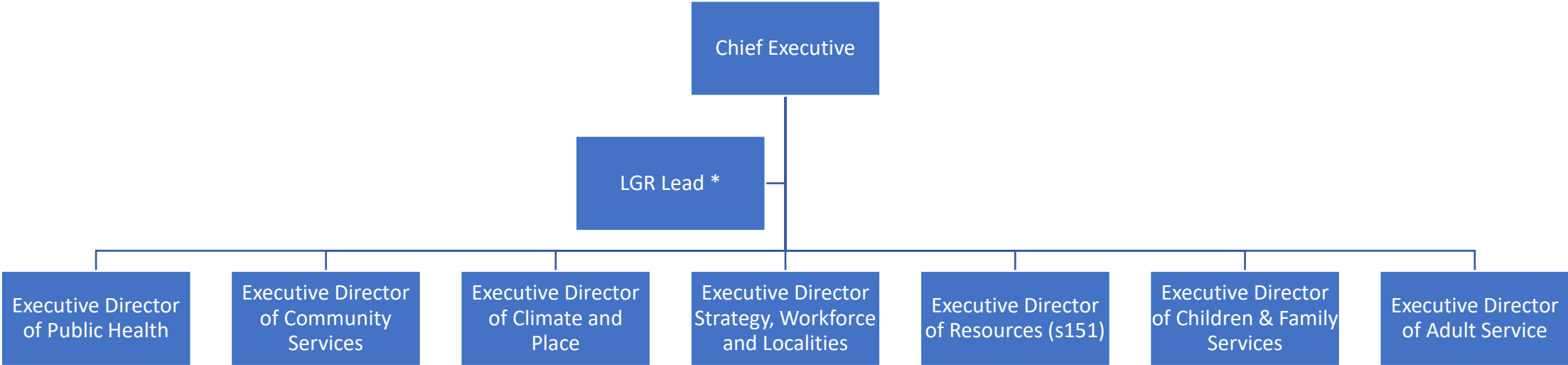
7.0 Background Papers

- Report to Extraordinary Council meeting on 15 June 2022
- Somerset Structural Changes Order 2022 - March 2022
- Officer Arrangements as set out in the Council's Constitution

Appendix One – Proposed Structure of Somerset Council

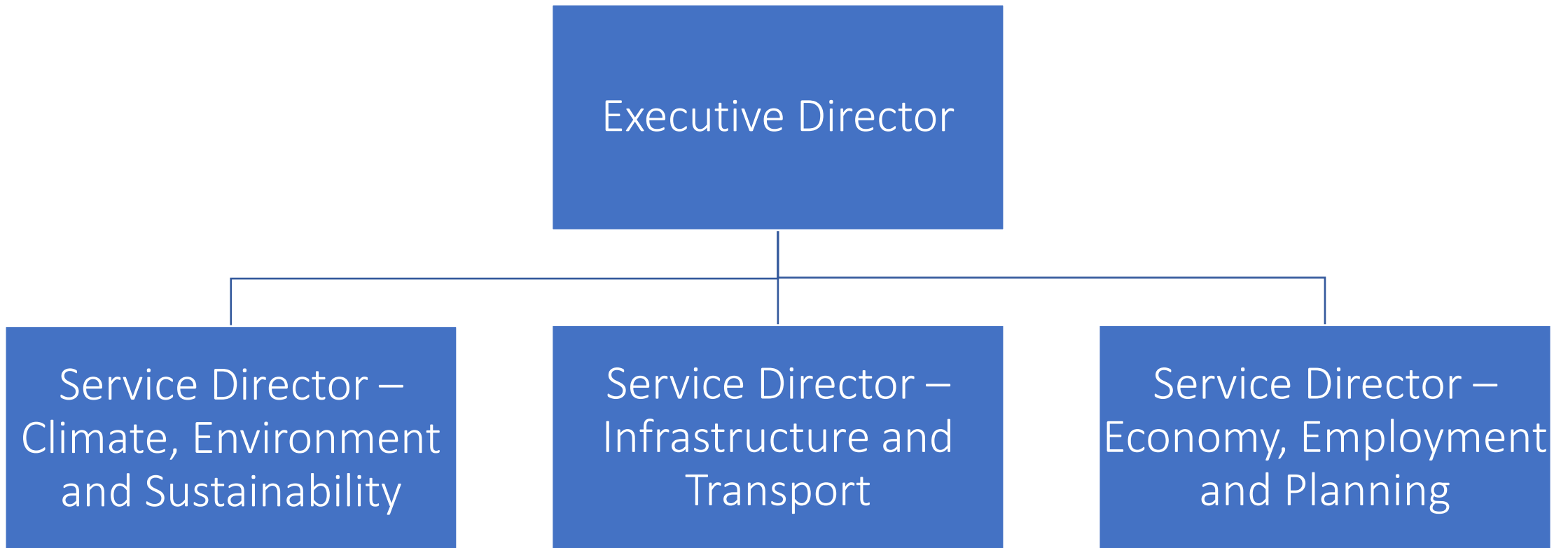
The structure that has been proposed for Somerset Council can be seen in Appendix One

Tier 1 & 2



* Fixed term post to continue delivery of LGR post Vesting Day, if required

Climate and Place



Executive Director Climate and Place

Climate, Environment and Sustainability

- Strategy and Partnership development
- Carbon Neutrality
- Climate Resilience and Adaptation
- Renewable Energy
- Country Parks, Local Nature Recovery Strategy, Local Nature Reserves, AONB Partnerships (Countryside Services)
- Biodiversity (and net gain) and Ecology
- Sustainability
- Waste Service
- Emergency Planning and Business Continuity
- Water Management
- Lead Local Flood Authority & Land Drainage
- Flooding Response
- Coastal Protection Authority
- Somerset Rivers Authority

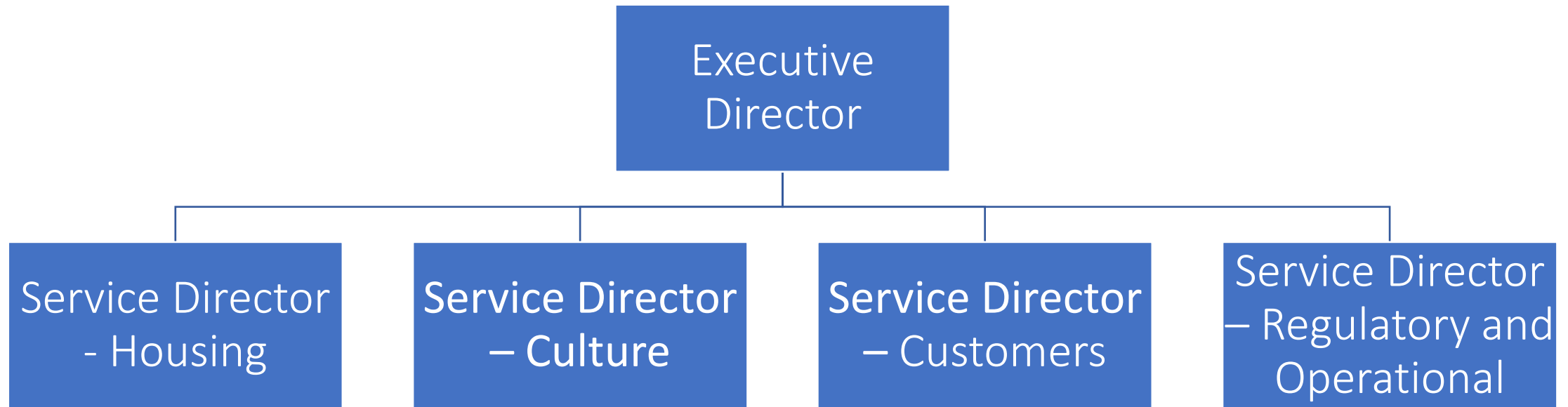
Infrastructure & Transport

- Highways Authority
- Public Rights of Way
- Parking
- Active Travel
- Traffic Management
- Transport
- Public Transport
- Fleet Management
- Contracted Transport
- Strategic Transport Planning
- Highways Major Projects
- Road Safety
- Delivery Programme Management
- Infrastructure Commissioning

Economy, Employment & Planning

- Economic Development
- Planning (conservation and heritage at risk, enforcement, DM, local plan, waste and minerals, s106 allocations/CIL, Phosphates)
- Affordable Housing and Enabling
- City/Town Centre Management
- Building Control
- Trading Standards (Devon partnership)
- Skills
- Education Business Partnership
- Economic infrastructure , services and Innovation Centres
- Regeneration (non-housing)
- Major Projects
- Nuclear Power
- Scientific Services

Community Services



Executive Director of Community Services

Housing

- Strategy and HRA Business Plan
- Arms Length Management Organisation
- Homelessness - Rough Sleepers pathway
- Housing Options & Allocations –
Page 1075
Homefinder Somerset
- Housing and Leaseholder Management
- Housing Maintenance - Responsive and Planned (capital programme), compliance, void management
- Housing Development & Regeneration
- Tenant Services –Worklessness & Tenancy Management (new tenancies, income, debt and benefit support, rent setting, service charges tenancy compliance)
- Somerset Independence Plus and financial assistance – DFG, loans, advice
- Sheltered and Extra Care
- Housing Property Service
- Registered Providers and Partnerships
- Gypsy, Traveller and Van Dweller Services
- People Displacement Schemes and Services

Customer Services

- Customer Service Strategy and Standards
- Corporate Customer Services
- Contact Centre
- Compliments & Complaints, Ombudsman cases
- Local Service Centres
- Customer Engagement and Access

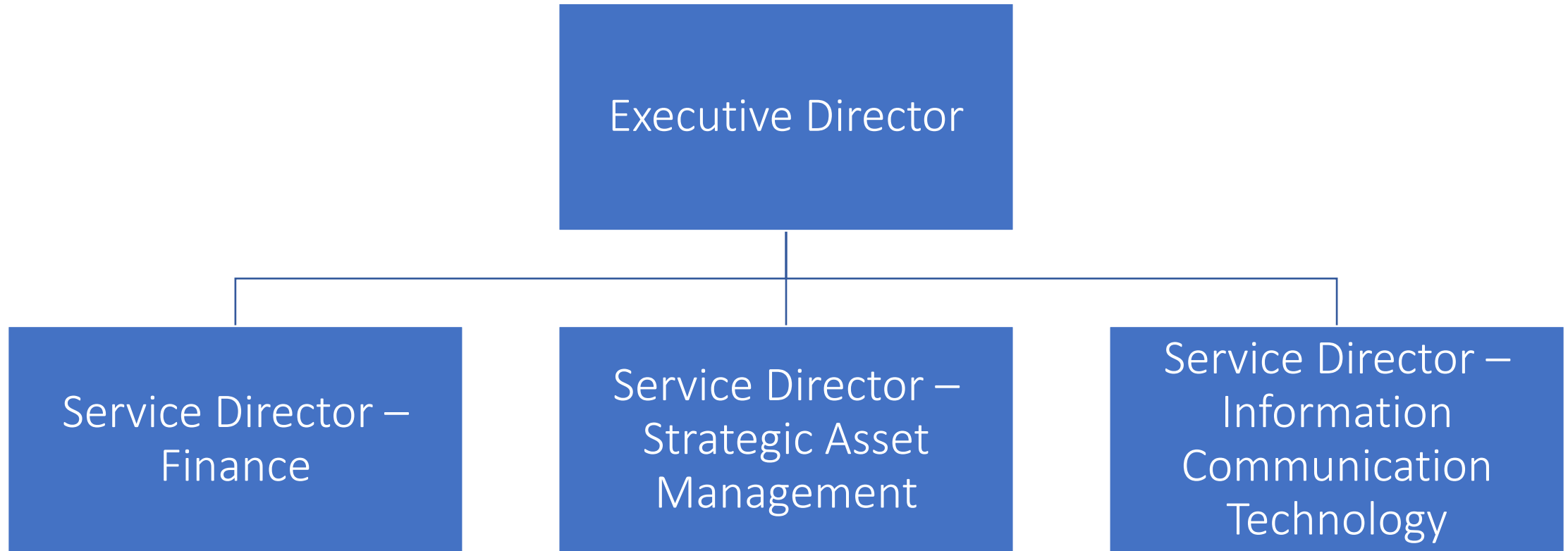
Cultural Services

- Libraries and Local Offer
- Museums
- Theatres
- Leisure Centres, Facilities and Services (contract and direct)
- Sports Development Partnership
- Heritage Assets
- Arts Centres, Facilities, Services and Development
- Culture Facilities, Services and Development
- Tourism Facilities, Services and Development including cafes
- Community Facilities

Regulatory and Operational Services

- Environmental Health and Licensing
- Registrars
- Coroners
- Environmental Protection and Enviro-crime
- Port Health Authority
- CCTV and anti-social behaviour
- Safety Advisory Group
- Private Sector Housing
- Street Cleansing
- Grounds
- Maintenance
- Beach Management
- Unauthorised encampments
- Parks and Play Areas
- Public Toilets
- Dog Wardens
- Operational Service to Partners
- Bereavement Services
- Fairs and Markets

Resources and Corporate Services (s151)



Executive Director Resources and Corporate Services (s151)

Finance

- Finance Services (inc. Business Partners)
- Revenues and Benefits
- Pension Fund
- Capital Management
- Treasury & Corporate Debt Management
- Housing Revenue Account Financial Strategy
- Internal Audit
- Procurement
- External Audit
- Financial Systems
- Risk & Insurance Management
- Direct Payments
- Financial Assessment and Deputyship

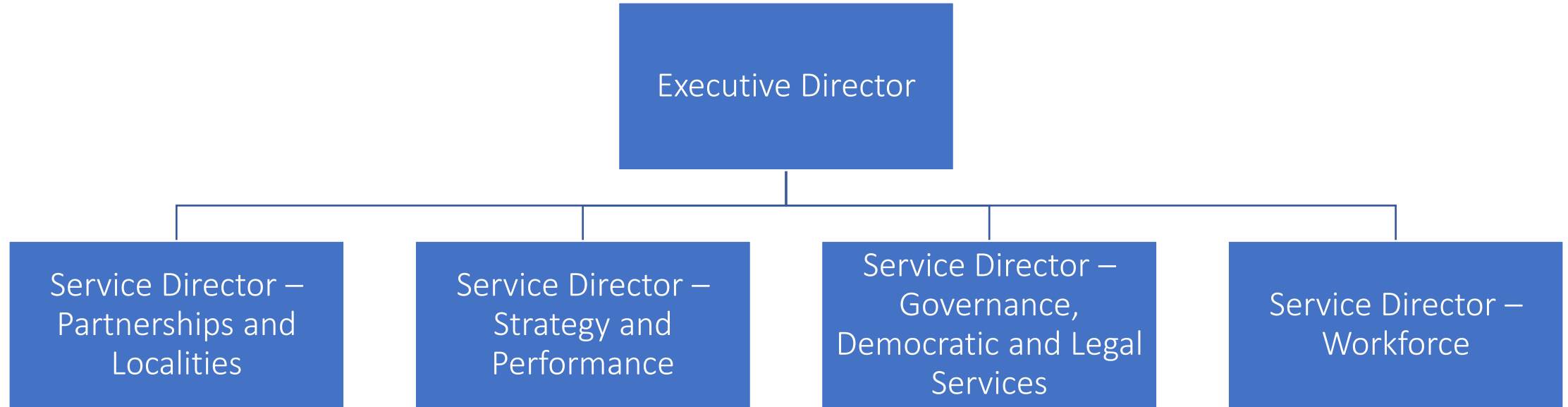
Strategic Asset Management

- Corporate Landlord function (land and property asset management)
- Asset management strategy
- Estates and Valuations
- Rural estate management
- Site acquisition, disposal and development
- Property records & database
- Commercial investment property
- Facilities management, premises contracts, property maintenance & helpdesk
- Premises compliance & risk management, site security and management
- Closed churchyards
- Schools & general fund condition programme
- Estate decarbonisation strategy and delivery
- Construction project delivery – schools and major projects vice & internal consultancy support

Information Communication Technology

- Strategy and Architecture
- Operations & Security
- Support
- Infrastructure
- Telephony
- Technical Project delivery
- Application development
- Innovation, research and development
- Project Pipeline
- Supplier Management
- Service Management
- Future Technology

Strategy, Workforce and Localities



* following conclusion of LGR Programme

Executive Director Strategy, Workforce and Localities +

Partnership and Localities

- Local Community Networks
- Strategic Partnerships
- City, Town and Parish Council Liaison
- Local devolution - Community Asset Transfers, Service devolution
- Community, Voluntary Faith, Social Enterprise Strategy and Engagement
- Volunteering Services
- Engagement
- Locality management, delivery, partnerships and projects
- One Teams
- Community Development
- Special Projects
- Grants & Lotteries

Strategy and Performance

- Strategy and Policy
- Transformation
- Performance and Benchmarking
- Communications
- Programme Management, Project Management
- Change and Improvement
- Business Intelligence and Analysis
- Data Visualisation & Complex Analytics, Data Management/Warehousing
- Digital - Development and Service
- Legislation and Horizon Scanning
- Statutory Returns
- Commissioning Framework and Development
- Address Management (LLPG, LGS, Street Naming and Numbering)
- Land Charges
- GIS
- Corporate Equality and Armed Forces Covenant

Governance, Democratic & Legal Services (MO)

- Member Services and Casework
- Lieutenancy
- Democratic Services
- Elections Operation
- Electoral Registration
- Information Governance and Records Management inc. GDPR, FOI, RIPA
- Corporate Governance Framework
- Annual Governance Statement
- Whistleblowing
- Officer Code of Conduct
- School Admission, Exclusion and Transport Appeal Hearings
- Civic & Ceremonial Duties
- Legal Services: Child Protection Legal Services, Adults Services Legal Services, Commercial and Contracts Legal Services, Property and Conveyancing Legal Services and Employment Legal Services.

Workforce

- Workforce Strategy and Planning
- Organisational Health and Wellbeing
- Operations
- Business Partnering
- Payroll & Pensions
- Organisation Development
- Organisational Learning
- Health and Safety
- Staff Benefits
- Policy & Reward
- Organisational Equality, Diversity and Inclusion
- Change Management

Health ICB/LCNs – prevention and integration

+ Lead Commissioner

Public Health



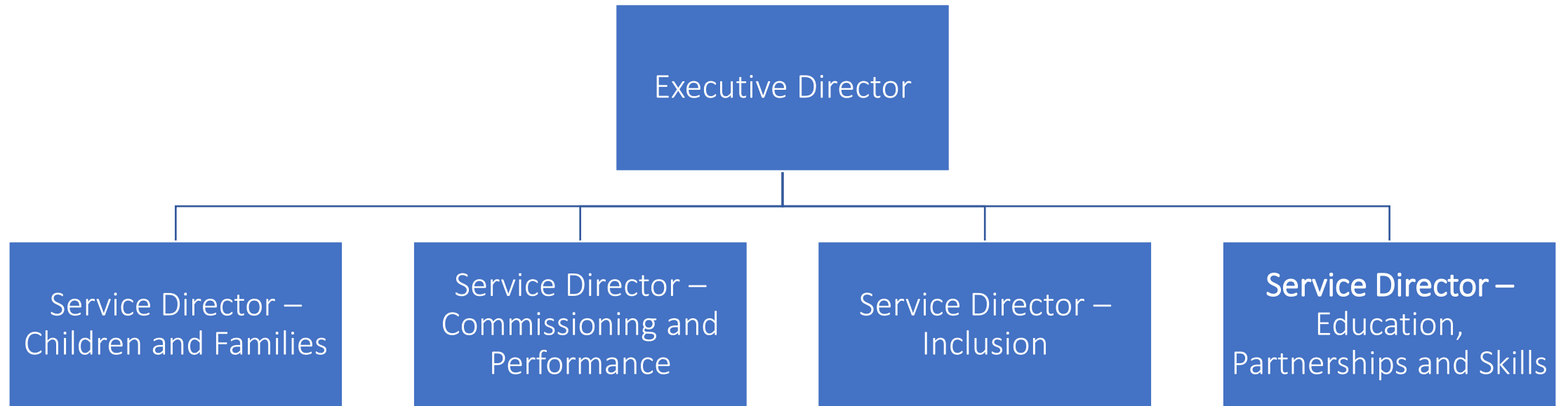
Executive Director of Public Health

Public Health (Deputy Director Public Health)

- Provision of Specialist Public Health advice to the system
- Influencing policy, practice and commissioning to improve health & wellbeing
- Inequality, Inclusion and Diversity (Strategy and Engagement)
- Somerset Health and Wellbeing Board (HWBB & ICP)
- Protection of the Public's Health
- Health Improvement
- Tackling Health Inequalities
- Healthcare Public Health
- Specialist public health advice and support to PCN/LCNs
- Public Health Commissioning
- Public Health Nursing
- Healthy Lifestyle Services
- Provision of public health training/lecturing
- Centre for Specialist Registrar Training
- Behavioural Insights
- Public Health Research and Evaluation & links with academia
- Health and Care Knowledge, Intelligence & Clinical audit (preferably joint for ICS)
- Population Health
- Community Safety Partnership
- Domestic Abuse
- VRU/VAWG

Health ICB/LCNs – prevention and integration

Children Services



Executive Director Children Services

Children and Families

- Children Looked After and Care Leavers
- Children with Disabilities
- Preventative Services
- Quality Assurance
- Principal Social Worker

Commissioning and Performance

- Commissioning
- Business Support
- Partners and Market Development
- Safeguarding Partnership

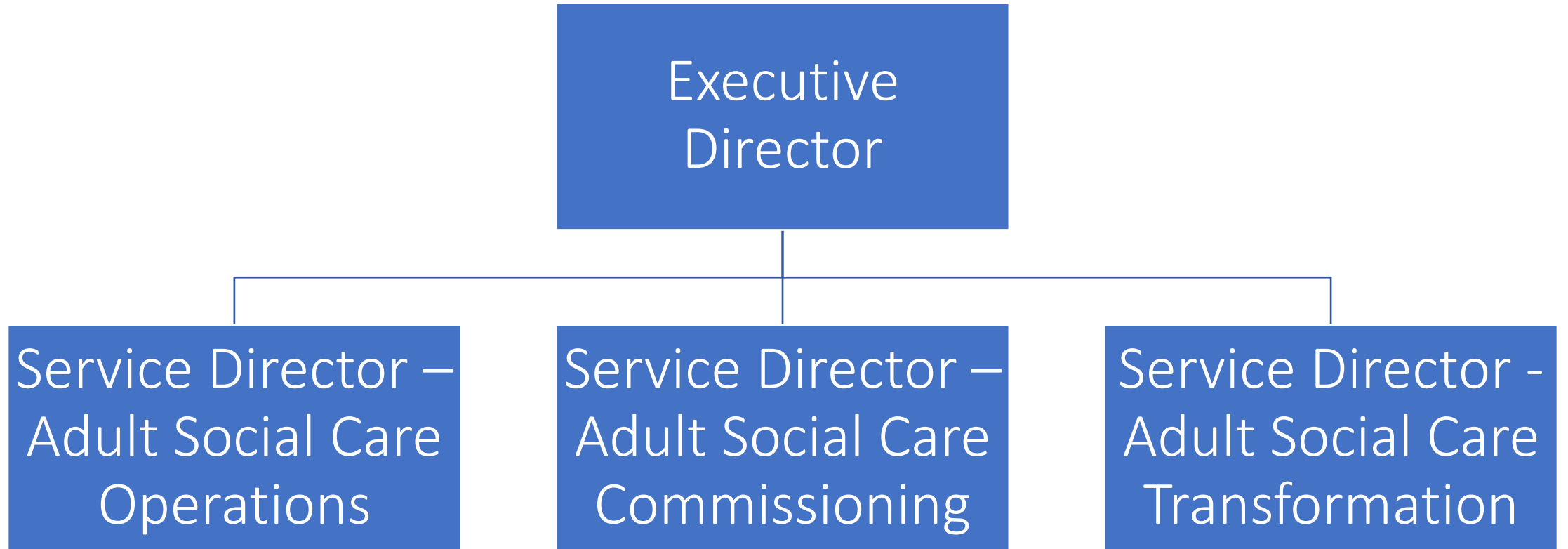
Inclusion

- Special Educational Needs and Disability
- Access & Additional Learning Needs
- Virtual School & Learning Support Service
- Special Educational Needs Advisory Services & Educational Psychologist

Education, Partnerships and Skills

- Support Services for Education
- Early Years
- School Improvement
- Sufficiency
- Somerset Association of Primary Headteachers

Adult and Health Services



Executive Director Adult and Health Services

Service Director Operations

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- Acutes
- Safeguarding
- Partnership
- Neighbourhoods/Communities
- Intergration
- Carers
- Care/Alarm Lines and Rapid Responders

Service Director Commissioning

- Market development
- Joint commissioning
- Community and Innovation linked to Neighbourhoods
- Assurance/inspection
- Brokerage
- Quality & Performance

Service Director Transformation

- Adults' transformation programme
- Delivery of legislative change
- Adults' strategy and alignment with ICS strategy
- Service governance and forward planning
- Communications

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Somerset County Council

County Council

– 22 February 2023

Report of the Independent Remuneration Panel

Division and Local Member: All

Lead Officer: Scott Wooldridge, Monitoring Officer and Strategic Manager – Governance & Democratic Services

Author: Andrew Melhuish, Service Manager – Member Development & Support, Governance & Democratic Services

Contact Details: andrew.melhuish@somerset.gov.uk

1. Summary/link to the Corporate Plan

- 1.1. This report sets out the proposals in relation to the Members Allowances 2023/24 for the new Somerset Council. The proposals have been developed in consultation with the Somerset Independent Remuneration Panel (“the Panel”) following their review of the proposed Scheme of Member’s Allowances 2023/24 which was carried out by the Panel in January and February 2023.
- 1.2. The role of this report, is to:-
 1. Recommend a Scheme of Members’ Allowances for the new Somerset Council for 2023/2024; and to
 2. Request that the Council asks the Panel to undertake a further review of the Scheme of Members’ Allowances during late 2023/24 (including interviewing members to fully understand workloads and responsibilities in the new unitary council) and for that review and any recommendations to be reported to Full Council in February 2024.
- 1.3. 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 Panel to make recommendations to the Council on members’ allowances. The Council must have regard to the Panel’s recommendations before making decisions in relation to members’ allowances but doesn’t have to accept them. Where the Council doesn’t accept the Panel’s recommendations it should give reasons for not doing so.
- 1.3 All Members have a personal and prejudicial interest in the receipt of allowances, but the Council’s Code of Conduct includes a dispensation allowing members to attend relevant meetings and vote on this matter. This paragraph has the effect of declaring this interest by all Members at this meeting of Council. Members do not need therefore to make a verbal declaration at the Council meeting.

2. Recommendations

2.1 Council is recommended to:

- (a) Thank the Panel for its report and recommendations set out in Appendix 1;**
- (b) Consider the Panel's recommendations when determining the Scheme of Members' Allowances 2023/24 set out in the Panel's report attached as Appendix 1 and the draft Scheme of Members' Allowances 2023/24 (set out in Appendix 2);**
- (c) Support the Panels recommendation for a further review of the Members' Scheme of Allowances for 2024/2025, and for this to be reported to the Council by February 2024;**
- (d) Authorise the Monitoring Officer to finalise and make any amendments to the Scheme of Members' Allowances required as a result of the Council's decisions in (b) above.**

3. Background

- 3.1** In 2020 the One Somerset Business Case set out proposals for reducing the number of councillors in the five local authorities in Somerset from 279 to 100 members. The Business Case highlighted savings of £500k in respect of member allowances with this reduction to 100 members.

As part of the Structural Change Order in March 2022 it required that the number of councillors for Somerset County Council from May 2022, until Vesting Day in April 2023, would be 110 members.

Following the May 2022 County Council elections, 110 Councillors representing 55 divisions were elected to represent the County Council through to 31 March 2023. From 1 April 2023 until elections in May 2027 those 110 Councillors will represent the new unitary authority. Overall, the number of Councillors in the County will have reduced from a total of 324 to 110 (Mendip DC x 47 members, Sedgemoor DC x 48 members, Somerset West & Taunton x 59, South Somerset x 60 and Somerset County Council x 110).

In July 2022 the Council recommended that an Independent Remuneration Panel for Somerset Council should be established to advise on the development of the 2023/24 Scheme of Members Allowances for the new Somerset Council.

An extensive recruitment process was undertaken and following an interview process 5 panel members were selected to form a new Somerset Independent Remuneration Panel. The Monitoring Officer in consultation with the political group leaders confirmed the appointments in late December 2022.

The Panel met on a number of occasions with meetings taking place virtually and most recently on 6 February 2023. The culmination of that work is set out in the report of the Panel attached as Appendix 1.

In making its recommendations, the Panel considered the impact of the creation of a new unitary Somerset Council upon the role and responsibilities of councillors and in particular the impact of the reduction in the number of councillors in the county from 324 to 110. The Panel also reviewed comparator data for similar unitary authorities (see table below), reviewing the role descriptions for councillors, submissions from senior officers regarding the responsibilities and scope of the new council and economic data on inflation and national pay awards.

Comparator information (Based on figures for 2023/2024)

Authority	Basic Allowance	Leader of Council	Deputy Leader	Executive member	Population	Number of Councillors
Wiltshire	15,610	39,025	31,204	23,415	510,400	98
North Yorkshire	15,500	39,654	21,165	19,554	614,505	90
Cornwall	17,681	32,711	24,533	22,897	570,300	87
Somerset Council	15,500	31,000	23,250	20,150	569,400	110

The Panel's report makes recommendations for Basic Allowance and Special Responsibility Allowances for councillors in 2023 to 2024, which is the first year of the new unitary authority Somerset Council. The key recommendations from the Panel include:

- Basic Allowance for new Council = £15,500
- Banding of SRA for Leader (2.5 x BA = £31,000), Deputy Leader (1.5 x BA £23,250) & Executive Leads (1.3 x BA £20,150)
- Banding of SRA for Opposition Leader (Conservative) & Chair of Council (1 x BA £15,500)
- Banding of SRA for Strategic Planning Chairs (0.5 x BA £7,750) & Vice Chairs SRA's (0.25 x BA £3,875)
- Banding of SRA for Licensing Committee and Planning Sub-Committee Chairs (0.5 x BA £7,750) & Vice Chairs SRA's (0.25 x BA £3,875)
- Banding of SRA for 5 Scrutiny Committee Chairs (0.5 x BA £7,750) & Vice Chairs SRA's (0.25 x BA £3,875)
- Carers' Allowance – remain as per current SCC scheme
- Mileage & Subsistence – remain as per current SCC scheme

In view of the new functions and role of the unitary council and the 110 councillors from 1 April 2023, it is proposed that the Council requests that the Panel will carry out a further review of member allowances in autumn of 2023, including interviewing councillors around their workloads and commitments in their new roles as unitary councillors. This work will be used to inform any recommendations to be implemented in April 2024.

4. Implications

- 4.1** Financial: The existing base budget for Members allowances in 2022/23 for 55 County Council and 214 District Members is £2,744,700. The base budget for 2022/23 is not comparable to the budget need for 2023/24 as there is much change within Members duties across the five existing authorities to that to be undertaken as part of Somerset Council to be considered.

Following the May 2022 elections, the number of Somerset County Councillors increased from 55 to 110. To support the increase in the number of councillors a one-off budget of £682,000 was made to meet the additional costs of the increase in members for 2021/2022.

Allowance has been made in the Medium-Term Financial Plan for the Members expenses budget requirement in 2023/24 to include an additional 55 Members up to 110 for Somerset Council and also for a potential increase in basic/special responsibility allowances in line with other Unitary Authorities (Increase Basic Allowance to £13,900) which resulted in a net saving to Somerset Council put forward in 2023/24 of approx. £520,000.

This gives an MTFP 2023/2024 budget for member allowances of £2,277,900.

The Panel's recommendations propose a Basic Allowance of £15,500 and with changes to banding and a number of new Special Responsibility Allowances to reflect the new roles to be undertaken in the new Council, this gives a total member allowance budget of £2,338,400; the 2023/2024 budget has been adjusted to reflect the proposals set out in the report, based on this figure (£2.3 million).

- 4.2** Legal: The legal requirements are set out in the report.

The proposed Members' Allowance Scheme complies with the relevant provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003; the Local Government and Housing Act 1989 and the Local Government Act 2000.

As soon as reasonably practicable after the making of a Scheme, copies of the Scheme have to be made available for inspection at the Council's office and a notice has to be published in a local newspaper.

The Standards Committee has granted a dispensation to all elected members to participate and vote on setting the 2023/24 Scheme of Members' Allowances.

4.3 Risk: The risks are reputational rather than legal. The Council does not have to accept the Panel's recommendations but where it chooses not to do so it should give reasons that can be part of the record of the meeting. The Council is required to give reasons where it chooses not to accept Panel recommendations on allowances.

4.4 Equalities:

Under section 149 of the Equality Act 2010, the council has a duty when exercising its functions to have "due regard" to the need to eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act and advance equality of opportunity and foster good relations between persons who share a protected characteristic and persons who do not. This is the public sector equality duty.

When setting the Scheme of Members' Allowances, consideration needs to be given as to how the allowances enable the Council to attract high quality candidates to stand as councillors, from a wide variety of backgrounds, whilst also ensuring that financial barriers to anyone who wishes to stand for election are minimised.

The proposed Scheme of Members' Allowances relates to all 110 elected members across all 55 electoral divisions. It applies to all 110 members equally.

Other implications: There are also no sustainability or community safety implications.

5. Background papers

5.1 Independent Remuneration Panel –review

Local Authorities (Members' Allowances) (England) Regulations 2003
Standards Committee meeting 1 February 2023 – grant all members a dispensation

Scheme of Member Allowances 2022 - 2023 available at on the following link
[SCC allowances and expenses](#)

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Somerset Council Independent Remuneration Panel – Report of the Independent Remuneration Panel on Allowances for the Members of Somerset Council for 2023/2024

Date of report: February 2023

1. Summary

The Remuneration Panel was set up following a resolution from Somerset County Council in July 2022 recommending that a new Independent Remuneration Panel to consider allowances for the new Somerset Council should be in place by Autumn 2022.

A recruitment process was undertaken and following an interview process five panel members were selected to form the new Somerset Independent Remuneration Panel, in accordance with legislation approved in 2003. Panel members normally serve a three-year term of office. A member may be reappointed by a further term of three years, meaning that each member can only sit for a maximum of six years on the Panel. At the first Panel meeting the Chair was appointed to serve for an initial 1-year term until March 2024.

Although the Panel is appointed by Somerset County Council we are an independent body. Our responsibility is to review the Council's Members' Allowance Scheme to ensure that payments are set at the appropriate level to undertake the role and at the same time to ensure the Scheme is sufficiently attractive to all who would wish to serve as a Councillor of Somerset Council.

In terms of independence Panel members are not employees and are therefore independent of the Council. Panel members are not line managed but are expected to complete an application through the Council's Volunteer Team to ensure compliance with basic data protection policies and the Council's insurers.

Support to the Panel is provided by the Council as and when required. The Panel members have agreed that they will not receive an allowance for their role but can claim reimbursement for reasonable travel and subsistence costs incurred on Panel business in line with rates set by Somerset Council.

The Panel will make their first recommendations to Somerset County Council on 22 February 2023 on the levels of remuneration that are considered justified for the new Somerset Council's members to retain the balance between public duty and a realistic recompense for the time given up, plus commitment and responsibility in undertaking the role of a unitary Councillor.

From 1 April 2023 there will be a new unitary Somerset Council, which will see all the services and duties previously carried out by 5 local authorities to be undertaken by the new unitary Council. The development and implementation of the new Council is

a challenging undertaking for officers and members and many decisions about form and function will be made at the February 2023 meeting of the County Council. As such, there are a number of elements of the new Council relating to the work of the Councillors that are not yet in place. This means that it is difficult for the members of the Panel to quantify and evaluate the workload of Councillors in the first year of the new Council and the precise demands that will be placed upon them.

The Panel used comparator data from unitary authorities which have similarities although none are identical, some of which have been established for some time to offer a useful insight into the roles of a unitary Councillor. The Panel also consulted with Group Leaders on their views of the proposed levels of allowances.

In May 2022 at the County Council elections, 110 Councillors representing 55 divisions were elected to represent the County Council through to 31 March 2023. From 1 April 2023 until elections in May 2027 those 110 Councillors will represent the new unitary authority. Overall, the number of Councillors in the County will have reduced from a total of 324 to 110 (Mendip DC x 47 members, Sedgemoor DC x 48 members, Somerset West & Taunton x 59, South Somerset x 60 and Somerset County Council x 110). With the new unitary authority being created it is expected that this will lead to an increase in workload for the new unitary Councillors, given the full range of functions of the former County and District Councils including education, social services, highways, planning, licensing and housing.

For 2023/2024 the Panel has received advice from senior officers of the Council and has reviewed data from comparable unitary authorities. Based on this information the Panel is recommending a starting **Basic Allowance of £15,500**. The Panel has also reviewed the Special Responsibility Allowances for existing roles and to those newly created roles which will commence on 1 April 2023 *(as noted it has been difficult for the Panel at this early stage before the new unitary comes into existence, to fully assess these roles)*.

The Panel recognise that the rates proposed will be for the first year of the new unitary Council and will commit to undertake a full review during 2023 including meeting key councillors to fully understand the workload of councillors in the new council and those who have undertaken new roles.

The Panel acknowledge that the new Council is seeking to create 18 Local Community Boards to act as a forum for community voice, engagement and influence, which in the first year of the new Council will be developed. The Panel will review evidence from members on the workloads and commitment arising from the Local Community Boards in their future work and to determine if any Special Responsibility Allowances will be claimable by members.

In respect of Travel and Subsistence Allowances the Panel recommends that existing rates contained in the current Somerset County Council allowances scheme are retained as they are in line with rates of travel and subsistence claimable by Council employees.

If any changes are made to the staff rates then the Councillor levels should be adjusted accordingly to come into effect at the same time.

2. Independent Remuneration Panel for Somerset Council

We represent the Independent Remuneration Panel which reports to Somerset County Council on 22 February 2023. As from 1 April 2023 the Panel will continue in office and report to the new Somerset Council. It is anticipated that the Panel will conduct annual reviews whilst it understands the workloads and case work for the new unitary Councillors.

The Council seeks the advice of the Panel before making any changes or amendments to the Members' Scheme of Allowances and therefore should take its reasoning into account before setting a new or amended Allowance Scheme.

The current membership of the Independent Remuneration Panel is as follows:

David Lamb – Panel Chair

Owner of a number of businesses in the Bridgwater area employing around 300 employees. Previously served as the Chairman of the Sedgemoor District Council Independent Remuneration Panel.

Bryony Houlden – Panel Member

Chief Executive of South West Councils which is a membership organisation of all 29 local authorities in the South West (from April 2023). Currently sits on a number of other Independent Remuneration Panels, including Devon County, Cornwall, Plymouth, Torbay, Bristol and Bath & North East Somerset Council's, previously a member of the Joint Somerset Independent Remuneration Panel.

Mel Hillman – Panel Member

Former Corporate Service Manager at Yeovil Hospital before retiring. Also worked as a School Clerk on a local school Board of Governors.

Dr Paull Robathan – Panel Member

Governor of the Foundation Trust and Independent Governor of the Health Trust and a former district councillor. Also worked for Government agency conducting independent peer reviews.

Phil Gait – Panel Member

Retired, a former district councillor and member of a local parish council.

3. Terms of Reference for the Panel:

- To consider issues relating to Members' remuneration and expenses.
- To consider any representations.
- To make recommendations and provide advice to the County Council and from 1 April 2023 to the new Somerset Council.
- To carry out a full review of Basic Allowances and Special Responsibility Allowances.

4. Background

The Panel considered evidence including national and local contextual information on benchmarking data, financial context and input from Senior Council Officers.

On 21 July 2021 the Government approved that the current 5 local authorities in Somerset would be replaced by a new single Council, to come into place on 1 April 2023.

The new Council will have the responsibility to deliver all of the services that were previously delivered by the District Councils and County Council in Somerset.

In May 2022 elections took place for 110 County Councillors representing the 55 electoral divisions. The 110 Councillors have been elected to the County Council until 31 March 2023 and will continue into the new unitary authority for the period from April 2023 until elections in May 2027. In total this is a term of office of 5 years.

The role of Councillors in the new unitary Council will change considerably from April 2023 as the new unitary authority takes on the responsibilities of all five Councils that previously provided services in the County. There will be a strong emphasis upon locality working, community leadership and linking in with Parish, Town and City Councils and other local bodies. The new Council will also have more statutory and regulatory responsibilities including planning and licensing functions along with housing landlord functions. The Panel referred to data from other unitary authorities and received information from Council officers. Using the available information, the Panel has determined Basic and Special Responsibility Allowances for 2023/2024.

In the autumn of 2023, the Panel commence its report for 2024/2025 and will invite Councillors to provide information on their workloads and areas of responsibility within the new unitary council.

5. Councillors' Basic Allowance

All local authorities must make provision in its scheme of allowances for a basic flat rate allowance payable to members. The allowance must be the same for every Councillor and is paid in equal instalments throughout the year. At Annexe 1 are details of the comparator information with other unitary authorities, that the Panel has used in making their recommendations.

In formulating its recommendations, the Panel was guided by the following:

- Councillors volunteer for their roles. They are not remunerated at a commercial rate for their time, as if they were employees.
- The Council should feel able to attract high quality candidates to stand as councillors from a wide variety of backgrounds and there should be no financial barrier to anyone who wishes to stand for election.
- The level of allowances paid reflect that of allowances in comparable unitary authorities.

The Panel focused on an assessment of the level of workload for the new Council and comparator data from existing long running unitary councils and those who have set allowances for new unitary authorities created in April 2023.

Previously the former Joint Independent Remuneration Panel for Somerset County Council had calculated Basic Allowances based on an appropriate spinal point on the Officers pay scale and discounted by a third to reflect the voluntary element of the work. The daily rate has then been multiplied by the equivalent of 4 days a week (the average time that members spend on Council business) to give the final calculation.

The Panel acknowledge that this approach had worked well for the Joint Panel and the County Council, however for 2023 to 2024 the Panel is using a simpler methodology, based upon reviewing the basic allowance of other comparable authorities and determining where it would be appropriate to set the remuneration level for councillors in the new Somerset Council.

Panel Recommendation - Basic Allowance:

The Panel concludes that the Basic Allowance for 2023 to 2024 should be £15,500.

The Panel recognised the comparator information in respect of rates paid in other unitary authorities and to statements from senior officers regarding the anticipated increase in the workload for the new unitary Councillor.

6. Councillors' Special Responsibility Allowances

The Panel also considered the provision for the payment of Special Responsibility Allowances for those Councillors who have significant responsibility over and above the normal work of a Councillor.

Panel Recommendation – Special Responsibility Allowance:

The Panel reviewed specific SRA roles, including new SRA roles and their recommendations are set out in Annexe 2.

The Panel has set new SRA roles based on comparator data and will revisit SRA levels later in 2023 by conducting interviews with Councillors who have a specific responsibility. This will give Councillors who are undertaking SRA roles in the new authority an opportunity to provide evidence on their workloads to the Panel ahead of any further recommendations the Panel may wish to make in respect of the levels of SRA's claimable in 2024/2025.

7. Co-opted Member Allowances

The Panel reviewed the comparator data for co-opted member allowances and feel that the allowance of £1,000 should continue for 2023/2024.

The Panel were also invited to consider whether an allowance should be claimable by members of the Independent Remuneration Panel; this formed part of the recommendations from Full Council in July 2022. The Panel members confirmed that they were content with their roles being voluntary and recommended that no allowance would be claimable, only those for travel and subsistence in line with the Councillor rates.

Panel Recommendations – Co-opted members:

The Panel recommend that the current level of co-opted allowance remains at £1,000.

The Panel recommend that the role of the Independent Remuneration Panel member should remain as voluntary and that no allowance is claimable.

8. Parental Leave and Carer's Allowance

The Panel supports the arrangements contained in the current Somerset County Council scheme for Parental Leave and recommend that this continues for the new Council. In respect of Carers' Allowances the Panel supports that the new scheme should continue to provide for payment of expenditure for childcare and carers' which ensures members have the opportunity to undertake their duties and provide care to their dependents.

Panel Recommendation – Parental Leave and Carers’ Allowance:

The Panel recommend that the Scheme of Allowances continues to include a Parental Leave and Carers’ Allowance in line with the current Somerset County Council scheme.

9. Travel and Subsistence

The Panel reviewed the current rates in the Somerset County Council’s scheme for travel and subsistence. Those arrangements are linked to the rates for Council employees and the Panel recommend that the travel and subsistence rates for councillors should be in line with those claimable by Council employees.

Panel Recommendation – Travel and Subsistence:

The Panel recommend that the travel and subsistence rates for councillors should remain in line with those claimable by council employees as set out in Annexe 2.

Looking ahead 2023 and beyond

The Panel has responded to a tight timescale in preparing its recommendations with the Council meeting in February 2023 looming. The Panel recognise that during 2023 they will be required to carry out further work to review allowances. The Panel propose to undertake a survey of members and will be followed by the Panel conducting interviews with councillors; this work will commence in November 2023 allowing evidence reflecting six months operation of the new Somerset Council to be collected. The Panel will use the survey results and interviews to inform making any recommendations to Council in February 2024.

As Panel Chair, I would like to thank my fellow Panel members for bringing robust challenge to the process and being able to work quickly to ensure that recommendations on the allowances for councillors in the new authority can be submitted. Finally, on behalf of the Panel I would like to thank Scott, Andrew and Laura for their support and guidance in assisting the Panel in their work.

David Lamb

Chair – Somerset Independent Remuneration Panel

February 2023

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Basic Allowance – Comparator information (Based on figures for 2023/2024)

Authority	Basic Allowance	Leader of Council	Deputy Leader	Executive member	Population	Number of Councillors
Wiltshire	15,610	39,025	31,204	23,415	510,400	98
North Yorkshire	15,500	39,654	21,165	19,554	614,505	90
Cornwall	17,681	32,711	24,533	22,897	570,300	87
Somerset Council	15,500	31,000	23,250	20,150	569,400	110

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Special Responsibility Allowances – IRP Recommendations for 2023/2024

Member Role	Rate of SRA from 1/4/23 (BA £15,500)		
	Band	Multiplier £	Total £
Council Leader	1	2.5	31,000
Deputy Leader	2	1.5	23,250
Lead Member	3	1.3	20,150
Opposition Leader (Conservative)	4	1.0	15,500
Chair of County Council	4	1.0	15,500
Chair of Strategic Planning Committee	5	0.5	7,750
Chair of Planning Sub-Committee North	5	0.5	7,750
Chair of Planning Sub-Committee East	5	0.5	7,750
Chair of Planning Sub-Committee South	5	0.5	7,750
Chair of Planning Sub-Committee West	5	0.5	7,750
Chair of Licensing & Regulatory Committee	5	0.5	7,750
Chair Constitution & Governance Committee	5	0.5	7,750
Chair of Audit Committee	5	0.5	7,750
Chair of Scrutiny for Policies, Adults & Health Committee	5	0.5	7,750
Chair of Scrutiny for Policies, Children and Families Committee	5	0.5	7,750
Chair of Scrutiny for Policies, Environment Committee	5	0.5	7,750
Chair of Scrutiny for Policies, Place Committee	5	0.5	7,750
Chair of Scrutiny for Policies and Communities Committee	5	0.5	7,750

Chair of Pensions Committee	6	0.25	3,875
Chair of Standards Committee	6	0.25	3,875
Chair of Pension Fund	6	0.25	3,875
Vice-Chair of County Council	6	0.25	3,875
Associate Lead Members	6	0.25	3,875
Vice-Chair of Constitution & Governance Committee	6	0.25	3,875
Vice-Chair Strategic Planning Committee	6	0.25	3,875
Vice-Chair Licensing & Regulatory Committee	6	0.25	3,875
Vice-Chair Audit Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Policies, Adults & Health Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Policies, Children and Families Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Policies, Environment Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Policies, Place Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Policies and Communities Committee	6	0.25	3,875
Vice-Chair of Planning Sub-Committee North	6	0.25	3,875
Vice-Chair of Planning Sub-Committee East	6	0.25	3,875
Vice-Chair of Planning Sub-Committee South	6	0.25	3,875
Vice-Chair of Planning Sub-Committee West	6	0.25	3,875
Opposition Group Spokespersons Deputy Leader (Conservative)	6	0.25	3,875
Group Leader Labour	6	0.25	3,875
Group Leader Independent	6	0.25	3,875
Group Leader Green	6	0.25	3,875
Co-opted members	-	-	1,000

SUMMARY OF RATES OF ALLOWANCES FOR MEMBERS

1	TRAVELLING ALLOWANCE	Pence per mile
	Mileage rate up to 10,000 miles	45.00
	Over 10,000 miles	25.00
	Passenger supplement (5p per person per mile)	
	Motor Cycle	24.00
	Bicycle Allowance	20.00

2 SUBSISTENCE ALLOWANCE

- Breakfast allowance (more than 4 hours away from the normal place of residence before 11 am) – up to a maximum of £9.01;
- Lunch allowance (more than 4 hours away from normal place of residence, including the lunchtime period between 12 noon and 2 pm) – up to a maximum of £12.40;
- Tea allowance (more than 4 hours away from normal place of residence, including the period 3 pm to 6 pm) – up to a maximum of £4.82;
- Evening meal allowance (more than 4 hours away from the normal place of residence, ending after 7 pm) – up to a maximum of £15.36.

These payments only apply to duties undertaken outside of Somerset. Subsistence cannot be claimed for duties undertaken in Somerset.

3	OVERNIGHT ABSENCE	£
	maximum	144.45
		162.91 (within London)
4	CO-OPTED MEMBERS FINANCIAL LOSS	£
	(evidence based)	
	up to 4 hours	27.65
	over 4 hours	55.31

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Annex 2
Updated list

Member Role	Rate of SRA from 1/4/23 (BA £15,500)		
	Band	Multiplier £	Total £
Council Leader	1	2.5	38,750
Deputy Leader	2	1.5	23,250
Lead Member x 8	3	1.3	20,150
Opposition Leader (Conservative)	4	1.0	15,500
Chair of Council	4	1.0	15,500
Chair of Strategic Planning Committee	5	0.5	7,750
Chair of Planning Sub- Committee North	5	0.5	7,750
Chair of Planning Sub- Committee East	5	0.5	7,750
Chair of Planning Sub- Committee South	5	0.5	7,750
Chair of Planning Sub- Committee West	5	0.5	7,750
Chair of Licensing & Regulatory Committee	5	0.5	7,750
Chair Constitution & Governance Committee	5	0.5	7,750
Chair of Audit Committee	5	0.5	7,750
Chair of Scrutiny Adults & Health Committee	5	0.5	7,750
Chair of Scrutiny Children and Families Committee	5	0.5	7,750
Chair of Scrutiny Communities Committee	5	0.5	7,750
Chair of Scrutiny Climate & Place Committee	5	0.5	7,750

Chair of Scrutiny Corporate & Resources Committee	5	0.5	7,750
Chair of Pensions Committee	6	0.25	3,875
Chair of Standards Committee	6	0.25	3,875
Chair of Pension Fund	6	0.25	3,875
Vice-Chair of Council	6	0.25	3,875
Associate Lead Members x 9	6	0.25	3,875
Vice-Chair of Constitution & Governance Committee	6	0.25	3,875
Vice-Chair Strategic Planning Committee	6	0.25	3,875
Vice-Chair Licensing & Regulatory Committee	6	0.25	3,875
Vice-Chair Audit Committee	6	0.25	3,875
Vice-Chair of Scrutiny for, Adults & Health Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Children and Families Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Communities Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Climate & Place Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Corporate & Resources Committee	6	0.25	3,875
Vice-Chair of Planning Sub-Committee North	6	0.25	3,875
Vice-Chair of Planning Sub-Committee East	6	0.25	3,875
Vice-Chair of Planning Sub-Committee South	6	0.25	3,875
Vice-Chair of Planning Sub-Committee West	6	0.25	3,875
Opposition Group Spokespersons Deputy Leader (Conservative)	6	0.25	3,875

Group Leader Labour	6	0.25	3,875
Group Leader Independent	6	0.25	3,875
Group Leader Green	6	0.25	3,875

Co-opted member allowance £1,000

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Draft Somerset Council Scheme of Members' Allowances – 2023/24

1. INTRODUCTION

- 1.1 The Council's Scheme provides for payment of:
- a Basic Allowance (BA), a flat rate payable to each Councillor;
 - a Special Responsibility Allowance (SRA) for Members undertaking "special responsibilities", as defined by the Council;
 - a Carer's Allowance (CA) to reimburse expenditure incurred by Members (a) in providing child care arrangements and (b) on professional care for elderly, sick or dependent relatives to enable them to undertake approved duties; and
 - Travel Allowances and Subsistence Allowances for Members undertaking 'approved duties'.

2. GENERAL POINTS

- 2.1 The term "Member" in these notes means a Somerset Council Councillor.
- 2.2 Members have the option of not claiming all or part of an allowance. The Finance Director must be notified in writing if a Member wishes to pursue this option.
- 2.3.1 Where the Member's term of office or appointment to a post qualifying for SRA begins or ends during the financial year, he/she is entitled to the appropriate proportion of the annual payment.
- 2.4 In the case of a Council election year, all positions / posts held by Members on the Council (including posts qualifying for SRA) remain valid until the day of the Annual Meeting of the Council (the first meeting of the new Council following the election) and therefore Members holding those posts will continue to receive allowances. This is until a replacement is appointed, unless the post-holder ceases to be a Member of the Council in which case any appointment is invalid from that point and any associated allowance payment will cease.
- 2.5 All enquiries relating to members allowances should be made to the Democratic Services team on 01823 357628 or by emailing DemocraticServicesTeam@somerset.gov.uk

3. BASIC ALLOWANCE (BA)

- 3.1 A BA of £15,500 per annum has been approved for 2023/24 and will be paid to all Members in monthly instalments.
- 3.2 Definition of BA: BA recompenses Members for time devoted to their work as a councillor, and is intended to cover:-
- constituency and community duties, including use of the Members home;
 - dealing with correspondence; - single Member duties;
 - attendance at single party/political meetings;
 - attendance at formal meetings of the Council (including travelling time to and from meetings);
 - attendance at seminars, conferences and training sessions;
 - attendance on 'outside bodies' as a Council representative; and
 - other incidental costs, for which no other specific provision is made.
- 3.3 The annual sum for 2023/2024 is based on comparator data from comparable unitary authorities, with a Basic Allowance of £15,500.

4. SPECIAL RESPONSIBILITY ALLOWANCE (SRA)

- 4.1 **SRA** is:
- paid to Members who are elected or appointed to positions of special responsibility on the Council
 - allocated on the basis of degree of responsibility and upon a perceived call on Members time, as agreed by the Council;
 - paid in addition to the BA which the Member continues to receive; and
 - paid in monthly instalments for as long as the Member has the responsibility.
- 4.2 **SRA** payments cover:-
- individual and collective decision-making and service responsibilities of Executive Members
 - policy review and development activity
 - meetings with Officers;
 - attendance at County Hall and other Council premises to undertake official Council business;
 - meetings with fellow Chair's or decision-makers and other single party meetings;
 - dealing with correspondence;
 - visits directly connected to the performance of an SRA duty e.g.
 - headteacher interviews

- . official openings
 - . familiarisation / fact findings visits;
 - press meetings;
 - any other official Council business carried out by the Member in the role.
- 4.3 The Council has adopted multiples of the BA as the base for the calculation of the SRA bandings contained within this Scheme. The top banding of SRA which applies to the post of Leader of Council reflects the importance and responsibility of this role. The Leader's Allowance is based on a multiple of 2.5 x the BA.
- 4.4 Other SRAs are banded below the Leader's Allowance reflecting levels of responsibility associated with those specific roles.
- 4.5 A full list of the posts approved for SRAs is attached at Appendix 1. This Appendix sets out the bandings and payments for 2023 – 2024.
- 4.6 The number of Opposition Spokespersons receiving SRAs shall total no more than the number of Executive Members receiving SRAs at that time. The maximum number of Executive Members who can receive SRA is 10 – in accordance with the legislation which prescribes a maximum of 10 members for a local authority 'executive'.
- 4.7 An individual Member may only receive one SRA at any one time.

5. PARENTAL LEAVE AND CARERS ALLOWANCE (CA)

5.1 Parental leave

5.2 Parental Leave refers to the period of absence taken by an elected Member following the birth or adoption of a child.

a) Members are entitled to up to 52 weeks Maternity/Adoption leave and must notify their intention and the date on which the leave will commence in the same way as paid employees

b) The Council will ensure that Members on Parental Leave are aware of the requirements under section 85 of the Local Government Act 1972 to attend at least one meeting in any six-month period, and are aware of which meetings are qualifying meetings and the process by which they may apply for dispensation, following which the Council may exercise its right to waive expulsion if non-presence relates to Parental

Leave being a reason approved by the authority before the expiry of the six-month period

c) Absences from Council meetings during any period of Parental Leave will be noted as such, rather than being attributed to general absence

d) During Parental Leave Members will continue to receive the Basic Allowance without deduction but any Special Responsibility Allowance will be reduced over time, as follows:-

i) for the first 6 weeks, 90% of the normal SRA will be paid;

ii) for weeks 7 to 18, 50%; and

iii) for weeks 19 to 52, 0%.

e) Where Councillors have made Shared Parental Leave arrangements, the Council will make every effort to replicate such arrangements in terms of leave from the Council

f) The Council will facilitate any arrangements made by relevant Members which allow for the case work of a Member on Parental Leave to be completed by a Ward/Division colleague or another Member of the relevant Council Group.

g) The Council will ensure that Members have access to adequate IT provision to allow them to work from home while on Parental Leave and upon returning to their role, and will explain, at the start of the Paternity Leave, the "staying in touch" arrangements put in place for that Member.

h) The Council will facilitate any arrangements made by relevant Members which allow for the case work of a Member on Parental Leave to be completed by a Ward/Division colleague or another Member of the relevant Council Group.

5.3 Where another Member takes on the Special Responsibilities of a Member on Parental Leave, that Member will receive the full SRA in accordance with the Council's usual policies.

5.4 Members shall be entitled to take 2 weeks Paternity Leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren). During this period Members will continue to receive their basic allowance and any special responsibility allowances without deduction.

5.5 **Carers' Allowance**

5.6 The Scheme provides for the payment (by way of reimbursement) of expenditure incurred by Members

(a) in arranging child-care and

(b) on professional care for elderly, sick or dependant relatives to enable them to undertake approved duties. [Please note that these payments are not covered by any special exemptions for taxation purposes. They are treated as emoluments (remuneration) of the 'office' and are taxed accordingly].

5.7 Expenditure on child care is reimbursed in accordance with the following requirements:-

a) Payments are restricted to registered childminders (other than a close relation) and other statutory approved child care providers who are not related to the Member;

b) Payments are restricted to the care of children up to their 14th birthday who normally reside with the Member; and

c) No payments are made in respect of the care of children of compulsory school age during school hours except where the child is absent from school due to illness.

5.8 **Care of dependants**

5.9 The reimbursement of expenditure on professional care for an elderly, sick or disabled dependant, including children with complex needs (of any age), normally residing with the Member, to undertake approved duties, is subject to payment being restricted to agencies or persons qualified to provide the care, other than close relations.

5.10 **General Conditions**

5.11 The following conditions apply to both child care and care of dependants:-

a) Payments are made on the basis of the reimbursement of actual expenditure incurred up to a maximum of three times the prevailing national living wage hourly rate for someone aged 25 or over;

b) Members must support their claims with receipts showing they have incurred expenditure in accordance with the scheme;

c) Qualifying meetings be restricted to those defined as an “approved duty” in Appendix 3 to the Scheme of Members’ Allowances; and

d) That neither the Member nor the person being cared for receives and allowance for care from any other source

6. TRAVEL ALLOWANCE (TA)

6.1 TA:

- can only be claimed for an approved duty, or for any duty covered by a special responsibility payment and for ‘normal allowable journeys’.
- is claimed monthly on the Members claim form (except for ‘low claimers’ see para 9.1 below) and receipts, including fuel VAT receipts, should be submitted to support expenditure.
- is payable at the rates shown in **Appendix 2**.

6.2 List of ‘Approved Duties’

The list of approved duties is set out in **Appendix 3**.

6.3 Definition of ‘normal allowable journey’

The **normal allowable journey** (for which mileage can be reimbursed) is from a member’s home to council offices and then back again. ‘Council offices’ will often be County Hall but could relate to any building where a member is undertaking an ‘approved duty’ under the Scheme, including, for example, attending a parish meeting.

The mileage that members can claim for is the **actual additional mileage** as a result of council business that the member incurs on any journey. The **maximum** the member can claim for is the normal allowable journey mileage.

6.4 TA - additional information

- Train Fares are reimbursed at 2nd Class rate.

NB - Members who are aged over 60 and who regularly use the train for Council business may reclaim the cost of a Senior Rail Card.

- The car mileage rate may be claimed for any journey, providing the following criteria can both be met:

- travel by car represented the best option in order to undertake the approved duty
- travel by car could be justified on cost grounds

In all other cases, payment will be made at the public transport rate.

- Wherever possible all claims should be supported by a valid VAT receipt. Fuel receipts submitted should pre-date the first date claimed for on the relevant claim form. It is also acceptable for a single fuel receipt to cover more than one month's claim as long as the value of the receipt is equivalent to expenditure of at least 10p per mile claimed.
- If a VAT fuel receipt is not provided in support of mileage then the level of reimbursement will be at a lower rate.
- A cycle allowance is payable to Members who use a bicycle to attend an approved duty.
- It is essential that Members minimise the need for travel wherever possible by combining trips, sharing transport, undertaking business by 'phone, including by conference calls or by email.
- A Member who is claiming mileage should always bear in mind the need to be able to demonstrate that the journey was wholly and necessarily in relation to his/her role as a Member.
- Additional payments of 5p per person per mile are payable for passengers carried. This payment is only claimable for a passenger who would have been entitled to submit their own claim to the Council. It is not payable for passengers who are members of the public or could make claims from another organisation.
- Reimbursement of taxi fares may be made in exceptional circumstances. A receipt must be provided.
- Reimbursement may be claimed for expenditure on tolls, ferries, parking fees etc. A receipt should be provided, if available.

7. SUBSISTENCE ALLOWANCES (SA)

7.1 SA is

- paid at the same rates as those paid for Officers;
- claimable for any approved duty exceeding 4 hours which spans the agreed meal time periods (specified in **Appendix 2**);
- claimable for the actual cost of the meal or the overnight expenses up to the maximum allowed;
- claimed monthly via the Members claim form; receipts should be submitted to support expenditure;
- only claimable for meals or overnight expenses for approved duties / SRA duties undertaken **outside** Somerset;
- not claimable if a meal is provided by a host free of charge;
- only claimable for a members own meal. There is no provision in the scheme for reimbursing claims for hospitality for other people;
- reimbursed at the rates shown in **Appendix 2**.

8. NON CLAIMABLE DUTIES

8.1 For the avoidance of doubt, the following duties are not approved for the purpose of claiming Travel Allowances and Subsistence Allowances:-

- single Member duties except where the Scheme provides otherwise
- attendance at single party meetings e.g. group meetings, except where the Scheme provides otherwise
- constituency meetings and duties.
- duties relating to outside organisations that are not Board, committee, subcommittee or working group meetings. e.g. book launches, openings etc.
- attendance at party political conferences
- social functions including religious meetings / church services
- acting as governors of primary or secondary schools; and
- where an outside body to which the member has been appointed itself pays members expenses.
- where the member attends an outside body but in circumstances where they have not been appointed as an official representative of the Council, i.e. appointed either by the Council or the Leader of the Council.

9. CLAIMS

9.1 How to Claim

- BA and SRA are paid automatically after completion of initial details.
- CA, SA and TA must be claimed on the Members' Electronic Claim Form for allowances.
- Claims must be submitted monthly to the authorising officer by 8th of the month in order to meet payroll deadlines.
- All claims and fixed entitlements are paid together on the last working day of that month.
- Late claims will result in late payment unless notification is given in advance. Claims older than 2 months will be referred for approval to pay to the Finance Director, in consultation with the Leader and appropriate Executive Member, and payment may be delayed or refused unless there is good cause for the lateness. Claims older than 3 months will not be reimbursed.
- A master copy of members electronic claim forms can be obtained from the Democratic Services team by phoning 01823 357628, or emailing DemocraticServicesTeam@somerset.gov.uk
- Allowances must not be claimed where the member is entitled to receive payment from another body.
- To cater for changes in circumstances that occur during the year and to ensure that no individual cases of exceptional hardship are experienced, the Director, in consultation with the appropriate Executive Member, can temporarily agree SRAs for individual Members as considered necessary. Note: The exception to the requirement to submit monthly claims relates to low claimers. 'Low claimers' have the option of only having to submit claims once every three months. The following rules apply to 'low claimers':
 - Low claimers are defined as members submitting claims under a likely value of £100 over the 3 month period. If a member thinks that they are likely to fall into this category they should inform the Democratic Services team.
 - Low claimers are now only required to submit 1 claim for every 3 months, 4 in total for the year **BUT** all claims for a particular financial year must be submitted by the end of that financial year.
 - Any claims over 3 months old will be rejected.

9.2 **Payment of Claims**

- Payments are made through the council's computerised salaries and wages system to assist with the deduction of income tax and national insurance.
- An advice slip is provided giving details of allowances paid, an email address must be provided to enable this to be electronically sent.
- Payment will be made direct to a bank or building society account.

9.3 **Tax and National Insurance (NI)**

- BA, SRAs and CA are taxable and are subject to national insurance.
- Members should complete the Tax Details declaration on the Council's Personal Information form which will be completed to enable payroll records to be set up. Alternatively, a recent P45. If available can be supplied. Once the payroll record is set up, HMRC will provide the Council with tax code changes automatically.
- Details of meals paid for are given to HMRC who may adjust individual personal tax codes as a result.
- Mileage rates are in accordance with limits set within the HMRC's Fixed Profit Scheme.
- The Council's HR Admin and Payroll team will automatically cease the deduction of employees NI, if a Member is of State Pension Age
- Married women, who have remained in the same marriage, who opted into the reduced rate NI scheme prior to April 1977 may be entitled to pay reduced rate NI. The exemption card should be provided to the Council.
- For further information please contact the Democratic Services team on 01823 357628.

9.4 **Members Allowances and Benefits**

Members who receive Universal Credits or any other benefits should note that the allowances received for their role as a member are likely to be taken into account when calculating any benefits due. Members are advised to contact the relevant Benefits office.

9.5 **Sickness absence and Statutory Sick Pay (SSP)**

Members who are unwell and unable to attend scheduled meetings should advise Democratic Services of the first and last day of their sickness. This will be notified to HR Admin and Payroll. If the absence exceeds 3 days, and earnings have met the required national insurance threshold, SSP will be paid. Please note that Members who receive a monthly allowance will not receive SSP on top of this allowance, instead it will be offset against the normal payment.

9.6 **Statutory Maternity Pay (SMP), Maternity Allowance, Paternity Pay (PP), Adoption Pay and Shared Parental Pay (SPP) and Leave Entitlements**

Members are entitled to claim statutory payments for family absence if they meet the required statutory criteria. Time off will also apply. Members not entitled to SMP may be entitled to maternity allowance. This is a benefit and is claimed via MA1 claim form that can be found on the .GOV website. Members wishing to claim statutory payments and leave for maternity, paternity or shared parental absence should advise Governance Services who will ensure that HR Admin and Payroll notify the member of their entitlements and the requirements of the allowance being claimed.

9.7 **Backdating of Allowances**

Where there is an amendment made to the Scheme of Allowances, that amendment may be applied retrospectively by the Council to the beginning of the financial year.

Where a Member takes on duties entitling them to a different level of allowances, the new entitlement may be applied retrospectively to the date the changes were effective from.

10. **CO-OPTED MEMBERS**

Co-opted Members to Somerset Council Committees and/or Partnership Boards are entitled to be paid an allowance and reasonable expenses, and that the allowance has been set at £1,000 a year for the current year.

All co-opted members may claim travel and subsistence for approved duties at the same rate as elected Members, as may non-elected representatives appointed to outside bodies by the Council.

A Financial Loss allowance (FLA) may be paid to co-opted members (and to nonelected representatives appointed to outside bodies) for loss of earnings and expenses incurred by them in the performance of any approved duty. Such loss of earnings would normally be supported by a certificate supplied by the employer or such other evidence as to enable the loss of earnings to be determined

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APPENDIX 1 Scheme of Allowances

Member Role	Rate of SRA from 1/4/23 (BA £15,500)		
	Band	Multiplier £	Total £
Council Leader	1	2.5	31,000
Deputy Leader	2	1.5	23,250
Lead Member	3	1.3	20,150
Opposition Leader (Conservative)	4	1.0	15,500
Chair of Council	4	1.0	15,500
Chair of Strategic Planning Committee	5	0.5	7,750
Chair of Planning Sub- Committee North	5	0.5	7,750
Chair of Planning Sub- Committee East	5	0.5	7,750
Chair of Planning Sub- Committee South	5	0.5	7,750
Chair of Planning Sub- Committee West	5	0.5	7,750
Chair of Licensing & Regulatory Committee	5	0.5	7,750
Chair Constitution & Governance Committee	5	0.5	7,750
Chair of Audit Committee	5	0.5	7,750
Chair of Scrutiny for Policies, Adults & Health Committee	5	0.5	7,750
Chair of Scrutiny for Policies, Children and Families Committee	5	0.5	7,750
Chair of Scrutiny for Policies, Environment Committee	5	0.5	7,750
Chair of Scrutiny for Policies, Place Committee	5	0.5	7,750

Appendix 2

Chair of Scrutiny for Policies and Communities Committee	5	0.5	7,750
Chair of Pensions Committee	6	0.25	3,875
Chair of Standards Committee	6	0.25	3,875
Chair of Pension Fund	6	0.25	3,875
Vice-Chair of Council	6	0.25	3,875
Associate Lead Member	6	0.25	3,875
Vice-Chair of Constitution & Governance Committee	6	0.25	3,875
Vice-Chair Strategic Planning Committee	6	0.25	3,875
Vice-Chair Licensing & Regulatory Committee	6	0.25	3,875
Vice-Chair Audit Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Policies, Adults & Health Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Policies, Children and Families Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Policies, Environment Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Policies, Place Committee	6	0.25	3,875
Vice-Chair of Scrutiny for Policies and Communities Committee	6	0.25	3,875
Vice-Chair of Planning Sub-Committee North	6	0.25	3,875
Vice-Chair of Planning Sub-Committee East	6	0.25	3,875
Vice-Chair of Planning Sub-Committee South	6	0.25	3,875
Vice-Chair of Planning Sub-Committee West	6	0.25	3,875

Appendix 2

Opposition Group Spokespersons Deputy Leader (Conservative)	6	0.25	3,875
Group Leader Labour	6	0.25	3,875
Group Leader Independent	6	0.25	3,875
Group Leader Green	6	0.25	3,875

Co-opted member allowance £1,000

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SUMMARY OF RATES OF ALLOWANCES FOR MEMBERS

1	TRAVELLING ALLOWANCE	Pence per mile
	Mileage rate up to 10,000 miles	45.00
	Over 10,000 miles	25.00
	Passenger supplement (5p per person per mile)	
	Motor Cycle	24.00
	Bicycle Allowance	20.00
2	SUBSISTENCE ALLOWANCE	
	<ul style="list-style-type: none"> • Breakfast allowance (more than 4 hours away from the normal place of residence before 11 am) – up to a maximum of £9.01; • Lunch allowance (more than 4 hours away from normal place of residence, including the lunchtime period between 12 noon and 2 pm) – up to a maximum of £12.40; • Tea allowance (more than 4 hours away from normal place of residence, including the period 3 pm to 6 pm) – up to a maximum of £4.82; • Evening meal allowance (more than 4 hours away from the normal place of residence, ending after 7 pm) – up to a maximum of £15.36. 	
	<p>These payments only apply to duties undertaken outside of Somerset. Subsistence cannot be claimed for duties undertaken in Somerset.</p>	
3	OVERNIGHT ABSENCE	£
	maximum	144.45
		162.91 (within London)
4	CO-OPTED MEMBERS FINANCIAL LOSS	£
	(evidence based)	
	up to 4 hours	27.65
	over 4 hours	55.31

LIST OF APPROVED DUTIES

1. Attendance:-
 - a) at formal meetings of the Council including Committees, the Executive, Committees, and Sub-Committees, and any other authorised meeting of these bodies or organised by these bodies
 - b) at ad-hoc formally constituted Working Groups / Panels (e.g. scrutiny task and finish groups), where named members of the body or formally invited to participate.
 - c) at County Hall or other Council establishment for a meeting with either a member in receipt of an SRA or an Officer for the purpose of discussing matters relating to Council business in which it is reasonable to expect the member to have an interest.
 - d) as the Council's named representative on bodies to which the Council makes appointments except where the body itself pays allowances to the Council's representative. The approval relates to meetings of the body itself, its standing committees / sub-committees but not to other activities of the body.
 - e) at a meeting of any body that the Council is required to, or has agreed to, provide Council attendance at, acting as the Council's nominee or representative.
 - f) at local briefing meetings at the invitation of an Officer of the Council provided that the members of at least two political groups have been invited.
 - g) at a formal meeting of a District or Parish Council – where not a member of that Council:-
 - where formally invited to attend or where the Member has a specific interest in any/ all of the business on the agenda
 - h) at conferences where the Council has agreed to meet the conference fees or where the Member agrees to meet the conference fees
 - i) at Member induction, learning and development events / sessions organised by the Council
 - j) at up to 12 single party officer briefing / training events per annum
 - k) at open days, sports days and similar events at Council establishments by formal or official invitation where the Member is performing a specific function.
 - l) Attendance at any civic or ceremonial event at the specific invitation of the Chair of Council, the Lord Lieutenant or High Sheriff.
2. Duties authorised by Council or Leader of the Council, including briefing meetings, site visits, meetings with outside bodies or individuals, tours of inspection, and general information visits, visits to Council premises.

3. Duties carried out arising out of a Member holding an office:-
 - a) to which a SRA applies or such a duty carried out by their nominee,
 - b) as a named Member Champion, including attendance at County Hall or other Council establishments for any purpose which he/she considers necessary.
4. The undertaking of any duty associated with the Council where invited by or on behalf of the Scrutiny Committee.
5. Any duty for which express authority is given by the Chief Executive in the event of an emergency.
6. Any other attendance for which prior approval has been given by the Service Director for Finance & Property after consultation with the Executive Member for Resources.

Note 1:

The term 'Council' covers Council, Committee, Sub-Committee and Executive business unless otherwise indicated.

Note 2:

A duty cannot be approved, in retrospect, for the purpose of paying allowances

Somerset County Council

County Council
– 22 February 2023

Annual Report of the Standards Committee

Lead Member: Cllr John Bailey - Chair of Committee

Lead Officer: Scott Wooldridge - Monitoring Officer and Strategic Manager -
Governance & Democratic Services

Author: Andrew Melhuish - Service Manager - Member Development & Support,
Governance & Democratic Services

Contact Details: andrew.melhuish@somerset.gov.uk

1. Summary

- 1.1 The Standards Committee is required by the Constitution to make an annual report to the County Council. This report covers the period between May 2022 and February 2023. The Annual Report is attached as Appendix 1.
- 1.2 The Standards Committee was formed following the May 2022 elections and promotes and maintains high standards of conduct by elected Members and Co-opted Members of Council and Council bodies.

2. Recommendations

The Council is recommended to receive and note the report on the Committee's work.

3. Background

- 3.1 At the Council meeting in May 2022 the work of the Constitution and Standards Committee was separated, to form two new committee's, firstly the Standards Committee and also a Constitution and Governance Committee.
- 3.2 Political proportionality was waived in relation to the elected membership of the Committee with one member per political group appointed. Four co-opted members were also appointed to the committee as non-voting members. In line with other committees, the County Council appoints the Chair of the Committee.
- 3.3 The Committee has met four times since May 2022 and in October 2022 held a workshop to identify a work programme for the Committee.

4. Implications

- 4.1** The Committee has considered any implications as part of their work programme with reports submitted to the committee.
- 4.2** Legal: The Constitution requests that the Standards Committee submit an Annual Report to Council in February each year.
- 4.3** Risk: There are no risks arising from the submission of this report.
- 4.4** Impact Assessment: There are no direct equalities implications arising from the Annual Report. There are also no sustainability or community safety implications.

5. Background papers

- 5.1** None.

Standards Committee Annual Report - 2022 to 2023

Foreword by the Chair of the Standards Committee – Councillor John Bailey

I am pleased to present the first Annual Report of the Standards Committee for 2022/2023. The Annual Report provides information to the Council about the work carried out by the committee since its formation in May 2022 and identifies the focus of priorities for the committee.

This is the first annual report of the newly formed Standards Committee. It was felt that there was a need to divide the work of the Constitution and Governance Committee across two bodies, a Constitution and Governance Committee and a new Standards Committee.

The Standards Committee as a whole has been working to clarify its role in relation to the Constitution and Governance Committee and the LGR, two other bodies working in the same area, and to add value and avoid duplication. We have focused on work up to Vesting Day on 1 April 2023. As the individual committee members were working together for the first time there was also a requirement for team building.

With this in mind a workshop was arranged and as a result three priority areas of work were identified.

Membership

At the Annual General Meeting of Full Council in May 2022 a Standards Committee was formed, comprising a representative from each political group on the Council, supported by co-opted representatives and Independent Persons. Council has agreed to waive the political proportionality requirements for appointments to the Standards Committee to enable all of the political groups on the Council to be represented.

The committee is made up as follows:

- Cllr John Bailey (Chair) – Lib Dem
- Cllr Norman Cavill - Conservative
- Cllr Brian Smedley - Labour
- Cllr Martin Dimmery – Green
- Cllr Hugh Davies – Independent

Co-optees:

- Alan Hemsley
- Paul Hooper
- Robin Horton
- David Stripp

In terms of the complaints process we currently have three vacancies for the position of Independent Persons to sit on the committee, these will be advertised and recruited before vesting day in April 2023. A further co-opted member will also be recruited.

Purpose

The Standards Committee is expected to be apolitical in carrying out its functions and its responsibilities.

The Committee promotes and maintains high standards of conduct by elected Members and Co-opted Members of Council and Council bodies.

The Committee:-

- a) Has responsibility for promoting high standards of conduct by Members, Co-opted Members and Officers and for the policies and processes which support this aim.
- b) Advises on the induction and training of Members and Co-opted Members on standards of conduct;
- c) Monitors the operation of the Members' Code of Conduct and recommends any changes considered necessary to the Code to the Council for approval.
- d) Has responsibility for overseeing the Code of Conduct for officers and recommending any changes considered necessary to the Council for approval
- e) Manages the members' and officers' registers of interests and gifts / hospitality;
- f) Monitors the Council's Whistleblowing Policy and make recommendations to the Council in respect of any proposed changes. The Committee has no role in considering or determining member complaints as this role falls to the Monitoring Officer.

The Committees work in 2022/2023

In September 2022 the committee held a workshop to identify their focus of work ahead of Vesting Day.

At the end of the workshop three key priority areas had been identified, namely:

P1- Complaints Procedure: Review and assurance on existing complaints procedures including any LGA recommendations for amendments ready for the new Council

P2 – Code of Conduct: Adoption of model Code of Conduct across the County to come before the committee. Working closely with the Somerset Association of Local Council's to deliver this.

P3 – Officer Code of Conduct: Reviewing updates on Officer CoC

The three priority groups are supported by the following members prior to making any recommendations to Full Council in February 2023.

Priority One: Councillor John Bailey, Councillor Brian Smedley, Councillor Norman Cavill, David Stripp and Paul Hooper.

Priority Two: Councillor Norman Cavill, Robin Horton and Alan Hemsley.

Priority Three: Councillor Hugh Davies, Councillor Martin Dimery and Alan Hemsley.

Other work of the committee

In November 2022 the committee received the Annual Report on Standards of Conduct for 2021/2022.

The Annual Report highlighted that for the period 1 April 2021 to 31 March 2022 the Monitoring Officer had received three complaints relating to alleged breaches of the Code of Conduct by two County Councillors. Two of the complaints relate to the same elected member. Two of the complaints were not upheld as they related to the Councillor's private life and not when undertaking their official duties as a County Councillor. One of the complaints did not complete determination as the Councillor ceased to be an elected member in May 2022.

The Committee considered the recruitment of Independent Persons and the appointment of a Reserve Independent Person to cover the period up to 31 March 2023. The committee supported that three Independent Persons were recruited for the new Somerset Council.

The committee also reviewed the Register of Gifts and Hospitality declarations that have been made by councillors since May 2022.

Looking ahead 2023

In addition to delivering the outcomes of the three priority groups the committee will continue to review the role of the Standards Committee and to develop a work programme in the short, medium and long term.

The committee will continue to monitor the LGA recommendations and national lobbying to change the national framework for code of conduct and in particular sanctions available to individual local authorities

The committee will support the Council in its new role in dealing with all member complaints from the city, town and parish councils across Somerset.

The committee will seek to develop an outreach education programme for member code of conduct training and refresher training (roadshows, information etc) working closely with SALC and others.

The committee will also continue to develop a programme to encourage all Somerset city, town and parish councils to adopt one single Code of Conduct for their elected representatives and to monitor the progress at the committee, including reporting on this key performance indicator annually. The committee will continue to ensure that there are sufficient resources allocated to support the work of the committee.

Finally, I would like to thank the Standards Committee members and the co-opted members for their hard work in providing a robust challenge to the three main work areas of the committee. I would also like to thank the Council officers for their support in the work of the committee.

Cllr John Bailey

Chair of Standards Committee

February 2023

Somerset County Council

County Council

– 22 February 2023

Report of the Leader and Executive – for information

Executive Member: Cllr Bill Revans - Leader of the Council

Division and Local Member: All

Lead Officer: Scott Wooldridge - Head of Governance & Democratic Services and Monitoring Officer

Author: Mike Bryant - Service Manager - Democratic Services & Michelle Brooks - Senior Democratic Services Officer

Contact Details: democraticservicesteam@somerset.gov.uk / 01823 357628

1. Summary

Appendix 1 of this report covers key decisions taken by the Leader, Executive Lead Members and officers between 12 November 2022 to 10 February 2023, together with the items of business discussed at the Executive meetings on 16 November 2022, 14 December 2022, 18 January 2023 and 13 February 2023.

The Leader and Executive Lead Members may also wish to raise other issues at the County Council meeting.

2. Details of decisions

Agenda and papers for the Executive meetings held on 16 November 2022, 14 December 2022, 18 January 2023 and 13 February 2023 are published within the Executive webpages on the Council's website. Individual Leader, Executive Lead Member and Officer key decision records and related reports are also published within the Executive webpages on the Council's website.

Appendix 1

Decision Title	Decision Maker and date of decision	Link to further information and decision paperwork
Creation of a new sponsored academy in Somerset	15 November 2022 by Director of Commissioning and Lead Commissioner for Economic Community Infrastructure and Lead Member for Children and Families	Decision Details
Revenue Budget Monitoring Report – month 6	16 November 2022 by Executive	Decision Details
Treasury Management mid-year report	16 November 2022 by Executive	Decision Details
Council Tax Reduction Scheme	16 November 2022 by Executive	Decision Details
Council Tax Discounts & Premiums	16 November 2022 by Executive	Decision Details
Non-Domestic Rating Discretionary Areas & Hardship	16 November 2022 by Executive	Decision Details
Quarter 2 Corporate Performance Report	16 November 2022 by Executive	Decision Details
Peninsula Fostering framework Agreement	16 November 2022 by Executive	Decision Details
Peninsula Residential Dynamic Purchasing Agreement – Re-Tender	16 November 2022 by Executive	Decision Details
2023/24 Budget Update and MTFP	16 November 2022 by Executive	Decision Details
Structures Minor Works Term Service Contracts	18 November 2022 by Director for Economic and Community Infrastructure Commissioning	Decision Details

Award of Contract for Mobile Devices & Services	21 November 2022 by Lead Member for Transport and Digital	Decision Details
Acquiring Homes for Children Looked After by the Council as their Corporate Parent – Department for Education grant	30 November 2022 by Director of Commissioning and Lead Commissioner for Economic Community Infrastructure and Director of Finance	Decision Details
Transport support grants for Homes for Ukraine guests and sponsors in Somerset	5 December 2022 by Lead Member for Communities, Lead Member for Public Health, Equalities and Diversity	Decision Details
Parking Review Update and Changes to On Street Parking Permit Scheme	14 December 2022 by Lead Member for Transport and Digital	Decision Details
Decision to accept Somerset's UK Shared Prosperity Fund (UKSPF) and Rural England Prosperity Fund (REPF) allocation	15 December 2022 by Director of Finance	Decision Details
Updated Local Government Reorganisation (LGR) Implementation Plan	14 December 2022 by Executive	Decision Details
Revenue Budget Monitoring Report – month 7	14 December 2022 by Executive	Decision Details
Draft Housing Revenue Account (HRA) 30 year Business Plan and Rent charging policy for New Council	14 December 2022 by Executive	Decision Details
LA Maintained Schools – Core Offer including financial model	14 December 2022 by Executive	Decision Details
New Somerset Council Plan	14 December 2022 by Executive	Decision Details

New Council Branding	14 December 2022 by Executive	Decision Details
Approval to adopt the Private Sector Housing Enforcement Policy	14 December 2022 by Executive	Decision Details
Parking Review Update and Changes to On Street Parking Permit Scheme	14 December 2022 by Lead Member for Transport and Digital	Decision Details
Draft Medium Term Financial Plan 2023/24 – 2027/28 Update	18 January 2023 by Executive	Decision Details
Local Government Association (LGA) Peer Review into Local Government Reorganisation (LGR) in Somerset: final report and plan of action	18 January 2023 by Executive	Decision Details
Local Community Networks	18 January 2023 by Executive	Decision Details
Approval to extend/adopt various housing related Strategies and Policies into Somerset Council	18 January 2023 by Executive	Decision Details
Statement of Community Involvement	18 January 2023 by Executive	Decision Details
Insurance Policies Tender	18 January 2023 by Executive	Decision Details
Mental Health Step Down Service	30 January 2023 by Director of Adult Social Services	Decision Details
To award Eastover/Monmouth Street/St Johns St/Broadway signal refurbishment and resurfacing scheme	31 January 2023 by Director of Commissioning and Lead Commissioner for Economic Community Infrastructure	Decision Details
Adoption of the Council Plan for Somerset Council	13 February 2023 by Executive	Decision Details

Medium Term Financial Plan 2023/24 – 2027/28	13 February 2023 by Executive	Decision Details
Revenue Budget Monitoring Report Month 9	13 February 2023 by Executive	Decision Details
Council Tax Exceptional Hardship Scheme	13 February 2023 by Executive	Decision Details
Section 24 Specific Consent – Supply of Materials for Somerset West and Taunton Social Housing Stock	13 February 2023 by Executive	Decision Details
Resolution to Disregard War Pensions for Housing Benefit	13 February 2023 by Executive	Decision Details
Council Tax Exceptional Hardship Scheme	13 February 2023 by Executive	Decision Details
Housing Revenue Account (HRA) updated 30 year Business Plan and Rent Set 2023/24	13 February 2023 by Executive	Decision Details
Somerset Council Asset Management Plan and Strategy	13 February 2023 by Executive	Decision Details

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