

County Council

Wednesday 1 March 2023

1.00 pm Canalside Conference Centre,
Marsh Lane, Nr Bridgwater, TA6 6LQ



To: The Members of Somerset County Council

You are requested to attend the Meeting of Somerset County Council on Wednesday 1 March 2023 to transact the business set out in the agenda below.

Anyone requiring further information about the meeting, or wishing to inspect any of the background papers used in the preparation of the reports referred to in the agenda please contact Scott Wooldridge, Head of Governance & Democratic Services & Monitoring Officer on 07811 313837 or scott.wooldridge@somerset.gov.uk or democraticserviceteam@somerset.gov.uk

Issued By Scott Wooldridge, Strategic Manager - Governance and Risk - 21 February 2023

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 Section 100A (4) of the Local Government Act 1972.

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

Council Chamber and Hearing Aid Users

To assist hearing aid users, Shire Hall has infra-red audio transmission systems. To use this facility we need to provide a small personal receiver that will work with a hearing aid set to the T position. Please request a personal receiver from the Committee Administrator and return it at the end of the meeting

AGENDA

Item County Council - 1.00 pm Wednesday 1 March 2023

Full Council Guidance notes

1 Apologies for Absence

To receive any 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 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.

4 Chair's Announcements (Pages 11 - 12)

To receive the Chair's Announcements.

For Decision

5 Report of the Leader and Executive - for decision - to follow (Pages 13 - 36)

To consider a report with recommendations from the Leader of the Council, arising from the Executive meeting held on 27 February 2023.

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

6 Report of the Monitoring Officer (Pages 37 - 110)

To consider the following:

Paper 1 - Appointments to Somerset Council's committees

Paper 2 - Proposed calendar of meetings for 2023/24

Paper 3 - Appointments to internal and outside bodies

Paper 4 - Appointment of Independent Persons

Item County Council - 1.00 pm Wednesday 1 March 2023

7 **Report of the Human Resources Committee** (Pages 111 - 122)

To consider report regarding the Pay Policy Statement for 2023/24.

8 **Requisitioned items** (Pages 123 - 124)

To consider a report setting out requisitioned items submitted for the Council's consideration.

For Information

9 **Annual Report of the Standards Committee** (Pages 125 - 130)

To receive report.

10 **Annual Report of the Constitution and Governance Committee** (Pages 131 - 134)

To receive report.

11 **Report of the Scrutiny for Policies, Adults and Health Committee** (Pages 135 - 138)

To receive a report by the Chair of the Scrutiny for Policies, Adults and Health Committee.

12 **Report of the Scrutiny for Policies, Children and Families Committee** (Pages 139 - 146)

To receive a report by the Chair of the Scrutiny for Children and Families Committee.

13 **Report of the Scrutiny for Policies, Environment Committee** (Pages 147 - 156)

To receive a report by the Chair of the Scrutiny for Policies, Environment Committee.

14 **Report of the Scrutiny for Policies and Place Committee** (Pages 157 - 164)

To receive a report by the Chair of the Scrutiny for Policies and Place Committee.

15 **15a. Reflections from Members / 15b. LGR Implementation Update** (Pages 165 - 172)

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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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<p>Chairman's Information Sheet No. 3</p>

Information

for County Councillors

From:	Cllr Mike Best, Somerset County Council
Date:	24/11/2022– 23/02/2023
To:	All County Councillors

Chairman's Report: 24/11/22 – 23/02/23

The Chair attended the following events:

December 2022

- 1st University Centre Graduation Ceremony at Westlands, Yeovil – Yeovil College
- 5th Choral Xmas Event at Wells Cathedral – Somerset Music
- 7th Brewhouse Theatre, Taunton – Press night of 'Little Prince'

February 2023

- 2nd Farewell retirement service of Dean of Wells – Wells Cathedral
- 17th Chair's Community Award Ceremony – Taunton Rugby Club
- 18th Annual Patron's Concert for Cancer Research – Taunton Deane
Male Voice Choir – St James Church, Taunton
- 23rd Freedom of Wincanton Parade, Lieutenant Colonel Rivett – Wincanton
Memorial Hall, Wincanton

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Somerset County Council

County Council
– 1 March 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 27 February 2023.

Note: The references in this report to Paper A relate to the relevant report considered by the Executive containing specific recommendations to the County Council meeting on 1 March 2023.

- 1.2 Paper A (Port Governance)** was considered at the Executive meeting on 27 February 2023. The Executive endorsed the recommendations and agreed for this to be reported to the County Council to consider and approve.

This report details the various governance arrangements that will need to be put in place for the ports and harbours for the New Somerset Council. Sedgemoor District Council, Somerset West and Taunton, and Somerset County Council have Ports and Harbours within their areas of responsibility:

- Sedgemoor District Council is the Statutory Harbour Authority (SHA) and Competent Harbour Authority (CHA) for the Port of Bridgwater (Does not include Bridgwater Docks)
- Somerset West and Taunton are the Statutory Harbour Authority (SHA) for Minehead and Watchet Harbours.
- Somerset County Council have statutory responsibility for Bridgwater Docks.

The operation of ports and harbours are governed by both national and local legislation which sets out duties and powers that the respective SHAs must

fulfil. In addition, there are codes of practice and guidance documents such as the Port Marine Safety Code, PMSC Guide to Good Practice, Ports Good Governance Guidance, Safety in Docks (ACOP); that cover issues such as governance and safety.

The Port Marine Safety Code ("PMSC") sets out a national standard for marine safety at ports and harbours. It applies to ports, harbours, and other marine facilities, berths and terminals. The PMSC is best practice guidance rather than law. However, ports and harbours are expected to comply and failure to do so can lead to prosecution (for example, under section 3 Health and Safety at Work Act 1974).

Harbour Function and Duty Holder Appointment

The Harbour Function is a local choice function under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. This means that it can sit with Full Council, the Executive or be split between the two. The legal advice obtained is that the Harbour/Port function should sit with the Executive as this will give clear reporting lines and be consistent with the recommendations relating to the Duty Holder discussed below.

The PMSC requires that all organisations must also have a "Duty Holder" who is accountable for compliance with the Code and their performance in ensuring safe marine operations. For most organisations the role of Duty Holder is undertaken by members of the management team or a board who are (both collectively and individually) publicly accountable for marine safety under the Code. The responsibility of the Duty Holder, once appointed, cannot be delegated. The Duty Holder is responsible for ensuring that the organisation complies with the Code.

The report proposes that the Harbour Function and Duty Holder role should sit with the Council's Executive.

Establishment of a Harbour Management Committee (HMC)

A Harbour Management Committee would be established as means to govern the operation of the port. The establishment of a HMC (which would be constituted as a committee within the current LA system) can bring openness and additional accountability to port decisions, along with more expertise and experience (as a skills audit can be carried out prior to board members being decided upon). The HMC can have decision making powers or can be advisory in nature.

This report recommends that a HMC is set up to govern the operation of the ports in accordance with the DfT Ports Good Governance Guidance. Whilst the HMC could be granted decision-making powers, it is usually required to operate within a budget approved by the Council, with restraints on the level

of expenditure that can be approved. As it is recommended that the Executive has the ultimate responsibility as Duty Holder, it is proposed that the Harbour Management Committee is advisory only and makes recommendations to the Executive.

Appointment of Designated Person

Harbour Authorities must appoint an individual to fulfil the role of Designated Person. Their role is to provide independent advice to the Duty Holder on compliance with the Port Marine Safety Code and effective operation of any Marine Safety Management Systems operating within the port. It is advisable for the Designated Person to be independent and not employed directly by the local authority.

The report recommends the continuation of existing arrangements with the Bristol Port Company to be requested they continue to act as the Designated Person for the ports and harbours in the new authority.

Port/Harbour Legislation and Powers

The operation of ports and harbours are governed by both national and local legislation which sets out their duties and powers. There are four different statutory harbour undertakings for which Somerset Council will be the SHA each with its own legislation. Some of this legislation dates back to the 19th century and there is a different set of legislation for each port. Therefore, combining and modernising this legislation using a Harbour Revision Order (HRO) is a potential course of action.

The report recommends that further work post vesting day is considered to raise a Harbour Revision Order to combine and modernise the various legislation for the Port of Bridgwater, Watchet, Minehead, and Bridgwater Docks.

2.0 Recommendations

2.1 Paper A – Port Governance- see Paper A that Executive considered and endorsed at its meeting on 27 February 2023.

The Council is recommended to agree:

- 1. That the responsibility for the Council's functions as Statutory Harbour Authority and the role of Duty Holder should sit with the Executive Committee.**
- 2. That appropriate training be provided to members of the Executive Committee in relation to their role of Duty Holder.**

- 3. To agree that the role of Designated Person for the new authority should be fulfilled by a independent third party and not by a council officer**
- 4. To approve the appointment the Bristol Port Company as the Designated Person (should they wish to continue in the role)**
- 5. That the establishment of a Harbour Management Committee for the Ports and Harbours outlined in this report is approved.**
- 6. That delegated authority be granted to the Service Director (Responsible for the Port Functions) to conduct a skills audit for the Harbour Management Committee as soon as reasonably practicable**
- 7. That Ashford’s solicitors be instructed to prepare the Harbour Management Committee Terms of Reference, Memorandum of Understanding and Harbour Revision Orders.**
- 8. That delegated authority is granted to the Service Director (Responsible for the Port functions) to run the process for making appointments to the Harbour Management Committee and in consultation with the Service Director (Legal) to establish the Harbour Management Committee**
- 9. To note the continuation of the Watchet Advisory Committee and other existing advisory groups.**
- 10. That delegated authority be granted to the Service Director (Responsible for the Port Functions) to progress the proposed harbour revision orders and the draft proposals be submitted to the Harbour Management Committee and Executive once produced**

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 Paper A.

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 Paper A.

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 Paper A and its appendices.

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Decision Report - Executive Decision

Forward Plan Reference: FP/22/12/05

Decision Date - 27/02/23

LGR Port and Harbour Governance

Executive Member(s): Cllr Bill Revans - Leader of the Council

Local Member(s) and Division: All

Lead Officer: Dave Coles – Coastal and Environmental Protection Manager (Sedgemoor District Council)

Author: Dave Coles – Coastal and Environmental Protection Manager (Sedgemoor District Council)

Contact Details: dave.coles@somerset.gov.uk Tel: 01278 435340

1. Summary / Background

- 1.1 This report details the various governance arrangements that will need to be put in place for the ports and harbours for the New Somerset Council.
- 1.2 Sedgemoor District Council, Somerset West and Taunton, and Somerset County Council have Ports and Harbours within their areas of responsibility.
 - Sedgemoor District Council is the Statutory Harbour Authority (SHA) and Competent Harbour Authority (CHA) for the Port of Bridgwater (Does not include Bridgwater Docks)
 - Somerset West and Taunton are the Statutory Harbour Authority (SHA) for Minehead and Watchet Harbours.
 - Somerset County Council have statutory responsibility for Bridgwater Docks.
- 1.3 The operation of ports and harbours are governed by both national and local legislation which sets out duties and powers that the respective SHAs must fulfil. In addition, there are codes of practice and guidance documents such as the Port Marine Safety Code, PMSC Guide to Good Practice, Ports Good Governance Guidance, Safety in Docks (ACOP); that cover issues such as governance and safety.
- 1.4 The Port Marine Safety Code ("PMSC") sets out a national standard for marine safety at ports and harbours. It applies to ports, harbours, and other marine facilities, berths and terminals. The PMSC is best practice guidance rather than "law". However, ports and harbours are expected to comply and failure to do so can lead to prosecution (for example, under section 3 Health and Safety at Work Act 1974).

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Harbour Function and Duty Holder Appointment

1.5 The Harbour Function is a local choice function under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. This means that it can sit with Full Council, the Executive or be split between the two. The legal advice obtained is that the Harbour/Port function should sit with the Executive as this will give clear reporting lines and be consistent with the recommendations relating to the Duty Holder discussed below.

1.6 The PMSC requires that all organisations must also have a “Duty Holder” who is accountable for compliance with the Code and their performance in ensuring safe marine operations. For most organisations the role of Duty Holder is undertaken by members of the management team or a board who are (both collectively and individually) publicly accountable for marine safety under the Code. The responsibility of the Duty Holder, once appointed, cannot be delegated.

1.7 The Duty Holder is responsible for ensuring that the organisation complies with the Code. In order to effectively undertake this role they should:

- be aware of the organisations powers and duties related to marine safety;
- ensure that a suitable Marine Safety Management System is in place;
- appoint a suitable Designated Person (the person who provides audits and monitors compliance and provides independent assurance that the MSMS is being effective in ensuring compliance with the PMSC);
- appoint competent people to manage marine safety;
- be responsible for publication of a marine safety plan and reporting of performance against objectives and targets set; and
- report compliance with the Code to the MCA every 3 years.

1.8 The Duty Holder will need training in relation to their role and responsibilities, access to the Designated Person (and vice versa), the financial authority to ensure compliance with the PMSC, and the ability to make decisions quickly if necessary.

1.9 At Sedgemoor District Council the Duty Holder is currently the Executive committee of the council. The Duty Holder at Somerset West and Taunton is also the Executive with the lead being taken by the Portfolio Holder for the Environment.

Harbour Function and Duty Holder – Proposed Way Forward

1.10 Legal advice has been sought on the where the Duty Holder role and port function should sit in the new Somerset Council. The view is that the port function and role of Duty Holder should sit with the Executive Committee. Other Options were explored and were not considered appropriate and are discussed in Section 4 of this report.

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1.11 Once appointed the Harbour Team will arrange for suitable training to be provided to members of the duty holding body.

Establishment of a Harbour Management Committee (HMC)

1.12 Some ports have established Harbour Management Committees as detailed in the DfT Ports Good Governance Guidance. The legal advice sought has suggested that a HMC is an option that could be followed for the new Authority. A Harbour Management Committee would be established as means to govern the operation of the port.

1.13 The establishment of a HMC (which would be constituted as a committee within the current LA system) can bring openness and additional accountability to port decisions, along with more expertise and experience (as a skills audit can be carried out prior to board members being decided upon). Membership of a HMC would usually be along the following lines

- approximately 50% LA elected members of a constituent authority. These do not all have to be LA councillors, but can be co-opted representatives who are appointed by the LA or provide specific skills in support of port management;
- the port chief executive/harbour master should have access to the HMC in an advisory role, but as an officer of the Council they cannot serve on the committee or have voting rights;
- external appointees who are stakeholder representatives or individuals with valuable skills and experiences;
- a Chair appointed on merit, skills and suitability;
- external members should be appointed by public advertisement using the guidance applicable to public appointments, in line with the advice given above.

1.14 The HMC can have decision making powers or can be advisory in nature. If the HMC is advisory (rather than decision making) then the Executive would take decision on the advice/recommendations arising (if the port function sits with the Executive).

1.15 Sitting outside of the Committee structure, the existing Councils have a number of advisory groups that are consulted regarding activity within the ports. These include the Watchet Advisory Committee which was set up pursuant to the Watchet Harbour Revision Order 2000. This cannot be altered without amending the Harbour Revision Order (HRO).

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Harbour Management Committee -Proposed Way Forward

- 1.16 It is recommended that a HMC is set up to govern the operation of the ports in accordance with the DfT Ports Good Governance Guidance.
- 1.17 If this is supported by members two documents will be required to articulate the governance arrangements for the HMC. The first being a Terms of Reference to set out the purpose of the HMC for incorporation into the Council' constitution. The second is a Memorandum of Understanding setting out the commitments and agreements of the Executive and the HMC, whether the HMC is advisory or decision-making and the running and management of the Harbours.
- 1.18 Whilst the HMC could be granted decision-making powers, it is usually required to operate within a budget approved by the Council, with restraints on the level of expenditure that can be approved. As it is recommended that the Executive has the ultimate responsibility as Duty Holder, it is proposed that the Harbour Management Committee is advisory only and makes recommendations to the Executive. This is because as Duty Holder the Executive has the ultimate responsibility in relation to the Ports and also the ability to make financial decisions about its operations.
- 1.19 If Members are supportive of this approach, it is recommended that Ashford's Solicitors are requested to prepare the Terms of Reference for the Harbour Management Committee and Memorandum of Understanding for member approval.
- 1.20 Due to the Watchet Advisory Committee being established by a Harbour revision order (HRO) it is recommended that the current advisory groups remain the same pending an application for HROs when the number and composition of these groups will be reviewed.

Appointment of Designated Person

- 1.21 Each Harbour Authority must appoint an individual to fulfil the role of Designated Person. Their role is to provide independent advice to the Duty Holder on compliance with the Port Marine Safety Code and effective operation of any Marine Safety Management Systems operating within the port. They will effectively audit port operations to ensure independent scrutiny and assessment and advise the Duty Holder accordingly. It is advisable for the DP to be independent and not employed directly by the local authority.
- 1.22 The Designated Person must have suitable knowledge and experience of maritime legislation and codes of practice to enable them to fulfil role.

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1.23 At the port of Bridgwater the Designated Person role is provided by the Bristol Port Company. At SWAT ports the role is currently fulfilled by an officer of the council.

Appointment of Designated Person Proposed Way Forward

1.24 Discussions are taking place with the Bristol Port Company who have indicated that they may be willing to continue to act as the Designated Person for the ports and harbours in the new authority.

1.25 Discussions between the Harbour Master and officers at SDC and SWAT agreed that the most suitable option would be for the Designated Person to be provided independently by a third party. It was also agreed, that Bristol Port Company (if they wish to continue in the role) should be recommended to the Duty Holder of the new authority (once appointed) to fulfil their role of Designated Person. If the Bristol Port Company do not wish to continue in the role a suitable alternative will be proposed. The Duty Holder will need to approve this appointment in due course.

Port/Harbour Legislation and Powers

1.26 As discussed above the operation of ports and harbours are governed by both national and local legislation which sets out their duties and powers.

1.27 There are four different statutory harbour undertakings for which Somerset Council will be the SHA each with its own legislation. Some of this legislation dates back to the 19th century and there is a different set of legislation for each port. Therefore, combining and modernising this legislation using a Harbour Revision Order (HRO) is a potential course of action. Ashford's solicitors in their advice have stated:

"With each undertaking governed by different local harbour legislation, the various statutory regimes that the Council must comply with becomes confusing and complex. This position makes it harder for the Council to manage the harbours in an efficient and economical manner.

If an HRO was sought to fully modernise and consolidate the Council's powers as SHA under a single Order, it would be sensible to repeal nearly all of the current local harbour legislation and replace it with clear, modern powers under the new HRO.

The modernised powers could include:

- 1. Powers of General Direction (Ability to control leisure craft and some land based activities);*

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2. *a wide power of disposal and associated modern powers regarding development of land;*
3. *a modern suite of charging powers and the repeal of any wide charging exemptions;*
4. *a standard provision regarding the use of harbour funds and the establishment of a reserve fund (central reserve fund for all the harbours or a separate reserve fund for each); and*
5. *clearly defining the Council's jurisdiction at each harbour."*

1.28 A Harbour Revision Order is not needed prior to vesting day however it is something that should be considered post vesting day for the reasons specified 1.26 above.

Legislation and Powers -Proposed Way Forward

1.29 The Governance workstream has advised that all existing legislation and powers will transfer automatically to the new authority on vesting day and will included in the new authority's constitution.

1.30 It is suggested that further work post vesting day is considered to raise a Harbour Revision Order to combine and modernise the various legislation for the Port of Bridgwater, Watchet, Minehead, and Bridgwater Docks.

2. Recommendations

The Executive is recommended to:

1. To recommend to Full Council that the responsibility for the Council's functions as Statutory Harbour Authority and the role of Duty Holder should sit with the Executive Committee.
2. That appropriate training be provided to members of the Executive Committee in relation to their role of Duty Holder.
3. To agree that the role of Designated Person for the new authority should be fulfilled by a independent third party and not by a council officer
4. To approve the appointment the Bristol Port Company as the Designated Person (should they wish to continue in the role)
5. That the establishment of a Harbour Management Committee for the Ports and Harbours outlined in this report is approved.

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6. That delegated authority be granted to the Service Director (Responsible for the Port Functions) to conduct a skills audit for the Harbour Management Committee as soon as reasonably practicable
7. That Ashford's solicitors be instructed to prepare the Harbour Management Committee Terms of Reference, Memorandum of Understanding and Harbour Revision Orders.
8. That delegated authority is granted to the Service Director (Responsible for the Port functions) to run the process for making appointments to the Harbour Management Committee and in consultation with the Service Director (Legal) to establish the Harbour Management Committee
9. To note the continuation of the Watchet Advisory Committee and other existing advisory groups.
10. That delegated authority be granted to the Service Director (Responsible for the Port Functions) to progress the proposed harbour revision orders and the draft proposals be submitted to the Harbour Management Committee and Executive once produced

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3. Reasons for recommendations

- 3.1 Recommendations (1) (2) (3) and (4) relating to the Appointment of Duty Holder and Appointment of Designated Person:

These are requirements of the Port Marine Safety Code. The Port Marine Safety Code ("PMSC") sets out a national standard for marine safety at ports and harbours. It applies to ports, harbours, and other marine facilities, berths and terminals.

The PMSC is best practice guidance rather than 'law'. However, ports and harbours are expected to comply and have to submit a compliance statement to the Maritime and Coast Guard Agency. Failure to do so can lead to prosecution (for example, under section 3 Health and Safety at Work Act 1974) should there be an accident or incident and may have implications for insurance cover.

- 3.2 Recommendations (5) (6) (7) and (8) (9) relating to the Establishment of a Harbour Management Committee:

This is a recommendation of the DTR Ports Good Governance Guidance and will bring openness and additional accountability to port decisions, along with more expertise and experience. It will mean the service will have oversight and scrutiny ensuring the service is run effectively with relevant stakeholder engagement.

- 3.3 Recommendation (10). Approval for the application for a Harbour Revision Order (HRO) in the 2024/25 financial year:

Each Port and Harbour has its own separate legislation which it must comply with, some dating back to 19th century. This makes it more complex when managing the ports especially now they will be being run by a single organisation. Applying for a HRO will allow one consolidated piece of legislation to be in place for all ports and allow the legislation to be modernised where necessary.

4. Other options considered

- 4.1 The advice contained within this report is based on specialist marine legal advice from Ashford's Solicitors and advice from the governance workstream. Whilst other options are available, they are not considered applicable/ the most appropriate course of action in this instance. These issues are discussed below:

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Appointment Duty Holder - Other Options

4.2 The role of the Duty Holder could sit in one of the following four places:-

A Harbour Management Committee (HMC's) – these may be advisory or decision-making. However, even if decision-making they usually operate under an approved budget and therefore have limits on the level of financial transaction they can authorise without Council approval. For this reason, it is not recommended that HMC's are the Duty Holder as they may not have sufficient authority to ensure compliance with the PMSC.

An Individual Person – this could, for example, be a Portfolio Holder. This is less common and usually better to be filled by more than one person jointly and severally to mitigate absence for illness etc and by allocating to more than one person (e.g. the entire Executive) it can aid visibility of the role.

Full Council – this option requires all members of the Full Council to receive Duty Holder training and be aware of their roles and responsibilities. It can also make it harder to make timely decisions due to the cycle of meetings.

Executive – this is the recommended option because there is more than one person appointed, so mitigating concerns about absence for illness etc but the number of people to be trained is significantly lower than for Full Council.

Harbour Function - Other Options

4.3 The Harbour Function is a local choice function under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. This means that it can sit with Full Council, the Executive or be split between the two. Splitting the function between the Executive and Full Council is not recommended as it can lead to increased difficulties in having clear reporting lines which would increase complexity of decision making.

4.4 If the entirety of the harbour authority function was to rest with Full Council then it would logically follow that Full Council will become the Duty Holder under the PMSC. The PMSC makes it clear that the Duty Holder cannot assign or delegate its accountability for compliance with the Code. Conversely, if the entirety of the harbour authority function was to rest with the Executive, then it would logically follow that the Executive become the Duty Holder under the PMSC.

4.5 Due to the concerns expressed above about having to train all Council members and speed of decision-making, it is recommended that the Harbour Function

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rest with the Executive and that the Executive become the Duty Holder under the PMSC.

Appointment of Designated Person - Other Options

- 4.6 The only other option would be not to appoint an independent designated person. However, this would not be consistent with the PMSC therefore was not considered appropriate.

Establishment of Harbour Management Committee (HMC) - Other Options

- 4.7 The only other option would be not to have a Harbour Management Committee. However a HMC is a recommendation of the Ports Guide to good governance and is considered good practice, therefore this option was not considered appropriate.

Port Legislation - Harbour Revision Order (HRO) - Other Options

- 4.8 The only other option would be not to apply for a Harbour Revision Order however with the various ports having separate legislation dating back to the 19th century not applying for a HRO was not considered the most appropriate course of action.

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

- 5.1.** This decision to approve the recommendations specified in section 2 of this report is part of the LGR Service Alignment and Governance workstreams to ensure Port and Harbour services are safe and legal from vesting day. The proposed recommendations will allow for the port services to be run in a manner that is consistent with best practice guidance to deliver a single service for Somerset residents.

6. Consultations and co-production

- 6.1.** The approach outlined in this report has been produced as part of the LGR Service Alignment – Environment and Climate Change Sub workstream 3 (Environmental Health) and has input from relevant partner organisations and the LGR Governance workstream. Both Sedgemoor District Council and Somerset West and Taunton's Harbour Teams are in agreement with the approach outlined. The LGR Service Alignment Board on 30th November 2022 and the LGR Governance Board on 14th December 2022 were satisfied in with the approach outlined in this report. A briefing on this report was also given at the SCC Executive/SLT meeting on the 16 January 2023.

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7. Financial and Risk Implications

7.1. The financial implications for the council are summarised below:

(1) Establishment of Duty Holder and Harbour Management Committee:

Councillor expenses in attending committee meetings as either the duty holder (Executive Members) or as part of the Harbour Management Board. These budgets are not held within the Port budgets and would need to come from a central Democratic Services budget.

(2) Appointment of Designated Person:

Fees associated with the Designated Person advising the Executive (Duty Holder) attending meetings and undertaking the annual compliance audit. The level of cost will dependent on how much advice is needed by the Duty Holder/port officers.

It is recommended that a budget is established to cover these costs once known within the new council

(3) Harbour Revision Order:

There would also be costs post vesting day associated with a full consolidation /modernisation HRO covering all harbours. These are estimated below:

MMO fee - £9,970 currently. £15,579 from Oct 2023. Payable when the application is submitted.

Publication of notices in local newspaper and London Gazette. £3 - £5,000

Legal fees iro £40,000 - £50,000 plus VAT and disbursements.

With the HRO application fee increasing to £15,579 in October 2023, it may make sense to commence the HRO process after vesting day but before October 2023.

There is currently no budget identified to undertake this work therefore in order to progress this a new budget would need to be established.

7.2. The key non-financial risks for the council are:

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(1) Non-compliance with best practice in relation to the Port Marine Safety Code and the DTR Ports Good Governance Guidance.

There are risks to the authority if the recommendations in relation to the Duty Holder, Designated Person, and Governance arrangements are not implemented. It could mean that regulatory bodies and port users would not have confidence that the port is being governed and run effectively and in accordance with best practice. The Maritime and Coastguard Agency may take action for non-compliance with the PMSC. There could potentially be insurance implications for the Council. Additionally should there be an accident or incident and it was shown the Council was not compliant with the PMSC then it could lead to further issues in relation to health and safety legislation.

By implementing the recommendations of this report, the risks identified above should be managed effectively.

Predicted Risk Score **Without** Implementing Report Recommendations

Likelihood	5	Impact	4	Risk Score	20
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Predicted Risk Score **With** Report Recommendations implemented

Likelihood	2	Impact	2	Risk Score	4
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8. Legal and HR Implications

- 8.1 The proposals contained within this report have been discussed and agreed with the LGR Governance Board.
- 8.2 The recommendations if implemented will create a clear legal framework within which the port will operate. It will establish a governance structure for the port that will be in accordance with codes of practice, best practice and compliant with the Port Marine Safety Code. It will mean that the port should operate in a safe and efficient manner with open and accountable decision-making including effective stakeholder consultation. Therefore the recommendations should reduce the risks of legal implications as a result of operation of the ports.
- 8.3 As the report relates to Port governance rather than staff structures there are no known HR implications.

9. Other Implications

9.1. Equalities Implications

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The equalities implications of the proposals contained within this report have been considered in relation to:

- **The Port Function sitting as an Executive Function and the Executive Committee acting as the Duty Holder** – the Executive Committee is an established committee within the Council’s committee system. Therefore all meetings will be arranged and administered by Democratic Services under their established policies/procedures which will have had equalities impacts assessed. Therefore EIA impacts will be addressed through these existing processes.
- **Appointment of a Designated Person** – This relates to appointment of a third party company/contractor to act as an independent auditor to audit port safety and to act as advisor on safety matters to the Executive Committee (Duty Holder) . Therefore there are no equalities implications considered applicable for this recommendation.
- **The Establishment of a Harbour Management Committee** – The Governance Workstream has confirmed that this committee will be administered by Democratic Services. Therefore all meetings will be arranged and administered by Democratic Services under their established policies/procedures which will have had equalities impacts assessed. Therefore equalities impacts will be addressed through these existing processes.
- **Application for a Harbour Revision Order** – This is purely an administrative function to apply to central government to consolidate the various port legislation into one piece of legislation. Therefore there are no equalities implications considered applicable for this recommendation.

Consultation has taken place with the Equalities Officer who endorses the conclusions outlined above.

9.2. Community Safety Implications

This report relates to governance of the port and harbours therefore there are no Community Safety Implications

9.3. Sustainability Implications

This report relates to governance of the port and harbours therefore there are no Sustainability Implications

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9.4. Health and Safety Implications

The recommendations in this report if implemented would reduce the risk of non-compliance with health and safety legislation. By establishing a duty holding body and appointing a Designated Person the council would be complying with the Port Marine Safety Code and ensuring port safety is given appropriate scrutiny and oversight. By establishing a Harbour Management Committee the Council would be working to recommendations in the DTR Ports Good Governance Guidance which would mean transparent decision making and oversight of port operations.

Periodic Reviews and updating of port legislation is also a recommendation of the Port Marine Safety Code. Therefore if applied for, the Harbour Revision Order would mean the ports and harbours would be operating to one set of modern legislation, powers and duties and therefore simplifying the efficient and safe operation of the port function.

9.5. Health and Wellbeing Implications

This report relates to governance of the port and harbours therefore there are no health and wellbeing implications

9.6. Social Value

This report relates to governance of the port and harbours therefore there are no known social value implications

10. Scrutiny comments / recommendations:

This decision has not been considered by a scrutiny committee

11. Background

Appendix 1 Summary Flow Chart of Governance Structures

Appendix 2 Glossary of Terms

All other necessary information detailed in main body of report

12. Background Papers

12.1 [DTR/MCA - Port Marine Safety Code](https://www.gov.uk/government/publications/port-marine-safety-code)

<https://www.gov.uk/government/publications/port-marine-safety-code>

[DTR Ports Good Governance Guidance](https://www.gov.uk/government/publications/good-governance-guidance-for-ports)

<https://www.gov.uk/government/publications/good-governance-guidance-for-ports>

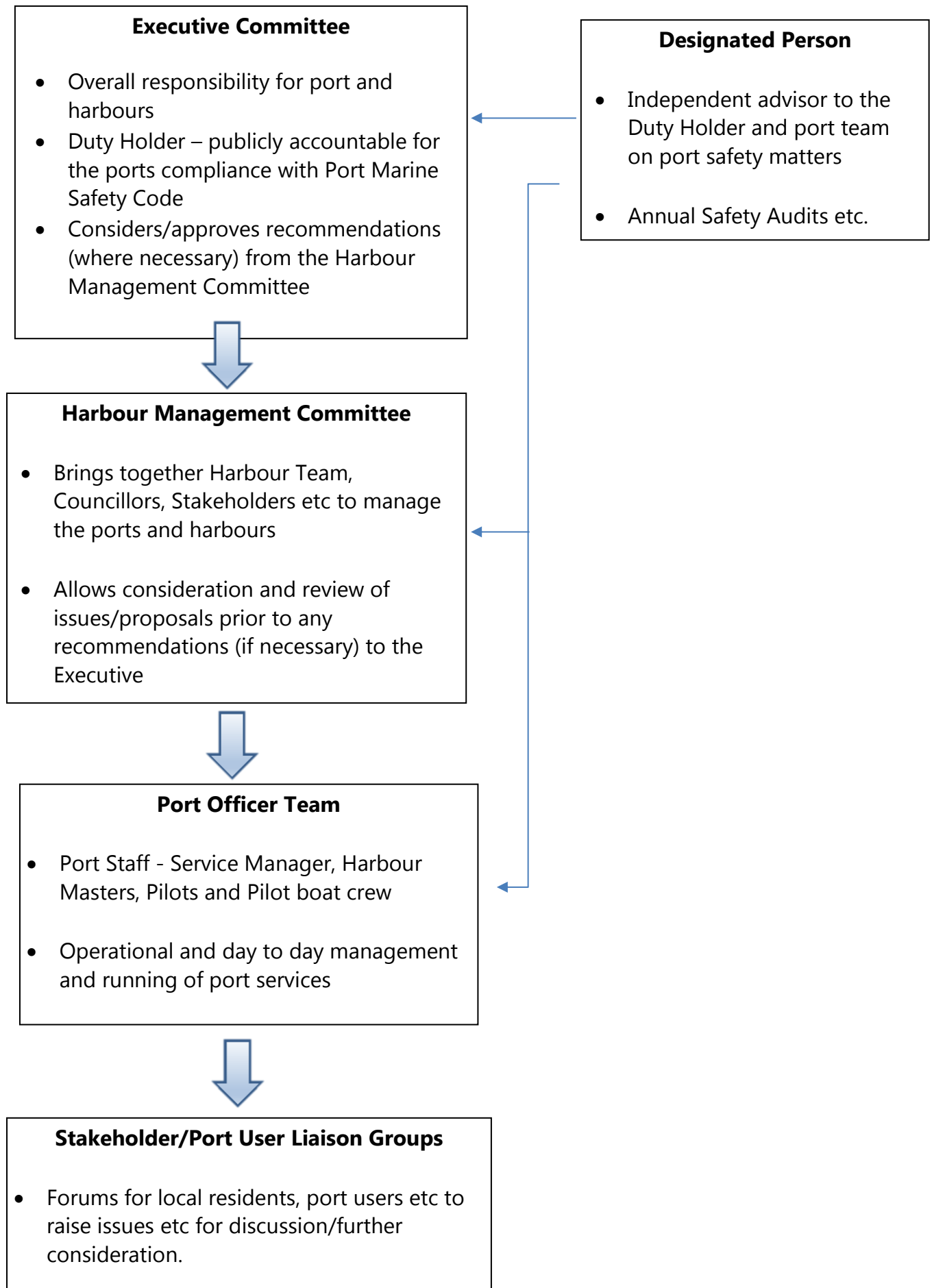
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Report Sign-Off

		Date completed
Legal Implications	Honor Clarke	27/01/23
Governance	Scott Wooldridge	26/01/23
Corporate Finance	Jason Vaughan	30/01/23
Customers, Digital and Workforce	Chris Squire	24/01/23
Property	Paula Hewitt / Oliver Woodhams	24/01/23
Procurement	Claire Griffiths	27/01/23
Senior Manager	Duncan Sharkey	22/01/23
Commissioning Development	Sunita Mills / Ryszard Rusinek	24/01/23
Executive Member	Cllr Bill Revans - Leader of the Council	27/01/23
<u>Sign-off Key Decision / Consulted on Non-Key Decision</u>		
Opposition Spokesperson	Opposition Spokesperson - Leader - Cllr David Fothergill	06/02/23
Scrutiny Chair	Scrutiny For Policies and Environment - Cllr Martin Dimery	01/02/23
Scrutiny Chair	Scrutiny for Policies and Place Committee - Cllr Gwil Wren	31/01/23

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Appendix 1 Summary Flow Chart of Governance Structures



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Appendix 2 Glossary of Terms

Term	Abbreviation	Summary definition
Competent Harbour Authority (CHA)	CHA	Those harbour authorities that have been given statutory powers relating to the provision of pilotage in their waters
Designated Person	DP	Each organisation must appoint an individual as the "designated person" to provide independent assurance directly to the Duty Holder that the Marine Safety Management System for which the Duty Holder is responsible, is working effectively. Their main responsibility is to determine, through assessment and audit, the effectiveness of the Marine Safety Management System in ensuring compliance with the Port Marine Safety Code.
DfT Ports Good Governance Guidance		Guidance document on the governance of ports and harbours
Duty Holder	DH	Organisations must have a "duty holder" who is accountable for their compliance with the Port Marine Safety Code and their performance in ensuring safe marine operations.
Harbour Management Committee (HMC)	HMC	A committee established to govern the management of the ports and harbours
Harbour Revision Order (HRO)	HRO	An order used to change the existing legislation governing the management of a harbour or harbours controlled by the same statutory harbour authority (including the provision of new powers and duties).
Port Marine Safety Code	PMSC	The Port Marine Safety Code ("the Code") sets out a national standard for every aspect of port marine safety. Its aim is to enhance safety for everyone who uses or works in the UK port marine environment.
Marine safety management System (MSMS)	MSMS	A safety management system based on risk assessment for managing safety within the Port/Harbours
Statutory Harbour Authority (SHA)	SHA	Statutory Harbour Authorities (SHAs) are Statutory Bodies responsible for the

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		management and running of a harbour. The powers and duties in relation to a harbour are set out in local Acts of Parliament or a Harbour Order under the HA 1964.
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Somerset County Council

County Council

– 1 March 2023

Report of the Monitoring Officer – Somerset Council appointment of Committees and allocation of seats on committees to political groups

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

Report authors: Scott Wooldridge (SCC), Honor Clarke (SCC) and Dave Burns (MDC)

Contact Details: 01823 359043

1. Summary

- 1.1 This report sets out decisions that are required ahead of vesting day (1 April 2023) for the Somerset Council and its Annual General Meeting on XX May 2023 regarding the appointment of committees and the allocation of seats on committees to the political groups for the new Somerset Council .

The appointments of the Chair of the Council, Vice Chair of the Council and Leader of the Council were agreed at the Annual General Meeting on 25 May 2022. Appointments to those roles for the new Council will need to be agreed at the AGM in May 2023.

Note – an updated **Appendix 1** with names of members and allocation of committee places to political groups will be published prior to the meeting as this is being consulted upon with the political group leaders.

2. Recommendation(s)

2.1 Council is recommended to:-

- (1) Approve the Council Appointments Schedule to its committees and joint committees (Appendix 1).**
- (2) Note that the Leader of the Council will approve appointments to the Health & Well-Being Board and the Heart of the South-West Joint Committee.**
- (3) Endorse the recommendations from the current Standards Committee and agree to continue to set aside the political proportionality rules for the new Standards Committee and instead allocate a place to an elected member from each of the five political groups.**

- (4) Delegate authority to the Monitoring Officer to make amendments to committee appointments in Appendix 1 and agree appointments to any vacancies that arise. Where changes to committee appointments are required then appointments will be made in accordance with the wishes of the relevant political group leader.**
- (5) Agree Wednesday 24 May 2023 as the date for the Annual General Meeting for Somerset Council.**

3. Background

3.1 Democratic Arrangements

Following the approval of the Somerset Structural Changes Order 2022, Somerset Council will come into effect on 1 April 2023 as part of local government reorganisation in Somerset.

The Constitution for the Somerset Council was agreed at the meeting of Somerset council on the 22 February 2023. The new committee structure for Somerset Council is detailed in Parts C, D, E, F and G of Constitution.

The Council is therefore required to :

- (a) Appoint committees and sub-committees from 1 April 2023 and agree their size (in accordance with the statutory political balance on committee requirements), terms of reference and appoint members to serve on each;
- (b) Elect Chairs and appoint Vice-Chairs of committees from 1 April 2023 (except the Officer Appeals Committee which appoints its own Chair at each meeting);
- (c) Agree and delegate authority to the Monitoring Officer to make any amendments to the Constitution (including the Scheme of Delegation) required as a result of the decisions made in respect of (a) to (c) above;
- (d) Approve Wednesday 24 May 2023 as the date for the Annual General Meeting;

This report covers all of these essential requirements.

3.1.2 The results of the 5 May 2022 County Council elections resulted in the following political balance on the Council.

- Liberal Democrats = 61 members
- Conservative = 36 members
- Labour = 5 members
- Green = 5 members
- Independents = 3 members

The members elected on 5 May 2022 will be the members of the new Somerset Council.

The Liberal Democrat group formed a majority Administration from 2022 – 27. This report has been prepared on the basis of the political groups reflecting the position set out above.

3.1.3 It is anticipated that the appointments schedule (**Appendix 1**) setting out the proposed nominations from each of the political groups will be published either immediately prior to or on the day of the Meeting.

3.1.4 **Model of Governance and the role of Full Council**

The Council currently operates a Leader and Cabinet model of governance in accordance with legislative requirements. The Council has operated this model of governance since 2001. The main alternative model is the committee system model of governance and a small number of councils use this. The third option – the directly elected mayor model – has previously been not considered appropriate for Somerset and again only a small number of councils (mainly cities) use this. The 'Leader and Cabinet' model offers considerable flexibility and is considered more appropriate to the Council's circumstances and operating model.

3.1.4 The Leader and Cabinet model places the majority of functions carried out by the Council as the responsibility of a small number of councillors operating as an 'Executive' or 'Cabinet'. The Leader has responsibility for agreeing the Executive arrangements and the executive decision-making arrangements across the Council. The Leader of the Council will confirm his Executive at the Executive meeting on 27 February.

3.1.5 The key role of full Council in a 'Leader and Cabinet model' is to:

- Approve the Council's budget and key policies;
- Appoint the Leader and committees of the Council

3.1.6 **Appointment of elected members to the Council's Committees**

A new committee structure has been agreed for the new Somerset Council at its meeting on 22 February 2023 when the Council agreed the Constitution for the new Council from 1 April 2023.

3.1.7 The proposed elected member appointments to the committees are set out in **Appendix 1**.

3.1.8 Following the County Council elections and in accordance with the Somerset Structural Changes Order 2022, the number of County Councillors has increased significantly from 55 to 110. Consequently, work was undertaken to review the committee sizes and their quoracy of other councils that have completed local government reorganisation. This benchmarking work focused on Wiltshire and Buckinghamshire councils due to their comparable number of elected members of 98 and 120 respectively.

3.1.9 Key points from that benchmarking are:

- Size of Council committees - the average County Council committee size is currently 8 elected members whereas this is between 11-15 for Wiltshire and Buckinghamshire
- Quorum – this is usually set at about ¼ of the membership of the relevant committee (with a minimum of 3 members) but can increase to over 50% of the membership where this relates to decision making committees

3.1.10 Since May 2022, the Council has operated with the majority of its committees with a membership of 13 elected members and a quorum of 5. This enables representation from the majority of political groups on committees. These arrangements have operated well. Following the Council's approval to the Constitution for the new Somerset Council then the Council's committees, together with their size and quorum are:

Council Committees – required to be politically balanced	No of places	quorum
Appointments Committee	5	3
Audit	13	5
Constitution & Governance	13	5

Human Resources	13	5
Licensing and Regulatory	15	5
Licensing sub	3	3
Regulatory sub	3	3
Officer Appeals	13	3
Pension Fund Committee	7	3
Pension Board	1	
Strategic Planning	13	5
Area Planning committee North	13	5
Area Planning committee South	13	5
Area Planning committee East	13	5
Area Planning committee West	13	5
Scrutiny – Corporate and Resources	13	5
Scrutiny -Climate and Place	13	5
Scrutiny -Adults & Health	13	5
Scrutiny – Children and Families	13	5
Scrutiny - Communities	13	5
Committee places total	216	

Council Committees – not required to be politically balanced	No of places	quorum
Somerset Health and Well-Being Board	5	3

Under the Health and Social Care Act 2012, the Council is required to appoint a Health and Wellbeing Board that works with partners, including the GP led Clinical Commissioning Group (CCG), to prepare a Joint Health and Wellbeing Strategy for the Council and the CCG and to encourage the delivery of integrated services. The Board is to be regarded as an ordinary committee of the Council and is therefore appointed by the Council, reports to the Council and with membership, as defined by the legislation, agreed by the Council.

Council Committees – proposed to continue to be balanced locally	No of places	quorum
Standards (and 5 independent co-opted members)	5	3

The Council has for several years set aside political proportionality rules for its Standards Committee and instead agreed to allocate a place to each of the political groups. The Standards Committee recommended that the Council

continues to adopt that approach.

Joint Committees – politically balanced	No of places appointed from county council
Heart of the South West Joint Committee	1
Heart of the South West Joint Scrutiny Committee (LEP)	4

Note that the Council’s appointments to Devon and Somerset Fire and Rescue Authority and Exmoor National Park Authority are set out in the Outside Bodies appointments report agenda item for Council to consider on 1 March 2023.

Note that the political proportionality rules do not apply to the Executive or the Pension Board. Under the Public Service Pensions Act 2013 and consequent amendments to the Local Government Pension Scheme Regulations 2013, each administering authority is required to appoint a local pension board to assist the administering authority to comply with relevant legislation and guidance, and to ensure the effective and efficient governance and administration of the Local Government Pension Scheme. Such Boards are constituted entirely under the Public Service Pensions Act 2013 and are not local authority committees.

3.2 Appointments / Allocation of places

3.2.1 Whilst it is necessary to make the appointments to committees from 1 April 2023, under the Local Government & Housing Act 1989 and subsequent Regulations, the Council will have to review the representation of the different political groups on committees at the annual Council meeting.

3.2.2 **Appendix 1** will set out arrangements to enable the Council to meet the requirements of the Local Government and Housing Act 1989 which requires the application of certain rules to the appointment of council committees.

The Schedule will provide for:

- (a) The appointment of members to the committees of the Council.
- (b) The appointment of chairs and vice-chairs of the committees where

appropriate.

3.2.3 The following political balance and overall entitlement to seats:

Political Group	No of Members	Overall entitlement to committee seats
Liberal Democrat	61	55.5%
Conservative	36	32.7%
Labour	5	4.5%
Green	5	4.5%
Independent	3	3%
Individual member	0	0%
Totals	110	100%

3.2.4 The number of seats on ordinary committees are allocated to each political group in the same proportion as the overall strength of each political group as far as practicable. This excludes the Executive as those appointments are made by the Leader of the Council and also any other committee where political balance is not required such as the Health and Well Being Board.

3.2.5 The Local Government and Housing Act 1989 sets out the principles to be used in agreeing the size of and allocation of places to committees (and sub-committees) of the Council and also requires this process to be repeated annually at the Council's AGM. The principles must be followed so far as is reasonably practicable.

3.2.6 Principles for allocating places - the following principles from the 1989 Act, together with a commentary where appropriate, must be applied to the allocation of seats on committees.

1. *Preventing domination by a single group:* All the seats should not be allocated to the same political group.
2. *Ensuring a majority group enjoys a majority on all committees.* If one political group has a majority in the full Council, that political group should have a majority on each committee.
3. *Aggregating all committee places and allocating fair shares.* Subject to the above principles 1 and 2, the total number of seats on all the

committees of the Council allocated to each political group should be in the same proportion as that political group's seats on the full Council.

4. *Ensuring as far as practicable fairness on each committee:* Subject to the above principles 1, 2 and 3, the number of seats on each committee of the Council allocated to each political group should be in the same proportion as that political group's seats on the full Council.

3.2.7 **Application of the principles** - the Council must review the establishment of its committees in accordance with the principles set out above in 3.2.6. Immediately after this is done, each political group should state the names of the members it wishes to take its allocated places on committees, and when those wishes are known, the Council is under a duty to make the appointment of those councillors as soon as practicable.

3.2.8 **Method of Calculating the Allocation of Places to Political groups** - The principles in paragraph 3.2.6 can be applied in the following sequence:

- (i) Calculate the total number of seats with votes on all the ordinary committees and any Joint Committees.
- (ii) Calculate the proportion that each political group forms of the total membership of the Council. Reserve an appropriate number of seats for any members not in a political group.
- (iii) Apply those proportions to the total number of ordinary committee seats to give the aggregate entitlement of each group; the requirement to apply the proportions "so far as reasonably practicable" can be met by rounding down fractional entitlements of less than half, and rounding up entitlements of a half or more; if this results in a greater aggregate than the number of seats available, the fractional entitlement(s) closest to a half should be rounded in the other direction until entitlements balance the available seats.
- (iv) Apply the proportions to the number of members on each ordinary committee to give provisional entitlement to seats on that committee.
- (v) If the provisional entitlement gives only one group seats on the committee, adjust the entitlement so that the next

largest group has a seat (thus applying principle (a) in paragraph 3.2.6).

- (vi) Finally, adjust the seats on each committee so that the total allocated to each group is as near as possible to their aggregate entitlement, whilst preserving the results reached at steps (iv) and (v) (thus applying principle (c) in paragraph 3.2.6).

3.2.9 The Council is free to adopt any aggregate number of places on ordinary committees so long as it follows the principles in paragraph 3.2.6 and the sequence outlined above. A draft scheme of committee places is set out at **Appendix 3**.

3.2.10 Explanation of the committee places table in **Appendix 3**:

- There are 216 committee places in total to be allocated. These do not divide neatly across the 5 political groups within the overall calculation hence the inclusion of decimal points. This is the second most important calculation after ensuring that the Liberal Democrat Group has a majority on each committee where it wants it.
- The Labour Group (6 places) and Green Group (5 places) are over-provided for in terms of places on individual committees (total over-provision of 11 places) and **Appendix 3** shows where places need to be reallocated to the Liberal Democrat (2 places), Conservative (3 places) and Independent Groups (6 places). Those reallocations will be set out in the final version of **Appendix 1** to be considered at the Council meeting on 1 March 2023.

3.2.11 A numerical guide to proportional representation on Committees is set out at **Appendix 2** to reflect the Council's updated political composition.

3.2.12 **Members not in a political group** - In the case of members who are not members of a political group, a proportion of seats on committees equal to the proportion of Council members who do not belong to a political group, has to be reserved, with appointments to these seats being made by the Council at its discretion. There are no members on this Council that are not in a political group at this time.

3.2.13 Full Council may waive the political balance rules for any committee(s) where the Council wishes to appoint an alternative number of members from political groups. In order for political balance to be waived no member must vote against this motion, an objective by a single member would

make it necessary to apply strict proportionality. Relevant committees and appointments to other authorities where this is proposed are set out in this report and its appendices e.g. Standards Committee where it is proposed to waive the political balance rules and instead appoint one member from each political group.

- 3.2.14 It is proposed that the Council delegates authority to the Monitoring Officer to make in-year changes between Annual General Meetings to committee appointments in the event of a vacancy occurring and to make changes to appointments to internal, partnership and outside bodies where requested by the relevant political group leader and subject to the conditions being met.

4. Legal Implications

- 4.1 These are as set out in the report.

5. Impact Assessment

- 5.1 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. There are no direct impacts of these recommendations on the provision of services. There are no direct impacts on sustainability, health and safety, community safety or privacy aspects as a result of this proposal.

6. Financial Implications

- 7.1 The immediate financial implications from the proposals set out in this report will relate to any changes to the democratic arrangements outlined in **Appendix 1**. These will relate to posts qualifying for Special Responsibility Allowance payments, additional members' expenses and support costs for the new committees.

Note that the appointment of Executive Lead Members and any Associate Lead Members is for the Leader of the Council. Therefore there could be financial implications as a result of those appointments and will be set out in the decision report that the Leader will consider. Additionally there is likely to be the corresponding appointments from the Opposition Group Leader of Opposition Spokespersons. Those cost implications are not known at the time of finalising this report.

The above costs will need to be met by the resources allocated for Democratic Services and additional funding will be required to accommodate these costs in 2023/24. Funding from the Contingency Budget will need to be reallocated to

meet these additional costs. Resources will be kept under review by the Monitoring Officer in consultation with the Section 151 Officer throughout 2023/24.

8. Background Papers

- 8.1 Somerset County Council Constitution
- Local Government Act 1972
- Local Government and Housing Act 1989
- Local Government Act 2000
- Localism Act 2011
- Health and Social Care Act 2012
- Public Service Pensions Act 2013
- Somerset Structural Changes Order 2022

Note For sight of individual background papers please contact the report author.

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APPENDIX 1

Somerset Council

Committees as at 1 April 2023

DRAFT APPOINTMENTS SCHEDULE

COMMITTEE APPOINTMENTS

APPOINTMENTS COMMITTEE (between 3-5 members)

Appointments made by the Appointments Panel as and when a Committee is convened so no standing membership of this committee

Chair:

Vice-Chair:

Membership:

Group / Seats

Con (1)

Lib Dem (4)

AUDIT COMMITTEE (13 members)

Chair:

Vice-Chair:

Membership: *(CIPFA advice is no Executive members and preferably no high profile scrutiny members to be appointed and up to 2 independent co-opted members)*

Group / Seats

Con (4)

Green/Labour/
Independent (2)

Lib Dem (7)

Jennifer Whitten – independent co-opted member

CONSTITUTION AND GOVERNANCE COMMITTEE

Groups / Seats

(13 elected members)

Chair:

Vice Chair:

Membership – elected members:

Con (4)

Green/Labour/
Independent (2)

Lib Dem (7)

HUMAN RESOURCES COMMITTEE (13 elected members)

Groups / Seats

Chair: *(This Committee is chaired by the Cabinet member with responsibility for HR issues)*

Membership:

Con (4)

Green/Labour/
Independent (2)

Lib Dem (7)

LICENSING AND REGULATORY COMMITTEE

(15 members)

Chair:

Vice-Chair:

Membership:

Groups / Seats

*(Members **must** receive training before being a member of the committee)*

Con (5)

Green/Labour/
Independent (2)

Lib Dem (5)

Note that membership of the licensing sub-committees and regulatory sub-committees is drawn from the Licensing and Regulatory Committee membership

OFFICER APPEALS COMMITTEE (13 members)

Groups / Seats

Chair: (appointment delegated to the Committee)

Membership: *(Committee of 3 members chosen from the 9 to hear each appeal – members **must** receive appropriate training in HR issues to be allowed to participate)*

Con (4)

Green/Labour/
Independent (2)

Lib Dem (7)

Contact : Scott Wooldridge, Monitoring Officer

PENSION FUND COMMITTEE (7 elected members)

Chair:

Membership: (not to include Executive Members)

Groups / Seats

Con (2)
Green/Labour/
Independent (1)
Lib Dem (4)

Non-elected Membership (3):

(Avon & Somerset Police Authority, other bodies in the scheme & Unison)

Paul Butler – Avon & Somerset Police & Crime Commissioner
Sarah Williams – representing other employers
Sarah Payne (UNISON) – representative of pension scheme members

PENSIONS FUND BOARD

(1 member)

Chair: (appointment delegated to the Board)

Membership: *(one elected member to be included as an 'employer' rep)*

3 'Employer' reps:

Cllr XXXX

Rachel Ellins (Officer, Somerset Council)

Cllr Anne Hills (Frome Town Council)

Lib Dem (1)

3 'Member' reps

Nigel Behan (Unite)

Rod Bryant

Anthony White

Contact : Scott Wooldridge, Monitoring Officer

SCRUTINY COMMITTEE - CORPORATE & RESOURCES

(13 members)

Chair:

Vice-Chair:

Membership: *(no Executive Lead Members.*

Groups / Seats

Con (4)

Green/Labour/
Independent (2)

Lib Dem (7)

SCRUTINY COMMITTEE - ADULTS AND HEALTH

(13 members)

Chair:

Vice-Chair:

Membership: *(no Executive Lead members to be appointed)*

Groups / Seats

Con (4)

Green/Labour/
Independent (2)

Lib Dem (7)

SCRUTINY COMMITTEE - CHILDREN & FAMILIES

(13 members)

Groups / Seats

Chair:

Vice-Chair:

Membership: *(no Executive Lead members to be appointed)*

Con (4)

Green/Labour/
Independent (2)

Lib Dem (7)

Voting non-elected representatives for the consideration of
education matters only:

Ruth Hobbs
Mrs E Tipper

School Gov
Reps (2)

Vacancy

Schools Forum
(1)

Vacancy
Vacancy

Parent Gov Reps
(2)

Vacancy – Roman Catholic Diocesan
Revd T Osmond – Church of England Diocese

Church Rep (2)

SCRUTINY COMMITTEE - CLIMATE AND PLACE

(13 members)

Chair:

Vice-Chair:

Membership: *(no Cabinet members to be appointed)*

Groups / Seats

Con (4)

Green/Labour/
Independent (2)

Lib Dem (7)

SCRUTINY COMMITTEE - COMMUNITIES

(13 members)

Chair:

Vice-Chair:

Membership: *(no Cabinet members to be appointed)*

Groups / Seats

Con (4)

Green/Labour/
Independent (2)

Lib Dem (7)

STRATEGIC PLANNING COMMITTEE

(13 members)

Chair:

Vice-Chair:

Contact : Scott Wooldridge, Monitoring Officer

Membership:

*(Members **must** receive training before being a member or substitute member for a committee)*

Groups / Seats

Con (4)

Green/Labour/
Independent (2)

Substitutes

Lib Dem (7)

PLANNING COMMITTEE - NORTH

(13 members)

Chair:

Vice-Chair:

Membership:

*(Members **must** receive training before being a member or substitute member for a committee)*

Groups / Seats

Con (4)

Green/Labour/
Independent (2)

Substitutes

Lib Dem (7)

PLANNING COMMITTEE - SOUTH

(13 members)

Chair:

Vice-Chair:

Membership:

Contact : Scott Wooldridge, Monitoring Officer

*(Members **must** receive training before being a member or substitute member for a committee)*

Groups / Seats

Con (4)

Green/Labour/
Independent (2)

Lib Dem (7)

Substitutes

PLANNING COMMITTEE - WEST

(13 members)

Chair:

Vice-Chair:

Membership:

*(Members **must** receive training before being a member or substitute member for a committee)*

Groups / Seats

Con (4)

Green/Labour/
Independent (2)

Lib Dem (7)

Substitutes

PLANNING COMMITTEE - EAST

(13 members)

Chair:

Vice-Chair:

Membership:

Groups / Seats

Contact : Scott Wooldridge, Monitoring Officer

*(Members **must** receive training before being a member or substitute member for a committee)*

Con (4)

Green/Labour/
Independent (2)

Lib Dem (7)

Substitutes

SOMERSET HEALTH AND WELLBEING BOARD

Groups / Seats

Membership *(overall membership agreed by the Council):*

Proposed County Council membership – subject to the approval of the Leader *(5 members appointed by the Leader – generally includes relevant Executive Members with responsibilities for Children’s Services, Education, Public Health and Adult Social Care)*

Con (2)

Green/Labour/
Independent (0)

Lib Dem (3)

Officers and Independent Members

Professor Trudi Grant (Executive Director of Public Health, Somerset Council)

Mel Lock (Executive Director of Adult Services, Somerset Council)

Clare Winter (Executive Director of Childrens Services, Somerset Council)

Paul Von der Heyde (Vice Chair) – (NHS Somerset ICB)

Contact : Scott Wooldridge, Monitoring Officer

Jonathan Higman (NHS Somerset ICB)
Dr Robert Weaver (NHS Primary Care Trust)
Mark Cooke (NHS England)
Bernie Marden (NHS Somerset)
Peter Lewis (Somerset Foundation Trust)
Supt. Dickon Turner (Avon & Somerset Police)
Katherine Nolan (Spark Somerset) (Representative VCSE sector)
Hilary Robinson (Registered Care Providers)
Judith Goodchild (Healthwatch)

STANDARDS COMMITTEE

(5 elected members and 5 co-opted members)

Chair:

Membership – elected members: *(5 member committee political proportionality requirements proposed to be waived by the Council – all political groups represented – 1 member each)*

Groups / Seats

Con (1)
Green(1)
Labour (1)
Independent (1)
Lib Dem (1)

Membership – co-opted non-voting members:

Alan Hemsley
Paul Hooper
Robin Horton
David Stripp
Vacancy to be filled by a city, town or parish council representative

JOINT COMMITTEES

HEART OF THE SOUTH WEST JOINT COMMITTEE

(1 member)

Lib Dem (1)

Substitute member

Lib Dem (1)

Contact : Scott Wooldridge, Monitoring Officer

HEART OF THE SOUTH WEST LEP JOINT SCRUTINY COMMITTEE

(4 members)

Con (1)

Lib Dem (3)

FOR INFORMATION

EXECUTIVE (SUBJECT TO DECISION BY THE LEADER OF THE COUNCIL)

Note these are draft proposals at this stage:

- Leader of the Council – Bill Revans
- Deputy Leader of the Council and Lead Member for Resources and Performance – Liz Leyshon
- Lead Member for Children, Families and Education – Tessa Munt
- Lead Member for Adult Services – Heather Shearer

Contact : Scott Wooldridge, Monitoring Officer

- Lead Member for Transport and Digital – Mike Rigby
- Lead Member for Public Health and Equalities – Adam Dance
- Lead Member for Transformation and Human Resources – Val Keitch
- Lead Member for Environment and Climate Change – Sarah Dyke
- Lead Member for Prosperity, Assets and Development – Ros Wyke
- Lead Member for Communities, Housing and Culture – Federica Smith-Roberts

Associate Lead Members (SUBJECT TO DECISION BY THE LEADER OF THE COUNCIL)

Note these are draft proposals at this stage:

- Associate Lead Member for Housing – Fran Smith
- Associate Lead Member for Culture and Leisure – Caroline Ellis
- Associate Lead Member for Education Strategy – Jo Roundell-Greene
- Associate Lead Member for Diversity & Regulatory Services – Ross Henley
- Associate Lead Member for Risk Management – Mike Stanton
- Associate Lead Member for Prosperity & Inward Investment – David Woan
- Associate Lead Member for Assets and Financial Governance – Sarah Wakefield
- Associate Lead Member for Transformation in Social Care – Nicola Clark
- Associate Lead Member for Operational Environmental Services – Dixie Darch
- Associate Lead Member for Public Transport – Mike Hewitson

OPPOSITION APPOINTMENTS – (TO BE ADVISED BY THE OPPOSITION LEADER)

CONSERVATIVE GROUP

Leader: David Fothergill (Opposition Group Leader)

Deputy Leader: Mandy Chilcott

Executive Lead Member	Opposition Group Spokesperson
<ul style="list-style-type: none">• Leader of the Council	

Contact : Scott Wooldridge, Monitoring Officer

- | | |
|--|--|
| <ul style="list-style-type: none">• Deputy Leader of the Council and Lead Member for Resources and Performance• Lead Member for Children, Families and Education• Lead Member for Adult Services –• Lead Member for Transport and Digital• Lead Member for Public Health and Equalities• Lead Member for Transformation and Human Resources• Lead Member for Environment and Climate Change• Lead Member for Prosperity, Assets and Development | |
|--|--|

LABOUR GROUP

Leader: Leigh Redman

INDEPENDENT GROUP

Leader: John Hunt

GREEN GROUP

Leader: Martin Dimery

Contact : Scott Wooldridge, Monitoring Officer

APPENDIX 2 - NUMERICAL GUIDE OF PROPORTIONALITY IN COMMITTEES (Mar 23)

POLITICAL GROUP	Liberal Democrat	Conservative	Labour	Green	Independent	No Group	TOTALS
NUMBER OF MEMBERS	61	36	5	5	3	0	110
% OF TOTAL MEMBERS	55.5%	32.7%	4.5%	4.5%	2.7%	0.0%	100.0%
COMMITTEE SIZE							
3	1.66	0.98	0.14	0.14	0.08	0.00	3.00
4	2.22	1.31	0.18	0.18	0.11	0.00	4.00
5	2.77	1.64	0.23	0.23	0.14	0.00	5.00
6	3.33	1.96	0.27	0.27	0.16	0.00	6.00
7	3.88	2.29	0.32	0.32	0.19	0.00	7.00
8	4.44	2.62	0.36	0.36	0.22	0.00	8.00
9	4.99	2.95	0.41	0.41	0.25	0.00	9.00
10	5.55	3.27	0.45	0.45	0.27	0.00	10.00
11	6.10	3.60	0.50	0.50	0.30	0.00	11.00
12	6.65	3.93	0.55	0.55	0.33	0.00	12.00
13	7.21	4.25	0.59	0.59	0.35	0.00	13.00
14	7.76	4.58	0.64	0.64	0.38	0.00	14.00
15	8.32	4.91	0.68	0.68	0.41	0.00	15.00
16	8.87	5.24	0.73	0.73	0.44	0.00	16.00
17	9.43	5.56	0.77	0.77	0.46	0.00	17.00
18	9.98	5.89	0.82	0.82	0.49	0.00	18.00
19	10.54	6.22	0.86	0.86	0.52	0.00	19.00
20	11.09	6.55	0.91	0.91	0.55	0.00	20.00
110	61.00	36.00	5.00	5.00	3.00	0.00	110.00

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Appendix 3 – Schedule of Committee Places

Political Group	Liberal Democrat	Conservative	Labour	Green	Independent	No group	Total
Seats held on the Council	61	36	5	5	3	0	110
Appointments Committee (3-5 members)	3	2	0				5
Audit Committee	7	4	1	1			13
Constitution and Governance	7	4	1	1			13
Human Resources Committee	7	4	1	1			13
Officer Appeals Committee	7	4	1	1			13
Pension Fund Committee	4	2	1	0			7
Pension Fund Board	1	0	0	0			1
Scrutiny (Climate & Place)	7	4	1	1			13
Scrutiny (Communities)	7	4	1	1			13
Scrutiny (Adults & Health)	7	4	1	1			13
Scrutiny (Children & Families)	7	4	1	1			13
Scrutiny (Corporate & Resources)	7	4	1	1			13
Strategic Planning Committee	7	4	1	1			13
Area Planning Sub Committee (N)	7	4	1	1			13

Political Group	Liberal Democrat	Conservative	Labour	Green	Independent	No group	Total
Area Planning Sub Committee (S)	7	4	1	1			13
Area Planning Sub Committee (E)	7	4	1	1			13
Area Planning Sub Committee (W)	7	4	1	1			13
Licensing and Regulatory Committee	8	5	1	1			15
Licensing Sub Committee(s)	2	1					3
Regulatory Sub Committee(s)	2	1					3
Totals	118	67	16	15	0		216
Overall calculation – entitlement	120.10	70.63	9.72	9.72	5.83		216
Adjustment required	+2	+3	-6	-5	+6		

Political Group	Liberal Democrat	Conservative	Labour	Green	Independent	No group	Total
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Committees where political balance waived locally

Standards Committee **	1	1	1	1	1		5
Standards Hearing Panel Sub-Committee	2	1	0	0	0		3

**- assumes that the Council will continue to agree for political proportionality rules to be waived and the membership to be based upon one member from each political group

Committees not required to be politically balanced

Somerset Health & Well-Being Board	3	2					5
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Joint Committees – politically balanced locally

Heart of the South West Joint Committee	1						1
Heart of the South West Joint Scrutiny Committee (LEP)	3	1					4

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Somerset Council Calendar of Meetings 2023-24 Municipal Year

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

Author: Clare Rendell, Democratic Services

Contact Details: clare.rendell@somerset.gov.uk

Cabinet Member: All Councillors

Division and Local Member: All Divisions

1. Summary

- 1.1.** The Monitoring Officer, in consultation with elected members and senior managers, has developed the proposed 2023/24 calendar of meetings and recommends this to Council for approval, to ensure the efficient running of Council business for new members and officers alike.
- 1.2.** Please see the proposed calendar of meetings for Somerset Council from April 2023 attached as Appendix 1.

2. Recommendations

2.1. That the Council :

- 1) approves the proposed calendar of meetings for Somerset Council from April 2023 (attached in Appendix 1).**
- 2) Delegates authority to the Monitoring Officer to finalise and make any changes to the proposed meeting dates, times, meeting arrangements and meeting venues in consultation with the Chairs of the relevant committees.**

3. Background papers

- 3.1.** Appendix 1 – Calendar of Meetings for Somerset Council 2023-24

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APPENDIX 1 - CALENDAR OF MEETINGS FOR SOMERSET COUNCIL 2023-24

Month	April 2023	May 2023	June 2023	July 2023	August 2023	September 2023	October 2023	November 2023	December 2023	January 2024	February 2024	March 2024	April 2024	May 2024
Day														
Monday														
Tuesday														
Wednesday								1						1
Thursday			1					2			1 - Police Crime Panel at 10.30am			2
Friday			2				1	3		1	2	1		3
Saturday	1		3	1			2	4		2	3	2		4
Sunday	2		4	2			3	5		3	4	3		5
Monday	3 - Licensing/Regulatory Sub-Committee North = All Day (reserve date)	1 - Mayday BH	5 - Licensing/Regulatory Sub-Committee North = All Day (reserve date)	3 - Licensing/Regulatory Sub-Committee North = All Day (reserve date)		4 - Licensing/Regulatory Sub-Committee North = All Day (reserve date)	2 - Licensing/Regulatory Sub-Committee North = All Day (reserve date)	6 - Licensing/Regulatory Sub-Committee North = All Day (reserve date)	4 - Licensing/Regulatory Sub-Committee North = All Day (reserve date)	1 - New Year BH	5 - Licensing/Regulatory Sub-Committee North = All Day (reserve date)	4 - Licensing/Regulatory Sub-Committee North = All Day (reserve date)	1 - Easter Monday	6 - Mayday BH
Tuesday	4 - Planning North at 6pm (reserve date)	2 - Planning North at 6pm	6 - Planning North at 6pm	4 - Planning North at 6pm	1 - Planning North at 6pm	5 - Planning North at 6pm	3 - Planning North at 6pm	7 - Planning North at 6pm	5 - Planning North at 6pm	2 - Planning West at 6pm	6 - Planning North at 6pm	5 - Planning North at 6pm	2 - Planning North at 6pm	7 - Planning North at 6pm
Wednesday	5	3 - Executive at 10am	7 - Executive at 10am	5 - Executive at 10am	2 - Executive at 10am	6 - Executive at 10am	4 - Executive at 10am	8 - Executive at 10am	6 - Executive at 10am	3 - Executive at 10am	7 - Executive at 10am	6 - Executive at 10am	3 - Executive at 10am	8 - Executive at 10am
Thursday	6	4 - Scrutiny Children at 10am	8 - Scrutiny Adult at 10am, LCN at 7pm	6 - Scrutiny Children at 10am, LCN at 7pm	3 - Scrutiny Adult at 10am, LCN at 7pm	7 - Scrutiny Children at 10am	5 - Scrutiny Adult at 10am	9 - Scrutiny Children at 10am	7 - Scrutiny Adult at 10am	4 - Scrutiny Children at 10am	8 - Scrutiny Adult at 10am	7 - Scrutiny Children at 10am	4 - Scrutiny Adult at 10am	9 - Scrutiny Children at 10am
Friday	7 - Good Friday	5	9	7 - Pension Board at 10am	4	8	6 - Pension Board at 10am	10	8 - Police Crime Panel at 10.30am	5	9	8	5	10
Saturday	8	6	10	8	5	9	7	11	9	6	10	9	6	11
Sunday	9	7	11	9	6	10	8	12	10	7	11	10	7	12
Monday	10 - Easter Monday	8 - Coronation BH	12 - Licensing/Regulatory Sub-Committee East = All Day (reserve date)	10 - Licensing/Regulatory Sub-Committee East = All Day (reserve date)	7 - Licensing/Regulatory Sub-Committee North = All Day (reserve date)	11 - Licensing/Regulatory Sub-Committee East = All Day (reserve date)	9 - Licensing/Regulatory Sub-Committee East = All Day (reserve date)	13 - Licensing/Regulatory Sub-Committee East = All Day (reserve date)	11 - Licensing/Regulatory Sub-Committee East = All Day (reserve date)	8 - Licensing/Regulatory Sub-Committee North = All Day (reserve date)	12 - Licensing/Regulatory Sub-Committee East = All Day (reserve date)	11 - Licensing/Regulatory Sub-Committee East = All Day (reserve date)	8 - Licensing/Regulatory Sub-Committee North = All Day (reserve date)	13 - Licensing Sub-Committee = All Day (for all 4 areas due to BHs)
Tuesday	11 - Planning East at 6pm (reserve date)	9 - Planning East at 6pm	13 - Planning East at 6pm	11 - HR at 2pm, Planning East at 6pm	8 - Planning East at 6pm	12 - Planning East at 6pm	10 - HR at 2pm, Planning East at 6pm	14 - Planning East at 6pm	12 - Planning East at 6pm	9 - HR at 2pm, Planning North at 6pm	13 - Planning East at 6pm	12 - Planning East at 6pm	9 - HR at 2pm, Planning East at 6pm	14 - Planning East at 6pm
Wednesday	12 - Licensing/Regulatory Sub-Committee East = All Day (reserve date, later in week due to BH)	10 - Scrutiny Corporate at 10am	14 - Scrutiny Communities at 10am, LCN at 7pm	12 - Scrutiny Corporate at 10am, LCN at 7pm	9 - Scrutiny Communities at 10am, LCN at 7pm	13 - Scrutiny Corporate at 10am	11 - Scrutiny Communities at 10am	15 - Scrutiny Corporate at 10am	13 - Scrutiny Communities at 10am	10 - Scrutiny Corporate at 10am	14 - Scrutiny Communities at 10am	13 - Scrutiny Corporate at 10am, SACRE at 2pm	10 - Scrutiny Communities at 10am	15 - Scrutiny Corporate at 10am
Thursday	13 - Licensing and Regulatory Committee at 2pm (reserve date)	11 Licensing and Regulatory Committee at 2pm	15 Licensing and Regulatory Committee at 2pm, LCN at 7pm	13 - Licensing and Regulatory Committee at 2pm, LCN at 7pm	10 - Licensing and Regulatory Committee at 2pm	14 - Licensing and Regulatory Committee at 2pm	12 - Licensing and Regulatory Committee at 2pm	16 - Licensing and Regulatory Committee at 2pm	14 - Licensing and Regulatory Committee at 2pm	11 - Licensing and Regulatory Committee at 2pm	15 - Licensing and Regulatory Committee at 2pm	14 - Licensing and Regulatory Committee at 2pm	11 - Licensing and Regulatory Committee at 2pm	16 - Licensing and Regulatory Committee at 2pm
Friday	14	12	16 - Pension Committee at 10am	14 - HoTSW at 9.30am	11	15 - Pension Committee at 10am	13	17	15 - Pension Committee at 10am	12 - Pension Board at 10am	16	15 - Pension Committee at 10am	12 - Pension Board at 10am	17
Saturday	15	13	15	12	15	16	14	18	16	13	17	16	13	18
Sunday	16	14	18	16	13	17	15	19	17	14	18	17	14	19
Monday	17 - Licensing/Regulatory Sub-Committee South = All Day (reserve date)	15 - Licensing Sub-Committee = All Day (for all 4 areas due to BHs)	19 - Health and Wellbeing at 10am, Licensing/Regulatory Sub-Committee South = All Day (reserve date), LCN at 7pm	17 - Licensing/Regulatory Sub-Committee South = All Day (reserve date), LCN at 7pm	14 - Licensing/Regulatory Sub-Committee East = All Day (reserve date)	18 - Health and Wellbeing at 10am, Licensing/Regulatory Sub-Committee South = All Day (reserve date)	16 - Licensing/Regulatory Sub-Committee South = All Day (reserve date)	20 - Licensing/Regulatory Sub-Committee South = All Day (reserve date)	18 - Health and Wellbeing at 10am, Licensing/Regulatory Sub-Committee South = All Day (reserve date)	15 - Licensing/Regulatory Sub-Committee East = All Day (reserve date)	19 - Licensing/Regulatory Sub-Committee South = All Day (reserve date)	18 - Health and Wellbeing at 10am, Licensing/Regulatory Sub-Committee South = All Day (reserve date)	15 - Licensing/Regulatory Sub-Committee East = All Day (reserve date)	20 - Regulatory Sub-Committee = All Day (for all 4 areas due to BHs)
Tuesday	18 - Planning South at 6pm (reserve date)	16 - Planning South at 6pm	20 - Bus Advisory at 10am, Planning South at 6pm	18 - Planning South at 6pm	15 - Bus Advisory at 10am, Planning South at 6pm	19 - Planning South at 6pm	17 - Bus Advisory at 10am, Planning South at 6pm	21 - Planning South at 6pm	19 - Bus Advisory at 10am, Planning South at 6pm	16 - Planning East at 6pm	20 - Bus Advisory at 10am, Planning South at 6pm	19 - Planning South at 6pm	16 - Bus Advisory at 10am, Planning South at 6pm	21 - Planning South at 6pm
Wednesday	19	17 - Scrutiny Climate at 10am	21 - Constitution and Governance at 2pm, LCN at 7pm	19 - Scrutiny Climate at 10am, LCN at 7pm	16 - Constitution and Governance at 2pm	20 - Scrutiny Climate at 10am, SACRE at 2pm	18 - Constitution and Governance at 2pm	22 - Scrutiny Climate at 10am	20 - Council at 2pm	17 - Scrutiny Climate at 10am	21 - Constitution and Governance at 2pm	20 - Scrutiny Climate at 10am	17 - Constitution and Governance at 2pm	22 - AGM at 2pm
Thursday	20 - Strategic Planning at 10am (reserve date)	18 - Strategic Planning at 10am	22 - Strategic Planning at 10am, LCN at 7pm	20 - Strategic Planning at 10am, LCN at 7pm	17 - Strategic Planning at 10am	21 - Strategic Planning at 10am	19 - Strategic Planning at 10am	23 - Strategic Planning at 10am	21 - Strategic Planning at 10am	18 - Strategic Planning at 10am	22 - Strategic Planning at 10am, Police Crime Panel at 10.30am	21 - Strategic Planning at 10am	18 - Strategic Planning at 10am	23 - Strategic Planning at 10am
Friday	21	19	24	21 - SRA Scrutiny at 10am	18	22	20	24	22	19	23	22	19	24
Saturday	22	20	24	22	19	23	21	25	23	20	24	23	20	25
Sunday	23	21	25	23	20	24	22	26	24	21	25	24	21	26
Monday	24 - Licensing/Regulatory Sub-Committee West = All Day (reserve date)	22 - Regulatory Sub-Committee = All Day (for all 4 areas due to BHs)	26 - Licensing/Regulatory Sub-Committee West = All Day (reserve date)	24 - Licensing/Regulatory Sub-Committee West = All Day (reserve date)	21 - Licensing/Regulatory Sub-Committee South = All Day (reserve date)	25 - Licensing/Regulatory Sub-Committee West = All Day (reserve date)	23 - Licensing/Regulatory Sub-Committee West = All Day (reserve date)	27 - Licensing/Regulatory Sub-Committee West = All Day (reserve date)	25 - Christmas Day	22 - Licensing/Regulatory Sub-Committee South = All Day (reserve date)	26 - Licensing/Regulatory Sub-Committee West = All Day (reserve date)	25 - Licensing/Regulatory Sub-Committee West = All Day (reserve date)	22 - Licensing/Regulatory Sub-Committee South = All Day (reserve date)	27 - Spring BH
Tuesday	25 - Planning West at 6pm (reserve date)	23 - Planning West at 6pm	27 - Planning West at 6pm	25 - Planning West at 6pm	22 - Planning West at 6pm	26 - Planning West at 6pm	24 - Planning West at 6pm	28 - Planning West at 6pm	26 - Boxing Day	23 - SRA Scrutiny at 10am, Planning South at 6pm	27 - Planning West at 6pm	26 - Planning West at 6pm	23 - Planning West at 6pm	28 - Planning West at 6pm
Wednesday	26	24 - AGM at 2pm	28 - SACRE at 2pm, Standards at 2pm, LCN at 7pm	26 - Council at 2pm	23 - Standards at 2pm	27 - Council at 2pm	25 - Standards at 2pm	29	27 - keep clear	24 - Standards at 2pm	28 - Council at 2pm	27 - Standards at 2pm	24 - Council at 2pm	29 - Standards at 2pm
Thursday	27	25	29 - Audit at 10am, Police Crime Panel at 10.30am, LCN at 7pm	27 - LCN at 7pm	24 - Audit at 10am	28 - Special Audit for SOA at 10am, Police Crime Panel at 10.30am	26 - Audit at 10am	30	28 - keep clear	25 - Audit at 10am	29	28 - Audit at 10am, Police Crime Panel at 10.30am	25	30 - Audit at 10am
Friday	28 - Pension Board at 10am	26	30	28	25	29	27 - HoTSW at 9.30am	29	29 - keep clear	26 - HoTSW at 9.30am	29	29 - Good Friday	26	31
Saturday	29	27	29	29	26	30	28	30	30	27	30	27	27	
Sunday	30	28	30	30	27	31	29	31	31	28		31	28	
Monday		29 - Spring BH		31 - LCN at 7pm	28 - Summer BH		30		29 - Licensing/Regulatory Sub-Committee West = All Day (reserve date)				29 - Licensing/Regulatory Sub-Committee West = All Day (reserve date)	
Tuesday		30			29		31 - Police Crime Panel at 10.30am			30 - Planning West at 6pm			30	
Wednesday					30 - Licensing/Regulatory Sub-Committee West = All Day (reserve date, later in week due to BH)									
Thursday					31									
Friday														

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Report of the Monitoring Officer – Appointments to internal, partnership and outside bodies

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

Report authors: Scott Wooldridge (SCC), Tom Woodhams (SCC), Jill Byron (SSDC), Dave Burns (MDC) and Angela Cox (SSDC)

Contact Details: 01823 359043

1. Summary

1.1 This report sets out decisions that are required regarding the appointment of members to internal, partnerships and outside bodies for 2023/24.

1.2 This report has been prepared following a review of the Partnership and Outside Bodies across the County as part of the collaborative work through Local Government Reorganisation and seeks to consolidate appointments where at all possible. Further work will be required during 2023/24.

Note – an updated **Appendix 1** with the recommended names of members to be appointed will be published prior to the meeting

1.3 Additionally, this report contains details of the local authority companies and the work they have undertaken. These are specified in **Appendix 2**.

2. Recommendation

2.1 Council is asked to:

- 1. approve the appointment of members to internal, partnerships and outside bodies for 2023/2024, as set out in Appendix 1**
- 2. delegate authority to the Monitoring Officer, in consultation with the Leaders of the political groups, to make such nominations as may be required before and after vesting day to ensure directors are in place post vesting day in respect of the companies listed in Appendix 2**
- 3. delegate authority to the Monitoring Officer to make amendments to appointments in Appendix 1 and agree appointments to any vacancies that arise.**

4. **request the Monitoring Officer to undertake a full review of outside body appointments during 2023/24 and to make any recommendations to the Council meeting in February 2024, following consultation with political group leaders and Executive Directors**

3. Background

3 Democratic Arrangements

- 3.1. The Council has a schedule of internal, partnerships and outside bodies to which it is responsible for making appointments. These include national, regional, countywide and local bodies and partnerships. In some cases, these are strategic organisations where Members can shape and influence better outcomes for Somerset's communities and policy affecting Somerset. In others, the role of the appointed Member is important in promoting the relationship with the Council. The schedule identifies the number of places that the Council can appoint to in each case. The schedule and proposed appointments are set out at **Appendix 1**.
- 3.2. Given the Local Government Reorganisation in Somerset, officers have identified the partnership bodies and outside bodies across the County and rationalised those, as per the attached Appendix. As Council will note, there are a number of outside bodies for the districts', which will require further consideration. It is proposed that further work be undertaken by the Monitoring Officer in consultation with the political group leaders and Executive Directors to review the Council's role and membership in these various bodies. This review will be reported to Council in February 2024.
- 3.3 **Companies**
- 3.4 On April 1st shares owned by the district councils in companies (whether wholly or partly owned) will vest in the unitary council by virtue of the provisions on the transfer of property in the Local Government (Structural Changes) (Transfer of Functions, Property, Rights and Liabilities) Regulations 2008, Appendix 2, details those companies which the unitary council will own and to which it will have the right to appoint members. The companies concerned cover a range of activities from the management of private housing and other real estate to investment in the development of energy storage technology.
- 3.5 Where the council owns shares in a company it may have the right to appoint directors to the company. Once a director has been appointed to a company

their term in office will continue unaffected by the reorganisation of local government in Somerset. However, in some cases directors appointed by the district councils have notified the Legal and Governance workstream of their intention to step down on or before 1st April. In those cases work is underway to identify suitable replacements and will need to be appointed (as detailed in Appendix 2). The companies in question will need to follow their own process to appoint the directors once identified although the Council is responsible for identify a nominee. Given limited opportunities remaining for the council to identify nominations it is proposed the appointments to the companies listed in Appendix 2 be delegated to the Monitoring Officer in consultation with the Group Leaders.

4. Consultations

- 4.1 The report has been discussed by officers from across the County. Some discussion has been held with the Chair of Council. All political group leaders and members will receive the proposals and have an opportunity to consider and debate these ahead of the report being considered on 1 March.

5. Financial and Legal Implications

- 5.1 No special responsibility allowances are payable by the Council for appointment to these bodies. Any travel and subsistence claims in accordance with the Scheme of Members' Allowances 2023/24 will be met by the Members Expenses budget 2023/24.

6. Impact Assessment

- 6.1 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. There are no direct impacts of these recommendations on the provision of services. There are no direct impacts on sustainability, health and safety, community safety or privacy aspects as a result of this proposal. Members will however, be expected to have regard to these matters when representing the Council on these bodies and generally.

Background Papers

Annual Council Meetings - Reports and Minutes 2022/23 for:

- Mendip District Council – 23 May 2022
- Sedgemoor District Council – 18 May 2022
- Somerset County Council – 25 May 2022
- Somerset West and Taunton District Council – 24 May 2022
- South Somerset District Council -19 May 2022

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APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
National Bodies		
County Councils Network (4)	Outside Body	Bill Revans, Liz Leyshon, Mike Rigby and David Fothergill
County Councils Network Executive (1)	Outside Body	Bill Revans
Connecting Devon and Somerset (3) *	Partnership Body	Mike Rigby, Simon Carswell, Mike Caswell
Local Government Association General Assembly (4) or (5) tbc by LGA	Outside Body	Bill Revans, Ros Wyke, Federica Smith-Roberts, Val Keitch and David Fothergill (5)
Local Government Association, Innovation and Improvement Board (1)	Outside Body	LGA National Appointment
Local Government Association, Peoples and Places Board (1)	Outside Body	LGA National Appointment
Local Government Association - Fire Service Forum (1)	Outside Body	Simon Coles
Partnership Committee of England and Wales for the civil enforcement of Bus Lanes Outside London (1) *	Partnership Body	Mike Rigby
Partnership Committee of England and Wales for the civil enforcement of Parking and Traffic Regulation Outside London – PATROL (1) *	Partnership Body	Mike Rigby
Other Authorities		
Devon and Somerset Fire and Rescue Authority (8 members 5 LD and 3 Con)	Authority	Mike Best, Simon Coles, Andy Kendall, Tim Kerley, Andy Sully,
Exmoor National Park Authority (8 members 5 LD and 3 Con)	Authority	Marcus Kravis, Fran Smith, Lee Baker, Theo Butt-Philip, Frances Nicholson, Steven Pugsley, Mandy Chilcott, Christine Lawrence
Regional Bodies		
Avon & Somerset Police and Crime Panel (5) *	Partnership Body	Heather Shearer, Nicola Clark, Federica Smith-

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
		Roberts, Martin Wale, Brian Bolt
Heart of the South West Joint Committee (number tbc) *	Partnership Body	Bill Revans, Val Keitch
Heart of the South West LEP Board (3) *	Partnership Body	Ros Wyke, Val Keitch and David Woan (3)
Heart of the South West LEP Local Transport Board (1) *	Partnership Body	Mike Rigby
Devon and Somerset Trading Standards Service Panel (1) *	Partnership Body	Federica Smith-Roberts
Devon and the Severn Inshore Fisheries and Conservation Authority (1) *	Outside Body	Mike Murphy
Peninsula Transport Board (1) *	Partnership Body	Mike Rigby
North Somerset Heritage Panel (1) *	Partnership Body	Mike Murphy
Salisbury to Exeter Lineside Consortium of Local Authorities (SELCA) (1) *	Outside Body	Derek Perry
Severn Estuary Partnership (1) *	Outside Body	Mike Murphy
South West Audit Partnership Members Board (1)	Partnership Body	Peter Seib
South West Councils (4)	Outside Body	Val Keitch, Ros Wyke, Liz Leyshon and David Fothergill
South West Heritage Trust (1) *	Outside Body	Ros Wyke
South West Councils Employers Panel (SW Provincial Council) (1) *	Outside Body	Val Keitch
Wessex Regional Flood and Coastal Defence Committee (1) and a substitute (1) *	Outside Body	Marcus Kravis and Mike Stanton as the Substitute
Wessex Water (2)	Outside Body	Lead Member for Environment & Climate Change, and Lead Member for Prosperity, Development & Assets
Somerset Council bodies		
Blackdown Hills AONB Partnership Management Group (3) *	Partnership Body	Ross Henley, Sarah Wakefield, Martin Wale

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
Brewhouse Theatre Board (2)	Outside Body	Caroline Ellis, Norman Cavill
Carbon Management Board (1)	Internal	Sarah Dyke
Chard Regeneration Scheme Project Board (5) * Removed – duplicate entry	Internal	Jenny Kenton, Jason Baker, Val Keitch, Martin Wale, Connor Payne (5)
Children and Young People's Mental Health and Psychological Wellbeing Group (1) *	Partnership Body	Jo Roundell Greene
Corporate Parenting Board (no limit on membership and membership should include relevant Lead Members, Chair of Scrutiny Children & Families)	Partnership Body	Independent Chair Jane Lock Tessa Munt, Jo Roundell Greene , Caroline Ellis, Heather Shearer, Simon Carswell, Jenny Kenton, Liz Leyshon, Leigh Redman
Friends of Brides Mound (1) *	Outside Body	Liz Leyshon
Glastonbury Tribunal Ltd (2) *	Outside Body	Liz Leyshon and Susannah Hart
Henry Leigh Trust (1) *	Outside Body	Frances Nicholson
Hinkley Point A & B Site Stakeholders Group (6) *	Partnership Body	Hugh Davies, Mike Caswell and 4 vacancies
Mendip Local Liaison Group for Quarries in East Mendips (1) *	Outside Body	Philip Ham
Member Development Panel (6)	Internal	Emily Pearlstone, Dixie Darch, Dawn Denton, Leigh Redman, Martin Dimery and Hugh Davies
Mendip Hills Area of Natural Beauty (AONB) Partnership Committee (3) *	Partnership Body	Edric Hobbs, Nick Cottle and Theo Butt Philip
Mendip Quarries Advisory Group (5) *	Partnership Body	Matt Martin, Tony Robbins, Edric Hobbs, Adam Boyden and Philip Ham
Passion for Somerset Board (1)	Outside Body	Chair of Council – Mike Best
Prowde's Educational Foundation (1) *	Outside Body	Oliver Patrick
Quantock Hills Partnership Advisory Committee (4) *	Partnership Body	Fran Smith, Dixie Darch, Mike Caswell, Alan Bradford (4)

**APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND
OUTSIDE BODIES**

Name	Type	Member(s) to be appointed
Safer Somerset Partnership (4) *	Partnership Body	Adam Dance, Heather Shearer, Federica Smith Roberts and Bill Revans
Smokefree Somerset Alliance (1) *	Outside Body	Adam Dance
Somerset Archaeological & Natural History Society (SANHS) (1) *	Outside Body	Ros Wyke
Somerset Armed Forces Covenant Partnership (3)	Partnership Body	Henry Hobhouse, Andy Kendall, Mark Healey
Somerset Buildings Preservation Trust (4)	Outside Body	Tim Kerley, Hugh Davies, Martin Lovell, Tony Grimes (4)
Somerset Community Foundation - Hinkley Point Community Fund Panel (3) *	Outside Body	Mike Murphy, Fran Smith and Gill Slocombe
Somerset Employment and Skills Steering Group (SESSG) (1) *	Partnership Body	Nicola Clark and/or Jo Roundell Greene and/or Faye Purbrick
Somerset NHS Foundation Trust (5) *	Partnership Body	Heather Shearer, Adam Dance, Andy Kendall, Mike Best and Steve Ashton
Somerset Growth Board (4) *	Partnership Body	David Woan, Ros Wyke, Mike Rigby, Faye Purbrick
Somerset Homelessness Reduction Board (4)	Partnership Board	Fran Smith, Andy Kendall, Federica Smith-Roberts, Connor Payne (4)
Somerset Local Access Forum (2) *	Partnership Body	Mike Rigby, Edric Hobbs
Somerset Local Nature Partnership (4) *	Outside Body	Sarah Dyke, Dixie Darch, Nick Cottle, Alan Bradford
Somerset Outdoor and Residential Learning Advisory Group (2) *	Internal	Tessa Munt and Associate Lead Member for Education
Somerset Rivers Authority Board (5) (may become 6) *	Partnership Body	Mike Stanton, Sarah Dyke, Dixie Darch, Harry Munt, Mike Caswell (5), and Ros Wyke if (6)
Somerset Safeguarding Adults Board (SSAB) (1) *	Partnership Body	Heather Shearer

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
Somerset Safeguarding Children Partnership (1) *	Partnership Body	Tessa Munt
Somerset Schools Forum (1) *	Partnership Body	Tessa Munt
Somerset Social Enterprise Loans Fund Panel (4) *	Partnership Body	Simon Carswell, Jo Roundell Greene, Sarah Wakefield and Mike Lewis
Somerset Water Management Partnership (4) *	Partnership Body	Sarah Dyke, Matt Martin, Ros Wyke and Mike Stanton
Standing Advisory Council for Religious Education (SACRE) (4 - Lead Member plus 3)*	Partnership Body NUMBER OF MEMBERS TBC	Tessa Munt (Lead Member), Hazel Prior-Sankey, Tim Kerley, Sarah Wakefield, and Frances Nicholson (4 or 5)
Visit Somerset (5) *	Outside Body	Marcus Kravis, Simon Carswell, Mike Stanton, Faye Purbrick, Dawn Denton (5)
Walpole Liaison Group (1)	Outside Body	Kathy Pearce
Yeovil Innovation Centre Funding Partners Group (1) *	Outside Body	Peter Seib

**APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND
OUTSIDE BODIES**

Name	Type	Member(s) to be appointed
Axe and Brue Internal Drainage Board (13) **	Partnership Body	Peter Clayton, Nick Cottle, Mark Healey, Alistair Hendry, Matt Martin, Mike Murphy, Susannah Hart, Bob Filmer (4) Plus Charlie Riches, other PCs?
Bristol Water Challenge Panel (2)	Outside Body	Sarah Dyke & Ros Wyke
Capita – Five Councils Joint Committee	Partnership Body	Ros Wyke and Liz Leyshon
Cranbourne Chase & West Wilts ANOB (1)	Partnership Body	Helen Kay
Glastonbury Town Deal Board (2)	Advisory Body	Liz Leyshon, Ros Wyke
Keyring Lettings Board of Directors (1) **	Outside Body	Martin Lovell
Mendip Citizens Advice (1)	Outside Body	Simon Carswell
Mendip YMCA (1)	Outside Body	Simon Carswell
Spark Somerset (1) **	Outside Body	Val Keitch
Ashton Windmill Management Committee (1)	Outside Body	Harry Munt and Ben Ferguson as a Reserve
Batscombe & Callow Quarries Liaison Group (3)	Outside Body	Pauline Ham, Ben Ferguson, Philip Ham (3)
Bridgwater College Corporation (1)	Outside Body	Heather Shearer
Bridgwater Guy Fawkes Carnival Committee (1)	Outside Body	Gill Slocombe
Bridgwater Tidal Barrier Group (1)	Outside Body	Bill Revans
Bridgwater Town Deal Board (2)	Advisory Body	Bill Revans, Ros Wyke
Bridgwater YMCA (1)	Outside Body	Liz Leyshon (1)
EDF HPC Community Forum (3)	Partnership Body	Three vacancies
EDF HPC Transport Forum (3)	Partnership Body	Nick Cottle, Gill Slocombe and Leigh Redman
Hamp Community Association (Partnership) (1)	Partnership Body	Brian Smedley and Kathy Pearce
Homes in Sedgemoor Board (3)	Outside Body	Pauline Ham, Lance Duddridge and Kathy Pearce
Huntspill Enterprise Zone Board (1)	Outside Body	Mark Healey
Kings Fitness & Leisure Management Committee (2)	Outside Body	Ros Wyke plus one Vacancy

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
New Nuclear Local Authority Group (NNLAG) (1)	Outside Body	Ros Wyke
Nuclear Legacy Advisory Forum (NuLeAF) (1)	Outside Body	Ros Wyke
Parrett Drainage Board (13)	Partnership Body	Richard Wilkins, Mike Stanton, Bill Revans, Alan Bradford, Lance Duddridge, Mike Lewis, Norman Cavill, Mike Caswell, Hilary Bruce, Cllr Julian Taylor NPTC, plus PCs & TCs
Port Liaison Committee (2)	Outside Body	Brian Bolt and Leigh Redman
Sedgemoor Citizens Advice (1)	Outside Body	Gill Slocombe
Sedgemoor Community Transport Board (1)	Outside Body	Vacancy
Somerset Community Foundation HPC Panel (1)	Outside Body	Mike Murphy, Fran Smith, Gill Slocombe
Somerset Joint Committee for Voluntary Village Halls and Community Centres (1)	Partnership Body	Nick Cottle
Somerset Nuclear Energy Group (4)	Outside Body	Marcus Kravis, Val Keitch, Mike Rigby and Gill Slocombe
Somerset Playing Fields Association (2)	Outside Body	Derek Perry and Bob Filmer
Somerset Strategic Housing Partnership (2)	Partnership Body	Fran Smith and Alastair Hendry
Somerset West Private Sector Housing Partnership (2)	Partnership Body	Fran Smith and Alistair Hendry
Wembdon Village Hall Trust (1)	Outside Body	Mike Caswell
Wilstock Hub (2)	Outside Body	Alan Bradford and Bill Revans
Blackdown Hills ANOB Partnership Management Group (3)	Partnership Body	Ross Henley, Sarah Wakefield and Martin Wale
Blackdown Hills Joint Partnership Advisory Committee (1)	Partnership Body	Ross Henley
Devon and Somerset Metro Project (1)	Partnership Body	Mike Rigby

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
Exmoor National Park Authority (8)	Partnership Body	Marcus Kravis, Fran Smith, Lee Baker, Theo Butt Philip, Steven Pugsley, Frances Nicholson, Mandy Chilcott, Christine Lawrence (8)
Friends of Konigslutter (1)	Outside Body	Bill Revans
Friends of Lisieux	Outside Body	Hazel Prior-Sankey
Friends of Vivary Park (1) NO LONGER OPERATING SO TAKE OUT	Outside Body	John Hunt
Harbour Board (4 and 2 non-voting duty holders) **	Partnership Body	Sarah Dyke, Mike Rigby, Marcus Kravis, Leigh Redman (Bridgwater), Andy Hadley (Minehead), Rosemary Wood (Watchet)
Hestercombe Gardens Trust (1)	Outside Body	Dixie Darch
Home Furniture Services Trust 'Furnitrust' (1)	Outside Body	Dave Mansell
Management Committee of Broadlands (1)	Outside Body	Andy Hadley
MATA Regal Theatre Co Ltd (1)	Outside Body	Mandy Chilcott
Minehead BID Board (1)	Outside Body	Andy Hadley
Minehead People and Place Partnership (2)	Partnership Body	Marcus Kravis and Andy Hadley
Minehead EYE Management Committee (1)	Outside Body	Mandy Chilcott
Rural Services Network (1 and 1 deputy)	Outside Body	Ros Wyke and Steven Pugsley as the Deputy
Somerset Biodiversity Steering Group (1)	Outside Body	Sarah Dyke
Somerset Local Access Forum (2)	Outside Body	Mike Rigby and Edric Hobbs
Somerset Pensions Board (1)	Partnership Body	Simon Carswell (1)
SWT Flood Group (1) NOT SURE IF THIS SHOULD BE INCLUDED or superseded	Partnership Body	Dixie Darch (1)

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
Tacchi-Morris Management Committee (2)	Outside Body	Tom Deakin and Norman Cavill
Taunton Aid in Sickness Fund (1)	Outside Body	Federica Smith-Roberts
Taunton Deane Bowling Club (1)	Outside Body	Fran Smith
Taunton Deane District Citizens Advice (1)	Outside Body	Sarah Wakefield
Taunton Deane Domestic Abuse Forum (1)	Outside Body	Federica Smith-Roberts
Taunton Garden Town Cultural Forum (2) **	Partnership Body	Dixie Darch and Norman Cavill
Taunton Heritage Trust (2)	Outside Body	Andy Sully and Norman Cavill
The Albemarle Centre (2)	Outside Body	Dawn Johnson and Habib Farbahi
The Exmoor Technology Hub (1)	Outside Body	Lee Baker
Visit Exmoor Executive Board (2)	Outside Body	Marcus Kravis, Christine Lawrence (2)
Watchet Coastal Community Team (1)	Outside Body	Rosemary Woods
Watchet Harbour Advisory Committee (1)	Partnership Body	Rosemary Woods
West Somerset Advice (1 and 1 deputy)	Outside Body	Mandy Chilcott and Andy Hadley as the Deputy
West Somerset Opportunity Area (1)	Partnership Body	Frances Nicholson
West Somerset Railway's Partnership Development Group (1 and 1 deputy)	Outside Body	Derek Perry and Andy Hadley as the Deputy
A Better Crewkerne and District (ABCD) (1)	Outside Body	Mike Best
Chard and District Museum Society (1)	Outside Body	Jenny Kenton
Chard Regeneration Programme Board (5)	Partnership Body	Jenny Kenton, Jason Baker, Val Keitch, Martin Wale and Connor Payne
Community Accessible Transport Committee (Wincanton) (1)	Outside Body	Sarah Dyke
Dimmer Liaison Group (Viridor) (1)	Outside Body	Mike Lewis
Henstridge Airfield Consultative Committee (2)	Outside Body	Nicola Clark and Sarah Dyke
Ile Youth Centre Management Committee (Ilminster) (1)	Outside Body	Val Keitch

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
Iminster Meeting House and Arts Centre (1) *	Outside Body	Val Keitch
Langport Abattoir Liaison Group (2)	Outside Body	Mike Stanton and Sarah Dyke
Martock M3 Community Partnership (2)	Outside Body	Emily Pearlstone and John Bailey
Octagon Theatre Redevelopment Project Board (7)	Partnership Body	Mike Best, Peter Seib, Val Keitch, Federica Smith-Roberts, Liz Leyshon, Caroline Ellis and Ros Wyke
South Somerset Citizens Advice	Outside Body	Jenny Kenton
Stop Line Way Steering Group (1 and 1 reserve)	Outside Body	Jason Baker and Connor Payne as the Reserve
Westfield Community Association (1)	Outside Body	Andy Kendall
Wincanton Regeneration Programme Board (4)	Partnership Board	Sarah Dyke, Val Keitch, Lucy Trimnell and Tom Power (4)
Yeovil Crematorium and Cemetery Joint Committee (3)	Partnership Board	Nicola Clark, Graham Oakes and Tony Lock
Yeovil in Bloom Gardeners Market Steering Group (1)	Outside Body	Andy Kendall
Yeovil One (1)	Outside Body	Tony Lock
Yeovil Regeneration Programme Board (5)	Partnership Board	Tony Lock, Val Keitch, Jeny Snell, Evie Potts-Jones, Andy Kendall, plus David Woan (5 or 6)

Unless indicated the appointments listed above are made by Council

*- Appointments to be confirmed by the Leader

** - Appointments made by the Cabinet/Executive

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
National Bodies		
County Councils Network (4)	Outside Body	
County Councils Network Executive (1)	Outside Body	
Connecting Devon and Somerset (3) *	Partnership Body	
Local Government Association General Assembly (4) or (5) tbc by LGA	Outside Body	
Local Government Association, Innovation and Improvement Board (1)	Outside Body	
Local Government Association, Peoples and Places Board (1)	Outside Body	
Local Government Association - Fire Service Forum (1)	Outside Body	
Partnership Committee of England and Wales for the civil enforcement of Bus Lanes Outside London (1) *	Partnership Body	
Partnership Committee of England and Wales for the civil enforcement of Parking and Traffic Regulation Outside London – PATROL (1) *	Partnership Body	
Regional Bodies		
Avon & Somerset Police and Crime Panel (5) *	Partnership Body	
Heart of the South West Joint Committee (1) *	Partnership Body	
Heart of the South West LEP Board (3) *	Partnership Body	
Heart of the South West LEP Local Transport Board (1) *	Partnership Body	
Devon and Somerset Trading Standards Service Panel (1) *	Partnership Body	
Devon and the Severn Inshore Fisheries and Conservation Authority (1) *	Outside Body	
Peninsula Transport Board (1) *	Partnership Body	
North Somerset Heritage Panel (1) *	Partnership Body	
Salisbury to Exeter Lineside Consortium	Outside Body	

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
of Local Authorities (SELCA) (1) *		
Severn Estuary Partnership (1) *	Outside Body	
South West Audit Partnership Members Board (1)	Partnership Body	
South West Councils (4)	Outside Body	
South West Heritage Trust (1) *	Outside Body	
South West Councils Employers Panel (SW Provincial Council) (1) *	Outside Body	
Wessex Regional Flood and Coastal Defence Committee (1) and a substitute (1) *	Outside Body	
Wessex Water (2)	Outside Body	
Somerset Council bodies		
Brewhouse Theatre Board (2)	Outside Body	
Carbon Management Board (1)	Internal	
Chard Regeneration Scheme Project Board (5) *	Internal	
Children and Young People's Mental Health and Psychological Wellbeing Group (1) *	Partnership Body	
Corporate Parenting Board (no limit on membership and membership should include relevant Lead Members, Chair of Scrutiny Children & Families)	Partnership Body	
Friends of Brides Mound (1) *	Outside Body	
Glastonbury Tribunal Ltd (2) *	Outside Body	
Henry Leigh Trust (1) *	Outside Body	
Hinkley Point A & B Site Stakeholders Group (2) *	Partnership Body	
Mendip Local Liaison Group for Quarries in East Mendips (1) *	Outside Body	
Member Development Panel (6)	Internal	
Mendip Hills Area of Natural Beauty (AONB) Partnership Committee (3) *	Partnership Body	
Mendip Quarries Advisory Group (5) *	Partnership Body	
Passion for Somerset Board (1)	Outside Body	
Prowde's Educational Foundation (1) *	Outside Body	

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
Quantock Hills Partnership Advisory Committee (4) *	Partnership Body	
Safer Somerset Partnership (4) *	Partnership Body	
Smokefree Somerset Alliance (1) *	Outside Body	
Somerset Archaeological & Natural History Society (SANHS) (1) *	Outside Body	
Somerset Armed Forces Covenant Partnership (3)	Partnership Body	
Somerset Buildings Preservation Trust (4)	Outside Body	
Somerset Community Foundation - Hinkley Point Community Fund Panel (3) *	Outside Body	
Somerset Employment and Skills Steering Group (SESSG) (number tbc) *	Partnership Body	
Somerset NHS Foundation Trust (5) *	Partnership Body	
Somerset Growth Board (4) *	Partnership Body	
Somerset Homelessness Reduction Board (4)	Partnership Board	
Somerset Local Access Forum (2) *	Partnership Body	
Somerset Local Nature Partnership (4) *	Outside Body	
Somerset Outdoor and Residential Learning Advisory Group (2) *	Internal	
Somerset Rivers Authority Board (5 plus one reserve) *	Partnership Body	
Somerset Safeguarding Adults Board (SSAB) (1) *	Partnership Body	
Somerset Safeguarding Children Partnership (1) *	Partnership Body	
Somerset Schools Forum (1) *	Partnership Body	
Somerset Social Enterprise Loans Fund Panel (4) *	Partnership Body	
Somerset Water Management Partnership (4) *	Partnership Body	
Standing Advisory Council for Religious Education (SACRE) (4 - Lead Member	Partnership Body	

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
plus 3)*		
Visit Somerset (5) *	Outside Body	
Walpole Liaison Group (1)	Outside Body	
Yeovil Innovation Centre Funding Partners Group (1) *	Outside Body	

**APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND
OUTSIDE BODIES**

Name	Type	Member(s) to be appointed
Axe and Brue Internal Drainage Board (13) **	Partnership Body	
Bristol Water Challenge Panel (2)	Outside Body	
Capita – Five Councils Joint Committee	Partnership Body	
Cranbourne Chase & West Wilts ANOB (1)	Partnership Body	
Glastonbury Town Deal Board (2)	Advisory Body	
Keyring Lettings Board of Directors (1) **	Outside Body	
Mendip Citizens Advice Should be one CA for N, S, E (1)	Outside Body	
Mendip YMCA (1)	Outside Body	
Spark Somerset (1) **	Outside Body	
Ashton Windmill Management Committee (1)	Outside Body	
Batscombe & Callow Quarries Liaison Group (3)	Outside Body	
Bridgwater College Corporation (1)	Outside Body	
Bridgwater Guy Fawkes Carnival Committee (1)	Outside Body	
Bridgwater Tidal Barrier Group (1)	Outside Body	
Bridgwater Town Deal Board (2)	Advisory Body	
Bridgwater YMCA (1)	Outside Body	
EDF HPC Community Forum (3)	Partnership Body	
EDF HPC Transport Forum (3)	Partnership Body	
Hamp Community Association (Partnership) (1)	Partnership Body	
Homes in Sedgemoor Board (3)	Outside Body	
Huntspill Enterprise Zone Board (1)	Outside Body	
Kings Fitness & Leisure Management Committee (2)	Outside Body	
New Nuclear Local Authority Group (NNLAG) (1)	Outside Body	
Nuclear Legacy Advisory Forum (Nuleaf) (1)	Outside Body	
Parrett Drainage Board (13)	Partnership	

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
	Body	
Port Liaison Committee (2)	Outside Body	
Sedgemoor Citizens Advice (1)	Outside Body	
Sedgemoor Community Transport Board (1)	Outside Body	
Somerset Community Foundation HPC Panel (3)	Outside Body	
Somerset Joint Committee for Voluntary Village Halls and Community Centres (1)	Partnership Body	
Somerset Nuclear Energy Group (4)	Outside Body	
Somerset Playing Fields Association (2)	Outside Body	
Somerset Strategic Housing Partnership (2)	Partnership Body	
Somerset West Private Sector Housing Partnership (2)	Partnership Body	
Wembdon Village Hall Trust (1)	Outside Body	
Wilstock Hub (2)	Outside Body	
Blackdown Hills ANOB Partnership Management Group (3)	Partnership Body	
Blackdown Hills Joint Partnership Advisory Committee (1)	Partnership Body	
Devon and Somerset Metro Project (1)	Partnership Body	
Exmoor National Park Authority (8)	Partnership Body	
Friends of Konigslutter (1)	Outside Body	
Friends of Lisieux	Outside Body	
Friends of Vivary Park (1)	Outside Body	
Harbour Board (4 and 2 non-voting duty holders) **	Partnership Body	
Hestercombe Gardens Trust (1)	Outside Body	
Home Furniture Services Trust 'Furnitrust' (1)	Outside Body	
Management Committee of Broadlands (1)	Outside Body	
MATA Regal Theatre Co Ltd (1)	Outside Body	
Minehead BID Board (1)	Outside Body	

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
Minehead People and Place Partnership (2)	Partnership Body	
Minehead EYE Management Committee (1)	Outside Body	
Rural Services Network (1 and 1 deputy)	Outside Body	
Somerset Biodiversity Steering Group (1)	Outside Body	
Somerset Local Access Forum (2)	Outside Body	
Somerset Pensions Committee (1)	Partnership Body	
Tacchi-Morris Management Committee (2)	Outside Body	
Taunton Aid in Sickness Fund (1)	Outside Body	
Taunton Deane Bowling Club (1)	Outside Body	
Taunton Deane District CAB (1)	Outside Body	
Taunton Deane Domestic Abuse Forum (1)	Outside Body	
Taunton Garden Town Cultural Forum (2) **	Partnership Body	
Taunton Heritage Trust (2)	Outside Body	
The Albemarle Centre (2)	Outside Body	
The Exmoor Technology Hub (1)	Outside Body	
Visit Exmoor Executive Board (2)	Outside Body	
Watchet Coastal Community Team (1)	Outside Body	
Watchet Harbour Advisory Committee (1)	Partnership Body	
West Somerset Advice Bureau (1 and 1 deputy)	Outside Body	
West Somerset Opportunity Area (1)	Partnership Body	
West Somerset Railway's Partnership Development Group (1 and 1 deputy)	Outside Body	
A Better Crewkerne and District (ABCD) (1)	Outside Body	
Chard and District Museum Society (1)	Outside Body	
Chard Regeneration Programme Board (5)	Partnership Body	
Community Accessible Transport Committee (Wincanton) (1)	Outside Body	

APPENDIX 1 - APPOINTMENTS TO INTERNAL, PARTNERSHIPS AND OUTSIDE BODIES

Name	Type	Member(s) to be appointed
Dimmer Liaison Group (Viridor) (1)	Outside Body	
Henstridge Airfield Consultative Committee (2)	Outside Body	
Ile Youth Centre Management Committee (Ilminster) (1)	Outside Body	
Ilminster Meeting House and Arts Centre (1) *	Outside Body	
Langport Abattoir Liaison Group (1)	Outside Body	
Martock M3 Community Partnership (2)	Outside Body	
Octagon Theatre Redevelopment Project Board (4)	Partnership Body	
South Somerset Citizens Advice	Outside Body	
Stop Line Way Steering Group (1 and 1 reserve)	Outside Body	
Westfield Community Association (1)	Outside Body	
Wincanton Regeneration Programme Board (4)	Partnership Board	
Yeovil Crematorium and Cemetery Joint Committee (3)	Partnership Board	
Yeovil in Bloom Gardeners Market Steering Group (1)	Outside Body	
Yeovil One (1)	Outside Body	
Yeovil Regeneration Programme Board (4)	Partnership Board	

Unless indicated the appointments listed above are made by Council

*- Appointments to be confirmed by the Leader

** - Appointments made by the Executive

APPENDIX 2 – COUNCIL APPOINTED DIRECTORS OF COMPANIES

Name	Purpose	Company number	Council-appointed director(s)	Notes
Aspen Housing and Development Ltd	Residential property development and management	10000266	3 directors to be appointed	Current directors resigning before 1 st April 2023
Cherry Orchard House Management Company Ltd	Freehold owner of leasehold flats being developed commercially	12352686	Robert Orrett Commercial Property, Land and Development Manager, South Somerset District Council	Once all properties sold company to be transferred to the leaseholders
Elleston Services Ltd		11973260	James Divall - Assistant Director of Strategy, Support & Environmental Services, South Somerset District Council	Application to strike off submitted. Strike off expected before 1 st April 2023
Sedgemoor Group Ltd	Holding company, owner of Aspen Housing and Development Ltd	10084596	3 directors to be appointed	Current directors resigning before 1 st April 2023
Homes in Sedgemoor Ltd	Housing stock (Arm's Length Management Organisation)	05596060	Lance Duddridge Pauline Ham Kathryn Pearce	
SSDC Business Solutions Ltd	Holding company for commercial services	11968612	James Divall - Assistant Director of Strategy, Support & Environmental Services, South Somerset District Council	Application to strike off submitted. Strike off expected before 1 st April 2023

APPENDIX 2 – COUNCIL APPOINTED DIRECTORS OF COMPANIES

Name	Purpose	Company number	Council-appointed director(s)	Notes
Shape Housing Ltd	Real estate	09699146	1 director to be appointed	Current directors resigning on 1 st April 2023. Application to strike off imminent – “caretaker” director required to cover any queries that may arise
SSDC Opium Power Ltd	DBO battery storage unit at Fideoak (Taunton)	11342833	<p>James Divall - Assistant Director of Strategy, Support & Environmental Services, South Somerset District Council</p> <p>Robert Orrett Commercial Property, Land and Development Manager, South Somerset District Council</p>	Joint venture with Opium Power Ltd.
Fareham Energy Reserve Ltd	DBO battery storage unit at Fareham	11707543	<p>James Divall - Assistant Director of Strategy, Support & Environmental Services, South Somerset District Council</p> <p>Robert Orrett Commercial Property, Land and Development Manager, South Somerset District Council</p>	Subsidiary of SSDC Opium Power Ltd

APPENDIX 2 – COUNCIL APPOINTED DIRECTORS OF COMPANIES

Name	Purpose	Company number	Council-appointed director(s)	Notes
Fareham Energy Reserve 2 Ltd	Further DBO battery storage unit at Fareham	12286433	<p>James Divall - Assistant Director of Strategy, Support & Environmental Services, South Somerset District Council</p> <p>Robert Orrett Commercial Property, Land and Development Manager, South Somerset District Council</p>	Subsidiary of SSDC Opium Power Ltd
Futures for Somerset Ltd	Procurement and construction of education infrastructure in Somerset	07250123	Alyn Jones – LGR Programme Director, Somerset County Council	Jointly owned by BAM PPP Somerset BSF Limited, Somerset County Council and Building Schools for the Future Investments PPP. Responsible for delivery of certain services under Somerset County Council’s PFI schools contract

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Report of the Monitoring Officer – Independent Persons for Somerset Council

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

Report authors : Scott Wooldridge (SCC) and David Clark (MDC)

Contact Details: 01823 357628 or 01823 359043

1. Summary

1.1 Independent Persons

Section 28 of the Localism Act 2011 requires Councils to have arrangements in place to investigate and make decisions on allegations that a Councillor has breached the Code of Conduct. The arrangements to make decisions on allegations must include provision for the appointment of one or more "Independent Person" through a transparent process, by advertisement and application. A Member, Co-opted Member or Officer of the Authority or a relative or close friend of such person cannot be appointed as an "Independent Person". In addition, a person cannot be appointed as an "Independent Person" if at any time during the 5 years before the appointment, the person was a Member, Co-opted Member or an Officer of the Authority. For several years the County Council has put in place an Independent Person and Reserve Independent Person to support its standards arrangements.

The Council must seek and take into account the views of the Independent Person before reaching a decision about an allegation which it has decided to investigate. The Member against whom a complaint is made may also seek the views of the Independent Person. Whilst the Independent Person must be consulted, they have no vote or binding authority in any determination process with regard to a complaint. In addition, Councils must include at least two Independent Persons on any panel formed to consider disciplinary action against Statutory Officers.

Following approval by the Council in November 2022, the Monitoring Officer has been recruiting the three Independent Persons for the new Somerset Council. There was significant interest in these roles and 14 interviews were completed. As the appointment of Independent Persons must, by law, be approved by a majority of elected Members, Council are asked to endorse

the recommended appointments from the Interview Panel.

2. Recommendation(s)

2.1 The Council is asked to consider the following recommendations :-

1. Agree the appointment of the following people as Somerset Council's three Independent Persons up until the date of the Somerset Council elections in May 2027:

- **Sue Burton**
- **Philip Knowles**
- **Emily Macaulay**

2. Considers the appointment of two Reserve Independent Persons until the Annual General Meeting in May 2024:

- **Lorraine Davey**
- **Carole Lomas**

3. Request that the Monitoring Officer undertakes training and provides support to the Independent Persons.

3. Background

3.1 Appointment of three Independent Persons for Somerset Council

3.1.1 Section 28 of the Localism Act 2011 places a duty on Councils to appoint at least one Independent Person. The Act also requires the vacancy for an Independent Person to be advertised in such manner as the Authority consider is likely to bring it to the attention of the public. A person cannot be appointed as an Independent Person unless they have submitted an application for the vacancy and their appointment has been approved by a majority of members of the Authority.

The Council must seek and take into account the views of an Independent Person before reaching a decision about an allegation which it has decided to investigate. The Member against whom a complaint is made may also seek the views of the Independent Person. Whilst an Independent Person must be consulted, they have no vote or binding authority in any determination process with regard to a complaint. In addition, Councils must include at least two Independent Persons on any panel formed to consider disciplinary action against Statutory Officers.

- 3.1.2 The appointment of Independent Persons will also contribute to the openness and transparency of the Council's ethical standards arrangements by providing an external view on complaints against elected members.
- 3.1.3 Following the approval of the Somerset Structural Changes Order 2022, Somerset Council will come into effect on 1 April 2023 as part of local government reorganisation in Somerset. Section 28(7) of the Localism Act 2011 requires a relevant authority to put in place arrangements under which any allegations of misconduct can be investigated and decisions made on the allegations. These arrangements must include provision for the appointment of at least one independent person
- 3.1.4 More than one independent person must be appointed to ensure compliance with the Employment Procedure Amendments Regulations 2015 and in relation to standards matters this is required to ensure appropriate cover should there be any prejudicial interest or other conflict preventing an independent person being utilised on a certain issue. Review of other unitary councils formed through local government reorganisation identifies that they have appointed the following numbers of Independent Persons:
- Buckinghamshire (146 members) – 3
- Bournemouth, Christchurch & Poole (76 members) – 3
- Dorset (82 members) - 3
- Wiltshire (98 members) – 3
- 3.1.5 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. In view of the large number of council members (110 council members) within Somerset who will be covered by Somerset Council's procedure for dealing with any allegation of misconduct, as well as supporting the Monitoring Officer and Deputy Monitoring Officer(s) in respect of their role in assessing code of conduct complaints relating to all City, Town & Parish Councillors within the County, it was recommended at least three independent persons be appointed to provide the necessary resilience and sufficient capacity.
- 3.1.6 Following approval by the Council in November 2022, the Monitoring Officer has been recruiting the three Independent Persons for the new Somerset Council. As the appointment of Independent Persons must, by law, be approved by a majority of elected Members, Council will therefore be asked to endorse the decision of the Interview Panel.
- 3.1.7 The Committee for Standards in Public Life recommends independent

persons be appointed for a two-year period for a maximum of two terms. Council agreed that the three Independent Persons be appointed on a four-year basis up until the next elections in 2027, so as to avoid a further recruitment process early in the first term of the new Somerset Council.

3.1.8 Independent Persons do not need any specific qualifications but the attributes and experience they are expected to possess were set out in a recruitment pack, together with the grounds which would disqualify an applicant from being appointed. The person specification for the role of an Independent Person is set out in Appendix 1.

3.1.9 A thorough and transparent selection process has been undertaken. The opportunity was advertised in the local press and online. The recruitment campaign was jointly undertaken and promoted by the five Somerset councils. This collaborative approach is part of the five councils partnership work through local government reorganisation in Somerset. There was significant interest in these roles and 14 interviews were completed by the Monitoring Officers of Somerset County Council and Mendip District Council.

3.1.9 The Interview Panel reached a unanimous decision that they would recommend Sue Burton, Philip Knowles and Emily Macaulay to be appointed to the three Independent Persons roles for Somerset Council.

3.1.10 **Reserve Independent Persons**

With the transition to a new organisation from 1 April 2023 the appointment of three Independent Persons may not provide sufficient resilience for Somerset Council. It is therefore proposed that the Council considers the appointment of two Reserve Independent Persons to provide resilience during 2023/24.

The Reserve Independent Persons would receive the same training and support as the Independent Persons. They would be called upon if any of the three Independent Persons were temporarily unable to undertake their roles (such as due to illness or holiday) or the level of complaints matters at any one time exceeded the capacity / availability of the three Independent Persons. In view of the time commitment associated with training and potentially availability it is proposed that Reserve Independent Persons are paid a 'retainer' allowance of £300 along with any travel or subsistence expenses associated with undertaking their role.

It is open to the Council to either accept or reject this proposed recommendation.

3.1.11 The Interview Panel concluded that the proposed three Independent Persons and two Reserve Independent Persons have skills and qualities

which would benefit the Council in meeting its legal duty to uphold and promote high standards of ethical behaviour amongst elected and co-opted Members.

- 3.1.12 The options available to the Council therefore are to appoint the candidates recommended by the Panel, or to recommend some of the candidates and ask the Monitoring Officer to recommend another candidate from those interviewed or alternatively for the roles to be re-advertised.
- 3.1.13 It is recommended that the new Somerset Council appoints the three Independent Persons and two Reserve Independent Persons proposed in this report ahead of 1 April 2023.

4. Implications

Legal – As outlined in this report the Council must appoint at least one Independent Person by Section 28 of the Localism Act 2011.

There is also a mandatory requirement introduced under the Employment Procedure Amendment Regulations 2015 to invite at least two independent persons to join a panel set up to consider the dismissal of statutory officers.

Appointments must be approved by a majority of the members of the authority.

Financial – The Council agreed in November 2022 that each Independent Person would be paid an annual allowance of £ 1,000 per annum. The proposed two Reserve Independent Persons would represent an increase of £600 per annum. These costs can be met by the Governance, Legal and Democratic Services Budget for 2023/24.

Equalities - The recruitment and advertisement process complies with Section 28 of the Localism Act 2011.

Risk - The key risk is that the Council does not have suitable persons to undertake the three Independent Person roles. Once the appointment is accepted, then any risk will be limited to conflicts of interest which should be rare, but if they arise, they will be determined on an individual case by case basis.

5. Consultation

The Constitution and Governance Committee were consulted on the proposed recruitment of three Independent Persons at their meeting on 20 October and the Committee was supportive.

The Standards Committee were consulted at their meeting on 10 November 2022 and are supportive of the proposals relating to the appointment and recruitment of Independent Persons.

6. Background Papers

- 6.1 Council meeting November 2022
- Council's Constitution
- Localism Act 2011
- Somerset Structural Changes Order 2022

**SOMERSET
COUNCIL**

JOB DESCRIPTION AND PERSON SPECIFICATION

**INDEPENDENT PERSON APPOINTED UNDER SECTION 28(7) LOCALISM
ACT 2012**

Ethical Framework

The Localism Act 2011 provides the framework intended to secure high standards of conduct in public office. It requires the County Council to appoint at least one Independent Person who will be consulted on alleged breaches of the Members Code of Conduct for Members of the Council as well as Members of Town and Parish Councils within Somerset.

The Independent Person may also be consulted on allegations referred to the Monitoring Officer in deciding whether to investigate. Members who are the subject of complaints are also entitled to seek the views of the Independent Person. The Independent Person is not however a member of the Council or its Committees.

The role of the Independent person will be important to the public's perception of the effectiveness of the Council's standards arrangements and the maintenance of high standards of conduct, and it is very important that such members are seen to be genuinely independent of the County Council and any of its Town and Parish Councils.

The functions of the Independent Person in relation to Standards are:

- They must be consulted by the Monitoring Officer and/or the Council's Hearing Panel and their views considered before it makes a finding as to whether a member has failed to comply with the Code of Conduct or decides on action to be taken in respect to that member.
- They may be consulted by the Monitoring Officer and/or the Council's Standards Committee in respect of the Council's standards arrangements.
- They may be consulted by a member or co-opted member

of the Council or a city / parish / town council against whom the complaint has been made.

The Council is also required to consider the recommendations of the Independent Person before taking a decision to discipline or dismiss one of the Council's Statutory Officers.

Job Purpose

To undertake the statutory role of the Independent Person appointed under section 28(7) of the Localism Act 2011 and to assist the Council generally in discharging its duty to promote and maintain high standards of conduct by members and co-opted members of Somerset Council.

Contacts

- Elected and co-opted members of Somerset Council and of Parish, Town and City Councils in Somerset
- Somerset Council officers
- Members of the Public

Key tasks

- Advising and assisting Somerset Council in discharging its duty to promote and maintain high standards of conduct by elected and co-opted members of Somerset Council.
- Advising elected and co-opted members of Somerset Council and of Parish, Town and City Councils in Somerset in connection with complaints made against them under their Code of Conduct.
- Advising the Monitoring Officer in connection with the initial assessment of member misconduct complaints in accordance with the Council's arrangements made under section 28(6) of the Localism Act 2011.
- Advising the relevant Panel / Committee undertaking the Council's standards arrangements in connection with the determination of member misconduct complaints in accordance with the Council's arrangements made under section 28(6) of the Localism Act 2011.

Person specification

CATEGORY	ESSENTIAL	DESIRABLE
Education	<ul style="list-style-type: none"> • A good general level of education, sufficient to enable the Independent Person to deal with relevant paperwork and discussions. 	
Work Experience		<ul style="list-style-type: none"> • Experience within a similar role that has involved the promotion of high ethical standards.
Skills, Knowledge and Aptitude	<ul style="list-style-type: none"> • Ability to analyse complex issues in a logical way, and to arrive at practical ethical solutions. 	<ul style="list-style-type: none"> • Knowledge of relevant public services.
Personal attributes	<ul style="list-style-type: none"> • Must display the highest standards of integrity and conduct. • must have personal integrity and a commitment to equality and diversity. • must be fair and able to take an objective view of sometimes emotive situations. • must act with independence and tenacity and demonstrate skills of persuasion and influence. • must be able to exercise sound judgement, and must be able to analyse and solve complex problems. • must be able to express their ideas and point of view effectively, while being an excellent listener. • They must have excellent 	

	inter-personal skills.	
Motivation	<ul style="list-style-type: none"> • Must have a firm belief in the importance of public services to the community. • Must have a firm belief in the importance of high standards of conduct to the successful achievement of the Council's objectives. 	
Restrictions	<ul style="list-style-type: none"> • Must not be a member, co-opted member or officer of Somerset Council or of a City, Town or Parish Council within Somerset and must not have held such a position within the previous five years. • Must not be related to, or a close friend of, a member, co-opted member or officer of Somerset Council or of a City, Town or Parish Council within Durham. 	

Equality and Diversity

The Independent Person is obliged to demonstrate and promote a commitment to the Council's Equality and Diversity Policy.

Eligibility

Under section 28(8) and (10) Localism Act 2011 the following persons are not eligible for appointment as an independent person:

- current members, co-opted members and officers of Somerset Council or of any parish, town or city council within its area, or their relatives or close friends;
- any person who has at any time during the 5 years ending with the appointment been a member, co-opted member or officer of the council or any of the parish, town or city councils in its area;

For these purposes a person is a relative of another person if they are -

- a. the other person's spouse or civil partner;
- b. living with the other person as husband and wife or as if they were civil partners;
- c. a grandparent of the other person
- d. a lineal descendant of a grandparent of the other person;
- e. a parent, sibling, or child of a person within a. or b. above;
- f. the spouse or civil partner of a person within c., d. or e. above; or
- g. living with a person within c., d., or e. above as husband and wife or as if they were civil partners.

Term of Appointment

The Council plans to appoint 3 independent persons. These will be appointed up until the ordinary day of elections in 2027.

Allowance

The Council will pay an Independent Person an annual allowance and it is proposed that the allowance for 2023/24 will be £1,000 per annum. The level of allowance will be reviewed regularly as part of the review of the Council's Members' Allowances Scheme.

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Somerset County Council
County Council – 1 March 2023

Report of the Human Resources Committee – for decision

Chair: Cllr Liz Leyshon – Deputy Leader of Council and Executive Member for Resources Division and Local Member: All

Lead Officer: Chris Squire - HR & OD Director

Author: Neil Milne – Governance Specialist – Democratic Services

Contact Details: 01823 357628

Summary

1.1 The decision report covers the meeting of the Committee on 21 February 2023 which considered the proposed Pay Policy Statement (PPS) for the new Somerset Council for 2023/24.

1.2 Officers prepared a draft 2023/24 Pay Policy Statement (PPS), attached as Appendix A, which the Human Resources Committee considered and recommend to Full Council for its approval.

1.3 We highlight to Council that in-year amendments will be required to review changes as a result of implementing the new Council structure and pay data, including pay for those on Green Book terms and conditions, given that negotiations have not yet concluded for the 2023/24 pay award.

1.4 The Human Resources 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 Human Resources policies. However, legislation requires the Pay Policy Statement (PPS) itself to be approved by Full Council.

Recommendations

The Human Resources Committee agreed to recommend the Council:

To approve the Pay Policy Statement (PPS) for the Somerset Council for 2023-24 (attached as Appendix A to this report).

The Committee discussed the key points in the report:

- The proposed amendments to the Pay Policy Statement for 2023/24.
- The PPS will require in-year amendments to complete the Pay Data and Chief Executive Remuneration relative to other Council Employees after 1 April 2023 and when the Green Book pay award is agreed.
- The revised National Living Wage hourly rate of £10.42 from 1 April 2023.
- The lowest Spinal Column Point (SCP) will be removed, from 1 April 2023, in line with the national agreement. (The new lowest national pay point for Green Book staff will be SCP 2, current an hourly rate of £10.60.)
- Somerset Grade 17 and Grade 16 will be merged, as an interim arrangement, in order to implement the nationally agreed removal of the lowest pay point, SCP 1. This will allow more time for negotiations on a wider review of the new Somerset Council's pay and grading structure.
- Proposals for the National Joint Council (NJC) Green Book 2023/24 pay claim from the staff side were presented to the Local Government Association (LGA) at the end of January 2023 and employers are now being consulted before negotiations commence.

To ensure that the Council complies with the statutory requirement to publish a pay policy statement annually. Section 38 (1) of the Localism Act 2011 requires English and Welsh local authorities to produce a PPS for each financial year which must be approved formally by Full Council. Pay Policy Statements can be amended 'in-year' should the need arise but only by Full Council.

As from 1 April 2012, determination of any salary/cost of living progression for the Chief Executive and Senior Leadership Team is undertaken by the Human Resources Committee, subject to an annual review.

Appropriate pay provisions for staff are fundamental to the delivery of the Council's objectives and services as set out in the County Plan. The National Living Wage is a legal requirement and must be adhered to. We already exceed the stated rise and therefore will not need to adjust pay points at the bottom of the pay scale to comply.

4. Background papers

Agenda and papers for the HR Policy Committee meeting on 21 February 2023.

Somerset Council Pay Policy Statement 1 April 2023

1. Purpose

This Pay Policy Statement (PPS) is provided in accordance with Section 38 (1) of the Localism Act 2011 and will be updated annually or in-year as required. It sets out Somerset Council's policies relating to the pay of its workforce (excluding schools' employees) for the year 2023-24; in particular, it includes:

- The methods by which salaries of all employees are determined.
- The remuneration of its Chief Officers.
- The remuneration of its lowest paid employees.
- The relationship between the remuneration of its Chief Executive and other officers.
- Other specific aspects of chief officer remuneration such as levels and elements of such remuneration, remuneration on recruitment, increases and additions to remuneration, termination payments and transparency.

2. Scope

The Pay Policy Statement covers the following statutory roles at Somerset Council:

- 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

And non-statutory roles:

- g. Executive Director – Strategy, Workforce and Localities
- h. Executive Director – Community Services
- i. Executive Director – Climate and Place

And additionally;

- j. Service Directors and any other officer who reports or is directly accountable to the officers listed in (a) to (i) above (with the exception officers reporting to the Service Director – Governance, Democratic and Legal Services).

The pay policy statement covers all employees within Somerset County Council (excluding school-based employees) as the continuing authority and those who have been transferred under TUPE regulations on their current terms and conditions into Somerset Council from Mendip District Council, Sedgemoor District Council, Somerset West and Taunton District Council and South Somerset District Council on 1st April 2023.

3. Definitions

For the purpose of this PPS the following definitions will apply:

- 3.1. The Localism Act (section 43) defines remuneration widely. In this policy 'remuneration/pay' in addition to salary includes charges, fees, allowances, benefits in kind, increases in or enhancements to pension entitlement and termination payments.
- 3.2. For the purposes of this statement, 'Chief Officer' refers to all of the Council's senior officers Tiers 1 – 3. These are collectively referred to as the Senior Leadership Team (SLT). In addition, some posts at Tier 4 fall within the legal definition of 'deputy chief officer'.
- 3.3. The definition of 'lowest paid employee' is a fully competent employee undertaking a defined role and excludes apprentices who are undertaking approved training.

4. Accountability and decision making

- 4.1. In accordance with Part 1 section 6 of the constitution of the council, the Human Resources (HR) Committee acts as the Council's Remuneration Committee for Chief Officer pay (with the exception of the post of Monitoring Officer). In exercising this function, the HR Committee reviews at least on an annual basis the pay and grading structure of the Council (including SLT Officer grades and salaries) and makes recommendations for any changes considered necessary to Full Council by way of a revised Pay Policy Statement.
- 4.2. The Pay Policy Statement must be approved formally by Full Council each year by the end of March for the following financial year.
- 4.3. As outlined in Part 1 section 7 of the constitution of the council, the Chief Executive as 'Head of the Paid Service', is responsible for the Council's Senior Leadership Team and supporting officer structures of the Council. The Chief Executive has authority to approve changes to the terms and conditions of all post specified in (b)-(j) above on the recommendation of the Appointments Panel or the Appointments Committee or on their 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.
- 4.4. Before making decisions in relation to the staffing structure or individual posts, the Chief Executive is required to consider:-
 - The views of the relevant Executive Member, the Chair of the HR Committee and the Opposition Spokesperson, and as appropriate: -
 - The outcome of job evaluation.
 - Any data/advice/evidence or views collected from appropriate sources, including: the Council's HR function; National and/or Regional Employers' Organisations; independent external pay data.
 - The needs of the business to recruit and retain senior officers.

- The performance of individual SLT Officers.
- The requirements of the PPS and
- Fluctuations in the local and national job market.

5. Pay Principles

The key principles underpinning this pay policy statement are:

Affordability – ensuring remuneration policies represent value-for-money for the taxpayer

Fairness – ensuring remuneration policies are fair to all staff, ranging from the most senior post to the most junior post

Meet legislative requirements – ensuring remuneration policies comply with all legal obligations, such as the Equal Pay Act

Market facing – ensuring due regard is taken of the market, both nationally and locally in the South West, and that this policy is in-line with councils of a similar size and / or in a similar labour market.

Tax Avoidance – ensuring that all remuneration arrangements comply fully with HMRC regulations.

6. Pay Data

The Council complies with Data Protection Act obligations and will only publish information about an individual officer's pay where it is required to do so by law.

In accordance with the Accounts and Audit (England) Regulations 2011 and the Local Government Transparency Code 2015, the Council publishes pay information about individual posts for the Chief Executive and SLT on its website and in the Annual Statement of Accounts. Only employees whose salaries are more than £150,000 have to be named.

The data detailed within the Pay Policy Statement reflects the pay award for 2022/23 as the 2023/24 pay award has not been agreed at the point of publishing his PPS. This PPS will be updated for the May 2023 meeting of Full Council.

In relation to other senior officers of the Council, pay information is published on the Council's website relating to:

- Salaries of £50,000 or more by reference to total numbers within bands (grouped in bands of £5,000);
- Details of remuneration and job titles of certain senior employees whose salary is at least £50,000 including role responsibilities (for example, the services and functions they are responsible for, budget held and number of staff) and details of bonuses and 'benefits in kind', for all employees whose salary exceeds £50,000.

7. Lowest Paid Employee

With effect from 1st April 2023 the lowest point on the National Joint Council (NJC) Green Book pay scale, spinal column point (SCP) 1 has been removed so the new lowest point will be SCP2. The lowest paid posts in the council which include posts of Cleaner, Domestic Assistant, Distribution Assistant and General Kitchen Assistant, are paid on National spinal point to £20,441 as at 1st April 2023 (excluding the pay award for 2023-24).

8. Pay Multiples

The recommendation of the Hutton Report into “Fair Pay in the Public Sector”, as recognised by the Government in the Local Government Transparency Code 2015, was that the Council should publish the pay ratio of the salary of the Chief Executive compared to the median average salary in the organisation.

The ratio of the pay of the new Council’s median earner (£28,900) to that of its Chief Executive (£195,000) was 1:6.75 based on salaries at the end of January 2023.

Note: At the point of publishing this PPS the pay award for 2023/24 had not been agreed. The estimate new Council’s median earner figure is based on employees in post at the end of January 2023 from Somerset County Council, Mendip District Council, Sedgemoor District Council, Somerset West and Taunton Council and South Somerset District Council. This figure excludes apprentices, casuals, zero hours contracts and the Chief Executives in the District Councils.

9. Pay and Grading Structure

9.1. Grading and Job Evaluation

The grading structure reflects the need to continue to modernise, facilitate new ways of working and ensure equal pay for work of equal value in a large and diverse organisation.

- Job evaluation is a consistent process used for determining the relative worth of jobs. The Council uses two schemes to evaluate jobs, covering virtually all employees, except centrally employed teachers and Soulbury staff, which are subject to national grading schemes: The Hay Scheme is used for the Chief Executive, SLT, other senior and management posts from grade 11.
- The New Somerset Scheme, based on the Greater London Provincial Council scheme (formerly GLEA), is used for posts up to Grade 12. The relationship between pay at the lowest and highest levels is controlled by job evaluation. The job evaluation score is set within a pay structure and linked to the pay spinal column points which determines what posts are paid.

9.2. Pay scales

- The Chief Executive (Tier 1) and Senior Leadership Team (Tiers 2 & 3) pay and cost of living progression is locally agreed and subject to annual review by the HR Committee.

- The Chief Executive current annual salary is £195,000 as at 1st April 2023, pending consideration of the 2023-24 review.

9.2.1. Executive Director Pay Structure

The pay structure for Executive Directors has been agreed by the Appointments Panel for the posts, following benchmarking with other organisations and similar roles. Salaries are on a spot pay basis, within the following levels and are based on job evaluation outcomes and market comparisons:

- £129k - £150k

9.2.2. Service Director Pay Structure

The following salary ranges have been agreed for Service Director posts, following benchmarking with other organisations and similar roles. They will be made on a spot rate basis, in line with Job Evaluation scores for the level:

Service Grade	Director	Salary Range
SD1		£115,000 - £118,000
SD2		£110,000 - £115,000
SD3		£100,000 - £105,000

9.2.3. Staff Below Senior Leadership Team level

The Somerset Pay and Grading structure for staff below SLT and on Green Book terms and conditions incorporates National Pay Points up to spinal column point (scp) 38 and locally determined pay points above. The current pay and grading structure is shown at Appendix 1.

National Joint Council (NJC) for Local Government Services (Green Book) pay, terms and conditions apply to posts on Grades 17 to 4 inclusive. Annual pay awards are determined by national agreement. The 2023/24 pay award has not been agreed at this point of publishing this PPS.

Post holders on Grades 15 – 9 are, eligible for annual incremental increases up the pay scale until they reach the top of their grade.

With effect from 1st April 2023 the lowest point on the NJC Green Book pay scale, spinal column point (SCP) 1 has been removed so the new lowest point will be SCP2. As an interim arrangement, Somerset Grade 17 will be merged with Grade 16 from this date and both grades will receive the spot salary aligned to national spinal column point 2, while a review of the Council's Green Book pay and grading structure is undertaken.

Post holders on Grades 4 – 8 (Strategic and Service Managers) have some localised terms and conditions. Each Grade (4 – 8) has a fixed, spot salary and there is no incremental progression.

10. Other pay arrangements

10.1. Performance related pay and bonuses

The Council does not operate a performance-related pay scheme for any staff, but does have a performance related appraisal scheme, including behaviours

and competency assessment. The Council does not pay a bonus to any Council employee.

10.2. Allowances

Allowances are paid in line with NJC terms and conditions (Green Book), or by local agreements where relevant.

Any allowances paid to The Chief Executive and SLT Officers are disclosed in the Annual Statement of Accounts.

10.3. Election payments

No additional payments are made for election duties.

10.4. Professional subscriptions

- The Council currently meets the cost of Practising Certificate required by Solicitors employed by the Council.
- The Council does not pay fees and subscriptions payable by the Chief Executive, SLT Officers and other employees, to professional qualification bodies and local government-based societies and associations.
- Fees and subscriptions payable by the Chief Executive, SLT Officers and other employees, to associations that are inter-Council networking organisations (as distinct from subscriptions to professional bodies) should be reimbursed subject to individual cases being approved by the Chief Executive and Service Director – Workforce, in consultation with the relevant Executive Member.
- Staff who have transferred into Somerset Council may be subject to different arrangements and policies including arrangements for professional subscriptions, with these terms protected under employment legislation.

10.5 Recruitment and Retention Allowances

- External recruitment and internal retention problems are tackled by temporarily increasing the total pay awarded to a post, when it can be shown that the pay on the evaluated grade is significantly lower than competitors' rates of pay.
- The payment of an allowance is temporary and will not be renewed if a review finds evidence that demonstrates the payment of the allowance is no longer justified.
- An allowance forms part of an employee's pay (all the salary, wages, fees and other payments paid to them for their own use in respect of their employment) and as such is pensionable. An allowance is expressed as a cash lump sum, pro-rata to the contracted hours, and is not subject to annual cost of living/inflation pay awards.

Approval of recruitment and retention allowances in respect of:

- SLT posts and the Monitoring officer (with the exception of the post of Chief Executive) shall be determined by the Chief Executive following consultation with the Leader of Council and on the recommendation of the appropriate Appointments Panel in relation to new appointments.

- The post of Chief Executive will be agreed by Full Council.
- All other posts shall be determined by the Corporate Consultation Group comprising the Service Director – Workforce and two other representatives from the Senior Leadership Team. The Strategic Manager – HR Admin and Payroll Services will support the group and provide technical advice.

11. Other Employment-Related Arrangements

11.1 Appointment of Agency Interims

- Where the Council is unable to permanently recruit officers at the most senior level, there could be a requirement for that substantive post to be covered by an interim appointment.
- The Council has various options to supply interims in adherence with relevant Procurement, Legal and Financial Regulations.
- The Council has a requirement to assess the employment status of the interim prior to the recruitment of interims being approved. An interim's terms of employment and contract is direct with the supplier and not the Council.
- In respect of the appointment of interims to SLT posts (including the Monitoring Officer) the requirements under Part 1, section 7 of the Constitution will be followed. A business case to the Chief Executive will take into account:
 - Value-for-money for the taxpayer
 - The evaluated grade of the post to be covered
 - The public profile of the post
 - Risks to the Council
 - The labour market, both nationally and locally in the South West, for interims providing cover for similar posts in councils of a similar size.
- If the interim is below Chief Officer level and the proposed rate of pay is over £500 per day, the appointment will be subject to formal approval and review processes as outlined in the Constitution.

11.2 Pension

Subject to qualifying conditions, employees are eligible to join the Local Government Pension Scheme (LGPS). The Council has the ability to determine certain Local Government Pension Scheme Discretions. The Council's Pension Discretion Policies apply equally to the whole workforce and are subject to the approval of HR Committee of the Council.

Employee pension contribution rates are defined by statute in accordance with the LGPS and employer contributions rates are set by Actuaries advising the Somerset Pension Fund and reviewed on a triennial basis in order to ensure the scheme is appropriately funded.

If the Council employs a Chief Officer already in receipt of a Local Government Pension Scheme pension, the Council will apply the normal pension abatement rules that apply to all employees (the combined pension and salary of their new post should not exceed the salary of their previous post).

A number of employees have transferred to the Council under a specific staff transfer arrangement which allowed them to continue membership of the NHS pension scheme. The Council makes contributions on their behalf and complies with Pension Legislation in respect of the NHS scheme.

11.3 Salary Protection

Protection will not apply to redeployed employees with less than two years local government service.

Salary protection arrangements for Officers on Grades 8 and above receive one year's frozen pay protection during which annual cost of living pay increases will be awarded. At the end of this period the substantive grade of the new post will be applicable.

Salary protection is in place to ease the financial implications on those being redeployed and does not extend beyond salary.

All other Officers (below grade 8) receive 3 years' salary protection.

12. Termination payments

Chief Officers follow the same arrangements and policies for redundancy as applied to all other staff.

In exceptional circumstances to avoid or settle a claim or potential dispute, the Council may agree payment of a settlement sum on termination.

All cases must take account of all legal, financial, contractual and other responsibilities.

A proposed financial settlement for an officer leaving the Council in excess of £100,000 must be agreed by a meeting of the Full Council, in accordance with the Localism Act 2011.

Aside from the provisions set out in Part 1 section 7 of the Council's constitution for the Chief Executive and SLT Officer posts, all other settlement payments on termination of the contract of a post require the approval of the relevant Senior Officer in line with HR Policy.

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Somerset County Council

County Council
– 1 March 2023



Requisitioned Items

Cabinet Member: All

Division and Local Member: All

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

Author: Mike Bryant - Service Manager – Democratic Services

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

A. Debate Not Hate

The following requisitioned item will be proposed by Cllr Leigh Redman and seconded by Cllr Dawn Denton :



<https://www.local.gov.uk/about/campaigns/debate-not-hate>

The intimidation and abuse of councillors, in person or otherwise, undermines democracy, preventing elected members from representing the communities they serve, deterring individuals from standing for election, and undermining public life in democratic processes.

Somerset Council notes that increasing levels of toxicity in public and political discourse is having a detrimental impact on local democracy, and that prevention, support and responses to abuse and intimidation of local politicians must improve to ensure councillors feel safe and able to continue representing their residents.

Somerset council therefore commits to challenge the normalisation of abuse

against councillors and officers and uphold exemplary standards of public and political debate in all it does.

Somerset Council further agrees to sign up to the [LGA's Debate Not Hate campaign](#). The campaign aims to raise public awareness of the role of councillors in local communities, encourage healthy debate and improve the response to and support those in public life facing abuse and intimidation.

In addition, this council resolves to:

- Write to the local Members of Parliament to ask them to support the campaign.
- Write to the Government to ask them to work with the LGA to develop and implement a plan to address abuse and intimidation of politicians at every level.
- Ensure that Somerset Council has a clear reporting mechanism which councillors can use to monitor and record incidents of harassment and abuse of councillors and officers.
- Regularly review the support available to councillors in relation to abuse and intimidation and councillor safety.
- Work with the local police to ensure there is a clear and joined-up mechanism for reporting threats and other concerns about the safety of councillors and their families and discuss the need to take a preventative approach that accounts for the specific risks that councillors face, as they do with other high-risk individuals, like MP's.
- Take a zero-tolerance approach to abuse of councillors and officers.

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

Somerset County Council

County Council

– 22 February 2023/1 March 2023

Annual Report of the Constitution and Governance Committee

Lead Member: Cllr Theo Butt Philip, Chair of the Constitution and Governance Committee

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

Author: Clare Rendell, Governance Specialist, Cllr Theo Butt Philip, Chair of the Constitution and Governance Committee

Contact Details: e-mail clare.rendell@somerset.gov.uk

1. Summary

- 1.1.** The Constitution and Governance Committee is required through the Constitution to make an annual report to Full Council.
- 1.2.** The Constitution and Governance Committee forms a part of the County Council's corporate governance framework. Its purpose is to maintain an effective, up to date and legally compliant Constitution; consider proposals from Council committees for changes to the constitutional arrangements of the Council; approve in-year changes to individual parts of the Constitution; take all required decisions in respect of the County Council elections; oversee the Council's input and response to boundary or electoral reviews as required by the Boundary Commission; and develop the Constitution for the new Somerset Council.
- 1.3.** This report is to inform members of the work of the Constitution and Governance Committee over the municipal year.

2. Background

- 2.1.** The Constitution and Governance Committee was formed following the Annual General Meeting in May 2022.
- 2.2.** The Constitution and Governance Committee has met a total of 7 times between July 2022 and end of February 2023.
- 2.3.** Constitution and Governance Committees are a key component of an authority's governance framework. The key function this year was to develop the Constitution for the new Somerset Council.

3. Work Programme

3.1. Although the main focus of the work programme has been to develop the Constitution for the new Somerset Council, the Constitution and Governance Committee has also focused on the following items:-

3.2. Community Governance Review for the Unparished Are of Taunton

At the meeting held on 18 July 2022, the Committee received an update of the project being carried out by officers at Somerset West and Taunton Council to form a Taunton Town Council and to review the geographical scope for the project to include areas of urban extension as well as the unparished area of Taunton.

3.3. DBS Check Policy

At the meeting held on 12 September 2022, the Committee were requested to revisit the policy agreed by Full Council in November 2017, with a view to require all members to now be enhanced DBS checked. It felt timely to revisit the policy given the continuing emphasis on safeguarding and an assessment of DBS policies of other councils in relation to members.

3.4. Boundary Review

At the meeting held on 20 October 2022, the Committee were presented with the proposals for the final consultation stage of the 2023 Boundary Review – Parliamentary Constituencies. In the Avon, Somerset and Devon sub-region, the increase by two in the number of constituencies had meant that significant change to the existing pattern of constituencies was necessary. The proposed Tiverton and Minehead constituency would cross the county boundary between Somerset and Devon and the proposed Wells and Mendip Hills, and Frome constituencies would cross the county boundary between Somerset and Avon. There was a very in-depth debate held on the proposals, which led to the item being brought back to the meeting held on 21 November 2022, where the Committee agreed their final consultation submission.

3.5. Elections Act 2022

At the meeting held on 21 November 2022, the Committee were updated on the changes being brought in by the Elections Act 2022, which had received royal assent on 28 April 2022. The main changes being introduced were:-

- The requirement for voters to show photo ID at polling stations before a ballot paper was issued (expected to be in place for elections from May 2023)
- To extend election accessibility, which required the Returning Officers to take all reasonable steps to provide support for voters with a disability in polling stations (expected to be in place for elections from May 2023)
- To change voting and candidacy arrangements for EU voters (expected to be in from June 2023)
- To scrap the 'fifteen-year rule' to allow all British citizens living overseas to vote in UK Parliamentary elections, regardless of when they left the UK (expected to be in place from July 2023)

- To enable electors to apply online for an absent vote, with both online and paper applications requiring the applicant's identity to be verified (expected to be in place from July 2023)

3.6. New Somerset Council Constitution

Throughout the year, the Committee debated in depth the following articles of the Constitution:-

20 October 2022:

- Public Participation
- Full Council Meeting Procedures

15 December 2022:

- Licensing Committee Functions and Arrangements
- Pensions Fund Governance

30 January 2023:

- Scrutiny Functions and Arrangements
- Decision Making, Scheme of Delegation and Proper Officer Arrangements
- Local Community Network's Functions and Arrangements
- Planning Committee Functions and Arrangements

14 February 2023:

- Committee Structure and Arrangements
- Executive Functions and Arrangements
- Planning Committee Functions and Arrangements with amendments made at the meeting held on 30 January 2023
- Overall Review on the New Constitution for Somerset Council

4. Conclusions

- 4.1.** The Constitution and Governance Committee has had a very heavy workload throughout the past municipal year to ensure that the new Constitution was safe and legal in time for vesting day on 1 April 2023. However, this was just a starting point and in the first few years of the new Somerset Council, work will need to be carried out to review the Constitution to ensure it continues to be effective, up to date and legally compliant.

5. Background papers

- 5.1.** Supporting papers can be found at:

[Somerset County Council Constitution and Governance Committee Agendas and Minutes](#)

[Somerset West and Taunton Council – Community Governance Review for the Unparished Area of Taunton](#)

[2023 Boundary Review – Parliamentary Constituencies](#)

[Elections Act 2022](#)

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County Council
– 1 March 2023

Report of the Scrutiny for Policies, Adults and Health Committee

Chair: Cllr Rosemary Woods

Division and Local Member: All

Lead Officer: Scott Woodridge – Monitoring Officer

Author: Jennie Murphy – Senior Democratic Services Officer

Contact Details: jamie.jackson@somerset.gov.uk

1. Summary

- 1.1** The Scrutiny for Policies, Adults and Health Committee is required by the Constitution to provide Full Council with a summary progress report and outcomes of scrutiny. This report covers meetings since November 2022.
- 1.2** The Committee has agreed their work programme would comprise of items considered directly at meetings plus other items considered or ‘commissioned’, using flexible arrangements outside of the formal committee structure.
- 1.3** Members of the Council are reminded that:
 - all Members have been invited to attend meetings of the three Scrutiny Committees and to contribute freely on any agenda item;
 - any Member could propose a topic for inclusion on the Scrutiny Work Programme.
 - any Member can be asked by the Committee to contribute information and evidence and to participate in specific scrutiny reviews.

The Committee has 13 elected Members.

2. Background

2.1 Scrutiny Work Programme

Each of our meetings had specific agenda items to consider the work programme and allow members and officers to suggest items we should scrutinise in more depth. We also frequently review how we monitor our suggested outcomes and/or recommended actions so we can understand the impact of our work so we can learn how to better focus our scrutiny work to ensure we have made a difference.

Scrutiny Members have endeavoured through the Committee meetings to make suggestions and express opinions to Directors and Executive Members after discussion and debate. We have started to develop constructive relationships with our sister Scrutiny Committees, particularly the Scrutiny for Policies, Children and Families Committee.

2.2 Meeting 07 December 2022

2022/23 Budget Monitoring Report - Month 6 -

The Committee had before them the Budget Monitoring Report -Month 6. This covers the spend up to the end of September 2022. This was the first Adult Services budget monitoring report submitted to the Committee. It was proposed in future these would be brought reports bi-monthly to the committee to discuss and make recommendations.

The Adult Services information in the report was taken from the Executive Committee month 6 budget monitoring report submitted on the 16th of November 2022.

After taking into account all service expenditure and contingencies the projected outturn position is £405.5m against a net budget of £383.3m. This gives an £21.2m adverse variance which represents a variance of 5.5%. Overall, there has been a favourable movement of £0.8m since the Month 5 position. This continues the down trend from Month 4 which was a forecast overspend of £23.9m for year. The action plan approved by the Executive in Quarter 1 is having a positive impact against a very challenging financial environment.

2.3 Meeting 26 January 2023

Draft Integrated Care Service Draft Strategy

The Committee had a presentation on the draft strategy of the integrated Care Board which needs to be established under the Health and Care Act 2022. The Somerset Integrated Care Strategy will build on the existing work carefully developed under Fit for My Future, to ensure the momentum to further the transformative change needed to tackle challenges such as: reducing disparities in health and social care; improving quality and performance; preventing mental and physical ill health; maximising independence and preventing care needs, by promoting control, choice and flexibility in how people receive care and support. Progress as a Somerset system has been significant under the Fit for my Future direction, and its five strategic themes continue to be used in the engagement with partners about how to prioritise plans.

The five strategic aims are:

- Improve the health and wellbeing of the population,
- Provide the best care and support to children and adults,
- Strengthen care and support in local communities,
- Reduce health inequalities and
- Respond well to complex needs.

Adult Social Care Performance Report

The Committee had a report that provided an update on key developments in relation to demand and performance activity across adult social care, both nationally and locally. It was supported by an accompanying presentation that

detailed some key performance indicators for the service to help inform the Committee's understanding of current activity and offered an opportunity to assess local performance in the context of the ongoing pressures and challenges facing the national health and care system.

Performance highlights were:

- **Calls resolved at first point of contact:** The proportion of calls resolved by Somerset Direct at 'first point of contact' has remained consistently above target despite demand and enquiry levels remaining very high.
- **Continued high levels of overdue assessments and reviews:** The number of overdue assessments and reviews continues to grow, impacted by rising demand, complexity of need and ongoing internal workforce challenges and vacancies.
- **Somerset's performance across ASCOF (Adult Social Care Outcomes Framework) measures:** Each year the Government collects data from Local Authorities and conducts surveys of people and their carers who use our services.
- **ASC Hospital Discharge Pathways:** In November, 92.1% of all people discharged from Somerset Hospitals were able to return home.
- **Learning from ASC Stakeholder Feedback:** Since launch in January 2022, our ASC Feedback Form responses have offered enormously valuable insights into the experience of service users and their carers, our partner colleagues and other key stakeholder - 81.8% rated the service a good or excellent.

Suicide Prevention Strategy

The Committee had a powerful presentation on the partnership work being undertaken in this sensitive area. Somerset has a higher rate of suicide when compared to the national figures. In Somerset it is 15.1 per 100,000 and nationally it is 10.4 per 100,000. They were made aware of the support and training that is available in Somerset and were interested in the 'Orange Button' training being offered to assist volunteers to gain confidence in talking about this delicate matter.

3. Consultations Undertaken

The Committee invites all County councillors to attend and contribute to its meetings.

4. Implications

The Committee considers carefully and often asks for further information about the implications as outlined in the reports considered at its meetings.

For further details of the reports considered by the Committee, please contact the author of this report.

5. Background Papers

Further information about the Committee including dates of meetings and agendas and reports from previous meetings, are available via the Council's website:

www.somerset.gov.uk/agendasandpapers

Note: For sight of individual background papers please contact the report author.

Somerset County Council
County Council
– 1 March 2023

Report of the Scrutiny for Policies, Children and Families Scrutiny Committee

Chair: Cllr Leigh Redman

Division and Local Members: All

Lead Officer: Neil Milne – Governance Specialist

Author: Fiona Abbott – Senior Democratic Services Officer

Contact Details: 01823 357337 fiona.abbott@somerset.gov.uk

1. Summary

- 1.1** The Scrutiny for Policies, Children and Families Committee is required by the Constitution to provide Full Council with a summary progress report and outcomes of scrutiny. This report covers the work of the Scrutiny Committee since the last report to Council in November 2022.
- 1.2** The Committee focusses on the outcomes from the Ofsted Inspection of Children’s Services and the Children and Young Peoples Plan (CYPP) which has the following three priorities: keeping children and young people safe (priority 1); supporting physical and emotional health and resilience (priority 2); enabling young people to learn and thrive (priority 3). We have now arranged our work plan to cover the following broad areas –
- universal education
 - SEND and Inclusion
 - social care and commissioning
 - cross-cutting items
 - and a number of training items and workshop items.
- 1.3** Members of the Council are reminded that:
- all Members have been invited to attend meetings of the Scrutiny Committees and to contribute freely on any agenda item.
 - any Member can propose a topic for inclusion on the Scrutiny Work Programmes.
 - any Member can be asked by the Committee to contribute information and evidence and to participate in specific scrutiny reviews.
- 1.4** The Committee has 13 elected Members on it and has up to seven co-opted members appointed as follows - two church representatives (one vacancy), two School Governor representatives (both filled), one representative from the Somerset Schools Forum (vacant) and two parent governor representatives (both vacant). All co-opted members have voting rights on education matters only. We are still trying to appoint representatives to fill the vacancies.
- 1.5** I am particularly pleased that during this phase of meetings we were able to gain and understanding of some of the points highlighted in the most recent

Ofsted report, this included 'Return home interviews'. We were updated on 'Trauma Informed Somerset practice model and implementation', members now have a better understanding around Adverse Childhood Experiences (ACE's), I would encourage all members to become aware of ACE's and their impact on all young people. I thank all officers for their efforts supporting the committee's operation.

2. Background

2.1 Scrutiny Work Programme

Each of our meetings had specific agenda items to consider the work programme and allow members and officers to suggest items we should scrutinise in more depth. This has led to items being added to the work programme and has helped to guide our future work.

At each meeting we review how we monitor how our suggested outcomes and/or recommended actions have been progressed so we can understand the impact of our work and learn how we can better focus our scrutiny work to ensure we have made a difference.

Scrutiny Members have endeavoured through the Committee meetings to make suggestions and express opinions to Directors and Executive Members after discussion and debate.

2.2 Meeting on 7 November 2022

The main points from the meeting were: -

Progress on Ofsted Inspection of Children's Services Action Plan – The Inspection of Children's Social Care services in July 2022 rated the service Good across the board and the inspection report was published on 21 September 2022. We received a PowerPoint presentation from the Council's Assistant Director, Community & Strategy, Paul Shallcross, on the progress on the action plan and an update on post Ofsted service planning 2023/24. There are five key areas of focus – workforce, prevention, protection, care, partnership and strategy. The Committee welcomed the update and asked that the draft plan be shared with the Committee and see the Improvement Plan in 6 months time.

LA Maintained Schools - Core Offer – Overview – this was a pre Executive item. We received a PowerPoint presentation from the Council's Assistant Director Education Partnerships and Skills, Amelia Walker, about the proposed changes to the LA maintained schools core offer. The policy was due to be considered by the Executive at its meeting on 14 December 2022 and it was agreed that the Committee would consider the full business case at its next meeting on 12 December 2022.

Ms Walker highlighted the risks if there was no change – resource compartmentalisation; short-term granularity; inability to flex to demand; the

'moral hazard' (to risk) and compliance. She then highlighted the issues needing to be addressed – cost pressures; academisation; long term planning; compliance failures and crises. The 4 main options available and strategic mitigation were then highlighted. The preferred offer is option 3, which is to reform the service and charging to provide higher income but with value added to service to mitigate (core offer), as this is the only option where risk is manageable.

The Committee agreed that the report to be considered at the Executive at its meeting on 14 December 2022 be shared with the Committee and this include details of the Equality Impact Assessment undertaken; and this will be the substantive agenda item at the next Committee meeting.

2022 Key Stage assessment results – I highlighted this item in my report to the November Council meeting. At the Committee we received a PowerPoint presentation from the Council's Assistant Director Education Partnerships and Skills, Amelia Walker on the 2022 Key Stage Assessment Results.

We expressed our alarm and concern and requested that the Executive, as a matter of urgency, task Officers to undertake a review to identify the underlying issues leading to this continued under performance. This review is of critical importance as improvements must be made in Somerset Schools to enable all pupils to achieve better outcomes. The Committee will be closely monitoring progress and will seek reassurance from the Executive and Officers that improvements are being made.

Scrutiny at Somerset Council – considered the report regarding involvement in this Task and Finish Group. The purpose of the Task and Finish Group is to review the current approach, structure and resource of scrutiny at Somerset County Council and Somerset District Councils and agree an approach to the structure and approach to scrutiny at Somerset Council from 1 April 2023.

Task and Finish Groups -we agreed to set up 2 Task and Finish Groups - Sufficiency of external placements; and Home to school transport.

Information item – the Committee noted the following item for information:-

- (a) Briefing on Wyvern Nurseries – implementation update
- (b) SEND, Data and Commissioning FAQ's – key points from SEND, data and Commissioning workshop on 28 September 2022
- (c) Member Development Panel information
- (d) Education and Inclusion Services redesign / restructure – follow-up update.

Public Question Time – a member of the public asked a number of questions relating to the Ofsted Inspection of Children's Services and to policies and procedures in Somerset in particular relating to Special Guardians. The Executive Lead member advised that she has met with him and the conversation is ongoing.

2.3 Meeting on 12 December 2022

The main points from the meeting were: -

LA maintained schools – core offer – business case – we considered a report and received a PowerPoint presentation from the Council’s Assistant Director Education and Partnerships and Skills, Ms Walker regarding the proposals for changing the current support offer for Local Authority Maintained Schools.

The Committee held a thorough discussion of the options after hearing from the Executive Member and receiving a presentation to further explain the background for the proposals, noting there had been a yearlong conversation held with Somerset schools. During the discussion the following topics were mentioned and answered and further details were provided regarding - changing the financial arrangement between the LA and schools; giving choice to schools, the base offer and bespoke offer limiting the net increase, in cost, to schools to 60%; maintaining capacity for schools; changes to grant funding.

The Committee welcomed the presentation and were generally supportive of the proposed direction of travel and proposals for enhancing the Councils relationship with Somerset Schools. It was noted that all Schools would be able to utilise the admissions service and that a previous underfunding of the school appeals service had been addressed.

The Committee accepted the proposals and endorsed their presentation to the Executive at its meeting on 14 December 2022 by the Lead Member noting the contingency fund for schools is increased from £7k to £17.5k and requested:

- The committee were generally supportive of the adoption of option 3; and
- That the proposals be monitored with regular reports to ensure mitigation where necessary and to limit any negative, detrimental impact to Children, Schools and Schools Staff and that an update report be provided 6 months after implementation (October 2023).

Somerset Connect and links to Frome LCN development – we considered a report and received a presentation from the Council’s Assistant Director Commissioning, Richard Selwyn and Strategic Manager Public Health, Patsy Temple, who provided details of the Somerset Connect pilot, (a community-based model) and links to the Frome LCN development. Cllr Wide Deputy Leader Frome Town Council and Chair of Frome Area LCN also joined meeting.

Somerset Connect is an emerging jointly commissioned (children, adults and health) community-based model which seeks to better connect and add value to the work already taking place in communities across the County. The model focuses on three key areas of improvement:

- Access – Ensuring families and people in need can easily access the information, guidance and support they need. Removing any existing barriers caused by siloed working.

- Connections – Ensuring those services working in communities (health, social care,
- schools and voluntary, community, faith and social enterprise sectors (VCFSE)) can easily connect to ensure the right support, in the right place, at the right time is available.
- Relationships – Ensuring that through every contact, families and people in need are being empowered to be resilient, building their own community and networks of support.

It was confirmed there will be an evaluation of the pilot in the new year (tender); with regard to staffing of the hubs, will provide some support in terms of capacity in each of the primary care network areas; the point made about signposting is a good one; will be clear that it's an offer of help available to all families.

Verbal update on Task and Finish Groups – we received an update on the work of the 2 groups and planned reporting timeline, amended due to the SEND Inspection

Education Strategy for Somerset – this item was deferred.

Information item – the Committee noted the following items for information:-

- (a) 2022 Key Stage assessment results – correspondence sent to the Leader Somerset County Council on 14 November and response received on 15 November 2022
- (b) Somerset Corporate Parenting Board Annual Report 2021/22 - circulated on 15 November 2022
- (c) Peninsula Fostering Framework Agreement - Decision taken on 16 November 2022 – circulated on 21 November 2022

2.4 Meeting on 16 January 2023

The main points from the meeting were: -

Update on Task and Finish Groups – we received the following update:

- (a) Sufficiency of external placements
The Task and Finish group held further meetings, looking at the external placements budget information; will consider draft report and finding and recommendation to Executive.
- (b) Home to School Transport
We agreed that the work of this Task and Finish Group should be paused. This is because an external review has been commissioned by the service to consider home to school transport provision. It is envisaged currently that this external review will be concluded by the end of March 2023 and by pausing the Task and Finish Group, will avoid duplicating work.

Scrutiny update on the Ofsted Action Plan – we received a PowerPoint presentation from the Council's Acting Director Community and Strategy, Paul

Shallcross on the Ofsted action plan and progress made. This covered the two named areas for improvement, which are – placement sufficiency (which is also a national issue) and which is being considered by the Committee’s Task and Finish Group; the take-up of return to home interviews and which was considered as a separate agenda item at the meeting (see below); and other key areas of focus, such as the early help demand management work and strategy discussions and audit work. It was agreed that the Life Story Work, which is taking place for the majority of children looked after, and data around that, will be an agenda item at a future meeting.

Return Home Interview process and progress – we received a report and PowerPoint presentation from the Council’s Head of Service Prevention, Lise Bird who outlined the work being done in response to the Ofsted findings on the take up of return home interviews, with improved use of data to inform individual and service planning. Ms Bird provided an overview of the numbers of missing reports / episodes and the increase in demand, managing risk and the main actions taken including rolling out of the [Philomena Protocol](#) and training and the review and reworking of the return home interview form to ensure capture of all information gathered allowing effective data reporting. Missing Return Interviews are completed by the small sub team within the Family Intervention Service. Ms Bird also highlighted the actions still required and in progress and shared some case examples.

Adverse Childhood Experiences (ACE’s) – Trauma Informed Somerset practice model and implementation - we welcomed the following to the meeting for this item - Vikki Hearn - Joint Commissioner, Children’s and Health; Patsy Temple- Consultant in Public Health; Tim Cockerill - Principal Education Psychologist; and Tamsin Coles – Consultant Clinical Psychologist. We considered a report and received a presentation on the practice model and its implementation across Somerset.

A short film was shown at the start of the presentation and the presentation provided details on the terms used (ACE and trauma informed); ‘Sam’s story; impact of childhood trauma; trauma recovery model, layers of intervention and underlying need; consistency, predictability, reliability; creating emotional safety; the five principles of trauma informed care (safety, choice, collaboration, trustworthiness, empowerment); the importance of trauma informed practice and an improved model for Somerset.

Mr Cockerill outlined some examples of trauma informed education: relational behaviour policy and practice and referred to the ‘pathfinder’ schools who act as ‘champions’ in the local area, providing support. The role of governors was mentioned as well and training for them.

Ms Hearn highlighted the journey to developing a trauma informed model and the Trauma Informed Charter. The Charter will be released for consultation at the trauma informed network launch event on the 24 January 2023 to ensure system approval before being released and Members were invited to attend. The

Charter will also ask organisations which sign up to it to nominate a trauma informed champion to join the network, laying the initial groundwork. A copy of the Charter will be shared with the Committee. Ms Hearn advised that a coordinator is also being recruited to pull together training resources and training plan for the next two years and to be linked with the development and progression of the Children and Young People's Mental Health Transformation Plan. Ms Hearn also highlighted the range and number of organisations included in those who have helped to develop the model and proposals.

On behalf of the Committee, I thanked the presenters for the excellent presentation and information and asked for an update on progress in 6 months' time.

2.5 Meeting on 6 March 2023

Our 8th - and final - meeting in the municipal year will be on Monday 6 March 2023. At this meeting we will be discussing the following areas: -

- Joint Local Area SEND Inspection outcomes and update on SEND Green paper
- Education for Life Strategy
- Update on the Core Offer
- Updates on the work of the Committee's Task and Finish Group's – sufficiency of external placements; and home to school transport
- Information items

3. Consultations Undertaken

The Committee invites all County Councillors to attend and contribute to its meetings. The Committee Chair and Vice Chair invite prospective report authors to attend their pre-meetings and Lead Officers are engaged in this process.

4. Implications

The Committee considers carefully and often asks for further information about the implications as outlined in the reports considered at its meetings. For further details about the reports considered by the Committee, please contact the author of this report.

5. Background Papers

Further information about the Committee including dates of meetings and agendas and reports from previous meetings, are available via the Council's website - www.somerset.gov.uk/agendasandpapers

Note: For sight of individual background papers please contact the report author.

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Report of the Scrutiny for Policies, Environment Scrutiny Committee

Chair: Cllr Martin Dimery

Division and Local Member: All

Lead Officer: Jamie Jackson – Service Manager Governance, Scrutiny

Author: Stephanie Gold – Senior Democratic Services Officer

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1. Summary

1.1 The Scrutiny for Policies, Environment Committee is required by the Constitution to provide Full Council with a summary progress report and outcomes of scrutiny. This report covers the work of the Scrutiny Committee from the start of this Municipal Year to December 2022.

1.2 The Committee focusses on monitoring and scrutinising the progress and outcomes/deliverables of the Somerset Climate Emergency Strategy, adopted in November 2020 following the Councils declaration of a Climate Emergency in 2019.

The 2022/-2023 Scrutiny work programme looks to cover the following areas of work –

- Business, industry, and supply chains
- Waste and Resources
- Energy
- Transport
- Farming and Food
- Water
- Built Environment
- Natural Environment
- Communications

More information on the Climate Emergency workstreams can be found here:
[Climate Emergency \(somerset.gov.uk\)](https://www.somerset.gov.uk/climate-emergency)

1.3 Members of the Council are reminded that:

- all Members have been invited to attend meetings of the Scrutiny Committees and to contribute freely on any agenda item.
- any Member can propose a topic for inclusion on the Scrutiny Work Programmes.
- any Member can be asked by the Committee to contribute information and evidence and to participate in specific scrutiny reviews.

1.4 The Committee has 13 elected Members, appointed in political balance.

2. Background

2.1 Meeting held on 30th November 2022

At the meeting held on the 30th of November 2022 the following items were considered by the committee, and comments and questions were received from members as follows -

2022/23 Budget Monitoring Report – Month 6

Cllr Liz Leyshon, Lead Member for Finance advised that she had asked for Month 6 Budget Monitoring Report to come to this committee to help members understand the unprecedented financial pressures the council is facing; pressures that have never been seen before.

The Chief Accountant then walked members through the figures and the following comments and questions were received from members –

- Will this affect the likelihood of being able to follow through with environmental policies? Cllr Liz Leyshon, Lead member Finance advised that there are many projects being carried out across the council and that the environmental thread must be considered on each of those. This committee has the responsibility to continue to pressurise the executive to continue to consider all environmental aspects of every project that the council undertakes.
- The 40% increase of costs in farming is quite shocking.
- Cllr Liz Leyshon, Lead Member Finance suggested that members look at the external auditor's audit findings report for 21/22, which provides more detail on the environmental impacts of the budget gap.
- Regarding the opening of Comeytrow School as this Council's first PassivHaus designed school, is this Council going to be doing more of this in the future? Cllr Tessa Munt advised that the council will indeed be building schools that are equivalent to PassivHaus standards in the future.

Phosphates issues: Overview and actions agreed from the phosphates summit

The Service Manager for Development and Planning provided members with a presentation to accompany the written report as published, regarding the Phosphates Summit held on the 1st November 2022, and the following comments and questions were received from members -

- This report does not mention lowering phosphates at Ramsar sites. Fallowing does not fix the problem. We need to install waterways around

Ramsar sights to solve the problems. Hysteresis (mud at the bottom of rivers that is full of phosphates) isn't going to go away with the measures outlined in this report.

- Wessex Water (sewage works and processing plants) add phosphates to water systems. This is not mentioned in this report.
- Cllr Ros Wyke advised that this is a wide spectrum issue, which is why this member/officer working group will be so important. The government has announced some measures, but there is a need for more localised solutions and to work as 'one voice' in Somerset to tackle the issue.
- There is a conflict between financial and environmental pressures here, and this needs to be considered very quickly, adding that this is a very serious situation for Somerset. The Director ECI advised that the working group would include officers from both Economic and Environmental service areas.
- SAGIS is not an eco-system, it's an ICT system. There is a paper that reports that 90% of phosphates is from human sources, farming and agriculture is only 10%.
- Regarding holding Wessex Water to account, Cllr Tessa Munt advised that the working group would be taking this forward with Wessex Water as 'one voice' for Somerset.
- We are stuck between a rock and hard place and it's a very difficult subject. This has slowed down housing and this is causing major social issues such as homelessness and overpopulation of less affected areas like Frome. Cllr Ros Wyke agreed that this is such a complex issue and agreed with the Director ECI regarding the timing of communications between the member/office working group, Wessex water, and this Scrutiny committee. She would be happy to come back and update this committee when the timing is right.
- There is a House of Commons sub-committee questioning water companies to understand how much sewage is coming out of septic plants. The councillor questioned the validity of the responses from Wessex Water to the House of Commons on this.
- Membership of the working group – how will this work? The Director ECI is working on a list of members and officers with suitable knowledge and experience to progress this work.

Areas of Outstanding Natural Beauty Quantock Hills

Iain Porter, Area of Outstanding Natural Beauty Manager Quantock Hills gave members an overview of the published report with a series of slides and the following comments and questions were received from members –

- The apprenticeship scheme is very impressive.

- Cllr Dixie Darch, Associate Lead Member for Environment commented that this is a great example of an integrated approach between the environment, skills and training, arts and culture, leisure, and tourism etc...
- There are unseen benefits in that landscapes are protected from unwanted development. What are the prospects of getting this AONB expanded? The AONB Manager advised that historically these boundary reviews take 20 years to complete, but there is hope that this will be progressed more quickly as part of the Government's Landscapes Review 2019.
- How can landscape management contribute to lowering carbon emissions in this county? What is the best land management approach for this area?
- One member paid tribute to the late Cllr Anthony Trollope who knew every inch of the Quantock Hills and felt that these areas are so important and must be protected.
- Cllr Sarah Dyke, Executive Leader Member commended the presentation and added that she is very excited about the work that is going on at The Quantock Hills and all AONB's in Somerset.
- Does this council fund the AONB's? The AONB Manager confirmed that for the Quantocks the Council contribution is £44k per annum, adding that a large chunk of funding comes from DEFRA.
- Is there a push from neighbouring communities for any boundary changes on the Quantock Hills? The AONB advised that consideration is given to neighbouring communities looking to be included in an AONB boundary.

Local Nature Recovery Strategy update

Jon Doyle ,Strategic Manager Community Infrastructure, Climate and Flood Management gave a presentation on the development of the Local Nature Recovery Strategy and the following comments and questions were received from members –

- Regarding planning policy, does the LRNS have any legal weight in this currently? The Strategic Manager Community Infrastructure, Climate and Flood Management advised that the Council is awaiting further planning policy guidance, but that currently the guidance states that developers should 'give regard' to LNRS's.
- Is this short list of priority projects dependant on funding, or just the guidance? Can some projects get started without the guidance, or is it all on hold pending the guidance? The Strategic Manager Community Infrastructure Climate and Flood Mgmt advised that this is very much a 'wait and see' at this time.

- The Director for Economic, Communities and Infrastructure advised that a lot of this work is about knitting together many of the existing networks to make the best nature recovery strategy for Somerset. SEED funding is very limited though, so we need to be realistic about what we can do.
- Regarding a suggestion for a member task and finish project on this, The Director ECI felt that there is a need to establish the parameters of what the council's role will be in this piece of work before it can be opened up in a member task and finish setting.

Draft S19 investigation reports for Chard and Ilminster

Jon Doyle, Strategic Manager Community Infrastructure, Climate and Flood Management began by explaining that a former Service Manager in Flood Management presented the initial findings on these investigations to Scrutiny for Policies, Place committee last year. He advised that these reports are concerning two extreme weather events, 29th June 2021 Chard and 20th October Ilminster. There was a second incident in Chard, and a report on this will come to the committee in due course.

Regarding the 29th of June 2021 Chard incident, the following comments and questions were received from members –

- North Petherton had the same problem. When that amount of rain comes down there is very little we can do.
- West Camel and Queen Camel had the same and they have installed mitigation measures i.e., anti-flood devices for each house.
- We must accept that nature is stronger than anything we can do to mitigate it. Flood water will find a way and with climate change this is going to become more common.
- Communications with communities needs to be better and although we can't stop the flooding, we can make sure communities are better prepared.
- Wincanton also experiencing flooding. Highways have investigated and clarified that it's because drains can't cope with the rainfall. As councillors can we do something about this?

Regarding the 20th of October 2021 Ilminster incident the following comments and questions were received by members –

- Cllr Sue Osborne, County Councillor for the Ilminster division thanked the officers of this council for all of the work they are doing on this, and also thanked Ilminster Town Council for all of the work that they are doing on finding solutions for the residents of Ilminster and surrounding areas who feel at risk of future flooding.

- Regarding agriculture and the use of direct drilling as opposed to traditional ploughing to aerate the land and allow it to drain effectively. Is this having an impact on run-off from farmland?
- Regarding run-off from the built environment, should we be putting more pressure on developers to manage SUDS.
- We need to focus on installing appropriate drainage solutions to manage during periods of heavy rain. i.e., Hong Kong have drainage systems designed for tropical rainstorms.
- Under a government funded scheme, homeowners in West Camel are putting their own barriers in place to protect their properties. Can this funding be used in the areas identified in these reports?
- There's always an engineering solution to these things, but the problem is cost.
- This creates serious problems for people looking to buy homes in these areas. Mortgage applications may be declined as a result of the difficulty in finding insurance for these high-risk properties.

2.2 Meeting held on the 14th of December 2022

At the meeting held on the 14th of December 2022 the following items were considered, and comments and questions were received from members as follows:

Interreg 2 Seas- End of Project Progress Report

Cllr Sarah Dyke Lead Member Environment introduced Steve Dury, Senior Commissioning Officer in Environmental Services and added that this work is a real 'good news story' for Somerset.

Steve Dury gave members a presentation entitled Interreg 2 seas: Climate Change Adaptation in Somerset (this can be shared with members on request) and the following comments and question were received from members -

- Members commended the very impressive work being undertaken.
- How can we be assured that there will be sufficient funding opportunities available to enable this work to continue. The Officer assured the committee that all funding avenues would be explored.
- Regarding lack of participation from landowners – is this going to continue to improve if the funding is no longer available? The Officer advised that organisations like FWAG Southwest are doing great work, and this will lay the foundations for much better relationships with Landowners in the future. They have a good track record of bidding and being awarded funding to date.
- Regarding phosphates – To what extent do Wessex Water provide

funding for projects like this? He was advised that Wessex Water do contribute in several ways, including the Phosphate credits scheme.

- Regarding the most recent summer droughts – do these work mitigate this at all? The Officer advised that some measures can be taken which manage excess water in winter and release it during periods of drought.
- The Environment Agency do not appear to feature a lot in this work, why is this? The Officer advised that The Environment Agency had been consulted from the beginning but have only recently become more heavily involved with the projects.
- In terms of monitoring and measuring what is resulting from these projects – to what extent can nature-based solutions completely resolve the problems identified within this report? The officer advised that there needs to be a balance of nature-based solutions as well as hard engineering to achieve the desired outcomes.

Peat- Update on work with DEFRA on the future of Peat Workings

Cllr Sarah Dyke, Lead Member for Environment introduced Colin Arnold, the Principal Planning Officer and advised that as Somerset is one of the biggest peat producers in the country, this work was a key manifesto pledge and a significant part of the ecological emergency declaration in Somerset. The following comments and questions were received from members -

- The Chair felt that this subject was in some ways quite controversial for peat producers. The Director ECI advised that 'wrap around' business support for peat producers is a key part of this work, including helping them with diversification into other markets.
- How does a peat bog absorb carbon? The officer explained how carbon absorption of peat bogs works in basic terms and advised that a video would be shared with the committee which explained this in more scientific detail.
- Cllr Dixie Darch, Associate Lead Member Environment advised that carbon absorption of peat is a growing science and that there are many things going on around managing water levels and reducing carbon emissions as a result of disturbed peatlands.
- What is the value to the local economy in terms of peat production? The Principal Planner advised that there are about 90 workers on peat sites in Somerset, and this is an example of the employment benefits of the Peat industry in Somerset.
- What are the timescales for the peat extraction review and what if, following consultation, there is a negative response from peat producers on this? The Director ECI assured members that this work was being moved forward very quickly. A ban on domestic peat is imminent and the

ban on commercial peat is expected later, so it is crucial that peat producers are supported through this period of significant change for the peat industry.

- We must remember that peat is used in domestic and commercial soil production and that there will always be a need for it. What peat alternatives are we aware of? The Lead Member Environment took this question away for further consideration by the team.

Estates decarbonisation - our programme and progress

Prior to the meeting members had received an invitation to attend a guided tour of the newly refurbished B Block at County Hall, to be held immediately before the scheduled committee meeting on the 14th of December 2022, to observe the works that had recently been completed as part of this Council's Estates decarbonisation programme. Members were given the opportunity to comment and ask questions throughout the guided tour.

At the committee meeting, Cllr Sarah Dyke, Lead Member for Environment introduced the item on Estates Decarbonisation as a key objective of the climate emergency strategy and felt that this work was a crucial part of leading by example on carbon reduction in Somerset. She introduced Oliver Woodhams, Estates Manager, who began by introducing some of the key officers from the Corporate Property Team who had been leading on the decarbonisation work. Abigail Lambert, Energy Manager, Dave Dangerfield, Service Manager Building Services. They talked members through a series of slides highlighting key findings, objectives, measures and monitoring around energy consumption and carbon reduction measures across the councils' estate. The officers provided members with an overview of key achievements and the councils current position in terms of the achieving net zero and gave some explanation of some of the key approaches being taken, giving site specific details (both current and future planned projects) including the status of any funding opportunities being or due to be received as part of ongoing or future planned works. The following comments and questions were received from members –

- The Chair thanked the officer for the work being done in Frome, particularly Frome College and asked for some further detail on this. The Service Manager Building Services advised that boiler management was a key part of the work being undertaken at Frome College.
- There are some easy solutions such as solar panelling of roofs across the county, as well as huge projects such as the recent decarbonisation of B Block in its entirety. How are we prioritising which solutions needs to be funded first? The Officer informed the committee that in terms of prioritising, it is usually those buildings with the biggest need that are done as a priority. Age also plays a part in prioritisation, with end-of-life heating systems being addressed as a priority too.

- Are officers able to provide a financial column in this report which shows the financial savings achieved as a result of the decarbonisation of the estate, as a comparison against the overall costs and the payback. The officer gave Yeovil Library as an example of a 67% financial saving that had been achieved through overhaul of an aged heating system and advised that more of this sort of data will be coming through very soon,
- How far ahead do local authorities look ahead in terms of financial paybacks?
- Regarding the potential use of wind power, have we looked at the technology available to support this? The Estates Manager offered to take this question away for further consideration.
- The vice-chair asked for more detail of local projects and the Estates Manager assured members that more detail can be provided on request.
- What will happen to the various contracts held by District Councils and their stakeholders concerning estates decarbonisation projects. The Estates Manager assured members that much of this data was being reviewed as part of the property rationalisation workstream of the local government reorganisation programme.
- Page 51 - members asked for more detail regarding energy demand reduction.
- As a recommendation, there is an organisation called LETTI who have written guidance that could be very useful and informative here.
- Regarding costs associated with retrofitting, to what extent are these costs usually incurred under maintenance contracts anyway?

Areas of Outstanding Natural Beauty overview

Cllr Sarah Dyke, Lead Member Environment introduced Jim Hardcastle, AONB Manager of the Mendip Hills who gave members a presentation on the Mendip Hills AONB and the following comments and questions were received from members –

- Are there any thoughts about extending the AONB eastwards? The Officer advised that this would be considered as part of the National Landscapes Review, but that a specific Mendip Hills extension was not being considered at this time.

3. Consultations Undertaken

The Committee invites all County Councillors to attend and contribute to its meetings. The Committee Chair and Vice Chair invite prospective report authors to attend their pre-meetings and Lead Officers are engaged in this process.

4. Implications

The Committee considers carefully and often asks for further information about

the implications as outlined in the reports considered at its meetings.

For further details about the reports considered by the Committee, please contact the author of this report.

5. Background Papers

Further information about the Committee including dates of meetings and agendas and reports from previous meetings, are available via the Council's website - www.somerset.gov.uk/agendasandpapers

Note: For sight of individual background papers please contact the report author.

Somerset County Council
County Council
- 1 March 2023

Report of the Scrutiny Committee for Policies and Place

Executive Member: N/A

Division and Local Member: All

Lead Officer: Scott Wooldridge – Monitoring Officer, Democratic Services

Author: Jamie Jackson – Deputy Strategic Manager, Democratic Services

Contact Details: 01823 359040

1. Summary

1.1. The Scrutiny Committee for Policies and Place is required by the Constitution to make an annual report to the Council and also to provide each other meeting of the Council with a summary progress report and outcomes of scrutiny. This regular report covers the work of meetings held on 8 November, 6 December 2022, 10 January, 1 February and 7 February 2023.

1.2. The Committee agreed the work programme would comprise items considered directly at meetings plus other items considered or “commissioned” using flexible arrangements outside of the formal committee structure.

1.3. Members of the Council are reminded that:

- all Members have been invited to attend meetings of the Scrutiny Committee and to contribute freely on any agenda item;
- any Member could propose a topic for inclusion on the Committee’s Work Programme;
- any Member could be asked by the Committee to contribute information and evidence, and to participate in specific scrutiny reviews.

1.4. The Committee has 13 elected Members, and currently has meetings scheduled monthly. The next meeting will be held in County Hall in person at 10.00am on 7 March 2023.

2. Background

2.1. Scrutiny Work Programme

At each meeting the Committee considers and updates its work programme, having regard to the Cabinet’s forward plan of proposed key decisions. The Committee also agreed to hold themed meetings where required with attendance of representatives and/or stakeholders from partner agencies.

2.2. 8 November 2022

Revenue Budget Monitoring Report – Month 6/Quarter 2 September 2022

The Committee received the month 6/quarter 2 report and noted the £21.2m overspend. Adult Services showed an improvement of £800,000 from month 5 and predicted £12.7m overspend. Children’s Services showed a deterioration of

£300,000 from month 5 and predicted £16.6m overspend. Economic and Community Infrastructure predicted a £200,000 positive variance. Of the £5m savings in the 2023-23 budget, £1.1m had been achieved, £2.3m was on track to be realised, £1.1m was at risk and £600,000 deemed unachievable. Capital programme predicted to be £25.4m overspent, £15.8m to be profiled into next budget. The Committee discussed the element of at-risk funds (£1m) related to Family Safeguarding in Children's Services; risk of increased homelessness and effect on budget; whether budget improvements would continue or decrease; role of external consultants in addressing Adult Services budget difficulties; role of Shaw Trust Project in controlling Children's Services budget; risk to capital programme and mitigations; and use of and likely 25% reduction in reserves to close 2022-23 budget.

Briefing on Highway Service Demand, Management & Contracts, and Assessment of the 'Report It' Function

Members received a report from Strategic Manager – Highway Maintenance. Highway network is SCC's largest asset at c£7.5m of highways, bridges and streetlights. Winter Service a statutory duty and include high-costs services such as gritting. Risk-based approach to maintenance with priority to most-used roads. Works are reactive and routine maintenance; planned and programmed works; regulatory responsibilities; and emergencies. Annual allocation for capitals works c£30m, £22m of which is spent on highway maintenance which equates to 30-40 schemes per year and includes surface dressing (£6m pa). Annual revenue budget £12.8m which includes salaries and routine reactive works. Report It service developed in-house for customers to report and track issues to completion, operational since May 2021 resulting in decrease in call volumes and increase in issues reported. No SCC direct labour force with use of contracted services and consultancy, however vacancies remain due to recruitment difficulties. Customer Partnerships, such as the Exmoor trial are valuable tools. LGR likely to increase customer expectation and, provide opportunities for integration of services such as grass-cutting for improved functionality. Schedules for grass-cutting, gully cleaning and clearing of overhanging vegetation are published on Travel Somerset webpage as well as capital works undertaken by utility companies. Report-It feedback from residents was discussed and the Officer explained that Report-It is not always suitable for more complex issues. An interactive map-based tool will be launched in 2023 to show areas of ecological non-intervention.

Update on Cessation of SCC Activities at Dillington House

Members received a report from Head of Support Service for Education (SSE) following the decision taken by the Executive in September to cease SCC activities at Dillington House. A Deed of Variation was negotiated to minimise disruption to SCIL teacher-training and pre-booked weddings, as well as arrangements for exit to minimise loss to the public purse. Operations will cease on 30 September 2023 with exit by 30 November 2023. Alder King have been appointed to review the Condition Surveys undertaken by SCC and the landlord. Consultations have commenced with Dillington staff and trade unions, and proposals have been developed to address staff retention. Work has also started on exiting existing contracts, disposal of

assets and relocation of artefacts. Members requested more detail on exit costs which the Officer agreed to present at a future meeting, as well a request of detail of the staff retention scheme which was provided. Alternative adult education providers have been contacted to ascertain if they are providing similar courses.

Scrutiny at Somerset Council

Members received a report from Scrutiny Manager including a request for three volunteers Members from each of the four Scrutiny Committees to form a combined task and Finish Group to recommend proposals to the Executive for the structure of Scrutiny for the new Somerset Council from April 2023. The Group would take advice from the Centre for Governance and Scrutiny and be a politically proportionate from each of the existing Scrutiny Committees. Members stated that the work of LGR Scrutiny Committee would be integral to new arrangements.

6 December 2022

Revenue Budget Monitoring Report – Month 7 October 2022

The Committee received the month 7 report and noted the £21.3m overspend, a £100,000 adverse variance from the previous month. Adult Services budget showed an adverse variance of £12.6m, an improvement from the previous month. Children's Services showed a deterioration of £400,000 to £17.2 adverse variance due to pressure on external placements. £500,000 improvement in Economic and Community Infrastructure, giving a £700,00 favourable variance, due in part to the Recycle More initiative. Members agreed £7m removal from capital programme for vehicles, depots and containers, as well as removal of £2.156m due to reduction of Taunton Secondary School scheme. The Committee discussed the role of the external budget consultant; actions to reduce pressure on external placements in Children Services budget; lobbying of government for additional funds; potential need for council tax increases; level and use of reserves in short-term; impact of move away from external placements in Children's Services budget; and MTFP challenges adding to the financial pressures in delivering LGR, including significant impact of high interest rates.

Somerset Cultural Strategy

Members received a report from Lead Officer for Cultural Strategy. Development of the Strategy has contributed to priority designation by the Arts Council. The Strategy is a cross-district initiative covering all forms of culture aiming to increase engagement which important health and wellbeing benefits. Commissioning of external consultants was explained and the role of the strategy in accessing external and national funding.

Somerset Economic Futures: Economic Scenario Planning for Somerset

Strategic Commissioning Manager Economic Development & Planning - Paul Hickson outlined the project against the backdrop of global economic challenge of covid recovery, labour market shortages, rising cost of living, transition to net zero as well as for Somerset, a move to unitary. Members were informed of initial findings from SWOT analysis:

- *Strengths.* Somerset's location in the south of England and in the centre of the south-west region, good access to London and the south-east, quality of life as a draw in attracting investors and retaining business base, significant

knowledge-based business strengths e.g. aerospace cluster around Leonardo Helicopters in South Somerset.

- *Weaknesses*: Lack of city region as economic engine leading to a dispersed economy, lack of university or other higher education institution for attracting skilled-workforce or supporting research and development which may lead to low per capita productivity and low social mobility.
- *Threats*: Vulnerability to climate change, ageing workforce and associated challenge for future labour supply, mid-position in deprivation indices which does not attract government funding.
- *Opportunities*: Energy sector growth, post-pandemic quality of life offering, desire for ambition for the economic future.

Four scenarios will be considered:

- *Scenario 1*: 'Status quo' continuation of existing trends, least ambitious.
- *Scenario 2*: 'Health & Wellbeing' focus for healthy ageing, quality of life and contribution to economic activity to secure future workforce.
- *Scenario 3*: 'Fatality and dynamism' focusing on accelerating growth over time and supporting smaller micro business economy including how to attract, retain and develop talent within Somerset.
- *Scenario 4*: 'Clean and green' economy beyond net zero with Somerset as a contributor to wider decarbonisation and net energy generation in the region and beyond.

Initial feedback has identified desire to attract, retain and develop talent; connectivity; economic resilience; social mobility; and social capital.

Somerset Council Complaints Policy

Members received a report on the proposed Complaints Policy for the new Somerset Council from 1 April 2023 from Service Manager for Customer Experience and Information Governance. The proposed policy, an amalgam of the existing authorities' policies with no major change to any and close reference to the Ombudsman Best Practice Guidance and Code of Practice. Consideration was also given to specific statutory and legal requirements of the management of complaints about children in social care settings. There was discussion regarding best practice in response times; advocacy and data sharing; organisational culture and the need a robust Complaints Policy; importance of staff training ahead of potential upturn in complaints at Vesting; requirement to work collaboratively with services; need for review of policy and procedure as well as monitoring and benchmarking; and the need for adequate staff resources to address any upturn in complaints.

10 January 2023

Public Questions

Two public questions were received from the following group/individuals which were addressed in the following item's presentation:

- Mr Keith Read – Community of Parishes/West Hatch Parish Council Chair
- Mr Kevin Comer – Hatch Beauchamp Parish Council.

A358 Southfields to Taunton

The Committee received a report from Strategic Manager – Infrastructure

Programmes Group outlining extensive experience of the team in managing Development Consent Orders (DCOs) as developed by National Highways with the planning application submitted by government and determined by the Secretary of State for this scheme. The new Somerset Council will become involved once the final scheme is announced. National Highways have a preferred scheme which will form part of the Strategic Road Network and will not be maintained by Somerset Council. DCO will grant planning consent with a series of other consents including compulsory purchase. The Examination Stage of the final consultation will include open hearings and specific land acquisition hearings. The Community of Parishes were advised to make representation at the Examination Stage as the council/s are unable to present views on behalf of others. SCC are fully supportive of project to improve connectivity, resilience, promote economic growth and offer environmental improvements, as well as improvements to air quality and congestion in problem areas. The scheme will contribute towards measures of the Climate Emergency Strategy. There was discussion about the current scheme reflecting previous lobbying by SCC and others to upgrade the route between London and the M5 at Taunton; finalisation of design standard after examination and consultation; the ability to influence but not change design as set by National Highways as an Expressway; importance of public engagement; recognition of local concerns about the high specification of the route including the concern that local traffic may divert onto unsuitable adjacent roads; and the challenge of merging views of five councils preceding Somerset Council from April 2023.

Council Tax Exceptional Hardship Scheme

The Committee received a report from the Lead Officer for Revenues and Benefits for the transition to unitary from April 2023. The following points were highlighted: the need for the service to be operational from day one; the new Council Tax Reduction Scheme; proposed policy as discrete discretionary safety net to those who do not qualify for council tax reduction or may need a top-up to council tax reduction; provision for those who may be disadvantaged from the alignment of the four district schemes; deliberate non-specific eligibility to allow appropriate discretionary help to address individual circumstances; levels of current and future spend on Council Tax support; and government support to top-up council tax support schemes. There was discussion on monitoring of support; premise of support rather than chasing for payment where individuals are unable to pay; use of Breathing Space Regulations and close working with Citizens Advice for debt support; and concern from some Members about the increase in support.

Housing Benefit War Pension Disregard Policy

The second report from the Lead Officer for Revenues and outlined information on the mandate of the Housing Benefit Scheme as largely dictated by DWP; local discretion to disregard war disablement/war widows pension income for entitlement to benefit; and alignment to the recently strengthened Armed Forces Covenant. There is no expected increase in expenditure.

Libraries Update

Strategic Manager – Library and Registration Services, presented an overview which outlined that Somerset had 19 core library buildings fully supported by SCC following a comprehensive review of need and demand; 13 community partnership libraries that remain part of statutory provision with financial commitment to 2026

delivering the same service as core libraries but delivered in varying ways tailored way to their communities with some managed by volunteers, some by paid staff and some through hybrid arrangements; wide range of services offered in addition to the core service allowing access to skills and development; access to specialist collections and e-resources in collaboration with Libraries West; outreach service and home visits for those physically unable to visit a library; lending Service for thermal cameras, blood pressure monitors, iPads etc; free mobile data and refurbished devices in conjunction with the Good Things Foundation; national initiative 'Reading Well' for readers with mild and moderate health issues are 'prescribed' books as an alternative to medication working with medical professionals to promote the initiative; and health and wellbeing projects in collaboration with NHS and Public Health. The Committee received a demonstration of projector used for those living with dementia, autism or learning disabilities in care homes, residential homes, or their own homes and supported through Adult Social Care. There was debate and questioning on the softer social services offered by libraries which were highlighted as extremely valuable considering the pressures facing many areas.

Insurance Policy Contract Award

The Committee noted the recommendation to the Executive for award of contracts of insurance for a period of three years from 1 April 2023, with the option of a four-year extension, noting the critical need to ensure insurance cover is in place by this date.

1 February 2023 – Extraordinary Meeting

Public Questions

The Committee received a public question from Peter Travis of the Somerset Bus Partnership. Officers responded by stating that there is a review of all public transport assets; the public are encouraged to report incorrect or missing timetable information including vandalised timetable cases; review of all bus stops is logistically difficult; and funding opportunities are being sought for a project in relation to bus stops and timetable information.

Somerset Council Plan

Leader of the Council, Cllr Bill Revans introduced the report and the Strategic Manager – Commissioning Development. The following points were highlighted; new draft Somerset Council Plan sets out ambition for greener, more sustainable Somerset that is healthier and more caring, and a flourishing and more resilient county; cross-cutting values have been identified and form a key component; engagement with partners and other stakeholders now complete and feedback being carefully considered; the draft Plan is high level vision to be supported by forthcoming Business Plan with more detail on how to deliver the Council Plan's priorities; and an overarching commitment to build a fairer, greener, more flourishing Somerset that cares for the vulnerable. The Committee welcomed the draft Plan's ambitions; felt the message could be more forceful in terms of sustainable development; and requested the final Plan be as inclusive as possible.

Medium Term Financial Planning

Lead Member for Finance and Human Resources – Cllr Liz Leyshon introduced the

report and Director of Finance and Governance. The following points were highlighted: proposed balanced budget to protect frontline services delivered by existing Councils and voluntary sector partners; complexity 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; RAG-rated 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, approx. £4m under flexible use of capital receipts; new savings proposals of £3.9m related to staffing, £2.9m from tier 2 & 3 appointments and £1 from other appointments equating to 300 posts over 3 years; section 25 checks show robust budget estimates, realistic projection for service demand; adequacy in level of reserves proposed to stay at £47.4m in the range of £30-50m; and assurance of reasonable level of reserves for next year's budget. Members discussed effect of high inflation and pay award; level of contingency funds; higher risk for Somerset Council in 2023-24 compared to other authorities; request for overview of district capital projects and greater opportunity for scrutiny of larger projects including high profile cases; business rate income; Children Services budget savings through internal placements; and request for urgent review of CCTV provision.

7 February

Budget Monitoring Report – Month 9 (December)

The Committee received the month 9 report and noted the deteriorating picture from the month 7 position. Children's Services showed a deterioration of £3.6m from the previous report due to new placement and extension of existing placements, contributing to a £16.6m overspend. Adult Services should receive discharge funds from government which will improve the financial situation.

Revenue benefit monitoring forecast to the end of March is £24.3m overspent, a £3m variance from month 7. Economy, Community and Infrastructure (ECI) £700,000 underspend. Capital budget for 2022-23 is £130m with forecast spend of £105.2m, giving a positive £24.8m variance. Forecast outturn level of reserves is £91.6m which will be reduced by revenue overspend. Debate and questioning centred on level of risk of care homes closing with a growing demand for placements; increased demand for placements in Children's Services; use of reserves to balance this year's budget with due consideration of levels of reserves; role of asset disposal in next year's budget; decision on whether the County Farms estate would be protected from liquidation of assets to give certainty to tenants; and issues surrounding the Core Offer to schools which may lead to reduced uptake and income.

Income and Arrears Management Policy

The Committee received a report from Lead Officer for the transition to unitary, in relation to Revenues and Benefits highlighting the following: policy to align five existing policies and to set key principles in relation to collection and enforcement of debt; no prescribed process and procedure to allow collection of many types of debts (Council Tax, business rates, housing benefit overpayment, commercial rent etc) in the most appropriate way; housing rental arrears or parking fines are

covered by other policies; and recognition that debt underpins many wider social issues and that impact of debt collection can create issues elsewhere with vulnerability a key factor and early engagement advantageous in all cases. Members discussed the aspiration to reduce the current £56m council tax/business rate debt; need for early engagement to improve payment rates including potential use of technology including text, email and automated dialling; debt write-off provisions including monitoring; Council's duty of care for those struggling with debt and the need to identify vulnerability at the earliest opportunity; and anticipated improvement in debt analysis after vesting.

Scrutiny Arrangements for New Somerset Council

The Committee received a report from the Scrutiny Task and Finish Group with recommendations which will be presented to the Executive. Five scrutiny committees were proposed Scrutiny for Children and Families, Scrutiny for Adults and Health, Scrutiny for Corporate and Resources; Scrutiny of Climate and Place; Scrutiny for Communities. A sixth informal steering group was also proposed, as well as an officer dedicated to scrutiny. It was proposed that Scrutiny Chairs will be from opposition parties. There was discussion about the budget adequacy for effective scrutiny amid broad consensus for the new structure.

Contract Award for Professional Consultancy Services for Planning, Design, Engineering and Place Services

The Committee noted the recommendation to the Executive for award of a four-year contract, with the option of a four-year extension from 18 July 2023.

3. Consultations undertaken

- 3.1.** The Committee invites all County Councillors to attend and contribute to every one of its meetings.

4. Implications

- 4.1.** The Committee considers carefully, and often asks for further information about the implications as outlined in, the reports considered at its meetings.
- 4.2.** For further details of the reports considered by the Committee please contact the author of this report.

5. Background papers

- 5.1.** Further information about the Committee including dates of future meetings, and agendas & reports from previous meetings are available via the Council's website: www.somerset.gov.uk/agendasandpapers

Note: For sight of individual background papers please contact the report author.

Local Government Reorganisation (LGR) Implementation Update: report of the Chief Executive and Programme Director

Cabinet Member: Val Keitch, Executive Lead for Local Government Reorganisation (LGR) and Prosperity

Division and Local Member: All

Lead Officer: Duncan Sharkey, Chief Executive & Alyn Jones, LGR Programme Director

Author: Alyn Jones, LGR Programme Director

Alastair Higton, LGR Programme Manager

Contact Details: Alyn.Jones@somerset.gov.uk Alastair.Higton@somerset.gov.uk

1. Introduction

- 1.1. The purpose of this report is to provide an update on work over the previous year to implement a unitary council for Somerset, and to summarise activity under way to prepare for transition and transformation after Vesting Day on 1 April 2023.
- 1.2. The LGR Programme in Somerset remains a significant and complex endeavour, involving staff and elected representatives across all 5 Somerset Councils. The programme has been implemented during a challenging time for the UK economy, ongoing pressures in local government as well as dealing with the enduring impact of Covid-19.
- 1.3. The programme has been designed and delivered to meet the programme's strategic objectives:

Create a new unitary Council for Somerset in line with the approved programme delivery plan for 1 April 2023, and with due regard to the Business Case

- We are confident the new council will be able to “stand up” on Vesting Day, ensuring that the public can contact the new council and access services, can see a single branded council action, and that the council can pay its bills collect fees and charges.

Enable performance capability – to deliver Business Case vision from 1 April 2023.

- Products* and activity are delivered or under way to ensure this happens from Vesting Day, including a Corporate Performance Framework, balanced budget for 2023-24 and Chief Executive and Executive Directors in post.

Develop the new council to optimise benefits and opportunities from 1 April 2023 to 31 March 2025.

- An emerging blueprint to deliver a prioritised programme of work, new operating model and benefits realisation strategy, alongside delivering the new Council Plan and Medium-Term Financial Plan (MTFP), provide a framework to deliver services in accordance with the Council plan, improved efficiency, and better value for money.

*“Products” are manageable and specific outputs that the programme is delivering.

- 1.4. Work to deliver the new council was driven by the Somerset (Structural Changes) Order 2022. This Order provides for the establishment on 1 April 2023 (Vesting Day) of a new unitary council for Somerset. We are confident that we will deliver this outcome and therefore discharge the requirements laid down in the Structural Changes Order.
- 1.5. Engagement and communication across and within all 5 councils, with central government, local stakeholders, in particular town, parish and city councils, have been critical to success and allowed the programme to be transparent, open to challenge, and responsive to resident and communities’ needs. We have also benefited from external support regarding programme audit, risk management and quality assurance.
- 1.6. The following report provides an update on implementation of the LGR programme over the last year and emerging plans for activity after the new council is formed.

2. Recommendation

- 2.1. **That Full Council note the report outlining the implementation to date, planned progress towards Vesting Day, and the plans under development for transition and transformation by the new council.**

3. Programme Delivery

- 3.1. Whilst we are confident that we will deliver the new council, advice from other LGR programmes is that we require impartial, independent assurance and challenge. To that end we invited the Local Government Association to assess how we were delivering the new council, plans for after Vesting Day, and our approach to Local Community Networks. The Peer Review report and the programme response can be read in the background papers to this report, and we believe it provides a strong base from which to build, as well as validating our approach to date and providing excellent insight and advice for future work. The programme has also benefitted from support from independent advisors PwC who provide quality assurance, independent advice and guidance to the programme. Their monthly reports and other inputs have allowed the programme to be challenged openly and responses formulated, including in consultation with the Implementation Board.
- 3.2. The programme has delivered a range of critical products that are required for the new council to begin work on Vesting Day on 1 April 2023. These include:
 - Establishment of Local Community Networks for day 1 of the new Council including geographical boundaries, governance and funding.
 - Our Council Plan, setting out the aims and ambitions of the new Council.
 - Appointment of a new Chief Executive, Section 151 Officer and Executive Directors, completing the senior management structure of the council.
 - Our Medium-Term Financial Plan and a balanced budget for 2023/24.
 - The Housing Revenue Account 30-year Business Plan.
 - Interim service standards, so customers and Members can be confident of

the levels of service that the new council will provide from day 1. These will be developed, and improvements made in line with post-Vesting Day transition, transformation and change activity.

- A strong brand for the new Council.
- A Constitution for Somerset Council.
- Three of the four District Councils' ICT systems "cut over" as planned, to become part of the County Council system which will be used from Vesting Day.
- A new Corporate Performance Framework.
- Our Asset Management Plan and Policy.
- The new Organisational Structure for Tiers 1 (Chief Executive), 2 (Executive Director) and 3 (Service Director).

3.3. A critical path is used to visualise, monitor, and ensure delivery of remaining essential products, including:

- A single website and customer contact number for the new council.
- Taunton Town Council coming into existence.
- Movement of all ICT systems onto a single system for Vesting Day.
- Recruitment for tier 3 (Service Director) roles.
- Council Tax and Business Rate notifications.
- Business Continuity arrangements ready for day 1 (legal requirement).

3.4. A critical day 1 product is to ensure that the new Council has business continuity plans in place from vesting day. The Civil Contingencies Act 2004 requires them to be in place for the new council. Corporate Business Continuity Policy sign-off are expected by end-February 2023. Service level plans are under development support by the South West Audit Partnership. We are confident that a robust business continuity management system will be in place for Vesting Day and remain a priority during 2023-24 as the council transitions further.

3.5. The programme has been delivered to date using a shared in-house programme management approach across all 5 councils. It has been able to adapt as necessary, bring more team members into the programme with ease and little need for training, and have developed the back-office arrangement to ensure the programme is efficient and avoids duplication. This has delivered:

- Monthly performance reports and scorecards
- An 8-week live-data forward plan for Programme Board and Workstream Leads.
- Strong risk management.
- Ability to manage change during the programme.
- A visible description and live delivery status of all products, their milestones and dependencies, including a critical path.
- An assessment of impacts that products will have on stakeholders and ways of working, and preparation / mitigation as appropriate.
- Regular reports of readiness of services for Vesting Day.

This approach to managing the programme was praised by the Local Government Association in their Peer Review of the programme. They told us they saw "impressive levels of programme rigour, governance and assurance."

3.6. At time of publication of the latest approved Scorecard for January 2023 we were able to confidently report the programme status as amber and on target for delivery of the new council: 91% of products required for Vesting Day are

delivered or on track for delivery. The remaining 9% are subject to intervention to ensure delivery. Latest reports show that the programme is on course to be delivered within the allocated implementation budget of £16.5m.

- 3.7. Risk has been managed proactively throughout the programme and directly linked to product delivery through a bespoke risk management and reporting framework. This has allowed risks to be understood and tackled transparently. The risk report is regularly reviewed by Programme Board, is shared with Members and reported publicly. We have also sought a non-opinion piece from the South West Audit Partnership on these risk arrangements and have taken their findings on board, in particular how to ensure that all parts of the programme are managing risk well. Major challenges to the programme, particularly in deploying sufficient staff into the programme, were dealt with using this framework and by balancing programme requirements with the need to provide business as usual services and activities.
- 3.8. Whilst plans are in place to prepare the council, staff and Members for the move to a unitary council, services will in the main be delivered as they currently are. Experience from other LGR programmes has shown there may be a slight decline in some service standards for an initial period after Vesting Day. To address this, we will proactively manage risks of services fluctuating in the weeks after Vesting Day. Members can be assured that teams will respond to any issues that arise.
- 3.9. £16.5m was budgeted to deliver the new council. We are on track to deliver the programme within that budget, which includes funds set aside for delivering other cash benefits outlined in the business case as well as funding activities such as redundancies.

4. Readiness for day 1 of the new council

- 4.1. The LGR programme has adopted an approach of “business readiness” to provide focus and describe a way of doing things that helps us better understand and manage the large amount of change required as a result of creating a new council, and the challenges it will face. The approach is being managed and championed through a Business Readiness Group. To ensure a successful Vesting Day, work has been focused on being clear on what a successful Day 1 needs to look like, what it will take to achieve that success and assuring Members and staff of progress.

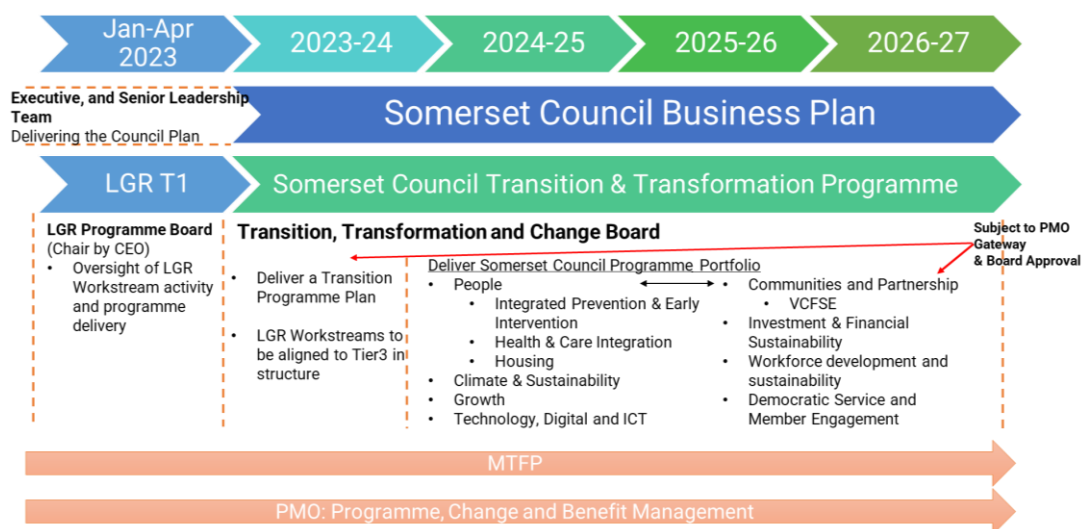
Day 1 success has been defined as:

- Customers continue to be able to contact the council, access services online or by phone, use the range of services we provide, and do business with the council.
- Staff can still do their job without disruption, understand new ways of working and what this means for them, can access information and support, know who their manager is, where they will work, and how to find help and advice.
- Members have the information they need to advise their communities on how to access the new council and can contact staff and others easily.
- For the new council, staff can work safely, the new Senior Leadership Team is in place and visible, the vision for the council is clear, and decisions can be made transparently and efficiently.

- 4.2. Business readiness work will continue so that people impacted by changes have what they need to adapt to and sustain new ways of working that will enable the new council to deliver its ambitions.

5. Preparations for transition and transformation from Vesting Day

- 5.1. After Vesting Day, Somerset Council will enter a transition phase and then a transformation phase. Together, they will bring all service alignment, improvement, transformational and cost reduction activities across the council into a single, visible programme. The purpose of this approach is to deliver the savings described in the unitary council business case and deliver Council Plan objectives in a managed, prioritised way. The diagram below outlines the approach, timescales and scope of transition and transformation.



- 5.2. We must ensure that the transition and transformation phases are planned effectively. This will require alignment with other programmes across the council and with key stakeholders to ensure a coherent and complete picture of activity is visible to the Executive Leadership Team and Executive Members.

- 5.3. During the transition and transformation periods, we will align services, deliver operational improvements, and deliver larger transformational activities across Somerset Council together to ensure the following objectives are met:
- Learning from, and building on, the challenges and successes of the LGR programme.
 - Having the right programme and governance in place to contribute to the Somerset Council Vision and overall strategic objectives.
 - Realising the ambitions of the Corporate Plan, the LGR Business Case and Medium-Term Financial Plan requirements.
 - Delivering high quality and improved outcomes for residents and communities.
 - Creation of a sustainable and motivated workforce.

- 5.4. A programme blueprint is being developed to assist preparation for delivering a transition phase, and movement into a transformation period. The transition phase may run for up to 2 years after Vesting Day to align and optimise

services and ways of working, then followed by a period of transformation. These phases require a prioritised plan of activity for the new council so change can progress quickly and effectively, aligned with Executive and Council Plan expectations.

- 5.5. Benefits management will be central to our approach to managing transition and transformation to be able to evidence when, how, where and when cash-benefits have been achieved and to evidence performance improvements (non-financial benefits) and the impact of change. This is also essential to ensure benefits realisation supports a sustainable MTFP. An in-house app has been developed, linked to our programme architecture, to capture, track and report on benefits realisation from April 2023. A benefits implementation plan is in development and a live pipeline of benefits opportunities will also be maintained and matured.

6. Member participation

- 6.1. Members have been instrumental to effective delivery of the programme and this should be recognised. Implementation has included a mixture of formal and informal participation for elected Members and these forums have been essential in keeping the programme moving and identifying where it can do better:
- 6.2. An Implementation Board and Joint Scrutiny Committee with membership from all 5 councils have allowed formal scrutiny, challenge and pre-decision recommendations to be made throughout the programme. This has helped develop products as well as scrutiny of the programme's delivery against its agreed objectives. The County Council's Human Resources and Constitution & Governance Committees have also had formal roles in developing policies for the new council, as have the Executive and Full Council in their decision-making roles.
- 6.3. As well as the expected communications by email, social media, one-to-one conversations and other methods, the programme has run monthly briefings for Councillors across all 5 councils, conferences earlier in the programme for parish, town and city councils, and a fortnightly working group for their Clerks. Members have been especially active in defining Local Community Networks, including the pilots in the Bruton, Frome and Exmoor Areas. Similarly, the devolution pilot work in Bridgwater has provided invaluable learning.

7. Communication with staff, the public and partners

- 7.1. The programme has developed channels for staff engagement, such as a shared intranet and weekly news bulletin for staff in all 5 councils, so that information can be shared simultaneously at each step. Questions and feedback have always been encouraged and we use this, alongside regular all staff surveys to target, measure and improve communication activity. We also have a plan to ensure that information is clearly available to the public and our partners, regarding changes that may affect them. And we will be looking to use increased public interest around the start of the new council to explain the exciting opportunities ahead.

8. Conclusion

- 8.1.** What has been achieved during the implementation phase of the LGR Programmes the result of the combined and focussed efforts of hundreds of staff, Members, and partners across the whole of Somerset. We confidently expect the LGR programme to deliver a firm foundation for the new council – Somerset Council – on 1 April 2023. This confidence is validated by the LGA Peer Review and through our own programme management arrangements.
- 8.2.** We are focused on how Somerset council will deliver the opportunities presented by being a unitary council. This includes activity being picked up and delivered by services, and a central transition and transformation programme. The importance of this has been clearly stated by both PwC and the LGA Peer Review who have told us we must have plans for transition and transformation. These plans will be ready by Vesting Day and will show how we will improve services. We will not lose sight of the need to create a strong culture for the new council after a period of significant change for staff and Members.

9. Background papers

LGA Peer Review report:

<http://democracy.somerset.gov.uk/documents/s25126/Item%206%20Somerset%20Pre%20LGR%20Peer%20Challenge%20Final%20Report.pdf>

LGR Programme response:

<http://democracy.somerset.gov.uk/documents/s26257/Item%207%20Local%20Government%20Association%20LGA%20Peer%20Review%20into%20the%20Local%20Government%20Reorganisation%20LGR.pdf>

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