

## **LOCAL GOVERNMENT REORGANISATION JOINT SCRUTINY COMMITTEE**

Minutes of a Meeting of the Local Government Reorganisation Joint Scrutiny Committee held in the John Meikle Room, The Deane House, Belvedere Road, Taunton, TA1 1HE, on Friday 30 September 2022 at 10.00 am

**Present:** Cllr B Filmer - SCC (Chair), Cllr B Hamilton - SSDC (Vice-Chair), Cllr S Buller - SWT, Cllr T Butt Philip - SCC, Cllr M Chilcott - SCC, Cllr T Deakin - SCC, Cllr C Inchley - MDC, Cllr D Mansell - SCC, Cllr H Prior-Sankey - SCC, Cllr B Smedley - SCC, Cllr P Ham - MDC, Cllr M Lithgow - SWT, Cllr B Crow - SDC and Cllr Betty - SDC

**Other Members present:** Cllr F Purbrick, Cllr L Leyshon and Cllr V Keitch

**Other Members present on Zoom:** Cllr J Roundell Greene, Cllr M Lovell, Cllr A Kendall, Cllr D Darch, Cllr L Trimnell, Cllr S Wakefield and Cllr Loretta Whetlor

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

An apology was received from Councillor Diogo Rodrigues, who was substituted by Councillor Anthony Betty.

Councillor Jo Roundell Greene would be joining the meeting via Microsoft Teams.

### **14 Minutes of the Previous Meeting - to follow - Agenda Item 2**

The minutes of the LGR Joint Scrutiny Committee meeting held on 19 August 2022 were approved.

### **15 Declarations of Interest - Agenda Item 3**

The Committee noted the details of the personal interests of all Councillors present already declared in relation to their membership of County, District, Town and Parish Councils.

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

Mr N Hall, a resident in Somerset, provided the following statement to the Committee: -

Good morning. My name is Nick Hall. I live in Pilton, near Shepton Mallet. You will recall that I have spoken at the last three LGR Scrutiny meetings. I was elected as a Parish Councillor in May.

The saga with Mendip District Council's irregular approach to Licensing continues:

The Premises License for the Pilton Party (PRL767) has a mandatory condition that requires the event organiser to forward, to the Council, a certificate from the ticket printer. This condition helps ensure that the attendance does not exceed 7,999 - which is a prerequisite for public safety.

We asked to see the certificate, but MDC told us that they only had sight of it. Our concerns about the discharge of this mandatory condition were ignored.

I raised our concerns at MDC's Cabinet meeting on 5 Sept 2022 and posed the straightforward question: could the CEO and his staff start resolving issues rather than avoiding them?

The CEO's reply clearly showed his unwillingness to seek resolution of this simple issue. Moreover, he clearly understands that by not asking for this certificate he is preventing it from coming into the public domain.

I am astonished that he is effectively condoning the breach of a mandatory Premises License condition. This condition is clearly enforceable – he just needs to write a letter to the event organiser asking for the certificate.

I had assumed that the 2003 Licensing Act required all mandatory conditions to be complied with. However, after reading MDC's Licensing Policy (section 3.8) and their Corporate Enforcement Policy it is far from clear that Mendip District Council sees mandatory conditions as mandatory.

In about six months, the New Somerset Council will inherit these issues. Will it see mandatory Premises License conditions as mandatory?

The Chair thanked Mr Hall for his comments and for attending the meeting. He advised Mr Hall that he needed to direct his comments to his local district council and their licensing department for further action.

17 **Programme update (including Community Governance Review for the Unparished Area of Taunton: progress update and PwC Assurance Report) - Agenda Item 5**

The LGR Programme Director, Alyn Jones gave a PowerPoint presentation updating the Committee on the LGR programme, covering the following matters: -

- Programme overview, strategic objectives, progress
- PwC Monthly feedback report for July and August 2022
- Activity during February

The Committee discussed the presentation, and the following was a summary of the areas raised: -

- Clarification was requested on the term 'recast' mentioned on page 11 for Budget Milestones.  
*The LGR Programme Director advised that the budget for the Local Government Reorganisation (LGR) had been cast when the business case was pulled together, this meant that some money had been put into this year and next year's budget for redundancy as there was uncertainty as to when the money would be needed. Recast meant that the budget may need to be moved into a different year once the redundancy costs were known.*
- Councillors queried point 3 on Contracts and when was the work completed and how many high contracts were due to end soon or could be extended.  
*The LGR Programme Director advised that all the contracts were now known across all five councils and that they had all been centralised to enable work to be carried out on efficiencies. High contracts were not yet known but he was happy to bring the information to a future meeting.*
- Clarification was requested on point 5 for Capital Investments.

*The LGR Programme Director apologised for the language used in the report, asset optimisation was a name given for one of the workstream groups. He further explained that he wanted to ensure there was a good grasp of investments so that they were not impacted by vesting day.*

- Councillors raised concern on the delay to tier 2 and 3 appointments and the impact that would have on the rest of the staff. They queried how long the delay would be and what was being done to address the concerns.

*The LGR Programme Director advised that the staff structure was the responsibility of the Head of Paid Services, who started in his role on 3 October 2022. His first task would be to meet with the Executive to discuss how to move forward with staffing and tiers 2 and 3 were important for the delivery of the project.*

- Councillors highlighted service alignment and the importance for vesting day to ensure certain services had been aligned. They queried which services would be aligned first.

*The LGR Programme Director advised that service alignment was a key area that was feeling the pressure of 'business as usual' (BAU) demands, which was causing a delay in the work. He assured councillors that more programme support had been put into place to track resource to enable service alignment. He further advised that the PWC report had identified that without a structure in place, there could be issues moving forward with the project. However, a target model had been put in place to provide a guide.*

- Councillors queried the table on Asset Optimisation of Property on page 15 and how were officers ensuring that the project was not compromised.
- Councillors queried why there had been an increase in product numbers in July and August and why some were under-resourced.

*The LGR Programme Director advised that the increase in number of products was due to every task being allocated a product number to ensure that it was tracked within the programme. He further advised councillors that if a product did not have enough resource, it should be identified by a workstream, which are managed by senior members of staff, who would ensure BAU and LGR work could be carried out and they would need to flag a concern if they required extra resource.*

- Councillors requested further clarification on some of the acronyms used in the report.
- Councillors queried how fragile was manning the programme coming up to annual leave during the festive season and also sick leave during the cold and flu season.

*The LGR Programme Director advised that if IT was not manned properly (for example), it would impact on the project, so therefore leave needed to be strictly managed. Fragility was being assessed continuously and that work was being carried out in stages to minimise risk of work being done in one 'big hit'.*

- Councillors queried whether the comment on page 21, with regards to the programme stage and legal position and medium-term financial plan (MTFP), were of concern.

*The LGR Programme Director advised that the PWC comments were to ensure that the significant budget gap was addressed.*

- Concern was raised that councillors had not seen the culture of the New Council through any of the LGR work yet.
- Councillors queried when the committee would see how public interactions would work and what the front facing image of the New Council would look like.

*The LGR Programme Director advised that work on the culture of the New Council was done through the Executive and would form part of the Corporate Plan. Most of the other work would start once vesting day had arrived and would be completed gradually due to the significance of the work, this meant that it could not be completed prior to vesting day.*

- Councillors queried how would the MTFP be protected.
- Councillors requested reassurance on governance arrangements mentioned on page 19.
- Councillors queried a comment made by PWC on Change Management Resource.

*The LGR Programme Director advised that he had mobilised change management resource to ensure that from day 1 of the New Council, officers would know where to work and how to login etc. He further advised that general capacity of the LGR Programme was a constant monitored challenge and he had asked PWC for more specific details on where they had identified risk and concern.*

- Councillors requested update on cashable and non-cashable benefits.
- Councillors requested a work programme for the LGR Joint Scrutiny Committee, and that the cashable and non-cashable benefits be added to that.

*The LGR Programme Director advised that a work programme was being produced and could be customised based on requests from the committee. He advised he would be happy to give members a briefing on cashable and non-cashable benefits.*

- Councillor Leyshon gave reassurance that the new Chief Executive was definitely starting work on 3 October 2022 as he had completed all of his statutory duties with his former Authority. She also advised that she had asked for a timeline for where reports would go to committee from now until vesting day.

**The LGR Joint Scrutiny Committee agreed the following actions: -**

- The Work Programme for the LGR Joint Scrutiny Committee would be distributed.
- Details on acronyms would be provided and better use of them within reports would be ensured by officers.
- A briefing on cashable and non-cashable benefits would be given to members.

**18 Risk update (including feedback from recent Scrutiny Review) - Agenda Item 6**

The Risk Manager, Angela Farmer, gave a PowerPoint presentation on the LGR Risk Register.

The Committee discussed the presentation, and the following was a summary of the areas raised: -

- Councillors raised concern on MTFP.  
*The Risk Manager advised that it had been flagged as a concern*
- Councillors highlighted page 38 and Engagement of Parish Councils and requested that officers ensured that all Parish Councils were included especially those in rural areas.

### **The LGR Joint Scrutiny Committee noted the presentation.**

#### **19 Local Community Networks: consultation update and review - Agenda Item 7**

The Local Community Network (LCN) Project Lead, Sara Skirton, gave a PowerPoint presentation which provided an update on the LCN and progress to date, which included a breakdown of the consultation questions for the Committee to provide feedback.

The Committee discussed the presentation, and the following was a summary of the areas raised: -

Aims - which were important

- Councillors agreed that all 4 aims that had been listed were important.
- Councillors raised concern on the delay in the LCN consultation papers being distributed. They raised a further concern that due to the death of Queen Elizabeth II, some Parish Councils were not due to meet again before the consultation deadline.
- Councillors proposed that the consultation deadline be extended to November 2022.  
*The LCN Project Lead advised that they could feed that back to Executive for a decision.*
- Councillors suggested that all the Parish Councils could be written to and advised that if they were not due to meet until after the deadline (because of meeting cancellations), that their feedback would still be accepted.
- Councillors accepted the concern raised, however, they queried what the impact would be if the deadline was extended.  
*The LCN Project Lead accepted that there was a challenge for the Parish Councils to submit their responses, however, officers were due to take the report to Executive on 16 November 2022 and there would be a lot of data to analyse, and a risk was identified if they extended the deadline, the analysis could be rushed and officers would rather get the details right when they take the report to Executive.*
- Councillors advised the committee on what the Parishes in their area were doing and he believed they would submit their responses within the deadline.
- Councillors highlighted that the consultation deadline was not the 'end date' it was simply the beginning of the process and there would be many more opportunities for feedback on the LCNs.
- Councillors queried whether the 171 responses would be broken down into which area the response had come from in the district, as they wanted to ensure that support was being given to those areas that might be struggling to submit their feedback.

*The LCN Project Lead advised that they could get the geographical locations for the responses and would check if there were any locations that were missing responses. She further advised that all councillors should have been sent a 'frequently asked questions' pack for assistance in completing the consultation.*

- Councillor Keitch highlighted the Parish Conference that was due to take place on 4 October 2022 in Yeovil and urged representatives from all councils to attend.
- Councillors queried whether it was just Parish Councils responding or had many members of the public submitted feedback.  
*The LCN Project Lead advised that public engagement seemed to be fair but that other stakeholders would probably have a bigger interest.*
- Councillors flagged a concern that the Unparished Area of Taunton was often missed out in consultations.  
*The Governance Specialist advised that the Taunton Charter Trustees acted as consultees for the Unparished Area of Taunton. The LCN Project Lead advised that they had worked with SPARK to compile a list of community organisations to consult with.*
- Councillors highlighted that they needed to work together to add strength to a community.

#### Possible Responsibilities of LCNs

- Councillors suggested community scrutiny of council services was important and should be added.
- Councillors raised concern that Parish Councils didn't seem to understand the possible responsibilities and how the LCNs would work.
- Councillors believed that there should be a standard set of Terms of Reference for each LCN but that their priorities might vary from area to area.
- Councillors raised concern on the inclusion of Planning to the LCN workloads.  
*The LCN Project Lead advised that the Planning responsibilities needed further investigation.*
- Councillors raised concern on Planning decisions being made by the LCNs and suggested that the LCNs should be consultees and not decision makers.
- Councillors raised a concern that the public were not being listened to and that the list was very dry for public involvement.
- Councillors agreed that Planning should be removed from the list.
- Councillors highlighted that the list was in 'council speak' and wouldn't translate to most.
- Councillors highlighted that the list was aspirational and that councillors needed to know how the LCNs would work, including decision making powers, before responsibilities could be allocated.
- Councillors highlighted the trial LCNs being carried out currently across the county.
- Councillors raised concern that the LCNs were adding another layer in localism which would block decision making powers.

#### Boundary

- Councillors raised concern on some of the areas proposed especially possible exclusions of some small areas that would be just across a border.

- Councillors advised that he was confused by the whole process of the LCNs.  
*The LCN Project Lead advised that they needed to ensure that the right partners were included to engage and make decisions and that the pilot schemes were trying to see which approach worked best.*
- Councillors raised concern on the bigger areas being used due to varied interests across the wider areas.
- Councillors suggested that the boundaries should be based on partner structures, such as, doctors, police etc.
- Councillors suggested that the smaller the areas, the better the engagement would be. If the areas were too big, it could be problematic.
- Councillors queried if a boundary review was carried out, would the boundaries change for the LCNs.  
*The LCN Project Lead advised that it was unknown as the boundary review was a couple of years away.*
- Councillors did not support Proposal C.
- Councillors were surprised that the Exmoor Pilot Scheme had not been used in the report.
- Councillors queried whether all parishes could attend a LCN.  
*The LCN Project Lead advised that they could all attend.*
- *Councillors agreed with all comments made on the use of smaller areas and that would improve community engagement.*

20 **Exclusion of the Press and Public - Agenda Item 8**

**Resolved** that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involved the likely disclosure of exempt information.

21 **Confidential item New Council Branding - Agenda Item 9**

The SCC LGR Communications Lead Officer, Chris Palmer, gave a presentation on the branding for the New Council.

Discussion was had on the work that had been carried out on the branding and councillors thanked officers for the work

22 **Re-admittance of the Press and Public - Agenda Item 10**

23 **Any Other Urgent Items of Business - Agenda Item 11**

The LGR Programme Director, Alyn Jones, gave the committee an update on the Community Governance Review for the Unparished Area of Taunton.

**(The meeting ended at 1.20 pm)**