

South Somerset District Council

Minutes of a Special meeting of the **District Executive** held as a **Virtual Meeting using Zoom meeting software on Thursday 15 April 2021.**

(9.30 am - 10.10 am)

Present:

Councillor Val Keitch (Chairman)

Jason Baker
Mike Best
John Clark
Adam Dance

Sarah Dyke
Peter Gubbins
Tony Lock
Peter Seib



Also Present:

Brian Hamilton
Charlie Hull
Sue Osborne
Robin Pailthorpe
Clare Paul

Crispin Raikes
Gina Seaton
Mike Stanton
Linda Vijeh
Martin Wale

Officers:

Alex Parmley
Clare Pestell

Nicola Hix
Jill Byron
Karen Watling
Jan Gamon
Peter Paddon
Lynda Pincombe
Angela Cox
Michelle Mainwaring
Becky Sanders

Chief Executive
Director (Commercial Services & Income Generation)
Director (Strategy and Support Services)
Monitoring Officer
Interim Section 151 Officer
Programme Director, Stronger Somerset
Lead Specialist (Economy)
Specialist - Strategic Planning
Specialist (Democratic Services)
Case Officer (Strategy & Support Services)
Case Officer (Strategy & Support Services)

Note: All decisions were approved without dissent unless shown otherwise.

288. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the previous meeting held on 1st April 2021 were approved as a correct record and would be signed by the Chairman.

289. Apologies for Absence (Agenda Item 2)

An apology for absence was received from Councillor Henry Hobhouse.

290. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made.

291. Public Question Time (Agenda Item 4)

A representative of Somerset Independents spoke regarding Agenda item 7: Local Referendum on the future of Local Government in Somerset. He said they were formed to stand up for Somerset residents during the COVID-19 lockdown period as they did not feel the local councils were supporting them. No local residents had asked for local government reorganisation in Somerset and in 2007, 82% of local residents had voted against the introduction of a Unitary Authority at that time. He said they had asked all Districts and the County Council to support a referendum in September 2020 but all had refused and had made two proposals for reorganisation, One Somerset and Stronger Somerset. He asked what had changed to support a referendum as he said that residents did not want a referendum during a pandemic. He also felt there should be a third option for no change in the referendum and a modern committee system should be introduced as was currently proposed in Sheffield.

The Chairman thanked the resident for their statement and said she would provide a written reply.

292. Chairman's Announcements (Agenda Item 5)

The Chairman advised that following the death of HRH Prince Phillip, Duke of Edinburgh, the previous week, a two minute silence would be observed to recognise his outstanding contribution to the country. She said that she had sent a letter of condolence to Her Majesty, the Queen.

A two minute silence was observed by the Committee.

293. Consultation on Local Government Reform - Response to One Somerset Proposal (Agenda Item 6)

The Chairman, as Portfolio Holder for Strategy and Housing, introduced the report and said the Secretary of State was currently conducting a consultation on the options for the future of local government in Somerset. She said some concern had been expressed on the lack of prominence given to residents comments in the consultation process and Council's had been asked to ensure their voice was heard. The report was specific to the District Council's response to the One Somerset proposal for a single unitary council and Somerset County Council would be responding to the Stronger Somerset proposal for two unitary

authorities. Although it was possible, it was unlikely that there would be no change in local government in Somerset, and it was possible that the Government could propose a hybrid of both proposals. She concluded by proposing the recommendations and they were seconded by Councillor Peter Seib.

In response to a question, the Chairman advised that it was an assumption that the main offices of the proposed One Somerset Council would be centred in Taunton.

During discussion the following points were made:-

- The reference to the One Somerset council's head offices as a monolithic council should not be in the response.
- The response which would be submitted to each question was highlighted in **BOLD** text within the report.

The recommendations, being proposed and seconded, were unanimously agreed by Members.

RESOLVED: That District Executive agreed to :-

- a. approve the response to the consultation on proposals for reform of local government in Somerset, specifically in respect of the One Somerset proposal. One Somerset is the alternative to the districts' Stronger Somerset proposal and recommends the creation of a new, single unitary to cover the administrative district of Somerset;
- b. invite Full Council to endorse submission of the response to the consultation at the meeting on 15th April 2021.

Reason: To invite Full Council to agree the SSDC formal response to the Secretary of State on the One Somerset proposal, which argues for a single unitary for the whole of the administrative county of Somerset.

294. Local Referendum on the Future of Local Government in Somerset (Agenda Item 7)

The Chairman, as Portfolio Holder for Strategy and Housing, advised that in light of the Secretary of State's letter received late on 12th April and the specific and detailed legal issues raised therein, it was necessary to obtain further legal advice by means of Leading Counsel's advice to ensure Members had full and thorough legal advice when reaching their decision on such a significant issue. Therefore in relation to the proposed District Executive and Council decisions to hold a local referendum on the future of Local Government in Somerset, the item

would be deferred to a future date to consider the matter further with the benefit of legal advice. This was the decision of all the four District Councils. A separate meeting would be convened when the complete legal advice was available.

Councillor John Clarke said the letter from the Secretary of State was worded with the aim to prevent the referendum. He said the referendum must avoid bias in the question and made clear that it was advisory and part of the consultation process. The Government's consultation contained no referendum and, in his view, an inadequate list of consultees and a complicated questionnaire. He said that previous polls had indicated $\frac{3}{4}$ of residents were opposed one unitary council in Somerset and it was not unreasonable to expect a referendum to have a similar result. If residents felt they had not been adequately represented then pressure from the Secretary of State was a serious constraint on democratic expression.

Councillor Peter Seib said the campaign in general had been disingenuous as at an earlier stage, the District Councils had expected the Secretary of State to conduct a consultation in a way that engaged with the people of Somerset and did not provide complex questions. He said the Stronger Somerset proposal had strong cross-part support and the views of the people of Somerset should be paramount.

In response to a question, the Chairman said the cost of advice from Counsel was not yet known but it would be made public in due course. She said the advice was being taken to protect both the Council and Councillors from any legal challenge.

It was noted that the item was **deferred** to a later meeting of the District Executive.

295. **Appointed Leisure Facilities Provider (Agenda Item 8)**

The Portfolio Holder for Finance and Legal Services advised that the report was brought forward due to the significant variation from the expected financial position. Some provisions had been made in the budget but the market responses were different and it would provide a stronger recovery after the initial investment to provide a better service. The additional finance was affordable from a reserve account of unexpected returned finance and this would regularise the budget to allow the proposal.

The Portfolio Holder for Health and Well-Being introduced the report and advised that the process had started over 12 months ago, but due to the COVID-19 pandemic it had been delayed. He thanked the Specialist for Strategic Planning for the work she had completed to bring the proposal forward. Under the previous contract, the maintenance liability of the leisure buildings had previously been the responsibility of SSDC but this was being passed to the new leisure provider which would result in efficiencies in officer time and savings to the revenue budget. Support would be provided to the new operator through the

COVID-19 process but this should result in income in 3 years. The capital investment at the sites would be necessary for the operator to achieve the revenue returns projected and would significantly improve the customer experience, with new exercise equipment, and improved group exercise facilities. The operator would deliver active programmes in target areas outside the centres and they would support the physical and mental health needs of the community as it recovered from the pandemic.

There was no debate and Members unanimously agreed to propose that the recommendations be confirmed by Council.

RESOLVED: That District Executive recommend Full Council to agree:-

- a. The appointment of Wealden Leisure (trading as Freedom Leisure) to manage the Council's leisure facilities;
- b. A total capital budget of £3.495m for 2021/22, being an increase of £2.46m on the existing budget, to be funded as detailed in Appendix B;
- c. An increase in the revenue budget for 2021/22 and 2022/23 (of £574k and £557k respectively) to be funded from the MTFP support reserve.
- d. To note the additional net income stream to the Council arising from this contract (from 2023/24), as described in Appendix B, and the review that will be undertaken on how this income will be utilised.

Reason: To propose that Council agree the leisure provider for the operation of Council leisure facilities from 1st April 2021, and to request approval of the increased capital and revenue budgets needed to achieved the desired returns associated with the appointment.

296. District Executive Forward Plan (Agenda Item 9)

The content of the Executive Forward Plan was noted.

RESOLVED: That the District Executive:-

1. approved the updated Executive Forward Plan for publication as attached at Appendix A;
2. noted the contents of the Consultation Database as shown

at Appendix B.

Reason: The Forward Plan is a statutory document.

297. Date of Next Meeting (Agenda Item 10)

Members noted that the next scheduled meeting of the District Executive would take place on Thursday 13th May 2021 as a virtual meeting using Zoom meeting software and commencing at 9.30 a.m.

.....
Chairman

.....
Date