

South Somerset District Council

Minutes of a Special meeting of the **District Executive** held as a **Virtual Meeting using Zoom meeting software on Friday 30 April 2021.**

(11.00 am - 11.50 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
Sue Osborne
Crispin Raikes
Linda Vijeh

Gina Seaton
Mike Stanton
Colin Winder
Tony Capozzoli

Officers:

Alex Parmley
Jan Gamon
Jill Byron
Karen Watling
Angela Cox
Michelle Mainwaring

Chief Executive
Director (Place and Recovery)
Monitoring Officer
Interim Section 151 Officer
Specialist (Democratic Services)
Case Officer (Strategy & Support Services)

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

298. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the previous meeting held on 15th April 2021 were approved as a correct record and would be signed by the Chairman.

299. Apologies for Absence (Agenda Item 2)

An apology for absence was received from Councillor Henry Hobhouse.

300. Declarations of Interest (Agenda Item 3)

There were no declarations of interest made by Members.

301. Public Question Time (Agenda Item 4)

A statement and questions from a member of the public were read out. His comments included:

Every resident, business, town and parish council, charity and other organisation throughout Somerset has been able to participate in the Government's consultation process, either by completing an online form or by writing directly to the Secretary of State. Is there anything to suggest that the Secretary of State's consultation process disproportionately disadvantaged supporters of the Stronger Somerset proposal over those of One Somerset that would warrant an additional consultation exercise being necessary? What insight would a public poll provide the Secretary of State above that which he will be able to conclude from the responses to his consultation? How can it possibly be value for money to commit so much public money on a speculative exercise with little or no obvious added value?

The proposed ballot paper, I believe misleadingly describes the Stronger Somerset option. The Stronger Somerset proposal is to create two councils, a confusing and mysterious combined authority (possibly with an elected mayor) and an additional quango for children's services. That is four organisations not two. Each with expensive management structures and separate lines of accountability. By referring to the district's proposal as creating two councils significantly misrepresents the true nature of their proposal and I believe would be open to challenge by way of judicial review. Further, the ballot paper that accompanies your report does not make clear that the ballot is advisory only. I would respectfully ask members to vote against, or abstain today and not waste further public money on an exercise which clearly does not have the decision maker's support. I thank you for your time and hope that these points will be considered.

The Chairman said that she would provide a written response to the resident.

302. Chairman's Announcements (Agenda Item 5)

The Chairman noted the High Court challenge by Local Government Lawyers and the Association of Democratic Services Officer to the Government's decision not to continue on-line Council meetings had been unsuccessful earlier that week. However, SSDC had passed a resolution at Council on 15 April to allow on-line meetings to continue using delegated decision making for a period of 3 months. She said the government had cited a lack of Parliamentary time to extend the regulations.

The Vice Chairman regretted that the Government had not prioritised the continuation of on-line meetings as holding in-person meetings with social distancing in place would mean using large venues with Councillors wearing face masks. He said this would disadvantage any person with limited hearing who relied on lip-reading.

303. Local Referendum on the Future of Local Government in Somerset (Agenda Item 6)

The Chairman introduced the report and said that all the Council's recognised there was a need to change local government in the county as it was not working as well as it should for local residents. The Secretary of State had invited proposals for change in September 2020 and the County Council had submitted one bid with the 4 District Councils submitting an alternative. The Government had made it clear that local support would be a key criteria in any decision on the future of local government in Somerset. The Government's consultation had closed on 19th April and they had written to invite comments to a number of stakeholder organisations, including some outside the county. The District Councils had felt a number of further key organisations should have been consulted but they were not. These included City, Town and Parish Councils and voluntary and community organisations. She urged the executive members to accept the recommendations.

During discussion, the following points were made:

- The purpose of SSDC was to ensure the views of the residents in South Somerset were properly represented in the consultation and the Secretary of State should take account of all the available information at the time he made his decision on the future of local government in Somerset.
- Letters from Robert Jenrick MP and Marcus Fysh MP had been recently circulated and should be read by Members.
- The poll must be clear that it was advisory.
- The Government consultation was poor and the poll would enable the views of all residents to be available to those taking the decision.
- The Government's on-line consultation had been overly complicated to complete.
- A written response would be made by the Chairman to questions sent earlier from the Conservative Group of Councillors.
- The Government's on-line consultation had been overly complicated and could have been completed anonymously multiple times by one person.
- Agree with Marcus Fysh MP's emphasis on regeneration in the district.
- The poll would not involve the use of polling stations.
- The County Council had been invited to provide a leaflet on their One Somerset proposal to accompany the polling papers.
- It was not intended to weight the poll towards the Stronger Somerset proposal as that would not be democratic.
- The pre-paid envelope will be included with the polling papers so residents would not have to pay return postage.
- All residents should have the opportunity to participate in the poll and it represented good value for money.

The Chairman of the Scrutiny Committee said that during their discussions they had concern around GDPR and sharing the Council's electoral register with Civica to enable poll and also the timing of the poll as it was after the Government's consultation period. But overall they were positive that the public should be involved and any reputational risk was felt worth taking. They had also discussed the possible public response, clarification of costs, any risk assessment completed and the Wednesbury principles which were referred to.

At the conclusion of the debate, the Chairman proposed the recommendations and they were seconded by the Vice-Chairman. A named vote was taken and they were unanimously agreed to be proposed to Full Council.

RESOLVED: That District Executive agreed:-

- a. to hold a local authority poll (local referendum) of all residents of South Somerset on the Electoral Register at 6th May 2021 who are eligible to vote in local elections, on the two options for the future of local government in Somerset;
- b. to conduct the local authority poll as a postal and online referendum and appoint Civica Electoral Services to conduct the poll;
- c. the poll be held commencing on Tuesday 18th May 2021 and closing at 5.00PM on Friday 4th June 2021;
- d. to hold the local authority poll jointly with such other Somerset Councils that agree and to share the costs of the poll with those councils;
- e. the poll will follow the single non-transferable vote system and the question to be asked will be:

“Which of the two options for change in local government in Somerset to replace the existing five councils do you support (select one only):

- i. **One council for Somerset** (“One Somerset” - the plan for a single council proposed by Somerset County Council)
- ii. **Two councils for Somerset: Eastern Somerset and Western Somerset** (“Stronger Somerset” the plan for two councils for Somerset – an Eastern and a Western Somerset council –proposed by the South Somerset District Council and the other district councils of Somerset)

- f. to delegate the role of Counting Officer to Civica Electoral Services;
- g. to make such resources, including staff resources, as necessary to the Counting Officer to enable the referendum to be conducted;
- h. to delegate to the Chief Executive, the authority to take any further action necessary in relation to this matter;
- i. to write to the Secretary of State to inform him of the referendum and its dates and ask that the result of the referendum be properly considered as part of the decision making process on the future of local government in Somerset;
- j. to recommend Full Council to endorse the holding of a local authority poll (local referendum) of all residents of South Somerset on the Electoral Register at 6th May 2021 who are eligible to vote in local elections, on the two options for the future of local government in Somerset.

Reason: To agree to hold a local poll (referendum) to give residents a voice in the debate and help the Secretary of State in understanding and determining the level of support amongst residents for each of the options for the future of local government in Somerset.

(Voting: unanimous in favour)

304. Date of Next Meeting (Agenda Item 7)

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

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Chairman

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Date