

South Somerset District Council

Minutes of a special meeting of the **South Somerset District Council** held on **Friday 30 April 2021** as a Virtual Meeting using Zoom meeting software.

(4.00 pm - 5.25 pm)

Present:

Members: Councillor Paul Maxwell (Chairman)

Jason Baker	Charlie Hull	Paul Rowsell
Robin Bastable	Kaysar Hussain	Dean Ruddle
Mike Best	Val Keitch	Gina Seaton
Neil Bloomfield	Andy Kendall	Peter Seib
Dave Bulmer	Tim Kerley	Garry Shortland
Tony Capozzoli	Mike Lewis	Alan Smith
Martin Carnell	Mike Lock	Jeny Snell
John Clark	Pauline Lock	Andy Soughton
Nicola Clark	Tony Lock	Mike Stanton
Louise Clarke	Kevin Messenger	Rob Stickland
Nick Colbert	Tricia O'Brien	Gerard Tucker
Adam Dance	Sue Osborne	Linda Vijeh
Sarah Dyke	Robin Pailthorpe	Martin Wale
Peter Gubbins	Oliver Patrick	William Wallace
Brian Hamilton	Crispin Raikes	Colin Winder
Mike Hewitson	Wes Read	
Ben Hodgson	David Recardo	

Officers:

Alex Parmley	Chief Executive
Jan Gamon	Director (Place and Recovery)
Jill Byron	Monitoring Officer
Karen Watling	Interim Section 151 Officer
Kirsty Larkins	Director (Service Delivery)
Angela Cox	Specialist (Democratic Services)
Michelle Mainwaring	Case Officer (Strategy & Support Services)

270. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillors Hayward Burt, Malcolm Cavill, Karl Gill, David Gubbins, Henry Hobhouse, Jenny Kenton, Graham Oakes, Tiffany Osborne, Clare Paul, and Lucy Trimnell.

271. Declarations of Interest (Agenda Item 2)

There were no declarations of interest made by Members.

272. Public Question Time (Agenda Item 3)

A local resident addressed Council. He said that at the last Council meeting he had asked if the Government Minister had been contacted regarding the proposed referendum, and if so, what had been his response? He further asked what the forecast cost of conducting the poll and any publicity surrounding it, and, the cost of the legal advice taken pertaining to the poll proposal. He also asked if the Council would take any steps to mitigate the impact of social media and leaflet information already sent to residents. He asked if the polling paper and accompanying paperwork mention any political party or the different Council's proposals. He concluded by asking how residents who had already responded to the Government's consultation did not duplicate their views when taking part in the referendum which could cause false accounting? He noted that he had not yet received a written response to his questions asked at the last Council meeting.

The Leader of Council responded with an apology as she thought a reply had already been sent. She said there would be no mention of political parties on the ballot paper as it was a cross party proposal. She said the Stronger Somerset name reflected the District Council's proposal and was not intended to imply any particular message over the One Somerset proposal. She also felt that residents should know which option each council was supporting on the polling paper. The cost of the legal advice taken was not yet known.

273. Chairman's Announcements (Agenda Item 4)

The Chairman drew Members attention to the supplementary information circulated earlier in the day – letters from Robert Jenrick MP and Marcus Fysh MP and also the response by the Leader to questions raised by the Conservative Group.

The Chairman also reminded Members to treat each other with dignity and respect during the debate.

274. Local Referendum on the Future of Local Government in Somerset (Agenda Item 5)

The Leader of Council said that the residents of Somerset should be allowed a vote on the future of local government and how services were delivered in Somerset, as it involved their future. The Government's consultation was not correct for Somerset and should have included further consultees. She said she had responded to a number of questions submitted by the Conservative Group. She noted the District Executive had commended the recommendations to Full Council.

The Chairman noted that the report had been discussed at an informal meeting of the Scrutiny Committee earlier that week and by the District Executive that morning. It was now for Full Council to decide.

In response to questions from Members, the Leader of Council and the Chief Executive replied:-

- The cost of the referendum to SSDC would be in the region of £92,000 depending upon the number of people voting.
- The referendum questions had been checked by an independent expert on electoral, who had suggested amendments to the original draft and officers were satisfied it complied with Electoral Commission guidance.
- Legal opinion on the referendum had been taken from Bevan Brittan Solicitors and James Goudie QC. The legal opinion was sought to clarify the legal advice. The QC advice cost £3,300.
- In September 2020, the Government did not intend to hold a referendum but once their consultation document was published, the Somerset District Councils decided the people of Somerset should be asked their opinion.
- An equality impact assessment had been carried out.
- The cost of conducting the poll included the cost of return postage.
- All opinions would be taken into account and the Secretary of State had a duty to take account of all available information. It would be disappointing if he made his decision prior to the conclusion of the poll.

During discussion, the following points were made:-

- Comments on social media should not be relied upon to provide responses to the consultation.
- The Secretary of State should have as much information as possible from the residents of Somerset before taking his decision.
- There was value in the expenditure on the poll in Wednesbury principles.
- Parish Councils were not specifically consulted by the Government but were able to submit a view in the general Government consultation.
- The Government's on-line consultation was difficult to complete and could have been completed on-line multiple times by any person.
- The decision should not be political and would cost SSDC £92,000. The cost of consulting solicitors and a QC were not available.
- The Council should spend their money on providing services to the public.
- It was not known if Town or Parish Councils would have a greater workload if a unitary authority were formed and they had the opportunity to respond to the Government consultation, either as a council or an individual.
- There would be less Councillors under either Unitary Authority option.
- The poll would not be political and residents should be allowed their opinion on the proposals.

- SSDC had fully engaged in the process and had fully informed its residents so why have a poll now. It was not a proper use of taxpayers money.
- Councillors had worked together on the various regeneration projects across the district and the cost of the poll was small compared to that investment. The opinion of the public was vital on this proposal.
- Town & Parish Councils would be given the opportunity to take on additional work if they wished but they were under no obligation to do so.
- Councillors should work together to represent the people of Somerset and allow them a vote on the future government for the county.

Councillor Tony Lock proposed that the question be put and this was seconded by Councillor Peter Seib. The Chairman then agreed that the question be put and a named vote was taken. This was agreed by 35 votes in favour and 11 against.

The Leader of Council concluded that the Stronger Somerset proposal was a cross-party proposal and 85% of District Councillors in Somerset, including Conservative, Independent, Labour and Green councillors had voted in favour of it. She proposed the recommendations and they were seconded by Councillor Peter Gubbins. A named vote was taken and the recommendations were confirmed by 35 votes in favour, 11 against and no abstentions.

RESOLVED: That Council 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;

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: 35 in favour, 11 against, 0 abstentions)

275. Date of Next Meeting (Agenda Item 6)

Members noted that the Annual meeting of the Full Council would be held on **Wednesday 5th May** as a virtual meeting via Zoom meeting software, commencing at 6.30pm.

.....
Chairman

.....
Date