

SWT Special Full Council - 29 September 2022

Present: Councillor Hazel Prior-Sankey (Chair)

Councillors Ian Aldridge, Benet Allen, Lee Baker, Marcus Barr, Mark Blaker, Chris Booth, Norman Cavill, Simon Coles, Dixie Darch, Hugh Davies, Tom Deakin, Dave Durdan, Kelly Durdan, Caroline Ellis, Habib Farbahi, Ed Firmin, Steve Griffiths, Roger Habgood, Barrie Hall, John Hassall, Nicole Hawkins, Ross Henley, Marcia Hill, John Hunt, Dawn Johnson, Sue Lees, Libby Lisgo, Mark Lithgow, Janet Lloyd, Dave Mansell, Andy Milne, Simon Nicholls, Derek Perry, Martin Peters, Steven Pugsley, Mike Rigby, Francesca Smith, Federica Smith-Roberts, Vivienne Stock-Williams, Andrew Sully, Nick Thwaites, Anthony Trollope-Bellew, Ray Tully, Terry Venner, Sarah Wakefield, Danny Wedderkopp, Brenda Weston, Keith Wheatley and Loretta Whetlor

Officers: Lesley Dolan, Paul Fitzgerald, Chris Hall, Andrew Pritchard, Clare Rendell, Amy Tregellas, Kevin Williams, Paul McClean, Jo Comer, Tracey Meadows, Sam Murrell and Meg Stokes

(The meeting commenced at 6.15 pm)

52. Apologies

Apologies were received from Councillors S Buller, A Govier, A Hadley, R Lees, C Morgan, C Palmer, A Pritchard and G Wren.

53. Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr I Aldridge	All Items	Williton	Personal	Spoke and Voted
Cllr L Baker	All Items	SCC, Cheddon Fitzpaine & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Barr	All Items	SCC & Wellington	Personal	Spoke and Voted
Cllr C Booth	All Items	Wellington and Taunton Charter Trustee	Personal	Spoke and Voted
Cllr N Cavill	All Items	SCC & West Monkton	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted

Cllr D Darch	All Items	SCC	Personal	Spoke and Voted
Cllr H Davies	All Items	SCC	Personal	Spoke and Voted
Cllr T Deakin	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr C Ellis	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr H Farbahi	All Items	SCC	Personal	Spoke and Voted
Cllr R Henley	All Items	SCC & Wellington	Personal	Spoke and Voted
Cllr Mrs Hill	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr J Hunt	All Items	SCC & Bishop's Hull	Personal	Spoke and Voted
Cllr D Johnson	All Items	SCC	Personal	Spoke and Voted
Cllr M Kravis	All Items	SCC & Minehead	Personal	Spoke and Voted
Cllr S Lees	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Lisgo	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Lithgow	All Items	Wellington	Personal	Spoke and Voted
Cllr J Lloyd	All Items	Wellington & Sampford Arundel	Personal	Spoke and Voted
Cllr D Mansell	All Items	SCC	Personal	Spoke and Voted
Cllr S Nicholls	All Items	Comeytrove	Personal	Spoke and Voted
Cllr D Perry	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Peters	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr H Prior-Sankey	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr S Pugsley	All Items	SCC	Personal	Spoke and Voted
Cllr M Rigby	All Items	SCC & Bishops Lydeard	Personal	Spoke and Voted
Cllr F Smith	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr F Smith-Roberts	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr A Sully	All Items	SCC	Personal	Spoke and Voted
Cllr N Thwaites	All Items	Dulverton	Personal	Spoke and Voted
Cllr A Trollope-Bellew	All Items	Crowcombe	Personal	Spoke and Voted
Cllr R Tully	All Items	West Monkton	Personal	Spoke and Voted
Cllr T Venner	All Items	Minehead	Personal	Spoke and Voted
Cllr S Wakefield	All Items	SCC	Personal	Spoke and Voted

Cllr D Wedderkopp	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr B Weston	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr K Wheatley	All Items	Wellington	Personal	Spoke and Voted
Cllr L Whetlor	All Items	Watchet	Personal	Spoke and Voted

The following Councillors further declared a personal interest on agenda item 9, as members of relevant Parish Councils: Councillors L Baker and N Cavill.

54. **Public Participation - To receive only in relation to the business for which the Extraordinary Meeting has been called any questions, statements or petitions from the public in accordance with Council Procedure Rules 14,15 and 16**

The following members of the public spoke on agenda item 9, Community Governance Review for the Unparished Area of Taunton:-

Brian Larcombe, who raised the following points:-

- Concern was raised on lack of information on what the parish wanted.
- He had only heard information on Taunton Town Council and 'moving forward'.
- Cheddon Fitzpaine had felt that it had been singled out as part of the Review.
- He understood why the Town Council was important with the New Unitary Council on the way.
- Concern was raised on the timing of the Review.
- He believed that the New Unitary Council and Local Community Networks should be set up first and then Taunton Town Council.

Jo Pearson, who raised the following points:-

- She objected the proposed area of Cheddon Fitzpaine and that it would be taken over by the Taunton Town Council.
- She had attended many meetings and also completed the consultation.
- Concern was raised that nobody seemed to be listening to the residents of Cheddon Fitzpaine.
- She believed that the Working Group had twisted the results of the consultation.
- She assumed that the councillors would not have read all the documentation within the agenda pack.
- Concern was raised on the cost of council tax.

Jason Woollacott, who raised the following points:-

- Cheddon Fitzpaine had strongly opposed the proposal.
- He advised that majority of Cheddon Fitzpaine did not want to be absorbed into the Taunton Town Council.
- He believed that Somerset West and Taunton Council did not know the area of the parish very well at all.

- Cheddon Fitzpaine had felt that they needed to seek legal counsel.
- He wanted to protect the parish.

Tessa Dean, who raised the following points:-

- She represented Trull Parish Council.
- Concern was raised that the postcards detailing the consultation had not been distributed properly.
- She believed that there had been no proper consultation with the parishes or public.
- Trull did not want to be included in the Taunton Town Council area.
- Concern was raised that the comments made by Trull Parish Council had not been included within the report.
- Concern was raised on what would happen to the funds received as part of the Community Infrastructure Levy.
- She believed the Review had been a disaster for all surrounding parishes.

Michael Batsch, who raised the following points:-

- He believed that abolition should be the last resort and that the Working Group had ignored that.
- He believed that the Working Group had misinterpreted the legislation.
- Cheddon Fitzpaine had now sadly been led to seek legal counsel.

Brian Heath, who raised the following point:-

- He had been running a community garden in Taunton and wished to carry out a re-launch of the project.

Ian Talbot, who raised the following points:-

- Highlighted that Bishops Hull had not been included in the Review.
- He mentioned that Longrun and Roughmoor had been included, but that technically they were part of Bishops Hull.
- He was confused by the proposals.
- Concern was raised that a boundary review could not be carried out without proper consultation.

Paul Canham, who raised the following points:-

- Concern was raised on the major opposition to the proposed changes for Cheddon Fitzpaine.
- He highlighted that the views of the residents were very important and should be listened to.
- Concern was raised on lack of funding.
- He urged councillors to reject the proposal.

Pat Whitworth, who raised the following points:-

- Cheddon Fitzpaine had always been a lovely caring community.
- Councillors were urged not to support the division of the area.
- She believed in local democracy which had not been followed in this case.
- She was a volunteer in the area and cared about the outcome of the Review.

Giuseppe Frascini, who raised the following points:-

- Highlighted the consultation responses and that the majority of Cheddon Fitzpaine were opposed to the proposals.
- The residents of Cheddon Fitzpaine did not want to be part of Taunton Town Council.
- He urged Full Council to listen to what the residents wanted.

Dave Mitton (SALC), who raised the following points:-

- He supported a Taunton Town Council for the unparished area and had urged the council to take action years ago.
- He did not support the wider project as it impacted on the surrounding parishes as it was an unknown entity.

55. **To receive any communications or announcements from the Chair of the Council**

The Chair of the Council made the following announcements:-

- The Chair of the Council reminded Councillors that nominations for the Civic Awards were now due.
- The Chair also reminded Councillors of the six-monthly attendance rule and that after 1 October 2022, no by-elections would be held.

56. **To receive any communications or announcements from the Leader of the Council**

The Leader of the Council thanked teams for the events that had taken place during the week, which included an Innovation Project and Culture Forum.

57. **To receive only in relation to the business for which the Extraordinary Meeting has been called any questions from Councillors in accordance with Council Procedure Rule 13**

No questions had been received in relation to Procedure Rule 13.

58. **Somerset West and Taunton Council amended Political Allocation**

During the discussion, the following points were raised:-

- The Leader of the Council advised that Councillor D Johnson was to come off of the Licensing Committee.
- The Leader of the Conservative Party advised that Councillor M Barr was to go on the Licensing Committee.

Resolved that Full Council approved the revised:-

- a) Political allocation as attached (Appendix A)
- b) Councillor appointments to Committees (Appendix B)

59. **Audit and Governance Committee Terms of Reference update**

During the discussion, the following point was raised:-

- The Chair of the Audit and Governance Committee advised he was happy to second the report as part of the audit baseline report.

Resolved that Full Council approved the updated Terms of Reference for the Audit and Governance Committee.

60. **Community Governance Review of the unparished area of Taunton and eight neighbouring parishes – report on second stage consultation and final recommendations**

During the discussion, the following points were raised:-

- The Chair of the Working Group introduced the report and gave information that had been included in a presentation to Full Council, which included why certain areas had and had not been included in the Review. He also reassured Full Council that the democratic process had been followed correctly and that he was proud of the result achieved. He finished by thanking all the public speakers for their comments.
- Councillor I Aldridge arrived part way through the debate, so would not be able to take part in the vote.
- Councillor R Habgood proposed a recorded vote. The vote was taken and carried.
- Councillors commended the officers and thanked the members of the Working Group for all their hard work.
- Councillors highlighted that the Community Governance Review (CGR) had been part of the One Somerset Business Case.
- Councillors agreed that Somerset West and Taunton Council (SWT) had not taken the easy route of simply parishing the unparished area.
- Councillors highlighted that the addendum had included some minor changes to the maps.
- Councillors highlighted that the CGR had consulted with the parishes but had not carried out a referendum.
- Most councillors agreed that the CGR had been carried out with due diligence and care.
- Some councillors believed that the area represented the 2022 version of Taunton and should include more than just the unparished areas.
- Councillors N Thwaites, J Lloyd and T Venner left the meeting.
- Councillors were pleased to see progress being made with the project, as Taunton had waited for 15 years for a Town Council to be created and they hoped that it would be a fully functional council that would service the town and surrounding parishes.
- Councillors who had been part of the Working Group agreed that the cross-party composition had worked well together. They also assured Full Council that there had been no assumptions made on the maps and that they had listened to the public consultation responses.
- Some councillors believed that the unparished area should have been parished first, which would have sped up the process. They then suggested a wider review could have taken place at a later date.

- Some concern was raised that the CGR had been carried out as a Community Infrastructure Levy (CIL) 'land grab' and that very little democracy could be identified within the process.
The Deputy Monitoring Officer advised that he was confident that SWT had been compliant in the legal process of the CGR.
- Councillors agreed that the Working Group had been given a difficult task to review as part of the CGR.
- Councillors made comments on the council tax precept and that it related to services that would be provided for the county town. Councillors also hoped that the Town Council would be able to provide services that the New Unitary Council would not.
- Councillors agreed that the CGR had been about creating a great vision for Taunton.
- Councillors queried what would happen if a Judicial Review was to take place.
The Deputy Monitoring Officer gave advice on the process that would be followed.
- Councillors agreed that the work should have been carried out a lot sooner, however, they were happy it was being discussed now, as it was a very important matter for the residents of Taunton.
- Councillors highlighted that communities were important but that they were not set in stone and were based on the people and not on maps.
- Councillors agreed that the CGR should not be a party-political decision.

The recommendations, which are detailed below, were put and **CARRIED** with thirty-two for, six against and eight abstaining:

Resolved that Full Council:-

- 2.1 That the Council confirms that it has considered and taken into account the responses received to the second stage consultation on the community governance review of the unparished area of Taunton and eight neighbouring parishes together with the considerations and recommendations of the Community Governance Review Working Group as set out in this report and appendices as required by the Local Government and Public Involvement in Health Act 2007.
- 2.2 That the Council notes that in the context of local government reorganisation it is the responsibility of Somerset West and Taunton Council to agree the final recommendations of the community governance review and the responsibility of Somerset County Council to make any Reorganisation Order to give effect to those recommendations.
- 2.3 That Somerset West and Taunton Council seek Somerset County Council Executive's agreement in principle to use a phased approach to transfer the assets and services starting with those identified in Appendix I, where reasonable practicable on 1 April 2023.
- 2.4 That the Council adopts the Community Governance Review Working Group's proposals for the final recommendations of the community governance review as follows:
 - A. That a new parish be created to include the currently unparished area of Taunton and that in addition:

- i. Comeytrove Parish Council be dissolved, and the entire area of Comeytrove Parish be included within the boundary of the proposed new Taunton Parish;
- ii. The Killams Green area, currently within Trull Parish Council area, be included within the boundary of the proposed new Taunton Parish;
- iii. The part of the forthcoming development in the south-west corner of Taunton that falls within Trull Parish, including the whole of the development north of Dipford Road, should be included within the boundary of the proposed new Taunton Parish;
- iv. The boundary of Trull Parish to the north-west of Cotlake Hill be altered to follow the green wedge around the Sherford urban area, with the small area to the south of that boundary that is currently within the unparished area of Taunton becoming part of Trull Parish.
- v. The urban area within the Maidenbrook Ward of Cheddon Fitzpaine Parish, including sites earmarked for housing development in the near future, be included within the boundary of the proposed new Taunton Parish.
- vi. The urban parts of Staplegrove Parish, including the entirety of the forthcoming development in the north-west corner of Taunton, be included within the boundary of the proposed new Taunton Parish;
- vii. The slim part of Staplegrove Parish jutting to the west of Silk Mills Lane be included within the boundary of Norton Fitzwarren Parish;
- viii. The remaining area of the existing Staplegrove Parish be included within the boundary of Kingston St. Mary Parish; ix) Staplegrove Parish Council be dissolved.
- ix. A small southern portion of the Kingston St Mary Parish area, representing that part of the proposed Staplegrove East development that falls within the parish, be included within the boundary of the proposed new Taunton Parish.
- x. With the exception of Galmington Trading Estate and a small section south of the A38 near Rumwell, no part of Bishops Hull Parish be included within the boundary of the proposed new Taunton Parish;
- xi. The small triangular residential area at the cross-section with Wellington Road, currently within the unparished area, be included within the boundary of Bishops Hull Parish;
- xii. The boundary between Norton Fitzwarren Parish and Bishops Hull Parish, just north of Mill Cottages, be amended to follow the route of the railway line;
- xiii. The Hankridge Retail Park, Creech Castle and the associated Toneyway Road, currently within West Monkton Parish, be included within the boundary of the proposed new Taunton Parish, which should run along the railway to the M5;
- xiv. With the exception of the above, no part of the existing area of West Monkton Parish be included in the boundary of the proposed new Taunton Parish.
- xv. No part of the existing area of Norton Fitzwarren Parish be included within the boundary of the proposed new Taunton Parish.

- xvi. the boundary between West Monkton and Cheddon Fitzpaine parishes between Maidenbrook and Yallands Hill south of the Country Park be amended to following the A3259 and new relief road westwards to Maidenbrook Lane.
 - B. That the new parish be named 'Taunton Parish' and that a parish/town council be established to serve the new parish with effect from 1 April 2023.
 - C. That the first elections to the proposed new parish/town council for Taunton should be held on the ordinary day of elections (the first Thursday in May) in 2023.
 - D. That the proposed new Taunton Parish be divided into wards for the purposes of electing parish/town councillors.
 - E. That the total number of councillors to be elected to the proposed Taunton Parish/Town Council be 20 and the warding arrangements for the council and the number of councillors to be elected to represent each ward, be as set out at section 9.19 of this report.
 - F. That the electoral arrangements of certain other parish councils in the area under review be amended as set out at section 9.20 of this report.
 - G. That save as set out at A to F above, the existing parishes in the review area and the names, boundaries, council size and other parish governance arrangements in respect of those parishes remain unchanged.
 - H. That the budget requirement for the new Taunton Parish/Town Council for the financial year 2023/24 be set at £2.114m as set out at section 11.7 of this report.
 - I. That temporary parish/town councillors as listed at section 11.20 of this report be appointed to serve as members of the new Taunton Parish/Town Council from 1 April 2023 until the councillors elected on 4 May 2023 take up office.
 - J. That the Local Government Boundary Commission for England be requested to make changes to the boundaries of the relevant Somerset Council electoral divisions as necessary to ensure consistency between those boundaries and the revised Parish and Parish Ward boundaries made in this Community Governance Review.
- 2.5 That accordingly Somerset County Council be recommended to make the Somerset (Somerset West and Taunton) (Reorganisation of Community Governance) Order 2022 as attached in draft form at Appendix 'A' to give effect to the above recommendations.
- 2.6 That a Shadow Taunton Town Council be established with effect from 14 October 2022 and with membership as set out at section 13.6 of this report, to lead and oversee the work to establish on 1 April 2023 the new Taunton Parish/Town Council.
- 2.7 That the Community Governance Review Working Group be wound up once the Reorganisation Order has been made, concluding the review.
- 2.8 That authority be delegated to the SWTC Chief Executive Officer and SWTC Monitoring Officer or Deputy, after consultation with the Leader of Somerset West and Taunton Council and the Chair of the Shadow Taunton Town Council (if any), to take any action necessary to conclude the community governance review in accordance with legislation and statutory guidance and

to secure the implementation of the final recommendations of the review as set out in the Reorganisation Order.

2.9 That Council agrees Somerset County Council's S151 Officer will notify the Department for Levelling Up, Housing and Communities of the request Alternative Notional Amount for Council Tax purposes, reflecting the transfer of costs from current district council budget to the budget of the new parish/town council.

2.10 A plan illustrating the proposed changes to parish and ward boundaries that would result from implementation of the final recommendations above is set out at Appendix 'B' to this report. In addition, full details of the Working Group's considerations, the reasons for each of its recommendations and detailed maps illustrating each proposed change are at Appendix 'C' to this report.

Those voting **FOR** the **MOTION**: Councillors B Allen, M Blaker, C Booth, S Coles, T Deakin, C Ellis, H Farbahi, S Griffiths, B Hall, J Hassall, N Hawkins, R Henley, J Hunt, D Johnson, S Lees, L Lisgo, M Lithgow, D Mansell, S Nicholls, D Perry, M Peters, H Prior-Sankey, M Rigby, F Smith, F Smith-Roberts, A Sully, R Tully, S Wakefield, D Wedderkopp, B Weston, K Wheatley and L Whetlor.

Those voting **AGAINST** the **MOTION**: Councillors M Barr, D Durdan, R Habgood, S Pugsley and V Stock-Williams A Trollope-Bellew.

Those **ABSTAINING** from voting: Councillors L Baker, N Cavill, D Darch, H Davies, K Durdan, E Firmin, M Hill and A Milne.

(The Meeting ended at 8.35 pm)