

Special Meeting of the Taunton Charter Trustees - 20 July 2021

Present: Councillor Sue Lees (Mayor)
Councillors Brenda Weston, Lee Baker, Chris Booth, Simon Coles,
Caroline Ellis and Libby Lisgo

Officers: Marcus Prouse

(The meeting commenced at 6.00 pm)

23. Apologies

The Mayor called for a minutes silence at the commencement of the meeting in memory of the passing of Councillor Alan Wedderkopp.

Apologies were received from Councillors Hill, R Lees, Perry, Prior-Sankey, Smith and Smith-Roberts.

24. 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 L Baker	All Items	Cheddon Fitzpaine & SWT	Personal	Spoke and Voted
Cllr C Booth	All Items	Wellington and SWT	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & SWT	Personal	Spoke and Voted
Cllr C Ellis	All Items	SWT	Personal	Spoke and Voted
Cllr S Lees	All Items	SWT	Personal	Spoke and Voted
Cllr L Lisgo	All Items	SWT	Personal	Spoke and Voted
Cllr B Weston	All Items	SWT	Personal	Spoke and Voted

25. Public Participation

The Clerk read out the following statement on behalf of Mr David Orr;

“Back in 2018, when John Williams proposed a Town Council based only on unparished wards in just half of the town, it was a subpar solution to a Town Council fit for our County Town in historic Somerset. In 2021, with a Unitary Council decision expected within weeks, it is parochial and expedient to carry on

with an outdated half-a-town proposal like this. King Alfred had ambitions in Somerset that led to the formation of England and his cakes were over-baked rather than half-baked! To those who say there isn't enough time to do this properly, I say you have had two years to start earlier.

By direct comparison, David Fothergill for One Somerset says that they can carry out a fully-scoped Town Council project and meet the May 2023 timescale. On the one hand, we have councillors not wanting a new Tiverton and Minehead constituency taking Staplegrove and Norton Fitzwarren wards away from Taunton, while supporting a subpar Town Council project that only covers half the town. Within a few weeks the Secretary of State is expected to announce his preferred unitary solution. I hope that within the Statutory Change Orders, he will decree a proper Town Council for Taunton, after 47 years without one. This half-a-town project will then be obsolete and should be halted in favour of the Shadow Authority running a properly scoped project.

Q1. In the scoping paper for the Working Group it is stated that Taunton parishes adjoining the unparished ward will NOT be part of the remit. Will the Charter Trustees amend the recommendations to allow for early consultation with parishes within Taunton and for those in favour of joining a Town Council to be in-scope?

Q2. So that the work here isn't wasted if a unitary council is announced, will the Charter Trustees consult now with the Boundary Commission for a whole of Taunton boundary review to determine a viable geography and the settlement boundaries?

Q3. What are the estimated annual running costs of a new Town Council? With the costs only falling on the unparished wards, then what is the estimated band D precept for a Town Council?

Q4. If the project remains narrowly scoped to only unparished wards, will the Town Council consultation be undertaken only with households within the unparished wards (as the future precept payers)?

Q5. With a Town Council based on unparished wards only as a pre-determined option, will the consultation choice simply be between having the unparished wards individually parished or the unparished wards being amalgamated into a half-a-town Town Council? Would that pre-determined choice pass the test of being "a meaningful and genuine consultation"?

Q6. Will the Mayor for a half-a-town Town Council attend events for all of Taunton and will grants be issued to support causes and groups that are whole of Taunton in nature? Is it fair that only the residents in unparished wards will bear those costs for whole of Taunton events and causes?"

The Clerk advised that Mr Orr would receive a written response which would be circulated to all Charter Trustees. It is reproduced below;

Q1. In the scoping paper for the Working Group it is stated that Taunton parishes adjoining the unparished ward will NOT be part of the remit. Will the Charter Trustees amend the recommendations to allow for early consultation with parishes within Taunton and for those in favour of joining a Town Council to be in-scope?

It is not for the Charter Trustees for Taunton, as a separate body to SWT Council to amend the recommendations of the Council Working Group or their scoping documentation, although when the final report and Terms of Reference is brought back before the Taunton Charter Trustees for their consideration then the feedback of the Taunton Charter Trustees will be considered and should carry the appropriate weight in Councillors considerations at Full Council. I would refer you to the statement read out at the Charter Trustees on 20th July 2021 which outlined how the Council and by extension the Working Group need to *“review the reasons for the extent of the planned review area and the terms of reference of the community governance review before it places such before full council. The reasoning for the extent of the review, or any variation of such, needs to be set out with clarity and follow the statutory guidance, or if not, set forth reasons for any departure.”*

Q2. So that the work here isn't wasted if a unitary council is announced, will the Charter Trustees consult now with the Boundary Commission for a whole of Taunton boundary review to determine a viable geography and the settlement boundaries?

I have not been instructed by the Charter Trustees for Taunton to consult with the Boundary Commission on their behalf, however I can confirm officers from Somerset West and Taunton Council have been and are in discussions with the Boundary Commission on the review.

Q3. What are the estimated annual running costs of a new Town Council? With the costs only falling on the unparished wards, then what is the estimated band D precept for a Town Council?

This estimation work is currently being undertaken by Officers of SWT Council, and will necessarily be determined on the nature of the activities that any successor body would wish to precept for and its geographical scope.

A balance has to be struck between providing any created body and Somerset West and Taunton Council with stability and allowing any new council autonomy to make its own decisions. The long-term funding and service agreement will be the mechanism to strike this balance. The decision about the precept will be linked to the budget set for the new Council which will, in turn, be driven in significant part by the proposed funding and service agreements to be entered between SWT Council and any new Parish/Town Council.

Q4. If the project remains narrowly scoped to only unparished wards, will the Town Council consultation be undertaken only with households within the unparished wards (as the future precept payers)?

Yes this would be correct if this was the exercise that is ended up as proposed, as from reading the Guidance, which states that;

“Under the 2007 Act principal councils are required to consult both those local government electors in the area under review, and others (including a local authority such as a county council) which appears to the principal council to have an interest in the review.”

Q5. With a Town Council based on unparished wards only as a pre-determined option, will the consultation choice simply be between having the unparished wards individually parished or the unparished wards being amalgamated into a half-a-town Town Council? Would that pre-determined choice pass the test of being “a meaningful and genuine consultation”?

I would refer you to the statement read out at the Charter Trustees on 20th July 2021 which outlined how the Council and by extension the Working Group needed to “review the reasons for the extent of the planned review area and the terms of reference of the community governance review before it places such before full council. The reasoning for the extent of the review, or any variation of such, needs to be set out with clarity and follow the statutory guidance, or if not, set forth reasons for any departure.”

The first stage of the consultation exercise as evidenced in the draft documentation did not set out any potential options so was intended to be as genuine and meaningful as possible in taking on as many views as possible on the future of this area.

Q6. Will the Mayor for a half-a-town Town Council attend events for all of Taunton and will grants be issued to support causes and groups that are whole of Taunton in nature? Is it fair that only the residents in unparished wards will bear those costs for whole of Taunton events and causes?

I would consider it far too early to comment on the scope of a role that is yet to be created, although I can see your line of argument I don't think I can comment on the fairness or otherwise of such a system. It will be for the two councils to negotiate on such matters and to take in consideration when the Community Governance Review is underway as part of the issues around geographical scope.

The District Council would no longer need to raise a Special Expenses precept on the ratepayers of the former unparished area if the area became a Town or Parish Council. It would be for the successor body to determine whether to operate any form of grants scheme out of the precept it levied if possible, however the existing scheme is designed to support those types of things that a town or parish council usually would, so it would presumably do this through the precept rather than through a grants scheme this would be done.

26. **Communications**

The Mayor advised of no communications.

27. **Draft SWT Council Report - Community Governance Review for the**

Unparished Area of Taunton

The Mayor invited the Democracy and Governance Specialist/Clerk to read out the following statement:

Item 5 - Draft SWT Council Report - Community Governance Review for the Unparished Area of Taunton

The draft Council report on the Community Governance Review for the Unparished Area of Taunton originally timetabled to go before SWT Full Council on the 27th July sets out proposals from the Community Governance Review Working Group for a CGR in relation to Taunton. The Council is minded to pause an immediate decision on this report and instead bring a revised report back to Full Council in September. The reasons are set out below and have been discussed and agreed with the Acting Chair of the Working Group; The Council has received legal advice that it is required to formally consult the County Council on the intention to conduct a Review and of their terms of reference. Such formal consultation has yet to take place. Procedurally it would be better to undertake such consultation and take any representations into account before proceeding further. The Report should reflect such steps. In addition, a ministerial decision on local government changes in Somerset is due to be made this week. Such a statement has implications for an intervention by the Boundary Commission and a potential electoral review. The statutory guidance on CGR's makes clear that councils should avoid starting a community governance review, if a wider electoral arrangements review, is being, or is about to be undertaken. It would be sensible to pause and consider the implications of paragraph 28 of the Guidance and whether, in the light of the ministerial statement, a preliminary discussion with the Boundary Commission would be beneficial. There may be no implications but, at least the report would be better to include such matters. Finally, the council needs to review the reasons for the extent of the planned review area and the terms of reference of the community governance review before it places such before full council. The reasoning for the extent of the review, or any variation of such, needs to be set out with clarity and follow the statutory guidance, or if not, set forth reasons for any departure. Mr Marcus Prouse Mr Kevin Williams Somerset West and Taunton Council.

The Mayor advised that statements or questions only in relation to the statement were allowed;

- The Acting Chair of the Working Group had agreed to this action as it had been felt that there was no alternative. It had to be put on record that she was extremely unhappy with how this had been progressed. She agreed with Mr Orr's statement that this Council had completely dragged its feet on this issue and this should have been in train 12-18 months ago. This had been a complete failure by this Council and this administration.

RESOLVED that the Charter Trustees for Taunton adjourned the meeting until the end of August until such time that this item could be re-considered.

(The Meeting ended at 6.16 pm)