

SWT Community Governance Review Working Group

27.05.21

Attendees: Cllr H Prior-Sankey (Chair), Cllr L Lisgo (Vice-Chair), Cllrs J Hunt, F Smith, L Whetlor.

Officers: A. Tregellas, M. Prouse, C. Rendell

1. Election of Chair

Cllr Hazel Prior-Sankey was duly appointed Chair of the Working Group.

2. Appointment of Vice-Chair

Cllr Libby Lisgo was duly appointed Vice-Chair of the Working Group.

3. Apologies

None. Cllrs R Lees, Coles and Cavill absent.

4. Review Terms of Reference

The Governance and Democracy Specialist went through a slide pack giving an overview on the relevant considerations the review would have to consider, information pertaining to Charter Trustee areas and the potential pitfalls if looking to abolish or amend existing Parish boundaries.

The revised timetable document was also shared and discussed.

During the debate the following comments and questions were raised:-

- The flexibility of the timetable was discussed, bearing in mind the consultation was due to take place over part of the Summer Holidays. The question was asked as to whether the period of consultation could be extended to 14 September (for consideration at a later meeting). The Governance Manager confirmed this could be flexed to later on as some capacity had been built into the timetable and certain pieces of work could be done in tandem without having an impact on the new organisation 'going live' from 1st April 2023
- The Council has 12 months from the publication of the Terms of Reference to complete the review and approve the Local Reorganisation Order
- The Parish Councils that surrounded the Unparished Area would have to be approached as part of the Consultation. There were drawbacks and benefits to looking to include further areas in a bigger Town Council, as negotiations could be contentious and have legal ramifications.
- The size and sustainability of a Town or Parish Council was discussed and the budget calculation requirement. It was felt this would come later on once discussions over transfers and responsibilities was in play with the Shadow Council.
- Whether information regarding the population size of the unparished area could be provided

- The Governance Manager made it clear that the Group had to be seen to be taking a broader view of the options available to them.
- Councillors suggested that the Revised Timetable included Somerset County Councillors to the consultee list as well as the Charter Trustees.
- The Governance Manager advised that external resource would be procured to keep the project on track and give specialist advice.
- A separate risks and issues log would be created and reviewed at each meeting.
- A Communication and Consultation Plan would be drawn up and brought back to the next meeting of the Working Group

5. Complete the Working Group Scoping document

The Governance Manager completed the Working Group Scoping Document with the assistance of the group the completed document would be circulated after the meeting.

6. Any other Business

N/A

7. Date of Next Meeting

The date of the next meeting was proposed to be 10th June 2021 at 9.30am, with the frequency of meetings to be determined based on the workload.

The meeting closed at 12.51pm

SWT Community Governance Review Working Group

10.06.21

Attendees: Cllr H Prior-Sankey (Chair), Cllr L Lisgo (Vice-Chair), Cllrs N Cavill, R Lees, J Hunt, F Smith, L Whetlor.

Officers: A. Tregellas, M. Prouse

1. Apologies

No apologies were submitted.

2. Notes from the previous meeting

The notes of the meeting held on 27th May 2021 were approved as a true and accurate record.

3. CGR Terms of Reference

An iterative version of the Terms of Reference was included in the Agenda pack which was shared with Councillors.

During the debate the following comments and questions were raised:-

- Discussion took place on the first stage of the consultation and whether preferred options would be set out at this stage?
- It was considered there were only three viable options and these were a Town Council based on the Unparished Area, multiple parishes, or a Town Council area that was wider than the Unparished Area.
- Officers cautioned that the advice in the guidance on Charter Trustees areas was clear that these should not be divided.
- It was clear that if there would need to be a pre-emptive discussion with the Parish Councils bordering the Unparished Area, especially in the area of Killams which was a part of the Vivary Ward but was a part of Trull Parish.
- It would be unhelpful if this exercise made any Parish Councils feel under threat.
- All other wards in the Unparished Area were complete i.e. did not contain bits of Parishes in them.
- One Councillor expressed a strong view that the boundaries of any new Council should be based on the boundaries of the old town.
- It was considered clear that the Working Group could not however go out to consultation with a pre-formed view and must consider multiple options.
- It was confirmed that the consultation would be with residents of the Unparished Area only, and not surrounding residents of parishes.
- A suggestion was made to involve and invite a representative from Somerset Association of Local Councils to assist in discussions with the Parish Councils.
- As wider amendments to Parish Boundaries would involve work with the Boundary Commission, it was considered that the timescales involved would mean the focus should be on parishing the unparished area.

- Discussion took place on the Local Community Networks proposed under the Unitary plans for One Somerset.
- There was some discussion over whether the existing unparished area was a large enough tax base for a Town Council. Officers confirmed there would be no issues over viability on this matter and the main issues were in reflecting identity and being effective and convenient.
- The population of the Unparished Area was confirmed as being around 48,000 people.
- Swindon was a recent example of a place that had opted for multiple parishes rather than one larger town Council.

The Group approved the Terms of Reference document.

4. Communications and Consultation Plan

The Communications and Consultation Plan had been circulated and was shared on the screen for the benefit of the Group to consider.

During the debate the following comments and questions were raised:-

- It was felt that the roadshows should be fronted by officers.
- Clarity was sought on whether the Members on the Group could actively campaign for a particular option without being seen to be in conflict.
- It was advised that the forthcoming report to Full Council would seek to approve a budget from reserves to fund the communications materials.
- It was suggested the government and the County Council were lobbied for help with funding, even though it was SWT's responsibility to undertake the review.
- It was considered that once the minister had made a decision regarding unitary, the conversations with SCC would be on a different basis.
- The timing of the first consultation over the summer holidays and the possible extension of restrictions was considered and it was felt the longer time period of 10 weeks was preferable.

5. Risks and Issues Log

The Group were advised that this would be circulated to the Group after the meeting.

6. Examples from other Councils

The Governance Specialist signposted Councillors to the various documents attached which had been provided by neighbouring Councils such as Dorset and Torbay. Officers had held meetings with relevant officers to understand and learn from past experience to inform our review.

7. Any other Business

N/A

8. Date of Next Meeting

The date of the next meeting was proposed to be 17th June 2021 at 12 midday, to allow for the Group to discuss the budget proposed for Consultation before the report was published for the Charter Trustees and Council, with a follow-up meeting after the Council meeting in July.

The meeting closed at 11:10am

SWT Community Governance Review Working Group

01.07.21

Attendees: Cllr L Lisgo (Acting Chair), Cllrs J Hunt, S Coles, F Smith, L Whetlor.

Officers: K. Williams, S. Hedger, M. Prouse

1. Appointment of Chair

Councillor Lisgo declined to be nominated as the permanent Chair, but was content to Chair this meeting until a full contingent of the Working Group was present.

2. Apologies

Councillor Cavill and R Lees had sent their apologies.

3. Notes from the previous meeting

The notes of the meeting held on 1st July 2021 were approved as a true and accurate record.

4. Draft Committee Report

The Specialist in Governance and Democracy shared the four resolutions that would be proposed to form part of the report, including a request for budget. The Governance Manager notified members that there would be a dedicated member of staff in finance to support the review.

5. Trull Boundary Issue

The Chair of the Working Group had specifically requested this item as a matter for discussion. The Specialist shared the maps which showcased the issues in relation to Vivary Ward being an incomplete unparished ward i.e. it had a tiny bit (Killams Green) which was part of Trull Parish Council. There was also an element of the forthcoming Killams Park development which would be a part of both areas.

- It was suggested that Trull Parish Council were contacted informally, perhaps through the auspices of SALC to have an initial conversation.
- It was unclear whether this issue could be looked at through this review as it may require a boundary review and be outside of the scope of the Council decision. Officers would seek further clarification and were having an informal chat with a consultant the next day.
- Officers noted there had been concerns discussed around widening the scope of the review to not just the unparished area but the adjoining parishes and potentially the electors within, whereas the Council resolution was felt to be more specific in terms of the CGR being a review of the Unparished Area of Taunton and looking at the future governance arrangements of that unit.

6. Draft revised CGR Terms of Reference

The Specialist in Democracy and Governance introduced the revised Terms of Reference. The document was broadly supported, but it was suggested that a revised set of documents was circulated after the meeting, to allow for comments to be made, taking on board the comments around the Boundary Review aspect and the discussion with the Consultant. It was recognised that the amount of work required in doing a boundary review of the entire area, as opposed to undertaking a review on the governance arrangements for the currently unparished area would be of a greater amount within the timescales.

7. Draft Consultation Text and Questionnaire

The Specialist in Democracy and Governance introduced the proposed CGR Draft Consultation text and questionnaire. It was noted that some of the questions were more general in nature than tailored to the specific aspects related to this review. The Officer confirmed this was partly to ensure all aspects were covered at the first stage and would adjust as necessary and circulate at the end of the week for commentary before final publication.

- Comment was made that the text needed to emphasize that Taunton was the only such unparished area in Somerset and set the scene.
- Clarity was sought on whether there was a need to offer a posted element with the documentation and available on request.
- It would be helpful if the full range of costs of Town Councils from low, average and high could be provided in the document.

8. Equality Impact Assessment

The Specialist in Democracy and Governance introduced the Equality Impact Assessment (EQIA). Comment was made that reference should be made to offering a translation of any materials, considering the wider ethnic make-up of central Taunton.

9. AOB

N/A

10. Date of Next Meeting

This was proposed to be on the 23rd July at 10am. Councillor Cavill gave his apologies in advance due to a prior commitment.

POSTSCRIPT - email sent by Marcus Prouse on 02/07/21

Just a note to say I have had a conversation with the consultant we are in discussions with who has undertaken a review before and he was of the view that it was an entirely appropriate approach to concentrate on the unparished area and not doing that wider boundary review as yet.

SWT Community Governance Review Working Group

23.07.21

Attendees: Cllr L Lisgo (Acting Chair), Cllrs J Hunt, S Coles, F Smith, L Whetlor.

Officers: K. Williams, S. Hedger, M. Prouse

1. Appointment of Chair

Councillor Lisgo declined to be nominated as the permanent Chair, but was content to Chair this meeting until a full contingent of the Working Group was present.

2. Apologies

Councillor Cavill and R Lees had sent their apologies.

3. Notes from the previous meeting

The notes of the meeting held on 1st July 2021 were approved as a true and accurate record.

4. The work of the Working Group so far

The Working Group were commended on their work so far in getting to this point. Mr Williams set out the scene following the statement that was issued in advance of the adjourned Charter Trustee meeting on Tuesday evening.

5. The 2007 Act and the Statutory Guidance

- a. The need to comply with the guidance with reasons for decisions
- b. The capacity to depart from the guidance with reasons for decisions.

Mr Williams set out that the Decision of Council needed to comply with the Guidance. The Group needed to properly investigate all three possible options (do nothing, Unparished area review only or wider Taunton). The Group could depart from the guidance but must offer compelling reasons for doing so. Progress was ongoing on obtaining information for each option.

6. Supplementary current matters

- c. The ministerial statement on Local Government Reform
- d. The consequential issues relating to the Boundary Commission

Discussions were in preliminary stages with the Boundary Commission, Government and Somerset County Council on this matter following the outcome of the Ministerial decision.

7. The grounds upon which The Council has decided to pause the process

Further detail was given on the grounds with which the Council had decided to pause the process. The Acting Chair requested it be noted that she remained concerned around capacity in the Governance team.

8. Ways forward and timescales

Mr Williams suggested a meeting of the Working Group to consider matters further in 2-3 weeks.

The meeting ended at 11.05am

SWT Community Governance Review Working Group

09.09.21

Attendees: Cllr L Lisgo (Acting Chair), Cllrs N Cavill, J Hunt, R Lees, F Smith, L Whetlor.

Officers: K. Williams, J. Williams, S. Hedger, M. Prouse

1. Apologies

No apologies were given. Cllrs Coles and Perry were absent.

2. Notes from the previous meeting

The notes of the meeting held on 23rd July 2021 were approved as a true and accurate record.

3. An update from Kevin Williams (Lawyer and Deputy MO) on discussions with MHCLG, SCC and Boundary Commission

The Deputy MO updated members of the working group on the latest position regarding the option which had been explored of undertaking a Structural Change Order, which had been formally asked of MHCLG as to whether they were minded to propose this for the Charter Trustee area or not. The response we have had is that they do not believe they have the power to do this. It is considered unfeasible to undertake a wider Taunton Review at this stage which would stray too close to the Boundary Commission work expected to be undertaken in 2023/24 with the new Unitary authority. It was not yet known if Parish elections will be moved backward to 2022. It was considered the only feasible option was to seek to undertake a CGR that dealt with this issue. In the timescales, any successor body agreed to be set up for an election by May 2022 would be limited to the current Charter Trustee boundary area and polling district area. The new authority would then be able to engage with the Shadow Unitary in 2022-23 on their neighbourhood devolution plans. On vesting day the services and structure of such a Council would be as simple as possible unless and until negotiations with a new unitary were had to enhance and extend those powers. An amended electoral register would have to be issued in February 2022 hence the need to wrap up matters by the Full Council on 18th January 2021.

During the debate the following comments and questions were raised, with all Councillors canvassed as to their thoughts on how to proceed:-

- A query was raised as to whether the Charter Trustees could be upgraded for an interim period to allow for negotiations?
- It was not felt this possible in current understanding of legislation.
- Comment was made that as the County Town the Unitary model would only work if this anomaly was sorted before any Unitary was in place.
- The Boundary Commission had indicated they had no objections to it being placed in the SCO. It was considered that SCC had been clear that it was now for the District to complete a CGR or if not it would be reviewed by the Unitary at a later point.

- Queries were raised as to whether Town Councils would be in effect the Local Community Networks as vaunted in the new model, but it was commented that it was thought these weren't going to replace Town and Parish Councils but sit alongside.
- It was commented that a Town Council in place for Taunton would make the Unitary plans for the third tier easier.
- The review had to be commenced this October to meet the timescales.
- Comment was made that we were back to a position we had been earlier in the year in terms of looking at a review that covered the Unparished Area only.
- Councillors all indicated support for proceeding, but commented that this would also need to be discussed at Group meetings prior to the Full Council and there were differing views on this topic.
- Comment was made that Taunton had to have a town council and this made the best of a bad situation.
- Comment was made that this would be a work in progress, and any town council would be the absolute beginning of a process, with the expectation of a wider Taunton review to follow once the new unitary was in place.
- It was expressed a wish to know more about the cost and finance implications.

It was agreed that the Community Governance Review Working Group recommended to Full Council that;

- a) The Council proceed with the commencement of a Community Governance Review for the Unparished Area of Taunton, with a proposal to consult on creating a Town Council based on the current Charter Trustee Area by April 2022.
- b) Request a precis of the current situation be sent to all SWT Councillors asap and an all councillor member briefing be scheduled before the 5th October Council.