# Public Agenda Pack



Notice of Meeting of

# **FULL COUNCIL**

# Wednesday, 27 September 2023 at 2.00 pm

# Hollinsworth Hall, Canalside Conference Centre, Marsh Lane, Huntworth, Bridgwater TA6 6LQ

All Somerset Council Members are requested to attend.

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services democraticservicesteam@somerset.gov.uk

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: <a href="mailto:democraticservicesteam@somerset.gov.uk">democraticservicesteam@somerset.gov.uk</a> by **5pm on Thursday, 21 September 2023**.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

The meeting will be webcast and an audio recording made.

Issued by the Proper Officer on Tuesday, 19 September 2023

#### **AGENDA**

### Full Council - 2.00 pm Wednesday, 27 September 2023

**Public Guidance Notes contained in Agenda Annexe** (Pages 7 - 8)

Click here to join the online meeting (Pages 9 - 10)

#### 1 Apologies for Absence

To receive any apologies for absence.

# 2 **Minutes from the Previous Meeting** (Pages 11 - 20)

To approve the minutes from the previous meeting.

### **Declarations of Interest**

To receive and note any declarations of interests in respect of any matters included on the agenda for consideration at this meeting.

(The other registrable interests of Councillors of Somerset Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes: <a href="City">City</a>, Town & Parish Twin Hatters - Somerset Councillors 2023 )

# 4 Public Question Time

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

We are now live webcasting most of our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, please see details under 'click here to join online meeting'.

# **Decision Reports**

5 **Report of the Leader and Executive** (Pages 21 - 46)

To note the year end position of the legacy Councils' General Fund and Housing Revenue Account Capital Programmes.

6 **Report of the Monitoring Officer** (Pages 47 - 54)

This report sets out a proposed appointment of a co-opted member to the Scrutiny Committee for Children and Families (see Paper A) and a Chief Executive Non-Key Decision relating to Member Dispensation (Paper B).

7 **Report of the Chief Executive** (Pages 55 - 58)

To agree emergency cover arrangements for two vacant Service Director roles.

8 Report of the Licensing and Regulatory Committee (Pages 59 - 126)

To approve the Statement of Licensing Policy.

# **Information Reports**

9 Report of the Leader and Executive (Pages 127 - 130)

To note the report.

10 Annual Report of Lead Member for Communities, Housing and Culture (Pages 131 - 156)

To note the report.

11 Annual Report of Lead Member for Public Health, Equalities and Diversity (Pages 157 - 180)

To note the report.

12 **Annual Report of the Corporate Parenting Board** (Pages 181 - 240)

To note the report.

13 Annual Report of the Somerset Armed Forces Covenant Partnership (Pages 241 - 246)

To note the report.

#### **Decision Reports - Exclusion of the Press and Public**

**PLEASE NOTE:** Although some of the documents for the following items are not confidential, supporting appendices available to Members contain exempt information and are therefore marked confidential – not for publication. At any point if Members wish to discuss information within this these documents, then the Council will be asked to agree the following resolution to exclude the press and public:

### **Exclusion of the Press and Public**

To consider passing a resolution having been duly proposed and seconded under Schedule 12A of the Local Government Act 1972 to exclude the press and public from the meeting, on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972:

**Reason**: Information which is likely to reveal the identity of an individual and Information relating to the financial or business affairs of any particular person (including the authority holding that information).

14 Redundancies Arising from Changes in Services (Pages 247 - 262)

To consider the recommendations in the report.

15 **Report of the Special Members Panel** (Pages 263 - 280)

To consider the recommendations in the confidential report.



# **Guidance notes for the meeting**

# **Council Public Meetings**

The legislation that governs Council meetings requires that committee meetings are held face-to-face. The requirement is for members of the committee and key supporting officers (report authors and statutory officers) to attend in person, along with some provision for any public speakers. Provision will be made wherever possible for those who do not need to attend in person including the public and press who wish to view the meeting to be able to do so virtually. Inspection of Papers

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at <a href="mailto:democraticservicesteam@somerset.gov.uk">democraticservicesteam@somerset.gov.uk</a> or telephone 01823 357628.

They can also be accessed via the council's website on <a href="mailto:Committee structure">Committee structure -</a> <a href="Modern Council">Modern Council</a> (somerset.gov.uk)

# **Members' Code of Conduct requirements**

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: Code of Conduct

# **Minutes of the Meeting**

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

#### **Public Question Time**

If you wish to speak or ask a question about any matter on the Committee's agenda please contact Democratic Services by 5pm providing 3 clear working days before the meeting. (for example, for a meeting being held on a Wednesday, the deadline will be 5pm on the Thursday prior to the meeting) Email <a href="mailto:democraticservicesteam@somerset.gov.uk">democraticservicesteam@somerset.gov.uk</a> or telephone 01823 357628.

Members of public wishing to speak or ask a question will need to attend in person or if unable can submit their question or statement in writing for an officer to read out, or alternatively can attend the meeting online.

A 20-minute time slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. Each speaker will have 3 minutes to address the committee.

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish. If an item on the agenda is contentious, with many people wishing to attend the meeting, a representative should be nominated to present the views of a group.

# **Meeting Etiquette for participants**

Only speak when invited to do so by the Chair.

Mute your microphone when you are not talking.

Switch off video if you are not speaking.

Speak clearly (if you are not using video then please state your name)

If you're referring to a specific page, mention the page number.

There is a facility in Microsoft Teams under the ellipsis button called turn on live captions which provides subtitles on the screen.

#### **Exclusion of Press & Public**

If when considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask participants to leave the meeting when any exempt or confidential information is about to be discussed.

### **Recording of meetings**

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting.

# Agenda Annex

# Microsoft Teams meeting

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Phone Conference ID: 375 462 90#



# Agenda Item 2



Minutes of a Meeting of the Full Council held in the Hollinsworth Hall, Canalside Conference Centre, Marsh Lane, Huntworth, Bridgwater, TA6 6LQ, on Wednesday, 26 July 2023 at 2.00 pm

#### **Present:**

Cllr Mike Best (Chair)

Cllr Lee Baker (Vice-Chair)

Cllr Steve Ashton Cllr Suria Aujla Cllr John Bailey Cllr Jason Baker Cllr Marcus Barr Cllr Brian Bolt Cllr Alan Bradford **Cllr Hilary Bruce** Cllr Theo Butt Philip Cllr Simon Carswell Cllr Mike Caswell Cllr Norman Cavill Cllr Mandy Chilcott Cllr Nicola Clark Cllr Barry Clarke Cllr Peter Clayton

Cllr Simon Coles Cllr John Cook-Woodman

Cllr Nick Cottle Cllr Adam Dance Cllr Dixie Darch Cllr Hugh Davies Cllr Tom Deakin Cllr Martin Dimery Cllr Caroline Ellis Cllr Habib Farbahi Cllr Ben Ferguson Cllr Bob Filmer Cllr Andrew Govier Cllr David Fothergill **Cllr Tony Grimes** Cllr Philip Ham Cllr Susannah Hart Cllr Mark Healey Cllr Alistair Hendry Cllr Ross Henley Cllr Edric Hobbs Cllr Henry Hobhouse Cllr John Hunt Cllr Dawn Johnson

Cllr Helen Kay

Cllr Val Keitch

Cllr Jenny Kenton

Cllr Tim Kerley

Cllr Liz Leyshon

Cllr Tony Lock

Cllr Martin Lovell

Cllr Dave Mansell

Cllr Matthew Martin

Cllr Tessa Munt

Cllr Mike Murphy Cllr Frances Nicholson

Cllr Graham Oakes Cllr Sue Osborne
Cllr Connor Payne Cllr Oliver Patrick

Cllr Derek Perry Cllr Tom Power
Cllr Hazel Prior-Sankey Cllr Steven Pugsley

Cllr Faye Purbrick Cllr Wes Read
Cllr Leigh Redman Cllr Bill Revans
Cllr Mike Rigby Cllr Tony Robbins

Cllr Diogo Rodrigues Cllr Jo Roundell Greene

Cllr Dean Ruddle

Cllr Peter Seib

Cllr Heather Shearer

Cllr Gill Slocombe

Cllr Fran Smith

Cllr Mike Stanton

Cllr Claire Sully

Cllr Andy Sully

Cllr Lucy Trimnell

Cllr Martin Wale

Cllr Richard Wilkins

Cllr David Woan

Cllr Rosemary Woods

Cllr Ros Wyke

#### Other Members present remotely:

Cllr Dawn Denton Cllr Andy Dingwall

Cllr Lance Duddridge Cllr Christine Lawrence
Cllr Evie Potts-Jones Cllr Brian Smedley

Cllr Gwil Wren

### **16** Apologies for Absence - Agenda Item 1

Apologies were received from Councillors Adam Boyden, Dawn Denton, Andy Dingwall, Michael Dunk, Sarah Dyke, Andy Hadley, Pauline Ham, Bente Height, Mike Hewitson, Andy Kendall, Marcus Kravis, Christine Lawrence, Kathy Pearce, Emily Pearlstone, Evie Potts-Jones, Brian Smedley, Federica Smith-Roberts, Sarah Wakefield, Alex Wiltshire and Gwil Wren.

The Leader congratulated Councillor Sarah Dyke on her appointment as the local MP for Somerton and Frome. He further thanked all the staff who worked and contributed to the smooth running of the by-election.

# 17 Minutes from the Previous Meeting - Agenda Item 2

The Council **RESOLVED** that the minutes of Annual Council Meeting held on 24 May 2023 be confirmed as a correct record.

#### **18 Declarations of Interest** - Agenda Item 3

Councillors present at the meeting declared the following personal interests in their capacity as a Councillor of a Town or Parish Council or any other Local

# Authority:-

UNITARY COUNCILLOR	TOWN AND/OR PARISH COUNCIL
Steve Ashton	Crewkerne Town Council / Hinton St George Parish Council
Suria Aujla	Bridgwater Town Council
Jason Baker	Chard Town Council
Lee Baker	Cheddon Fitzpaine Parish Council
Marcus Barr	Wellington Town Council
Mike Best	Crewkerne Town Council
Alan Bradford	North Petherton Town Council
Theo Butt Philip	Wells City Council
Simon Carswell	Street Parish Council
Norman Cavill	West Monkton Parish Council
Peter Clayton	Burnham Highbridge Town Council
Nick Cottle	Glastonbury Town Council / St Edmunds Parish Council
Adam Dance	South Petherton Parish Council
Tom Deakin	Taunton Town Council
Caroline Ellis	Taunton Town Council
Ben Ferguson	Axbridge Town Council
Bob Filmer	Brent Knoll Parish Council
Philip Ham	Coleford Parish Council
Ross Henley	Wellington Town Council
Edric Hobbs	Shepton Mallet Town Council
John Hunt	Bishop's Hull Parish Council
Val Keitch	Ilminster Town Council
Jenny Kenton	Chard Town Council
Tim Kerley	Somerton Town Council
Tony Lock	Yeovil Town Council
Martin Lovell	Shepton Mallet Town Council
Mike Murphy	Burnham Highbridge Town Council
Graham Oakes	Yeovil Town Council / Yeovil Without Parish Council
Sue Osborne	Ilminster Town Council
Wes Read	Yeovil Town Council
Leigh Redman	Bridgwater Town Council
Mike Rigby	Bishop's Lydeard and Cothelstone Parish Council
Tony Robbins	Wells City Council
Dean Ruddle	Somerton Town Council
Peter Seib	Brympton Parish Council / Chilthorne Domer Parish Council
Heather Shearer	Street Parish Council
Gill Slocombe	Bridgwater Town Council

Jeny Snell	Yeovil Town Council / Brympton Parish Council
Richard Wilkins	Curry Rivel Parish Council
Dave Woan	Yeovil Town Council
Ros Wyke	Westbury-sub-Mendip Parish Council

# 19 Public Question Time - Agenda Item 4

Public Questions were received from:-

- David Redgewell Bus/Rail Network and Ticket Office Closures
- Chris Barker Chinnock Hollow Risk Assessments
- Eva Bryczkowski Helping St Andrews Patients
- Nigel Behan Addressing Carbon Emissions and Climate Change

The questions and responses provided are attached to the minutes in Appendix A.

# 20 Chair's Announcements - Agenda Item 5

The Chair of the Council, Councillor Mike Best, referred to the events detailed on the Chair's Information Sheet, circulated and published with the agenda.

The Chair also highlighted that the February meeting of Full Council would be moved to a start time of 10am to allow for proper debate of the budget.

# 21 Report of the Executive - Street Naming and Numbering Policy - Decision - Agenda Item 6

The Leader of the Council, Councillor Bill Revans, introduced the report which set out the recommendations to Council which arose from the consideration of the report at the Executive meeting held on 10 May 2023.

The purpose of the report was the adoption of the new Street Naming and Numbering Policy for Somerset Council.

The Council discussed the report and the following points were raised:-

- Councillors were pleased that the Policy stated that agreement was required from both the Council and Royal Mail.
- Councillors requested that Parish Councils were consulted at the start of the process rather than at the end, as stated in the Policy.

Councillor Bill Revans proposed the recommendations which were seconded by Councillor John Hunt.

Having been duly proposed and seconded the Council **RESOLVED** to adopt the legislation Sections 17-19 (inclusive) Public Health Act 1925 (Option A in the Executive report of 10 May 2023) and the proposed Street Naming and Numbering Policy (Paper A, Appendix A) to enable and support the operation of the Street Naming and Numbering Service.

# 22 Report of the Leader of the Council - Somerset Board Arrangements - Decision - Agenda Item 7

The Leader of the Council, Councillor Bill Revans, introduced the report which detailed the proposal for two additional Board Members and the delegated authority to the Leader of the Council to make decisions on Board Membership.

The Council discussed the report and the following points were raised:-

- The Leader of the Conservative Group, Councillor David Fothergill, supported the report, however, he raised concern on the delegated authority to the Leader of the Council for appointments to the Board. He further advised that the Conservative Group would be abstaining from the vote.
- In response, the Leader of the Council advised that he would follow the proper protocol for delegation and that he would always consult with the Opposition Groups.

Councillor Bill Revans proposed the recommendations which were seconded by Councillor Adam Dance.

Having been duly proposed and seconded the Council **RESOLVED** to:-

- 1) Include a Further Education representative and the Director of Strategy for the Integrated Care Board as a member of the Somerset Board
- Delegate authority to the Leader of the Somerset Council to make decisions on Board membership without the need to wait for a meeting of the Full Council.

### 23 Report of the Standards Committee - Decision - Agenda Item 8

The Chair of the Standards Committee, Councillor John Bailey, introduced the report which set out the recommendations to Council which arose from the consideration of the report at the Standards Committee meeting held on 28 June 2023.

The purpose of the report was the adoption of the Code of Conduct Complaint Procedure (which included the investigation and hearing procedures) and the Media Protocol for Somerset Council.

The Council discussed the report and the following points were raised:-

- Councillors supported the recommendations.
- Councillors from the Standards Committee advised Council on the work that had been undertaken on the Code of Conduct and associated protocols and guidance.

Councillor John Bailey proposed the recommendations which were seconded by Councillor Frances Nicholson.

Having been duly proposed and seconded the Council **RESOLVED** to adopt the following:-

- a) Investigations and Hearing Procedure
- b) Somerset Council Guidance on making a Code of Conduct Complaint (including process flow chart)
- c) Somerset Council Code of Conduct Complaints Media Protocol

# 24 Report of the Monitoring Officer - Minutes from two of the legacy District Councils - Decision - Agenda Item 9

The Monitoring Officer, David Clark, introduced the report which sought the approval to the accuracy of several minutes of the former legacy district councils.

The Council discussed the report and the following points were raised:-

- Councillor Bob Filmer proposed an amendment to the wording for the
  Development Committee that took place on 7 February 2023, under item
  'Other Planning Applications' and application 07/22/00025 registered
  07/11/2022: 'It was also requested to be noted that the scale of development
  was a factor in the decision of the committee and any expansion of the site
  would not be acceptable due to the impact on the amenity of the surrounding
  area.' The proposed amended wording was agreed by the proposer and
  seconder.
- The members of the Conservative Group who were not present at the meetings would not be taking part in the vote.

Councillor Gill Slocombe proposed the recommendations which were seconded by Councillor Alan Bradford.

Having been duly proposed and seconded the Council RESOLVED the following:-

 a) Approval to the accuracy of the minutes of the former committee meetings of two legacy councils as set out in Appendix 1 – 9 (Sedgemoor District Council Development Committee – 13 December 2022, 10 January 2023, 7 February

- 2023, 7 March 2023, 28 March 2023; Executive meeting on 30 November 2022 and Full Council on 29 March 2023 and Somerset West and Taunton Council Planning Committee on 8 December 2022).
- b) Agreed the case for exempt information for the minutes of the former Sedgemoor District Council Executive meeting on 30 November 2022 (Appendix 1) and the Sedgemoor District Council meeting on 29 March 2023 (Appendix 2) to be treated in confidence, as the case for the public interest in maintaining the exemption outweighed the public interest in disclosing that information.
- c) Agreed to exclude the press and public from the meeting where there was any discussion at the meeting regarding the minutes of the former Sedgemoor District Council Executive meeting on 30 November 2022 and the former Sedgemoor District Council Full Council meeting on 29 March 2023 (to be treated as exempt information).
- 25 Executive Report for information and Executive Lead Member Reports -Annual Report of the Deputy Leader and Lead Member for Resources and Performance and Annual Report of the Lead Member for Children and Families
  - Agenda Item 10

The Leader of the Council, Councillor Bill Revans, introduced the report which included a summary of the key decisions taken by the Leader and the Executive.

The Council discussed the report and the following points were addressed to Lead Members:-

- A request for an update regarding the judicial review with Cheddon Fitzpaine Parish Council
- Accessibility of documents on the Council's website
- Variances in support given to City, Town and Parish Councils
- Tree planting
- Changes to bus services
- Closure of the Bridgwater Bus Depot (clarification that it was the depot and not the station)
- Continuation of the 'Park and Ride' service
- Ticket office closures and an update on the consultation process and responses
- Expansion of funding for bus services outside of the Taunton area
- Local Community Network decision making powers on car parking
- Update on Taunton Bus Station
- Update on the EDF bus service
- Grass cutting frequency
- Use of the Council logo at events held across the county

Councillor Bill Revans proposed the recommendations which were seconded by Councillor Liz Leyshon.

Having been duly proposed and seconded the Council **RESOLVED** to note the reports.

The Deputy Leader of the Council, Councillor Liz Leyshon, introduced her annual report.

The Council discussed the report and the following points were raised:-

- Councillors thanked officers for all their hard work in the creation of the New Council.
- Concern was raised that the report did not cover any information on the new year or any in-year recording.
- Background information was given on the installation of the new finance system and the impact that had had on the service.
- Councillors requested the Section 151 Officer view on the current financial situation.
- Councillors highlighted the funding deficit caused by Central Government.

The Lead Member for Children, Families and Education, Councillor Tessa Munt, introduced her annual report.

The Council discussed the report and the following points were raised:-

- Councillors were pleased to see the report included in the agenda.
- Councillors agreed that there was much to celebrate.
- Councillors agreed it was an important subject, as they all had responsibility as a corporate parent.
- Councillors highlighted the recent achievement award ceremony that had been held and praised the staff for all their hard work, including those from the Shaw Trust.
- Councillors were urged to read the engagement report.
- Councillors requested that more detail on the budget and priorities be included within the next report.
- Councillors received an update on schools and building projects.
- Concern was raised on the key stage level two results and that they were lower than the national average.

# 26 Annual Report of the Audit Committee - Information - Agenda Item 11

The Vice Chair of the Audit Committee, Councillor Andy Sully, introduced the annual

report of the Committee.

The Council noted the report.

# **27 Annual Report of the Health and Wellbeing Board - Information** - Agenda Item 12

The Lead Member for Public Health, Equality and Diversity, Councillor Adam Dance, introduced the annual report of the Board.

The Council discussed the report and the following points were raised:-

- Councillors agreed that it was a good report which detailed what had been a challenging year with lots achieved within the service.
- Councillors advised that they had learnt a lot on the service since being appointed.
- Councillors were aware that Somerset had an aging population and that action was needed to support the work within the service.

The Council noted the report.

# **28** Annual Report of the Scrutiny Committee - Adults and Health - Information - Agenda Item 13

The Chair of the Scrutiny Committee for Adults and Health, Councillor Gill Slocombe, introduced the annual report of the Committee.

The Council discussed the report and the following point was raised:-

• Councillors thanked the Committee and officers for all their hard work over the past year.

The Council noted the report.

# 29 Annual Report of the Scrutiny Committee - Children and Families - Information - Agenda Item 14

The Chair of the Scrutiny Committee for Children and Families, Councillor Leigh Redman, introduced the annual report of the Committee.

The Council discussed the report and the following point was raised:-

• Councillors thanked the Chair and the Committee for all their hard work over the past year.

The Council noted the report.	
(The meeting ended at Time Not s	Specified)
	••••••
	CHAIR

# Agenda Item 5

Somerset Council

Somerset

Full Council - 27 September 2023

# Report of the Leader and Executive - Items for Decision

Executive Member: Councillor Bill Revans – Leader of the Council and Lead Member for

Governance and Communications
Division and Local Member: All

Lead Officers: Duncan Sharkey - Chief Executive and Alyn Jones - Executive Director for

Strategy, Workforce and Localities

Author: Scott Wooldridge - Head of Governance and Democratic Services and Deputy

Monitoring Officer and Mike Bryant – Service Manager - Democratic Services Contact Details: democraticservicesteam@somerset.gov.uk / 01823 357628

# 1. Summary

This report sets out the Leader's and Executive's recommendations to Council arising from their consideration of reports at the Executive Meeting on 6 September (the Executive also met on 2 August 2023, but no decisions requiring Full Council approval was considered at this meeting).

Note: The references in this report to Paper A relate to the relevant report considered by the Executive containing specific recommendations for Full Council to consider and are appended to this report for reference.

1.2 Paper A (Somerset Council - Consolidated 2022/23 Outturn Report) was considered at the Executive meeting on 6 September 2023. The Executive endorsed Paper A and agreed for this to be reported to Full Council to consider and approve.

The report highlights that all of the five former Somerset authorities Statements of Accounts have been published and sets out the overall impact of the outturn position for each legacy Council in Somerset. This includes the opening position of reserves, capital receipts and slippage on the capital programme which requires a revised capital programme to be approved for 2023/24.

The report include details of the overall outturn position for 2022/23 across all 5 councils is £18.7m and notes that there are General Fund Reserves of £26.8m and Earmarked Reserves of £104.9m after allowing for the transfer of Earmarked Reserves to General Fund Reserves and the planned use of reserves in the agreed 2023/24 budget plus other commitments that will require financing.

The report specifically sets out that the revised general fund capital programme and the revised HRA capital programme require Full Council approval (to incorporate the slippage from the legacy authorities of £99.5m and £90.4m respectively).

# 2. Recommendations

**2.1 Somerset Council – Consolidated 2022/23 Outturn Report** – see Paper A and its appendices that the Executive considered and endorsed at its meeting in September 2023.

The Council is recommended to:

- Note the year end position of the legacy Councils' General Fund Capital Programmes and approve the carry forward requests of £99.5m and revised Capital Programme attached at Appendix 7.
- Note the year end position of the legacy Councils' HRA Capital Programmes and approve the carry forward requests of £90.4m and revised Capital Programme attached at Appendix 7a.

# 3. Options considered and consultation undertaken

**3.1** Options considered and details of consultation undertaken in respect of the recommendations set out above are set out in the reports and appendices within Paper A.

# 4. Implications

**4.1** Financial, legal, Human Resources, equalities, human rights and risk implications in respect of the recommendations set out in this report are detailed within Paper A.

It is essential that consideration is given to the legal obligations and in particular to the need to exercise the equality duty under the Equality Act 2010 to have due regard to the impacts based on sufficient evidence appropriately analysed.

The duties placed on public bodies do not prevent difficult decisions being made such as, reorganisations and service reductions, nor does it stop decisions which may affect one group more than another. What the duties do is require consideration of all of the information, including the potential impacts and mitigations, to ensure a fully informed decision is made.

# 5. Background Papers

**5.1** These are set out within Papers A and its appendices.



# **Decision Report - Executive**



Decision Date – September 2023 Forward Plan Ref - FP/23/05/07 Key Decision – Yes

# Somerset Council - Consolidated 2022/23 Outturn Report

Executive Member(s): Cllr Liz Leyshon Deputy Leader of the Council and Lead

Member on Resources and Performance

Local Member(s) and Division: All

Lead Officer: Jason Vaughan, Executive Director - Resources & Corporate Services

Author: Donna Parham, Head of Corporate Finance Contact Details: <a href="mailto:donna.parham@somerset.gov.uk">donna.parham@somerset.gov.uk</a>

#### **Executive Summary**

1. All of the five authorities Statement of Accounts have now been published. This report outlines the overall impact of the outturn position for each legacy Council in Somerset. It outlines the opening position of reserves, capital receipts, and slippage on the capital programme which requires a revised capital programme to be approved for 2023/24. The position of each Somerset Authority is outlined in the appendices attached as follows:

Appendix 1 – Somerset County Council Outturn Report 2022/23

Appendix 1a – Outturn Reserves Position for Somerset County Council 2022/23

Appendix 1b - Capital Programme Outturn for Somerset County Council 2022/23

Appendix 2 - Mendip District Council Outturn Report 2022/23

Appendix 2a – Outturn Reserves Position for Mendip District Council 2022/23 Appendix 2b – Capital Programme Outturn for Mendip District Council 2022/23

Appendix 3 - Sedgemoor District Council Outturn Report 2022/23

Appendix 3a - HRA Outturn Report 2022/23

Appendix 3b - Outturn Reserves Position for Sedgemoor District Council 2022/23

Appendix 3c - Capital Programme Outturn for Sedgemoor District Council 2022/23

Appendix 4 – Somerset West and Taunton District Council Outturn Report 2022/23

Appendix 4a - HRA Outturn Report 2022/23

Appendix 4b - Outturn Reserves Position for Somerset West and Taunton 2022/23

Appendix 4c – Capital Programme Outturn for Somerset West and Taunton 2022/23

Appendix 5 – South Somerset District Council Outturn Report 2022/23

Appendix 5a – Outturn Reserves Position for South Somerset District Council 2022/23

Appendix 5b - Capital Programme Outturn for South Somerset District Council 2022/23

Appendix 6 - Consolidated Reserve Position Somerset Council for April 2023/24

Appendix 7 - Consolidated Capital Programme for Somerset Council April 2023/24

Appendix 7a – Consolidated Capital Programme for Somerset Council HRA 2023/24

2. Then overall outturn for 2022/23 across all 5 councils is an overspend of £18.7m and means that there is General Fund Reserves of £26.8m and Earmarked Reserves of £104.9m after allowing for the transfer from Earmarked Reserves to General Fund Reserves and the planned use of reserves agreed in the 2023/24 budget plus other commitments that will require financing. A revised general fund capital programme and a revised HRA capital programme will require full Council approval to incorporate the slippage from legacy authorities £99.5m and £90.4m respectively.

#### Recommendations

- 3. That the Executive:
  - **a.** Note the final overall overspend for Somerset of £18.7m funded from reserves (**section 5**).
  - b. Agree the requested carry forwards of £0.5m (section 6 Table 2)
  - **c.** Note the opening position of £26.8m General Fund Reserves as at the 1st April 2023 (**Table 3**).

- **d.** Approve that £23m of Earmarked reserves are transferred in General Fund Reserves to ensure they are maintained at the appropriate level and to receive a report detailing the amalgamated earmarked reserves position at the October Executive meeting.
- **e.** Note the opening position of £156.8m of Somerset Council earmarked reserves as set out in **Table 4** and the current commitments against those reserves
- **f.** Agree the additions and amendments to the Capital Programme in the last quarter (section 8).
- g. Note the completed capital projects (section 8 Table 7)
- h. Note the position on capital receipts and commitments (section 8 Table 8)
- i. Note the outturn positions of Sedgemoor District Councils Housing Revenue Account (an underspend of £0.446m) at **Appendix 3a** and Somerset West and Taunton **Appendix 4a** (an overspend of £0.227m).
- **j.** Approve the capital carry forwards of £4.6m relating to Sedgemoor District Councils HRA.
- **k.** Approve the reduction of £8.8m for capital schemes no longer required within the previous Somerset West and Taunton HRA

#### That the Executive recommends to Council

- L. To note the year end position of the legacy Councils' General Fund Capital Programmes and approve the carry forward requests of £99.5m and revised Capital Programme attached at **Appendix 7**.
- **m.** To note the year end position of the legacy Councils' HRA Capital Programmes and approve the carry forward requests of £90.4m and revised Capital Programme attached at **Appendix 7a**.

# **Reason for Recommendations**

4. To finalise the Council's financial position for the year ended 31st March 2023 and ensure that the level of General Reserves is maintained at the appropriate level.

#### Links to Council Plan and Medium-Term Financial Plan

5. The 2022/23 outturn reports show the overall financial performance across the 5 councils and the starting point for Somerset Council.

# Financial and Risk Implications

6. The financial implications area set out in the report. The risk-based assessment of General Reserves approved in setting the 2023/24 budget was that they should be maintained between £30m to £50m and given the risks and unknowns, it was recommended that they be maintained at the higher end of range.

# **Legal Implications**

There are no legal implications to this recommendation being accepted.

# **HR Implications**

8. There are no direct HR implications resulting from this report.

# Other Implications:

# **Equalities Implications**

9. There are no implications.

# **Community Safety Implications**

10. There are no implications.

# **Climate Change and Sustainability Implications**

11. There are no implications.

### **Health and Safety Implications**

12. There are no implications.

# **Health and Wellbeing Implications**

13. There are no implications.

#### **Social Value Implications**

14. There are no implications.

#### **Scrutiny comments / recommendations:**

15. This report will be considered by the Corporate & Resources Scrutiny Committee at its meeting on 7 September. The outturn position for each council forms part of the Statement of Accounts for 2022/23 which the Audit Committee will receive alongside the external auditor's report on them.

# **Background**

16. Somerset Council approved its' first budget and capital programme for 2023/24 in February 2023. The five legacy Councils final budget year was 2022/23. This report pulls together that final position of the five legacy councils (each outturn position is included in the appendices to this report. The final position of those Councils' impacts on the reserves, capital receipts, and capital programme for Somerset Council.

# **General Fund Revenue Budget - Final Outturn Position**

17. **Table 1** shows the final 2022/23 outturn position against the current budget for all Somerset authorities.

Table 1 - Final Outturn Position of all Somerset Councils

	2022/23		Under/
	Budget	Outturn	(Overspend)
	£'m	£'m	£'m
Somerset County Council	383.7	407.1	(23.4)
Mendip District Council	19.1	18.3	8.0
Sedgemoor District Council	9.0	6.6	2.4
Somerset West and Taunton			
Council	17.0	16.2	8.0
South Somerset District Council	19.8	19.1	0.7
Somerset Outturn Position	448.6	467.3	(18.7)

18. Of the overall deficit of £18.7m, £21.1m has been financed through General Fund Reserves, whilst £2.4m of the underspend has meant that less earmarked reserves were utilised for one authority.

### **Carry Forward Requests**

19. The final outturn position of £467.4m includes carry forwards (£0.5m). If the carry forwards are not approved the overspend would reduce to £18.3m. The requests are as follows:

**Table 2 Carry forward Requests** 

Directorate/ Director	Service	Value Requested £m	Summary
Children's Services/ Claire Winter	Early Help	0.388	Funding for the Data Accelerator Programme was allocated to Somerset during 2022/23. The programme is a collaboration between five local authorities and the Police, with the funds held by Somerset as the lead partner. This grant will be used to support greater partnership information sharing, improving data maturity and the use of analytical products.
	Commissioning	0.065	Funding was received from Government to support homelessness in Children and Young People aged 16+. This will be spent during 2023/24 to fund an intensive support worker and drug & alcohol worker in the Pathways to Independence Youth Homelessness service.
	Commissioning	0.026	Funding received from the Department for Education which will be used to upscale a study relating to foster carers.
<b>Total Requested Ca</b>	rry Forwards	0.479	

### **General Fund Reserves**

20. General Fund Reserves are not for a specific purpose and are retained to meet the financial risks and unforeseen events that the Council may face. The table below shows the inherited General Fund Reserve position as at the 31st of March 2023 for each authority. The overall total of £26.8m is the opening reserves position for Somerset Council.

**Table 3: General Fund Reserves Position 2022/23** 

	Opening Reserve Position 1st April 2022 £'m	Transfers During the Year £'m	Closing Position 31st March 2023 £'m
Somerset County Council	(27.1)	23.4	(3.7)
Mendip District Council	(2.4)	(0.9)	(3.3)
Sedgemoor District Council	(1.5)	0.0	(1.5)
Somerset West & Taunton Council	(7.6)	(3.9)	(11.5)
South Somerset District Council	(6.6)	(0.2)	(6.8)
Somerset Council Total	(45.2)	18.4	(26.8)

- 21. The Financial Strategy approved in July identified 17 key areas of activity, one of which was to review the reserves from across the five councils, amalgamate them and ensure sufficient General Fund Reserves are set aside. The risk-based assessment of reserves approved by council in February, identified that General Fund Reserves should be in the range £30m to £50m. Therefore, there needs to be transfers from earmarked reserves to bring the General Fund Reserves up to the appropriate level and given the current in year position and level of financial risks it is recommended that £23m is transferred, which to bring them up £49.8m. The second part of review of reserves will be undertaken shortly and will review and amalgamate the Earmarked Reserves and a result in a report to the October Executive on the proposals.
- 22. It must be noted that if the current estimated overspend in 2023/24 is not mitigated this would bring General Fund Reserves back down to £21.2m (based on forecast outturn at month 3), well under the £30m-£50m required.
- 23. Each Somerset Council also held Earmarked Reserves for both specific purposes and to mitigate against future know or predicted liabilities and resilience. The overall level of reserves is shown below:

Table 4 - Earmarked Reserves

	Opening Reserve Position 1st April 2022 £'m	Transfers During the Year £'m	Closing Position 31st March 2023 £'m
Somerset County Council	(93.4)	10.9	(82.5)
Mendip District Council	(15.2)	6.5	(8.7)
Sedgemoor District Council	(27.0)	2.8	(24.2)
Somerset West & Taunton Council	(27.9)	12.2	(15.7)
South Somerset District Council	(31.6)	5.9	(25.7)
Somerset Council Total	(195.1)	38.3	(156.8)

Reserves Held for Other Bodies	(86.3)	(44.9)	(131.2)
Total Earmarked Reserves	(281.4)	(6.6)	(288.0)

24. It has to be noted that the earmarked reserves will need to be reprovisioned as the following commitments and requirements need to be met:

Table 5 - Requirements and Commitments from Earmarked Reserves

	£'m
B/f position of Earmarked Reserves	(156.8)
(Somerset Council)	
Recommended Transfer into Revenue	23.0
Reserves	
Reserve use agreed in the February	19.9
2023/24 budget	
Tba possible commitment to finance	7.0
Adult Services Transformation Project	
Reserve use expected for 2024/25 in	2.0
the MTFP	
Remaining Earmarked Reserves	(104.9)

25. The reserves position of each of the legacy authorities is attached in the appendices and the overall summary is included in Appendix 6.

# **Capital Outturn Position**

26. The Capital Programme for Somerset Council was approved in February 2023 and was based on the estimated year end position of each Council as at Quarter 2. This meant that all 2023/24 and beyond was consolidated into the new programme along with newly approved bids. It assumed that the remaining 2022/23 programmes would be fully spent by the year-end, but we would consolidate the programme within the 2023/24 year with slippage from the five legacy Councils. The summary table below shows the slippage and the approved programme. Executive Members are requested to recommend the revised Capital Programme attached at Appendix 7 to Council. Carry forwards of £99.5m are included within the revised programme.

Table 6 - Summary of the Revised Capital Programme including Carry Forwards

	2022/23	Forecaste	sted Expenditure				
Directorate	Carry Forward Adjustment	2023/24	2024/25	2025/26	2026/27	Total	
	£m	£m	£m	£m	£m	£m	
Adults & Health	(0.7)	2.2	0.3	0.3		2.2	
Children's Services	12.4	36.2	19.3	6.1	2.4	76.4	
Climate & Place	31.6	170.9	15.8	2.0		220.4	
Community Services	0.3	31.0	12.8	2.4		46.5	
Resources & Corporate							
Services	14.0	18.0	3.3	8.0		36.1	
Strategy, Workforce, &							
Localities		0.2	0.1	0.1		0.5	
Paused Schemes	1.7		7.7	0.1		9.5	
Accountable Bodies	40.2					40.2	
Total	99.5	258.7	59.4	11.8	2.4	431.8	

Please note that the slippage would have been funded by the legacy Councils as part of their 2022/23 budget setting and those budgets were amalgamated for Somerset Council.

### **Changes to the Capital Programme Approvals in Quarter Four**

- 27. **Recommendation (2f)** is for members to approve the addition of funding to the capital programme approvals since quarter three that either the County Council or the District Councils had not approved:
  - £2.792m of revenue (reserve) funding for Somerset Rivers Authority.
  - £2.205m of Levelling Up grant funding towards Bridgwater Transport Improvement schemes.
  - £1.617m of Department for Education grant funding towards School's Energy Efficiency projects.
  - £0.708m of leasing funding towards the Building Schools for the Future Lifecycle costs.
  - £0.650m of S106 contribution funding for J23 Dunball Junction Improvements.
  - £0.619m of S106 contribution funding towards the new King Ina Primary School, Somerton.

- £0.586m of revenue (reserve) funding for the Bridgwater VMS projects.
- £0.500m of revenue funding for the Taunton Digital Innovation Centre.
- £0.248m of revenue (reserve) funding towards Highway Structural Maintenance schemes.
- £0.210m of contribution funding towards the Sherford Cycle Route.
- £0.201m of grant funding for Economic Development's Inward Investment project.
- £0.130m of grant funding towards J23 Dunball Junction Improvements.
- £0.100m of revenue funding towards School projects.
- £0.072m of revenue (reserve) funding for Bridges & Structures.
- £0.048m of revenue funding towards Cannington Traffic Calming scheme.
- £0.046m of contribution funding towards the Housing Technology programme.
- £0.034m of revenue funding towards Traffic Signals Recovery Programme.
- £0.021m of revenue funding towards Library Service Public Access Printing project.
- £0.020m of S106 contribution funding towards Chelston Roundabout Capacity Study.
- £0.014m of revenue funding for Public Rights of Way projects.
- 28. Several virements (budget transfers) have also been processed in the quarter. Virements are the movement of approvals between budget lines. Virements are examined to identify their purpose; they do not require formal ratification by members as they are classed as technical changes. Virements are undertaken to enable the effective management of generic approvals by creating individual projects as detailed proposals are developed and cost estimates become available.
- 29. All cross service virements relate to the funding of claims made to the Local Enterprise Partnership from SCC projects.

**Table 7 - Completed Capital Projects** 

Authority	Scheme Name	Budget £m	Outturn £m	Committed in Future Years	Over / (Under) Spend £m	Funded By
SWT	Seaward Way	0.045			(0.045)	Borrowing

	Firepool					
SWT	Development	0.410	0.002		(0.408)	Borrowing
	Firepool Master					
SWT	planning	0.179	0.096		(0.083)	Borrowing
SWT	Heritage at Risk	1.207	1.104	0.068	(0.035)	Grant
	Taunton North Equity					
SWT	Loans	0.600			(0.600)	Grant
		2.441	1.202	0.068	(1.171)	
MDC	CCTV	0.005			(0.005)	Borrowing
	Replacement					
MDC	Laptops	0.001			(0.001)	Borrowing
		0.006			(0.006)	
	Early Years					Borrowing
SCC	Condition	2.000	0.020	1.200	(0.780)	/ Grant
	<b>Community Services</b>					Capital
SCC	(Children)	880.0			(880.0)	Receipts
		2.088	0.020	1.200	(0.868)	

30. The underspends from these projects totalling £0.868m will be removed from the capital programme.

# **Borrowing for the Capital Programme**

31. The capital programme is approved and fully funded. This means that the Council have approved the use of borrowing to ensure that resources are available to enable delivery of the capital programme. The timing of taking borrowing from the external market is part of the Treasury Management activity. The revised programme shows that £127.8m of borrowing is required for the revised programme. It will be imperative to review the programme to reduce the revenue impact of this on Somerset Council.

### **Capital Receipts**

32. Capital receipts are held on the sale of assets. They can be used to reduce debt or finance the capital programme. In addition to this the Government has allowed local authorities to utilise these to fund once off costs for programmes that produce ongoing savings. The overall capital receipts summary for Somerset is as follows:

Table 8 - Useable Capital Receipts as at the 31st of March 2023

	Closing Position 31st March 2023 £'m
Somerset County Council	(10.1)
Mendip District Council	0.0
Sedgemoor District Council	(0.1)
Somerset West & Taunton Council	(3.7)
South Somerset District Council	(5.7)
Somerset Council Total	(19.6)

# **Current commitments for capital receipts are as follows:**

Commitments	£'m
Flexible Capital Receipts –	13.3
Remaining LGR costs	
Commitments in the Capital	8.8
Programme	
Receipts received 2023/24	(2.3)
Expected receipts 2023/24	(2.7)
Remaining Capital Receipts	(2.5)

Note – Expected Receipts for 2023/24 is currently under review.

A report will need to be taken forward to the Executive and then Council to amend the Flexible Capital Receipts Strategy if any transformation projects are to be financed through capital receipts.

# **Housing revenue Accounts**

33. Two of the District Authorities held Housing Revenue Accounts in 2022/23 – Sedgemoor District Council and Somerset West and Taunton District Council. These have now been amalgamated into one HRA for Somerset Council in 2023/24. The revised capital programme of £122.6m for Somerset HRA is attached at Appendix 7a. It is recommended that Members of the Executive recommend approval of the revised HRA Capital Budget to Council.

#### PAPER A

#### **Sedgemoor District Council - HRA**

34. The outturn position is shown at Appendix 3a for Sedgemoor District Council. The year-end position was an underspend of £0.4m. The Sedgemoor HRA outturn requests capital carry forwards of £4.6m, however these will not impact on revenue balances. Of this £2.7m is for delays on housing stock development due to contractor and supply chain issues; £0.3m for the HiS net zero carbon works and fire safety and cladding works which are hoped to complete in 2023/24; a further £1.2m for essential works carried out by His for outbuildings, balconies and Westfield House and £0.4m for estate sewerage works at Crickham delayed because of contract complexities and the tender process.

#### **Somerset West and Taunton - HRA**

35. The outturn position is shown at Appendix 4a and shows a £0.2m overspend position at the end of the financial year. There are proposed reductions to the Capital Programme Budget of £8.814m for underspends on schemes where budget is no 22/23longer required.

#### **Background Papers**

36. 2022/23 Budget reports from each of councils approved in February 2022 and the draft 2022/23 statement of accounts for each for council.

#### **Appendices**

Appendix 1 - Somerset County Council Outturn Report 2022/23

Appendix 1a – Outturn Reserves Position for Somerset County Council 2022/23

Appendix 1b - Capital Programme Outturn for Somerset County Council 2022/23

Appendix 2 - Mendip District Council Outturn Report 2022/23

Appendix 2a – Outturn Reserves Position for Mendip District Council 2022/23 Appendix 2b – Capital Programme Outturn for Mendip District Council 2022/23

Appendix 3 - Sedgemoor District Council Outturn Report 2022/23

Appendix 3a – HRA Outturn Report 2022/23

Appendix 3b - Outturn Reserves Position for Sedgemoor District Council 2022/23

#### PAPER A

Appendix 3c - Capital Programme Outturn for Sedgemoor District Council 2022/23

Appendix 4 – Somerset West and Taunton District Council Outturn Report 2022/23

Appendix 4a - HRA Outturn Report 2022/23

Appendix 4b – Outturn Reserves Position for Somerset West and Taunton 2022/23

Appendix 4c - Capital Programme Outturn for Somerset West and Taunton 2022/23

Appendix 5 - South Somerset District Council Outturn Report 2022/23

Appendix 5a – Outturn Reserves Position for South Somerset District Council 2022/23

Appendix 5b - Capital Programme Outturn for South Somerset District Council 2022/23

Appendix 6 - Consolidated Reserve Position Somerset Council for April 2023/24

Appendix 7 - Consolidated Capital Programme for Somerset Council April 2023/24

Appendix 7a - Consolidated HRA Capital Programme for Somerset Council 2023/24

## **PAPER A**

### Report Sign-Off

	Officer Name	Date Completed
Legal & Governance	David Clark/Jill Byron/Steven	24/08/2023
Implications	Hellard	
Communications	Chris Palmer	23/08/2023
Finance & Procurement	Nicola Hix	23/08/2023
Workforce	Chris Squire	n/a
Asset Management	Oliver Woodhams	24/08/2023
Executive Director / Senior	Jason Vaughan	23/08/2023
Manager		
Strategy & Performance	Alyn Jones	23/08/2023
Executive Lead Member		
Consulted:	Councillor Name	
Local Division Members		
Opposition Spokesperson	Cllr Mandy Chilcott	25/08/2023
Scrutiny Chair	Cllr Bob Filmer	25/08/2023



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						Fo	recasted Exp	oenditure	
Authorit		Area and Scheme	Responsible Officer	2022/23 Carry Forward Adjustment	2023/24	2024/25	2025/26	2026/27 >	Tota
				£m	£m	£m	£m	£m	£m
	Adult and Health Services								
SCC	Operations	Adult Social Care	Emily Fulbrook	(0.749)	2.175	0.284	0.275		
SCC	Operations	Learning Disabilities	Emily Fulbrook	0.084	0.060	0.053			
	•	ations Total		(0.665)	2.235	0.337	0.275		
	Children's Services			0.005	2.460	2.125	0.074	0.074	
SCC	Children and Families	Childrens Residential	Jayne Shelbourn-Barrow	0.265	3.468	0.126	0.071	0.071	
SCC	Children and Families	Children Looked After	Jayne Shelbourn-Barrow	0.416	0.013	0.013			
		nd Families Total	B.1.11	0.681	3.481	0.139	<b>0.071</b>	0.071	
SCC	Inclusion	Special Education Needs	Rob Hart	0.804	3.778	3.769	2.067	1	
SCC	Inclusion	Schools Access Initiative	Rob Hart	(0.065) <b>0.739</b>	0.514 <b>4.292</b>	0.135 <b>3.904</b>	2.067		
SCC			A I' - NA/-II	0.739	0.865	0.212	2.067		
SCC	Education, Partnership and Skills	Early Years	Amelia Walker Amelia Walker	10.927	27.597	15.016	3.947	2.353	
SCC	Education, Partnership and Skills	School Services ership and Skills Total	Amelia Walker	10.927	27.597	15.016 15.228	3.947 <b>3.947</b>	2.353	
	Climate and Place	ersnip and Skills Total		10.960	20.402	15.226	3.947	2.353	
CLATE		FI 10:344 - 14 - (DA)	10 1 1	0.606	2.640	1.000		<u> </u>	
SWT SWT	Climate, Environment and Sustainability	Flood & Water Management (Non SRA)	Kirsty Larkins	0.686 1.458	3.649 2.298	1.000			
ALL	Climate, Environment and Sustainability	Blue Anchor Coast Protection	Kirsty Larkins	0.991	1.345	0.070	0.070	1	
NEW	Climate, Environment and Sustainability	Somerset Waste Partnership Chard Reservoir Dam Works	Kirsty Larkins	0.991	0.078	0.070	0.070	1	
NEW	Climate, Environment and Sustainability Climate, Environment and Sustainability	North Hill Cliff Stabilisation	Kirsty Larkins Kirsty Larkins		1.010	0.003	0.018	1	
INEVV	,	nt and Sustainability Total	Kirsty Larkins	3.135	8.380	1.073	0.088		
SCC	Economy, Employment and Planning	Business Growth Fund & Other Projects	Paul Hickson	1.682	1.306	0.434	0.000		
SCC	Economy, Employment and Planning	Taunton Digital Innovation Centre	Paul Hickson	(0.083)	1.914	0.434		1	
SDC	Economy, Employment and Planning	Bridgwater Town Deal	Paul Hickson	(0.003)	22.000			1	
SDC	Economy, Employment and Planning	Bridgwater Levelling Up Fund	Paul Hickson		19.700			1	
MDC	Economy, Employment and Planning	Glastonbury Town Deal	Paul Hickson	4.074	11.197	5.008	1.371	1	
MDC	Economy, Employment and Planning	Saxonvale, Frome	Paul Hickson		0.100	0.100	0.098	1	
SWT	Economy, Employment and Planning	Taunton Town Centre Regeneration	Paul Hickson	(0.420)	0.500	0.897		1	
SWT	Economy, Employment and Planning	Phosphates	Paul Hickson	0.191	1.795				
SWT	Economy, Employment and Planning	Firepool Development FHSF Phase	Paul Hickson	0.684	7.116				
SSDC	Economy, Employment and Planning	Chard Regeneration	Paul Hickson	0.350	1.700				
SSDC	Economy, Employment and Planning	Yeovil Refresh	Paul Hickson	4.927	13.472				
SWT	Economy, Employment and Planning	Staplegrove Housing Infrastructure Fund	Paul Hickson		14.216				
SWT	Economy, Employment and Planning	Contribution to CDS Broadband	Paul Hickson		0.550				
NEW	Economy, Employment and Planning	Frome Enterprise Centre	Paul Hickson		0.375	0.450			
		ment and Planning Total		11.405	95.941	6.889	1.469		
SCC	Infrastructure and Transport	Bridge Structures	David Carter	0.753	3.520	1.500			
SCC	Infrastructure and Transport	Road Structures	David Carter	1.659	30.255				
SCC	Infrastructure and Transport	Traffic Control & Management	David Carter	(0.082)	5.631				
SCC / SW	/T Infrastructure and Transport	Active Travel	David Carter	1.901	1.808	1.666		1	
SCC	Infrastructure and Transport	Integrated Transport	David Carter	0.439	1.007			1	
SCC	Infrastructure and Transport	Small Improvement Schemes	David Carter	0.411	1.527				

David Carter

Highway Lighting

0.077 0.750

0.827

٥.	300	innastructure and mansport	riigiiway Ligittiig	David Carter	0.077	0.750				0.027
35	SCC	Infrastructure and Transport	Rights of Way	David Carter	0.107	1.830				1.937
36	SSDC	Infrastructure and Transport	Car Parks & Parking Services	David Carter	0.566	0.301	0.248	0.248		1.363
37	SCC	Infrastructure and Transport	M5 Junction 25 Improvements	David Carter	1.397	0.900		(0.400)		1.897
38	SCC	Infrastructure and Transport	Toneway Corridor Capacity Improvements	David Carter	1.524	0.750				2.274
39	SCC	Infrastructure and Transport	Trenchard Way Residual Works	David Carter	(0.309)	0.580				0.271
40	SCC	Infrastructure and Transport	Major Road Network	David Carter	1.644	0.100	0.200	0.100		2.044
41	SCC	Infrastructure and Transport	A38 Chelston Link	David Carter	(0.140)	5.250				5.110
42	SCC	Infrastructure and Transport	J23 Dunball Improvements	David Carter	(0.064)	5.242				5.178
43	Update	Infrastructure and Transport	Various Other Schemes	David Carter	3.539	0.495				4.034
44	ALL	Infrastructure and Transport	Fleet Management	David Carter	2.453	3.466	0.500	0.500		6.919
45	SCC	Infrastructure and Transport	Bus Service Improvement Programme	David Carter	1.223	3.195	3.743	0.500		8.161
			ure and Transport Total		17.098	66.607	7.857	0.448		92.010
		Community Services								
46	SCC	Cultural Services	Wellington Library Improvements	Oliver Woodhams	(0.013)	1.199	0.030	T	1	1.216
47	SCC	Cultural Services	Library Services	Elizabeth Dawson	0.053	0.400	0.326			0.779
48	SCC / SWT	Cultural Services	Cultural and Heritage Services	Elizabeth Dawson	(2.871)	2.124	0.314	0.595		0.162
10	300 / 341	Cultural Services Total	Cartara and Heritage Services	Elizabeth Dawson	(2.831)	3.723	0.670	0.595		2.157
49	ALL	Housing	Disabled Facilities Grant	Chris Brown	0.104	7.084	1.093	1.093		9.374
50	SWT	Housing	Grants to Registered Social Landlords (RSLs)	Chris Brown	0.104	0.403	0.276	1.093		0.780
51	SWT	Housing	Gypsy Site	Chris Brown	0.001	0.108	0.270			0.109
52	SWT	Housing	IAC Staffing and Support	Chris Brown	0.102	0.103	0.102	0.102		0.408
53	SWT	Housing	Energy Efficiency Grants	Chris Brown	0.102	0.102	0.102	0.102		0.223
54	SWT	1	33 3		0.051	0.062	0.062	0.062		0.223
55	SWT	Housing	Home Maintenance Prevention Grants	Chris Brown Chris Brown		0.037	0.037	0.037		0.071
56	SWT	Housing	Other Schemes	Chris Brown	(0.057) 2.578	0.045	0.045	0.036		2.768
30	3001	Housing	Housing Total	CHIIS BIOWII	2.917	8.051	1.635	1.352		13.955
57	SWT			Elizabeth Dawson	-0.007	0.761	1.035	1.552		0.754
57 58	NEW	Leisure Centres, Facilities and Services	Wellington Leisure Centre		-0.007					
36	INEVV	Leisure Centres, Facilities and Services	Glastonbury Community Sports & Leisure Hub  Facilities and Services Total	Elizabeth Dawson	-0.007	1.829 <b>2.590</b>				1.829 2.583
59	SWT	Parks and Play Areas	Norton Fitzwarren Playing Pitches (S106)	Elizabeth Dawson	0.020	0.244				0.264
39	3001	,		Elizabetii Dawsoii	0.020	0.244				0.264
60	SWT	Theatres	nd Play Areas Total  Brewhouse Theatre	Elizabeth Dawson	0.020	0.185				0.185
61	SSDC	Theatres	Octagon Redevelopment	Elizabeth Dawson	0.242	16.191	10.527	0.428		27.388
01	3300		heatres Total	Elizabetii Dawsoii	0.242	16.376	10.527	0.428		27.573
		Resources and Corporate Services	lieatres rotai		0.242	10.570	10.527	0.428		27.575
62	SCC	Finance	Finance - Capital Programme Contingency	Nicola Hix	2.029	2.000			Ī	4.029
63	ALL	Information Communication Technology	Corporate ICT Investment	Andy Kennell	0.838	3.358	1.098	0.780		6.074
03	ALL	3,7		Alluy Kerilleli	2.867	5.358	1.098	0.780		10.103
64	ALL	Strategic Asset Management	munication Technology Total  Property Services General	Ollie Woodhams	10.196	3.051	0.798	0.760		14.045
65	NEW	Strategic Asset Management Strategic Asset Management	Building Compliance Health & Safety	Ollie Woodhams	10.196	0.250	0.736			0.250
66	NEW	Strategic Asset Management Strategic Asset Management	Asset Rationalisation	Ollie Woodhams		0.230	0.070			0.250
67		3				0.130	0.070			0.200
68	NEW NEW	Strategic Asset Management	New Somerset Council Signage Office Rationalisation	Ollie Woodhams Ollie Woodhams		0.500				0.500
		Strategic Asset Management					0.000			
69 70	NEW	Strategic Asset Management	Building Condition Programme (Non Schools)	Ollie Woodhams	0.235	0.900 0.412	0.600 0.274			1.500 0.921
	SCC	Strategic Asset Management	Outdoor Education Centres Improvements	Ollie Woodhams			0.274			
71 72	SCC	Strategic Asset Management	Saltlands Solar Park	Ollie Woodhams	0.030	3.107	0.040			3.137
72	SCC	Strategic Asset Management	South West Heritage Trust Building Condition	Ollie Woodhams	0.080	0.280	0.040			0.400
73	SCC	Strategic Asset Management	Outdoor Education Centres Building Condition	Ollie Woodhams	0.120	0.960	0.120			1.200
74 75	SCC	Strategic Asset Management	Estate De-carbonisation	Ollie Woodhams	0.054	1.000				1.000
75 76	SSDC	Strategic Asset Management	Birchfield Gas Control System (SSDC)	Ollie Woodhams	0.064	0.394	0.300			0.458
76	SSDC	Strategic Asset Management	Capital Works for Investment Properties	Ollie Woodhams	0.395	1.615	0.288			2.298

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Infrastructure and Transport

84 85 86

		Strategic As	set Management Total		11.120	12.677	2.190			25.987
		Strategy, Workforce and Localities								
77	SWT	Grants & Lotteries	Hinkley CIM Funded SWT Projects	Sara Skirton		0.100				0.100
78	SWT	Grants & Lotteries	Various Other Schemes	Sara Skirton		0.135	0.135	0.136		0.406
		Grants	& Lotteries Total			0.235	0.135	0.136		0.506
		Paused Schemes - Deferred until 2024/25 w	ith further review in 2023/24							
79	SCC	Children and Families	Homes for Children with Disabilities Phase 2	Ollie Woodhams			1.500			1.500
80	SCC	Cultural Services	Bridgwater Library Improvements	Elizabeth Dawson	(0.034)		1.286	0.139		1.391
81	SSDC	Economy, Employment and Planning	Wincanton Regeneration	Paul Hickson	1.131		1.537			2.668
82	SCC	Infrastructure and Transport	Walton & Ashcott Bypass	David Carter						
83	SSDC	Strategic Asset Management	Yeovil Crematorium Refurbishment	Sarah Dawson	0.590		3.367			3.957
		Paused Schemes Total			1.687		7.690	0.139		9.516
		Total Capital Programme			59.388	258.652	59.372	11.795	2.424	391.631

	Directorate Area and Scheme				Forecasted Expenditure				
Authority			Responsible Officer	2022/23 Carry Forward Adjustment	2023/24	2024/25	2025/26	2026/27 >	Total
				£m	£m	£m	£m	£m	£m
	Accountable Bodies								
SCC	Climate, Environment and Sustainability	Somerset Rivers Authority	Mickey Green	0.288					0.288
SCC	Economy, Employment and Planning	Connecting Devon & Somerset Broadband	Mickey Green	13.879					13.879
SCC	Economy, Employment and Planning	Heart of the South West Local Enterprise Partnership	Mickey Green	25.986					25.986
	Accountable Bodies Total			40.153					40.153

	Total
	£m
Financed By:	
Grants	254.939
Capital Receipts	8.801
Reserves	2.358
S106 or CiL	28.985
Borrowing	136.701
Total	431.784

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Somerset Council	Approved Budget					
	2022.23 Slippage Budget	2023.24 Approved Budget	2023.24 Total Budget			
Majors & Improvements	5,506,744	22,205,520	27,712,264			
Social Housing Development	84,890,750	10,002,510	94,893,260			
Total	90,397,494	32,208,030	122,605,524			
	-	-				
HRA (In-House Operations) Capital Programme						
Majors & Improvements						
Major Works	3,199,366	10,867,970	14,067,336			
Fire Safety	373,671	150,000	523,671			
Radon Remedials						
Related Assets	-	50,000	50,000			
Exceptional & Extensive	-	300,000	300,000			
Vehicles	-	-	-			
ICT & Transformation	85,138	210,000	295,138			
Aids & Adaptations & DFGs	-	370,000	370,000			
Sub-Total Majors & Improvements	3,658,175	11,947,970	15,606,145			
Social Housing Development	82,191,096	-	82,191,096			
Total HRA	85,849,271	11,947,970	97,797,241			
HRA (ALMO) Capital Programme						
Majors & Improvements						
HiS capital spend on housing stock	-	8,561,470	8,561,470			
HiS fire safety cladding	129,600	-	129,600			
HiS net zero pilot project	185,760	-	185,760			
HiS outbuildings, balconies & Westfield House	1,164,519	-	1,164,519			
Growth bid agreed Rent Set Full Council February 2023						
Growth bid HiS - Radon remdiation	-	359,850	359,850			
Growth bid HiS - La Ciotat House general improvements	-	247,320	247,320			
Growth bid HiS - decarbonisation fund - matdh funding	-	688,170	688,170			
SDC Disabled adaptations	-	400,740	400,740			
SDC estate sewerage Crickham	368,690	-	368,690			
Sub-Total Majors & Improvements	1,848,569	10,257,550	12,106,119			
Social Housing Development						
Penlea House phase one, Bridgwater, Homes England	1,271,509	2,852,010	4,123,519			
Bigwood & Staple, Bridgwater, Homes England	191,543	332,470	524,013			
Bespoke homes (2 homes plus extensions) H England	264,057	587,300	851,357			
Sydenham garage site housing development	1,365,782	1,647,780	3,013,562			
Purchase of existing properties (not new build)	-	500,000	500,000			
Tuckerton Lane N Newton (6 homes)	-	950,000	950,000			
Carrotts Farm, (3 homes) N Petherton, s106	55,160	489,710	544,870			
Cricketers, Nether Stowey (16 homes), update now has Hom	162,440	2,643,240	2,805,680			
Cricketers, Nether Stowey (16 homes)	- 610,837	-	- 610,837			
Sub-Total Housing Development	2,699,654	10,002,510	12,702,164			
Total HRA	4,548,223	20,260,060	24,808,283			



#### **Somerset Council**



Full Council
– 27 September 2023

#### **Report of the Monitoring Officer**

Lead Member(s): Councillor Bill Revans - Leader of the Council and Lead Member

**Governance and Communications** 

Lead Officer: David Clark - Service Director - Governance, Democratic and Legal

Services and Monitoring Officer

Author: Mike Bryant - Service Manager - Democratic Services

Contact Details: mike.bryant@somerset.gov.uk

#### 1. Summary

This report sets out a proposed appointment of a co-opted member to the Scrutiny Committee for Children and Families (see Paper A) and a Chief Executive Non-Key Decision relating to Member Dispensation (Paper B).

#### 2. Recommendations

#### That the Council:

#### Paper A

The Council is recommended to approve the appointment of Joanne Simons as a co-opted member on the Scrutiny Committee - Children and Families.

#### Paper B

The Council is asked to note the non-key decision report taken by the Chief Executive on 6 September 2023.

#### 3. Background

These are set out in Papers A and B.

#### 4. Legal, Equalities and Financial Implications

These are set out in Papers A and B.

#### 5. Background Papers

These are set out in Papers A and B.



Full Council
- 27 September 2023

# Paper A - Appointment of co-opted member to Scrutiny Committee - Children and Families

Lead Member: Councillor Leigh Redman - Chair of Scrutiny Committee - Children and

**Families** 

Division and Local Member: All

Lead Officers: Jamie Jackson - Service Manager for Scrutiny

Author: Clare Rendell - Specialist - Democratic Services
Contact Details: <a href="mailto:democraticservicesteam@somerset.gov.uk">democraticservicesteam@somerset.gov.uk</a>

#### 1. Summary

1.1 This report sets out the Scrutiny Committee for Children and Families recommendation to Council arising from their ballot to appoint the Schools Forum representative to sit as a co-opted member on the Committee that took place in July 2023.

#### 2. Recommendations

2.1 The Council is recommended to approve the appointment of Joanne Simons as a co-opted member on the Scrutiny Committee - Children and Families.

#### 3. Background

3.1 The membership of the Scrutiny Committee for Children and Families includes a number of co-opted members who have voting rights on education matters, as follows - 2 church representatives (1 vacancy), 2 co-opted parent governor representatives (both vacant), 2 school governor representatives and 1 representative from the Schools Forum. A number of these vacancies have remained open despite several attempts to fill them. The Scrutiny Committee for Children and Families is currently the only scrutiny committee with co-opted members.

In June 2023 we approached the Schools Forum to appoint a representative to sit as a co-opted member on the Committee. All members of the Schools Forum were invited to express an interest and we received 2 nominations. A ballot of the voting members on the Schools

Forum took place, which closed on 21 July 2023 and Joanne Simons received the most votes. The total votes cast were – Joanne Simons 4 votes and Susan Brewer 2 votes.

Joanne Simons is currently Headteacher at South Somerset Partnership School - the Pupil Referral Unit which covers the Yeovil / Chard / Langport area. She has been a member of Schools Forum for many years and, until recently, was Chairperson of the Higher Needs Subgroup (now Higher Needs Advisory Group).

#### 4. Background Papers

5.1 These are set out on the Council website.

#### **DECISION TAKEN BY THE CHIEF EXECUTIVE**

**Decision title:** Member dispensations for 6 months leave of absence.

Officer making decision: Duncan Sharkey, Chief Executive

Author Contact Details: David Clark, Monitoring Officer

Date of Decision: 6 September 2023

#### **Details of decision:**

The Chief Executive agree a six month leave of absence from Council duties for Councillor Christine Lawrence from 6 September 2023 under Section 85 of the Local Government Act 1972. This decision is made under the delegated authority given to him by Council and as set out in the Council's Constitution.

#### **Reasons for proposed decision:**

Section 85 of the Local Government Act 1972 states that if a member of a local authority fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they shall cease to a member of the authority. The only exception is if their non-attendance has been approved by the authority before the expiry of the six-month period.

The Council's Constitution Part I - Scheme of Delegation to Officers, Section 5 - Specific Delegations, para 54 provides the Chief Executive with the following delegation:

Subject to no objection being raised by the Leader, Executive Member or Committee of the Council, to discharge any function of the Council, Leader, Executive and Lead Members not otherwise delegated to a Chief Officer, including elections, and civic and ceremonial functions of the Council.

The Chief Executive has now undertaken the necessary consultation to take the decision as set out in this report.

One request for dispensation has been received and is set out below. The request requires the Chief Executive to use his delegated authority as the matters cannot wait until the next scheduled meeting of the Council on 27 September 2023 to be considered. The decision will, however, be reported to that meeting.

#### Councillor Christine Lawrence

Councillor David Fothergill, the Leader of the Opposition, has requested a six month leave of absence for Councillor Christine Lawrence on ill health grounds.

This decision cannot contain further information on this matter because of the disclosure of exempt information under the Local Government Act 1972 – Schedule 12A under the following categories:

- 1. Information relating to any individual.
- 2. Information which is likely to reveal the identity of an individual.

During the period of absence any enquiries from residents and parish or town councils that the councillor represents will be covered by the other divisional member in the electoral division concerned, with further support offered by the relevant political group leader.

#### Alternative options considered and rejected:

Reserve consideration of this request to Full Council on 27 September 2023. However, for the Member's own well-being and to support their recovery it was deemed appropriate to avoid any further delay and to take this decision now.

All necessary parties have been consulted on this proposal as required under the Council's delegated authority and no objections have been raised.

The below has been completed:	Name(s)	Date
Relevant local Councillors consulted where decision directly affects their Division	N/A	
Relevant Executive Lead Member(s) consulted (if applicable)	Cllr Bill Revans, Leader of Council plus all of Executive	01.09.2023
Opposition Spokesperson informed (if applicable)	All group leaders informed	25.08.2023
Chair of Committees informed (if applicable)	All Chairs	01.09.2023

#### **Decision Maker**

I am aware of the details of this decision, have considered the reasons, options, representations and consultation responses (where applicable) and give my approval / agreement to its implementation.

Signed: DUNCAN SHARKEY
Name: Duncan Sharkey
Post: Chief Executive

Date: 6 September 2023



## Agenda Item 7

Somerset Council

Full Council
27 September 2023



#### **Report of the Chief Executive**

Executive Member(s): Councillor Bill Revans, Leader of the Council and Lead Member for Governance and Communications and Councillor Dean Ruddle, Lead Member for Adult Services

Local Member(s) and Division: All

Lead Officer: Duncan Sharkey, Chief Executive

Author: Mel Lock, Executive Director Adult Services and Lead Commissioner Adults and

Health and Cherry Russell, Strategic Manager, HR Business Partner for Adults

Contact Details: Mel.Lock@somerset.gov.uk

#### 1. Summary

- 1.1. There is an urgent operational and financial need to agree emergency cover arrangements for two vacant Service Director roles in Adult Services, to ensure strong leadership is in place to deliver the planned improvements to services including efficiencies which will contribute to the Medium-Term Financial Plan (MTFP) objectives. A review of these roles is proposed before permanent recruitment is undertaken to ensure the structure is fit for the future to deliver the best outcomes for those that draw on our services, this process is expected to take around 6 months to conclude.
- **1.2.** The Council has qualified and suitably experienced Strategic Managers who can act up to cover the Service Director roles to provide emergency cover for a temporary period to provide stability and continuity of leadership while allowing time to complete the relevant formal employment processes to create and populate the permanent structure.
- 1.3. Under the Councils Constitution Part I: 5 (Officer Employment Procedures /Arrangements) paragraph 1.4, the Chief Executive has authority after having sought the agreement of the Leader, and after appropriate consultations, to agree:(ii) emergency cover arrangements for the post specified where these positions become vacant between Full Council meetings. Any such agreement will be subject to review and confirmation at the next available Full Council meeting.

- 1.4. Under the decision-making powers delegated to him as the Head of Paid Service and under section I 5 1.4(ii) of the Council Constitution, the Chief Executive made a decision August 2023 in consultation with the Leader of the Council and Cllr Dean Ruddle, Lead Member for Adult Service, to make emergency temporary appointments to the proposed post of Service Director Adults Strategy, Transformation and Performance and the Service Director Adults Commissioning. This decision is subject to review and confirmation by Full Council, which is outlined in the recommendations in paragraph 2 of this report.
- **1.5.** The recommendations support the vision and priorities of the Somerset Council, as outlined in the 2023-2027 Council Plan, especially those aligned to ensuring we are a 'healthy and caring Somerset' and a resilient authority.

#### 2. Recommendations

- 2.1. Full Council confirms the emergency temporary appointment of Niki Shaw Strategic Manager Quality, Performance, Policy and Assurance, to provide emergency cover to the proposed post of Service Director Adults Strategy, Transformation and Performance, with effect from 1 August 2023 for a temporary period until 31 March 2024 or on a permanent appointment being made, whichever is sooner.
- **2.2.** Full Council confirms the emergency temporary appointment of Paul Coles Strategic Manager Adults Services, to provide cover for the post of Service Director Adults Commissioning, for a temporary period until 31 March 2024, or on a permanent appointment being made, whichever is sooner.

#### 3. Background

- 3.1. Following the departure of the Service Director Transformation post holder, at the end of June 2023, there is an urgent operational and financial need to agree emergency temporary cover for the Adult Service transformation leadership role to ensure the Newton Europe contract is held to account to deliver the planned efficiencies and contribute to the Medium-Term Financial Plan (MTFP) objectives.
- **3.2.** There is an ongoing need to cover the vacant Service Director Adults Commissioning role. The current temporary cover arrangement is due to expire on 30 September 2023, which is prior to the creation and consultation on a finalised Adults Commissioning Service structure.

#### 4. Implications

**4.1.** Financial/Risk: The salaries for the proposed emergency temporary appointments will be covered within the existing Adults establishment budget.

This proposal directly contributes to mitigate the risk that Adult Social Care are unable to achieve MTFP targets/deliver a balanced budget.

**4.2. Legal/HR/Equalities:** All necessary aspects of the Councils Constitution and employment law will be followed in relation to emergency temporary appointments, formal consultation on any proposed changes to workforce and subsequent permanent appointments. It is therefore considered that an Equalities Impact Assessment (EIA) is not required for this decision paper – this has been discussed with the Employment Equalities Lead. An EIA will be produced as part of the formal business case for any proposed permanent changes in due course.

#### 5. Background Papers

**5.1.** Chief Executive Decision Report dated August 2023

**Note** For sight of individual background papers please contact the report author.



Somerset Council



Full Council - 27 September 2023

# Report of the Licensing and Regulatory Committee – Item for Decision

Executive/Lead Members: Councillor Federica Smith-Roberts – Lead Member for Communities, Housing and Culture and Councillor Simon Carswell – Chair of Licensing and Regulatory Committee

Division and Local Member: All

Lead Officers: Jack Godley - Senior Licensing and Business Support Officer

Author: Clare Rendell - Specialist - Democratic Services Contact Details: <u>democraticservicesteam@somerset.gov.uk</u>

#### 1. Summary

1.1 This report sets out the Licensing and Regulatory Committee's recommendation to Council arising from their consideration of the report at the Licensing and Regulatory Committee meeting on 14 September 2023.

Note: The references in this report to Paper A relate to the relevant report considered by the Licensing and Regulatory Committee containing specific recommendations for Full Council to consider and are appended to this report for reference.

1.2 **Paper A (Statement of Licensing Policy)** was considered at the Licensing and Regulatory Committee meeting on 14 September 2023. The Licensing and Regulatory Committee endorsed Paper A and agreed for this to be reported to Full Council to consider and approve.

The report requests the approval of a new Statement of Licensing Policy.

Under the Licensing Act 2003 (the 2003 Act), Somerset Council as Licensing Authority must determine a Statement of Licensing Policy that supports and guides our administration and enforcement of the provisions of that Act, for each five-yearly period.

Somerset Council is a Licensing Authority for the purposes of section 3 of the 2003 Act. It must publish a valid policy to carry out any function under the 2003 Act, during each relevant period. During the five-year period, the policy must be kept under review and the Licensing Authority may make such revisions to it as it considers appropriate.

#### 2. Recommendations

2.1 **Statement of Licensing Policy** – see Paper A and its appendices that the Licensing and Regulatory Committee considered and endorsed at its meeting in September 2023.

The Council is recommended to approve the Statement of Licensing Policy.

#### 3. Options considered and consultation undertaken

3.1 Options considered and details of consultation undertaken in respect of the recommendations set out above are set out in the reports and appendices within Paper A.

#### 4. Implications

4.1 The legal implications are that the Council must publish a Statement of Licensing Policy under the Licensing Act 2003.

The community implications are that the Licensing Policy would improve public safety and protect communities.

The health and wellbeing implications are addressed as part of the consultation.

#### 5. Background Papers

- 5.1 These are set out within Papers A and its appendices.
- 5.2 Appendix 1 Draft Statement of Licensing Policy 2023 shows the amendments approved by the Licensing and Regulatory Committee on 14 September 2023.

Somerset Council Licensing and Regulatory Committee – 14 September 2023



#### **Statement of Licensing Policy**

Executive Member: Councillor Federica Smith-Roberts, Lead Member for Communities, Housing and Culture

Local Member(s) and Division: Licensing and Regulatory Committee Chair – Councillor Simon Carswell

Lead Officer: Jack Godley – Senior Licensing and Business Support Officer Author: Jack Godley – Senior Licensing and Business Support Officer

Contact Details: jack.godley@somerset.gov.uk - 01749 341453

#### 1. Summary / Background

- 1.1 Under the Licensing Act 2003 (the 2003 Act), Somerset Council as Licensing Authority must determine a Statement of Licensing Policy that supports and guides our administration and enforcement of the provisions of that Act, for each five-yearly period.
- 1.2 Somerset Council is a Licensing Authority for the purposes of section 3 of the 2003 Act. It must publish a valid policy to carry out any function under the 2003 Act, during each relevant period. During the five-year period, the policy must be kept under review and the Licensing Authority may make such revisions to it as it considers appropriate.

In producing this Policy the Council has had to have had regard to the Statutory Guidance, issued under Section 182 of the 2003 Act. The Statement of Licensing Policy sets out the policies the Council will apply to promote the licensing objectives when making decisions on applications made under the 2003 Act. It clarifies to applicants, Other Persons, and Responsible Authorities how this Council will determine applications and process notifications under the 2003 Act.

The Authority will consult all persons required to be consulted, as listed in section 5(3) of the 2003 Act, the details are provided below: -

- a) the Chief Officer of Police for the area
- b) the Fire Authority for the area
- c) persons/bodies representative of local holders of premises licences
- d) persons/bodies representative of local holders of club premises certificates
- e) persons/bodies representative of local holders of personal licences and
- f) persons/bodies representative of businesses and residents in its area

The draft Statement of Licensing Policy can be found at Appendix 1.

Consultation has taken place over an 8-week period, and 52 responses were received of which 11 were supportive of the policy, 9 made no comment, 5 raised issues viewing the document on the consultation platform and 18 were not relevant.

Those that had issues viewing the document or were not relevant have been contacted on an individual basis to either rectify the issue or to provide an explanation as to why their responses were not considered relevant. In the main they were questions rather than responses so they could be quickly answered.

The remaining 9 responses are presented in Appendix 2 along with Officer recommendations for consideration by the Committee.

#### 2. Recommendations

2.1 The Committee is asked to consider the consultation comments made regarding the policy, recommend any amendments, and recommend the final draft for approval by Full Council.

#### 3. Reasons for recommendations

3.1 It is a legal requirement that each Licensing Authority has in place a Statement of Licensing Policy.

#### 4. Other options considered

4.1 Not applicable - Legal requirement.

5	Links to Council Vision, Business Plan and Medium-Term Financial
	Strategy

- 5.1 Not applicable Legal requirement.
- 6 Financial and Risk Implications
- 6.1 Not applicable Legal requirement.
- 7 Legal Implications
- 7.1 The Council must publish a Statement of Licensing Policy under the Licensing Act 2003
- 8 HR Implications
- 8.1 None

#### Other Implications:

- 9 Equalities Implications
- 9.1 None
- **10 Community Safety Implications**
- 10.1 Improves public safety and protects communities
- 11 Climate Change and Sustainability Implications
- 11.1 None
- 12 Health and Safety Implications
- 12.1 None
- 13 Health and Wellbeing Implications
- 13.1 Addressed as part of the consultation.

#### **14 Social Value**

14.1 Not applicable – Legal Requirement

#### 15 Scrutiny comments / recommendations:

15.1 Not applicable – Legal Requirement

#### 16 Background Papers

- 16.1 Please see paragraphs 1 and 2.
- 16.2 Appendices: Appendix 1 Draft Statement of Licensing Policy 2023, Appendix 2 - Responses to the Consultation and Licensing & Regulatory Committee Decisions LA03 - 2023 - Final



# STATEMENT OF LICENSING POLICY

Organisation	Somerset Council
Title	Statement of Licensing Policy
Author	Licensing
Owner	Licensing
Primary Legislation	Licensing Act 2003

# **Sub-Heading**

Text

## **Sub-Heading**

Responsible	Licensing
Accountable	Licensing
Consulted	Public
Informed	Responsible Authorities

# **Version History**

Revision Date	Author	Version	Description of Revision
20/10/2022	Jack Godley	1	New policy created
26/01/2023	Jack Godley	2	District lead approved policy

## **Document Notification**

Approval	Name	Date
Consultation	Licensing and Regulatory Committee	11 <sup>th</sup> May 2023
Consider consultation response	Licensing and Regulatory Committee	14 <sup>th</sup> September 2023

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#### Contacts, links, and useful websites

If you wish to make comments on this Licensing Policy or if you want further information regarding the Licensing Act 2003 please contact: -

Somerset Licensing Team

Telephone: 0300 123 2224

Email: <u>licensing.mendip@somerset.gov.uk</u>; <u>licensing.sedgemoor@somerset.gov.uk</u>; <u>licensing.south@somerset.gov.uk</u>; <u>licensing.west@somerset.gov.uk</u>

The Licensing Act 2003 can be viewed at: -

http://www.legislation.gov.uk/ukpga/2003/17/contents

The Secretary of State's Guidance can be found at: -

https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003

Somerset Council's Corporate Enforcement Policy: -

https://www.somerset.gov.uk/council-and-democracy/enforcement-policy/

Somerset Council's Pavement Licence application: -

Apply for a pavement licence (somerset.gov.uk)

Sustainable Events with ISO 20121: -

https://www.iso.org/iso-20121-sustainable-events.html

Somerset Council Public Health

https://www.somerset.gov.uk/social-care-and-health/public-health/

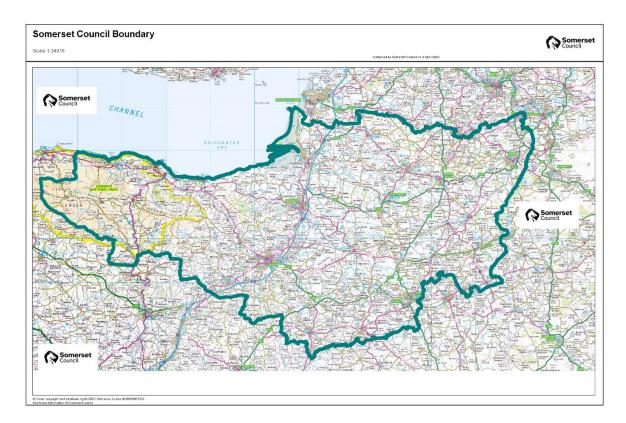
Somerset Strategic Drugs and Alcohol Partnership

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#### **Somerset Council Map and Summary**

Somerset Council covers the administrative area of Somerset, formerly served by four district councils – Mendip, Sedgemoor, South Somerset and Somerset West and Taunton and Somerset County Council - and is one of the largest unitary authorities in the UK. Somerset Council serves 572,000 residents; covers 3,500 square Kilometres; has a 5,000-strong workforce; 110 elected members and a gross budget of £1bn.

Consequently, there is considerable variation demographically within the area when considering matters of policy. Because of its sheer size, Somerset Council has many different and diverse communities, neighbourhoods and economies from low carbon electricity generation at Hinkley Point C and Gravity, to world-leading aerospace industry, alongside small market towns, food and farming industries and National Parks. Noted for its stunning rural countryside ranging from rolling hills, Levels and Moors to coastal resorts, it is also well served by strategic transport links. Alongside neighbouring North Somerset and Bath and North East Somerset, these three unitary councils serve the historic county of Somerset.



#### 1.0 INTRODUCTION

#### 1.1 BACKGROUND

- 1.1.1 Somerset Council is the Licensing Authority under the Licensing Act 2003 (the 2003 Act). It is empowered to administer the following in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late-night refreshment within the District: -
  - premises licences including provisional statements, full and minor variations, transfers, interim authorities and reviews
  - club premises certificates
  - temporary event notices
  - personal licences
- 1.1.2 The Licensing Act 2003 requires a Licensing Authority to prepare and publish a statement of its Licensing Policy before the Authority can carry out any licensing or regulatory functions under the terms of the Licensing Act 2003. This Policy must be kept under review and the Licensing Authority may make any revisions to it, as it considers appropriate. In any event the Licensing Authority is required to review their Statement of Licensing Policy every 5 years.
- 1.1.3 This Licensing Policy sets out the issues that the Licensing Authority will consider when determining licences throughout the Somerset Council area and encompasses experience gained in the implementation and regulation of the Licensing Act 2003.
- 1.1.4 In determining this Policy the Licensing Authority has had regard to the <a href="Statutory Guidance">Statutory Guidance</a> issued under Section 182 of the Licensing Act 2003. In determining applications under the 2003 Act the Licensing Authority shall consider: -
  - The promotion of the four Licensing Objectives
  - Representations and evidence presented by all parties, together with any relevant supporting documentation
  - The latest Guidance issued by the Government
  - The Licensing Authority's own Statement of Licensing Policy

#### 1.2 AIM

1.2.1 The 2003 Act requires the Licensing Authority to carry out its various licensing functions to promote the four licensing objectives.

- 1.2.2 The aim of this Licensing Policy is to set out how the Licensing Authority seeks to promote the four licensing objectives, which are: -
  - the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm
- 1.2.3 These four objectives will be the paramount considerations when determining a course of action in relation to the Licensing Authority's licensing functions. Each objective will be given equal importance when considering the provision of the following licensable activities in accordance with the Act:
  - The sale by retail of alcohol or the supply of alcohol
  - Regulated entertainment
  - Late night refreshment

#### 1.3 PURPOSE

- 1.3.1 The main purpose of this Policy is to provide clarity to applicants, other persons and Responsible Authorities on how the Licensing Authority will determine applications to supply alcohol, provide regulated entertainment and operate late night refreshment. The Licensing Authority will consider all representations from any person. The Licensing Authority shall however apportion the weight of the representation between those persons immediately affected by the premises and its operation and those persons who may have a lack of knowledge of the area or of personal experience.
- 1.3.2 Where revisions are made to the Guidance there may be a period when this Policy is inconsistent with the Guidance. In these circumstances the Licensing Authority shall have regard, and give appropriate weight, to the revised Guidance in conjunction with this Licensing Policy.

#### 1.4 CONSULTATION

- 1.4.1 Before determining its policy for any five-year period, the Licensing Authority will consult the following: -
  - the Chief Officer of Police
  - the Fire and Rescue Authority
  - the Director of Public Health
  - persons/bodies representative of local holders of premises licences

- persons/bodies representative of local holders of club premises certificates
- persons/bodies representative of local holders of personal licences
- persons/bodies representative of businesses and residents in the Council area
- 1.4.2 The Licensing Authority may consult beyond the statutory requirements, and seek comments from additional bodies, groups or individuals as appropriate.

#### 1.5 FUNDAMENTAL PRINCIPLES

- 1.5.1 This Policy sets out the Licensing Authority's general approach to the making of licensing decisions and is consistent with the provisions of the 2003 Act. Nothing in the Policy will undermine the right of any individual to apply for authorisations and to have any such application considered on its individual merits. Similarly, nothing in the Policy will override the right of any person to make representations on an application or to seek a review of a Licence or Certificate in accordance with the provisions of the 2003 Act.
- 1.5.2 This Policy recognises that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The applicant must give due consideration to disabled persons under this Act for access and egress so that they are not at a substantial disadvantage.
- 1.5.3 The introduction of the Anti-Social Behavior, Crime and Policing Act 2014 extends Police closure powers. The Licensing Authority further acknowledges and supports that this legislation has been introduced against the background of increasing alcohol-related anti- social behaviour and subsequent hospital admissions that has led to criticism due to the increased cost to local residents. This Act signifies a shift back from deregulation towards offering greater support for communities being adversely affected.
- 1.5.4 The Licensing Authority may recommend actions over and above the requirements of a licence/certificate and applicants are asked to give these recommendations serious consideration, as adoption of best practice may be considered in the investigation of complaints if they arise in connection with the premises in the future.
- 1.5.5 The Licensing Authority may only impose conditions on a premises licence if they are consistent with the operating schedule. However, they cannot impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a

hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

- 1.5.6 The Licensing Authority acknowledges that the Government believes that in some circumstances flexible hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided.
- 1.5.7 Where licensed premises are surrounded by housing, unrestricted extensions of hours could extend the time of disturbance to later in the night; therefore, the Licensing Authority acknowledges that tighter control may be justified in residential areas always, however, having regard to the individual merits of any application.
- 1.5.8 In general terms the Licensing Authority will closely scrutinise applications for premises licences showing a late terminal hour so as to be satisfied that they will have no adverse impact on the Licensing Objectives.
- 1.5.9 Once people are beyond the control of the individual, club or business holding the relevant authorisation, licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour. Licensing law will always be part of a holistic approach to the management of the evening and night-time economy in the district.
- 1.5.10 The Licensing Authority expects every licence holder or event organiser to minimise the impact of their activities on the surrounding area and any anti-social behaviour created by their customers in and within the vicinity of their premises by taking appropriate measures and actions consistent with that responsibility. Whether or not incidents can be regarded as being in the vicinity of the licensed premises is recognised as a question of fact and will depend on the specific circumstances in each case. In cases of dispute, the question will ultimately be decided by the courts, where an appeal is heard by them. In addressing this matter, the Licensing Authority will primarily focus on the direct impact of the licensable activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
- 1.5.11 The type of entertainment offered on licensed premises and the closing hour of premises permitted to provide alcohol to the public often have a direct link to crime and disorder, public nuisance and public safety issues. For example, there is generally more likelihood of crime and disorder and public safety problems occurring in a music and dance venue permitted to sell alcohol and open until 3am than there is in a well-managed public house located in a quiet back street that provides limited regulated entertainment and closes at 11pm.

# 2.0 GENERAL PRINCIPLES

#### 2.1 LEGISLATION

2.1.1 In all applications relating to premises, the Legislation requires applicants to specify methods by which they will promote the four licensing objectives in their operating schedules. The operating schedule should include reference to the measures the applicant intends to use to promote the licensing objectives. Prior to submitting your application, you may find it useful to seek the views of responsible authorities and local community to obtain information on local issues and concerns that you may wish to take into consideration prior to making your application.

#### 2.2 REVISIONS TO POLICY

- 2.2.1 The Policy shall be subject to periodic reviews and further consultation as and when required. The Licensing Authority may revise this Policy following changes to, for example:
  - Local circumstances;
  - The Licensing Act, associated regulations or statutory guidance;
  - Other national legislation; or
  - The policies and practices of a Responsible Authority

#### 2.3 AREAS OF CONCERN

- 2.3.1 Applicants for a premises licence are advised to include in their Operating Schedule, (where applicable) specifically how they will prevent sales of alcohol to persons under 18 years, minimise glass related injuries and or assaults, prevent noise from licensed premises becoming a nuisance and manage customers outside their premises who are smoking. It is expected that a Challenge 25 Policy will be adopted at the premises.
- 2.3.2 Experience indicates that a last time of entry condition is assisting in the promotion of the licensing objectives. It is therefore expected that applicants for late licensed premises will detail in their operating schedules that there will be no new entry or re-entry to the premises after 1am other than premises which are only open after 1am for late night refreshment.

# 2.4 CHILDREN

2.4.1 We shall not seek to limit the access of children to any licensed premises unless it is necessary for the prevention of physical, moral or psychological harm. In all other cases it will be left to the discretion of the licensee but it is expected that the licensee shall give full consideration of access by children at all times and ensure that there is a policy in place to promote this licensing objective.

- 2.4.2 The 2003 Act provides that where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (currently only the British Board of Film Classification (BBFC)) or by the licensing authority itself.
- 2.4.3 The Licensing Authority does not intend to adopt its own system of film classification but reserves the right to amend the classification imposed by the British Board of Film Classification.
- 2.4.4 The Licensing Authority expects licence holders to ensure that gaming machines in premises licensed to sell/ supply alcohol (authorised by way of notification of automatic entitlement and/or permit) are made available strictly in accordance with the Gambling Commissions code of practice regarding gaming machines in alcohol-licensed premises. Section C Gaming machines in clubs and premises with an alcohol licence Gambling Commission
- 2.4.5 The Licensing Authority recognises the risk of alcohol advertising and marketing influencing children. This is regulated by the Advertising Standards Authority (ASA) which is the UK's independent regulator of advertising across all media. <u>Home ASA | CAP</u>
- 2.4.6 For information on Safeguarding issues, applicants and existing licence holders are advised to consider Appendix F of this Policy.

#### 2.5 VULNERABLE GROUPS

2.5.1 The Licensing Authority encourages licensed premises and event organisers to promote the licensing objectives taking into consideration vulnerable groups. It is suggested that venues implement relevant policies and procedures, provide training to staff and display campaign signage so that customers and visitors know how to get help and support. Through this policy the Licensing Authority hopes that residents and visitors to the area will be able to enjoy their leisure time safely without fear of violence, intimidation, or disorder whilst in licensed premises.

#### 2.6 LICENSING HOURS

- 2.6.1 With regard to licensing hours the Licensing Authority will consider each application on its individual merits. This is a general policy and does not automatically mean that all applications will result in licences being granted until midnight or that no applications will be granted with a closing hour after midnight. Applicants are strongly recommended to seek the advice of both the Licensing Authority's Licensing Officers and the Police in this regard.
- 2.6.2 Applications for premises licences with a terminal hour later than 12 midnight where the sale or supply of alcohol for consumption on the premises is the main

activity or where the sale or supply of alcohol is accompanied by musical entertainment, will be subject to close scrutiny by the Responsible Authorities to ensure that there will be no adverse impact on the Licensing Objectives. Specifically, the applicant should ensure that the operating schedule for such premises demonstrates how the Licensing Objectives will be met.

- 2.6.3 The Licensing Authority recognises that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people tend to leave licensed premises at the same time. Longer licensing hours regarding the sale of alcohol may therefore be considered as an important factor in reducing friction at late night food outlets, taxi ranks and other sources of transport in areas where there have already been incidents of disorder and disturbance.
- 2.6.4 In considering these issues the Licensing Authority will give careful consideration to the nature of the venue proposed. For example, the Licensing Authority is keen to promote establishments at which the service and consumption of alcohol is not the primary activity. These may include restaurants, theatres, cinemas, comedy clubs, galleries, museums, and similar venues. The Licensing Authority's experience is that such venues are liable to give rise to fewer public concerns in relation to later closing hours.
- 2.6.5 The Licensing Authority will pay special regard to the proximity of residential properties to the proposed premises. If representations are received in areas with a concentration of residential properties, then the imposition of stricter noise control conditions will be considered.
- 2.6.6 The Licensing Authority will expect premises to be cleared of patrons within a reasonable time of the terminal hour set for licensable activities and managing the dispersal of the same.
- 2.6.7 Shops, stores and supermarkets will generally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless there are good reasons for restricting those hours. An example would be where the Police make representations that the premises are a focus of disorder and disturbance.

#### 2.7 LATE NIGHT REFRESHMENT

2.7.1 The Licensing Authority will expect applicants for licences in respect of late night refreshment premises to detail in their operating schedules how they intend to promote the licensing objectives and in particular how they intend to address queue management, litter and noise disturbance.

- 2.7.2 Where appropriate, and, in line with the Public Nuisance and Public Safety Licensing Objectives, the Licensing Authority may recommend that applicants display their company name on containers and packaging; this will enable the Licensing Authority to identify any premises causing concern.
- 2.7.3 The Licensing Authority expects that any premises providing late night refreshment will have a responsible policy for regularly clearing litter from outside their premises and for 25 metres along the pavement in either direction as necessary, whilst the premises are open and at the end of the working day. Such Policy could also include the display of notices advising customers to use the bins provided. In addition, where there is evidence that grease and food, etc. has emanated from the premises, the Licensing Authority recommends that the highway in the vicinity of the premises is swilled or scrubbed so as not to attract gulls, pigeons and vermin. The Licensing Authority recommends that all such inspections and action taken be recorded in the Premises logbook.
- 2.7.4 Where a new applicant wishes to sell alcohol either on or off the premises in such an establishment or provide an alcohol delivery service, the Licensing Authority recommends that the Operating Schedule sets out specific measures to promote the licensing objectives.
- 2.7.5 Any premises that seek to provide an alcohol delivery service are expected to consult with both the Licensing Authority and Police prior to applying and provide details of their proposed age verification procedure.

#### 3.0 LICENSING APPROACH

#### 3.1 PARTNERSHIP WORKING

- 3.1.1 The Licensing Authority recognises that Licensing functions under the 2003 Act are not the only means of promoting the principles behind the Licensing Objectives. Delivery includes working with Planning, Environmental Health, the Police, the Fire Authority, the Crime Reduction Partnerships, Town Councils, Parish Councils, Local Community Networks (LCN's), Pubwatch, local businesses and residents, transport operators and those involved with child protection.
- 3.1.2 The Licensing Authority recognises that co-operation across services within the Authority and with our external partners remains the best means of promoting the Licensing Objectives.
- 3.1.3 The Licensing Authority seeks to encourage and support the night-time economy by providing a vibrant and safe town centre experience. It shall work closely with the Responsible Authorities to promote the Licensing Objectives,

including the licensed trade, local people and businesses. The Licensing Authority will continue to work closely as part of these groups to promote the common objectives and shall recognise its duty under Section 17 of The Crime and Disorder Act 1998 when carrying out its functions under the 2003 Act. In addition, the Licensing Authority will seek to support strategies where they are allied to the Licensing Objectives such as the National Alcohol Harm Reduction Strategy and any other relevant strategies and policies.

3.1.4 The Licensing Authority recognises that the private sector, local residents and community groups in particular have a vital role to play in promoting the licensing objectives. The Licensing Authority shall work closely with other enforcement agencies in the management of the night time economy, particularly relating to the tackling of underage sales and proxy sales of alcohol and drunkenness or disorder on or in the immediate vicinity of the licensed premises.

#### 3.2 LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY

- 3.2.1 There is no requirement under the Act for responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect of different licensing processes. The Licensing Authority will therefore determine when it considers it appropriate to Act in its capacity as a Responsible Authority based on the individual circumstances of each situation and in accordance with its duties under section 4 of the 2003 Act.
- 3.2.2 The Licensing Authority would not normally expect to act as a Responsible Authority on behalf of other parties (for example, local residents, local councillors or community groups) although there are occasions where the authority may decide to do so. Such parties can make relevant representations to the Licensing Authority in their own right, and the Licensing Authority considers it reasonable to expect them to make representations themselves where they are reasonably able to do so. However, if these parties have failed to take action and the Licensing Authority is aware of relevant grounds to make a representation, it may choose to act in its capacity as Responsible Authority.
- 3.2.3 The Licensing Authority will normally expect that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other Responsible Authority.
- 3.2.4 The 2003 Act enables licensing authorities to Act as responsible authorities as a means of early intervention; where it considers it appropriate the Licensing Authority may do so without having to wait for representations from other responsible authorities.

- 3.2.5 In cases where the Licensing Authority is also acting as Responsible Authority in relation to the same process, it is important to achieve a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. In such cases licensing determinations will be made by the licensing committee or Sub-Committee comprising elected members of the authority (although they are advised by a licensing officer). Therefore, a separation is achieved by allocating distinct functions (i.e. those of Licensing Authority and Responsible Authority) to different officials within the authority.
- 3.2.6 In these cases, the Licensing Authority where possible will allocate the different responsibilities to different licensing officers or other officers within the local authority to ensure a proper separation of responsibilities. The officer advising the licensing committee (i.e. the authority acting in its capacity as the Licensing Authority) will be a different individual to the officer who is acting for the Responsible Authority. The officer acting for the Responsible Authority should not be involved in the licensing decision process and should not discuss the merits of the case with those involved in making the determination by the Licensing Authority.
- 3.2.7 Communication between these officers in relation to the case should remain professional and consistent with communication with other responsible authorities. Representations, subject to limited exceptions, will be made in writing.

#### 3.3 CUMULATIVE IMPACT POLICY

- 3.3.1 Cumulative Impact refers to the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area. The Licensing Authority recognises that the cumulative effect of a proliferation of late night entertainment premises (including night cafes) may result in an increase in numbers of people either walking through or congregating in streets during the night and this in turn may have a number of undesirable consequences which undermine the licensing objectives. These may include:-
  - An increase in crime against both property and persons;
  - An increase in noise causing disturbance to residents;
  - Traffic congestion and/or parking difficulties;
  - Littering and fouling.
- 3.3.2 This may result in the amenity of local residents being placed under severe pressure, as it will not always be possible to attribute a particular problem to customers of particular premises. This means that whilst enforcement action to ensure conditions are complied with is taken, this may not resolve all problems.

- 3.3.3 Where there is evidence that a particular area of the district is already suffering adverse effects arising from the concentration of late night premises, or that residential areas are under stress, this will be taken into account in determining any further applications for premises within the area identified. Cumulative impact assessments" (CIA) were introduced to the Licensing Act 2003 by the Policing & Crime Act 2017, with effect from 6th April 2018. A CIA can be published by a licensing authority to help it to limit the number or types of licences granted. This would apply to areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact as described above.
- 3.3.4 Somerset Council has no immediate plans to publish a CIA but recognises that the Act provides a mechanism for consideration should the need arise.

#### 3.4 LOCAL STRATEGIES AND POLICIES

- 3.4.1 Where appropriate, the Committee will take into account local strategies and policies. These will include: -
  - Sustainable Community Strategy
  - Somerset Health & Well-Being Plan
  - Somerset Climate and Ecological Commitment

#### 3.5 INTEGRATING STRATEGIES

- 3.5.1 There are many stakeholders involved in the leisure industry and many are involved in the promotion of the licensing objectives. A number of stakeholders' plans and strategies deal with matters related to the licensing function. Where this is the case the Licensing Authority will aim, as far as possible, to coordinate them.
- 3.5.2 Where appropriate, the Licensing Authority will also have regard to:
  - local crime prevention strategies
  - needs of the local tourist economy
  - employment situation in the area and the need for new investment and employment where appropriate
  - needs of the local community
  - the duty on Public Authorities to eliminate unlawful discrimination
  - the policy on cumulative impact

#### 3.6 AVOIDING DUPLICATION

- 3.6.1 The Licensing Authority recognises the need to avoid, so far as possible, duplication with other regulatory regimes such as health and safety at work, fire safety, building control and planning. Conditions will not be imposed if the matters concerned are already provided for in other legislation. However, other legislation may not always cover the unique circumstances that arise in connection with licensable Activities and in such cases tailored conditions may be necessary but only if relevant representations are received.
- 3.6.2 Non-compliance with other statutory requirements may be taken into account in reaching a decision about whether or not to grant a licence but only if relevant representations are received. Applicants, licence holders and notice givers are therefore reminded, in particular, of the need to be correctly registered with the Licensing Authority's food safety function and ensure the appropriate form of planning permission is in place, as these are separate regulatory regimes which are not superseded or overridden by an authorisation under the Licensing Act 2003. The Licensing Authority's website can be consulted for further information on each.

#### 3.7 REPRESENTATIONS

- 3.7.1 Under the 2003 Act both Responsible Authorities and 'other persons' may make representations on licence/certificate applications and review existing premises licences/certificates.
- 3.7.2 Other persons are defined as any individual, body or business that may be affected by the operation of a licensed premises regardless of their geographical location. Although the other person may be in any geographical location, any representation they make must be relevant to one or more of the licensing objectives. In addition, the other person is encouraged to provide evidence supporting their representation or review. This may be for example by way of recording dates where noise nuisance or anti-social behaviour occurs. Any representation however must be specific to the premises in question and not to the area in general. The representation should also detail how the granting of the application is likely to affect the person making it.
- 3.7.3 The Licensing Authority will however consider the geographical location of the other person who has made the representation in their consideration of their evidence.
- 3.7.4 In addition all representations must be relevant relating to the likely effect of the grant of the licence/certificate on the promotion of at least one of the licensing objectives. The Licensing Authority will determine whether a representation from an individual, body or business is relevant, frivolous, repetitive or vexatious. If appropriate, the benefit of the doubt will be given to the person or body making that representation.

#### 3.8 CONDITIONS

- 3.8.1 Where conditions are imposed at a licensing hearing, they shall be appropriate and proportionate and shall be tailored to the size, style, characteristics and activities that take place at the premises concerned. However, the Licensing Authority accepts that Responsible Authorities may suggest conditions following negotiation with the applicant when completing their Operating Schedules.
- 3.8.2 In addition conditions imposed by a Licensing Authority shall be precise and enforceable, clear in what they intend to achieve, should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation, shall not replicate offences set out in the 2003 Act or other legislation, shall be justifiable and capable of being met and shall not seek to manage the behaviour of customers once they are beyond the direct management of the licence/certificate holder and their staff.
- 3.8.3 The Licensing Authority recommends that conditions volunteered in the Operating Schedule should be: -
  - Targeted on the deterrence and prevention of crime and disorder
  - Appropriate for the promotion of the licensing objectives;
  - · Proportionate and enforceable;
  - Consistent and not conflicting;
  - Relevant, clear and concise;
  - Not duplicating other legislation; and
  - Expressed in plain language capable of being understood by those expected to comply with them.
- 3.8.4 The Licensing Authority when preparing the licences/certificates shall not simply replicate the wording from an applicant's Operating Schedule but will interpret conditions in accordance with the applicant's overall intentions.

## 3.9 ENFORCEMENT

- 3.9.1 The Licensing Authority has adopted a <u>Corporate Enforcement Policy</u>, available on the Licensing Authority's web site.
- 3.9.2 Enforcement action will be: -
  - Targeted toward those premises presenting the highest risk
  - Proportional to the nature and seriousness of the risk those premises present

- Consistent, so that the Licensing Authority takes similar approaches in similar situations
- Transparent, so those who are subject to enforcement action know what to expect
- Accountable, so that the Licensing Authority and its officers take responsibility for their actions
- 3.9.3 The Licensing Authority intends to use appropriate enforcement to promote the licensing objectives. Once licensed, it is essential that premises are monitored to ensure that they are run in accordance with their operating schedules, in compliance with the specific requirements of the 2003 Act and any licence conditions. It will also monitor the District for unlicensed activities that may or may not require authorisation.
- 3.9.4 The Licensing Authority has established protocols with the Fire Authority, Police, and Trading Standards on enforcement issues to ensure an efficient deployment of officers. Where official warnings are given prior to any decision to prosecute for an offence, the Licensing Authority shall ensure that these enforcement authorities are informed of these warnings and the result of any action taken.
- 3.9.5 In order to ensure compliance with the law and licensing conditions, the Licensing Authority will also carry out whenever possible unscheduled 'non routine' evening inspections with Avon and Somerset Constabulary. After each visit, the Designated Premises Supervisor and Premises Licence Holder shall be notified of any concerns and be given an opportunity to rectify any issues.
- 3.9.6 The Licensing Authority recognises that most Licence Holders seek to comply with the law and any enforcement action will normally follow a graduated approach and in the first instance will include education and support. Where licence holders continue to flout the law or act irresponsibly firm action will be taken.
- 3.9.7 The Licensing Authority may seek to meet with the licence or certificate holder and/or DPS working closely with them and relevant Responsible Authorities in implementing a Premises Improvement Plan where appropriate.
- 3.9.8 Where the premises does not comply with an agreed Improvement Plan and continues to breach the licensing laws and/or licence conditions, the Responsible Authority or Licensing Authority can consider further sanctions, either by way of a review, formal caution or prosecution. In any event, the Licensing Authority will have regard to the Regulators' Compliance Code

(www.gov.uk/government/publications/regulators-code) and the Enforcement

Concordat together with the Licensing Authority's own <u>Corporate Enforcement Policy</u>.

3.9.9 Any decision to instigate legal proceedings will take account of the criteria set down in the Code of Crown Prosecution and Attorney General Guidelines.

#### 3.10 COMPLAINTS AGAINST LICENSED PREMISES

- 3.10.1 Complainants are advised, whenever possible, in the first instance to raise their complaint directly with the licensee in order to resolve the matter. The Licensing Authority, however, recognises that it is not always possible or practical for complaints to be raised directly. In such circumstances, complaints in the first instance should be addressed to the most appropriate body. For example, crime and disorder related issues should be raised with the Police.
- 3.10.2 All noise-related complaints are investigated by the Licensing Authority's Environment and Community Protection Service and complaints regarding unlicensed activities and operating outside the permitted hours are investigated by the Licensing Team. There will be collaboration between the two teams to assist in reaching effective and appropriate outcomes for noise related matters.

  3.10.3 On receipt of a complaint, the Authority shall investigate the circumstances, discussing the complaint with the Designated Premises Supervisor of the licensed premises, the Premises Licence Holder, any Relevant Responsible Authority and the complainant. Where it is a valid complaint, the Licensing Authority shall endeavour to seek a resolution through informal means prior to taking any legal action.
- 3.10.4 Suitably qualified officers will be allocated to discharge enforcement duties as appropriate to their seniority, professional qualifications and/or experience in order to resolve any complaint.
- 3.10.5 The Licensing Authority recognises that this Policy and the promotion of the Licensing Objectives relies on partnership between all the parties. Therefore, where there are any concerns identified at the premises, or there is need for improvement, the Licensing Authority shall work closely with the parties at an early stage to address these concerns.
- 3.10.6 The Licensing Authority is unlikely to investigate any complaints that are made anonymously. In most cases, however, the complainant's identity will not be disclosed to the licence holder during the early stages of a complaint being dealt with. Complainants may be asked to complete logs of the disturbances that they are experiencing to provide evidence for licensing and/or environmental health officers. This will be relevant should, for instance, a review of the premises licence be undertaken, or action taken under environmental health legislation.

#### 3.11 LIVE MUSIC, DANCING AND THEATRE

- 3.11.1 The Licensing Authority recognises the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre for the wider cultural benefit of the community and in particular for children and young people.
- 3.11.2 When considering applications for such events and the imposition of any conditions if representations are received on licences or certificates, the Licensing Authority will carefully balance the need to promote the licensing objectives against these wider cultural benefits.
- 3.11.3 When considering whether an activity constitutes the provision of regulated entertainment each case will be treated on its own merit.

#### 4.0 ADMINISTRATIVE PROCEDURES

- 4.0.1 The Licensing Authority will accept online and electronic applications; however, applications will not be treated as valid until all relevant documents have been received together with the appropriate <u>fee</u>.
- 4.0.2 All hard copy applications will be treated in line with the relevant regulations and all applications and relevant documentation must continue to be submitted in their entirety and not in piecemeal form to avoid the potential for any errors or confusion.
- 4.0.3 As the Regulations require advertising of all new and full variation applications, the Licensing Authority recommends that the applicant contact them prior to displaying the statutory notice or advertising the application in a local newspaper circulating in the vicinity of the premises. This will ensure that an accurate consultation date will be given which will avoid any errors and the potential of a breach of the regulations that would result in the application being rejected or delayed.
- 4.0.4 Photographs clearly showing the notice on display at the premises and a scanned copy of the notice in the newspaper will both need to be provided to the Licensing Authority as part of the application process.

#### 4.1 PREMISES LICENCE

4.1.1 The Premises Licence application outlines the operating conditions and the Operating Schedule that will form the basis of conditions that will be attached to the Licence. It should include information that is necessary to enable any Responsible Authority or other person to assess whether the steps to be taken to promote the licensing objectives are satisfactory. The Licensing Authority shall expect the

applicant to have carefully considered the promotion of all four Licensing Objectives in their Operating Schedule.

- 4.1.2 It is recommended that applicants liaise with neighbours and/or any relevant community group such as a local residents association, or other such groups, as may be appropriate prior to submitting an application.
- 4.1.3 The Licensing Authority especially recommends that applicants liaise with the Relevant Authorities prior to submitting their applications, e.g. Police or Fire Authority, when compiling their Operating Schedules and the local Pubwatch if one operates in that area.
- 4.1.4 In completing their Operating Schedule the Licensing Authority suggests the applicant considers the following: -

#### General

- Premises logbook
- Management and staff training and awareness of duties under the 2003 Act
- Policies and procedures relating to e.g. age restricted sales, capacity, noise monitoring, dispersal, queuing, etc.
- Safe capacities
- Evidence of competent management procedures

#### **Prevention of Crime and Disorder**

- Drugs policy
- CCTV
- Pub Watch and Radio links with other licensed premises
- Security Industry Authority Door supervisors and Approved Contractor Scheme
- Polycarbonate or shatterproof vessels
- Frequency of glass bottle disposal and provision of secure storage before collection
- An appropriate ratio of tables and chairs to customers
- Management of outside areas
- Use of 'spikeys' or similar anti drink spiking device
- Calming atmosphere at close of business/event
- Safe capacities
- Queuing policy
- Stewards for events and event plan

#### **Public Safety**

- Health and Safety and Fire Safety risk assessments and staff training
- Safeguarding measures
- Use of CCTV in and around the premises
- Safe capacities and monitoring procedures
- Provision of local taxi companies who can provide safe transportation home
- Procedures to control access to and egress from premises
- Patrolling of premises
- Glass clearance policy
- Control of ventilation
- Control of litter immediately outside the premises
- The presence of trained first aiders and appropriate & sufficient first aid kits
- Adequate external lighting
- Consideration of the safety of performers appearing at any premises
- Indoor sporting events: medical practitioner; flame retardant material, location of public to wrestling ring; water sports events – lifeguards
- Stewards for events and event plan; and regard to standards of the National Sporting Body
- Ensuring appropriate access for emergency services

#### **Prevention of Public Nuisance**

- Control of general noise, disturbance, light, odour, litter and anti-social behaviour
- Whilst regulated entertainment taking place, management of noise disturbance
- Control of litter (e.g. cigarette ends, rubbish, etc.), vomiting, urinating and antisocial behaviour in the vicinity of the premises
- Dispersal policy to ensure customers respect their neighbours
- Removal of persons causing disturbance
- Management of outside areas, e.g. pub gardens, smokers, etc.
- Control of deliveries in early hours
- Queuing policy
- Winding down period

#### **Protection of Children from Harm**

- Refusals book
- Consideration of access to premises where adult entertainment may take place
- Consideration to proximity of premises to schools and youth clubs
- Restriction on hours when children under a specified age can be present and whether they should be accompanied by a responsible adult

- Clarity on activities and times at which events take place to determine whether or not it is appropriate to allow access to children
- Challenge 21 or 25 policy
- Prompting mechanism on tills at retail outlets
- Measures to control access to hotel minibars
- Operational measures to avoid proxy purchases
- How to prevent children from being exposed to alcohol sales at underage events, gambling, incidents of violence and disorder and drugs or drug taking
- Consideration of safeguarding issues
- Consideration of children as performers where relevant
- Supervision of children
- Under 18 event Code of Conduct, for example: searches, ticketed event, door supervisors, DBS checks, stewards monitoring event, set hours for event, restricted event, policy to ensure young people leave premises safely, etc.

These lists are not exhaustive, and advice can be obtained from the relevant responsible authorities. However, applicants are reminded again to contact the relevant Responsible Authorities to seek their expert advice before an application is submitted to the Licensing Authority.

4.1.5 Public Health - Although there is no specific Public Health objective, the Licensing Authority recognises that the Statement of Licensing Policy provides an important opportunity to consider relevant local Public Health concerns and that, as a responsible authority, the Director of Public Health (DPH) has a key role in identifying and interpreting health data and evidence. The DPH collates data which may be unavailable to other Responsible Authorities, but its analysis may be presented to assist the Licensing Authority in exercising its functions. We will, therefore, as far as the legislation will allow, consider health related harms when they are relevant to the promotion of the licensing objectives.

When the DPH exercises its functions as a Responsible Authority and wishes to make representations, these should be evidence based and may potentially cover any of the licensing objectives.

The harms to health associated to the use of alcohol are well documented and applicants are, therefore, encouraged to make use of the DPH's Alcohol Harm Index (AHI), which provides a summary of alcohol harm at very local level. Applicants seeking to apply for a new, or a variation to an existing, Premises Licence or Club Premises Certificate can use the AHI to inform their risk assessment and shape the steps they intend to take to promote the four licensing objectives when considering the completion of their operating schedule within the application.

## 4.2 GARAGES

- 4.2.1 With regard to the licensing of garages, and/or filling stations, Section 176 of the 2003 Act prohibits the sale or supply of alcohol from premises that are used primarily as a garage. However, the Licensing Authority will use the court's approach based on intensity of use, to establish primary use. Where such applications are submitted, the Licensing Authority will expect sufficient relevant evidence to accompany the application form to prove the issue of primary use.
- 4.2.2 Section 176 also refers to land acquired or appropriated by a special road authority and associated facilities. Applicants will, therefore, be expected to seek advice from the Licensing Authority in advance of submitting an application to consider the sale or supply of alcohol from premises within service areas, including those associated with Motorways.

#### 4.3 MOBILE PREMISES

- 4.3.1 Where licensable activities take place in mobile vehicles, a Premises Licence will be required for the land upon which the vehicle operates. The Operating Schedule must indicate the specific pitch from where trading is to take place.
- 4.3.2 As this type of premises is likely to cause people to congregate, the Licensing Authority shall expect applicants to demonstrate specific measures to prevent Crime and Disorder and Public Nuisance. In addition, the Licensing Authority shall expect the applicant to consider specific measures to ensure that litter from such premises is regularly disposed of and that the licensee has adopted a Litter Policy as set out above.
- 4.3.3 Where temporary structures are used for licensable activities they shall be shown on plan of the premises as the location where they will take place. Once a premises licence has been granted, the location of those structures may not change until an application for a full or minor variation of the premises licence has been submitted and granted.

#### 4.4 TEMPORARY EVENT NOTICES

4.4.1 The 2003 Act states that the premises user must give the Licensing Authority a minimum of 10 clear working days notice for a standard temporary event notice and between 5 and 9 clear working days for a late temporary event notice. The 'working day' requirement means that the day of receipt of the notice, Saturdays or Sundays, Bank Holidays, or the day of the event are not included as a working day.

- 4.4.2 Premises users are advised to submit their TENS well before the date of the event, using our online service. When serving TENs in a hard copy format, the premises user must serve the notice on the Licensing Authority, Police and the "local authority exercising environmental health functions" ("EHA") at the same time to avoid a situation where one of the bodies does not receive their copy within the statutory timescale, which could mean that the event cannot proceed even if the other bodies have received their copy in time.
- 4.4.3 It is a legal requirement for all organisers to carry out Health and Safety and Fire Safety Risk Assessments with regards to their event. Guidance on how to conduct such risk assessments may be obtained from the relevant enforcing authority. The Licensing Authority may notify the Fire Authority of any TENS submitted so that they can offer advice to event organisers if necessary. Members of any relevant Safety Advisory Group may also be notified of any TENs for similar reasons. Organisers are recommended to give thought to the provision of first aid at such events. It should be noted that if the Fire Authority is of the opinion that the use of premises/venue involves, or will involve, a risk to relevant persons so serious, including anything affecting their escape from the premises in the event of fire, the Fire Authority may prohibit or restrict premises use without notice.
- 4.4.4 Those intending to serve a TEN are strongly advised to consider whether their proposals should be considered by a SAG (see paragraph 4.8) and ensure they follow the advice given, this is particularly relevant for small scale festivals and/events that take place over more than 1 day.
- 4.4.5 Premises users are reminded that there are limits in terms of individuals submitting TENs and those that can be used in respect of a premises. Information is available on the Council's website <u>Temporary Event Notice (somerset.gov.uk)</u>
- 4.4.6 Finally, the Authority strongly recommends that premises users address the following issues: -
  - Applicants are strongly advised to consider and mitigate the potential impact in terms of public nuisance, i.e. noise, vehicle parking of attendees, traffic
  - Seek relevant professional advice on public liability insurance
  - Seek relevant professional advice on noise, public safety, sanitation, food hygiene, health & safety and fire safety matters
  - Liaise with local residents and businesses that may be affected by the event,
     to raise awareness of the nature and duration of the event
  - Seek relevant professional advice on medical provision
  - Ensure that the event site and environs are maintained free of litter to a reasonable extent during an event and completely cleared following an event. This includes the removal of all advertising material used to promote events, within a reasonable period

Consider the conditions attached to a Premises Licence or Club Premises
 Certificate and manage the event in accordance with such conditions, where
 appropriate. (This is to mitigate the potential for adverse impacts on the
 promotion of the Licensing Objectives and/or complaints)

# 4.5 PERSONAL LICENCES & EXEMPTION OF THE REQUIREMENT FOR A DESIGNATED PREMISES SUPERVISOR

- 4.5.1 The Licensing Authority places particular emphasis on the role of Designated Premises Supervisors (DPS) and Premises Licence Holder and where the Police object on the grounds of prevention of crime and disorder there will be a presumption against issuing a personal licence to any applicant with an unspent conviction for a relevant offence. If the applicant can demonstrate exceptional and compelling reasons for disregarding the conviction, this will be taken into consideration.
- 4.5.2 The Licensing Authority advises that it is good practice for the Personal Licence Holder to give specific written and dated authorisation to individuals to demonstrate due diligence. Whilst the DPS and Personal Licence Holder may authorise sales in their absence, they remain responsible for those sales. Similarly, the Premises Licence Holder also remains responsible for ensuring that the licensing law and conditions are complied with at that premises. Any authorisations should be meaningful and properly managed.
- 4.5.3 Where a Premises Licence is in force authorising the supply of alcohol, a DPS will need to be nominated. The main purpose of the DPS is to ensure that there is always one specified individual who can be readily identified by Responsible Authorities as the individual who has day-to-day responsibility for running the business and who can therefore ensure that any problems are dealt with swiftly. As such the DPS will occupy a pivotal position. Experience has proved that in some cases the Premises Licence Holder has employed a DPS who is remote from the premises and therefore not involved in the day-to-day running of that premises; the Licensing Authority will therefore pay particular attention to those premises.
- 4.5.4 Whilst the Licensing Authority recognises that a DPS may supervise more than one premises, the DPS must be able to ensure that the four Licensing Objectives are promoted and that the licensing law and licensing conditions are complied with. Where the DPS is not available at the premises for whatever reason, the Licensing Authority recommends a responsible individual is nominated who can deal with matters in the absence of the DPS. In addition, the Licensing Authority recommends that a notice is displayed prominently indicating the name and position

of that nominated person. Whenever alcohol is to be sold it is recommended that written and dated consent be given to that nominated person.

4.5.5 Experience has indicated that a number of Personal Licence Holders have failed to produce their Personal Licence to the court in accordance with Section 128 of the 2003 Act. In view of this the Licensing Authority will take appropriate action against those who continue to fail to notify the courts and/or provide notification of their change of address in accordance with their statutory duty.

#### **EXEMPTION OF THE REQUIREMENT FOR A DPS**

4.5.6 Where a community premises applies for an exemption from the requirement to have a DPS, the Licensing Authority must be satisfied that arrangements for the management of the premises by their Committee or Board of individuals are sufficient to ensure the adequate supervision of the supply of alcohol on the premises. The applicant will be required to set out how the premises is managed, its committee structure and how the supervision of alcohol sales is conducted. Copies of the Constitution and other management documents must be submitted. The management committee is strongly encouraged to notify the Licensing Authority if there are any key changes in the committee's composition as this committee will collectively be responsible for ensuring compliance with licence conditions and licensing law. Where management arrangements are unclear, the Licensing Authority may seek further details to confirm that the management board or committee is properly constituted and accountable. While overall responsibility lies with the management committee where premises are hired out, the hirer will be clearly identified as having responsibilities falling within their control. Community premises are encouraged to check with the Licensing Authority before making any application.

#### 4.6 LARGE SCALE EVENTS

- 4.6.1 The Somerset Council area is a popular location for a wide range of cultural and entertainment events to be held, and these events can enhance the availability of such activities for the benefit of the area; and even beyond, with events of national or even international significance. Events can range from village days to small scale festivals to Glastonbury Festival.
- 4.6.2 However, such events can involve considerable and complex planning and management. This involves a high level of competency from those involved with organising and managing such events.
- 4.6.3 The Authority recognises the potential for varied and extreme impacts on the promotion of the Licensing Objectives, where such events take place. Therefore, it

follows certain policy principles, when its discretion is engaged, and relevant representations are received and not withdrawn.

- 4.6.4 The representations concerned must refer to these principles and be evidenced/ reasoned for them to be considered as relevant.
- 4.6.5 Therefore, organisers of such events are advised to contact the Licensing Team in writing in the planning stages to ascertain the policy principles that may be relevant to an application.
- 4.6.6 The Authority has a general statutory duty under section 4 of the 2003 Act to promote the Licensing Objectives. The legislation does not refer to the special circumstances and sometimes very different issues that can be relevant to these types of application. However, the Authority has taken all reasonable endeavours to balance the demands and aspirations of the event industry against the protection of the local communities and the attendees that may be adversely affected by or at such events.
- 4.6.7 This section does not apply where licensable activities are proposed to take place solely within permanent buildings that are used solely or regularly for such licensable purposes.
- 4.6.8 The Authority will take this general approach to its determination of all new and variation applications for a premises licence for events of over 500 persons capacity, where relevant and appropriate. (All references to Premises Licence in this section apply where appropriate to Club Premises Certificate).
- 4.6.9 In respect of variations, the degree of complexity and/or alteration to the existing licence will be considered to determine relevancy. Applicants are advised to contact the Licensing Team, in writing, so that early discussion on this matter takes place.
- 4.6.10 The policy set out in the following paragraphs concerns applications for permanent premises licences where these are to be used to support occasional events for capacities exceeding 19,999.
- 4.6.11 These events have significant potential to undermine the promotion of the Licensing Objectives, due to their sheer size and complexity. The Authority believes that this risk can only be adequately mitigated by the submission of an up to date, relevant, detailed and complete operating schedule that is specific to the proposed event on each separate occasion or for a specific period less than permanent.
- 4.6.12 The Authority believes that it is inherent in the 2003 Act that Responsible Authorities should be given the opportunity to make representations related to the

nature of different events as far as possible. This is because the potential for adverse impacts on the promotion of the Licensing Objectives can vary significantly between events even when planned at the same premises. It supports the promotion of the Licensing Objectives for these organisations to be given as meaningful a role as possible.

- 4.6.13 The enforcement policies of the Licensing Authority may be significantly undermined by the short duration and potentially occasional nature of these events. This is because the Licensing Authority's graduated response to problems arising may not be as effective in responding to these issues on an occasional and irregular basis, particularly with different event organisers.
- 4.6.14 Sites for large occasional events are not usually entirely purpose built for the proposed licensable activities to take place. Therefore, there is considerable work involved in planning and organising these events. The Authority believes that this is only achievable by ongoing involvement of the Authority and Responsible Authorities in dealing with such events, as far as is reasonable and appropriate.
- 4.6.15 For the above reasons, the Authority believes that where an applicant submits plans that may be relevant to a whole range of events; the detail and relevance of this important document may well be critically diluted. In such circumstances, this may lead to an adverse impact on the promotion of the Licensing Objectives.
- 4.6.16 While the problems set out above may be addressed to some extent by the exercise of powers on review, the purpose of the 2003 Act is to prevent harm arising at the outset, rather than merely reacting to actual or anticipated harm later.
- 4.6.17 Therefore, the Authority has adopted the following policy: Where relevant representations are received in respect of an application for a
  permanent licence for the holding of occasional events with a capacity of more than
  19,999, the Authority will consider, amongst other matters, whether the operating
  schedule a) defines the events proposed with sufficient certainty to enable
  Responsible Authorities and the Authority itself to consider the risks to the licensing
  objectives arising from the event; b) defines the measures proposed to avert those
  risks with sufficient certainty to enable Responsible Authorities and the Authority
  itself to make a balanced judgment as to whether the measures will be sufficient to
  avert those risks. The authority will generally require a high degree of particularity
  before deciding that the operating schedule fulfils this requirement but will decide
  that matter on the merits of each case.

Where the Authority judges that the operating schedule is not drafted with sufficient certainty, the application will normally be refused, save in exceptional circumstances. It is unlikely that the circumstances will be considered exceptional unless they give

assurance that the licensing objectives will be met despite the lack of certainty in the operating schedule and therefore in the conditions of the licence.

Where the Authority judges that the operating schedule is drafted with sufficient certainty, then in deciding the application, the Authority will take account of any risks arising from the temporary nature of the event(s) proposed in the application.

4.6.18 It is likely that applications that are not submitted and duly made with the following minimum notice periods prior to the event may attract relevant representations resulting in a Licensing Sub-Committee hearing. This could lead to a refusal except in exceptional circumstances: -

Maximum number of attendees at any time	Minimum notice period
500 - 999	Not less than 2 months
1000 - 2999	Not less than 3 months
3000 - 4999	Not less than 4 months
5000 - 19999	Not less than 5 months
20000 - 49999	Not less than 6 months
50000 +	Not less than 7 months

4.6.19 The reasons for this policy principle are the following: -

These events have significant potential to undermine the promotion of the Licensing Objectives due to the numbers of people attending, the temporary nature of facilities and the variety and complexity of matters that may be relevant. The Authority believes that these concerns can only be properly mitigated by an applicant engaging with the licensing process at an appropriate time before the event.

Where less notice is provided there may be insufficient time for the licensing process to run its full course, namely that there may be insufficient time prior to a proposed event for any party to appeal a decision of the Authority. It is clear that such cases can be complex and controversial, potentially involving considerable court time on appeal; this may create a situation where the opportunity for <u>any</u> aggrieved party to an application to engage in the appeal process becomes effectively impossible due to time constraints before a proposed event.

If less notice is given by an applicant, they may have insufficient time to respond fully to representations that may have been submitted. This is particularly relevant where Responsible Authorities and/or Other Persons take the view that an application is lacking in detail and substance, and where the licensing process becomes drawn out in the lead up to the proposed event. This can lead to pressures on an organiser in the crucial lead up time to an event itself.

4.6.20 Responsible Authorities (and sometimes Other Persons) may often engage with applicants prior to submission of an application. This notion is referred to in the

<u>Statutory Guidance</u> (section 9.34), as it promotes the Licensing Objectives by fostering a partnership approach; and is supported by the Authority (where appropriate).

- 4.6.21 Applicants are expected to rely most heavily on their own competence and knowledge or that of persons/ bodies that they employ in making their plans. They cannot and should not rely on the input of the Responsible Authorities to ensure that detailed and comprehensive plans for their event are produced.
- 4.6.22 The main reasons for this policy principle are the following: -

The demands on the Responsible Authorities can be disproportionate to their resources. This might place undue pressure on such bodies, undermining the level of scrutiny of such applications.

It must be considered that the legal responsibilities connected to holding such events primarily rest with the organiser and landowner. Where an application does not contain reference to such guidance and expertise, statutory bodies may be placed in an untenable position where they may be open to litigation due to the level of input/advice they may have provided, and by implication may have taken an inappropriate degree of legal responsibility/ liability in connection with the event. Therefore, it seems pertinent to attempt to avoid such a problem arising.

Where an applicant does not consider such advice and guidance before making an application this can place Responsible Authorities and/or Other Persons in a difficult position due to the fact that many aspects of an application may be lacking and it may not allow full and proper consideration of the proposals during the objection period. This may undermine their full and proper consideration of an application.

#### 4.7 SUSTAINABLE EVENT MANAGEMENT

- 4.7.1 Events can impact heavily on our resources, society, and the environment, as they can generate significant waste, put a strain on local resources like water or energy, and generate large volumes of traffic. It is, therefore, important that event organisers are taking the right steps to integrate sustainability into their event management and ensure that they are organised responsibly. As such, the Licensing Authority encourages event organisers to take the necessary steps to develop proposals that are conscious of the Licensing Authority's Climate and Ecological Emergency Commitment, by way of demonstrating what steps will be taken to ensure the environmental impacts of the event are kept to a minimum.
- 4.7.2 It is highly recommended that event organisers consider the following points:
  - 1. Banning single use plastic glasses/cups in the bars and look to use reusable receptacles.

- 2. Encourage non fossil fuel powered events, including any caterers.
- 3. Alcohol sourced from local brewers/suppliers to keep bars with a lower carbon footprint.
- 4. High recycling rates, a target of 70% plus, which could be evidenced from weighbridge tickets provided by recycling transfer stations.

# 4.8 SAFETY ADVISORY GROUPS (SAGS)

- 4.8.1 The Authority acknowledges the benefits of working closely with Responsible Authorities and other statutory bodies in supporting event organisers in operating safe and well managed events. Safety Advisory Groups or 'multi agency meetings' are one means of promoting such partnership working.
- 4.8.2 The Authority will facilitate and host such meetings from time to time to assist applicants and those organising events that do not require an authorisation under the 2003 Act, where appropriate.
- 4.8.3 All applicants should consider whether to attend such a meeting before they apply, as failure to do so could undermine the promotion of Licensing Objectives.

#### 4.9 REVIEWS OF LICENCE OR CLUB PREMISES CERTIFICATE

- 4.9.1 The Licensing Act 2003 details that where a premises licence or club premises certificate has effect, a Responsible Authority or other person may apply to the relevant Licensing Authority for a review of the licence. Nothing in this Policy shall restrict their right to apply for a review of a licence or make relevant representations in accordance with the 2003 Act, however the Licensing Authority may, at any time, reject any ground for review specified in an application under this section if it is satisfied that the ground is not relevant to one or more of the licensing objectives, or in the case of an application made by a person other than a Responsible Authority, that the ground is frivolous or vexatious, or the ground is a repetition.
- 4.9.2 Where a person or body is considering making an application for a review, they are advised to contact the Licensing Team. This is so that Officers may provide some initial feedback on the matter and then, if appropriate, attempt to facilitate a meeting or a series of meetings between relevant persons and bodies to consider alternative solutions and/or discuss the review process.
- 4.9.3 Applicants should make all reasonable efforts to set out their concerns regarding a representation concisely and clearly and ensure that these concerns are relevant to a failure to promote the Licensing Objectives.

- 4.9.4 Examples of triggers for a review may be: continual complaints of noise from or in the vicinity of the premises; continual complaints of noise or intimidation from customers outside the premises; an accumulation of breaches of licensing conditions; poor management where the licensing objectives are undermined; underage sales of alcohol (persistent or otherwise); crime-related activity; anti-social behaviour; sales of alcohol outside of the permitted hours, etc.
- 4.9.5 The Licensing Authority shall expect applicants for a review to gather sufficient and relevant evidence relating to the specific premises that is subject to the review. This may include a diary of events and any potential witnesses. Regarding reviews on noise complaints, applicants are encouraged to liaise with the Licensing Authority's Environmental Community Protection Service who may be able to assist with and support the review process.
- 4.9.6 Prior to a review, however, Avon and Somerset Police, other Responsible Authorities or the Licensing Authority may seek to meet with the licence/certificate holder to address issues through a Premises Improvement Plan.

# 4.10 ADMINISTRATION, EXERCISE AND DELEGATION OF FUNCTIONS

- 4.10.1 The Licensing Authority has a Licensing Committee, consisting of 15 elected members, to carry out its licensing functions and to make licensing decisions, except those functions relating to the making of a Statement of Licensing Policy.
- 4.10.2 In the interests of speed, efficiency and cost-effectiveness the Committee will delegate certain decisions and functions to Sub-Committees and officers.
- 4.10.3 For example, where there are no relevant representations on an application for the grant of a premises licence or club premises certificate or Police objection to an application for a personal licence, these matters should be dealt with by officers.
- 4.10.4 The table attached at Appendix E sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub-Committees and officers.
- 4.10.5 This scheme of delegation does not prevent the referral of matters to a higher authority if considered appropriate in the circumstances of any particular case.
- 4.10.6 Members of the Licensing and Regulatory Committee will comply with Somerset Council's Code of Conduct for Councillors and will declare any personal or prejudicial interest in any matter coming before them in accordance with the Code. Members with a prejudicial interest will have the opportunity to speak as any member of the public (i.e. only where they make relevant representations) is

permitted but will withdraw from the room in which the meeting is being held immediately after speaking and will not seek to improperly influence the decision.

4.10.7 Members of the Licensing and Regulatory Committee who make representations on behalf of any Other Person or in their own right as a member of the Licensing Authority will not sit on any Committee making any decision in relation to the matter in question, nor take any other part in the decision-making process.

# 5.0 CHARGING

5.0.1 The Authority may charge for pre – application advice on request in accordance with the Council's adopted fees schedule.

# **APPENDIX A**

# **GLOSSARY OF TERMINOLOGY**

Cumulative Impact Where there is a potential impact on the promotion of the

Licensing Objectives of a significant number of licensed

premises concentrated in one area.

Club Premises Certificate Means a certificate granted to a qualifying club under the

2003 Act in respect of premises occupied, and habitually used for the purposes of a club. Alcohol must not be supplied other than to members by or on behalf of the

club.

Early Morning Restriction Order (EMRO)

EMROs are designed to address recurring problems such as high levels of alcohol-related crime and disorder in specific areas at specific times. The power enables a Licensing Authority to prohibit the sale of alcohol for a specified time period between the hours of 12am and 6am in the whole or part of its area, if it is satisfied that this would be appropriate for the promotion of the

licensing objectives.

Hot food or hot drink Food or drink supplied on or from any premises is 'hot' for

the purposes of Schedule 2 to the 2003 Act if the food or

drink, or any part of it:

(i) before it is supplied, is heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and,

at the time of supply, is above that temperature, or

(ii) after it is supplied, may be heated on the premises for

the purpose of enabling it to be consumed at a temperature above the ambient air temperature.

Licensable activities and qualifying club activities

Are defined in the Licensing Act as:

- (i) the sale by retail of alcohol
- (ii) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- (iii) the provision of regulated entertainment
- (iv) the provision of late night refreshment for those purposes the following licensable activities are also qualifying club activities:

(i) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption on the premises where the supply takes place

(ii) the sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place

(iii) the provision of regulated entertainment where that provision is by or on behalf of a club for members of the club or members of the club and their guests.

Other Persons

Any individual, body or business affected by the operation of a licensed premises, regardless of their geographical proximity to the premises

Personal Licence

Authorises an individual to supply or authorise the supply of alcohol in accordance with a premises licence.

**Premises Licence** 

Authorises the premises to be used for one or more licensable activities.

Provision of late night refreshment

Is defined as the provision of hot food or hot drink to members of the public, or a section of the public on or from any premises, whether for consumption on or off the premises between 11pm and 5am or, at any time between those hours when members of the public, or a section of the public, are admitted to any premises, a person supplies, or holds himself willing to supply, hot food or hot drink to any persons, or to persons of a particular description, on or from those premises, whether for consumption on or off the

Regulated Entertainment

Is defined as:

premises.

- (a) a performance of a play
- (b) an exhibition of film
- (c) an indoor sporting event
- (d) a boxing or wrestling entertainment
- (e) a performance of live music
- (f) any playing of recorded music
- (g) a performance of dance
- (h) entertainment of a similar description to that falling within paragraph (e), (f) or (g) where the entertainment takes place in the presence of an audience and is

provided for the purpose, or for purposes which include the purpose of entertaining that audience. Any reference to an audience includes a reference to spectators. This definition is subject to Part 3 of Schedule 1 to the Licensing Act 2003 (interpretation).

# Responsible Authority

#### Is defined as:

- The relevant licensing authority and any other licensing authority in whose area part of the premises is situated,'
- The Chief Officer of Police for any Police area in which the premises are situated
- The Fire and Rescue Authority for any area in which the premises are situated
- The relevant enforcing authority under the Health and Safety at Work etc Act 1974 for any area in which the premises are situated
- The local authority with responsibility for Environmental Health
- The local Planning Authority
- A body that represents those who are responsible for, or interested in, matters relating to the protection of children from harm
- Each local authorities Director of Public Health (DPH) in England and Local Health Board (Wales)
- The local weights and measures authority (Trading Standards)
- Home Office Immigration Enforcement (on behalf of the Secretary of State)

#### In relation to a vessel:

- A navigation authority (within the meaning of section 221(1) of the Water Resources Act 1991 (c.57)) having statutory functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is or is proposed to be, navigated at a time when it is used for licensable activities
- The Environment Agency
- The Canal and River Trust, or

 Secretary of State (who in practice acts through the Maritime and Coastguard Agency (MCA))

Safety Advisory Group A group of officers from Licensing, Health & Safety,

Environmental Community Protection Service, Police, Fire, Ambulance Service, Building Control, Trading Standards,

County Highways and any other relevant body.

Temporary Event Is defined as the use of premises for one or more of the

licensable activities during a period not exceeding 168 hours usually where a premises licence covering the

licensable activity is not in place.

Temporary Event Notice A document giving notice to the Licensing Authority of

intention to hold a temporary event

# **APPENDIX B**

## **LIST OF RESPONSIBLE AUTHORITIES**

# 1. Licensing Authority

Licensing Department
County Hall
The Crescent
Taunton
Somerset
TA1 4DY

Telephone: 0300 123 2224

E-mail: licensing.mendip@somerset.gov.uk; licensing.sedgemoor@somerset.gov.uk;

licensing.south@somerset.gov.uk; licensing.west@somerset.gov.uk

# 2. Environmental Community Protection Service

EP Team
County Hall
The Crescent
Taunton
Somerset
TA1 4DY

Telephone: 0300 123 2224

E-mail: <a href="mailto:environmentalhealth.mendip@somerset.gov.uk">environmentalhealth.sedgemoor@somerset.gov.uk</a>; <a href="mailto:environmentalhealth.south@somerset.gov.uk">environmentalhealth.south@somerset.gov.uk</a>; <a href="mailto:environmentalhealth.south@somerset.gov.uk">environmentalhealth.south@somerset.gov.uk</a>;

# 3. Public Safety

Public Protection Team
County Hall
The Crescent
Taunton
Somerset
TA1 4DY

Telephone: 0300 123 2224

E-mail: <a href="mailto:environmentalhealth.mendip@somerset.gov.uk">environmentalhealth.sedgemoor@somerset.gov.uk</a>;

environmentalhealth.south@somerset.gov.uk; environmentalhealth.west@somerset.gov.uk;

# 4. Planning

Planning Enforcement County Hall The Crescent Taunton Somerset TA1 4DY

Telephone: 0300 123 2224

E-mail: planningnorth@somerset.gov.uk; planningeast@somerset.gov.uk;

planningsouth@somerset.gov.uk; planningwest@somerset.gov.uk

# 5. Avon and Somerset Constabulary

Liquor Licensing PO Box 3119 Bristol BS1 2AA

Tel: 07761 405731

E-Mail: somerseteastliquorli@avonandsomerset.police.uk; SomersetWestLiquorLicensing@avonandsomerset.police.uk

## 6. Protection of Children from Harm

Somerset Direct
Childrens and Young Persons Team
PO Box 618
Taunton
Somerset
TA1 3WF

Telephone: 0300 123 2224

E-Mail: <a href="mailto:cpadmin@somerset.gov.uk">cpadmin@somerset.gov.uk</a>

#### 7. Devon and Somerset Fire and Rescue Service

Devon and Somerset Fire & Rescue Service Yeovil Group HQ The Fire Station Reckleford Yeovil BA20 1JF E-Mail: admintauntonyeovil@dsfire.gov.uk

# 8. Trading Standards

Devon and Somerset Trading Standards Buckland Road Chelston Wellington TA21 9HP

Tel: 0300 123224

Email: <a href="mailto:tradingstandards-mailbox@devon.gov.uk">tradingstandards-mailbox@devon.gov.uk</a>

#### 9. Public Health

Public Health County Hall The Crescent Taunton TA1 4DY

Telephone: 0300 123 2224

Email: <u>publichealth@somerset.gov.uk</u>

#### 10. Home Office

Alcohol Licensing Team Luna House 40 Wellesley Road Croydon CR9 2BY

Email: alcohol@homeoffice.gov.uk

# **APPENDIX C**

# **RELEVANT WEBLINKS AND DOCUMENTS**

<b>Department</b>	of	Culture	Media	and	Sport
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www.culture.gov.uk

#### **Home Office**

http://homeoffice.gov.uk/

**British Institute of Inn Keeping (BII)** 

www.bii.org.uk

# **Equality and Human Rights Commission**

www.equalityhumanrights.com

#### **BIS 'Code of Practice on Consultation'**

www.bis.gov.uk/policies/better-regulation/consultation-guidance

# **The Purple Guide**

https://www.thepurpleguide.co.uk/

# **Event Industry Forum**

https://www.eventsindustryforum.co.uk/

## **APPENDIX D**

### **LIST OF CONSULTEES**

### Section 5 Licensing Act 2003 - Statutory:

The Chief Officer of Police for the licensing authority's area.

The Fire and Rescue authority for that area.

Each Local Health Board for an area any part of which is in the licensing authority's area.

Each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the licensing authority's area.

Such persons as the licensing authority considers to be representative of holders of premises licences issued by that authority.

Such persons as the licensing authority considers to be representative of holders of club premises certificates issued by that authority.

Such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority.

Such other persons as the licensing authority considers to be representative of businesses and residents in its area.

A full list of consultees will be held by Somerset Council.

## **APPENDIX E**

## **TABLE OF DELEGATIONS OF LICENSING FUNCTIONS**

The Licensing Authority has followed the <u>Statutory Guidance</u> in relation to this matter. Many of these functions will be purely administrative in nature. This Policy reflects this point, by underlining the principle of delegation, in the interests of speed, efficiency and cost effectiveness.

MATTER TO BE DEALT WITH	FULL COMMITTEE	SUB-COMMITTEE	OFFICERS
Application for personal licence		If a police objection is made and not withdrawn	If no objection
Application for personal licence, with unspent convictions		All cases	
Application for Premises Licences/Club Premises Certificate		If a relevant representation is made and not withdrawn	If no relevant representation
Application for provisional statement		If a relevant representation is made and not withdrawn	If no relevant representation
Application to vary Premises Licences/Club Premises Certificate		If a representation is made and not withdrawn	If no representation
Application to vary Designated Premises Supervisor		If a police objection is made and not withdrawn	All other cases
Request to be removed as Designated Premises Supervisor			All cases
Application for transfer of Premises Licences		If a police objection is made and not withdrawn	All other cases
Application for Interim Authorities		If a police objection is made and not withdrawn	All other cases

Application to review Premises Licences/club premises registration		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of an objection to a temporary event notice		If a representation is made and not withdrawn	
Application for a minor variation			All cases
Application to remove the requirement for a Designated Premises Supervisor and personal licence at a community premises			All cases
Decision to make, vary or revoke an Early Morning Restriction Order	Yes		

## **APPENDIX F**

## CHILD SEXUAL EXPLOITATION & TRAFFICKING OF CHILDREN & YOUNG PEOPLE

This Licensing Authority is helping to tackle child sexual exploitation and trafficking by working together with key partners.

Through agencies working together and sharing information, we aim to identify and prevent sexual exploitation, disrupt the activities of perpetrators, protect children and young people, and prosecute perpetrators of sexual exploitation. Sharing information with Police and Child Protection services helps to protect young people from harm. Safeguarding children and young people is everyone's responsibility.

Child sexual exploitation and trafficking is a crime that can affect any child, anytime, anywhere – regardless of their social or ethnic background.

Sexual exploitation of children and young people involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive something, e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money, etc. as a result of them performing, and/or another or others performing on them, sexual activities. Violence, coercion, and intimidation are commonly involved in such exploitative relationships.

Child sexual exploitation involves perpetrators grooming youngsters and using their powers to sexually abuse them. Sexual exploitation of children and young people can take many forms, whether it occurs through a seemingly 'consensual' relationship with an older boyfriend, or a young person having sex in return for attention, gifts, alcohol, or cigarettes.

# How licensed premises and their employees can help tackle child sexual exploitation

Licensed premises and their employees should ask themselves the following questions when they see young and vulnerable people on their premises:

- Do any of your customers appear to be under 18 years old?
- Are they with a much older person and appear to be in a relationship?
- Do you think that they are under the influence of alcohol or drugs?
- Are children/young people being brought regularly to your premises by older people? If so, ask yourself why?

Licensed premises are encouraged to have in place appropriate Safeguarding measures and should seek appropriate advice where necessary to ensure that they are aware of both national and local issues, best practice and/ or priorities.

Further information on reporting child/ adult abuse in Somerset can be found at <a href="http://www.somerset.gov.uk/childrens-services/safeguarding-children/report-a-child-at-risk/">http://www.somerset.gov.uk/childrens-services/safeguarding-children/report-a-child-at-risk/</a>

https://www.somerset.gov.uk/care-and-support-for-adults/report-an-adult-at-risk/

If you have reason to suspect that a child is being abused or at risk of abuse it is your responsibility to report your concerns to and share information with the Police (Tel: 101) and Somerset Council Child Protection Unit. (Tel: 0300 123 2224).



# **Somerset Council Statement of Licensing Policy 2023 Consultations**

Reference Consultee	Comment	Officer Recommendation	Licensing Board Decision
Page 115 1	<ol> <li>Town and Parish Councils should be listed as consultees in Appendices D and in the list of Responsible Authorities</li> <li>Further there should be a responsibility to inform residents within 200m of an application to ensure that they have an opportunity to make representations and this should be added to the consultee list in Appendix D</li> <li>The area AONB's and CPRE should also be included on the consultee list as representing bodies.</li> <li>1.5.3 Please clarify what the 'greater support' offered by the licensing authority to communities is.</li> <li>We have been led to understand that the licensing authority is against conditions that place a burden on the licensing team which would seem to contradict the spirit of this paragraph. It is felt by the Parish Council that conditions are the way forward to promote licensing objectives and the principle of this paragraph is supported.</li> <li>1.5.6 - 1.5.7 There should be clarity in the approach of the licensing authority to these contradicting statements.</li> <li>2.1.1 Applicants should be required to seek the views of responsible authorities/local communities and it should be clear how this is to be done to ensure robust consultation. (For instance it is felt that a notice outside a property is not enough particularly where there is likely to be little footfall).</li> <li>2.6.5 How will the licensing authority monitor and enforce noise conditions and what basis will be used for measuring noise in imposing conditions?</li> <li>3.7.1 'other persons' may make representations. However the administration procedure is not transparent or clear. The public notice does not invite electronic representations although applications may be electronic. The notice does not provide a link to the application documents for detail of the application although this documents should be available electronically on the Council website and should not require access to physical copies for partners or other persons.</li> <li>3.8 The P</li></ol>	<ol> <li>Recommend no change as the Consultees and RA's are set by legislation, namely the Licensing Act 2003. We do notify Ward Members and Parish Clerks of any applications for the grant or variation of a premises licence in their area.</li> <li>Recommend no change as the Consultees and RA's are set by legislation, namely the Licensing Act 2003. We do notify Ward Members and Parish Clerks of any applications for the grant or variation of a premises licence in their area.</li> <li>Recommend no change, please see above but it would be helpful for Parish Clerks to pass on the notification if they are situated in such an area.</li> <li>Anti-Social Behaviour, Crime and Policing Act 2014 give greater powers to the Police to close premises.</li> <li>This is untrue, conditions need to be tailored to an individual licence to promote the Licensing Objectives.</li> <li>Recommend no change as each application needs to be considered on its own merits.</li> <li>Recommend no change as there is no legal requirement to do this so the policy advises that it may be useful to do so. The advertising of the application, as already stated, is set by statute.</li> <li>Any complaints received will be assessed and appropriate action taken. This may involve the use of monitoring equipment and could lead to a review of the premises licence.</li> <li>This is something we are working towards, updating the website, and aligning our procedures.</li> <li>The Licensing Authority does enforce conditions and has prosecuted for breach of conditions.</li> <li>This is in-line with the Somerset Council Enforcement Policy, but each case would be</li> </ol>	

	employed and would be an undue burden on officers who work 9-5, part time or	12. Recommend no change as the advertising of
	work from home.	applications is set out in statute.
Page 116	<ul> <li>12. 4 Administrative procedures require the advertising of applications - but displaying them at locations that are unlikely to be visible to other residents such as those with little footfall by the general public; or in newspapers with declining readership are unlikely to meet the requirements or spirit of the regulations. Requiring that Town and Parish Councils are notified would form a more direct link to residents as these bodies are elected representatives. Offering a subscription service such as the planning online subscription service offered by the Sedgemoor District which is now part of Somerset Council would allow groups and residents to subscribe to receive new notices or variations for specific Parishes, the system would not create an undue burden for officers and as the software is already owned by Somerset Council it should not place a financial burden on the department. This would create a robust and transparent administrative procedure to meet the fundamental principles of the policy</li> <li>13. 4.0.3 Clarity on variations is sought – is there a control on the cumulative effect of minor variations to a full variation on a licence.</li> <li>14. 4.4 The minimum time of 5 days notice does not seem practical for consultation unless this must be offered due to the 2003 Act.</li> <li>15. 4.4 Which policy would take precedence if a premises has a licence for events, the LSE policy or the extant premises licence as para 4.6.12 recognises that responsible authorities should be given the opportunity to make representations relating to different events at the same location. How do the two approaches connect for a premises that holds a variety of unspecified large events.</li> <li>16. 4.9 There is no process for regular reviews, a licence could be in place for decades with no review of the activities licensed, except in the instance of a complaint. If there are no regular checks standards may slide.</li> <li>17. 4.9.1 For clarity does this paragraph mean that a body such as a Parish or Town Counc</li></ul>	the Licensing Objectives. If it does, the application is rejected the only way forward is to submit a Variation.  14. There is no consultation for a Temporary Event Notice (TEN). It is not a licence; it is a notice served on the Licensing Authority informing them that a licensable event is taking place. The only persons who can object to a TEN are the Police or Environmental Health.  15. Recommend no change as each event needs to be considered on its own merits.  16. Under the Licensing Act 2003 licences are usually held in perpetuity and we carry out proactive inspections as well as being reactive to complaints.  17. Yes
2	1. 2.1 Legislation Prior to submitting your application you ARE REQUIRED to seek the views of responsible authorities and local community to obtain information on local issues and concerns that you may wish to take into consideration prior to making your application  2. 4. Administrative procedures 4.03 and 4.04 need to be amended to have more wider distribution using community sites and media besides newspapers. Notice needs to be prominently displayed in the relevant area not only at the site itself.  3. 4.12 It is recommended that applicants liaise with neighbours and/or any relevant community group such as a local residents association, or other such groups, as may be appropriate prior to submitting an application.  What if this recommendation is not taken up and neighbours and community groups are unawareof the licensing application so are unable to make	applications is set by statute.  2. Recommend no change as the advertising of applications is set by statute.  3. Recommend no change as there is no legal requirement to do this so the policy advises that it may be useful to do so.  4. Recommend no change as this would be a planning

		representation in the required period? Applicants should be required to show evidence of liaison /consultation  4. 4.1.5 Public Health	
		This aspect needs to be strengthened. Public Health can be endangered if the sewage system is overwhelmed by a large increase in occupants at a site. How this will be dealt with needs to be a requirement prior to granting a licence for large numbers of people over 24 hours 7 days a week	
		1. Page 11 'Legislation': After Para 2.1.1 the Policy should set out the other legislation which the licensing authority is bound by in undertaking its licensing function under the Act, including:  o S17 of the Crime & Disorder Act 1988  (Nets) the above list replicates what appears at 2.1.1 of Mendin's Policy)	1. Recommend no change as:  Section 17 of the Crime and Disorder Act 1988 is referenced at 3.1.3  Human Rights Act not referenced as it is enshrined
		<ul><li>(Note: the above list replicates what appears at 2.1.1 of Mendip's Policy)</li><li>2. Page 11 Para 2.3.1: spelling error: the word 'become' should read 'becoming'</li></ul>	in everyday life.
			Equalities Act 2010 is referenced at 1.5.2
		3. Page 12 Para 2.4.1- 'Children' this should also state ( as para 2.3.2 of Mendip policy does) that "Applicants for a premises license are advised to include in their operating schedule (where applicable) specifically how they will prevent	Anti-Social Behaviour, Crime and Policing Act 2014 is referenced at 1.5.3
		sales of alcohol to persons under 18 years, minimise glass related injuries and assaults, prevent noise from licensed premises becoming a nuisance and	2. Corrected
<b>T</b>		manage customers outside their premises who are smoking"	3. Recommend no change as this paragraph is now at 2.3.1
Page 11		<ol> <li>After 2.4.5 the Policy should set out the child protection bodies to whom the 2003 Act requires Applicants to copy details of their application, (as per Mendip's policy 2.4.1 and 2.4.2);</li> </ol>	Recommend no change as this is referenced at     Appendix B and further information on Safeguarding can be found at Appendix F
3 Meml	nber of public	5. The Policy should also itemise examples of issues likely to raise concern in relation to children (as per Mendip's policy 2.4.7), and examples of entertainment likely to cause concern (as per Mendip's policy 2.4.8). The Licensing authority's strong advice in relation to children where music and alcohol are the main reasons for an event taking place, should also be included (as per 2.4.9 of Mendip's policy). In addition the Licensing Authority's strong	5. Recommend no change as this was intentionally not included in the policy as it was thought most of the text was common sense and each application would be decided on its individual merits.
		advice should be included in relation to events provided solely for young people (as per 2.4.10 of Mendip's policy), and finally, a statement should be included of the conditions which an applicant is advised to offer for consideration in its operating schedule, where adult entertainment or services may give rise to concern in respect of children: (as per 2.4.11 of Mendip's policy.)	6. Recommend no change as this was intentionally removed as it is a legislative power not a policy issue and there are no late-night levies within the Licensing Authority area.
		<ol> <li>Page 14: 'Late Night Refreshment' After 2.7.5 the Policy should set out details of the licensing authority's power to charge late-night levies (as per para 2.6.1 and 2.6.2 of Mendip's Policy)</li> </ol>	7. Recommend no change as this is a report from 2017 which made recommendations but were never adopted within the Section 182 Guidance. We do liaise with our Planning colleagues and as Responsible Authority they are consulted on all
		7. Page 15 'Partnership Working' para 3.1.2 should set out examples of the form which 'co-operation across Services within the Authority' will include or be likely to take. In this regard the Policy document might take its cue from the House of	applications for the Grant or Variation of a premises licence.  8. Recommend no change as this is not a recent
		Lords Select Committee Report following their post-legislative Scrutiny of the Licensing Act 2003 (published 4.4.17) at https://publications.parliament.uk/pa/ld201617/ldselect/ldlicact/146/146.pdf Specifically, para 245 of the report cites examples of authorities where there is	change in legislation, this refers to the Police Reform and Social Responsibility Act 2011 so has been enacted for the past 12 years. The role of the
		already good co-operation between licensing committees and planning officers, and Para 247 which recommends:	

Page 118	"Coordination between the licensing and planning systems can and should begin immediately in all local authorities. The section 182 Guidance should be amended to make clear that a licensing committee, far from ignoring any relevant decision already taken by a planning committee, should take it into account and where appropriate follow it; and vice versa."  8. Page 16 'Licensing Authority as Responsible Authority' After 3.2.4 the policy should make it clear what this recent change in the legislation means by reference to the Home Office explanatory Guidance, which is detailed as follows at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/att achment_data/file/98130/licensing-authorities.pdf "What is the proposed change to be made through the Bill? We will make licensing authorities responsible authorities under the Licensing Act. This will empower them to refuse, remove or review licences themselves without first having had to have received a representation from one of the other responsible authorities listed above.  What are the advantages of giving licensing authorities this additional power? This proposal will ensure that licensing authorities are better able to respond to the concerns of local residents and businesses by taking the necessary actions to tackle irresponsible premises without having to wait for representations from other responsible authorities."  9. Somerset's Policy should also clarify that relevant representations from Responsible Authorities which are made within the prescribed period, shall be considered, where submitted in any written or verbal form.  10. It is Important to note that: whilst s17 of the Licensing Act 2003 imposes a duty on Applicants and any advertisements to use a 'prescribed form', the section only refers to the 'prescribed period' within which Responsible Authorities and Other Persons may make representations to use a 'prescribed form for representations from this sector.  11. The Policy should additionally make clear that in the interests of t	Licensing Authority as a Responsible Authority is clearly explained within section 3.2.  9. Recommend no change as the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 Section 21 states that an application, notice or representation shall be given in writing, which includes being transmitted in electronic form.  10. Recommend no change as this is detailed in the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.  11. Recommend no change as this is covered by the Licensing Act 2003 (Hearings) Regulations 2005  12. Recommend no change as this was intentionally removed as it is not a requirement for the application but is a suggestion.  13. Recommend no change as this is covered in 3.6.2
4 Member of public	2.31 I welcome the recognition that an area of concern is preventing noise from licensed premises becoming a nuisance. However the policy could go further	Recommend no change as a Premises licence includes the entire licensable area and this paragraph advises applicants what to address in

- and indicate that creating a noise nuisance outside the license conditions is unacceptable and will be subject to enforcement.
- 2. Surely another known area of concern is overcrowding/crushing at large indoor and outdoor events?
- 2.6.5 Suggest second sentence should read "If representations are received in areas with a concentration of residential properties, then imposition of stricter noise control conditions will likely be necessary.
- 4. 3.1.1 I welcome the recognition that delivery of the Licensing function involves a partnership approach with, amongst others; residents, parish councils and LCNs. However I would like to see more policy guidance to demonstrate this involvement. For example, it is presently not a requirement on the applicant or LA to notify Parish Councils (or presumably LCNs). I assert that SC should introduce this requirement or at the very least "strongly recommend" notification of local community groups including parish councils.
- 5. 3.3 Cumulative Impact Policy: This policy still doesn't address sequential licensed events at the same location.
- 6. Also it would be useful for the policy to state how the LA controls the cumulative impact of multiple TENs e.g. off-site campsites around Glastonbury Festival. NB: It is understood that the Festival license conditions has no legal effect on these sites.
- 7. 3.9 Enforcement: Is it not appropriate for this policy to enshrine formal reviews of large events? For example, each year there is a review of Glastonbury Festival under the behest of the (Mendip) Scrutiny Board surely this should be formalised within this Somerset wide policy?
- 8. 3.10.3 More could be done to explain or signpost the complaint procedures. Surely any complainant has the right of appeal if it is not considered a "valid complaint"?
- 9. 4.1.2 I believe that SC should adopt a mandatory policy of liaising with neighbours. At the very least it should strongly recommend this approach, with some appropriate sanctions if this approach is not followed.
- 10. 4.1.4 The applicant needs to describe safe capacities together with the procedures that are in place to ensure safe capacities are not exceeded. For example certification control of ticket numbers.
- 11. 4.7.1 This is a praiseworthy statement but most legal controls are outside the LA. For example the Environmental Agency controls the impact on watercourses. It would be useful for the policy to explain its relationship with other agencies involved in ensuring sustainable management.

- their operating schedule to promote the licensing objectives. Enforcement is detailed at 3.9.
- 2. Recommend no change as this will be assessed by Safety Advisory Groups and event Multi partnership Meetings on a case-by-case basis.
- 3. "Agree with the re-wording but use "will be considered" rather than "likely to be necessary".
- 4. Recommend no change as Ward members and Parish Clerks are notified of all new premises licence applications and applications to vary an existing licence within their area.
- 5. Recommend no change as each application will be considered on its own merits.
- 6. Recommend no change as the LA cannot control the number of TENs as it is a notice served on the LA that a temporary event is taking place.
- 7. Recommend no change as the licence is not reviewed on annual basis, officers make recommendations to Scrutiny Board in relation to the Event Management Plan if required.
- 8. Recommend no change as it is quite easy to find the complaints page on the Somerset Council website Complaints, comments and compliments (somerset.gov.uk) Any appeal would be to the ombudsman.
- 9. Recommend no change as we cannot make this mandatory as it is not a legal requirement, but the paragraph recommends this approach.
- 10. Recommend no change as each application will be considered on its own merits by Responsible Authorities and any required conditions will be tailored to individual applications by either mediation or a hearing.
- 11. The climate team will update their webpage with the event sustainability information to include links to other agencies and their responsibilities around events.

5 Page 120		<ol> <li>Clause 3.1.2 (page 15) of the Licensing Policy should state that the Licensing Authority WILL co-operate with other services across the Authority to promote the Licensing Objectives and be clear about the form such co-operation should take.</li> <li>In 2017 the House of Lords Select Committee published its post-legislative scrutiny report of the Licensing Act 2003. The House of Lords specifically identified inadequacies in decision making by Licensing Authorities due to lack of connection with the Planning regime, which had led to "numerous examples of the absurdities caused by the separation of the systems [particularly where both licensing and planning are relevant and where] permission for one without the other is of no use".(para 118 HoLreport)</li> <li>The House of Lords further noted the good practice in some authorities which had arranged for Licensing and Planning enforcement to work together and wanted this to become the norm in all local authorities, on the basis that coordination between the licensing and planning systems can and should begin immediately.(para 245 HoL report)</li> <li>The failure of the Licensing Authority to properly co-ordinate with the Planning regime and consider existing planning permissions prior to granting a license leads to licensing hours being permitted which exceed those allowed under planning restrictions. Planning enforcement then have to step in.</li> <li>At paragraph 122 of its report the House of Lords states: "Licensing committees are not bound by decisions made by a planning committee, and vice versa. We believe that this policy, far from avoiding duplication and inefficiency, has increased it, and has led to confusion and absurdity."</li> <li>I urge Somerset Council to use this opportunity to take on board the recommendations of the House of Lords Select Committee to ensure better coordination between the planning and licensing regimes. You should include a full statement of how the relationship between the two will work thus av</li></ol>	1. Recommend no change as the LA seeks cooperation but must follow current legislation.  2. Recommend no change as this is a report from 2017 which made recommendations but were never adopted within the Section 182 Guidance. We do liaise with our Planning colleagues and as Responsible Authority they are consulted on all applications for the Grant or Variation of a premises licence.
6	Responsible Authority	<ol> <li>2.4 Children         To support the licensing objectives, we suggest alcohol advertising should be addressed. There is overwhelming evidence that alcohol marketing profoundly influences children. It encourages them to drink earlier and once they have started, it encourages them to consume more; and it is both the content and volume of advertising and marketing that causes the damage. We believe that alcohol should not be advertised within a 400m radius of schools, children's homes, or in other locations which are likely to be seen by high numbers of children and young people. We would like businesses to take this into consideration, when designing and displaying their point of sale advertising.     </li> <li>2. 2.5 Vulnerable Adults         This section could go further, by highlighting how the physical layout of the premises may present particular risks for vulnerable persons.     </li> </ol>	<ol> <li>This is regulated by the Advertising Standards         Authority (ASA) who is the UK's independent         regulator of advertising across all media. They apply         the Advertising Codes, which are written by the         Committees of Advertising Practice (CAP)         Home - ASA   CAP</li> <li>Recommend referencing and signposting ASA         within 2.4 – RA in agreement.</li> <li>Recommend no change as each application will be         considered on its own merits.</li> <li>Agreed – add email address to page 5.         <u>SSDAP@somerset.gov.uk</u></li> <li>Noted.</li> </ol>

		<ol> <li>3. 3.1 Partnership Working - 3.1.1         Please can Somerset Strategic Drugs and Alcohol Partnership be added as an organisation that works to support the licensing objectives.</li> <li>4. 3.3 Cumulative Impact Policy         We have ongoing concerns that Cumulative Impact Areas are not currently used in Somerset. There are areas where evidence indicates the density of licensed premises is impacting adversely on the licensing objectives. We support the new policy recognises that the Act provides a mechanism for consideration should the need arise in the future.</li> <li>5. 4.1.5 Public Health         We welcome the inclusion of Public Health.</li> <li>6. Under section 4.1.5 referenced in the new policy we would ask the following sentence: The DPH may hold information unavailable to other Responsible Authorities which may assist the Licensing Authority in exercising its functions is amended for transparency as we would prefer it to state: The DPH collates data which may be unavailable to other Responsible Authorities, but its analysis may be presented to assist the Licensing Authority in exercising its functions.</li> </ol>	<ul><li>5. Noted.</li><li>6. Amend as requested.</li></ul>
<sup>7</sup> Page	Member of public	The supporting document appears to cover most aspects when granting a License .All that I would want included or made clearer is that the impact on a Community is taken into account and the Devon made is mindful that a license till midnight has wider implications in noise and anti social behaviour if the venue is in a residential area	Recommend no change as this is covered in section 2.6 paragraphs 2.6.2 & 2.6.5.
e 121 8	Somerset Council Officer	<ol> <li>I would suggest that section 5 is too vague to comply with general principles around fair enforcement. The statement has no clear definition and so is open to a wide range of interpretation "if it sees fit" is not clearly defined.</li> <li>A better format for section 5 might be to state that " charging will be in accordance with the council's adopted fees schedule". As licensing fees have to be set annually a fee schedule can then be created which creates a basic minimum or maximum charge. This schedules should also include an ability to waiver for certain appropriate bodies. This would need to be defined by the council in the charging schedule and would provide clarity to support the overarching policy.</li> </ol>	1. Recommend amendment to – The Authority may charge for pre – application advice on request in accordance with the council's adopted fees schedule.  1. Recommend amendment to – The Authority may charge for pre – application advice on request in accordance with the council's adopted fees schedule.
9	Member of Public	<ol> <li>No account of past failings to protect the community         I am concerned to see that this policy, which does not appear to differ in any substantial way from the former Mendip policy, does not take account of the issues that were raised (and accepted as action points) at a recent Mendip Scrutiny Board (November 22?) concerning the Glastonbury Festival. These issues illustrated failings in your licensing and enforcement regime and therefore by implication likely also your policy and included concerns about noise, traffic and overcrowding,     </li> <li>(a) I propose that the minutes of the scrutiny Board are reviewed and the relevant parts of this policy strengthened to mitigated the issues that were raised there; and for the record were repeated again this year.</li> </ol>	<ol> <li>Recommend no change as the minutes of the Scrutiny Board 22/11/23 have been reviewed and there are no action points recorded but the following was resolved.</li> <li>Note the report.</li> <li>Support the Officer recommendations summarised in Appendix 2 of the report.</li> <li>Request a written response to the recommendations from the Licensee.</li> </ol>
		Independent review of this policy	

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Your records will show that Mendip failed in the application of the license. For example it failed in to have in place a means of monitoring compliance with the noise curfew and when challenged sent correspondence which was contradictory and fell short of the standard I and others in my village expected of our local authority. They even failed in responding properly to my FOI request (which I felt compelled to make because of their handling).

- (a) I therefore request that someone other than the Mendip Licensing team deals with the revisions to the policy on which you are consulting. It is normal practice in Auditing for the lead auditor to be changed periodically and I suggest this is done here too a team that has not felt the need to take action to mitigate serious breaches in the past will very likely not have the independent mind and fresh approach that review of this important policy needs.
- (b) I also propose that the review must take account, if not already done so ,of good practice as operated by other authorities in whose area there are similar large scale events. Somerset should learn from he experience of others if there is learning to be had.
- 3. Engagement of members of the communities within the Council's area of responsibility.

Consultation on the policy

- (a) Shortfalls on licensing (the policy, the licenses and their application), can and do have a profound impact on the quality of life in our communities. I was surprised therefore that this consultation was not widely publicised, that it was not drawn to the attention of those that have expressed concern over licensing matters previously and that there were not consultation meetings. It was only by chance that a neighbour drew this to my attention at the 11<sup>th</sup> hour.
- (b) Some of my comments that follow are from experience of the Glastonbury Festival has on the surrounding communities. I appreciate this is not a consultation on the festival per se but it provides a useful reference as to how the hither-to licensing arrangements have failed us.

Consultation concerning the changes to and application of licences

(a) I would like to propose, if it does not already exist, that you enable members of the community to be automatically notified of matters in which that they have registered an interest.

The Policy should be revised so that members of the community are consulted in the detail of Operating Plan

Your policy again excludes a requirement for the local authority to consult members of the community on the very issues that will impact them . Members of the community should be consulted on the Operating Plan . Mendip has told us repeatedly when we have raised issues concerning the license for the festival that these mattes would be taken care of in the Operating Plan. However

- (a) Recommend that this is not a policy issue but a licence issue specific to Glastonbury Festival.
- 2. Recommend that this is not a policy issue but a specific licence issue.
  - (a)Recommend no change as the draft policy has been reviewed by Licensing Leads from previous districts who are now part of Somerset Council. Also, the consultation process is a review of the policy.
  - (b) As above
- 3. Engagement of members of the communities within the Council's area of responsibility.

Consultation on Policy.

- (a) Recommend no change as this consultation was widely publicised as required in statute as well as parishes and various social media outlets.
- (b) Recommend that the comment is noted.

Consultation concerning the changes to and application of licences.

(a) Recommend no change as members of the community are notified of applications by way of notification to Ward and Parish Cllrs and by way of advertising as set out in the Licensing Act Regulations.

The Policy should be revised so that members of the community are consulted in the detail of Operating Plan.

(a) Recommend no change as under the Licensing Act 2003 there is a 28-day consultation period for any grant or variation of a premises licence. A Responsible Authority or any other person may make a representation for or against the application during that period. In respect of Glastonbury Festival, multi-agency partnership meetings are held specifically for Responsible Authorities to scrutinise event management plans. GFEL organise community engagement meetings for members of the community and the Parish Council to raise any concerns. If there are issues that are not addressed, there is the option to review the licence.

The applicant's consultation and wash up meetings with the community should be mandated and the licensing authority should supervise this to ensure

<sup>3</sup>age 123

members of the community are specifically excluded from consultation or engagement in the plan. This is a critical weakness in your policy. People who live near the licensed premises will have a perspective that the authority may not, and at the end of the day the license should protect those same people.

The applicant's consultation and wash up meetings with the community should be mandated and the licensing authority should supervise this to ensure appropriate measure are taken as a result of the consultation.

- (a) The policy should be strengthened (ifthe legislation allows) to mandate proper consultation with the community and in good time. I have attended such meetings when I was told by the applicant that it was too late to change anything. This is NOT consultation. Equally there must be a proper wash up meetings for repeated events
- (b) In previous years the it has been our experience consultation meetings concerning a licensed event have been chaired by the Applicant. If the legislation allows, the policy should make provision for the consultees to shape the agenda and for the chair to be independent (ie using the f license as an example of the principle that should be in the policy, this would then not be chaired by the festival, nor the <u>local</u> licensing team or the parish council- although those organisations should be present).

#### 4. Conditions on the license

Para 1.5: The policy should be revised (if legally possible) so that conditions can be applied also if there have been previous complaints about the applicant in relation to matters covered by licensing in general.

#### 5. Cumulative impact Policy

Where an event happens repeatedly and incurs signifiant impact time and time again and/or where the event attracts other events such as camping under other 'permissions' then total impact of <u>all</u> these events must be taken into account. Your policy should specifically reflect this.

(a) To illustrate how the licensing policy fails to take cumulative impact into account and where the new policy should be strengthened, your festival license does not seem to exercise any control over very significant numbers of people arriving in or near our village for camping well in advance of the festival. That camping only takes place because of the festival. Your license should extend to businesses that have a 'dependence' on the licensed event and certainly to 'partnerships' (eg where camping and ticket are jointly purchased).

#### 6. Integrated Strategies

The LA administration of the festival so far has had inadequate regard to the interests of the local community. It has not engaged properly with the negative impact on those communities and has cited unsubstantiated arguments about significant benefit of the festival to the community. Competing interests must be considered but the way in which this has been voiced at LA meetings indicates an improper application. For example the claimed local commercial benefits should not prevent proper control over noise on the community.

appropriate measure are taken as a result of the consultation.

- (a) Recommend no change as what is being referred to is not consultation, it is community engagement and these meeting are convened by the event organisers. There is no legal requirement to do this, but it is something we encourage and are keen to see it continue.
- (b) As above.
- Recommend no change as conditions can only be added to a license by way of minor variation, variation, or review.
- 5. Recommend no change as this is covered in section 3.3 and at paragraph 3.3.4 it clearly states, Somerset Council has no immediate plans to publish a CIA but recognises that the Act provides a mechanism for consideration should the need arise.
  - (a) As above
- 6. Recommend that the comment is noted but is a statement in relation to Glastonbury Festival and not a policy issue.
- 7. Complaints, Monitoring and Enforcement.
  - (a) Recommend no change as the draft policy has been reviewed by Licensing Leads from the former districts who are now part of Somerset Council.
  - (b) As above but not a policy issue but a specific licence issue.
  - (c) Recommend no change as this is not a policy issue but a specific licence issue.
- 8. Recommend no change as this is not policy issue but could be considered on a case-by-case basis on application or a review of the licence.
- 9. Recommend no change as this is not a policy issue but a specific licence issue.
- 10. Recommend no change as this is not a policy issue but a specific licence issue.
- 11. Recommend no change as this is not a policy issue but a specific licence issue.

There also needs to be clear criteria as to how alleged benefits (commercial and linked businesses) compare with the disruption to residents

- 7. Complaints, Monitoring and Enforcement
  - (a) Mendip's track record on license monitoring and enforcement has been woeful. Because of this the policy needs to be completely reviewed by persons within the Somerset Authority who have had no prior engagement with Mendip. (For example ,last year (2022) there were repeated significant breaches of the so called festival noise curfew period;the correspondence with members of Mendip was inconclusive (and in my opinion unacceptable). Even their handling of a related FOI breached the legal standards of handling).
  - (b) The policy and expressed requirements of the Authority should be overhauled such that all activities are assigned appropriate standards, is properly supervised and monitored and enforced if materially breached. The current policy clearly fails to do that in that we have had repeated and serious breaches of the festival noise curfew in the last 2 years (and previous years).
  - (c) The permitted levels of noise have not been 'managed ' by application of your current policy and the proposed policy does not differ
- 8. Traffic, roads and pathways

The policy should take into account the use of helicopters for transport. For example at this year's festival there was significant use of helicopters to the festival site including during the night which caused disturbance. It should also be a consideration under 'sustainability' in your policy.

Where there are alternatives, traffic to an event on the side of a community should not be allowed to:

- -deny the community normal access to their house and parking,
- subject it to large volumes of traffic, some of it quite unsuitable for the nature of the village roads.
- put pedestrians at risk.

Your policy should categorically require that where there are alternative for parking and traffic flows they MUST be used.

As we are encouraged to have active lifestyles the local authority should not be shutting down footpaths and bridleways for 2 months of the year in connection with a licensed commercial activity. Could you consider how this could be curtailed by your policy?

#### 9. Security

Using the festival again as an example ,people scaled the festival fence and making unauthorised entry to the festival site this year. The license should increase its attention to security including in the community.

10. Sustainability and environment.

From this years festival there was e

From this years festival there was evidently inadequate provision of toilets. Your policy needs to focus on pollution an hygiene.

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11. Crowd control Your should have a specific requirement concerning crowd control at large events. I have been dismayed at this absence in practice. Had the lack of crowd control at the festival been associated with a football match it would have been banned	
	Delegated authority required to continue to make minor textural changes as and when required

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## Agenda Item 9

Somerset Council

Full Council

- 27 September 2023



#### Report of the Leader and Executive - Items for Information

Executive Member: Councillor Bill Revans - Leader of the Council and Lead Member

for Governance and Communications

Division and Local Member: All

Lead Officer: David Clark - Service Director - Governance, Democratic and Legal

Services and Monitoring Officer

Author: Mike Bryant - Service Manager - Democratic Services

Contact Details: <a href="mailto:democraticservicesteam@somerset.gov.uk">democraticservicesteam@somerset.gov.uk</a> / 01823 357628

#### 1. Summary

1.1. This report covers key decisions taken by the Leader, Executive Lead Members and Officers between 18 July 2023 and 15 September 2023, together with the items of business discussed at the Executive meetings on 2 August 2023 and 6 September 2023.

The Leader and Executive Lead Members may also wish to raise other issues at the Full Council meeting.

#### 2. Details of decisions

2.1. Agenda and papers for the Executive meetings held on 2 August 2023 and 6 September 2023 are published within the Executive webpages on the Council's website. Individual Leader, Executive Lead Member and Officer key decision records and related reports are also published within the Decision webpages on the Council's website.

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	Decision Title	Decision Maker and date of decision	Link to further information
	Decision Deleting to	10 July 2022 by the Evention Divertor of Community Comings Evention	and decision paperwork  Decision
	Decision Relating to	19 July 2023 by the Executive Director of Community Services, Executive	Decision
	Operational Contracts	Director of Resources and Corporate Services (Section 151 Officer)	
	Staplegrove Housing	02 August by the Executive	<u>Decision</u>
	Infrastructure Fund		
	Academisation Finance Policy	02 August by the Executive	<u>Decision</u>
	and Procedure		
	Somerset Adult Community	03 August by the Lead Member for Economic Development, Planning	<u>Decision</u>
	Education	and Assets, Executive Director of Resources and Corporate Services	
ט	Programme/Community	(Section 151 Officer)	
age	Development Land at Marston	09 August by the Lead Member for Economic Development, Planning	Decision
D	Magna	and Assets	
128	The Continuation of the	14 August by the Service Director of Public Health	Decision
$\infty$	Delivery of Wrap Around		
	Refugee Resettlement		
	Services Through Welcome		
	Hubs		
	Early Years Block – Early	16 August by the Lead Member for Children, Families and Education	<u>Decision</u>
	Years Single Funding Formula		
	2023-24		
	Key Decision to Award	01 September by the Executive Director of Public and Population Health	Decision
	Contract for the Somerset		
	Integrated Sexual Health		
	Service		

	Somerset Council -	06 September by the Executive	<u>Decision</u>
	Consolidated 2022/23		
	Outturn Report		
	2023/24 Budget Monitoring	06 September by the Executive	Decision
	Report - Month 3 - End of		
	June 2023 & Month 4 Update		
	Annual Approval as Sole	06 September by the Executive	Decision
	Shareholder of Homes in		
	Sedgemoor		
	Quarter 1 - Performance	06 September by the Executive	<u>Decision</u>
	Report		
Page	Award of contracts for Live	12 September by Executive Director – Climate and Place	Decision
	Labs 2 Programme for		
ge	Decarbonising Local Highway		
_	Maintenance		
29			
	Strategic relationship with the	15 September by the Lead Member for Transformation and Human	Decision
	Voluntary, Community, Faith	Resources	
	and Social Enterprise Sector		
	in Somerset		

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## Agenda Item 10

#### Somerset Council

Full Council

- 27 September 2023



#### Annual Report of Lead Member for Communities, Housing and Culture

Executive Member(s): Councillor Federica Smith-Roberts, Lead Member for

Communities, Housing and Culture

Lead Officer: Chris Hall, Executive Director for Community Services

Author: Councillor Federica Smith-Roberts, Lead Member for Communities, Housing and

Culture

Contact: <u>federica.smithroberts@somerset.gov.uk</u>

#### 1. Summary

**1.1** This report is the annual report for the Lead Member for Communities, Housing and Culture.

#### 2. Background

#### 2.1 Culture

Cultural Services comprise a variety of services delivered to the residents and visitors of Somerset on behalf of Somerset Council, the service provided by the cultural directorate aim to be preventative and promote health, wellbeing and independence.

#### Services include:

- Somerset Libraries
- Arts, Cultural Development and Entertainment Venues/Theatres
- Sport and Leisure (Centres, Facilities, Partnerships and Services).
- Tourism Facilities, Services and Development
- Heritage and Museums

#### **Somerset Libraries**

The Library Service is a statutory service, which provides free access at point of use to a wide range of digital and physical reading and study materials, information resources and IT facilities, as well as a range of specialist resources (e.g. blood pressure monitors). It also delivers a wide range of cultural, health, lifelong learning, digital inclusion, economic and children's activities and events, alone and in partnership. This

enables the Library Service to support the delivery of a very wide range of council and other partners' services and outcomes.

The service consists of 32 libraries (19 in-house and 13 community led partnerships), a mobile library service to rural communities, a Home library service (which takes library services to the housebound in their own homes) outreach and development services, a Performing Arts Library and is the Lead Authority for the LibrariesWest consortium (which supports 7 Local Authority Library Services in the SW). Somerset Libraries have ~1million visitors per year and loan ~1.5 million items per year.

Since Vesting Day, the Service has continued to deliver its statutory duties and full range of activities, partnerships, community events and outreach initiatives. We have also developed further bespoke services including Customer Access Points in all libraries, the loaning of activity trackers to promote active living, innovative events to encourage fostering, increased number of interactive projector locations to support Adult and Children social care and a number of new partnerships and events to support employability and business start-up, as well as a successful campaign to encourage more children from deprived families to take part in the Summer Reading Challenge.

Our partners include the NHS, Sparks, SASP (Somerset Activity and Sports Partnership), Arts Council, adult social care, Gamechangers, GoodNewsFoundation, SW Heritage, Libraries Connected, SWRLs, fostering team, ABRI, Young Somerset, Police, various Parish and Town councils, DCMS (Department for Culture, Media and Sport) (Department for Culture, Media and Sport), Childrens Services, Friends of Somerset Libraries and many more.

#### Arts, Cultural Development and Entertainment Venues/Theatres

#### **Entertainment Venues:**

Somerset Council operates two in-house delivered entertainment venues and one tenanted venue.

The Council owns the freehold for Taunton Brewhouse operated on the Councils behalf by tenants. Taunton Brewhouse is the largest theatre and arts centre in Taunton. It is a multi-purpose arts centre, catering for professional arts organisations, community groups, schools and businesses.

The Octagon Theatre is Somerset Council's principle (in-house) theatre and performing arts venue selling around 125,000 tickets a year and achieving an industry leading 83% capacity across 240 performances. It is owned, managed and funded by Somerset Council. The Theatre present a diverse range of performances from ballet to drama, musicals, live music comedy, with a range of high-profile artists visiting each season,

pantomime and is the home to large range of community companies and productions. In addition, the venue is home to a popular participatory programme with around 18 classes attracting over 400 people per week to take part in classes.

The venue attracts users from across Somerset and beyond – largely a 45min drive time from the venue.

The venue closed at the end of April to enable survey works to inform the viability of a capital works programme.

The Octagon works with numerous partners across Somerset from national producers artists, many local community groups, schools/colleges/groups attending performances, businesses especially around Yeovil Literary Festival. The venue is also an important contributor to the local economy from catering suppliers, hotels. Taxi, restaurants to print and media firms.

Westlands Entertainment Venue is Somerset's premier entertainment and conference facility. It hosts hundreds of meetings every year alongside large conference, banquets, balls, parties and other non-ticket events that attracts tens of thousands of visitors. The venue manages the wider Westlands site that includes gym and fitness centre sports hall, cricket and bowls pavilion and spaces, allotments, model engineering railway and rifle range. The site is owned by Leonardo Helicopters. The venue is managed and funded by Somerset Council. It stages performances of comedy, live music, talks and film screenings selling around 50,000 tickets across 50 live performances and around 250 screenings. While the Octagon Theatre is closed many productions have moved to the venue to seek to retain their audience (and income). As a multipurpose venue every day is different from holding wakes, election counts and council meetings to wrestling, college graduation, weekly ballroom dancing sessions and annual festivals (Yeovil Together run by Somerset Diverse Communities). The venue attracts users from across Somerset and beyond – largely a 45min drive time from the venue.

Since vesting day, the venue continues to stage and host events. It has become increasingly busy with the closure of the Octagon meaning all activity that can go ahead has transferred to the venue including increased classes taking place.

The venue is gaining popularity with the public (we have been operating since 2017 and the reputation was previously poor). The venue is widely used by the community, business sector, Somerset Council, community groups and is a contributor to the local economy for catering suppliers, print and media firms, taxis etc.

#### Arts Engagement and Outreach / Arts Development

Arts is made up essentially of the services that were previously delivered in the West and South of Somerset. The teams from the two former District Councils have joined to form one team for the wider Somerset Council and continue to grant fund smaller projects and initiatives particularly around visual arts events.

What the team are working on currently:

- Knife Angel Event Planning
- Public Art initiatives Cotford St Luke, Taunton High Street Benches, Castle Green in Taunton
- Cultural Assets Mapping
- Cultural Forum Design Work
- Arts Council and Local Government Association Leadership Course
- Heritage Members Update and Review
- Leisure Members update and Review
- Tacchi Morris Discussions
- Music Hub with Education
- Yeovil Triangle July 2024 involvement with launch
- Glastonbury Festival pitch for 2024
- Potential bid for National Armed Forces Day 2025/26
- Staplegrove Railway Bridge Public Art
- Taunton High Street Benches
- Cotford St Luke Public Art/S106
- Gaia Earth installation at Taunton Minster
- Somerset Armed Forces Day and support for Taunton Pride
- Public Art S106 projects commenting on planning applications with conditions involving Public Art.
- Providing business support to cultural partners and administering grants where applicable.

The South of Somerset has been designated a 'priority place' by Arts Council England and granted National Portfolio Organisation status as of 1st April 23. The team are delivering a South Somerset Arts Strategy and have been awarded £760K funding over three years from Arts Council England. The programme will see the delivery of funded activity by appointed officers to enrich the lives of residents with creative arts activity particularly for those from disadvantaged backgrounds or with limited opportunity to benefit from the arts. There is a vast range of projects and initiatives programmed for the next three years that will support the councils priorities and reach thousands of residents working with local, regional and national artists, freelancers and arts organisations that will benefit the community and support the local economy. The service has also provided funding for arts organisations, projects and artists.

#### **Somerset Council's Cultural Strategy**

External funding was received from Arts Council England (ACE) in 2022 to develop a cultural strategy for Somerset, which:

- voices the priorities of the community
- promotes the cultural identity of Somerset
- ensures arts and culture is embedded at the heart of the new Somerset Council's strategic plans
- Raises awareness and promote the role culture can play in enriching our communities and improving the quality of life, health and wellbeing and local economy for Somerset residents, visitors and local businesses.
- Establish and realise Somerset's potential as a cultural destination, serving to protect, capitalise and unlock potential opportunities for Somerset's creative sector that unifies place-based priorities

The project also received financial contributions and the full support of all five of the former Somerset councils. Initial background and stakeholder / public consultation work was completed by external consultants between August 2022 and January 2023; however, this on-going project is now managed by staff within the Council's Cultural Services team. It is expected to be completed with adoption of the strategy by the Council's Executive late 2023.

The Strategy defines 'culture' and explains that the council's cultural services include: theatres and arts; libraries; sports and leisure; tourism services; and heritage and museums – all contribute to enriching lives and improving prospects. Libraries are however the only 'statutory' function for the council.

External and internal (i.e., all other council directorates and services) partners and stakeholders continue to be engaged with as the final draft strategy is refined. Once the strategy is adopted, the work will evolve as future governance, partnership working, and stakeholder engagement arrangements are developed – and implementation plans for the strategy are agreed, delivered and monitored. The strategy makes it clear that the Strategy is owned by Somerset, and not the Council, and its vision and goals can only be realised through collaboration and partnerships. Our intention is to work in an interconnected way across Somerset, working with key external specialists and experienced creative and cultural partners, including the existing six National Portfolio Organisations (NPOs), accessing existing networks and creating new interconnected working.

#### Sport and Leisure (Centres, Facilities, Partnerships and Services)

The leisure service comprises contract management of 16 leisure facilities operated by four different leisure providers, in the form of three contracts and one lease.

The Council operate and deliver and in-house leisure and sport facility in Yeovil - Yeovil Recreation Centre.

The team oversee the contract management of all outsourced and in-house delivered services and are the source of all information regarding sport and leisure for Somerset Council, with the aim for the Council to provide services that actively promote and improve health and wellbeing for the communities of Somerset.

Projects ranging from small tennis refurbishment projects to the creation of multi sports facilities using S106 funds are also delivered by the team.

The service applies for external funding, provides advice to clubs and organisations, and liaises closely with the Somerset Activity and Sports Partnership (SASP) to deliver complementary outcomes.

The leisure contracts are complex and specialised but have a varying net income to the Council each year, the total depends on the income/expenditure profiles of each contract.

The volume of partners is significant – potentially all sports clubs in the County (several hundred potentially but generally up to 10 at any one point), many Town and Parish Councils, Sport England, SASP and internally assets colleagues, the S106 team, legal and finance on an ongoing basis. National Governing Bodies, consultants such as the STRI {sports Turf Research Institute}.

In financial terms the service is responsible for significant project funds – up to £1m (external funds or \$106 funds) in 2023/24.

Since vesting day, the team has been busy ensuring the continuity of service provision across Somerset - liaising with all leisure operators on an ongoing basis regarding kpi's, performance, building issues and acting as client for the large-scale decarbonisation projects in the south and west.

Other projects delivered or ongoing since vesting day:

- Delivery of a large coastal protection project at Blue Anchor (supporting Climate and Place with continuity)
- Refurbished tennis court projects at Taunton Green and Vivary Park and at Yeovil Recreation Ground and setting up the court payment system.
- Refurbish Tennis courts at Blackbrook Pavilion.
- Concluding the project work at Norton Fitzwarren Playing Field using S106 funding.

- Negotiating a settlement with Freedom Leisure regarding contract changes and limiting the financial impact of the contract clauses as far as possible.
- We have submitted stage 1 of the application for funding from the Swimming Pool Support Fund – stage 2 will be done by end of October.
- Considering how best to deliver new playing fields at Wellington using S106 funding. We are exploring funding for a Built Facilities Needs Assessment and Playing Pitch Assessment for the 'east' using external funding.
- Planning for the refurbishment of facilities at Yeovil Recreation Ground.
- In discussions with SC (Somerset Council) colleagues concerning the reprocurement of the leisure contract in the 'north'.
- Liaising with SLM (Sports and Leisure Management) and Freedom concerning loss of income claims relating to decarbonisation projects

#### **Tourism Facilities, Services and Development**

The council operates two Visitor Centres – Taunton Visitor Centre, and South Somerset Tourist Information Centre (Yeovil), where a small team of dedicated and highly knowledgeable staff help visitors, every day find places to stay and eat, and provide a wealth of information on local events and attractions. Taunton Visitor Centre welcomes over 100,000 visitors and locals through its doors every year.

Located at Cartgate Picnic site and the gateway to the South West, the South Somerset Visitor Information Centre has seen a huge surge in visitor numbers and income. With over 25 overseas Coach trips in June and 24 within the UK visiting and the giftshop operated by the Council experiencing 218% increase in takings compared to pre covid levels in June 2019.

These centres are highly valued by the communities and visitors of Somerset.

The Council's Tourism team supports the promotion of the area and our events and attractions by working closely with the Destination Management Organisations (DMO) - Visit Somerset and Visit Exmoor. The cultural services team have been working with the Economic Development team to ensure a closure partnership is formed with VisitSomerset in delivery of the Councils Corporate Priorities.

#### **Heritage and Museums**

The Cultural Services team are responsible for delivery of Heritage services and Museums across Somerset, the Council own and run an in-house museum in the South of Somerset with the remainder of the Heritage and Museum services outsourced via contract to the South West Heritage Trust.

Heritage broadly covers those assets of historical importance within the remit of the Council, its arts, artefacts, and structures, ensuring:

- Somerset residents, visitors and other people understand, experience, and enjoy the county's heritage, including Schools.
- Somerset's heritage is protected, conserved, and enhanced.
- Somerset's heritage contributes to a sense of place, to health and wellbeing and to the cultural economy.

On behalf of Somerset Council South West Heritage Trust deliver:

- Management of the Museum of Somerset and Somerset Rural Life Museum in accordance with the agreements with the Heritage Lottery Fund;
- Deliver heritage learning activities;
- Deliver archaeological outreach and training projects;
- Provide exhibitions and events;
- Provide an archive service;
- Operate Local Studies Service;
- Provide archaeological and conservation advice
- Act for the Council in providing heritage advice on agri-environment schemes;
- Take part in consultations in respect of heritage matters related to works proposed by statutory undertakers and statutory agencies;
- providing and maintaining a Somerset Historic Environment Record for the Council
- Fulfil the historic environment/heritage requirements of agreements between Somerset Council and developers.

The SWHT (South West Heritage Trust) discharges Somerset Council's statutory responsibilities under the Treasure Act 1996"; the statutory archive responsibilities; "the Local Studies libraries form part of the statutory provision of SC, under the PLMA 1964.

- Adjutant contracts/ arrangements in place for further services:
  - Legacy County Council dormant record storage.
  - Registrars' records storage
  - Museum of South Somerset
- The Transfer Agreement is the transfer by the Council to the Trust of the 'Undertaking', which comprises:
  - the Museum of Somerset, Somerset Rural Life Museum and the Somerset Brick and Tile Museum;
  - o the Archive and Local Studies Service;
  - o the Museums Service:
  - o the Historic Environment Service:
  - the Somerset Heritage Centre, and any other premises mutually agreed between the parties;
  - o historic land assets belonging to the Council, amounting about 400 acres;

#### 2.2 Regulatory and Operational Services

Our open spaces team continue to manage our much loved parks to an excellent standard, with 10 Somerset Council parks being awarded Green Flag status for 2023.

This international award, now in its fourth decade, is a sign to the public that the space boasts the highest possible environmental standards, is beautifully maintained, and has excellent visitor facilities. Two of the ten parks have also retained their Heritage status.

The parks and greenspaces awarded Green Flag status are:

- Ham Hill Country Park near Yeovil
- Chard Reservoir Local Nature Reserve
- Yeovil Country Park
- Apex Park and Marine Cove in Burnham on Sea.
- Swains Lane Nature Reserve near Wellington
- Vivary Park in Taunton
- Blenheim Gardens in Minehead.
- Wellington Park

Both Ham Hill Country Park and Wellington Park retained their Green Heritage Site Accreditation, supported by Historic England, for the management of their historic features. Ham Hill is an ancient Iron Age hillfort and Wellington Park is a grade II listed former Edwardian Park established in 1927. There are only 5 Green Flag Heritage Sites in the South West, and 2 of them are owned by Somerset Council.

A further 3 former Somerset Council parks, now owned by Taunton Town Council but maintained the Somerset Council grounds team, also received Green Flag Awards.

Minehead, Taunton, Wellington and Yeovil have again entered the famous gardening competition, South West in Bloom, part of the Britain in Bloom campaign established by the Royal Horticultural Society (RHS).

In July, the Somerset towns welcomed judges of the awards on tours of the many parks, gardens, green spaces and RHS's 'It's Your Neighbourhood' groups (IYNs) that have entered the contest.

In Somerset, the Bloom initiatives are jointly managed by the town councils and Somerset Council respectively, whilst local community groups and individuals support with the design and maintenance of the floral displays and green spaces.

This year, Minehead In Bloom has entered the Sargent Cup, Taunton in Bloom has entered the Tesco Cup, Wellington in Bloom has entered the Portman Cup and Yeovil in Bloom has entered the St. Bridget Cup.

And of course, none of our parks and town centres would be able to do this without the support of our Council nurseries in Lufton and Taunton, which produce hundreds of thousands of plants a year.

The grounds teams continue to integrate nature friendly maintenance regimes into our open spaces as part of the Council's ecological emergency declaration. We are now in the third year of our successful grassland management strategy within Taunton and the west of the district, which was produced in partnership with the Somerset Wildlife Trust. Training with the Trust has taken place this month to ensure the programme is rolled out across the whole of the county for next cutting season.

Our grounds team at Yeovil Rec won the Best Environmental and Sustainability Impact Award at the Grounds Management Association Awards for the way in which biodiversity is encourages in a sports facility. A huge congratulations to Rodney, Jamie, Callum, Jordan and Mick.

The Regulatory Services team of Somerset West are in the midst of a Public Space Protection Order (PSPO) consultation for the control of dogs in the West Somerset side of the County. The control of dogs was previously under Dog Control Order which lapsed in 2021. It is proposed to reintroduce a seasonal dog ban on Minehead beach and all-year restrictions in places like children's play areas, amongst other things. Getting to this point could not have been achieved without the support of the wider County team such as Communications and Legal along with our Councillors and town/parish councils.

The Regulatory Services team have been spending time in Minehead to ensure the residents, holiday makers and businesses are fully informed and have an opportunity to have their say on the proposed dog restrictions. It is estimated that over 500 people have been spoken to so far, which has resulted in 334 responses, with 2 weeks to go! Which is an amazing! This piece of work has been a real team effort so thank you to all that has been involved.

As part of the Unitary authority a lot of work has been going on across Regulatory to align how our teams work so that we are providing a consistent service to businesses and the public across Somerset. As part of this alignment work our licensing team have been reviewing a number of policies. This has been a major piece of work and is now reaching conclusion in a number of areas. The Statement of Licensing Policy is a statutory policy which supports and guides our administration and enforcement of the provisions of the Licensing Act 2003. This policy has been out for consultation and a

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total of 52 responses were received. These are now being presented in a report to the Licensing and Regulatory Committee which has been asked to recommend any amendments they feel are required and to recommend the final draft for approval by Full Council. The draft Gambling Policy is also now currently out for consultation.

#### 2.3 Customer Services

Customer Services provide the first point of contact for Somerset Council, as well as providing the Lifeline and Out of Hours services for our most vulnerable customers in emergencies. The service deals with 3,000 customers face to face in our customer service points and takes 67,000 calls a month, currently resolving 96% and 74% respectively without having to pass them onto a service for resolution. Customer Services undertook significant preparations for Vesting Day providing customers with a single number 0300 123 2224, single website and a new award-winning Welcome BOT which continues to direct over 85% of calls to the right place and where needed, advisers will triage in 7 12 seconds.

The team champions good customer service and established a new Customer Panel made up of residents from across the authority to listen to what they have to say and help shape and co-design our services. We were also proud to see the adoption of a new Customer Strategy for Somerset Council which sets out our commitment to customers and the culture we want to promote. We also established 19 new Face to Face customer Access Points in each Local Community Network area, trialling new software 'Attend Anywhere' enabling customers to connect with the service through virtual agents.

Complaints handling is also a key role for the team, with a new policy and targets for performance. In the first quarter of 23/24 62% of complaints were answered in 10 working days. We try extremely hard to deal with more complex complaints within 20 and are establishing mechanisms to ensure we reflect and learn from them. This year our focus is to drive digital customer transition and transformation through our Customer Engagement Platform Programme and work with partners to explore locality models of delivery.

#### 2.4 Housing

#### **HRA (Housing Revenue Account) Landlord Function**

The council has c10,000 homes with services delivered by an Arms Length Management Organisation (Homes in Sedgemoor c4000 homes) and the Council's inhouse service (c5700 homes). In 2022/2023 the two services were under two District Councils and Sedgemoor DC and Somerset West and Taunton DC. The two services delivered their services according to the performance and policies set by those

authorities and both services had to operate within the same compliance and regulatory environment. This report provides a snapshot of the performance of the service 2022/2023 and the annual reports for last year will shortly be available for both services. Here are some highlights:

#### **Responsive Repairs and Void Repairs**

- Emergency and non-emergency responsive repairs are being undertaken within appropriate timescales with performance pea.
- All emergency jobs are being delivered within our defined timescale (24 hours from logging).
- Performance levels for responsive repair requests (now being taken by a cohort
  of specialist repair call-handlers within the Corporate Customer Service team)
  has recently been challenged by maternity leave and sick leave within that team.
  This has led to a reduction in the previously improved performance levels
  reported, albeit there still remain less abandoned calls, faster answering, and
  more accurate detailed work orders being raised than was being achieved prior
  to the change in approach. We are reviewing this position carefully, including
  evaluation of required staffing levels, and introducing 'overflow' of calls to repairs
  schedulers when available.
- Our Repairs Service Improvement Plan (RSIP) has been further developed and many activities are being progressed. However, progress to improving ICT (Information and Communications Technology) systems (e.g. job diagnosis and appointments, trades scheduling, contractor portal, etc.) and further review of available reporting functionality have been hampered by a corporate 'change freeze' to existing IT systems prior to LGR (Local Government Reorganisation) Vesting Day on1st April 2023.
- We continue to undertake void repairs to meet our Lettable Standard and are seeking to streamline external contractor support to meet property performance turnaround targets.
- Following an external Materials Supplies Audit, we have progressed with implementing an updated imprest van stock and have also undertaken a stocktake of our stores.
- We are progressing with implementation of an improved materials supply chain process, although again this has been affected by the current corporate 'change freeze' to existing IT systems.

#### **Property Safety Compliance**

All property safety compliance checks and works continue to be undertaken.
 These include gas safety checks (LGSR's), water risk assessments and remedial works, electrical inspections (EICR's), asbestos surveys and re-inspections, fire risk assessment and remedial works, fire safety checks, and lift and stair-lift checks and remedial works.

- The new contract to undertake outstanding electrical inspections (EICR's) and associated remedial works is progressing well. We have streamlined the process to make appointments and have increased focus on 'hard to access' properties.
- We have implemented new iAuditor software to assist with compliance data collection for emergency lighting visual inspections, fire door inspection, fire safety housekeeping 'sterile communal area' checks (flat block inspections), water risk assessments in dwellings and fire risk assessments.
- Additional procurement has taken place, including air source heat pump (ASHP) servicing, and extension of our stair-lift contract.
- We have mobilised a new radon monitoring contract.
- A street lighting safety assessment survey programme has been undertaken.
- Installation of alarms as required under the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022 has been completed.
- We have appointed Savills to undertake an independent review of our compliance activities, together with helping us develop a Building and Resident Health and Safety Strategy for the new Council.
- Weekly compliance meetings continue to carefully monitor and manage all of these safety critical areas, and an update report has recently been presented to the Audit Committee.

#### **Housing Enabling**

Through the Affordable Housing delivery programme, Somerset Council is embracing its vision to build a fairer, greener, resilient and more flourishing Somerset that cares for the most vulnerable and listens to you.

More than 2000 affordable homes have been delivered across Somerset over the past three years. The housing enabling teams works closely with a range of affordable housing delivery partners, including the Council own direct delivery to overcome the increasing challenges of housing development and provide new high quality, energy efficient homes people can afford.

We are acutely aware of the requirement for affordable housing to meet a range of needs across the area. Work is continuing to grow the pipeline further providing affordable options for rent and low-cost purchase to support our local communities. The team are actively increasing the provision of larger homes, fully adapted wheelchair

accessible homes and working in partnership within our parishes to satisfy the identified housing need.

	Affordable Housing Completion Summary					
	Somerset North	Somerset East	Somerset South	Somerset West	Total	
2020/21	169	66	100	106	441	
2021/22	290	96	307	219	912	
2022/23 - estimates	235	79	161	277	752	
	694	241	568	602	2105	

#### Development highlights include:

Cornhill, Wellington saw the development of 26 homes for rent and 16 for shared ownership by LiveWest on a brownfield site within the centre of the town. The 42-home development included the repair and conversion of a listed building.

Rainbow Way, Minehead has started on site to deliver the Councils first scheme of 54 net zero carbon affordable homes for rent. The scheme includes a broad range of house types including fully adapted wheelchair homes and bungalows.

Neat Lane, Pilton (phase 2, Maggie's Farm) residents in the village of Pilton are set to benefit soon from a further 20 x new affordable high-quality homes, all for social rent and for local people. This unique second phase rural development is situated next to an existing rural exceptions site on land gifted to the Housing Provider by Michael Eavis as a legacy to the village, which handover and celebrations will coincide with the Glastonbury Festival. The second phase development will be managed by Guinness Partnership and consist of  $8 \times 1$  bed flats,  $6 \times 1$  bed houses,  $4 \times 3$  bed houses and  $2 \times 2$  bed bungalows, designed for older people.

#### **Housing Options**

### Households registered with Homefinder Somerset

The number of households registered with Homefinder Somerset increased by 2,325 (24%) to 11,903 between 1 April 2022 and 31 March 2023. This includes households with a Live application and those who are being considered for a property (with the status of 'Offered').

The proportion of households in Gold Band varied from 7% in Mendip and Sedgemoor to 10% in South Somerset. The proportion of households in the Silver Band ranged from 32% in Somerset West and Taunton to 53% in Mendip. The proportion of households in Bronze Band ranged from 40% in Mendip to 60% in Somerset West and Taunton.

Table 1: Number of households registered with Homefinder Somerset by local authority and Band as at 31 March 2023

	Emer	gency	Go	old	Silv	er er	Bro	nze	To	tal
	No.	%	No.	%	No.	%	No.	%	No.	%
Mendip	1	0%	153	7%	1,200	53%	889	40%	2,243	19%
Sedgemoor	8	0%	193	7%	1,095	39%	1,505	54%	2,801	24%
Somerset										
West and										
Taunton	4	0%	303	8%	1,253	32%	2,299	60%	3,859	32%
South										
Somerset	9	0%	306	10%	1,047	35%	1,638	55%	3,000	25%
Total	22	0%	955	8%	4,595	39%	6,331	53%	11,903	100%

Note: The percentages refer to the proportion of households who are in that Band (e.g., 8% of all households are in Gold Band). The percentage given for the total refers to the proportion of all households registered with a particular local authority (e.g., 24% of households are registered with Sedgemoor DC).

Table 2 and Chart 1 show that the number of households registered with Homefinder Somerset increased by 45% since Q4 2016/17. Except for Somerset West and Taunton, which saw its highest number of households in 2019/20, this increase has been particularly marked in the last year. This is likely to be due to a combination of factors, including the cost-of-living crisis and because the normal renewal process only kicked in from February following the transfer to the current IT system in August 2021.

Table 2: Number of households registered with Homefinder Somerset by local authority

	Q4						
	16/17	17/18	18/19	19/20	20/21	21/22	22/23
Mendip	1,534	1,402	1,596	1,533	1,636	1,836	2,243
Sedgemoor	1,932	1,755	2,020	2,452	2,423	2,223	2,801
Somerset West and							
Taunton	2,688	2,680	3,622	4,159	3,347	3,194	3,859
South Somerset	2,063	1,873	1,971	2,091	1,889	2,325	3,000
Total				10,23			
TOLAL	8,217	7,710	9,209	5	9,295	9,578	11,903

160 150 140 130 120 110 100 90 80 Q4 16/17 Q4 17/18 Q4 18/19 Q4 19/20 Q4 20/21 Q4 21/22 Q4 22/23

Chart 1: Number of households registered by local authority. Q4 2016/17 as the base

Just over half (52%) of all households registered with Homefinder Somerset need a 1 bed home, whilst 28% need a 2-bed home.

Somerset West & Taunton ——South Somerset

Table 3: Size of home needed. Households registered as at 1 April 2023

Sedgemoor -

	1 Bed		2 Be	eds	3 Be	eds	4+ E	Beds	
	No.	%	No.	%	No.	%	No.	%	Total
Mendip	1,179	53%	630	28%	336	15%	98	4%	2,243
Sedgemoor	1,348	48%	802	29%	493	18%	158	6%	2,801
Somerset West and									
Taunton	2,173	56%	994	26%	498	13%	194	5%	3,859
South Somerset	1,473	49%	873	29%	480	16%	174	6%	3,000
Total	6,173	52%	3,299	28%	1,807	15%	624	5%	11,903

## **Bidding Analysis**

Between 1 April 2022 and 31 March 2023, a total of 231,175 bids were placed on homes across Somerset. This was an increase of 35% from the previous year. Chart 2 shows the number of bids placed each month has been on an upward trend (shown by the blue dotted trendline), even taking into the big falls in the number of bids due to the 2 national lockdowns and the IT transfer.

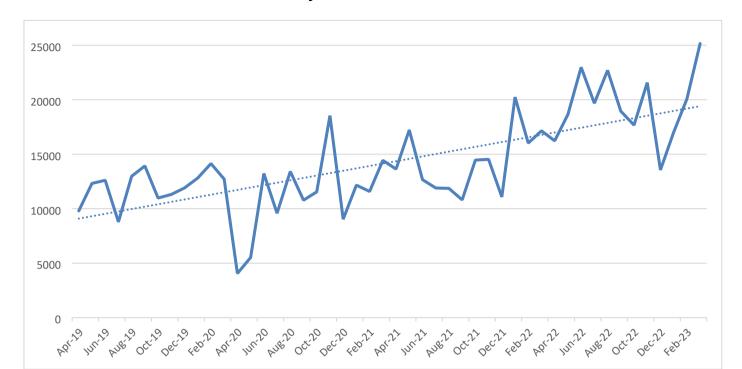


Chart 2: Number of bids 1 January 2019 - 31 March 2023

Table 4 below shows the proportion of households by local authority and Band who can be considered as inactive (e.g. they have not bid or logged onto the Homefinder Somerset website in the last 6 months).

The table reveals that 22% of households registered with Homefinder Somerset have not bid or logged into the Homefinder Somerset website in the last 6 months. As would be expected, the proportion of inactive households increases as their Band reduces (e.g., 14% of households in Gold Band were inactive compared to 26% in Bronze Band).

Table 4: Percentage of households with Live applications who have not bid or logged into the Homefinder Somerset website during the last 6 months as at 31 March 2023

	Emergency	Gold	Silver	Bronze	Total
Mendip	0%	20%	18%	28%	22%
Sedgemoor	0%	15%	16%	24%	20%
Somerset West and					
Taunton	0%	14%	21%	29%	25%
South Somerset	0%	9%	15%	24%	19%
Total	0%	14%	17%	26%	22%

Table 5 reveals that an average of 109 bids were placed for the 2,116 homes advertised between 1 April 2022 and 31 March 2023. This is an increase from an average of 73 bids in the previous year, and an average of 64 bids in the year before that. This is

perhaps unsurprising given the evidence above which reveals that there has been in an increase in the number of bids placed over the last 4 years.

The average number of bids varied considerably between local authority areas, property type and size. The average number of bids for houses (150) was again much higher than that for flats (83). This difference can be even more marked. For example, in Somerset West and Taunton there was an average of 203 bids for the 116  $\times$  2 bed houses that were advertised compared to an average of only 49 bids for the 102  $\times$  2 bed flats.

The average number of bids for homes advertised during the year ranged from 86 bids in South Somerset (635 homes advertised) to 127 in Somerset West and Taunton (613 homes advertised).

Table 5: Number of homes and average number of bids by type, size and local authority (letting cycles ending between 1 April 2022 and 31 March 2023)

					Somer	set West				
	Me	endip	Sedge	∍moor	and T	<b>Faunton</b>	South S	Somerset	To	otal
		Average		Average		Average		Average		Average
	No. of	no. of	No. of	no. of	No. of	no. of	No. of	no. of	No. of	no. of
	homes	bids	homes	bids	homes	bids	homes	bids	homes	bids
Bungalow	82	89	56	103	106	114	136	66	380	90
1 Bedroom	61	96	45	109	56	109	75	67	237	92
2 Bedroom	21	70	11	80	50	120	60	64	142	86
4 Bedroom							1	110	1	110
Flat	163	86	199	81	261	98	285	70	908	83
1 Bedroom	94	119	133	95	158	129	190	89	575	106
2 Bedroom	69	40	65	54	102	49	95	34	331	44
3 Bedroom			1	10	1	60			2	35
House	125	149	212	162	238	166	205	121	780	150
1 Bedroom	5	233	4	279	1	245	8	249	18	251
2 Bedroom	70	160	76	180	116	203	92	131	354	171
3 Bedroom	42	133	119	149	113	133	98	104	372	131
4 Bedroom	7	93	13	137	6	96	7	86	33	109
5 Bedroom	1	15			1	23			2	19
6 Bedroom					1	7			1	7
Maisonette	7	120	24	70	8	99	9	85	48	85
1 Bedroom	3	240	8	160	3	192	8	92	22	151
2 Bedroom	4	29	12	27	4	49	1	32	21	32
3 Bedroom			4	19	1	18			5	19
Total	377	108	491	118	613	127	635	86	2,116	109

Note: This data excludes homes set up for direct match

933 homes (44%) advertised during the year received 100 bids or more. The highest number of bids received was 489, for a 2-bed house in Yeovil.

#### **Homes Let**

2,185 homes across Somerset were set to let<sup>1</sup> between 1 April 2022 and 31 March 2023. Tables 6 and 7 set out the profile of the homes let over the year by size, local authority, and landlord. 40% of homes let were 1 bed and 41% were 2 bed homes. South Somerset accounted for the highest number of homes let (739).

Table 6: Homes let between 1 April 2022 and 31 March 2023 by property local authority

	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	6 Bed	Total	%
Mendip	159	174	44	7	1		385	18%
Sedgemoor	182	152	115	11	1		461	21%
Somerset West and Taunton	210	271	111	6	1	1	600	27%
South Somerset	315	289	126	8	1		739	34%
Total	866	886	396	32	4	1	2,185	
% of total	40%	41%	18%	1%	0%	0%		

Abri (27%), LiveWest (12%), Somerset West and Taunton (12%), Aster (11%), Homes in Sedgemoor (10%), Stonewater (9%) and Magna (8%) together accounted for 89% of homes let over the year.

Table 7: Homes let between 1 April 2022 and 31 March 2023 by landlord

	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	6 Bed	Total	%
Abri	256	218	112	9			595	27%
Alliance Homes	9	2	1	1			13	1%
Aster	110	91	28	1	1		231	11%
Clarion Housing	2						2	0%
Curo	2	1	2				5	0%
Falcon Rural		4	5				9	0%
Flower and Hayes	1						1	0%
Guinness	4	1	2				7	0%
Habinteg		4					4	0%
Hastoe		7	1				8	0%
Homes in Sedgemoor	123	61	42	1	1		228	10%
LiveWest	92	121	50	2	1		266	12%
Magna	55	84	34	3			176	8%
Places For People			7	3			10	0%
Sanctuary	20	31	6	1		1	59	3%
Selwood Housing	16	20	6	3			45	2%

<sup>&</sup>lt;sup>1</sup> This figure includes homes let by direct page 149

SHAL Housing	12	16	11	2			41	2%
Somerset Council	123	93	42	1	1		260	12%
Southwestern HS	1	11	3				15	1%
Sovereign HA	2	3	4	1			10	0%
Stonewater	35	115	37	4			191	9%
Tamar Housing		3	1				4	0%
White Horse Housing	3		2				5	0%
Total	866	886	396	32	4	1	2,185	

Tables 8 and 9 show that 45% of homes were let to households in the Gold band, a very similar proportion seen in the last 2 years (44%). This proportion varied from 41% of homes let in Somerset West and Taunton to 50% of homes in Sedgemoor. 43% of homes were let to households in the Silver band. This ranged from 39% of homes in Sedgemoor to 48% in Mendip. The Band is not recorded for 26 homes let by direct match.

Table 8: Homes let between 1 April 22 and 31 March 23 by property local authority and Band

	Emergency		G	old	Sil	lver	Bro	nze	Not known		Total
	No.	%	No.	%	No.	%	No.	%	No.	%	TOLAL
Mendip	10	3%	170	44%	186	48%	17	4%	2	1%	385
Sedgemoor	15	3%	230	50%	179	39%	36	8%	1	0%	461
Somerset West and											
Taunton	14	2%	245	41%	265	44%	74	12%	2	0%	600
South Somerset	17	2%	347	47%	317	43%	37	5%	21	3%	739
Total	56	3%	992	45%	947	43%	164	8%	26	1%	2,185

The proportion of homes let to applicants in Gold Band amongst the 7 landlords who let the most homes also varied, from 40% for Magna to 48% for Abri (Table 9). Magna also let 6% of homes to households in Emergency Band.

Table 9: Homes let between 1 April 2022 and 31 March 2023 by landlord and Band

									N	lot	
	Emei	rgency	Gold		Silver		Bronze		known		
	No.	%	No.	%	No.	%	No.	%	No.	%	Total
Abri	19	3%	287	48%	242	41%	26	4%	21	4%	595
Alliance Homes			7	54%	6	46%					13
Aster	5	2%	107	46%	110	48%	8	3%	1	0%	231
Clarion Housing			1	50%	1	50%					2
Curo			2	40%	3	60%					5

Falcon Rural			1	11%	4	44%	4	44%			9
Flower and Hayes					1	100%					1
Guinness			1	14%	6	86%					7
Habinteg			3	75%	1	25%					4
Hastoe			2	25%	5	63%	1	13%			8
Homes in Sedgemoor	5	2%	100	44%	102	45%	20	9%	1	0%	228
LiveWest	5	2%	119	45%	118	44%	23	9%	1	0%	266
Magna	10	6%	71	40%	79	45%	16	9%			176
Places For People	2	20%	8	80%							10
Sanctuary	1	2%	25	42%	26	44%	7	12%			59
Selwood Housing	2	4%	19	42%	19	42%	5	11%			45
SHAL Housing	1	2%	16	39%	15	37%	9	22%			41
Somerset Council	2	1%	120	46%	104	40%	32	12%	2	1%	260
Southwestern HS	2	13%	10	67%	3	20%					15
Sovereign HA			6	60%	3	30%	1	10%			10
Stonewater	2	1%	84	44%	95	50%	10	5%			191
Tamar Housing			1	25%	2	50%	1	25%			4
White Horse Housing			2	40%	2	40%	1	20%			5
Total	56	3%	992	45%	947	43%	164	8%	26	1%	2,185

Just over 36,000 homes have been let through Homefinder Somerset since 2009. The total number of lets per year and by size is shown in Table 10.

Table 10: Number of properties let

	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	6 Bed	Total
2009	968	1,063	477	42	2	0	2,552
2010	967	1,078	576	52	4	1	2,678
2011	981	1,381	635	56	6	0	3,059
2012	990	1,358	717	55	3	1	3,124
2013	1,019	1,264	588	49	8	0	2,928
2014	989	1,148	547	48	4	0	2,736
2015	1,071	1,294	605	36	4	2	3,012
2016	875	1,065	446	31	3	0	2,420
2017	884	953	365	27	2	0	2,231
2018	901	791	333	34	1	0	2,060
2019	937	913	376	38	2	1	2,267
2020	828	872	376	27	3	0	2,106
2021	910	840	309	51	2	0	2,112
2022	856	954	416	39	4	0	2,269
2023 to date	210	175	78	10	0	1	474
Total	13,386	15,149	6,844	595	48	6	36,028

In the year 22/23 (April 22 – March 23) we had 5452 individuals/households approach Somerset Council (previous district councils) in need of assistance regarding homelessness or the risk of homelessness. Out of those approaches we started a homeless application (prevention or relief duty) for 3,141 cases. 140 cases were individuals/households who were assessed as homeless having been assessed as homeless within the previous year (repeat relief duty). 88 cases were individuals who presented as homeless after leaving hospital, care, asylum or other institutions.

At the end of the year, we had 188 clients in Temporary accommodation across the county. The average duration of B&B placements was 21 days and households in temporary accommodation (excluding B&B) the average duration was 64 days (based on placements that ended during the year).

In November 2022 the annual rough sleeper count recorded 30 individuals sleeping rough in a single night (annual count) per 100,000 population.

Indicator	Qtr. 1	Qtr. 2	Qtr. 3	Qtr. 4
Number of Overall Approaches (includes those who had advice only)	1312	1254	1312	1574
Number of Homeless cases	784	722	840	795
% successful preventions (Average for all districts)	43%	35%	50%	42%
Number of people in Temporary Accommodation	174	177	54	188
Number of acceptances of main housing duty by the Council	106	134	137	143
Average time spent by homeless households in B&B (Average for all districts)	16	25	15	26
Average time spent by homeless households in Temporary Accommodation (Average for all districts)	42	90	54	72
Number of households assessed as homeless having been assessed as homeless within the previous year (repeat relief duty)	21	25	51	43
Number of people leaving hospital, care, asylum or other institutions who present as homeless	22	20	17	29
People sleeping rough in a single night (annual count) per 100,000 population	24 2021	-	30 2022	-

# **Homes in Sedgemoor**

### **Repairs and Maintenance**

We always work hard to maintain customers' properties to a great standard to ensure they have good quality, safe homes. We are proud to work closely with customers and partner contractors to carry out responsive repairs safely and efficiently, which is evident in customers' positive feedback of our service.

We carried out 5331 same-day repairs, 99% of same-day repairs were completed on time. We carried out 4437 routine repairs, 92% of routine repairs were completed on time. We carried out 782 emergency repairs, 99.5% of emergency repairs were completed on time.

Last year, we spent £2.4m on repairs and maintenance with MD Group;

- Repairs and maintenance (emergency, same day and routine £1,224,600
- Small works (planned) £420,900
- Voids (standard) £770,800

We tendered the repairs and void contract last year and MD were successful in retaining the work. We strive to provide great services for our customers and to give our customers a strong voice. We were pleased to be able to involve customers directly in the procurement process, which included the selection of the winning bidder.

We have carried out 236 damp and mould treatments and 47 damp remedial works.

We are aware that many of the homes we manage are of an age and structure that can be prone to excessive condensation, leading to mould growth.

Therefore, we have now developed a Damp and Mould Policy to ensure that we are adhering to all guidance and legislation and adopting best practice.

For all reports of damp and mould we arrange for a surveyor to attend and inspect within two working days. Remedial works are booked to clean and treat mould, and for items such as extractor fans to be repaired/replaced/installed.

During their inspections, our surveyors will offer advice and guidance to customers on how they can minimise condensation within their homes and steps they can take to manage this. All initial contacts for damp and mould are logged on our CRM system and captured within our monthly compliance report.

#### **Home Safety**

New fire safety measures at Westfield House:

Westfield House, in Bridgwater, the tallest high-rise housing in the county of Somerset, has been fitted with a new state-of-the-art fire protection system.

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Working in partnership with Devon and Somerset Fire and Rescue and residents, we installed the new system, which directly alerts the fire service, to bring fire safety up to the highest possible standard.



## **Supporting Customers**

Our Neighbourhood Team works closely with a range of different agencies and charities across the district to make sure customers receive the correct support and continue to love where they live. As well as working collaboratively with organisations across the district, we are also proud to have launched our new way of working through Project Matrix to ensure customers receive a great service from their Neighbourhood Team. The new structure offers a localised way of providing our services. Instead of multiple parts of the organisation working separately, four new teams now provide a 'one-stop shop' for everything customers need.

## **Independent Living Service**

We work hard to provide great services for our customers. Our Independent Living Service provides access to a team of staff who provide tenancy sustainment, support and the reassurance of a 24/7 alarm system in the event of an emergency.

The Independent Living Team helps customers to maintain their independence, sustain their tenancy, and provides extra support if needed through a Bronze, Silver and Gold service level system.

Voicescape was introduced in February 2023, and in the period since, all customers received an automated call each month of which 32 people requested to speak to an Officer. All queries raised were dealt with on the day, without needing a visit.

## **Income and Rent Collection**

We collect rent and pay it to Somerset Council. The council then gives us some of the rent back as a Management Fee so we can look after customers' homes, carry out repairs and do work in the neighbourhood. Last year, rent was charged over 50 weeks.

# Income

99.1% of rent charged in 2022/2023 successfully collected 0.91% current tenant rent arrears for 2022/2023

tenants evicted due to rent arears

£10,098 reduction in former tenant arrears

## **Welfare and Benefits**

Average Rents				
Bed rooms .	Affordable rent	Social rent		
0	-	£65.40		
1	£100.48	£79.02		
2	£129.74	£87.27		
3	£157.71	£97.45		
4	£209.29	£105.41		
5	-	£110.77		
6	£212.61	-		
Total	£131.03	£88.19		

We made 23
employment, benefit
and welfare referrals to
support partners

We supported
304
new Universal
Credit claims

£30,680.65 of Discretionary Housing Payments awarded in total We have issued

83

Foodbank
vouchers



# Agenda Item 11

Somerset Council

Somerset

Full Council - 27 September 2023

# Annual Report of the Lead Member for Public Health, Equalities and Diversity

Executive Member: Councillor Adam Dance, Lead Member for Public Health, Equalities and Diversity

Local Member(s) and Division: South Petherton and Islemoor

Lead Officer: Professor Trudi Grant, Executive Director of Public and Population Health

Author: Lou Woolway, Deputy Director Public Health (Service Director)

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#### 1. Introduction

- 1.1 This report is from the period of May 2022 to August 2023 and focuses on the four domains of public health:
  - Improving health
  - Protecting health
  - Wider determinants of health
  - NHS population health
- 1.2 This details the work of the team, which protects and improves the health of the Somerset population.

# 2. Improving Health

# 2.1 Health Visiting and School Nursing (Public Health Nursing)

The service provides universal access to evidence-based health improvement and health protection interventions for all children and young people, and their families as part of the National Healthy Child Programme. The priority for Public Health Nursing is to provide every child with 'the best start in life' and reduce health inequalities. In June 23 the Office of Health Improvement and Disparities (OHID) produced a toolkit as an update to the Healthy Child Programme to support the commissioning and delivery of health visiting and school nursing services Healthy child programme schedule of interventions - GOV.UK (www.gov.uk). The toolkit brings all evidence sources together related to commissioning and providing services for pregnancy, babies, early years, and school age children.

# Inspection

The service received a rating of "good" following its first Care Quality Commission (CQC) inspection in June 2022 since transferring to the council.

#### **RIO**

In September 2022, the new RIO electronic patient record system went live with data safely transferred from the NHS to Somerset Council. The system continues to be developed to support clinical care and is already providing significant benefits for performance management, patient safety and data quality which will support service improvement and wider commissioning objectives. Somerset Council is the first local authority in the UK to launch RIO and have featured in IT journal interviews during 22 and 23. The service is also engaged with NHS England to test a prototype electronic link to CP-IS the national safeguarding data set.

# **School Nursing**

During 2023 a school nursing review was completed to develop a clear and consistent offer for school nursing which can be effectively delivered and evaluated and maximise the resource and capacity of the service.

# **Non-Accidental Injury and Safeguarding**

During 2022 and 2023 Somerset has sadly seen further non-accidental injuries (NAIs) in infants under one, some sustaining significant, life-changing injuries and one infant death. The public health nursing safeguarding team have contributed to local and national multi-agency reviews in all these cases, highlighting some areas of good practice and embedding learning where possible.

Public Health Nursing are key participants in all safeguarding multi-agency forums, representing public health nursing in the majority of strategy discussions, all Integrated Care System (ICS), health safeguarding forums and the Somerset Safeguarding Children Partnership (SSCP).

## **Quality Assurance**

A quality assurance framework has been developed for the service, based on a model used in children's social care.

#### Workforce

Recruiting and retaining trained Specialist Community Public Health Nurses (SCPHN health visitors and school nurses) continues to be a challenge. An active recruitment plan is in place with the development of a workforce strategy, and training places during 22/23 and into 2024 have been increased to meet the desired trajectory over the next two years supported and lead by practice educators. Further support is required across the organisation to support recruitment and retention, similar to the campaigns run by social care.

# **Service Development**

Service development areas, in addition to quality assurance, RIO and school nursing include the Best Start in Life, linking closely with the Education for Life Strategy, Integrated Care Board (ICB) and Connect Somerset programmes of work.

Key interventions saw the launch of the Enhanced Parent Pathway, now known as the Forest team, which provides a more targeted midwifery and health visiting offer. The service has also made improvements in line with the SEND written statement of action and continues to engage with the SEND Partnership Board to support partners in achieving against the Ofsted Accelerated Improvement Plan.

# 2.2 Maternity and Early Years

# **Breastfeeding**

Development of a systemwide breastfeeding strategy is a recommendation set out within the guidance for Local Maternity Systems. To achieve this, the local maternity and neonatal system (LMNS) commissioned in partnership with Public Health, Better Breastfeeding to support developing a Co-produced Breastfeeding Strategy. A multiagency task and finish group has been established, and wide consultation with commissioners, wide workforce, and service users is underway. The draft five-year strategy is due for consideration in the autumn.

#### **ICON**

ICON is an acronym for a set of key messages: Infant crying is normal, Comforting methods can help soothe your baby, It's **O**K to walk away from your baby for a moment, if you have left them in a safe sleep space and **N**ever, ever shake a baby.

ICON was launched across Somerset in 2022. ICON, a national prevention programme, aims to reduce incidents of non-accidental injuries (NAI) and abusive head trauma in infants through supporting parents to manage the stress caused by an infant crying. The intervention has been incorporated in all universal contacts with families from midwifery, health visiting and GP's and across secondary care services such as emergency departments.

A task and finish group established by the SSCP in in 2023 has developed further recommendations to prevent Non-accidental Injury (NAIs) in under one-year olds, including father engagement and the implementation of ICON throughout all frontline and community services.

# **Child Unintentional Injury**

Within the data for emergency admissions for children aged 0-4 years, Somerset has a higher numbers of emergency admissions than England and some of our regional neighbours. Incidence of injury is reported as child unintentional injury (CUI). In the greatest number of cases, the injury occurs in the home. The types of

injury leading to hospital admissions include, with a higher incidence rate, falls (downstairs, from high surfaces), exposure to heat and hot substances (burns and scalds) and accidental poisoning (consuming liquitabs, medicines or products).

Scoping and engagement work has taken place in 22/23 and a task and finish group is being established to co-produce a CUI strategy that addresses prevention through a programme of work: providing accessible and timely public information, enablement, and support proportionately and appropriately to all families in Somerset.

# 2.3 Promoting Health and Wellbeing with Schools

Somerset children and young people's health and wellbeing website: www.cypsomersethealth.org

The Somerset Wellbeing Framework (SWF) is our local evidence-based model to support schools in developing a whole school approach in relation to health and wellbeing. It is based on an evidence-based approach developed nationally, to create a positive culture of wellbeing in schools.

The model promotes three key pillars of wellbeing that help us stay resilient and promote positive mental health:

- Belonging creating a sense of belonging and inclusivity.
- Relationships promoting positive respectful relationships.
- Lifestyles in relation to food, physical activity and sleep.

We now have 257 Somerset schools registered with the Somerset Wellbeing Framework. This shows an increase of 63 settings since June 2022 and represents a high proportion of Somerset schools. Work has been undertaken to ensure the framework and audit tool meets the needs of SEND learners and settings.

There are a number of toolkits and support pages associated with the framework, including an <u>Audit Tool</u> (which is under review), the Parent and Carer Toolkit which provides <u>wellbeing information</u>, <u>resources and help for families</u> and emotional and mental health support <u>Somerset Emotional and Mental Health Support</u>. There is also a <u>Quick Guide</u> for young people and families which provides easy access and signposting for schools and practitioners to use and share with families.

# Somerset Children & Young People's Emotional, Mental Health and Wellbeing Public Health Training / CPD Offer

Public Health commissions a range of free face to face training programmes to support the development of a whole school approach and children and young people's emotional, mental health and wellbeing courses for school staff and

children and young people practitioners. During the academic year September 2022 – July 2023 our commissioned training providers have delivered the following:

- Mental Health First Aid (Youth)
- Compassionate Mindful Resilience
- Creativity and Play in Relationships
- Harmless Self-Injury
- Emotion Coaching training

## **Senior Mental Health Leads (SMHL)**

The Department for Education (DfE) has advised schools to have a designated Senior Mental Health Lead (SMHL). A SMHL training partnership has been formed with Public Health, the Educational Psychology Service, Young Somerset and CAMHS. To date, a total of 192 Somerset schools have accessed grant funding for the national SMHL training, with 157 Somerset settings attending our four-day training programme. A local network has been set up to provide ongoing supervision and support to all Somerset Senior Mental Health Leads in their roles.

# **Relationships Sex and Health Education (RHSE)**

**LIFEBeat** are contracted by Public Health to deliver the RSHE curriculum development CPD and youth leadership for schools. The training course supports attendees to develop and implement a curriculum which meets Ofsted requirements as well as the national guidance set by DfE Senior Mental Health Leads Training.

In 2022/23 this offer included two three-day CPD training courses for developing and implementing a mental health and wellbeing curriculum. A working group has been established with Somerset Wide Integrated Sexual Health (SWISH), Public Health and SEND Schools to review the Relationships and Sex curriculum for SEND pupils and improve parental/carer engagement.

#### LIFEBeat Camps

LIFEBeat has funded two summer camps and a winter reunion for Somerset 14–18-year-olds in the past two years. The camps are a week-long opportunity for young people to make positive new friendships, explore their creativity, build resilience, greater independence and improve self-esteem. Opportunities are available during the camps to join workshops on nature connection, music, theatre, crafts, outdoor activities and loads more. Fifty-one young people participated in this year's camp, which included refugee children and children with special educational needs.

## LIFEBeat Youth Wellbeing Ambassadors

LIFEBeat were contracted to deliver a Youth Wellbeing Leadership Programme. During 2022 the LIFEBeat youth leadership team produced a film about belonging and community which focused on what is what like to live in Frome and the Mendip area. The film can be accessed here: <u>LIFEBeat\_Frome\_Town\_Hall</u> (vimeo.com)

## Somerset Schools Wellbeing Survey 2023

This is a bi-annual countywide health and wellbeing survey targeting pupils aged 6-18 in all types of educational settings. For the 2023 survey a revision of questions was undertaken with input from the behavioural science team and colleagues from education. Chapters of questions cover emotional wellbeing, lifestyle, transport, risk, educational experience and for older students' sexual health/relationships, future plans and drugs, smoking and alcohol. The questionnaire was also adapted into an accessible version to ensure that it was inclusive to pupils who have a special educational needs and letters to parents were also translated into different languages.

The results show self-reporting of young people's perceptions of their feelings, thoughts and behaviours at school and in the wider community. A total of 89 settings took part this year, with 6,407 individual responses received and 1,183 responses received from different age groups. Analysis of the 20023 findings will be published at end of September 2023. Each school has the right to decide whether to share their individual report; we do not share or publish them in the public domain or with other departments. The report findings will be aligned to reflect the key priorities as outlined in the Education for Life Strategy which are Curriculum Quality, Trauma Awareness and Mental Resilience.

Yeovil College piloted the first in-house FE (Further Education) Health and Wellbeing online student survey in 2022/23. The question set was designed in partnership with the college and consulted on with other Somerset Post-16 settings. The questionnaire was completed by 694 students aged 16-19. The college used to the survey results to develop an in-house Relationships, Sex and Health Curriculum for their students and have protected tutor time to explore these themes. The college remains committed to embedding a positive culture of wellbeing as part of a whole setting approach.

## 3. Improving the Health and Wellbeing of the Whole Population

#### 3.1 Smoking Cessation and Tobacco Control

The Smokefree Somerset Service has continued to see an increase in referrals from people wanting to quit smoking. Since May 2022, the GoSmokefree team have supported 1,485 people to quit, a 62% quit rate which is above England Average. In addition, the Smokefree Families team have supported 705 pregnant women/people and their significant others with 518 quitting, achieving a 66% quit rate. A further 187 people have been supported for Readiness to Quit, the harm

reduction pathway. Importantly maternity smoking prevalence 'Smoking at Time of Delivery' (SATOD) decreased from 10% to 9.1% in year 2022/23.

- For children and young people who smoke, vape or are at risk of starting, several initiatives have been developed/commissioned including:
  - 'INTENT' vaping prevention programme for delivery in education settings to students in Years 7-10 has launched. Over 20 settings have expressed an interest in the programme. The programme supports young people to have the confidence to refuse tobacco related products and vapes and includes guit messaging for those who may already be using them.
  - Launch of 'Jenny and the Bear' second-hand smoke campaign in primary schools with resources for use in the classroom, take home, and smokefree signs at school gates encouraging smokefree homes and cars.
  - Range of online and social media resources for education settings, youth provision and local families on information and prevention of smoking and vaping.
  - A pathway to support children and young people wanting to stop smoking and vaping is being implemented with School Nurses and with Bridgwater and Taunton College.
- The Tobacco Alliance, chaired by Cllr Adam Dance, brings together stakeholders from across Somerset the focus this year has been to:
  - Reduce the harms of smoking and health inequalities from smoking for:
    - vulnerable and disadvantaged groups
    - children and young people
    - maternity
  - Strengthen partnerships with trading standards to reduce illicit tobacco and e-cigarettes, increase fire safety checks in partnership with fire service.
  - Work with partners to spend a small one-off community fund for prevention of smoking in community groups.
  - Future work will focus on:
    - Working with local waste partnership and environmental health on the recycling of e-cigarettes and impact on climate of smoking
    - Strengthen pathways with mental health, homelessness and people with Long-term conditions to continue to reduce smoking prevalence.
    - Insight and engagement work for pregnant people who do not quit smoking during pregnancy.
    - Reducing the harm of smoking & vaping young people and families.

## 3.2 NHS Health Checks Programme

The programme is offered to those aged 40-74 who do not already have a diagnosed cardiovascular condition like hypertension. An NHS Health Check is recommended every five years and results are forwarded to the person's GP.

The Somerset NHS Health Check supports the local population and system with early disease detection. In 2022/3, the programme is almost back to prepandemic delivery levels with 8,535 people receiving a check. There has also been a great expansion in delivery locations and making slots available at the evening and at weekends. Delivery in early 2023/24 continues to maintain these levels.

The contract for the NHS Health Checks Programme expires end March 2024. Since May 2022 we have been working on the recommissioning process and have agreement to bring the current contract in-house from April 2024.

# 3.3 Food, Physical Activity and Healthy Weight

#### **Food**

The Healthy Lifestyle Team developed and implemented a series of offers for sharing with providers and the public to promote healthier food choices with the cost-of-living crises, food waste reduction, and seasonal produce in mind. These included:

- A range of easy recipes with nutritional analysis and meal planning tips.
- After a partnership with Food for Life from the Soil Association, the Somerset Food Champion Network has been developed, comprising training and ongoing capacity building and support, with providers and communities to co-create enabling environments for weight-inclusive healthier choices and a community cookery venue mapping tool.
- Basic Human Nutrition training.
- Several school-based offers including:
  - Food & Fun Together workshops, engaging families/carers and their children in interactive cooking.
  - Water Schools project to reduce sugary drinks.
  - School Nurse training for Eating Well.
  - 'Conversation for Change' tool with standardised messaging and training for heathier lives.

The Community Food and Growing Grant in partnership with Somerset Community Foundation and Somerset Community Food has seen over 40 community organisations embedding sustainable food activities into their work. Some of the innovative projects include connecting neighbours with unused gardens for food growing, creating or expanding green spaces and food growing areas in neighbourhoods, schools, hospitals and workplaces, development of community farms in urban areas, and cooking programmes for asylum seekers. An evaluation of the programme is due in early 2024 to provide learning for future food strategy development.

# **Physical Activity**

Somerset Moves, the physical activity strategy has continued engagement with system partners and implementation over the last 12 months.

Somerset Health Walks, led by Somerset Activity and Sports Partnership (SASP), has continued to grow, with over 600 walks delivered, and now has 161 walk leaders across the county, which has doubled from last year. New walks are being added to the programme all the time, including shorter walks for people with multiple long-term conditions or low mobility.

The exercise referral programme 'Proactive' has 18 leisure providers now signed up to the scheme and accepting referrals from health and social care across the county. Since May 2023 the scheme has received over 500 referrals supporting people with multiple long-term conditions. The most common conditions referred for are high blood pressure, back pain, obesity, osteo-arthritis and anxiety. The scheme has been working hard to ensure enough staff are trained across the county in leisure centres to support people to exercise safely with multiple health risks and has been working with leisure providers to develop their offer including, gym, groups, swimming and community-based activities.

## Weight

A strong partnership has developed to drive a Somerset whole-system approach to weight. A healthy weight steering group has helped to secure funding from the ICS to support delivery of the healthy lifestyles element of the enhanced parent pathway. The HENRY (Health, Education, and Nutrition for the Really Young) national programme starts in Somerset later this year to support healthy lifestyles in early years.

Following the successful launch of the 'Compassionate approach to weight' event in June with over 50 partners in attendance from across the region, the partnership has been busy developing a programme of work to support Somerset to become one of the first areas in the country to have a truly compassionate approach to weight, to reduce the stigma and judgement experienced by people and families living with obesity. We are working with ICS colleagues to strengthen the community weight offer through health coaches. Public Health, in partnership with ICS colleagues, are also proceeding with a number of bids to look to generate funding to support the healthy weight agenda.

#### 3.4 Falls Prevention

Preventing falls and improving outcomes for those who fall remains a high priority in Somerset, as we have higher rates of falls and hip fractures in our older people than similar areas. With an ageing population and significant physical deconditioning in older adults in the wake of Covid19, we expect rates of falls to increase further. Our role is to ensure system coordination to deliver evidence-

based interventions that prevent falls, partly through reconditioning for our ageing population through movement and physical activity. A multi-agency Somerset Falls Prevention Strategic Steering Group has been meeting monthly since May 2022 to help shape future delivery and priority of falls across the county. The group membership includes Somerset Council, Age UK Somerset, the Integrated Care System, Somerset Activity and Sports Partnership (SASP), Somerset Foundation Trust, South Western Ambulance Service NHS Foundation Trust.

The Steering Group informed the recent Falls Prevention Health Needs
Assessment (HNA), ensuring that the HNA and the recommendations are
evidence-based, up to date, relevant and inclusive for all agencies delivering a falls
prevention agenda. The HNA was published in July 2023 Falls Health Needs
Assessment.pdf (somersetintelligence.org.uk)

In May 2022 Public Health commissioned SASP to deliver a one year "Stronger 4 Longer" communication campaign, aimed at increasing movement and mobility for 50+ year olds. Our collaborative commissioning approach enabled SASP to partner with Age UK to develop a communications campaign to support the reconditioning of our ageing population in Somerset as we emerge from the Covid19 pandemic, working to embed movement as a part of life for 'younger' older adults who may not access traditional falls prevention classes. The campaign developed system wide positive and empowering evidence-based messages throughout the year, as well as showcasing a range of pre-existing local classes supporting older people to access support and regain strength and mobility.

## 3.5 Oral Health Promotion

Roderick's Dental services provide the Oral Health Improvement Service commissioned to meet the statutory responsibility of Somerset Council to deliver an oral health promotion programme. Roderick's prioritised fluoride varnish applications as a focus for performance in 22/23. There are two Fluoride varnish delivery elements; early years settings and a community programme delivered in Public Health Nursing bases. Targeted fluoride varnish sessions in the community are planned for children identified as higher need during mandated health visitor contacts, including displaced children of eligible age. A targeted supervised toothbrushing scheme is currently available to settings engaged in the fluoride varnish scheme.

The council also has a duty to commission the national dental epidemiology programme, which is an oral health survey of five-year old children, which looks at the prevalence of children with decay; this was last undertaken in the 21/22 school year, having been delayed due to the pandemic.

#### 3.6 Mental Health Promotion

Support and resources to help people look after their wellbeing was a critical part of the Covid19 response and continues to be a crucial element of public mental health work. We recognise that now more than ever support and resources that support and promote mental health and wellbeing are crucial to protect public mental health.

An updated version of the Somerset Bereavement Support booklet has been published (originally produced in 2021). The booklet has been updated to reflect changes in guidelines, procedures and support available. The booklet can be viewed here: Bereavement in Somerset 2022 (pubhtml5.com).

Two successful communications campaigns ran between May and June 2022, focusing on Mental Health Awareness Week and Men's Health Week. Content was shared through ad banners on websites and a boost on Facebook, which helped achieve more than 400,000 impressions and 6,000 more website clicks than the previous months. A new page was created on the Healthy Somerset website for Mental Health Awareness Week, which ran between 15<sup>th</sup> and 21<sup>st</sup> May 2023. Members of the public submitted photos of places they went in Somerset to help them to feel calmer and lift their mood through the #SomersetMyHappyPlace social media campaign. These photos have now been uploaded to a digital map of Somerset which has been shared on social media and is available on the Healthy Somerset website. The map can be viewed here: Somerset Happy Places – Google My Maps. The page will be updated every year as the theme of Mental Health Awareness Week changes annually.

Public Health currently commissions Mental Health First Aid, Applied Suicide Intervention Training Skills (ASIST), Self-Harm Awareness, Suicide Alertness and Every Life Matters training. In 2022, 716 people completed online Suicide Alertness and Suicide Awareness courses, 229 people completed Applied Suicide Intervention Training Skills (ASIST) training and 126 completed Mental Health First Aid training. Training numbers for 2023 have not yet been finalised.

# 3.7 Suicide Prevention

The Suicide Prevention Partnership Forum is a multi-agency group facilitated by Public Health with approximately 40 participants in attendance representing up to 30 organisations. This board uses a partnership approach to preventing suicides and comprises of four workstreams. These workstreams include programme management, high risk groups, communications and media management, training and community engagement. We also continue to be involved with the Association of Directors of Public Health (ADPH)/Local Government Association (LGA) Suicide Prevention Sector Led Improvement (SLI) Programme and recently engaged with colleagues from South Gloucestershire Public Health in a SLI peer review work.

The Orange Button Scheme, a community awareness of suicide, was launched in 2022 alongside World Mental Health Day. The Orange Button Social Media Campaign reached over 61,000 people resulting in 2,861 link clicks to the website. The Orange Button is worn by people in Somerset who have undergone quality-assured Mental Health or Suicide Prevention training; whilst they are not able to counsel people, they can signpost to relevant services locally. The Orange Button means that the person wearing it is OK to say/hear the word suicide, can listen without judgement, and can support people with signposting. As of August 2023, approximately 900 people have signed up. The Orange Button scheme is promoted in 5 Local Authorities nationwide, Somerset alongside the others have been nominated for the national Health Service Journal Award in 2023.

The Walk for a Life event was held on 10<sup>th</sup> Sept 2022, with over 60 people joining the event. Feedback was excellent. In the lead up to the walk, members of the public were asked to submit quotes, lyrics or poems that had got them through difficult times. Submissions were anonymised into a "Somerset Book of Hope" and were presented at the Walk for a Life event and then made available to be downloaded. Book of Hope – Walk for a Life. The event is being held again this year on 9th Sept 2023 at the Museum of Somerset with a similar Book of Hope for this Walk, which will be published online in due course.

#### 3.8 **Behavioural Science Unit**

The Behavioural Science Unit supported two main pieces within health improvement. The Unit informed the development of the School Health and Wellbeing Survey, ensuring the items used in the survey represented appropriate constructs and used valid measures. This ensured a robust design.

Additionally, the Unit undertook nine focus groups with 35 parents/carers of children who were eligible to take part in the NCMP that year. The focus groups explored the acceptability of the results letter, and the findings and feedback informed changes to the letter.

# 4. Protecting Health

# 4.1 Communicable Disease

After the Covid19 pandemic, Somerset established a whole system Health Protection Board, which enables a more strategic approach to protecting the population's health. This has taken forward work to respond to communicable disease outbreaks in a co-ordinated manner, develop and cascade a weekly dashboard of outbreaks that are affecting patients in a range of high-risk settings and mature our system assurance role.

This year has seen the transition to 'Living With Covid19' plan being implemented. Despite good immunisation coverage, high risk settings such as hospitals and

community care settings are being continually compromised by this infection. Surveillance of new variants of SARS CoV-2 (Covid 19) is led by UK Health Security Agency (UKHSA) and where there is a potential increased risk of a new variant, this is cascaded across the health and care system.

There has been a resurgence in other infectious diseases post the pandemic. Somerset Council Public Health ensures that each situation is managed effectively and where required, system improvement undertaken. Particular challenges this year have been MPox (previously called Monkey Pox) Scarlet Fever, Invasive Group A Streptococcus, influenza, Avian Influenza and scabies. We are working across the ICB to develop a system wide health protection function for Somerset, including the development of a community Tuberculosis service.

It has widely been reported that we have seen the worst influenza season for a decade. The high flu rates resulted in very high hospital admissions, in Somerset and the southwest as a whole. The high rates of flu infection came at the same time as high rates of SARS CoV-2 in circulation, causing outbreaks across health and social care settings and resulting in high numbers of staff being sick with either flu or Covid19. This caused significant challenges within the health and social care system, at a traditionally busy time. Somerset (County) Council as it was then, utilised Covid19 funding to provide an enhanced flu vaccination scheme for staff who were not covered by the national NHS scheme a total of 1,350 staff from Somerset County Council and Somerset schools have been vaccinated for flu, supported by the SCC funded flu vaccination.

The Covid19 Public Enquiry was launched and is chaired by Baroness Heather Hallett – <u>UK Covid-19 Inquiry</u>. Somerset Council have responded to three Rule Nine requests from the enquiry, focused on our preparations for a pandemic and our procurement once the pandemic was declared and throughout the ensuing time period. All of our decision making and documentation has been organised to enable us to respond over the life of the enquiry, regardless if personnel move on.

### 4.2 **Screening and Immunisations**

NHS England (NHS E) is responsible for the commissioning of all age immunisations and screening programmes as recommended by the National Screening Committee Population screening programmes. The focus of screening programmes has been catching up with activity that was delayed by Covid19, most prominently breast cancer screening, which only completed screening of women who could not attend during Covid19, in February 2023.

## 4.3 Emergency Planning and Response

During this year the new Somerset Local Health & Care Resilience Partnership was launched in October 2022 to deliver the shift in responsibilities under the Civil Contingency Act for the Integrated Care Board to become a Category 1 responder

in their own right. The new Partnership has developed a risk register and workplan to address the risks to health and the necessary planning and mitigation to be undertaken. Somerset Public Health Co-Chair this group and are active members; this is vital as we ensure that the health impacts associated with Glastonbury Festival, Hinkley Point B and C are effectively mitigated against, and a wider set of risks and incidents are planned for, and plans tested to ensure effective responses.

Emergency planning systems have been tested once again by flooding on repeated occasions and several large infrastructure (Storm Eunice) and transport related incidents (Hinkley and Frome bus crashes). In addition to Somerset Public Health staff participating in local, regional and national LRF / NHS exercises.

Somerset Public Health have supported the Civil Contingencies Unit, alongside the radiological division of UKHSA, in redetermining the detailed emergency planning zone for Hinkley Point B and recalling Potassium Iodate Tablets from people within that zone, now that Hinkley B is no longer generating.

#### 4.4 Sexual Health

The Somerset Wide Integrated Sexual Health Service (SWISH) commissioned from the Somerset NHS Foundation Trust continues to experience increasing attendances with service use exceeding pre-pandemic levels. There are a number of factors driving this, including increased demand for contraceptive services, particularly for long-acting reversible contraception (LARC) with many women struggling to access via their general practice.

There has been an increase in gonorrhoea in Somerset as elsewhere, and other sexually transmitted infections (STIs) such as syphilis. The routine provision of pre-exposure prophylaxis for HIV (PrEP), which is a key medication for preventing HIV acquisition and significantly reducing transmission, has led to more people with high-risk sexual behaviour accessing sexual health services and once on PrEP, individuals are required to have regular sexual health screens which in turn identifies other STIs that can then be treated more promptly. Whilst MPox is not considered an STI, 2022 saw the emergence of this infection amongst gay and bisexual men with high-risk sexual behaviour. There were no cases reported for Somerset but SWISH and the HIV Prevention and Health and Wellbeing service provided advice and information and SWISH successfully delivered the MPox vaccination programme in Somerset.

As the contracts for SWISH and the HIV Prevention and Health and Wellbeing Service come to an end on the 31st of March 2024, this year has been busy with the recommissioning of statutory sexual health services. A sexual health needs assessment was completed as part of this process Sexual Health Needs Assessment 2023, and the outcome of the recommissioning process will be announced in September 2023. The contracts for the provision of emergency

hormonal contraception in community pharmacies and LARC in general practice have been renewed. General practices continue to fit more LARC catching up from when this service was unable to be offered through the pandemic. However, there continues to be more women seeking LARC services and we have been working with general practice and SWISH to provide training for more fitters and to develop inter-practice referrals. We are working collaboratively with NHS Somerset on the development of Women's Health Hubs which will include improving reproductive health services.

In the last year Somerset launched the innovative C-card 'Click and Collect' service, believed to be the first in the country, to improve access to condoms for young people to reduce teenage conceptions and sexually transmitted infections <a href="https://www.myccard.co.uk">www.myccard.co.uk</a>. Young people signing onto the C-card scheme are provided with advice and information on condom use and sexual health, as well as safeguarding, and the scheme encourages young people to take responsibility for their own sexual health. The 'Click and Collect' service has enabled better access to condoms with sites across the county including all colleges, some pharmacies, young people's venues and for the first time most of our libraries are now offering this service.

Campaigns and social media have run throughout the year to raise awareness of contraception, STIs and PrEP targeting those most at risk as well as events such as Pride and college Freshers Fairs. The public health sexual health training programme provided a mix of face to face and virtual training opportunities to increase knowledge and skills of health and social care practitioners. In February 2023 the Lead Member for Public Health, Equalities and Diversity participated in National HIV Testing Week 'I Test' by having an HIV test and supporting the social media campaign to encourage others to come forward and test. The late diagnosis of HIV is high in Somerset and this campaign alongside the work of our sexual health services aims to improve the uptake of HIV testing to identify undiagnosed HIV and fast track onto HIV treatment where required. Early access to treatment improves health outcomes for those who are HIV positive and also prevents onward transmission through reducing HIV viral load.

Work has commenced this year on a needs assessment on sexual violence and the development of a Sexual Violence Strategy for Somerset.

# 4.5 **Drugs and Alcohol**

The Somerset Drug and Alcohol Partnership was re-established in 2022 and developed a local drug and alcohol strategy which can be found at this link, <u>Drugs and alcohol</u>, based on the new national drugs strategy <u>"From Harm to Hope"</u>.

We have recognised that in Somerset the harm not only arises from drugs but also from excessive alcohol consumption and so our strategy aims to address both.

Somerset has implemented the first year and a half of the additional funding called the Supplementary Substance Misuse Treatment and Recovery Grant and our local ambitions are reflected in its use, alongside national ambitions to increase the numbers of adults in treatment by 20% from a baseline in 2021/22 of 2,233 to 2,680 and young people (under 18) by 50% (123 to 180) by end of 2024/25.

# Dry January and Alcohol Awareness Week 2023

There was a far-reaching campaign that included roadshows within libraries and promotion of the Dry January app and promoting referrals into our specialist services, Somerset Drug and Alcohol Service (SDAS).

The Alcohol Awareness Week campaign highlighted the harm caused by alcohol, how it affects millions of people every year in the form of health problems, financial worries, relationship breakdown and family difficulties. We produced short films with SDAS Peer Mentors, which were well received.

# International Overdose Awareness Day 2023 / Promotion of Naloxone in Somerset

Working in partnership with SDAS and Bristol and Bath Universities, we marked International Overdose Awareness Day 2023 with the launch of a unique new app to access Naloxone, the life-saving medicine to prevent an opioid overdose. Our campaign also included posters across Somerset, including the Taunton rotundas to raise public awareness. The promotional work attracted attention positive press attention, including a lead article on BBC Points West.

## **Consultation on Statement of Alcohol Licensing Policy**

The Council is undertaking a public consultation on the new alcohol licensing policy. We had an input, proposing the policy acknowledges alcohol can negatively impact the health of residents in Somerset and the policy should promote the responsible sale of alcohol, reduce the availability of cheap alcohol, promote an alcohol-free childhood and pregnancy and the health and wellbeing of residents.

# 4.6 **Behavioural Science**

The Behavioural Science Unit supported projects on childhood immunisations, flu vaccine, and drugs and alcohol.

For childhood immunisations, behavioural insights were gathered through short interviews with parents and reviewing the literature. This helped to inform a successful small bid, where we worked with three GP practices to increase uptake of childhood immunisations. This involved the development of a reminder letter, using behavioural-science techniques, as well as delivering training to GP staff on motivational interviewing to use in telephone calls with patients. The project resulted in 27.1% of the patients included in the project booking an appointment

and 18.8% of patients getting vaccinated. The findings of this project are particularly important as we work to try and increase the coverage of MMR vaccination, in the context of rising concerns regarding declining measles protection. Additionally, we have informed regional training on vaccine confidence, aimed at upskilling health professionals to have conversations with parents about childhood vaccinations.

The Unit conducted a survey with health and social care workers to find out barriers to getting the flu vaccine, with 127 responses. The results were presented at the Health Protection Board, with recommendations for the next year's flu vaccine delivery and communications. Additionally, the Unit presented an oral presentation at the South West Public Health Scientific Conference, which detailed a successful randomised trial the Unit conducted to evaluate the effectiveness of using behaviour change techniques in email invitations to increase uptake of the flu vaccine in Somerset County Council employees.

Furthermore, the Unit worked with the Drugs and Alcohol team to develop alcohol brief intervention training, ensuring behavioural science theory and technique informed the development of the content and evaluation. Additionally, a Behavioural Science Practitioner was successfully appointed in July 2023 to work with the Drugs and Alcohol team to deliver the Harm to Hope strategy.

# 4.7 **Community Safety**

The council have received a Serious Violence Fund since 2018-19 to allocate against projects and services which meet the strategic priorities of the Serious Violence Strategy, manged by the Violence Reduction Unit. The Unit forms part of a 'hub and spoke' model, with a Strategic Violence Reduction Unit operating across Avon and Somerset.

The total fund for 2022-2023 was £533,706.00 and included a 12-month uplift specifically for a 'teachable moments' programme aimed at young people at risk of exclusion from school. The funds have also paid for a continued "navigator" support service at both Taunton and Yeovil A&E departments for those at risk of violence and a greater range of youth diversionary activities in our communities, such as Yeovil Boxing Club, SASP sports mentors and a "new beginnings" program in Mendip.

In addition, following the tragic murder of Sarah Everard in March 2021, the government funded North Somerset and Somerset Council's Safer Streets program £317,694 during 2022, to hear the voice of women around this issue and help promote safety in public spaces. This resulted in education programs in local schools, public engagement, and the funding of a new community engagement bus that is due for launch Autumn 2023. More information can be viewed on the landing site <a href="https://www.saferstreetsawareness.co.uk">www.saferstreetsawareness.co.uk</a>.

#### 4.8 **Domestic Abuse**

During 2022/23, Public Health recommissioned the specialist domestic abuse service for the county (known as Somerset Integrated Domestic Abuse Service), this has been split into 5 separate lots to help better meet the needs of families affected by domestic abuse, and help the Council meet the requirements of the Domestic Abuse Act 2021. The domestic abuse element of the Children Social Care Family Safeguarding service was included as part of this. Four of the five contracts commenced 1st April 2023, which are for a five-year term. The remaining fifth contract (for counselling to adults and children in safe accommodation) is due to start 1st October 2023.

A domestic abuse communications campaign is ongoing, with a significant aim being to develop and publicise a series of 30 second awareness raising videos, for television and social media. These are now online and their accompanying publicity campaign starts in September 2023.

Somerset Council public health coordinates and manages the statutory domestic homicide review (DHR) process for the Safer Somerset Partnership and since April 2022, there have been 11 notifications that have led to a statutory review.

#### 5. Wider Determinants of Health

# 5.1 Air Quality and Climate Change

With partners in the council, air quality monitors have been installed in five locations: North Street and East Reach in Taunton, Sherborne Road and Bond Street in Yeovil and Portway in Frome.

These monitors provide in near real time accurate data on levels of nitrogen oxide and dioxide, ozone, and particulates ( $PM_{10}$ ,  $PM_{2.5}$  and  $PM_{1}$ ). These monitors supplement the nitrogen dioxide diffusion tube monitors that have been used for many years to measure  $NO_2$  based on monthly and yearly averages, the air quality monitors in Bridgwater funded through the Hinkley Point C work, and DEFRA's rural background site in South Somerset.

These monitors provide much more detailed data and for the first-time particulate data in these urban areas. They help inform action plans to improve air quality, particularly in the Air Quality Management Areas in Taunton and Yeovil. In future the monitors may be moved to other locations or be used for mobile application, such as monitoring exposure of car occupants, especially professional drivers, to exhaust pollutants.

# 5.2 Health of the Homeless Population

The Health Inequalities team, working closely with the NHS and VCFSE sector, have achieved a great deal over the last year, particularly in relation to Homeless Health.

At the NHS Parliamentary Awards held in London in July, to coincide with the NHS 75th birthday, 'Homelessness Health in Somerset - the Homeless and Rough Sleeper Nursing Service and Salaried Inclusion Health GP's (NHS)' was a winner in the national Health Equities category.

This multi-disciplinary approach has been achieved through close collaboration between Public Health and the NHS. Together we have secured additional NHS funding for a specialist Mental Health offer for those experiencing homelessness.

In August 2023 we secured funding approval from the Population Health Transformation Board to both maintain the existing provision and expand the GP offer into Sedgemoor area plus further service development and training within the Homeless and Rough Sleeper Nursing Service for another 18 months.

## 5.3 **Health of Displaced People**

Inclusion Health groups have been identified as a key priority within Public Health; Displaced People including asylum seekers, refugees and vulnerable migrants fall into this category.

# **Asylum**

A contingency accommodation was stood up in North Petherton in November 2022; at any given time, up to 255 asylum seekers can be accommodated in this setting. At present, there are over 35 nationalities. Public Health have worked closely with health partners in the system to provide a prompt health response for new arrivals. This includes health checks delivered at the hotel, coordination of GP registration access five Bridgwater practices, immunisations for school aged children, and COVID and Diphtheria prophylaxis for adults, regular health visitor and maternity services presence, sexual health support and mental health provision. In addition, regular co-production takes place with residents from the hotel and other refugees to ensure their voices are included in work being commissioned, support access into health services and improve health literacy, the overall aim to increase confidence and autonomy for these individuals.

Food and nutrition is a source of concern for many professionals, volunteers and individuals living in the hotel. A letter advocating for a change in Healthy Start eligibility and more transparency around the nutritional value of the food provided by Home Office contracted suppliers is being led by Somerset Public Health, and this has gained regional and national attention; over 12 Local Authorities and ICBs across the South West are signatories, and Local Authorities across London are

formulating a similar response in recognition of this effort. The finalised letter will be sent to the Department of Health and Social Care and the Home Office for attention and action.

Appropriate and adequate mental health provision continues to be a priority for this cohort, given the high level of trauma likely faced by most individuals in the setting. Regular multi-agency meetings are held to coordinate the mental health response. Most recently, Rethink Mental Illness, Diversity Voice and Mind in Somerset have been commissioned to provide Wellbeing Practitioners across six Welcome Hubs in the county and the hotel setting; the aim will be to provide emotional wellbeing support and signposting, ensuring sustainability across the county for any asylum seeker or refugee with a mental health need.

#### **Planned Resettlement Schemes**

An oral health improvement pilot has commenced in collaboration with Rodericks Dental Partners, Public Health and the Displaced People Service. The pilot is initially aimed at Afghan and Syrian families with culturally appropriate, targeted oral health messaging; the aim will be to improve oral health knowledge and assist with triaging into Dental Services if needed. Once evaluated, it is hoped this model will be replicated across the county in Welcome Hubs and other appropriate settings to support Displaced People and possibly other Inclusion Health groups.

In addition to asylum contingency accommodation, the government mandated widening of Asylum Dispersal which will also see a further 399 asylum seekers move into Somerset by December 2023. Furthermore, families will continue to arrive through planned Resettled pathways as well. The health system is therefore looking to establish a more sustainable solution to support the health needs of this cohort across the county by working closely with the NHS, VCFSE, and other partners to build system knowledge and confidence of Displaced People through workforce development, and to improve the data and intelligence available for Displaced People to understand the needs further.

# 5.4 Licensing and Health

In recent months we have rolled out a new tool called Alcohol Harm Index (Formerly HaLO tool) to inform the alcohol licensing process. HaLO was an analytical support package originally developed and piloted by Public Health England, to help public health teams fulfil this role. The purpose of the Alcohol Harm Index is to enable Somerset Council to consider all alcohol-related health harms when considering a licensing application, based on the Licensing Act 2003. It is designed as a one-stop resource with links to various local data sources to provide supportive evidence linked to alcohol related harm. The tool provides an overall comparative county wide "harm ranking" at a Lower-layer Super Output Area level (LSOA). As Somerset Council has consulted on its new Licensing Policy,

the work on the Alcohol Harm Index and other public health advice has been fed into the consultation.

#### 5.5 **Behavioural Science**

The Behavioural Science Unit delivered two main projects targeting wider determinants. They delivered Motivational Interviewing and behaviour change techniques training to the Debt Advice service at Citizen's Advice to increase the proportion of clients returning paperwork. The evaluation showed an increase of 10 percentage points in the proportion of clients completing paperwork, which is necessary to receive debt support. The Debt Advice team provided very good feedback on the training and support the Unit provided to help them with this issue.

A larger piece of work is the Innovation in Health Inequalities Project (InHIP) to identify barriers to accessing health services and receiving treatment for cardiovascular disease in homeless and rough sleeper populations. The Unit conducted four interviews and focus groups with professionals working with homeless and rough sleeping adults, as well as 13 interviews with adults who are homeless or rough sleeping. Findings informed the InHIP steering group decision-making on interventions to deliver to address the barriers, as well as contributing to the Homeless Health Needs Assessment.

#### 6. NHS Population Health

# 6.1 Healthcare Public Health and Population Health Management

Seven workstreams have been taken forward under the Population Health Transformation Board to build up our system capacity and capability in Population Health Management. The workstreams are:

- 1. Align Commissioning, Policies and Finance (Enabling workstream)
- 2. Tackling Healthcare Inequalities (Delivery Programme)
- 3. Priority Population Health Programmes (Delivery Programme)
- 4. Developing use of Data and Intelligence (Enabling Workstream)
- 5. Healthy Workforce Programme (Delivery Programme)
- 6. Development of Population Health Management Through Localities (Enabling Workstream)
- 7. Ambassador Programme (Enabling Workstream)

A piece of work to identify key clinical priority areas was undertaken using Global Burden of Disease Data. The top six risk factors impacting on in Somerset are:

Smoking High fasting plasma glucose High body-mass index High systolic blood pressure Alcohol use High LDL cholesterol

Based on the work on clinical priorities, high blood pressure has been chosen as a priority work area and is being taken forwards in a 'Take the pressure off' campaign to address winter pressures by increasing hypertension case finding. It is estimated there are about 4,5000 undiagnosed people in Somerset with hypertension and they are at greater risk of poor outcomes and longer hospital stays.

## 6.2 Cardiovascular Disease Secondary Prevention

The Annual Director of Public Health Report for 22/23 has been completed on cardiovascular disease and provides a high-level summary of the key cardiovascular diseases in Somerset, the key risk factors within the population and a set of recommendations to take work forwards in the area.

Project work over the last year has focused on key cardiovascular diseases: hypertension (high blood pressure), atrial fibrillation (irregular heart rhythms) and dyslipidaemia (a condition where your blood has unhealthy levels of lipids, such as cholesterol and triglycerides). Work on hypertension has now been adopted as a population health flagship project so is covered in more detail in that section. For atrial fibrillation a small cross system working group has been working on streamlining the process of detection of atrial fibrillation in the population presenting with palpitations who would currently receive 24-hour tapes. A small trial has been completed at French Weir practice and is now moving to an options appraisal for the system. Within the remit of dyslipidaemia, work is on-going to support the whole system change business case as well as smaller targeted projects with PCNs and to address inequalities (InHIP).

## 6.3 **Behavioural Science**

As part of the work on hypertension, last summer the Behavioural Science Unit conducted interviews with individuals who had borrowed a blood pressure monitor from a Somerset library to explore their experiences and any subsequent behaviour changes. Additionally, a survey was developed for individuals to complete after borrowing a monitor. Overall, the results provided positive feedback on the blood pressure monitor borrowing scheme, with some individuals indicating intentions to change health behaviours, as well as reporting health improvement behaviours such as quitting smoking as a result of their blood pressure reading.

#### 6.4 **Healthcare Inequalities**

Health inequalities are avoidable, unfair and systemic differences in health across populations and between different groups in society.

Last year NHS England launched a national approach to tackle healthcare inequalities called <a href="Core20PLUS5">Core20PLUS5</a>, with guidance provided for both adults and children and young people. This targets the 20% most deprived geographical areas in the country ('Core 20'), allows local systems to identify groups who are particularly at risk of poorer outcomes ('PLUS') and asks local systems to target 5 clinical areas requiring accelerated improvement. The Population Health Management Board requested that an Inequalities in Healthcare Group was formed. This started in January 2023 and is a dynamic multi-agency working group which has oversight and assurance over the healthcare inequalities work taking place in Somerset, including Core20PLUS5. Senior Responsible Officers have been identified for each of the clinical areas for adults and children and work is currently underway to benchmark progress in these areas.

Additionally, the Inequalities in Healthcare Group has identified three key priorities for this year: The key priorities for this year are to:

- 1. Strengthen workforce knowledge of healthcare equity and inclusion health groups.
- 2. Integrate the data and improve the evidence-base.
- 3. Actively engage with localities to tackle neighbourhood healthcare inequalities.

The priorities have resulted in the establishment of a bi-monthly Healthcare Inequalities Network for healthcare professionals which has over 50 attendees who can act as 'ambassadors' in their workplace. The network covers thematic topics aimed at increasing awareness of healthcare inequalities, sharing best practice and connecting those passionate about healthcare inequalities.

## 7. Overarching Summary

- 7.1 It continues to be a busy time for public health with much of the work being reframed for the team. A new target operating model has been developed during the last year and is being implemented in a phased approach. There are many significant reasons for the implementation of the new operating model, including:
  - 1) The indirect impacts of Covid19 are starting to show. Public health skills and expertise are in great demand to help the rest of the system respond.
  - 2) The new council offers many opportunities to tackle the wider social and environmental determinants of health. The 'building blocks' for healthy lives, are now within one organisation and public health can provide valuable input and influence into these areas in order to support and maximise opportunities to improve health outcomes for the population of Somerset.

7.2 The public health grant from government has again seen a real time reduction in 2023-24 and an increased number of costs baselined within it. Somerset is one of the lowest funded local authorities for public health in the country, being underfunded by in excess of £13m when compared to the average local authority. Given this position, national cuts to the budget and 11 years of below inflationary increases, the budget is now only able to fund the specialist public health team and mandated public health services. The budget is not sufficient to achieve improvements of the health and wellbeing of the local population. The only way to achieve public health gain is through investment in the specialist public health team and to use their knowledge and skills to influence the budget of the new council and the NHS.

### Agenda Item 12

Somerset Council



Full Council - 27 September 2023

### Somerset Corporate Parenting Board Annual Report 2022 - 2023

Executive Lead Member(s): Councillor Tessa Munt – Lead Member for Children, Families

and Education

Local Member(s) and Division: all

Lead Officer: Claire Winter - Executive Director for Childrens Services

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### 1. Summary

- 1.1. The Somerset Corporate Parenting Board (CPB) meets quarterly to take reports from its four sub-groups on progress to improve the lives of children and young people in care. It is also responsible for making sure that the aims of the Somerset's Corporate Parenting Strategy are met.
- 1.2. In 2022-2023 children looked after, care leavers, their carers and the services that support them in Somerset have faced challenges around making ends meet during a cost-of-living crisis; keeping healthy; engaging with their education and navigating structural changes in their communities.
- 1.3. Staff in Children's Social Care and its partners have operated in a changing climate of local government and local health reorganisation and a change of political administration while at the same time having undergone a monthlong OFSTED inspection, a Peer Challenge with Gloucestershire and national and local safeguarding reviews. All this at a time when children coming into local authority care were presenting with more complex needs.
- 1.4. The CPB has strived for assurance that our young people's experiences and needs have been understood and met during this transformational period. We also want to ensure those needs shape our local conversation and actions about how we ensure that the changes in Somerset enable more opportunities for our young people and the people who care for them, to thrive and become confident young adults with good prospects and stable lives.

#### 2. Recommendations

- That Council recommends a continued focus on corporate parenting responsibility as our new structures and arrangements are established, especially around housing, education, apprenticeships and social value in our procurement systems.
  - That Council supports and promotes a whole council approach to create practical and specific offers to Care Leavers through our Local Offer and the Care Leaver Covenant.
  - That Council extends its thanks to the Somerset Care Council's young people for all the hard work that they undertake.
  - That council extends its thanks to the retiring Independent Chair of Corporate Parenting Board, Jill Johnson for her commitment and tenacity during her tenure from 2016- 2022.

### 3. Background

- 3.1. The role of the Somerset Corporate Parenting Board is to ensure that Somerset Council, fulfils its duties towards children looked after (CLA); corporately and in partnership with other statutory agencies, including the NHS and Police. The Corporate Parenting Strategy 2022-2025 and Terms of Reference (TOR), including membership of the Corporate Parenting Board, clearly define roles and responsibilities
- 3.2. The Corporate Parenting Board has met quarterly throughout the year, receiving regular updates from officers, partners and the Somerset In Care Council (SiCC) and Somerset Leaving Care Council (SLCC) who are a representative group of young people looked after or leaving care and are supported by a Participation Worker (see Appendix B for their report). The voice of the child is a key aspect of the Strategy, and the Board has continued to engage with young people, both through their representation on the Board, and through SiCC and SLCC which is well established and has an effective and regular link with the Board.

The Council's corporate parenting arrangements were reviewed following May 2022 Local Elections to ensure Somerset continues to provide a robust Corporate Parenting approach.

Full council in June 2022 approved the new elected members, and the updated annual action plan, and the arrangements set out in the corporate parenting strategy. Currently, ten elected members are committed to the Board.

The Corporate Parenting Strategy 2022-2025 sets out how Somerset intends to fulfil its responsibilities against the Seven Principles of Corporate Parenting in a way that puts children and young people at the centre of improvements in the

planning, delivery and evaluation of our services. It forms the framework in which Somerset staff, elected members and relevant partners will work.

### **3.3.** Promotion of the Seven Principles of Corporate Parenting:

In order to thrive, children and young people have certain key needs that good parents generally meet. The corporate parenting principles set out Seven Principles (identified in section one of the Children and Social Work Act 2017) that local authorities must have regard to when exercising their functions in relation to looked after children and young people as follows:

- 1. to act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people.
- 2. to encourage those children and young people to express their views, wishes and feelings.
- 3. to take into account the views, wishes and feelings of those children and young people.
- 4. to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners.
- 5. to promote high aspirations, and seek to secure the best outcomes, for those children and young people.
- 6. for those children and young people to be safe, and for stability in their home lives, relationships and education or work; and
- 7. to prepare those children and young people for adulthood and independent living.

These principles form the structure of our actions and guide the decisions and challenges we make as a board.

3.4. The focus of the Corporate Parenting Board is on the delivery of five priorities covering placement sufficiency and stability, education, health, voice of the child and leaving care through well-established sub-groups with good cross agency working, led by a senior officer, and supported by a councillor from the Board. Additionally, the key areas of foster carer development and achieving permanence are led by the council's fostering and adoption services. Action owners on the groups take responsibility for issues to deliver solutions within deadlines.

The outcomes of this work are reported quarterly through the Somerset Safeguarding Children Partnership (SSCP) performance reporting arrangements, against four improvement programmes. Reports are complemented by detailed data and performance measures provided to the Board to support them in their role in leading and challenging service delivery.

This report provides an update of the function and impact of the Board over the past 12 months.

#### 4. 2022 - 2023 Achievements

- **4.1.** Achievements 2022-2023 (see Appendix A): this information evaluates the progress against the annual priorities set for 2022/23.
- **4.2.** The Board has continued to meet virtually via Teams at a time when members of the Care Councils can join the meeting after school or college.
- **4.3.** Attendance has been strong, and use of technology has been embedded.
- **4.4.** The chair of the Corporate Parenting Board is a member of the Partnership Business Group of the Somerset Safeguarding Children Partnership. The group reports to and aligns with the Safeguarding priorities and those of the Children & Young People's Plan 2022-2024.
- **4.5.** The chair especially wishes to highlight the many positive outcomes from the work of the Board and sub-groups especially:
  - That the work of the Corporate Parenting Board was positively recognised in the OFSTED Inspection where the inspection outcome led to Somerset's Childrens Social Care (CSC) service being recognised as Good.
  - > The health adoption process has been strengthened with additional staff.
  - An additional paediatrician recruited to support Initial Health Assessment and other Children Looked After (CLA) work.
  - ➤ Children's participation in their CLA reviews rose from 91% to 96%

    The strategic partnership for ten new Children's Homes in Somerset –
    called Homes & Horizons has progressed well and young people have
    been actively involved in the development of the project.
  - ➤ The project won the category of Partnership Working at the prestigious MJ (Municipal Journal) Awards and the Somerset team attended the ceremony in London.
  - ➤ Route One provided a designated advocate linked to each of the newly opened children's homes.
  - ▶ 92% of children aged 4-years+ had advocacy support at their Child Protection Conference (CPC).
  - ➤ Children invited to attend a CPC are now able to watch an animation coproduced with SiCC and SLCC, that helps them to understand the process.

- ➤ SiCC and SLCC took part in a CSC peer review with Gloucestershire on CLA and Safeguarding in Schools by hosting an online debate with young people from Gloucestershire.
- ➤ SiCC and SLCC have developed a Creatives group for young people to have a voice about their lived experiences through poetry, writing and music.
- ➤ 105 of the 110 newly elected councillors have undertaken Corporate Parenting training.
- ➤ Children at risk of exploitation are now supported via a Child in Need (CiN) meeting where advocacy support has increased.
- ➤ The Virtual School has refreshed its offer following the Inclusion redesign and formed a new Governance Board
- ➤ All Personal Education Plans (PEPS) are quality assured, and RAG rated and the majority have been found to be green (good).
- ➤ Children's Commissioning and SiCC and SLCC have collaborated on the tender to re-commission the 16+ Accommodation Service
- An additional Quality Assurance assistant in the Children's Commissioning has ensured that commissioned placements (homes) are of the highest possible quality.
- Films for UnAccompanied Asylum-Seeking Children arriving in-Somerset are being developed in three languages in collaboration with children and young people, the Leaving Care Team and the Engagement & Participation team.
- Somerset's Leaving Care service were runners-up at the National Benchmarking Awards for the Personal Advisor team.
- A greater percentage (7%) of young people are continuing onto Higher Education from 4.9% in 21/22 to 11.9% in 22/23.

**Note** For sight of individual background papers please contact the report author.





Somerset Corporate Parenting Board

**Annual Report** 



# 1. Summary

- 1.1 The Somerset Corporate Parenting Board (CPB) meets quarterly to take reports from its four sub-groups on progress to improving the lives of children and young people in care. It is also responsible for making sure that the aims of the Somerset's Corporate Parenting Strategy are met.
- 1.2 In 2022-2023 children looked after, care leavers, their carers and the services that support them in Somerset have faced challenges around making ends meet during a cost-of-living crisis; keeping healthy; engaging with their education and navigating structural changes in their communities.
- 1.3 Staff in Children's Social Care and its partners have operated in a changing climate of local government and local health reorganisation and a change of political administration while at the same time having undergone a month-long OFSTED inspection, a Peer Challenge with Gloucestershire and national and local safeguarding reviews. All this at a time when children coming into local authority care were presenting with more complex needs.
- 1.4 The CPB has strived for assurance that our young people's experiences and needs have been understood and met during this transformational period. We also want to ensure those needs shape our local conversation and actions about how we ensure that the changes in Somerset enable more opportunities for our young people and the people who care for them, to thrive and become confident young adults with good prospects and stable lives.

### 2. Recommendations

- That Council recommends a continued focus on corporate parenting responsibility as our new structures and arrangements are established, especially around housing, education, apprenticeships and social value in our procurement systems.
  - That Council supports and promotes a whole council approach to create practical and specific offers to Care Leavers through our Local Offer and the Care Leaver Covenant
  - That Council extends its thanks to the Somerset Care Council's young people for all the hard work that they undertake.
  - That council extends its thanks to the retiring Independent Chair of Corporate Parenting Board, Jill Johnson for her commitment and tenacity during her tenure from 2016- 2022

# 3. Background

- 3.1 The role of the Somerset Corporate Parenting Board is to ensure that Somerset Council, fulfils its duties towards children looked after (CLA); corporately and in partnership with other statutory agencies, including the NHS and Police. The Corporate Parenting Strategy 2022 2025 and Terms of Reference (TOR), including membership of the Corporate Parenting Board, clearly define roles and responsibilities.
- 3.2 The Corporate Parenting Board has met quarterly throughout the year, receiving regular updates from officers, partners and the Somerset In Care Council (SiCC) and Somerset Leaving Care Council (SLCC) who are a representative group of young people looked after or leaving care and are supported by a Participation Worker (see *Appendix B* for their report). The voice of the child is a key aspect of the Strategy, and the Board has continued to engage with young people, both through their representation on the Board, and through SiCC and SLCC which is well established and has an effective and regular link with the Board.

The Council's corporate parenting arrangements were reviewed following May 2022 Local Elections to ensure Somerset continues to provide a robust Corporate Parenting approach.

Full council in June 2022 approved the new elected members, and the updated annual action plan, and the arrangements set out in the corporate parenting strategy. Currently, ten elected members are committed to the Board.

The Corporate Parenting Strategy 2022 - 2025 sets out how Somerset intends to fulfil its responsibilities against the Seven Principles of Corporate Parenting in a way that puts children and young people at the centre of improvements in the planning, delivery and evaluation of our services. It forms the framework in which Somerset staff, elected members and relevant partners will work.

**3.3** Promotion of the Seven Principles of Corporate Parenting:

In order to thrive, children and young people have certain key needs that good parents generally meet. The corporate parenting principles set out Seven Principles (identified in section one of the Children and Social Work Act 2017) that local authorities must have regard to when exercising their functions in relation to looked after children and young people as follows:

- 1. To act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people
- 2. To encourage those children and young people to express their views, wishes and feelings
- 3. To take into account the views, wishes and feelings of those children and young people
- To help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners.

  Page 189

- 5. To promote high aspirations, and seek to secure the best outcomes, for those children and young people
- 6. For those children and young people to be safe, and for stability in their home lives, relationships and education or work; and
- 7. To prepare those children and young people for adulthood and independent living.

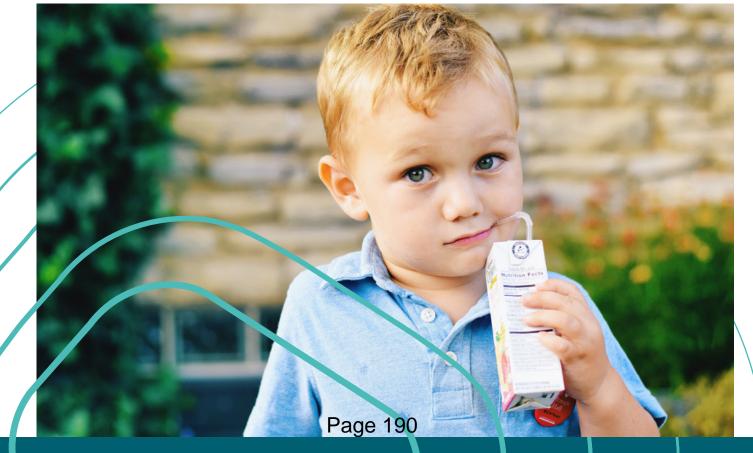
These principles form the structure of our actions and guide the decisions and challenges we make as a board.

3.3 The focus of the Corporate Parenting Board is on the delivery of five priorities covering placement sufficiency and stability, education, health, voice of the child and leaving care through well-established sub-groups with good cross agency working, led by a senior officer, and supported by a councillor from the Board.

Additionally, the key areas of foster carer development and achieving permanence are led by the council's fostering and adoption services. Action owners on the groups take responsibility for issues to deliver solutions within deadlines.

The outcomes of this work are reported quarterly through the Somerset Safeguarding Children Partnership (SSCP) performance reporting arrangements, against four improvement programmes. Reports are complemented by detailed data and performance measures provided to the Board to support them in their role in leading and challenging service delivery.

**3.4** This report provides an update of the function and impact of the Board over the past 12 months.

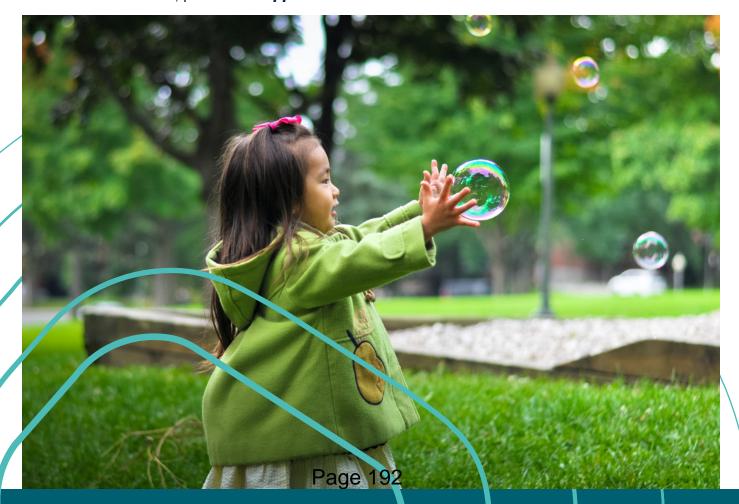


### 4. 2022 - 2023 Achievements

- **4.1** Achievements 2022 2023 (see Appendix A): this information evaluates the progress against the annual priorities set for 2022/23
- 4.2 The Board has continued to meet virtually via Teams at a time when members of the Care Councils can join the meeting after school or college.
  - Attendance has been strong, and use of technology has been embedded.
- **4.3** The chair of the Corporate Parenting Board is a member of the Partnership Business Group of the Somerset Safeguarding Children Partnership. The group reports to and aligns to the Safeguarding priorities and those of the Children & Young People's Plan 2022 2024.
- **4.4** The chair especially wishes to highlight the many positive outcomes from the work of the Board and sub-groups especially:
  - That the work of the Corporate Parenting Board was recognised in the OFSTED Inspection where the inspection outcome led to Somerset's Childrens Social Care (CSC) service being recognised as Good
  - The health adoption process has been strengthened with additional staff.
  - An additional paediatrician recruited to support Initial Health Assessment and other Children Looked After (CLA) work.
  - Children's participation in their CLA reviews rose from 91% to 96%
  - The strategic partnership for ten new Children's Homes in Somerset called Homes & Horizons- has progressed well and young people have been actively involved in the development of the project.
  - The project won the category of Partnership Working at the prestigious MJ (Municipal Journal) Awards and the Somerset team attended the ceremony in London.
  - Route One provided a designated advocate linked to each of the newly opened children's homes.
  - 92% of children aged 4+years+ had advocacy support at their Child Protection Conference (CPC)
  - Children invited to attend a CPC are now able to watch an animation co-produced with SiCC and SLCC, that helps them to understand the process.
  - SiCC and SLCC took part in a CSC peer review with Gloucestershire on CLA and Safeguarding in Schools by hosting an online debate with young people from Gloucestershire.
  - SiCC and SLCC have developed a Creatives group for young people to have a voice about their lived experiences through poetry, writing and music.

- 105 of the 110 newly elected councillors have undertaken Corporate Parenting training.
- Children at risk of exploitation are now supported via a Child in Need (CiN) meeting where advocacy support has increased.
- The Virtual School has refreshed its offer following the Inclusion redesign and formed a new Governance Board
- All Personal Education Plans (PEPS) are quality assured, and RAG rated and the majority have found to be green (good).
- Childrens Commissioning and SiCC and SLCC have collaborated on the tender to re-commission the 16+ Accommodation Service
- An additional Quality Assurance assistant in the Children's Commissioning has ensured that commissioned placements (homes) are of the highest possible quality.
- Films for UnAccompanied Asylum-Seeking Children arriving into Somerset are being developed in three languages in collaboration with children and young people, the Leaving Care Team and the Engagement & Participation team.
- Somerset's Leaving Care service were runners-up at the National Benchmarking Awards for the Personal Advisor team.
- A greater percentage (7%) of young people are continuing onto Higher Education from 4.9% in 21/22 to 11.9% in 22/23.

For current data, please see *Appendix B* 

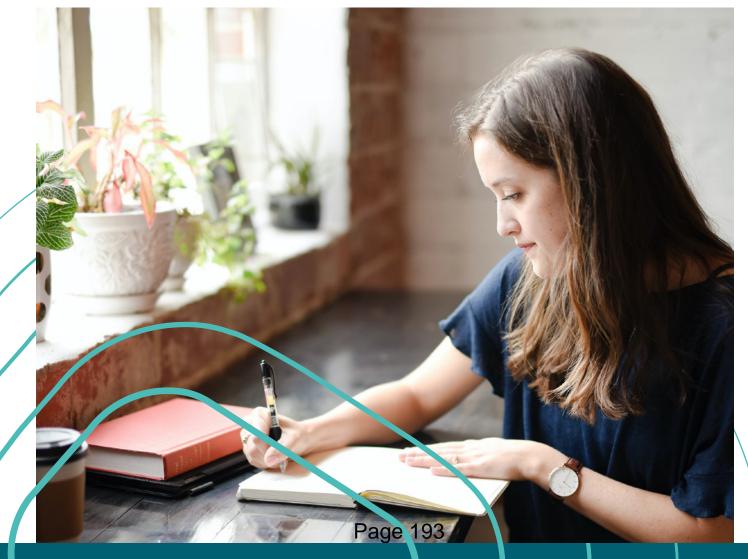


# 5. Areas for development

**5.1** Areas for Development (see **Appendix A**) – this information sets out the development areas for 2023-24.

# 6. Appendices

- Page 8: Appendix A Corporate Parenting Board Achievements and Areas for Development 2021 – 2022
- Page 19: Appendix B Current data
- Page 23: Appendix C SiCC and SLCC Annual Report 2021 2022
- Page 27: Appendix D Corporate Parenting Board Strategy 2022 2025
- Page 45: Appendix E Corporate Parenting Board Terms of Reference 2022 2023
- Page 50: Glossary of Terms
- Link to Somerset's Local Offer for Care Leavers



# Appendix A – Corporate Parenting Board Achievements and Areas for Development 2022 - 2023

### SEVEN PRINCIPLES

1. To act in the best interests, and promote the physical and mental health and well-being, of children and young people.

### ACHIEVEMENTS 2022-23

The summer of 2022 saw significantly increased numbers of children becoming looked after, work continued to refine the assessment pathway and drive-up assessment standards.

Additional Initial Health Assessment (IHA) clinics were commissioned to help manage the backlog of IHAs that built up over the summer and an additional Paediatrician recruited with capacity in their job plan to provide IHAs and other Children Looked After (CLA) and adoption work.

The Health and Wellbeing Sub Group sought additional assurance that the specific emotional and mental health needs of Children Looked After and Care Leavers are considered in the current CYP MH Transformation Plan. Councillor Tessa Munt wrote to the Chair of the Mental Health, Learning Disability and Autism Programme Board to ensure our children and young people's needs are a significant part of this improvement agenda. Work commenced with system partners to ensure the best use of the remaining CLA and Care Leavers mental health transformation assessment.

Dental performance of children looked after having an up-to-date dental assessment throughout the majority of 2022 was low, however began to improve at the beginning of 2023. There is a significant shortage of NHS dentists in Somerset. The ICB have had several meetings with NHS England Southwest Specialist Commissioners to help manage the risk.

Designated Nurse for Safeguarding Children and chair of the Learning and Improvement subgroup of the Safeguarding Children's Partnership will now attend the Health and Wellbeing Subgroup. Learning from Safeguarding reviews featuring CLA will remain a standing agenda item going forward.

In January 2023 the system approved the formal business case to secure the temporary additional adoption roles. The Health Adoption team will now consist of 20 Programmed Activities of Agency Medical Advisor time, 30 hours of Specialist Nurse, 22.5 hours of Adoption Nurse, 22.5 hours of WREN Team Midwife time, 37.5 hours of senior administrator time and 22.5 hours of administrator time. The permanent provision of these posts will ensure the continuation of the excellent service which is now in place for children with a care plan for adoption.

Work is underway to update the Medical Advisor Job Description to ensure it reflects the wider roles now being carried out by the Medical Advisors in line with the Adoption Statutory Guidance.

### AREAS FOR DEVELOPMENT 2023 - 24

In 2023 an IHA deep dive will review the actions taken by both Health and Somerset Council to facilitate the Initial Health Assessments of those children and young people who became looked after in March 2023 with the aim of addressing the notification, consent, booking and attendance issues that continue to account for most delayed assessments. The Initial Health Assessment template which has been updated by the Named and Designated professionals needs to be finalised to ensure that paediatricians have access to the most relevant information about the child prior to an IHA taking place.

In 2023 as part of the Children and Young Peoples Mental Health Transformation Plan, work will be undertaken to develop a successor to the Big Tent. The Designated Nurse will be meeting with commissioners to ensure the needs of Children Looked After and Care Leavers are understood and reflected in service provisions.

A thematic workshop with an emotional and mental health focus, for the councillors of the Corporate Parenting Board is planned for 2023-2024.

In 2023 a dental deep dive will be undertaken to better understand the reasons children do not have an up-to-date dental assessment. NHS England SW will also be developing an updated flowchart and referral form for children who have dental pain but do not have an NHS dentist. From April 2023 commissioning of Dental Services in Somerset will transfer to Somerset ICB from NHS England.

Continue to support medical and nursing elements of the IHA pathway and dental assessment recovery to again achieve 90% targets.

Monitoring the impact of Unaccompanied Asylum-Seeking Children on Health services. Somerset has seen a significant rise in the number of Somerset UASC. The Unaccompanied Asylum-Seeking Children IHA pathway is to be finalised.

Ensure that the emotional and mental health needs of Children Looked After and Care Leavers are recognised, prioritised and addressed.

#### **RESPONSIBILITY**

Health and Wellbeing Sub-Group



# SEVEN PRINCIPLES

### 2. To encourage children and young people to express their views, wishes and feelings.

# ACHIEVEMENTS 2022-23

The Independent Reviewing Officer (IRO) Service completed 1,375 children looked after reviews in the 12 months from 01 April2022 to 31 March 2023. The IRO Service now take an approach to children's reviews whereby the child (dependent on age) decides on how they would like their review to be held- in person, held virtually or held in two parts. This approach is enabling children to have an increased view on how they would like meetings about them to be held. This approach also supports increased participation from children in their reviews and decisions that affect them.

In 2022/2023, we have seen children's participation within CLA reviews increase from 91% to 95.7%. The IRO Service and Route1 Service work closely together to ensure that children are aware of their rights to advocacy and for an Independent Visitor. It is a strength that more children are either actively participating in their reviews by attending, speaking to an advocate beforehand or meeting with their IRO separately to ensure that their views can be captured.

Route One now delivering introductions to Mind of My Own and to monitor statements of concern although the impact of this has not been seen by increased usage of Mind of my own. Numbers of usage for Mind of my Own remain low despite an increased drive on Mind of My Own.

Route 1 continues to meet with all children over the age of 8 who have become looked after to explain their rights to them about advocacy, Independent Visitor, SiCC, SLCC and Mind of My Own. Mind of My Own training is available for all staff via the Learning Centre.

Route 1 is linked in with the new Homes & Horizons children's homes, with each children's home having a designated advocate when they open. 5 advocates have now been allocated to 5 of the homes.

The number of eligible children (aged 4 and over where parental consent is given) who have had an advocate for their Child Protection Conference (CPC) in 2022/2023 is 91.8%. This demonstrates an outstanding effort across the service to ensure that children's voices are amplified and tells us that advocacy is firmly embedded in our practice.

In 2021/22 the figures for children and young people having advocacy for Core Group Meetings or Child in Need meetings was 55. With the continued drive from the Chairs Service, this figure has increased in 2022/23 to 78. This increase tells us that the voice of the child continues to be a priority across the service.

Numbers of volunteer advocates continues to grow.

Somerset In Care (SiCC) and Somerset Leaving Care (SLCC) Councils attended YMCA Frome to run an activity and promote the work they do. We aim to use this model more in 22/23 with other providers around the county.

SiCC and SLCC attended the Children Looked After (CLA) & Leaving Care staff away day at Dillington and ran an activity for social worker staff to promote the group to professionals.

As well as the usual work within Childrens Social Care (CSC) CLA & LC services, SiCC and SLCC have also worked with Quality Assurance teams, Fostering, Family Intervention Service (FIS), NHS and commissioning with positive results from young people being involved.

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SiCC and SLCC were also involved with a peer review with young people from Gloucestershire Council exploring three themes.

SiCC and SLCC were mentioned positively within the Ofsted report.

The development of the SiCC and SLCC Creatives gives young people the opportunity to have a voice in a different way from the core group meeting, virtual meeting and service/policy development.

# AREAS FOR DEVELOPMENT 2023 - 24

Increase usage by children of Mind of My Own app to share their wishes and feelings - Mind of My Own usage remains poor. The contract is up for renewal and a decision regarding whether Somerset continue to commission Mind of My Own will need to be made by the Corporate Parent Board in November 2023.

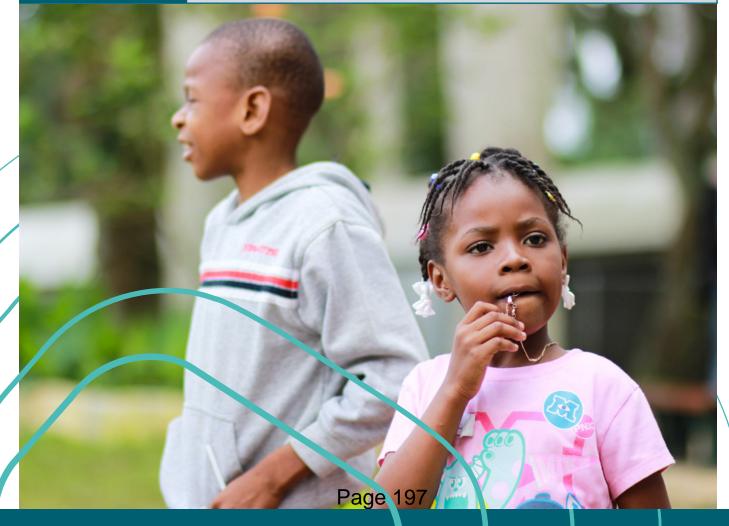
Develop a better understanding about whether CLA and Care Leavers know how to make a Comment, Complaint or Compliment about services they received - examine the % of children's complaints resolved satisfactorily and the number of hits on young people's page on SC customer experience page.

SiCC and SLCC aim in to attend CSC events such as the Getting To Know You days to run activities and proactively increase membership.

The SiCC and SLCC website was updated by young people and Paul Mitchell from the Engagement & Participation team. The young people stripped away pages that they felt no longer should be there and included new pages such as the Creatives (which displays young people's art, poetry, writing and music)

#### **RESPONSIBILITY**

Voice of the Child Sub-Group



SEVEN PRINCIPLES	3. To take into account the views, wishes and feelings of children and young people.
ACHIEVEMENTS 2022-23	After May 22 local elections new councillors were invited to a 2-hour CP training session run over 2 sessions; thereafter, any unable to attend this access the TLC learning- 105 of the 110 councillors have now undertaken the training.
	The Pledge was approved by the Board and publish in its 2022 - 2025 Strategy.
	The Child Protection Conference (CPC) animation for children and young people is now live and in use. This has supported children to understand how they can be part of their CPC and how they can have their views heard.
	Some of our children who are suffering or at risk of harm via exploitation are supported via Child in Need (CiN) meetings. Advocacy data for Core Group Meetings and CIN meeting has increased. Children are invited to attend their CP conferences or provide their views via an advocate in over 97% of cases.
	SiCC and SLCC organised and ran the Annual Achievement Awards to celebrate the achievements of CLA and care leavers. Ofsted inspectors attended and gave positive praise.
AREAS FOR DEVELOPMENT 2023 - 24	The CPB training film on The Learning Centre (TLC) will need to be remade to reflect changes to local structures and the CPB refocus following Local Government Reorganisation
	A Risk Outside the Home process is commencing. A Lead Chair has been identified and has been fundamental in the developing of the Risk Outside the Home Pathway. These meetings are about the child and children being exploited are supported to have their view heard and if their views are conducive with their safety, acted upon.
	More partnership work with The UnStoppables who represent children and young people with Special Educational Needs and Disabilities (SEND) and whose focus is particularly concerned around meeting their health needs, getting a good education and transitioning into adulthood.
	Further develop advocacy offer in Somerset to vulnerable young people.
RESPONSIBILITY	Voice of the Child Sub-Group
	Corporate Parenting Board – Partnership Team

# SEVEN PRINCIPLES

4. To help children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners.

### ACHIEVEMENTS 2022-23

Homes & Horizons is an ongoing piece of work to implement 10 new children's homes in Somerset. SiCC and SLCC visited the new homes to help with colour themes, supporting the resident engagement days, visited the furniture manufacturer in Oxford to give views and helped name the homes. SiCC and SLCC have also supported a short film for the Municipal Journal (MJ) Awards.

Somerset won the category of Partnership Working for the prestigious MJ Awards for the Homes & Horizons strategic partnership on Childrens Homes. Team members including a young person from SiCC and SLCC collected their award at a ceremony in London in June.

SiCC and SLCC were involved with several areas of the P2i recommissioning which included:

- Creating a question for the formal process of the recommissioning
- Discussing with commissioning what the minimum standards a young person should expect when in P2i accommodation.
- Redefining the term crash pad
- · Helping create the life skills checklist for P2i.
- YP involved with new vision statement.

# AREAS FOR DEVELOPMENT 2023 - 24

Young people will be involved with scoring the question that they devised for the P2i recommissioning - this will make up 7% of the final score.

Creating a Young Persons Quality Checker team.

### **RESPONSIBILITY**

Corporate Parenting Board - Partnership Team

Voice of the Child Sub-Group



# SEVEN PRINCIPLES

### 5. To promote high aspirations, and seek to secure the best outcomes, for children and young people.

# ACHIEVEMENTS 2022-23

Following the Inclusion redesign in 2023 the Virtual School consulted with its partners in order to provide an effective service within the new structure.

CAPITA is now used extensively to record activities and has refocussed in the light of the Inclusion restructure and division of the Virtual School and the Learning Support team.

The Virtual School has now formed it's new Governance Board and this aspect of management continues to develop and embed.

Overall there has been little change in numbers of fixed term exclusions; however, the Virtual School have been able to engage with schools more helpfully in conversations around exclusion.

All Personal Education Plans (PEPs) are now quality assured and RAG rated – there are currently very few red RAG rated PEPs and the majority are rated green.

The Virtual School ensures that all CLA are placed in an appropriate education setting and there are now fewer CLA without a school placement; however, when a child has to move home, this often impacts on the stability of their education setting.

In order to increase educational attainment of CLA the Virtual School has raised awareness of the particular needs to CLA with schools to ensure young people can make good progress. Specifically, awareness of the impact of trauma has been delivered to a cohort of schools.

There has been an increase in PEP meetings for post 16 CLA and the Virtual School is working closely with Somerset Works to support young people who are Not in Education Employment or Training (NEET).

Education Roadshows for CSC were well attended and wide range of teams engaged. Education continues to be high profile for social workers.

# AREAS FOR DEVELOPMENT 2023 - 24

The Virtual School will review and develop its offer as it embeds within the new Inclusion model; the Inclusion Approach will form the basis of its ongoing offer.

Following the introduction of the Inclusion Advice Line as part of the service offer, the Virtual School will review how this aligns with CAPITA records to ensure accuracy.

Continued development of the Governance Board.

Data around numbers of Fixed Term exclusions for academic year 22/23 is expected in September 2023 and will continue to be a key priority area.

The analysis of academic year 22/23 will give data on PEPs in September 20-23 with a focus on the quality of SMART target setting.

Review the enhanced offer of extracurricular activities – this action was impacted by the Inclusion redesign and will be a focus for 23/24.

The development of Homes & Horizons therapeutic education offer supports the priority to have all CLA in an appropriate education setting and this will be a continued focus.

# AREAS FOR DEVELOPMENT 2023 - 24

The newly formed Area Inclusion Partnerships will support the focus on all CLA being in an appropriate educational setting.

Working with Bath University to explore issues around early school leaving for our CLA and care leavers to remain in education, training or employment.

A new approach regarding CLA post 16 is being developed with Somerset Works.

Developing a suite of short development material for social workers called Take Five to enable them to challenge and encourage schools more effectively.

Attendance, achievements and attainment will continue to be the key priorities for the Virtual School.

### **RESPONSIBILITY**

Education Sub-Group - Virtual School



SEVEN PRINCIPLES	6. For children and young people to be safe, and for stability in their home lives, relationships and education or work.
ACHIEVEMENTS 2022-23	Children's Commissioning have recruited an additional Quality Assurance (QA) Assistant to work under the QA Officer to ensure that commissioned placements are of the highest quality. Links have been strengthened with our Peninsula colleagues (Devon, Plymouth and Torbay) to share intelligence around quality assurance. Joint visits have also taken place with our colleagues in health where there have been concerns around the issue of medication.
	Young people have been involved in the scoring of the tender for the recommissioned 16+ Service. They came up with their own question around the support young people will receive within the first 7 days of them moving into their new home. This equates to 7% of overall tender score.
	Young people were involved with reviewing the Coming Into Care document and creating a short animation to replace the outdated document.
AREAS FOR DEVELOPMENT 2023 - 24	The Board will refocus its governance, membership and strategy based on the opportunities arising from Local Government reorganisation.
	Develop a draft of the new Corporate Parenting Board strategy 2025 – 2028, using the new structures and opportunities emerging from unitary.
	The Board will develop oversight of the council's decision to view Care Experience as a Protected Characteristic.
	Children's Commissioning to introduce a new role around 'Young Inspectors' to support quality assurance visits and ensure young people are fully represented.
	Hold a thematic workshop on Children Going Missing to inform and assure the CPB of the process.
	Implement and mobilise the new 16+ Accommodation service.
	Write a robust 5-year Sufficiency Strategy to improve sufficiency of homes for children in care and care leavers.
RESPONSIBILITY	Corporate Parenting Board – Partnership Team
	Sufficiency Statement
	Fostering and Adoption

### SEVEN PRINCIPLES

### 7. To prepare children and young people for adulthood and independent living

## ACHIEVEMENTS 2022-23

A film for Unaccompanied Asylum-Seeking Children (UASC) arriving in Somerset is being developed, involving children who have already arrived and settled in Somerset. The film will help children and young people to know what to expect from us, how we plan their support and what service we deliver.

This year SICC and SLCC attended the Getting To Know You days across the county and will be attending again in 2024 - it is hoped that this will help encourage more young people to engage with SICC and SLCC.

Somerset came runners up at the National Benchmarking Awards for Personal Advisor Team of the Year, which we are very proud of.

The Leaving Care service have met with Superdrug and SUEZ (refuge collection company) to support our young people into employment with them.

Somerset has joined the South West Regional Offer for Care Leavers, it is hoped that this will form a stronger network of opportunities for our young people related to employment, training and housing options.

Senior Leaving Care workers assist with promoting the Local Offer for Care Leavers.

There is close working between the CLA and Leaving Care service with SICC and SLCC with bespoke actions taking place seeking feedback from young people to inform our service delivery.

Health summaries are now sent to care leavers when they turn 18 years of age.

When required private dental treatment is funded for care leavers.

Young Somerset offer counselling to care leavers without charge.

50% of sports centres within Somerset offer free access to their venues. Freedom Leisure and Everyone Active are free.

We have a higher percentage of young people continuing to higher education that the previous year - in 2021/2022 4.9% of 18- 21 years olds were in higher education and this has risen in 2022/2023 to 11.9% 18-21 years old in higher education.

Joint training takes place between Department of Work & Pensions (DWP) and the Leaving Care Service for young people.

Somerset have been part of the National Redevelopment of ASDAN. We continue to promote the use of ASDAN for the Preparation for Adult Living Award and we are seeing ASDAN being used with more young people - our current figure is 56 young people signed up to ASDAN.

Leaving Care Workers are being involved sooner with CLA and being introduced to young people when they are 17 years old and this allows Pathway Plans to be co-written between the CLA and LCs.

In recent months transitions to Adult Social Care has improved and will be a continued focus on 2023/2024

### AREAS FOR DEVELOPMENT 2023 - 24

SiCC and SLCC are supporting the development of 3 short animations for UASCs arriving in Somerset. 22/23 saw UASC young people engaged for their views and quotes.

The launch of the first UASC film is planned for the UASC Conference in Autumn 2023 and the production of the second UASC film is planned for 2024.

The Leaving Care Covenant and the role of corporate parents will be widely promoted.

Work is underway regarding the cost of living and impact on young people within the Leaving Care Service. This joined up approach between SICC and SLCC and the CLA and LC service will continue in the coming year.

A target for the coming 12 months is focusing on the remaining 50% of sports centres that do not offer free access to their leisure centres.

Every 17-year-old will have a named Adult Social Care (ASC) transition worker if they require ongoing support from Adult Social Care.

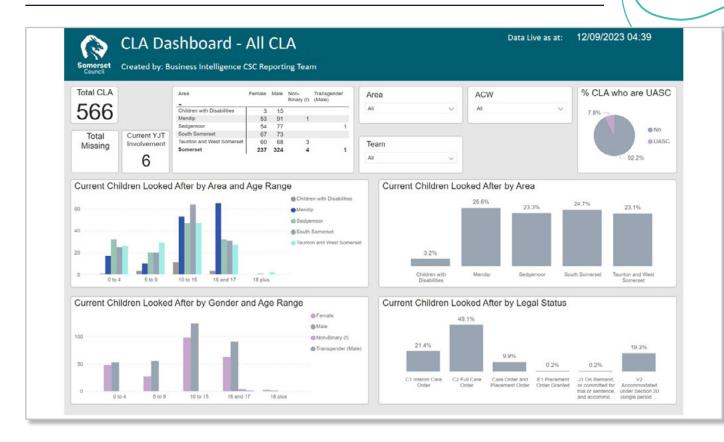
Further role out of ASDAN and other training schemes to support independent living.

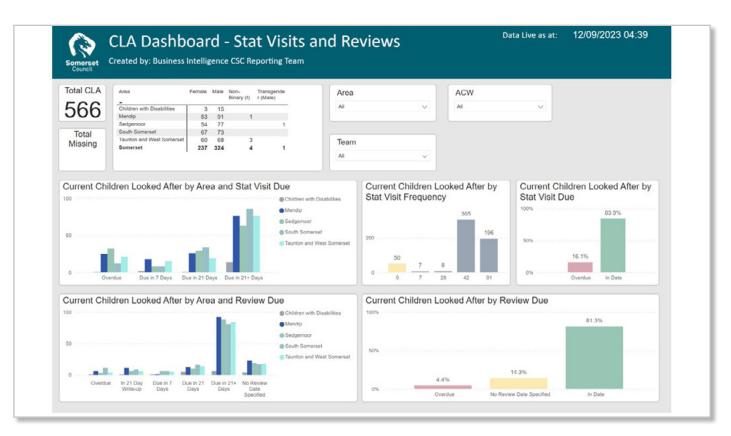
#### RESPONSIBILITY

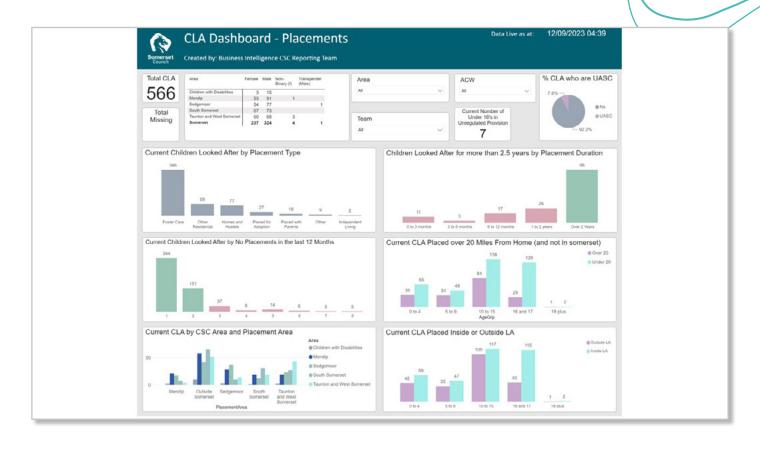
Care Leavers Sub-Group

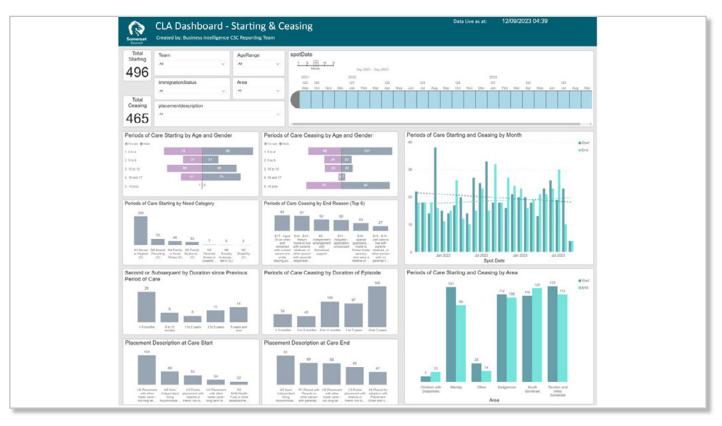


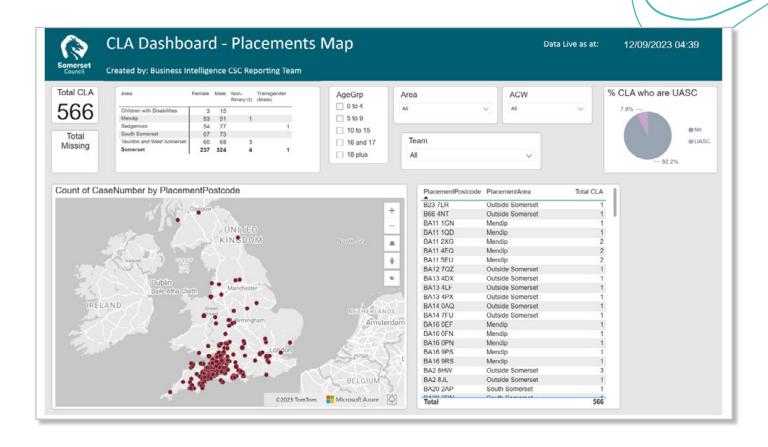
# **Appendix B** - Current Data



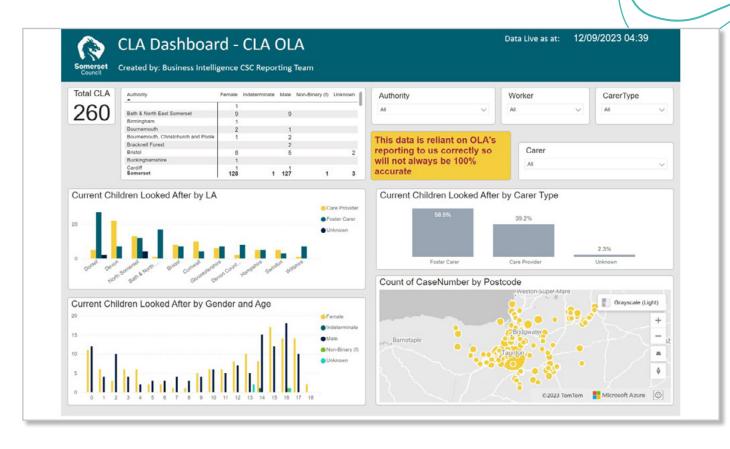


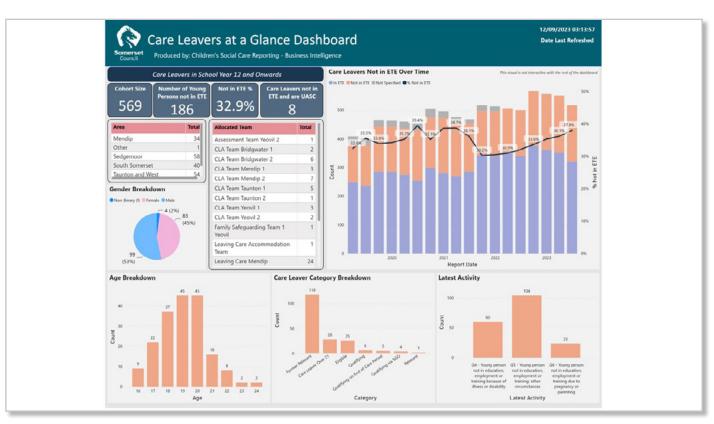












# **Appendix C** – SiCC & SLCC Annual Report 2022 - 2023



### **Introduction**



SiCC and SLCC (the Somerset In Care Council & the Somerset Leaving Care Council) is a mechanism for young people in care and care leavers to participate within shaping services within Somerset.

This can be through service & policy change; consultation, interviewing staff and also by the use of creative arts.

We believe it important for our voices to be heard to help shape the best services for young people in Somerset.

# Creators not just Clients young people as partners



### Working with CSC services & partners

### Children Looked After & Leaving Care

- Annual Achievement Awards
- Independence skills proposal for the Leaving Care Service
- Gloucestershire County Council Peer Review



Redefining Missing Episodes



# Creators not just Clients young people as partners





#### Commissioning

- P2i recommissioning
- What Makes Your Home Happy survey

#### **Homes and Horizons**

- · Visit to the furniture manufacturer in Oxford
- Involved with the naming and branding of the new service
- Naming of new homes
- · Supporting resident engagement days
- Supporting the application for the MJ awards
- · Informing the training for foster carers







# **SiCC and SLCC**The Creatives

- The SiCC and SLCC
   Creatives
- Dillington event



 Updating the newsletter & Website



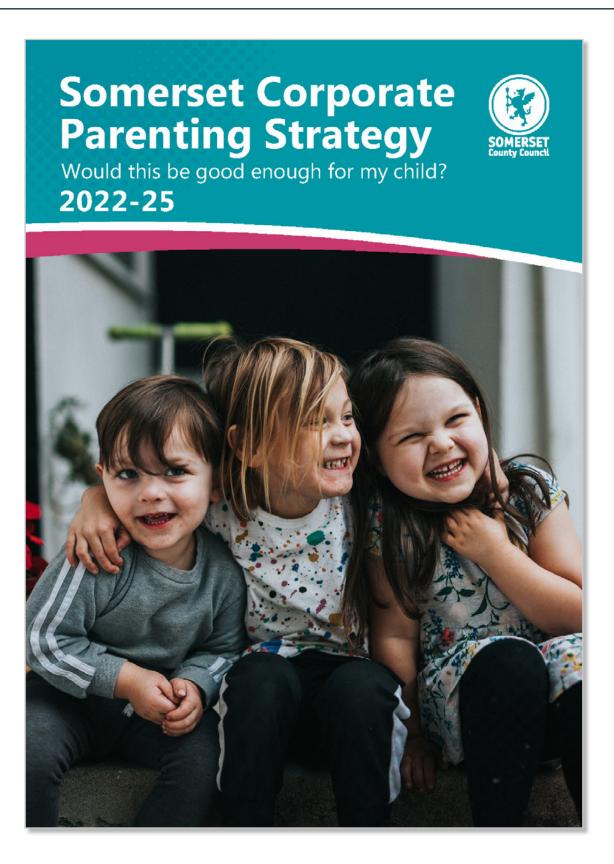


# Aims for next year

- Young People's Quality Checker team training
- Supporting the Getting To Know You Days
- UASC films
- SiCC and SLCC Creatives countywide roadshow
- Refresh the Corporate Parent Board pledge
- Collaborate on the 16+ accomodation tender



# **Appendix D** – Corporate Parenting Board Strategy 2022 - 2025



# **Contents** 3 Foreword 4 Introduction 6 Principle 1 - To act in the best interests, and promote the physical and mental health and wellbeing, of children and young people 7 Principle 2 - To promote high aspirations, and seek to secure the best outcomes, for children and young people 8 Principle 3 - For children and young people to be safe, and for stability in their home lives, relationships and education or work 9 Principle 4 - To help children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners **10** Principle 5 - To prepare children and young people for adulthood and independent living 11 Principle 6 - To encourage children and young people to express their views, wishes and feelings **12** Principle 7 - To take into account the views, wishes and feelings of children and young people 13 Measures of success, monitoring and evaluation

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Would this be good enough for my child?



### **Foreword**

#### Dear Colleagues,

I am delighted to have been asked to write the foreword to our new Corporate Parenting Strategy. This strategy takes account of what our children looked after, and our care leavers have been telling us about their experiences of being in our care, as well as linking with the key priorities of the Somerset Plan for Children, Young People and Families 2022 - 2025 and our Sufficiency Statement.

The strategy sets out how Somerset intends to fulfil its responsibilities against the Seven Principles of Corporate Parenting in a way that puts children and young people at the centre of improvements in the planning, delivery and evaluation of our services. It forms the framework in which Somerset staff, elected members and relevant partners will work. It is our children and young people's Pledge Tree - their Tree of Life giving them stability, strength, support and shelter as they grow up and take their place in society.

I look forward to supporting the independent chair of our Corporate Parenting Board in leading member support to the delivery of this strategy.



Frances Nicholson Lead Member for Children's Services



Cllr Frances Nicholson Cabinet member, Children and Families



Julian Wooster Director of Children's Services

### Dear Somerset Corporate Parents

We are children and young people who happen to be in care – please don't judge us or make assumptions or think that we need special treatment – we just want to be treated like any other young person. SiCC and SLCC (Somerset In Care and Leaving Care Councils) have a trusting relationship with all of our agencies to ensure that the voices of children and young people are heard by the Corporate Parenting Board -

through a range of resources that we produce; such as films, policies and

procedures and events. We put the 'core' into Corporate Parenting!

We expect you, as our corporate parents, to ensure our priorities are upheld in a strategic plan that makes a difference and improves the quality of our lives. That's why we have helped the Board to refresh their Pledge to all children looked after and care leavers in Somerset – we hope you enjoy

We want you to recognise the significance of your responsibilities to help us to become confident young adults with good prospects and stable lives.

You can help us to thrive.

Best wishes

The members of SiCC and SLCC

reading the pledges throughout this strategy.



**Jill Johnson OBE** Chair of the Somerset Corporate Parenting Board

Would this be good enough for my child?

Somerset Corporate Parenting Strategy 2022-25 | 3

Content

### Introduction

When a child comes into care, they become "looked after" and Somerset County Council (SCC) becomes their Corporate Parent. This means that everyone who works for SCC, in any capacity, its elected members and its partners have a special and important responsibility in fulfilling the corporate parent role, underpinned by The Seven Principles of Corporate Parenting.

Somerset County Council is committed to being an effective and trustworthy corporate parent for any child or young person who is in our care, irrespective of their age, gender, sexuality, ethnicity, faith or ability.

Every good parent knows that children require a safe and nurturing environment in which to grow and thrive. Parents protect and support their children in coping with the dangers and risks of everyday life. Parents are ambitious for their children and strive to support them to reach their potential. Parents celebrate and share in their children's achievements, however large or small. A child who is cared for by the Council has the right to expect everything from a corporate parent that they would expect from a good parent in the community.

Services that support children looked after are corporate parents, and we are all accountable to the children and young people who are looked after in Somerset. We must all strive for children in our care to succeed in the same way that any parent would strive for their own children. This can mean providing advice and guidance to a young person who is starting to live independently, supporting carers, ensuring that children's mental health is safeguarded, helping a young person find a job, or listening to their hopes and dreams, problems and insecurities.

There is a wide range of people and organisations who need to work together, including:

- The Somerset Corporate Parenting Board
- Elected members
- All Council services
- Children's services
- The Virtual School
- Schools, Colleges and other education providers
- · Health service providers
- Housing providers
- Community organisations





Would this be good enough for my child?

Somerset Corporate Parenting Strategy 2022-25 | 4



Contents

# Principle 1

# To act in the best interests, and promote the physical and mental health and wellbeing, of children and young people

#### Our pledge to you

We will:

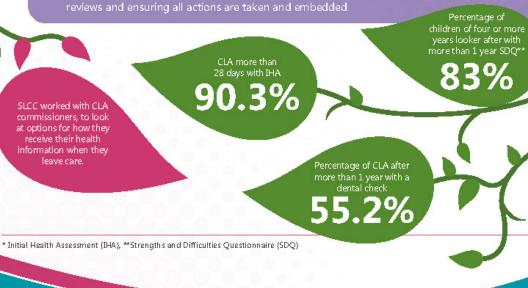
· Support you to have your physical, emotional and mental well being needs met

The Health and Wellbeing sub-group takes the lead for the delivery of this principle.

The lead officer is the Designated Nurse - Children Looked After and Care Leavers, supported by a lead member and relevant officers who meet quarterly in advance of board meetings.

#### The priority focus for this group is

- Ensure that all Children Looked After have robust statutory health assessments which
  are completed in a timely way by the right Health professional, are included in the
  child's care plan and are considered at each CLA\*\*\* Review meeting
- Ensure that the emotional and mental health needs of Children Looked After and Care Leavers are recognised, prioritised and addressed
- Ensure that the Health elements of the adoption pathway remain compliant with statutory responsibilities and are adequately resourced to provide sufficient Adoption Medical Advisor, nursing and administrative capacity
- Monitor the ongoing recovery of health services to CLA and Care Leavers which have been affected by the COVID-19 pandemic and the longer term physical and emotional impact on CLA and CL
- Look at the learning from Child Safeguarding Practice Reviews (CSPRs) and other reviews and ensuring all actions are taken and embedded.



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Would this be good enough for my child?



# Principle 2

# To promote high aspirations, and seek to secure the best outcomes, for children and young people

#### Our pledge to you

We will:

- · Push you to be the best you can be
- · To understand your goals and help you to achieve them
- · Help you to believe in yourself
- · Have high aspirations for you and support you in education, training and employment

The education sub-group takes the lead for the delivery of this principle.

The lead officer is the Head of Virtual School, supported by a lead member and relevant officers who meet quarterly in advance of board meetings.

#### The priority focus for this group is

- Embedding and monitoring the use and impact of the ePEP\*\* including progress data
- Improve the quality of PEPs\* so that an increased % of PEPs\* are found to be 'good' or better according to our QA process
- Deliver a system for monitoring attendance of Children Looked After which works for our schools and settings, while also providing the virtual school with the live data needed to act promptly where there are attendance concerns
- Ensure we are listening to our young people and their carers, and learning from their views and feedback
- Develop and clarify our Post-16 offer, following the appointment of a Lead Advisory Teacher to oversee and champion this work
- Continue to strengthen our partnership working, with SEND\*\*\*, CSC† and YOS†+, to ensure holistic support to young people with multiple vulnerabilities
- Continue to see a positive impact on our Key Performance Indicators, to include improved attainment, reduced exclusions, fewer children missing education, improved attendance and engagement
- Broaden the offer of the virtual school to support partners in promoting the education of children with social workers (Extension of Duties)

Percentage of education settings using ePEP\*\*

100%

Percentage of PEPs\*
completed
94.2%

Percentage of CLA in full time education 93%

\* Personal Education Plan (PEP),

\*\*Electronic Personal Education Plan.

Special Educational Needs and/or Disabilities (SEND), †Children's Social Care (CSC), ftYouth Offending Service (YOS) Number of initial PEPs\* scheduled on time 100% since October 2021

Would this be good enough for my child?

Somerset Corporate Parenting Strategy 2022-25 | 7



# Principle 3

# For children and young people to be safe, and for stability in their home lives, relationships and education or work

#### Our pledge to you

We will:

- · Respect you and treat you as an individual
- · Work hard to give you a choice of the best and safest places for you to live.
- Make sure that if you have to move it is a planned transition wherever possible
- Celebrate your birthday and other successes and achievements, including your school
  prom and with family if you choose to, and its safe to do so.
- Support you to see the people who are important to you, if it is safe to do so and support you to make new friends
- · Be available when you need us, or someone else we know if not
- · Help you to be safe and reduce the possibility of being bullied
- · Try to keep the same social worker for you where possible

The lead officers are the Strategic Commissioner, Children's Commissioning and the Strategic Operations Manager, Fostering in Somerset.

## The priority focus for this group is

- Develop the strategic partnership to deliver homes for children and young people, aligned high needs fostering and therapeutic education in Somerset
- Strengthen and develop relationships with all providers who care and support our children and young people
- Create and embed 16+ standards
- Re-design prevention and supported accommodation for young people aged between 16-25 at risk of homelessness
- Share and implement the learning from the fostering feasibility study to increase stability of children and young people living in foster homes
- Continue with the 'step-forward' programme for children and young people moving from residential homes to be with foster families

"Just being in
the WhatsApp group,
I think, has had a positive
impact on the mental health of
carers, for sure to have that support.
To know that they can throw those
ideas out and have that support as
well, which is quite nice"

Carer taking part in Fostering Feasibility study 2021 Children looked after at least two and half years staying in the same home for two or more 6 7 %

part in the Fostering
Feasibility study valued the
directory that gave them access
to over 360 local organisations and
has led to young people engaging
in a new activity

Would this be good enough for my child?

\* Return Home Interview (RHI)

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31.2%

RHI within 72 hours 62%

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# Principle 4

To help children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners

#### Our pledge to you

We will:

- Make sure you are made aware of the same opportunities as other young people of your age
- · Support you in the same way as if you were our own child.

The Voice of the Child sub-group takes the lead for the delivery of this principle.

The lead officer is the Head of Service – Quality Assurance, supported by a lead member and relevant officers who meet quarterly in advance of board meetings.

#### The priority focus for this group is

- · Celebrate young people's successes through the Annual Achievements Awards
- Promote and raise awareness of the Corporate Parenting Board through our training offer





# Principle 5

# To prepare children and young people for adulthood and independent living

#### Our pledge to you

We will:

- · Teach you independent living skills and provide practical support if you need it
- · Provide adult in your lives who inspire you
- · Support you when you live independently and keep in touch regularly
- · Help to get the most suitable accommodation for you

The Leaving Care sub-group takes the lead for the delivery of this principle.

The lead officer is the Head of Service, Children's Social Care, supported by a lead member and relevant officers who meet quarterly in advance of board meetings.

#### The priority focus for this group is

- Develop the participation of care leavers (CLs), and inclusion of the voice of children looked after (CLA) and CLs in service delivery and developments, aligning the work of SICC & SLCC with Leaving Care Apprentices
- Making full use of the Leaving Care Covenant within the Corporate Parenting community
- Continue to improve and publicise the Local Offer for CLs, ensuring that the voice of CLA and CLs is central to service delivery of SCC and partners
- Ensure that the health and well-being needs of Children Looked After and Care Leavers
  are met, particularly during periods of transition
- Improve outcomes for children who are looked after CLA and care leavers CLs in respect of Education, Training and Employment
- Ensure that the range of accommodation available is safe and meets the needs of all CLA and CLs

"It is very
useful to be
involved as it could
be used as evidence for my
college course as the learning
from this experience was towards my
qualification in customer service."

Member of SICC and
SLCC 2021

\* Not in Education, Employment or Training (NEET)

Care Leavers who are NEET (all ages)

36.4%(20)
vs 41.7% in 2020

Leaving Care
Local Offer:
Information and advice
for Somerset's Care Leavers
aged 16 to 25. Click here
for more information.

Care leavers who are suitably accommodated

96.3%

About the Care Leaver
Covenant: The Care Leaver
Covenant is a national indusion
programme that supports
care leavers aged 16-25 to live
independently. Click here for
more information.

Would this be good enough for my child?

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# Principle 6

# To encourage children and young people to express their views, wishes and feelings

#### Our pledge to you

We will:

- · Listen to your views
- · Make sure you know who your worker is
- · Make it easy to contact your worker and where to get their contact details
- Make sure you understand your rights and how you can make a complaint and get support from Route 1 Advocacy.
- Make sure you know how to get involved with the Care Councils
- Help you to communicate with us in the best way for you (i.e. social media, Mind of My Own etc)

The Voice of the Child sub-group takes the lead for the delivery of this principle.

The lead officer is the Head of Service – Quality Assurance, supported by a lead member and relevant officers who meet quarterly in advance of board meetings.

#### The priority focus for this group is

- Improve the way we hear the voice of the child and young person
- Refresh and promote the Pledge
- Supporting young people to be a part of our recruitment processes

Volunteer
Advocates
& Independent
Visitors ensure that
young people's voices are heard. Click here for more information.

\*\*Making a complaint against Children's Social Care' film

\*\*Making a complaint against Children's Complaint against Children's Social Care' film

\*\*Making a complaint against Children's Complaint against Children's Social Care' film

\*\*Making a complaint against Children's Child

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Would this be good enough for my child?

\* Child Protection (CP)

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# Principle 7

# To take into account the views, wishes and feelings of children and young people

#### Our pledge to you

We will:

- · Involve you in the decisions that affect you and aim to respect your wishes
- Tell you in good time about any proposed changes being made to your care plan even in an emergency.

The Voice of the Child sub-group takes the lead for the delivery of this principle.

The lead officer is the Head of Service – Quality Assurance, supported by a lead member and relevant officers who meet quarterly in advance of board meetings.

## The priority focus for this group is

- · Promote advocacy to our children and young people throughout their journey
- Support the functions of the Somerset in Care Council and Leaving Care Councils (SiCC and SLCC)





# Measures of Success: Would This Be Good Enough for My Child?

The Corporate Parenting Board monitors the services that Somerset County Council (SCC) and our partners deliver to our children looked after and care leavers, with the aim of continually improving outcomes. The Board is made up of elected members, Council officers and our partners. It holds the responsibility for producing a three-year strategy that reflects the needs of our looked after children and care leavers and our statutory obligations to them.

The Corporate Parenting Board Strategy is underpinned by a robust three-year plan to achieve its strategic goals. The plan is flexible to recognise the changing needs of children looked after and care leavers and social care legislation.

The progress of plan is reported to the Board quarterly with supporting data from the SCC Business Intelligence Team and our partner agencies.

On reading the quarterly reports, the first question the Board must answer is, "Would this be good enough for my child"? Elected members are ultimately accountable for the quality of the service, so is the data telling them what they need to know?

The Board publishes an Annual Report for approval by the full County Council meeting. The Somerset In Care and Leaving Care Councils (SiCC and SLCC) annually evaluate improvement through their 'We Said, You Did' report which forms part of the Annual Report.

The Board is an associate function of the Somerset Safeguarding Children Partnership which receives quarterly reports for assurance on the safeguarding of our children looked after and care leavers

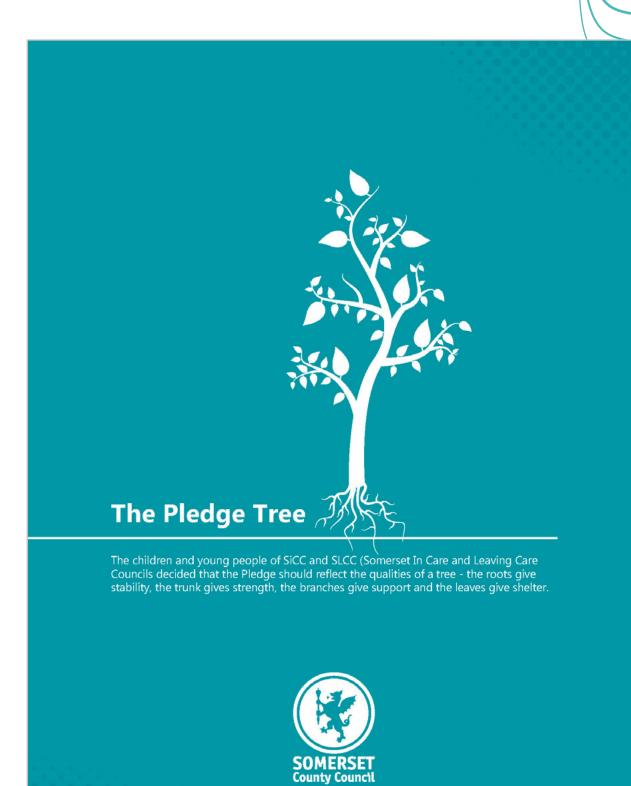
# Monitoring and evaluation

This strategy will be monitored and evaluated by the successful delivery of the Corporate Parenting three year plan through:

- · Listening to children and young people who are looked after
- The effective use of local data to identify areas for improvement and the extent to which national and local indicators around children looked after are being met
- · Receiving reports from across service areas and from partners as required
- Peer review and challenge
- Feedback from partners, agencies, parents, carers and children and young people
  about services
- Continued revision of actions in the plan in the light of monitoring and evaluation to ensure effective delivery of the strategy.

Would this be good enough for my child?

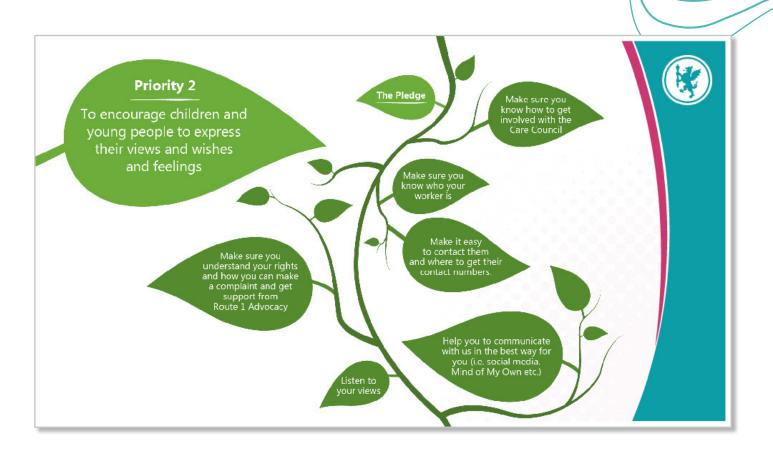
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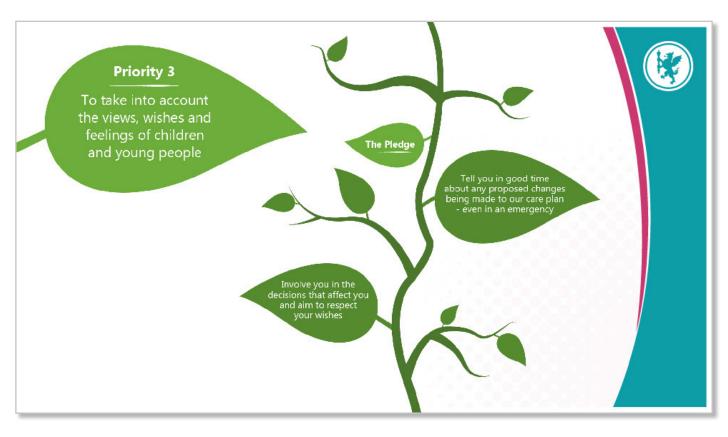


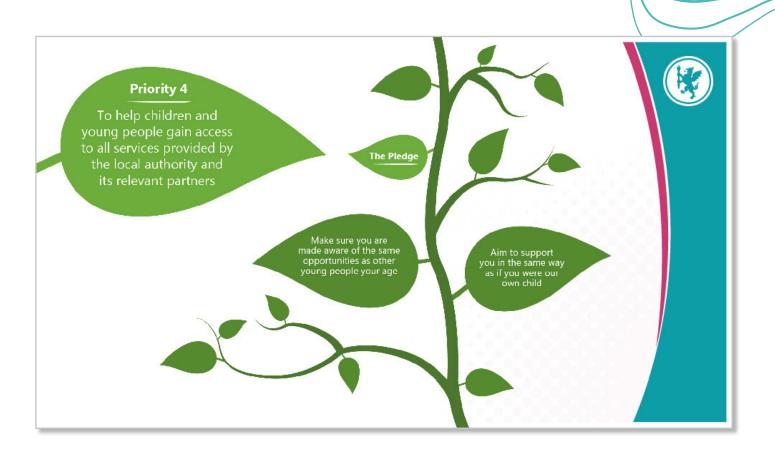
somerset.gov.uk

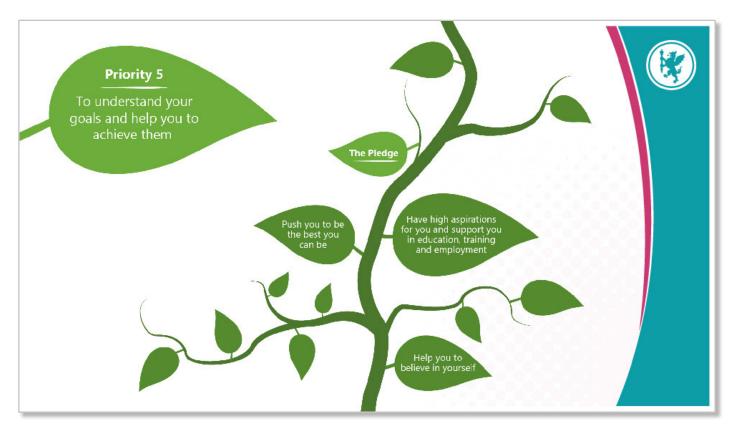


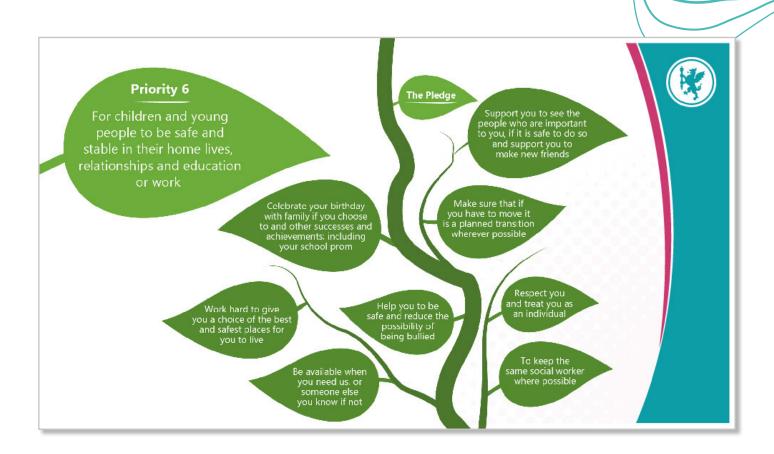


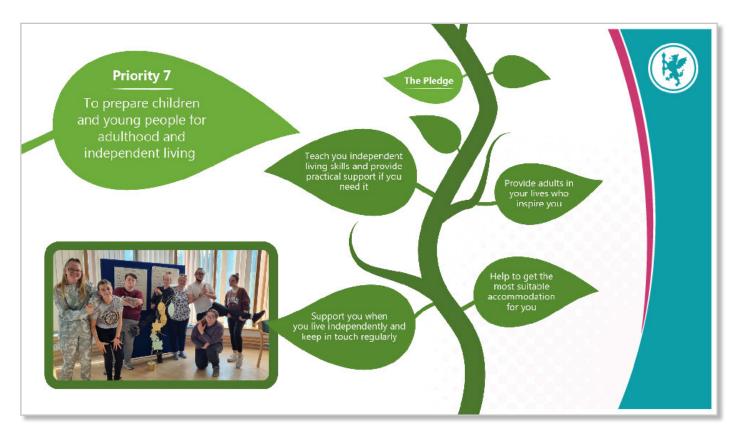












# **Appendix E** – Corporate Parenting Board Terms of Reference 2022 – 2023

# Overall aim

To improve the life chances of Somerset's children and young people in our care-and those leaving care- through a joint approach to the delivery of services. Somerset Council (SC) and its partner agencies together aim to continuously improve the outcomes of the children and young people we care for to bring them in line with their peers.

# **Objectives**

- To listen to the voices of children and young people in our care, and those leaving care, either directly from them as individuals or through the Care Councils - Somerset in Care Councils (SiCC) and Somerset Leaving Care Council (SLCC), or indirectly (through national/local inspection and surveys, parents/carers, independent reviewing officers, advocates and others) and to use what we learn to improve services and outcomes
- 2. To take the lead for the children and young people in our care and leaving care, raising awareness and priorities across all agencies, making sure all agencies' responsibilities toward children looked after are being met
- 3. To promote the role of all elected members as "corporate parents" and to ensure that appropriate mechanisms are put in place by SC to enable all members to fulfil their statutory responsibilities in this area
- 4. To review the Corporate Parenting Strategy annually to ensure that it is current and effective and to recommend any changes to the SC Executive for decision and to Full Council to be endorsed
- 5. The Corporate Parenting Board members will offer leadership and, via its work plan for children looked after and care leavers will keep the focus on strategic priorities that include:
  - a. Health care needs, including physical and emotional health and wellbeing
  - b. Safeguarding, including placement stability, quality of care placements and appropriate supported accommodation
  - c. Educational attendance, attainment, and aspirations
  - d. Positive activities, including leisure, volunteering, sporting and social activities, and prevention of offending
  - e. Employment and training (including work experience and employment opportunities provided through SC and partner agencies and contractors), housing and support
  - f. Successful transitions to adult life

- 7. To ensure that SC and its partners support SiCC and SLCC and deliver against the commitments made in the Pledge to children looked after and the Charter for care leavers
- 8. To ensure progress is regularly and actively monitored and reviewed.

# How will these objectives be delivered?

The Board will work to an agreed plan, which will be based on the Seven Principles of Corporate Parenting to be delivered, as set out in the Corporate Parenting Strategy 2022-2025 and aligned to the Children and Young People's Plan 2022-2024, the Sufficiency Statement (refreshed annually), the Corporate Parenting Pledge and the Local Offer for Care Leavers.

Board members will also regularly meet and hear from children looked after and care leavers, including those in foster care, residential care and independent accommodation by attending celebratory events for the achievements of children looked after and other events organised by the Engagement & Participation team and other services. Individual members will feed back on opportunities they have identified for support for employment, apprenticeships, traineeships and work experience.

## The Board will:

- Receive regular reports from relevant Officers to provide an insight into life for children looked after in Somerset
- Consider regular reports that set out performance against key agreed outcome indicators to monitor progress over time, and compare Somerset's performance with top quartile authorities and recommend actions for improvement
- Regularly monitor and receive reports in respect of SC and partners' progress against external regulator recommendations
- Establish links with other key groups responsible for representing children looked after (e.g., Foster Carers Consultative Group).

#### **Status**

The Board is a leadership and advisory body with no formal decision-making powers but will seek to influence decision makers to drive improvement across the Council and its partners. Consequently, it will make recommendations where necessary to SC Executive to impact and influence SC decisions and policies.

Formal Board meetings will not be open to the public or press because of the sensitive nature of the business and will not be subject to the Access to Information Rules set out in the Council's constitution. When reporting to the Full Council, Executive or elsewhere the expectation is that those reports will be public unless there are good reasons to recommend the exclusion of the public and press to consider confidential information.

All members of the Board shall respect and maintain the confidentiality of the Board's business.

The Corporate Parenting Board will maintain a close working relationship with the Council's Scrutiny for Policies, Children and Families Committee to ensure they do not duplicate each other's work.

# **Accountability**

The Board will be accountable to **Full Council**, via an annual report, in recognition of Council's budget setting responsibilities, the role of all elected members as corporate parents, and to enable Council to maintain an overview of the Strategy and the delivery of the Board's Annual Plan.

# Reporting

The Board will report on its activities to:

- Somerset Safeguarding Children Partnership (SSCP), which brings
  together all the relevant agencies to agree how to identify and meet the
  needs of children and young people in Somerset. The SSCP is responsible
  for coordinating agencies so that together they fulfill their statutory duties
  relating to safeguarding and targeted and universal services to effectively
  meet the needs of children, against the priorities of the Children & Young
  People's Plan 2022- 2024.
- Somerset in Care Council via the Voice of the Child Officer who is a full Board member
- **Somerset Leaving Care Council** via the Voice of the Child Officer who is a full Board member
- **Executive**, reporting as and when necessary, as the key decision-making body for Council services including endorsement of the Strategy every 3 years.
- **Scrutiny** Committees, as and when requested, in relation to reviewing the effectiveness of the Board and the Strategies the Board is responsible for.

# **Voting Arrangements**

Formal meetings of the Board will operate by consensus of those present rather than through any formal voting mechanism in recognition of the wide membership and the roles of the Board to advise and challenge.

# **Membership**

The emphasis for Board members is leadership, and so the Boards core appointed elected membership will include any member who, as one way of exercising their role as corporate parent, has the passion and commitment to volunteer as a core Board member. Members will be nominated by their political group leader and notified to the Executive Director Children's Social Care as the Lead Officer. There will be no limit on numbers of Members although the Chair's discretion will ensure the Board operates effectively.

Newly elected members will undertake mandatory corporate parenting training and will also be offered any ad-hoc relevant training and development i.e., Local Government Association training for Corporate Parents.

#### **Core Board Members**

- Council Elected Members
- "Voice of the Child" Officer
- Lead Member for Children & Families

- Executive/Director of Children's Services
- Foster Carer Association
- NHS Somerset ICB executive member
- Representation from Somerset in Care Council (SiCC) and Somerset Leaving Care Council (SLCC)
- Independent Lay person

# **Co-opted Members**

TBC.

## **Lead Contributors**

- Virtual School Head
- Strategic Manager, CSC Quality & Assurance
- Strategic Manager, Children looked After and Leaving Care
- Designated Nurse Children Looked After and Care Leavers
- Strategic Commissioner, Children's Commissioning
- Senior Business Intelligence Analyst, Performance Planning and Business Intelligence
- Police/One team representatives
- All other Councillors
- Providers of Council or NHS commissioned services.

# **Co-opted Members**

Co-opted members to be invited as and when the agenda requires i.e., housing, specific voluntary groups etc.

# **Chairing Arrangements**

The Chair and Vice Chair will be members on the Board with the Chair appointed by the Leader of the Council when a new council is convened and the vice chair appointed at the first formal meeting of the Board following the Full Council meeting post local government election.

#### Officer Led

Executive/ Director Children and Families, SC

# **Frequency of meetings**

The Board meets quarterly with subgroup meetings held as required to fulfil the Board's quarterly reporting and annual plan. Subgroups will report formally to the Board every quarter. Representatives from the Care Councils will attend regularly and a standing agenda space will be held for the voice of the child. The Board and its subgroup meetings may take a range of different formats, including visits to different locations and informal meetings with children and young people, and those who support them, when possible.

Two thematic meetings will be called annually in between quarterly Board business to look at areas of interest or concern in more detail.

Meetings will be held either virtually via Teams or face to face in County Hall or suitable alternative venues.

# **Corporate Parenting Board Action Log**

Will be reviewed at every Board meeting, for updates and progress on the subgroups.

# **Preparation for the Board**

Chair and voce chair to meet with the Lead Officer a minimum of two weeks before each formal meeting to agree the agenda and papers.

Agendas and papers for formal Board meetings will be sent to the members of the Board at least five working days prior to the meeting.

# Support to formal meetings of the Board

This will be provided by the Partnership Business Manager – Children's Quality Assurance, Safeguarding & Care team and Corporate & Children's Management Support Team.



# **Glossary of terms**

ACRONYM	FULL TERM	DESCRIPTION
CAMHS	Child & Adolescent Mental Health Service	CAMHS is the Child and Adolescent Mental Health Services. These are local, specialist mental health support teams run by the NHS throughout the UK. These services are free and help young people under 18 who have emotional, behavioural or mental health problems.
	Care Leaver	<ul> <li>The leaving care age in England is 18 years old, however some young people do leave care aged 16 or 17. There are different categories of care leavers depending on age, when the care leaver was in care and for how long</li> <li>Eligible child is a child aged 16 and 17 who has been looked after for at least 13 weeks since the age of 14 and who is still being looked after</li> <li>Relevant child is a child aged 16 and 17 who has been looked after for at least 13 weeks since the age of 14 and who has left care. This also includes young people who were detained (e.g. in a youth offending institution or hospital) when they turned 16, but who were looked after immediately before being detained</li> <li>Former relevant child is a young person over 18 who was previously 'eligible' or 'relevant'. Councils support this group until aged 21, or longer if they are in education or training</li> <li>Qualifying child is any young person under 21 (or 24 if in education or training) who stops being looked after or accommodated in a variety of other settings, or being privately fostered, after the age of 16. This also includes young people who are under a special guardianship order</li> <li>Former relevant child pursuing education is any former relevant child whose case was closed, for any reason. If they're planning to continue education or training they can ask the council for support. If eligible, any help would last until their 25th birthday</li> <li>Extension to 25 years old - If you are under 25 year old and previously open to the leaving care team, under the Children and Social Work Act 2017 you are entitled to return for support.</li> </ul>
	Care Plan	Every child and young person who is looked after will have a Care Plan. The provision of services and other help for them and their family will be set out in the plan. The Care Plan will say what the council and other agencies will do to meet the child's needs including:  • health  • education  • identity  • family relationships  • hobbies  and sets out the plan for the child's future. It will describe the child's contact arrangements with family and friends. Where appropriate, it will include how parents or guardians will help to look after them.

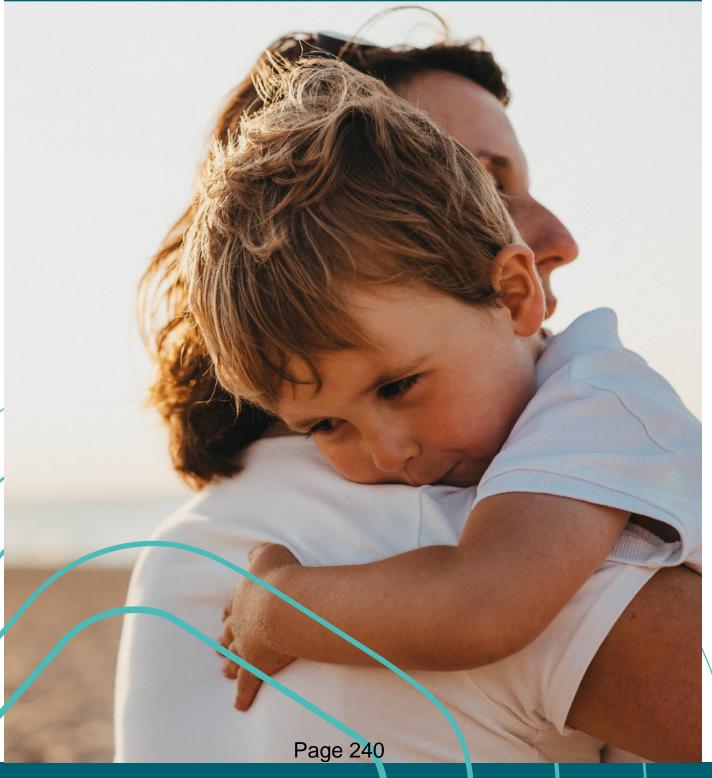
	1	
CP or CPC	Child Protection or Child Protection Conference	A Child Protection Conference is a meeting, which is arranged by Social Services because there are serious concerns about the care or protection of a child(ren). The Conference shares information about the child(ren) and discusses the concerns with the family and other professionals to see if any action is required to make ensure the child(ren) is safe and well cared for in the future.
CICC	Children in Care Council	The children in care council (CICC) is a way that children and young people in care can share their experiences of the care system, to help their 'corporate parents' get things right and look after them properly. In Somerset they are called SiCC & SLCC.
CLA	Children Looked After	<ul> <li>In England and Wales the term 'looked after children' is defined in law under the Children Act 1989. A child is looked after by a local authority if he or she is in their care or is provided with accommodation for more than 24 hours by the authority. Looked after children fall into four main groups:</li> <li>Children who are accommodated under voluntary agreement with their parents (section 20);</li> <li>Children who are the subject of a care order (section 31) or interim care order (section 38);</li> <li>Children who are the subject of emergency orders for their protection (section 44 and 46);</li> <li>Children who are compulsorily accommodated. This includes children remanded to the local authority or subject to a criminal justice supervision order with a residence requirement (section 21).</li> </ul>
СМЕ	Child Missing Education	Children of compulsory school age who are not registered pupils at a school and are not receiving a suitable education otherwise than being at a school (for example, at home or in alternative provision).
CSC	Children's Social Care	By law, Children's Social Care has to give priority of service to children with specific categories of need.  Those at risk of serious harm and who may need a protection plan  Those who are, or may need to be, looked after by Children's Social Care and are unable to remain living at home (birth to 18 years including unaccompanied asylum seeking children and young people)  Private Fostering – such arrangements have to be notified to the local authority (Children's Social Care)  Those aged 16 or over who are leaving the care of Children's Social Care or have previously left care and are eligible for Leaving Care services  Where Children's Social Care involvement is required by the courts In Somerset we also provide a number of specialist services, such as:  The recruitment, assessment and supervision of foster carers  Placing and supporting children with foster carers  The recruitment, assessment and support of people who want to adopt  Matching and placing children with adopters  The provision of residential care for children who are no longer able to live at home and where that is the appropriate option  Supervising children who are privately fostered  Young carers
СҮРР	Children & Young People's Plan	The children and young people plan (CYPP) explains how services will work together to support and help young people who live or go to school in Somerset. We collaborate on the CYPP with children, young people, parents and carers and the professionals and volunteers who support them.

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DBS	Disclosure and Barring Service	The body in England and Wales which looks after providing criminal records checks for employers or employees.
EHCP	Education, Health & Care Plan	Schools in England must provide support to children with special educational needs (SEN) as part of their standard offer to children. Where a child requires additional support that goes beyond what a school, college, or nursery can typically deliver from their own budgets or staffing then they may need an Education Health and Care Plan (EHCP).
ЕНЕ	Elective Home Educated	A choice by parents to provide education for their children at home - or at home and in some other way which they choose - instead of sending them to school full-time.
ETE	Education Training Employment	The status given to a young person who has been supported into Education, training and/or employment.
ICB	Integrated Care Board	The ICB commissions most of the hospital and community NHS services in the local areas for which they are responsible.
IHA	Initial Health Assessment	A statutory health assessment that is required to be completed within 28 days of a child coming into care. It is completed by a paediatrician or a designated CLA nurse.
IRO	Independent Reviewing Officer	Person who chairs reviews for children living in children's homes or foster care.
IV	Independent Visitor	Adult volunteers who provide independent, one-to-one befriending support to children in care. Their role is to "visit, advise and befriend" the young person with whom they are matched. In Somerset, this service is provided by Route One Advocacy.
NEET	Not in Education, Employment or Training	Young people (aged 16 to 24 years) who are not in education, employment or training.
P2i	Pathway to Independence	Offers housing and advice for young people aged 16-24 across Somerset. It is a jointly commissioned initiative by Somerset Council, District Councils working with a consortium of provider organisations.
	Pathways Plan	From 16 years, a child should be supported to leave care using a Pathway Plan. The plan shows how the young person will be helped to prepare for the future and includes what's happening with:  Accommodation  Finance  Health and wellbeing  Emotional Issues and behaviour  Education, training, employment, work experience and volunteering  Relationships with family, friends and support networks  Identity, such as ethnicity, religion, sexual orientation  Hobbies, sport, leisure, social life  Parenthood (for those about to become a parent)  Keeping safe  Practical skills and other skills for living independently

PEP	Personal Education Plan	All looked-after children must have a care plan, of which the PEP is an integral part. The PEP (pre-school, to age 18) should be initiated as part of the care plan.
PP	Pupil Premium	Pupil premium is funding to improve education outcomes for disadvantaged pupils in schools in England. Evidence shows that disadvantaged children generally face additional challenges in reaching their potential at school and often do not perform as well as other pupils.
QA	Quality Assurance	Work that is carried out in children's services that supports learning and service improvement includes audits and practice reviews.
RHA	Review Health Assessment	A statutory assessment for all children looked after and supports and informs the child's care plan, undertaken:  Every 6 months for children under 5 years old  Annually for children and young people aged 5-18
SDQ	Strengths and Difficulties Questionnaire	The strengths and difficulties questionnaire (SDQ) is a short behavioural screening questionnaire for children aged 3 to 16. The questionnaire is used to assess children's mental health, and can be completed by children and young people themselves, by their parents or by their teachers.  It can be used for various purposes, including clinical assessment, evaluation of outcomes, research and screening.
SEND	Special Education Needs and Disabilities	<ul> <li>A child or young person aged from 0 to 25 years old is said to have special educational needs or a disability if they:</li> <li>have a learning difficulty or disability which makes it much harder for them to learn than the majority of other pupils of the same age</li> <li>require special educational provision to be made for them because they have a disability that prevents or hinders them from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools</li> </ul>
SENDIAS	Special Education Needs and Disabilities Information, Advice and Support	Somerset SENDIAS (Special Educational Needs and Disability Information, Advice and Support) can give children, young people and their parent carers information, advice and support about SEND. This can include information on Education, Health and Care (EHC) Needs Assessments and Plans.  The service is free, confidential and impartial.
SiCC and SLCC	Somerset In Care and Somerset Leaving Care Councils	Somerset's in care councils where children and young people in care can share their experiences of the care system, to help their 'corporate parents' get things right and look after them properly.
Stat Neighbours	Statistical Neighbours	Statistical neighbours provide a method for benchmarking progress. For each local authority (LA), these models designate a number of other LAs deemed to have similar characteristics. These designated LAs are known as statistical neighbours.
SSCP	Somerset Safeguarding Children Partnership	The partnership responsible for safeguarding children in Somerset made up by three organisations –Somerset Council, Avon and Somerset Constabulary and Somerset Clinical Commissioning Group –have joint and equal responsibility to safeguard children and young people.

UASC	UnAccompanied Asylum Seeking Children	Children who are outside their country of origin to seek asylum in the United Kingdom, are separated from parents and relatives, and are not in the care of someone who is responsible for doing so. Before the age of 18, separated children are the responsibility of the local authority who assesses the child's needs and provides accommodation, education and health care.
VS	Virtual School	The Virtual School is a statutory service which exists to support and challenge all those involved in the education of children in care. The Virtual School Headteacher must be able to demonstrate how the pupil premium and other funding is raising the achievement of looked-after children.
СҮР	Children and Young People	An abbreviation often found in reporting in children's services.



# Agenda Item 13

Somerset Council

Full Council - 27 September 2023



# **Annual Report of the Somerset Armed Forces Covenant Partnership**

Lead Member: Councillor Henry Hobhouse - Chair of the Somerset Armed Forces

Covenant Partnership

Division and Local Member: All

Lead Officer: Sara Skirton - Service Director for Partnership and Localities

Author: Jeff Brown, Service Manager - Stronger Communities

Contact Details: (01823) 358170

#### 1. Introduction

- **1.1.** This Report updates Council on the Somerset Armed Forces Covenant (SAFC) Partnership since the last Annual Report to Somerset County Council in November 2022. This Report is for information.
- **1.2.** The purpose of the SAFC Partnership is to deliver the Armed Forces Covenant in Somerset. Somerset Council (SC) leads and provides light-touch support to the Partnership.

#### **1.3.** The Armed Forces Covenant

'The Covenant is a promise from the nation to those who serve. It says we will do all we can to ensure they are treated fairly and not disadvantaged in their day-to-day lives. This includes offering injured servicemen and women, and bereaved families, extra support where appropriate.'

**1.4.** The Covenant is a Government initiative designed to ensure that members of the Armed Forces community are not disadvantaged compared to members of the civilian community. Delivery of the Covenant is aimed at four groups of beneficiaries: regulars; reservists; veterans; and their immediate families.

## 2. Background

**2.1.** Somerset County Council along with Somerset's District Councils pledged support for the Covenant on 20 February 2012. This commitment was reaffirmed by Somerset Council during Armed Forces Week in June 2023.

- **2.2.** Officer support for the SAFC Partnership is provided by Jeff Brown, Service Manager, Stronger Communities and Kirsty Conger, Stronger Communities Officer, in the Partnerships & Localities directorate.
- **2.3.** In May 2022, following the local election, Councillor Henry Hobhouse was appointed by the Leader as Armed Forces Champion and Chair of the SAFC Partnership. He is supported by three Armed Forces Champions councillors Mark Healey, Andy Kendall and Lucy Trimnell.

#### 3. Overview

- **3.1.** This year there has been a focus on ensuring that previously-established Armed Forces-friendly policies remained in place with the move to the new unitary council. This culminated in the Armed Forces Week re-signing of the Covenant pledge.
- **3.2.** Another key aspect of the work has been supporting activity in the wider Somerset system. This year we have further strengthened collaboration with our NHS partners, working closely with two new Armed Forces project posts that sit within the ICB.
- **3.3.** Since vesting day there has been improvement in the referral routes and coordination of support for veterans facing homelessness. This will be an area of further focus in the coming year.
- **3.4.** The structure of this Report is:
  - national developments;
  - the South West Armed Forces Covenant Partnership;
  - Somerset activities:
  - health;
  - other activities:
  - communications; and
  - background papers.

# 4. National Developments

- **4.1. Legislation The Armed Forces Act.** The Armed Forces Act came into force in late 2022 and changed the status of the Covenant from 'a promise from the nation' to having the force of law a statutory duty. The Act requires those providing certain public services, including local government and NHS bodies, to have 'due regard' to the principles of the Covenant.
- **4.2.** The new status of the Armed Forces Covenant currently applies to aspects of health, housing and education. The statutory guidance can be viewed at: <a href="https://www.gov.uk/government/publications/armed-forces-covenant-duty-statutory-guidance">https://www.gov.uk/government/publications/armed-forces-covenant-duty-statutory-guidance</a>

- **4.3.** In light of this change, training was delivered to Councillors to improve awareness of the Armed Forces Covenant as well as the new Duty. Training was also provided to town and parish councils. Nationally-produced training modules have been uploaded to the Council's online learning platform to ensure that refresher training is available. There is a short introduction on the Armed Forces Covenant and the Statutory duty and a more in-depth training module that explains the Covenant and the impacts of service life on serving personnel and their families.
- **4.4. Operation Fortitude.** A national veteran's homelessness pathway has been launched by the government. Veterans who are homeless or at risk of homelessness and the organisations working with them are encouraged to contact the Op Fortitude hotline on 0800 952 0774 or through a secure web portal at <a href="riv.org.uk/opfortitude">riv.org.uk/opfortitude</a>. Further information can be found at <a href="www.riverside.org.uk/care-and-support/veterans/">www.riverside.org.uk/care-and-support/veterans/</a>.

# 5. The South West Armed Forces Covenant Partnership

- **5.1.** The South West Partnership Board aims to consistently improve delivery of the covenant across the region. It does this by developing shared understanding of the data, shared best practice, aligned policy and processes (where appropriate for partner organisations) and some shared resource, where it is mutually advantageous.
- **5.2.** The Partnership Board is supported by an Officer Group from partner authorities. This group works at operational level to identify where better outcomes can be achieved and to align policies.
- **5.3.** The Partnership has an app 'Forces Connect South West'. Somerset information is on the app, which signposts members of the Armed Forces community to the support available to them both locally and nationally. The app is available to download through Google Play or Apple store.
- **5.4.** More information about 'Forces Connect South West' is available at <a href="https://www.forcesconnectsouthwest.org.uk/">https://www.forcesconnectsouthwest.org.uk/</a>

# 6. Somerset Activities

- 6.1. Raising the Armed Forces Day flag. In a show of support for the Armed Forces, the Armed Forces Day flag was raised outside County Hall on Monday 19<sup>th</sup> June. The event was hosted by Deputy Chair of Somerset Council, Liz Leyshon and Mayor of Taunton, Cllr Nick O'Donnell. The flag was raised by WO1 RSM Duncan Maddocks. Flags were flown at Somerset Council's main offices leading up to National Armed Forces Day on Saturday, 24 June.
- **6.2. Re-signing of the Armed Forces Covenant.** Alongside the flag raising, the Council also reaffirmed its commitment to the Armed Forces Covenant. The Page 243

new Covenant pledges were signed by Councillor Liz Leyshon and National Hydrographer Rear Admiral Rhett Hatcher. You can view the new Covenant pledge <a href="here">here</a>. Re-signing the covenant enabled the Silver Award of the Defence Employer Recognition Scheme to transfer to Somerset Council.

- 6.3. Armed Forces Day events. This year we provided a small grant to support the Armed Forces Day event at Vivary Park to celebrate the Armed Forces Community. The event attracted 31,000+ people. On the day, Somerset Council had a team in attendance providing information from Cultural Services, Libraries, Somerset Music Hub, Road Safety Awareness, Communications, Public Health and Customer Services. Executive members were also in attendance.
- 6.4. SAFC Partnership annual conference. The conference will be held at Canalside Conference Centre, Bridgwater on Tuesday 17<sup>th</sup> October. The event is jointly organised by Somerset Council and NHS Somerset. Organisations and individuals with an interest and stake in the welfare and support of the military community are invited to attend the day which will run from 10.30am (arrival from 9.30) till 4pm. To secure a place please complete the booking form by Friday 29th September 2023: <a href="https://forms.office.com/e/ZwEZ3aWPRW">https://forms.office.com/e/ZwEZ3aWPRW</a>
- **6.5. Partnership updates.** A main effort of the SAFC Partnership is to enable communication with and between members of the Partnership. Since 2017 we have produced quarterly updates which have become comprehensive sources of useful information and links to further information. If you would like to be added to the mailing list, please email <a href="mailto:communities@somerset.gov.uk">communities@somerset.gov.uk</a>
- 6.6. Veterans' Guaranteed Interview Scheme. Somerset County Council launched the Veterans' Guaranteed Interview Scheme during Armed Forces Week 2021. The scheme means that a veteran who has left the Armed Forces in the last five years and their partner is guaranteed an interview with the authority if they meet the essential criteria for the role. In the last year (July 2022 July 2023) the Council has received just over 150 applications through this route. While some of these are still in process just over 20 people have been hired through the scheme.

#### 7. Health

7.1. The NHS Armed Forces Forward View and The Nine Commitments. The NHS 'Healthcare for the Armed Forces community: a forward view' is part of the NHS Long Term Plan. The Forward View focuses on meeting the needs of regulars, reservists, veterans and their immediate families. It includes nine commitments to support the Armed Forces community. The Nine Commitments identifies practical measures to improve access to healthcare,

- including mental healthcare, for the Armed Forces community. You can find the full NHS Armed Forces Forward View here.
- **7.2.** To support and implement the work to meet the Nine Commitments, two new roles were recruited within Somerset NHS. These roles will work across the system to provide capacity and leadership to the workstreams underpinning the Nine Commitments. As part of this, engagement work with the armed forces community is underway to understand the health needs and identify gaps and opportunities for the system to work better together.
- **7.3.** Work is underway to develop two Armed Forces Hubs. Each hub will have a dedicated worker who will work in partnership to provide pathways for individuals from the Armed Forces community and to strengthen the networks of support. NHS funding to support the hubs has been agreed for 3 years.
- **7.4.** Considering the increased commitment and investment from the NHS it is important that Somerset Council reviews it's approach to meeting the needs of the armed forces community, to match the resource and ambition of the NHS as an equal partner in the ICS.

#### 8. Other Activities

- **8.1. Covenant Fund.** The Covenant Fund is allocated £10m each year by the Treasury and provides grants enabling AFC partners and voluntary organisations to improve services for the military community. Further information on the Covenant Fund and its current funding programmes is at <a href="https://www.covenantfund.org.uk/">https://www.covenantfund.org.uk/</a>
- 8.2. The MOD's Defence Employer Recognition Scheme (DERS). The DERS recognises employers which support Armed Forces personnel, by helping employees to serve as reservists, by employing veterans, or through other mechanisms which support the military community. In Somerset, the DERS is managed by Wessex Reserve Forces and Cadets Association (WRFCA), based in Taunton. The scheme offers employers recognition at Bronze, Silver and Gold levels depending on the support they provide. Somerset Council holds the Silver award and has the ambition to go for Gold as resources allow. More information on the scheme and how supporting the Armed Forces community can benefit the Council and the county's businesses is available here.

## 9. Communications

**9.1. SCC Communications and Press Team.** We thank the Council's Communications and Press Team for supporting our delivery of the Covenant throughout the year with press releases and links to TV, radio and print media. For more information visit <a href="https://somersetnewsroom.com/?s=armed+forces">https://somersetnewsroom.com/?s=armed+forces</a>

# 10. Background Papers

- **10.1.** For information on the SAFC Partnership, including the SAFC Partnership Plan and its Annex that shows the matrix of partner organisations and the six main areas of Covenant activity, visit <a href="www.somerset.gov.uk/forcescovenant">www.somerset.gov.uk/forcescovenant</a> or contact the Stronger Communities Team at <a href="communities@somerset.gov.uk">communities@somerset.gov.uk</a>
- **10.2.** For general information on the Armed Forces Covenant, visit <a href="https://www.armedforcescovenant.gov.uk/">www.armedforcescovenant.gov.uk/</a>

Somerset Council

Full Council
- 27 September 2023



Redundancies Arising from (1) Cessation of Pest Control Service previously delivered by South Somerset District Council and (2) Changes in the Highways and Transport Commissioning Service

Executive Member(s): Councillor Federica Smith-Roberts - Lead Member for Communities, Housing and Culture and Councillor Mike Rigby - Lead Member for Transport and Digital

Local Member(s) and Division: Not applicable

Lead Officer: Chris Hall, Executive Director, Community Services and Mickey Green,

Executive Director, Climate and Place

Author: Sari Brice, Strategic Manager, HR Practice

Contact Details: <a href="mailto:sari.brice@somerset.gov.uk">sari.brice@somerset.gov.uk</a>

## 1. Summary

- **1.1.** The purpose of this report is to present details of two proposed dismissals on account of redundancy in relation to the following.
  - (1) Cessation of the Pest Control Service previously delivered by South Somerset District Council, and
  - (2) Changes in the Highways and Transport Commissioning Service.

Appendices 1 and 2 presents the cost of the redundancies to the Council. All payments are in accordance with statutory and contractual obligations.

# 1.2. Cessation of Pest Control Service, South Somerset

In February 2023 Full Council took a decision to cease the Pest Control service previously delivered by South Somerset District Council as part of the savings identified under the Medium-Term Financial Planning (MTFP) and upon the transfer of the service to Somerset Council on 1 April 2023.

Prior to the decision Somerset County Council under the Transfer of (Protection) Employment Regulations (TUPE) provided a measures letter to inform South Somerset District Council of this proposal as an

envisaged measure. South Somerset District Council undertook consultation with the relevant trade unions prior to Vesting Day.

Following the TUPE transfer of staff from South Somerset District Council to Somerset Council, a 45-day consultation has been undertaken with affected staff and trade union representatives which ended on 4 August 2023.

As a consequence of this, one full-time Locality Officer post will be deleted from the structure and one postholder to be made redundant.

**1.2.1** Somerset Council's agreed redundancy procedure has been followed for this process, noting that this has taken place before and subsequent to the establishment of Somerset Council.

# 1.3 Highway Assets and Transport Commissioning

1.3.1 The post of Service Manager, Highway Assets and Improvement was created as part of Somerset County Council's adoption of a commissioning model in 2010. The creation of a unitary Council has coincided with the end of a major commissioning cycle for highways. A suite of new contracts covering highway maintenance, surface, lighting, and creation of new assets will be awarded in autumn 2023 covering an 8 – 12-year period. The result is that there will no longer be a need for a commissioning post with responsibility for strategic procurement in this service area.

The commissioning structure is also being changed, with responsibility for future direction and resourcing of the highways service sitting with the Infrastructure and Transport Service Director and proposed Head of Highways as an operational matter rather than through the previous separate Commissioning Director and management chain.

There is therefore no longer a requirement for the Service Manager, Highway Assets as the post has reached a natural end due to the end of the commissioning cycle and the changes in roles and responsibilities as part of the new unitary authority.

Somerset Council's agreed redundancy procedure has been followed for this process.

## 2. Costs

There is a cost to the Local Government Pension Scheme if an individual is aged 55 or over at the point of redundancy (known as the 'pension strain', a payment made to the pension scheme and not to the individual). Somerset Council will need to pay the pension strain cost of £113,514 (Pest Control) and £96,491 (Infrastructure and Transport).

2.1 The total cost of each of these redundancies is, Pest Control - £156,514.

Highways and Transport - £122,456.

These figures include the following considerations:

- Statutory Redundancy Pay.
- Contractual Redundancy Pay.
- Cost to the Local Government Pension Scheme.
- 2.2 There is a requirement for Full Council to approve any financial settlement of more than £100,000, as required under s40 of the Localism Act, 2011 and the Council's Constitution. This is irrespective of whether the payment is statutory, contractual, or enhanced/discretionary.

The cost of the redundancy represents contractual and statutory obligations; no element of the package has been enhanced.

# 3. Recommendations

Full Council is asked to:

- **3.1** Approve the costs of the redundancies, as set out in Appendix One (Pest Control).
- **3.2** Approve the costs of the redundancy, as set out in Appendix Two (Highways and Transport).
- 3.3 Delegate authority to the relevant Service Director to agree the final date of dismissal and the final redundancy package, noting that the payment will not exceed contractual redundancy pay or the payment required under statute to the Local Government Pension Scheme.
- 3.4 Agree the case for exempt information for the Redundancy Appendices 1-5 to be treated in confidence, as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.

3.5 Agree to exclude the press and public from the meeting where there is any discussion at the meeting regarding Appendices 1-5 (to be treated as exempt information).

# 4. Summary of the redundancy process and considerations

- **4.1** Full consideration has been given to policy, governance and employment law considerations relating to the redundancy process
- **4.2** An employee who is made redundant:
  - Must be given notice of the termination of their employment and must be paid for their notice period.
  - Must be paid a redundancy payment in line with statutory entitlement and any contractual entitlement.
  - Must be paid any accrued holiday pay due to them as at the termination date; and:
  - If they are age 55 or over, their LGPS pension becomes payable, and the Council is required to pay any pension strain so that the employee takes the pension free of any actuarial reduction.

# 5. Background Papers

Appendix One: Redundancy Approval Request Pest Control

Appendix Two: Redundancy Approval Request Highways and Transport

Appendix Three: Measures letter re Pest Control

Appendix Four: Pest Control Business Case

Appendix Five: Highways and Transport Business Case

By virtue of paragraph(s) 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted











## Agenda Item 15

By virtue of paragraph(s) 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.





