

# Public Agenda Pack



Minutes of a Meeting of the Full Council held in the Hollinsworth Hall, Canalside Conference Centre, Marsh Lane, Huntworth, Bridgwater TA6 6LQ, on Wednesday, 20 December 2023 at 2.00 pm

## **Present:**

Cllr Lee Baker (Chair)

Cllr Steve Ashton

Cllr Jason Baker

Cllr Brian Bolt

Cllr Hilary Bruce

Cllr Mike Caswell

Cllr Nicola Clark

Cllr Barry Clarke

Cllr Simon Coles

Cllr Nick Cottle

Cllr Dixie Darch

Cllr Tom Deakin

Cllr Martin Dimery

Cllr Michael Dunk

Cllr Habib Farbahi

Cllr Bob Filmer

Cllr Tony Grimes

Cllr Pauline Ham

Cllr Mark Healey

Cllr Ross Henley

Cllr Edric Hobbs

Cllr John Hunt

Cllr Helen Kay

Cllr Marcus Kravis

Cllr Tony Lock

Cllr Dave Mansell

Cllr Kevin Messenger

Cllr Tessa Munt

Cllr Frances Nicholson

Cllr Sue Osborne

Cllr John Bailey

Cllr Marcus Barr

Cllr Alan Bradford

Cllr Theo Butt Philip

Cllr Norman Cavill

Cllr Mandy Chilcott

Cllr Peter Clayton

Cllr John Cook-Woodman

Cllr Adam Dance

Cllr Hugh Davies

Cllr Dawn Denton

Cllr Andy Dingwall

Cllr Caroline Ellis

Cllr Ben Ferguson

Cllr David Fothergill

Cllr Andy Hadley

Cllr Philip Ham

Cllr Alistair Hendry

Cllr Mike Hewitson

Cllr Henry Hobhouse

Cllr Dawn Johnson

Cllr Jenny Kenton

Cllr Liz Leyshon

Cllr Martin Lovell

Cllr Matthew Martin

Cllr Harry Munt

Cllr Mike Murphy

Cllr Graham Oakes

Cllr Connor Payne

Cllr Kathy Pearce  
Cllr Evie Potts-Jones  
Cllr Faye Purbrick  
Cllr Leigh Redman  
Cllr Mike Rigby  
Cllr Jo Roundell Greene  
Cllr Peter Seib  
Cllr Brian Smedley  
Cllr Andy Soughton  
Cllr Claire Sully  
Cllr Sarah Wakefield  
Cllr Richard Wilkins  
Cllr Rosemary Woods  
Cllr Ros Wyke

Cllr Derek Perry  
Cllr Hazel Prior-Sankey  
Cllr Wes Read  
Cllr Bill Revans  
Cllr Diogo Rodrigues  
Cllr Dean Ruddle  
Cllr Heather Shearer  
Cllr Federica Smith-Roberts  
Cllr Mike Stanton  
Cllr Andy Sully  
Cllr Martin Wale  
Cllr David Woan  
Cllr Gwil Wren

**Other Members present remotely:**

Cllr Mike Best  
Cllr Andy Kendall  
Cllr Tony Robbins

Cllr Adam Boyden  
Cllr Christine Lawrence  
Cllr Lucy Trimnell

**45 Apologies for Absence - Agenda Item 1**

Apologies were received from Councillors Suria Aujla, Mike Best, Simon Carswell, Shane Collins, Lance Duddridge, Sarah Dyke, Andrew Govier, Susannah Hart, Bente Height, Val Keitch, Andy Kendall, Tim Kerley, Christine Lawrence, Oliver Patrick, Emily Pearlstone, Tom Power, Steven Pugsley, Tony Robbins, Gill Slocombe, Fran Smith, Jeny Snell, Lucy Trimnell and Alex Wiltshire.

**46 Minutes from the Previous Meeting - Agenda Item 2**

During the discussion, the following point was raised:-

- Councillors highlighted that the proposer and seconder needed to be updated on the Corporate Parenting Board item from the previous meeting, as it stated Jane Lock proposed and she was not able to do so as a non-councillor.

**RESOLVED** that the minutes of Full Council held on 27 September 2023, with the amendment, be confirmed as a correct record.

**47 Declarations of Interest - Agenda Item 3**

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

<b>UNITARY COUNCILLOR</b>	<b>TOWN AND/OR PARISH COUNCIL</b>
Steve Ashton	Crewkerne Town Council / Hinton St George Parish Council / West and Middle Chinnock Parish Council
Jason Baker	Chard Town Council
Lee Baker	Cheddon Fitzpaine Parish Council
Marcus Barr	Wellington Town Council
Alan Bradford	North Petherton Town Council
Theo Butt Philip	Wells City 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
Andy Dingwall	Westonzoyland Parish Council
Caroline Ellis	Taunton Town Council
Ben Ferguson	Axbridge Town Council
Bob Filmer	Brent Knoll Parish Council
Pauline Ham	Axbridge Town Council
Philip Ham	Coleford Parish Council
Alastair Hendry	Burnham on Sea and Highbridge Town Council
Ross Henley	Wellington Town Council
Edric Hobbs	Shepton Mallet Town Council
John Hunt	Bishop's Hull Parish Council
Jenny Kenton	Chard Town Council
Marcus Kravis	Minehead 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
Kathy Pearce	Bridgwater Town Council
Evie Potts-Jones	Yeovil Town Council
Wes Read	Yeovil Town Council
Leigh Redman	Bridgwater Town Council

Mike Rigby	Bishop's Lydeard and Cothelstone Parish Council
Diogo Rodrigues	Bridgwater Town Council
Dean Ruddle	Somerton Town Council
Peter Seib	Brympton Parish Council / Chilthorne Domer Parish Council
Heather Shearer	Street Parish Council
Brian Smedley	Bridgwater Town Council
Federica Smith-Roberts	Taunton Town Council
Andy Soughton	Yeovil Town Council
Richard Wilkins	Curry Rivel Parish Council
Dave Woan	Yeovil Town Council
Ros Wyke	Westbury-sub-Mendip Parish Council

Councillor Marcus Kravis further declared a non-registrable interest on agenda item 10, as he holds a gambling license.

A debate was had on whether councillors were required to declare an interest on agenda item 7 as second homeowners. Advice was given by the Monitoring Officer on what should be declared. The following councillors declared a disclosable pecuniary interest and would leave the room during the debate: Councillors Jason Baker, Brian Bolt, Mandy Chilcott, John Cook-Woodman, Habib Farbahi, Mark Healey, Alastair Hendry, Helen Kay, Jenny Kenton, Marcus Kravis, Dean Ruddle, Mike Stanton, Andy Sully and Ros Wyke.

#### **48 Public Question Time - Agenda Item 4**

Public Questions were received from:-

- Ray Rose – Vivary Park
- Rosa Fell – Transport
- David Redgewell – Transport
- Peter Travis – Transport
- David Orr – Phosphates
- Valda Dagnell/Elspeth Waldie – Green Project
- Nigel Behan – Budget and Council Services
- Eva Bryczkowski – Section 114
- Colin Nash – Budget and Council Services
- Beth Poole – Budget and Council Services
- Alison Hann – Budget and Council Services
- Ian Glover – Budget and Council Services
- Richard Brown – Budget and Council Services

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

#### **49 Chair's Announcements - Agenda Item 5**

The Vice Chair of the Council (in the Chair), Councillor Lee Baker, referred to the events detailed on the Chair's Information Sheet, circulated and published with the agenda.

#### **50 Report of the Leader and Executive - Agenda Item 6**

##### **PAPER A**

The Deputy Leader of the Council and Lead Member for Resources and Performance, Councillor Liz Leyshon, introduced the report on the 2024/25 General Fund Revenue Budget and Capital Programme update, which the Executive considered and endorsed at its meeting on 6 December 2023.

The purpose of the report was to set out the challenging financial position faced by the Council.

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

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

- Some councillors highlighted the 74 sites that had been declared surplus and asked when they would find out more about any sites in their divisions so they could work with the City, Town and Parish Councils as part of the Council's devolution programme and partnership work with local councils.
- Councillors requested that Paper A's appendix one be considered further at the next available meeting of the Scrutiny Committee for Corporate and Resources.

*The Lead Member for Resources and Performance apologised for the lateness of the papers that had gone to Executive and advised that work was still ongoing on the report and involved collating a lot of data.*

- Councillors felt that Central Government had failed Somerset Council with the level of funding being granted.
- Concern was raised on the lack of detail contained within the report which was hampering the discussions held with the City, Town and Parish Councils on the devolution project.

*The Lead Member for Economic Development, Planning and Assets advised that the Asset Strategy had made the details transparent, and the Disposal Policy had been through Full Council for decision, both documents had been clear on the process to be followed and had involved the local councillors.*

- Councillors supported the proposal that Somerset Council needed a vision for the future to create a sustainable council.
- Concern was raised on behalf of the officers and residents regarding the scale of challenge and change for Somerset Council over the forthcoming year and future years.

*The Lead Member for Resources and Performance acknowledged that they were aware of officer welfare and that the Executive had not taken the decision easily to declare a financial emergency.*

- Councillors queried how much research had been carried out on what other councils had done both before and after issuing a Section 114 notice.
- Some councillors highlighted that more scrutiny of the financial emergency and budget proposals would help provide further options and ideas to the Executive and Full Council when recommending and approving the Annual Budget in February. Councillors further highlighted that the process also needed to further involve local councillors in the ethos of the 'Tell Local Councillor' manner.

*The Lead Member for Resources and Performance referenced the various budget briefings for councillors and the scheduled scrutiny committee meeting on the budget proposals on 1 February 2024. They also advised that they had attended the Local Community Network meetings to update them on the financial position and were happy to continue to attend.*

- Councillors reflected that they understood the significant challenges facing the Council and that there were difficult decisions to be made.
- Some concern was raised about the capitalisation request which formed part of the recommendations and an explanation was provided for how that request formed part of the Council being able to set a balanced budget.
- Reference was made to a democratic deficit as a result of the reduction in councillors through creating the new Somerset Council and the added pressure on councillors working with their local communities during this challenging time and over the next few years.

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

Note that the Council had declared a financial emergency and accordingly endorsed the range of actions and mitigations being taken forward. Furthermore, the Council fully supported the Executive and Senior Officers to continue its discussions with the Department for Levelling Up, Housing and Communities (DLUHC) and formally requests a capitalisation direction in order to set the 2024/25 budget.

*The meeting adjourned at 4.00pm*

*The meeting restarted at 4.15pm*

**PAPER B**

The Deputy Leader of the Council and Lead Member for Resources and Performance, Councillor Liz Leyshon, introduced the report on the Council Tax Reduction and Exceptional Hardship Scheme for 2024/25, which the Executive considered and endorsed at its meeting in 6 December 2023.

The purpose of the report was to formally agree a Council Tax Reduction Scheme for the year for working aged people.

Councillor Liz Leyshon proposed the recommendations which were seconded by Councillor David Fothergill.

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

- Councillors welcomed the report.
- Councillors agreed it was important to look at the facts and figures.
- Councillors agreed that they needed to ensure they supported the local residents.

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

- i. The Council Tax Reduction and Exceptional Hardship schemes set out in Appendices 4 and 5 to this report;
- ii. Option 3 in relation to the income band thresholds used within Schedule 1 of the proposed Council Tax Reduction scheme i.e. uprating in line with the 6.7% rise in state benefits announced by Government in the November 2023 Autumn Statement; and
- iii. A full review of the Council Tax Reduction scheme during the 2024/25 financial year to identify options for a revised scheme in the 2025/26 financial year. (NB. the review and consultation exercise would require funding which was anticipated to be in the region of £60k).

## **PAPER C**

The Deputy Leader of the Council and Lead Member for Resources and Performance, Councillor Liz Leyshon, introduced the report on the Annual Treasury Management Outturn Report 2022-23 / Annual Treasury Management Mid-Year Report 2023/24, which the Executive considered and endorsed at its meetings on 4 October 2023 and 6 December 2023.

The purpose of the report was to cover the Treasury Management activity for 2022-23 and the first 6 months of the 2023-24 financial year.

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

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

- Councillors queried the calculations stated within the report on the percentage drop in investments.

Having been duly proposed and seconded, the Council **RESOLVED** to approve the reports as being compliant with the CIPFA Code of Practice for Treasury Management.

#### **PAPER D**

The Leader of the Council, Councillor Bill Revans, introduced the report on the Harbour Management Advisory Committee, which the Executive considered and endorsed at its meeting on 6 December 2023.

The purpose of the report was to propose the formation of a committee of the council which would enable broader membership and locally elected members to be part of the Harbour Management Advisory Committee.

Councillor Bill Revans proposed the recommendations which were seconded by Councillor Leigh Redman.

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

- Councillors thanked the Leader for the report.
- Councillors agreed it was a positive move to involve local councillors on the Sub-Committee.
- Councillors were pleased to see cross party involvement on the Sub-Committee.
- Councillor David Fothergill proposed an amendment to recommendation iv: that the appointment of the members be delegated to the Monitoring Officer, as nominated by the Group leaders, which was seconded by Councillor Bill Revans. The vote was taken on the amendment and was carried and became part of the substantive motion.

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

- i. that a Harbour Management Advisory Committee was established as an advisory committee to the Executive under s102(4) of the Local Government Act 1972;
- ii. the Terms of Reference of the Harbour Management Advisory Committee attached at Appendix 1;
- iii. the terms of the Memorandum of Understanding between the Executive and the Harbour Management Advisory Committee attached as Appendix 2;
- iv. the appointment of 6 elected members be delegated to the Monitoring Officer, as nominated by relevant political group leaders, to the Harbour



- Management Advisory Committee in accordance with the political balance requirements in section 15 of the Local Government and Housing Act 1989.
- v. delegated authority be granted to the Service Director Regulatory and Operational in consultation with the Service Director Governance, Democratic and Legal Services to conduct a skills audit for the Harbour Management Advisory Committee and to conduct the process for the recruitment of appropriately skilled co-opted members to the Committee and make recommendations to Full Council for appointment of the co-opted members.

## **PAPER E**

The Leader of the Council, Councillor Bill Revans, introduced the report on the proposed withdrawal and dissolution of the Heart of the South West Joint Committee, which the Executive considered and endorsed at its meeting on 6 December 2023.

The purpose of the report was to specifically recommend that the Council agree to serve notice of its withdrawal and that the Heart of the South West Joint Committee be dissolved on 31 December 2023.

Councillor Bill Revans proposed the recommendations which were seconded by Councillor David Fothergill.

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

- Councillors highlighted that the Heart of the South West had been an important vehicle used to approach Central Government on certain issues. However, it had now outlived its purpose and naturally had come to an end.

Having been duly proposed and seconded, the Council **RESOLVED** to agree to serve notice of its withdrawal and that the Heart of the South West Joint Committee be dissolved on 31 December 2023.

## **PAPER F**

The Lead Member for Communities, Housing and Culture, Councillor Federica Smith-Roberts, introduced the report on the 2023/24 Housing Revenue Account Q1, which the Executive considered and endorsed at its meeting on 4 October 2023.

The purpose of the report was to provide an update on the projected outturn financial position of the Council's Housing Revenue Account for the year 2023-24.

Councillor Federica Smith-Roberts proposed the recommendations which were seconded by Councillor Liz Leyshon.

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

- Councillors were pleased to support the report.

Having been duly proposed and seconded, the Council **RESOLVED** to approve a supplementary capital budget of £3,313,829 for the in-house service to spend on Fire Safety.

## **51 Report of the Executive Director for Corporate and Resources - Additional Council Tax Premiums - Agenda Item 7**

Councillors Jason Baker, Brian Bolt, Mandy Chilcott, John Cook-Woodman, Habib Farbahi, Mark Healey, Alastair Hendry, Helen Kay, Jenny Kenton, Marcus Kravis, Dean Ruddle, Mike Stanton, Andy Sully and Ros Wyke left the room for the debate.

The Executive Director for Corporate and resources, Jason Vaughan, introduced the report which set out the intention to provide for statutory exemptions from the premiums and to reaffirm the decision to implement both premiums.

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

- Councillors requested clarification on the impact having furnishings in the property might make on which exemption they could be eligible for.  
*The Interim Revenues and Benefits Manager gave advice on the different classes of exemptions that could be used.*
- Councillors queried the delegation to the Section 151 Officer and what level of change would require Full Council approval.  
*The Interim Revenues and Benefits Manager advised that they were still waiting for statutory information from Central Government and that the Section 151 Officer would only implement that information.*

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

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

Reaffirm the decision taken on 23 November 2022 to:

- i. Reduce the qualifying period for the long-term empty property premium to one year effective from 1st April 2024; and
- ii. Implement a 100% premium for second homes (dwellings which were furnished, but unoccupied) effective from 1st April 2025.

Council was also recommended to delegate powers to the Council's Section 151 Officer to enable them to amend the policy and / or any associated procedures to ensure alignment with the regulations or statutory guidance relating to the exemptions from the premiums, when these were issued or subsequently amended

by Government.

Councillor David Fothergill called for a recorded vote to ensure transparency, which was supported by at 15% of members.

The results were **71 FOR** the recommendations and **1 ABSTAINED**.

Councillors Jason Baker, Brian Bolt, Mandy Chilcott, John Cook-Woodman, Habib Farbahi, Mark Healey, Alastair Hendry, Helen Kay, Jenny Kenton, Marcus Kravis, Dean Ruddle, Mike Stanton, Andy Sully and Ros Wyke returned to the room.

## **52 Report of the Chief Executive - Somerset Council Redundancies Requiring Full Council Approval - Agenda Item 8**

The Chief Executive, Duncan Sharkey, introduced the report which set out the proposed dismissals on account of redundancy in relation to the creation of Somerset Council and the appointments to senior management posts in the Climate and Place, Community Services and Resources and Corporate Services Directorates.

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

- Councillors agreed it was unfortunate timing for officers especially with the consultation period just before Christmas.  
*The Chief Executive understood their concern, however, it was part of the process and the officers involved had known for some time.*
- Councillors thanked the officers involved for their service to the Council.

Councillor Theo Butt-Philip proposed the recommendations which were seconded by Councillor Faye Purbrick.

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

1. Approve the severance costs for 5 posts as set out in Appendix A, where Full Council approval was required for costs that exceeded £100,000.
2. Delegate authority to the Chief Executive to agree the final date of dismissal and the final redundancy packages, noting that such settlements would not exceed contractual redundancy pay, the payment required under statute to the Local Government Pension Scheme, or the requirement for Full Council approval for any severance payment that exceeded £100,000.

## **53 Report of the Standards Committee - Agenda Item 9**

The Chair of the Standards Committee, Councillor John Bailey, introduced the report, which set out the proposed reduction in the level at which gifts and

hospitality needed to be declared by elected members.

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

- Concern was raised that the proposed limit of £10 was too low.
- Councillors requested that the report be taken back to the Standards Committee for further debate.
- Councillors from the Standards Committee gave feedback on the debate and advised that the co-opted members of the Committee had supported the change from a public point of view.
- Concern was raised on the public perception on whether they had accepted or declined the gift/hospitality.
- Concern was raised on the civic members because they would be making daily declarations.
- Councillors wanted to be transparent with their gifts and hospitality declarations, however, they needed to be set at a realistic figure.
- Councillor Bill Revans proposed that the report be taken back to the Standards Committee for further investigation, which was seconded by Councillor David Fothergill. The vote was taken and carried and became the substantive motion.

Councillor John Bailey proposed the recommendations which were seconded by Councillor Brian Smedley.

Having been duly proposed and seconded, the Council **RESOLVED** to send the report back to the Standards Committee to reconsider Section 9 (Gifts and Hospitality) of the Members Code of Conduct.

#### **54 Report of the Licensing and Regulatory Committee - Agenda Item 10**

The Vice Chair of the Licensing and Regulatory Committee, Councillor Marcus Kravis, introduced the report which set out the new Statement of Principles – Gambling Policy for Somerset Council.

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

- Councillors thanked the Licensing Officers for all their hard work on the report.

Councillor Marcus Kravis proposed the recommendations which were seconded by Councillor Federica Smith-Roberts.

Having been duly proposed and seconded, the Council **RESOLVED** to approve the Statement of Principles – Gambling Policy.

## 55 **Motions on Notice** - Agenda Item 13

Motion on the immediate bilateral ceasefire in Israel-Gaza conflict

Councillor Helen Kay introduced the Motion and gave some background information on her Jewish heritage, the reasons why she had brought the Motion to Full Council and how she felt some connection to Israel and was very shocked by the attacks on innocent civilians on 7 October 2023. She also noted the following:-

- The Hamas ideology and the representation of the Palestinian cause for land rights and freedom and the political vacuum re: other political parties representing the cause.
- The Motion called for Central Government to facilitate an immediate ceasefire to release hostages and get humanitarian aid to Gaza.
- To work for a long-term political settlement that gave the people of both Israel and Palestine the hope of a peaceful future.
- The concern that the conflict could spill over into the wider region and beyond.
- The likelihood of the increased refugee pressure on Europe and the UK.
- Concern on personal safety and the increase in antisemitism behaviour and hate crime.
- She believed all councillors had a role as community leaders in speaking across racial and religious divides and attempting to reduce tensions wherever possible.
- It felt very relevant to bring this Motion to Full Council at this time of year when we wished for peace and goodwill to all men.
- She urged all councillors to support the Motion with those sentiments in mind.

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

- Councillors agreed it was a difficult situation and agreed with the sentiment of the Motion.
- Some Councillors stated that it was not for Somerset Council to agree foreign policy and that they did not feel qualified to support the Motion.
- Councillor Mandy Chilcott proposed that a vote was called, which was seconded by Councillor Bill Revans. The vote was taken and carried.

Councillor Habib Farbahi closed the discussion and noted the following points:-

- Life was precious no matter what religion you practice.
- The attacks needed to be condemned.
- He urged councillors to work with their parliamentary members to bring in the ceasefire.

Councillor Helen Kay proposed the recommendations which were seconded by Councillor Habib Farbahi.

Having been duly proposed and seconded, the Council **RESOLVED** to write to the UK Government to call for an immediate bilateral ceasefire. Council also noted with deep concern the severe reverberations of this crisis in the UK, with Jewish, Muslim and Palestinian communities all fearing and grieving, and condemned the rise in antisemitism and Islamophobia since 7 October 2023.

## **56 Report of the Leader and Executive - For Information - Agenda Item 11**

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

Member Questions were received from:-

- Councillor Leigh Redman – Uncollected Council Tax

The questions and responses are attached to the minutes in Annex B.

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

Leader of the Council

- Concern was raised on the conflicting information given to the City, Town and Parish Councils for the devolution project.

Deputy Leader of the Council

- Concern was raised that the funding for Spark had not been mentioned for next year.

*The Lead Member advised that the finer details of the breakdown of funding would be included in the report going to the January meeting of Executive.*

- Councillors requested that the data on council tax collection rates be taken through Scrutiny.

*The Lead Member agreed as there was a lot of data to process and would feed into a piece of work to monitor collection rates.*

- Councillors queried why City, Town and Parish Councils had been told to put their precepts up by a certain amount.

*The Lead Member stated that City, Town and Parish Councils were sovereign councils and so therefore Somerset Council would not instruct on how much to raise the precept by.*

Lead Member for Adult Services

- Councillors queried the costs associated with Europe Newton and whether they were related to transformation and within the budget calculations.

*The Lead Member advised that transformation was part of the scrutiny function, the costs were part of the budget and so far they were on track to make savings.*

Lead Member for Communities, Housing and Culture

- Concern was raised on the Octagon Theatre and the process followed for its closure.

*The Lead Member advised that work was being carried out to investigate if the theatre could be reopened, the closure process was based on the business case.*

- Councillors requested that the Lead Member talked to Yeovil Town Council to give them an update on the work.
- Councillors highlighted that Community Scrutiny had received an update on homelessness and prevention and concern was raised that if there was a reduction in funding, it would impact on the service.

*The Lead Member agreed that there was a housing crisis in Somerset, with figures increasing and lack of support from Central Government. She urged councillors to keep using the scrutiny function to raise the topic.*

*The Chair called for a vote to extend the meeting by 30 minutes. The vote was taken and carried.*

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

Lead Member for Transformation and Human Resources

- Councillors queried how many officers worked a reduced week, as they had received an out of office email advising them the officer only worked 4 days.

*The Lead Member advised that the Council was not proposing a 4-day work week, this would have been due to the officer working a part time contract.*

The Council noted the report.

## 56a **Annual Report of the Lead Member for Environment and Climate Change**

The Lead Member for Environment and Climate Change, Councillor Dixie Darch, introduced her annual report.

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

- Concern was raised on the removal of the sandbag provisions and that it had been implied that there would be no impact on local communities.  
*The Lead Member advised that Somerset Council did not have a Sandbag Policy, however, officers were carrying out a community resilience review.*
- Councillors were pleased to see the continued funding on areas within the

Tree Strategy.

- Concern was raised on urban tree cutting sites and whether there were plans to replant.

*The Lead Member advised that the district councils had replacement strategies and that they were looking at a different approach for the urban planting within Somerset Council.*

- Concern was raised that the Tree Strategy lacked detail on protecting woodland areas.
- Councillors requested training on biodiversity net gain.

*The Lead Member advised that there was some training scheduled for January 2024.*

- Councillors highlighted that village tree planting was important as well as urban tree planting.
- Councillors mentioned the target area for woodland areas and whether that had been achieved.

*The Lead Member advised that it was difficult to calculate as different organisations carried out planting, but they were trying to collate the information.*

- Councillors thanked the team in the black bag trial.
- Councillors thanked officers for their impressive response to the recent flooding.

The Council noted the report.

## **57 Report of the five Scrutiny Committees - Agenda Item 12**

The Chair referred councillors to the report which set out the activity of each of the five Scrutiny Committees since April 2023.

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

- Councillors urged officers to include comments made at Scrutiny within the reports taken to Executive.
- Councillors highlighted that there was currently no forward plan document for the Scrutiny Committee for Climate and Place.
- Councillors chased the response to the letter sent with regards to the Stroke Service.

*The Chair advised that the response had only just been received and would forward on to the Committee Members.*

- Concern was raised that the report did not reflect the true workload of the committees.
- Councillors highlighted the importance of the Scrutiny function.



The Council noted the report.


**(The meeting ended at 6.30 pm)**

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**CHAIR**

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## Full Council 20 December 2023 – Public and Member Questions

Annexe A – Public Questions	
Name of person submitting	Question
<p><b>Ray Rose</b></p>	<p><b>Question 1a</b> - Vivary Park Netting and Posts there is an Independent Review Risk assessment and Planning Permission, please can an update be provided?</p> <div style="text-align: center;">  <p>JHS Health &amp; Safety Letter to Taunton Cou</p> </div> <p><b>Question 1b</b> - Vivary Park Fountain and flower watering system. Somerset Council are doing it all wrong. I was on the Taunton Deane Council and then West Somerset &amp; Taunton for 34 years and that Fountain and watering system was part of my job. 4 years ago, I retired and I had redundancy. But for the last 4 years I have been looking after the Fountain and water system and not been paid for it. I do not want to be paid for my time. So now Somerset Council say they can do it, but they had no idea if it's not put right soon it will be too late. I am willing to put it right at no cost to the Council. When I left I took the know-how with me. ask Cllr Hazel Prior-Sanke and Cllr Andy Sully.</p> <p><b>Question 1c</b> - Paul Street Toilets. There is 7 Toilet units there 5 are locked out of order they are the disabled unit. urinal unit and 3 Toilet pane units. only 1 men's unit open and 1 woman's unit open and them too stink. and not cleaned. On the locked doors there is a sign saying Temporarily out of order that is over 6 months ago and now someone ie: member of the public put on that sign permanently. The rest of the Public Toilets belong to Taunton Town Council. But Somerset Council will not let Taunton Town Council see the cleaning contract to see if it's been fulfilled by the contractor.</p> <p><b>Response from Lead Member for Communities, Housing and Culture: Cllr Federica Smith-Roberts</b></p>
<p><b>Full written response</b></p>	<p><b>Q1a – Thank you for the questions. Variations of these questions have been posed and responded to on numerous occasions in direct correspondence. We remain of the view that the council has adequately considered the risk and taken appropriate actions with the sighting and height of the cricket nets.</b></p>

**Full Council 20 December 2023 – Public and Member Questions**

	<p><b>Q1b – Whilst the offer of assistance is generous, the Council has a responsibility to make sure the works are done with the relevant public and professional liability insurance in place and these are not in place for Mr Rose to undertake these works.</b></p> <p><b>Q1c – There are ongoing maintenance issues with the facilities at Paul Street in Taunton, these are known to the Council and we are taking action to resolve them.</b></p> <p><b>Regarding the cleaning contract between Somerset Council and IdVerde, officers from both Somerset Council and Taunton Town Council have discussed the content of these arrangements. I am not aware of any uncertainty over contractual agreement or responsibilities, however I will follow this up to ensure my understanding is correct.</b></p>
<p><b>Rosa Kell</b>  Page 20</p>	<p><b>Question 2a</b>  Can this Executive assure the Bus Users, to the tax payers, workers employers, students, shoppers and visitors of this part of Somerset that Wells Bus station will not be on the disposal of assets register; and that any hypothecated revenue from parking charges in Wells will be spent on the modernising and upgrading of the Wells Transport Hub (our Bus Station being the main interchange between Bristol and Bath and Weston to Yeovil, Taunton, Bridgewater and keep this Bus Hub in Somerset Ownership.  Rosa Kell  Lead on Wells Bus Users Group</p> <p><b>Response from Lead Member for Transport and Digital: Cllr Mike Rigby</b></p>
<p><b>Full written response</b></p>	<p><b>Rosa, thank you for your question. There is no current proposal to dispose of property assets being actively used as bus stations such as Wells Bus Station. Given the wide range of competing duties and responsibilities that the council needs to deliver within its available budget unfortunately we cannot commit to modernising and upgrading any public transport asset beyond current grant funded projects.</b></p>

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<p>David Redgewell</p> <p>Page 21</p>	<p><b>Question 3a</b></p> <p>What progress is being made with First group plc South Buses and First group property, on Yeovil new bus Depot. Which is important for maintenance cleaning fueling and staff room and supervisor office to maintain Yeovil and Somerset and Dorset Councils bus network has a planning application been lodged and an operating centre with the Traffic Commissioner Kevin Rooney.</p> <p>This is very very important as First Group plc property's have told the planning Department that Neutilus works Reckleford bus and coach Depot will be demolished in the new year</p> <p>And need to maintain the public transport Network,</p> <p><b>Question 3b</b></p> <p>In view of the Delays proposed by Public transport Network officers at Somerset council on Taunton Transport hub former Taunton bus and coach station, with has been a bus station of the southern and western National omnibus company and was owned by First group plc South west buses and Somerset west and Taunton council.</p> <p>So why are English Heritage asking for a detail conservation Consents and planning permission for a bus and coach station in the local plan allocated use and pre application discussion before passengers and stakeholders consultation.</p> <p>The station can be funded on Revenue support from Departure charges from First Group plc South buses or National Express coaches limited Berry Coaches Flixbus go ahead South west or stagecoach South west or Hatch Green and Retail shop or cafe rentals, discussion with Transport Town Council, and South west Transport Board</p> <p>We welcome the Referral to the Department for transport to move Money from Bridgwater bus lanes money to be spent on Transport hub</p> <p>This is most important Transport project in Somerset and South west England and we would ask for urgent progress for passengers using the County and South west bus and coach Network without delay that risk the public money from the Department of Transport</p> <p><b>Question 3c</b></p>
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## Full Council 20 December 2023 – Public and Member Questions

	<p>In view of the importance of bus coach and public transport Network services in Somerset and into North Somerset Banes and the west of England mayoral combined transport Authority, Dorset ,Devon, Wiltshire what discussions are taking place with city Town and parish councils other Local Transport Authority to maintain Somerset bus and public transport Network in the financial emergency which is effecting most South west Local Authorities.</p> <p>David redgewell South west transport Network. Railfuture Severnside.</p> <p><b>Response from Lead Member for Transport and Digital: Cllr Mike Rigby</b></p>
<p>Full written Response Page 22</p>	<p><b><i>Question 3a: Thank you for your questions, David. This is a matter for the Traffic Commissioner rather than Somerset Council. Operating bases and maintenance arrangements are the operator’s responsibility and they have a duty to inform the Traffic Commissioner in relation to changes. If the Traffic Commissioner deems the depot and maintenance arrangements are adequate then they will grant the changes. If the commissioner deems that there are any issues with the new depot or maintenance arrangements, then they will not grant the change in operating base.</i></b></p> <p><b><i>Question 3b: There is no particular issue delaying the re-opening of Taunton Bus station as a mobility hub. The project is progressing well through relevant processes, it is unfortunately taking longer than we originally anticipated when we bid for the funds, given the complexity of the project. English Heritage is supportive of the scheme and working with us to progress it. We have ongoing dialogue with stakeholders and operators regarding income generation opportunities and whether access charges will apply. We do not consider there to be any risk to funding, and are regularly updating the DfT on progress and any changes to predicted delivery timescales.</i></b></p> <p><b><i>Question 3c: We will continue our ongoing review of supported public transport services to take account of any commercial changes that may take place in the coming year; reviewing how successful our ‘Bus It’ campaign has been in driving demand for services; reviewing availability of transport options to our local communities; and considering</i></b></p>

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	<p><i>available resources to meet the range of competing duties and responsibilities that we have. This work will include conversations with neighbouring authorities, localities and stakeholders.</i></p>
<p>Peter Travis</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 23</p>	<p><b>Question 4a</b></p> <p>Somerset spends far less than our neighbouring LTAs on supporting bus services. Two thirds of Unitary Councillors endorsed the Somerset Bus Partnership manifesto that called for a 40% increase in Somerset’s bus funding during the lifetime of this Council. A 4,000 signature petition organised by Somerset Bus Partnership during September’s Catch The Bus Month is again calling on Somerset to increase its financial support for buses.</p> <p>Somerset’s buses are used by the young, the old, the disabled and by those who either can’t afford or choose not to own a car. The £2 flat fare scheme and the £1 fare in Taunton has seen many people switch to relying on buses to get to work, to the shops and to see friends and family. Many, particularly in Mendip, have now taken jobs in Bath and Bristol’s service industries and their employment is dependent on them being able to get to and back from their work by bus (often that requires late evening buses).</p> <p>Whilst Somerset may have higher than average car ownership, in single car households the use of that car is usually determined by the main breadwinner and so often isn’t available to other members of the household. The population in Somerset is spread widely over the large county without a single dominant urban centre, and that geography means a higher proportion of people in Somerset are dependent on buses.</p> <p>Given the financial challenges facing Somerset Council, there is a need to find new income streams that can fund our under threat bus services. Planning application for new housing estates requires a transport plan. That transport plan should include and prioritise, wherever possible, the improvement and enhancement of bus services.</p> <p>This way we can have an additional income stream to support the ever-increasing number of under threat bus services.</p> <p><b>Response from Lead Member for Transport and Digital: Cllr Mike Rigby</b></p>

## Full Council 20 December 2023 – Public and Member Questions

<p>Full written response</p>	<p><b>Question 4a: Thank you for your comments. I am extremely grateful for the ongoing support of the Somerset Bus Partnership and your personal involvement Peter, as chair of our Bus User and Stakeholder Group. You have played an essential role in helping promote bus services which are potentially at risk of commercial failure due to low patronage and I believe this is making a difference to use of those services. I agree that bus services are extremely important to our communities, and we are certainly examining all options to find new income streams to support public transport provision. We do already require development areas to consider proper public transport provision and make financial contributions where this is necessary to enable the planning to be consented, in line with the planning legislation. However, we will re-double our efforts in this area as part of the more vision-led approach to planning that we have recently consulted on through our creating places for people consultation.</b></p>
<p>David Orr</p>	<p>Statement to Full Council 20/12/2023 by David Orr (please read out on my behalf)</p> <p>The Financial Emergency is the highest priority for this council but it isn't the only priority.</p> <p>The Natural England nutrient neutrality guidance for all new homes in Somerset came in over 3 years ago, without a local scientific understanding of how phosphorus gets on and off our levels and moors, nor was it underpinned by a local evidence base. The generic guidance isn't specifically targeted to reducing phosphorus on the moors and levels.</p> <p>The highly precautionary assumption by Natural England was that all phosphorus that was discharged into the relevant rivers ended up on the moors and levels and then another 20% more phosphorus is added to that total.</p> <p>Local research shows that not to be the case. Only a fraction of discharged phosphorus in the relevant rivers gets to the moors and levels. Agricultural inputs over the past 60 years of artificial fertiliser use are significant, with the eutrophication impacts of choking weed and algal growth being exacerbated by climate change. Additional local research will be needed to complete the evidence base and guide a targeted phosphorus neutrality policy.</p> <p>There are 18,000 held-up new home permissions, within which thousands of vital social and affordable homes are also held up. The primary focus is on the phosphorus from the 18,000 new homes, while the phosphorus from more than 250,000 existing</p>



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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 25</p>	<p>homes isn't accounted for. Clearly, improvements in removing phosphorus from each wastewater treatment works mitigates phosphorus removal from all homes connected to that works, both new and existing.</p> <p>To build all of the 18,000 new homes held up, just 4 tonnes per annum of phosphorus needs to be removed from our river catchments. Wessex Water have over the past 4 years removed almost 60 tonnes of phosphorus per annum from our river catchments, yet absurdly the new homes remain held up. Between now and 2030, new wastewater regulations will remove even more phosphorus from our rivers.</p> <p>The urgent need for a thriving local economy, together with delivering vital social and affordable housing, should be part of a balanced Somerset nutrient neutrality policy.</p> <p>The cumulative economic, social and community impacts from holding up new homes are now highly damaging. This flawed and dated nutrient neutrality status quo cannot continue until 2030.</p> <p>Cornwall and Wiltshire have moved to taking a catchment-wide approach (with Natural England's continuing oversight) to unblock new housing and get the vital social and affordable homes built.</p> <p><b>Question 6a</b></p> <p>When will this Council also move to a catchment-wide nutrient neutrality model to unlock vitally needed new homes, while targeting phosphorus removal from the moors and levels?</p> <p><b>Response from Lead Member for Economic Development, Planning and Assets: Cllr Ros Wyke</b></p>
<p>Full written response</p>	<p><b>Question 6a:</b></p> <p><b><i>The Council's approach to phosphate mitigation to date has been based on advice from Natural England. The geographical extent with three river catchments and the number of new dwellings impacted by Natural England's advice is very different to the examples provided by Mr Orr (ie Wiltshire and Cornwall) These areas both deal with single rivers and a smaller number of developments impacted. Wiltshire has diverted £850k of Community Infrastructure Levy to deliver a catchment approach to mitigation. In Cornwall, a Natural England consultation response on the Appropriate Assessment for the "Site Allocations" document, acknowledged in writing that proposed planned improvements to wastewater treatment works would count as mitigation.</i></b></p>

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	<p><i>The scale of funding required to take a catchment wide approach to phosphate mitigation in Somerset (across the River Brue, Parrett and Tone) is not currently available to the Council. We submitted a funding bid to Government in May 2023 to enable a catchment wide approach to phosphate mitigation. If awarded this funding will enable cost effective mitigation measures to be delivered without undermining developer viability and other planning obligations (such as contributions to affordable housing or community facilities). The Council wrote to the Government in August and September to seek clarity on when funding will be confirmed. We (and many other Local Authorities) are currently awaiting Government confirmation on these funding bids.</i></p>
<p><b>Valda Dagnell / Elspeth Waldie (to be presented by Cllr Sue Osborne)</b></p>	<p>I've been trying to get to a meeting of the Somerset Council to present the folder of Letters to the Future from the public which we collected during the Great Big Green Week (now several months ago!)</p> <p>We are keen to get the folder handed over so that all council members have the chance to see what it is that people are concerned about with regard to climate change.</p> <p>Obviously we realise that this is in some way 'preaching to the converted' – we know that Somerset is committed to an environmental policy that supports positive action with regard to global warming, difficult though it often is to maintain against the current climate of denial (cf the latest watered-down COP proposals re fossil fuels).</p> <p>However, these letters differ from those which I'm sure you and other counsellors receive frequently from campaigners citing figures and facts of which you are already aware. These are heartfelt pleas and worries about the future from a random set of ordinary people, and I hope they will be supportive of the concerns that you are already working on.</p> <p><b>Statement 7a:</b> Dear friends, Thank you for this chance to present to you the folder of Letters to the Future. The Climate Alliance invited people all over the country to write these, expressing their hopes for future generations, and their fears for what life could be like if we fail to slow down climate change. Here in Ilminster, we opened up Sweet Surprise Cafe on the Saturday of the Ilminster Experience weekend, and invited people in for a coffee and a chance to tell us, and the world, about their concerns at what is happening</p>

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to the planet.

When people heard what we were doing, they came in off the street, sat down, and started to write. It was a very moving experience to see them, and we hope you are equally moved to read what they have written. This was no quick job, no easy signing of a petition, but a thoughtful experience in which people, some for the first time ever, talked with us and each other about their hopes and fears, or sat staring into the distance, pen poised above the letter-form we provided.

It was a powerful experience to see people finally facing their fears about the future. There was anger, there was sadness - one man who looked as though he had never cried in his life was wiping tears away as he tried to express what it was that he felt. You can not tell always from what is on the page just how strongly people feel.

Others wrote their letter at the Church or sent it us by

email. We decided to collect the letters together, both to share them amongst ourselves and to send on to you and to our MP, with the urgent request that you study these concerns and act upon them. But more than that - we know that this council is already on side; we also know that the big decisions, that impact not only our lives but the lives of people thousands of miles away, are made by politicians we rarely see, and by international corporations.

In these letters there are many examples of the principle of doing what you can, where you are, with what you have. More and more people are doing that, but it is not going to be enough. So our question is: how can we all work together to celebrate and make known all these small actions, not for self-aggrandisement, (nor even to get re-elected!) but to the point where it actually shames the Big-Decision-Makers into refusing to water-down the essential actions the people of the world are calling for to save the planet, now, before it is too late.

We look forward to hearing your thoughts.

In friendship,

Valda Dagnell

pp Chard and Ilminster Quakers

**Response from the Lead Member for Environment and Climate Change: Cllr Dixie Darch**

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<p><b>Full written response</b></p>	<p><b>We would like to thank you for taking the time to submit these letters for the Councils consideration. The Council remains committed to tackling climate change. We believe the establishment of LCN's will support the wider community to being able to work more collaboratively with the Council. We also encourage residents to sign up to the e-newsletter called SEEN, which shares best practice, and provides supports and access to online resources. Your letters will also be shared with the Climate and Place Scrutiny Committee members for further consideration.</b></p>
<p><b>Nigel Behan</b></p> <p>Page 28</p>	<p>These questions relate to Item 6 <a href="#">Report of the Leader and Executive – Items for Decision</a> and the <a href="#">Supporting documents</a> and Local Government Finance generally.</p> <p>Public Finance reported (about Hampshire) that: <a href="#">County to establish statutory service levels amid S114 risk</a> where “Officers will establish the statutory minimum level of services, but councillors have been warned this could include proposing cuts that “based on past work do not necessarily make sense” – in order to satisfy any government-appointed commissioners in the case that they are sent to the authority.”</p> <p>And          “In his report, finance director Rob Carr (Hampshire) said these cuts could include ending preventative services.....”          Moreover          “The council (Hampshire) first warned of a Section 114 notice last year, when its leader wrote to senior ministers warning income from council tax and business rates <a href="#">“barely covers” yearly cost increases</a>, leaving unfunded care pressures.”</p> <p><b>Question 9a</b> What preventative services are at risk in Somerset?</p> <p><b>Question 9b</b> Can you define (and list) a “statutory minimum level of services...” that Somerset Council has considered (are considering) -and corresponding impacts etc?</p> <p>In the Somerset public consultation “Cllr Revans added: “We are continuing to lobby Government to address the financial crisis facing local councils. Just last week the County Councils Network published a letter sent to Levelling Up Secretary Michael Gove</p>

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and signed by myself and 32 other Council Leaders from all over the country. The letter highlighted the growing concern nationally with 7 out of 10 councils no longer confident they can balance their budget next year.”

And PF also reports that: “The continued expectation that councils will simply use their declining reserves to balance their budgets shows the government does not understand why authorities hold them, a finance director has said.” [Local government settlement: continued emphasis on reserve use ‘disappointing’](#)

“The recently published local government finance policy statement stated authorities should consider using reserves to maintain services over this and the next financial year.

Michael Hudson, executive director of finance and resources at Cambridgeshire County Council, said it is “disappointing” the statement still puts such emphasis on reserve use.

He told *PF* recent comments from local government minister Simon Hoare, who Hudson said told finance chiefs “reserves are not tablets in stone that can’t be touched”, showed a lack of understanding.

“That’s unhelpful and continues to fail to recognise the role of the Section 151 officer, and the difficult role they face in terms of their assessment and judgement over the risks for prudent position,” Hudson said.”

**Question 9c** At the recent [Audit Committee](#) (The “Preventing Failure in Local Government” Agenda Item) discussions took place around whether “well managed councils” had issued a S114 notice – I believe the answer from a representative of the External Auditors (Grant Thornton) was “no”. Does this Council think – in light of the number of Local Authorities facing financial “distress” – that the answer “no” should be revised (updated) to “not yet”?

**Response from the Deputy Leader of Council and Lead Member for Resources and Performance: Cllr Liz Leyshon**

Full written response

***Question 9a Response from Cllr Liz Leyshon***

***Thank you Nigel for your pertinent questions and for your attendance at the recent extraordinary Audit Committee meeting.***

***Your question on which preventative services are at risk in Somerset is an interesting one, as a Unitary authority encompasses the services and facilities of the former District Councils as well as Adults and Children’s social care. Within Adults, the percentage of services that are considered preventative and therefore non-statutory is a tiny percentage of the total budgets –at just 1%. Under the Care Act, local authorities have a responsibility, to prevent, delay and reduce the need for statutory services, with the development of the neighbourhood approach, and ability to enable people to live independent lives. By reducing prevention services we could potentially add additional cost to the adult’s budget in the region of £7million. The prevention agenda is at the heart of “My Life, My Future” Newton Europe work streams and the adult’s strategy going forward, and are a significant contributing factor to reducing demand and enabling a community offer, that supports people to live independent lives within their local communities.***

***In Childrens spend is around £5.8m on a range of prevention services with the largest being on the Family Intervention Service and there are no proposals to reduce this.***

***From the Directorate that is Communities, Housing & Culture there is a much higher percentage, and a much greater concern about loss of what can fairly be considered preventative services. Keeping people in good physical and mental health, leading stimulating lives for longer in their own homes often includes the contributions that local Councils and Public Health grants make to our communities and Somerset is no exception. Decent housing, public health services, green spaces, theatres, museums and heritage all play a part in our lives, with housing being one of the determinants of healthy lives. How we are able to work with partners including the voluntary sector and Parish/Town/City Councils to maintain this part of our lives in Somerset remains to be seen as work continues with all partners. We believe we have a good start to that work and that will continue both before and after the budget setting next February. The papers for the January Executive meeting will be published on Friday 5<sup>th</sup> January, and those papers will include the full list of savings for consideration.***

***Question 9b Statutory minimum level of services Response from Cllr Liz Leyshon***

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	<p><i>More than 12 years of austerity has already reduced many of our services to levels that are lower than we would wish, and closer to a statutory minimum. I believe that many councils will be working together to understand what a statutory minimum may look like for the future, and that includes Councils that had previously been considered the bigger, wealthier councils across urban and rural areas including Hampshire County Council.</i></p> <p><b>Question 9c Response from Cllr Liz Leyshon</b></p> <p><i>Guy Clifton from Grant Thornton did say ‘no’ as his answer to a question about well managed councils issuing of S114 notices at present. However he went on to say that the funding model for local authorities was unfair. In light of the fact that 33 Leaders of upper tier authorities all signed a letter to Secretary of State Michael Gove, it seems only a matter of time before Councils that were previously considered very financially secure reach the last of their reserves, sell the last of their surplus assets and continue to see demand increase for services and further impact from inflationary factors. Indeed ‘not yet’ is a much better descriptor of the impending situation than ‘no’.</i></p>
<p>Page 11 Eva Byczkows ki</p>	<p>"Local authorities that have been issued with Section 114 notices, have had failures of leadership, management and governance, and some have taken risks." Michael Gove. Levelling Up Secretary on councils' financial carnage. (Source: the i newspaper). *From what Michael Gove has stated above, the threat of 114 notices have nothing to do with the coalition government originally voting for austerity, thus starving local authorities of funding since 2010. *Nope. Him and Conservatives locally will continue to spin the line that local authorities have been naughty, profligate, and it is basically all their fault. *Lack of local authority funding threatens to strip the ability of Somerset to provide necessary services right down to a skeleton, with little meat on the bones. *Legally, Somerset have to balance the books.</p>

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\*At the same time, if you councillors are simply going to continue balancing the books, being a victim of circumstances, making staff redundant, cutting vital non statutory services every year, this will render this local authority a shadow of its former self, almost ending up as a corpse.

\*Future Levelling Up Secretaries, the media, and indeed many Somerset residents, will blame Somerset councillors for making cuts\*\* in services.

Not the carnage inflicted on councils by this government. Even if residents criticise the government, whatever you decide to do, many will say you should have done something else, completely different to what they wanted you to do.

\*\*They are CUTS not 'savings' as you describe them.

\*Residents faced with the possibility of experiencing deterioration of services, staff you plan to make redundant, and the trade union movement, see these actions as CUTS.

\*Even if you raise council tax in order to increase funding for services, Somerset residents won't notice the difference because it will be needed just to stand still.

\*It is a given that local authorities like Somerset need adequate state funded services that form the infrastructure for the nation's population, so that vital services like social care, housing, the needs of children and families, are being funded properly.

### **Question 10a:**

\*Instead of being victims of circumstance; making swathes of staff redundant; being on a collision course with three staff unions; and cutting services, especially non statutory provision:

Will councillors consider multifarious ways of taking action in original, creative, and inspirational ways, thus drawing attention to the financial cliff edge that nationally & locally 21 councils are facing?

\*Lobbying, begging the government, presenting them with a Christmas wish list, and believing that the Chancellor of the Exchequer will deliver anything more than breadcrumbs, is patently futile.

\*The last 13 years is all the evidence you need.

\*An example of effective, flamboyant, and creative action was when the Treborg workers went on strike.

\*They stood at an intersection of the motorway near Bridgwater. As well as placards, they had a giant inflatable rat, the factory was being overrun by them.



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\*Motorists tooted their horns in support.

\*By taking creative action, the workers won a pay rise and other benefits.

\*There are many other examples of actions taken by workers and campaigners in general that have been successful.

\*Like footballer Marcus Rashford's campaign, which forced the government to make a U turn on providing hungry schoolchildren with hot dinners.

\*Another possibility is

\*This is the only language this government understands. Not a letter to Santa Jeremy Hunt, telling him you have been good this year, and deserve a big Christmas present of massive extra funding.

\*Councillors, you are employers, and say that you don't want to make staff suffer. But you are planning to make swathes of hard working staff redundant, in a desperate attempt to balance the books.

\*The GMB, Unison, and Unite the Union are rightfully taking steps to defend their members against swingeing job cuts.

\*The cost of paying out redundancy money will be a drain on finances, affecting the amount of council tax Somerset residents will have to pay.

\*This will have a detrimental effect on the local economy, particularly affecting local businesses, because of unemployed former staff having less money to spend.

\*Coupled with the cost of living crisis, all the above will be compounded.

\*Austerity damages the economy and doesn't work.

\*Successive national governments have often posed the need to make cuts in the same way that households have to economise.

\*This is false. Otherwise, families might say let's get rid of the baby, it contributes nothing to the household, and is a drain on family finances.

### **Question 10b:**

\*Instead of being on an inevitable collision course with the three staff unions, will you councillors consider other options:

\*Such as taking your cue from experienced union officers and workers. They have valuable knowledge of day to day working conditions, regarding the potential detrimental effect of redundancies on performance of their job roles, furthermore the impact this will have on service users as a result of savings/cuts you are planning to make?

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After the comment about Marcus Rashford, ending in hot dinners, I wrote:

\*Another possibility is for Somerset Council to begin the process of joining together with other cash - strapped councils nationally, to collectively take the government to court for deliberate asset stripping of community resources and infrastructure for an agenda that has nothing to do with building stable communities.

\*Councils joining together and crowd funding will help meet the cost of doing this.

### **Question 10c:**

\*At the Health and Wellbeing Scrutiny Committee meeting, the Mel Lock stated that hiring consultancy firm Newton Europe would save 10 million pounds over 2 years i.e. by 2026.

\*There is no guarantee that this will happen. By the time these savings are possibly made, in the meantime Somerset Council might face near bankruptcy.

\*I do not want another penny of mine and other council tax payers to be spent on the consultancy firm Newton Europe.

\*This is a duplication of the the portfolio holder and lead director's job that they should be doing.

\*If they are unable to fulfill their designated roles, then the research and number crunching could possibly be given to hard working officers in the Democratic Services Team. Not as an addition to their role/s, but solely on this important task.

\*They could be assisted by others, such as union officers, members of the public who are willing to do the research, myself, or other people. Get creative.

\*The Adult Social Care Transformation Programme, Fit for My Future is a fancy title which smacks of other schemes that have been unsuccessful.

\*When the Liberal Democrats led the council in previous years, we in Unison warned them that bringing in IBM to deal with South West 1 would lead to an expensive disaster.

And it did, losing over a million pounds for the authority.

\*Nebulous blue sky thinking, with vague generalities that everyone can agree with, does not form a coherent well formed strategy.

\*Councillors, will you please reconsider and revisit this expensive decision and stop paying any more money to Newton Europe?

Eva Bryczkowski

## Full Council 20 December 2023 – Public and Member Questions

	<p>Response from the Deputy Leader of Council and Lead Member for Resources and Performance: Cllr Liz Leyshon and Lead Member for Adult Services: Cllr Dean Ruddle</p>
Full written response	<p><b>Question 10a Response from Cllr Liz Leyshon</b></p> <p><b><i>Thank you Eva for your comments and questions. We recognise that this is a particularly difficult time in the short life of Somerset Council, and would have been for the former Districts and County Council had Local Government Reorganisation taken place at another time. After many years of austerity, this feels like a momentous time. We are committed to working with the unions, all staff of this Council, and with all partners to find the most creative ways of maintaining services and facilities while establishing what assets can be disposed of to create an ability to use a ‘capitalisation direction’ from Government without any further borrowing.</i></b></p> <p><b><i>We understand that redundancies will cause stress and financial concern to many valued staff.</i></b></p> <p><b><i>We welcome the positive response from many of Somerset’s Town, City and Parish councils and we are pleased that at the recent Executive meeting we have approved multiple year agreements with both Citizens Advice and Spark so that we continue to work with the voluntary sector in a collaborative way.</i></b></p> <p><b>Question 10b Response from Cllr Liz Leyshon</b></p> <p><b><i>Councils are most definitely working together, across the political divide to ensure that Government Ministers understand the value of and need for local government. The current Prime Minister, Rishi Sunak, was Minister for Housing, Communities and Local Government in 2018 when he delivered a speech to the County Councils Network conference. His speech focussed on three priorities:</i></b></p> <p><b><i>A new fairer funding system; social mobility; the vital role local councils play in helping our society’s most vulnerable.</i></b></p>

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***It's fair to say this Government has failed on the fairer funding system, and so it's impossible to consider that this Government has succeeded in supporting local government to deliver what our society so clearly needs now, post-Covid, and through a cost-of-living crisis.***

***A link to the speech by Rishi Sunak MP will be included in my written response:***

***<https://www.gov.uk/government/speeches/county-councils-network-conference-2018>***

### ***Question 10c Response from Cllr Dean Ruddle***

***The cost of the Newton Europe contract is high, but it's important to understand the difference between the cost and the value of this contract. The support from Newton Europe is provided on a contingent fee basis; these are fixed and contingent on financial benefits being delivered and signed off by Somerset Council. As such, Newton guarantee that the recurrent, annualised benefits delivered in the programme will at least exceed 1.3 times the combined fee from the original diagnosis and programme. As such the ongoing guaranteed benefit is £10.0m. Latest progress against this work is available in the public domain as part of the Adults & Health Scrutiny Committee meeting on 7 December 2023.***

Adult Social Care engaged Newton Europe in the summer of 2023 as a delivery partner to deliver our transformation programme ('My Life, My Future) which is aligned to our Adult Social Care Strategy and is targeted at making sustainable operational changes, valued in the range of £14.2m-£17.2m per annum as well as improving the lives of our residents. This follows an evidence-based review of the service undertaken across the winter of 2022/23 which identified priority areas for change and improvement.

A detailed overview of the background to, and latest progress of, this work was recently presented to the Adults & Health Scrutiny Committee on 7 December 2023 – *papers are in the public-domain and available here:*

- <https://democracy.somerset.gov.uk/documents/s18707/Scrutiny%20Committee%20My%20Life%20My%20Future%20Report%20Dec%202023.pdf>
- <https://democracy.somerset.gov.uk/documents/s18702/112023%20Scrutiny%20MLMF.pdf>

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	<p>The support from Newton Europe is provided on a contingent fee basis; these are fixed and contingent on financial benefits being delivered and signed off by Somerset Council. As such, Newton guarantee that the recurrent, annualised benefits delivered in the programme will at least exceed 1.3 times the combined fee from the original diagnosis and programme. As such the guaranteed benefit is £10.0m.</p> <p>A monthly Contract Monitoring forum is established as part of wider governance and oversight arrangements for delivery of the programme, where progress against operational and financial targets is reported and benefits associated with the programme are signed off.</p>
<p>Colin Nash</p> <p>Page 37</p>	<p>Can I please submit the following question and request to speak on behalf of Colin Nash for the above meeting in relation to Paper A – 2024-25 General Fund Revenue Budget and Capital Programme Update:</p> <p><b>Question 11a</b></p> <p>The overspend that has triggered this financial crisis is largely as a result of forecast overspend in Adult Social Care. How did senior management and lead councillors, including those in place before the Local Government Reorganisation, not realise this problem was coming?</p> <p><b>Question 11b</b></p> <p>How and when did the Council come to realise the problem was so acute and what actions were taken to ensure the identified shortfall is correct, so there is confidence in the figures?</p> <p>Following work to reduce the gap in the budget, as of today what are the current anticipated budget short falls in 2023/24 and 2024/25?</p> <p>COLIN NASH Kind regards, James Ellis</p>

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	<p>Response from the Deputy Leader of Council and Lead Member for Resources and Performance: Cllr Liz Leyshon</p>
<p>Full written response</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 38</p>	<p><b>Question 11a Answer Cllr Liz Leyshon</b></p> <p><b><i>When we set the budget for 23/24, we were predicting an increase in the ASC budget for £40.5m for 23/24 as laid out in the Executive papers. What we could not predict where a number of additional factors that have increased this prediction.</i></b></p> <p><b><i>They include:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Somerset’s historically low fee structure for residential and nursing placements reflecting the low Council Tax base and rate for many years.</i></b></li> <li>• <b><i>The impacts of Brexit and Covid on the workforce.</i></b></li> <li>• <b><i>Forty-year high inflation, increased staffing costs, increased interest rates.</i></b></li> <li>• <b><i>The Government’s commencement of the Fair Cost of Care exercise which ‘opened the book’ across Somerset and the whole country exposing that low fee structure.</i></b></li> <li>• <b><i>The increased rise in the minimum wage from the expected rise from £11.14 to £11.44 which results in an increase of £5M</i></b></li> <li>• <b><i>Years of one-off funding some of which is not recurring</i></b></li> </ul> <p><b><i>As the scale of the challenge has emerged, our response to it has been stepped up. This is a pattern seen in local authorities across the country which have responsibility for care services.</i></b></p> <p><b>Question 11b</b></p>

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 39</p>	<p><b><i>Following the significant overspend last financial year, a full re-base of the Adults budget has taken place, the first in 10 years and you might consider, well overdue. That has been a huge piece of work, a line-by-line analysis of need and cost using demographic factors including mortality rate, and the increasing costs in the sector that have increased our own fees payable from £577 per week for residential care to an average rate of £850 per week.</i></b></p> <p><b><i>That work was completed over the summer, then checked and checked again on that line-by-line basis by both our own senior officers and external specialist consultants. That has seen the budget line for Adult Social Care increase from £187million in the 23/24 budget passed in February of this year to an expectation of £251million as a figure for 2024/25. That increase of £64million is therefore across two financial years, with the much greater increase expected in the next financial year, hence the extremely troubling budget gap.</i></b></p> <p><b><i>In Children’s Services, increasing placement costs have affected all upper tier councils, also the costs for SEND with a doubling of numbers of Education &amp; Health Care Plans and associated transport.</i></b></p> <p><b><i>In Somerset, in short, we have been affected by increases in Childrens costs like all Councils.</i></b></p> <p><b><i>We have been affected by increases in need and cost of homelessness.</i></b></p> <p><b><i>We have been particularly affected by increases in costs of services for Adults – both older people and working age people.</i></b></p>
<p><b>Beth Poole</b></p>	<p>Can I please submit the following question and request to speak on behalf of Beth Poole for the above meeting in relation to Paper A – 2024-25 General Fund Revenue Budget and Capital Programme Update:</p> <p><b>Question 12a</b></p> <p>How many posts remain vacant at this present time within Somerset Council and, given the council is likely to be looking for ‘indications’ for voluntary redundancies from January 2024, what is the scale and the speed of the redundancies envisaged and how many posts over and above the unfilled posts are likely to be affected?</p> <p><b>Question 12b</b></p> <p>How will the Council be looking after all staff throughout the redundancy processes, particularly; our younger colleagues, colleagues with families, mature colleagues, many who will have mortgages and financial responsibilities? Crucially, what support</p>

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	<p>will be provided to secure other employment in terms of re-training and developing employment skills, with a focus to obtaining work with new employers?</p> <p>BETH POOLE Kind regards, James Ellis</p> <p><b>Response from the Lead Member for Transformation and HR: Cllr Theo Butt-Philip</b></p>
<p>Full written response</p> <p>Page 40</p>	<p><b>Question 12a Response from Cllr Theo Butt Philip</b></p> <p><b>Currently our HR Admin and Payroll system is showing a vacancy count of just over 785 full time equivalents. Work is still underway following the move to the unitary Council for Somerset to validate this figure as there were a number of different methods used in each Council to monitor this information. Part of this work will be to removing unfunded posts, confirming the funding source for each of the vacant posts and identifying where temporary staffing is being used to fill posts.</b></p> <p><b>We will of course review all vacancies across the authority to consider whether these are still required and can play any part in contributing to creating a smaller, leaner Council. There are of course vacancies in several service areas that will need to be filled due to the nature of the role and professional skills needed – such as planners, social workers and lawyers.</b></p> <p><b>Redundancy of any kind is, clearly, a very difficult matter for this council and its staff. It must be handled in a suitably sensitive way, with the emphasis on transparency and keeping staff informed throughout. As details become clearer in the New Year, they will be shared with staff and members with the appropriate wraparound support and guidance.</b></p> <p><b>Question 12b Response from Cllr Theo Butt Philip</b></p>



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Page 41	<p><b>Thank you for the question, Beth. We acknowledge the insecurity colleagues may be feeling at this moment in time. Within the developing Workforce Transformation Programme, a sub-workstream focussing on Supporting People Through Change has been set up. The sub-workstream will draw on expertise from across the organisation (and where necessary from outside of the organisation) to ensure that our colleagues are suitably supported; wellbeing, including financial/economic wellbeing, will form key part of the focus of the sub-workstream. We also plan to use the well-established networks, such as the Young Employees Network, to provide specific/tailored information and support to certain groups of our workforce.</b></p> <p><b>All colleagues already have access to Workfriend, a website hosting useful material and resources to support colleagues that may wish to prepare in searching, applying, and interviewing for a new job. Workfriend is provided by external outplacement support specialises, Renovo. Conversations are continuing with Renovo as to what other support can be offered to our workforce during 2024.</b></p> <p><b>The Organisational Development sub-workstream are also developing Career Pathways with the intention being that staff can more easily identify other roles their skills and interests would suit.</b></p> <p><b>Our economy team are also considering how we can support our colleagues seeking employment opportunities outside of Somerset Council through our partnerships with local agencies, educational institutions, and the voluntary sector.</b></p> <p><b>Using workforce data, we will continue to monitor any impact on our staff to ensure that any risks and issue are identified early and responded to.</b></p>
<b>Alison Hann</b>	<p>Can I please submit the following question and request to speak on behalf of Alison Hann for the above meeting in relation to Paper A – 2024-25 General Fund Revenue Budget and Capital Programme Update:</p> <p><b>Question 13a</b></p>

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 42</p>	<p>The council has previously been found guilty in the courts of not delivering on its legal obligations, particularly in certain aspects of social care. What is the council doing to ensure that vital, high quality statutory services are delivered in a timely fashion to clients so that similar legal proceedings can be avoided in the future?</p> <p><b>Question 13b</b> How exactly is the council approaching the significant shortfall in funding with the government? What resources are realistically expected to come from the government to support the most vulnerable in our communities?</p> <p>ALISON HANN Kind regards, James Ellis</p> <p><b>Response from the Lead Member for Adult Services: Cllr Dean Ruddle</b></p>
<p>Full written response</p>	<p><b>Question 13a Response from Cllr Dean Ruddle</b> Meeting the demand and delivering high quality services in a timely manner is an ongoing priority for us within Adult Social Care . Since the pandemic demand for Adult Social Care services has increased. In common with other Local Authorities, we do have overdue Care Act assessments and Reviews, managing ‘waiting lists’ across Adult Social Care is both a local and national focus. We have a range of governance mechanisms to address this, ensuring our practice and the arrangements in place to identify and respond to risk while people are waiting for care is consistent. On a quarterly basis we provide a report to the multi-agency Somerset Safeguarding Adults Board on our performance and improvement activity as well as to the Scrutiny Committee. To support our workforce, we have introduced a co-produced competency-based framework to continue to develop and deliver high standards of practice within our service. Alongside this we have introduced a Practice Quality Audit Framework and Practice Quality Board to monitor and highlight areas of good practice and areas for ongoing development and learning.</p>

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In relation to the local care provider market quality, stability and capacity, 81.8% of active social care settings in Somerset were rated ‘Good’ or ‘Outstanding’ in Sept 2023. There has been a steady downward trend since December 2022 this is attributed to the CQC’s current approach of only inspection ‘high risk’ providers until the launch of their single assessment process from early December 2023. The number of unmet homecare need in Somerset remains very low, despite demand for homecare remaining significant, and Somerset benefits from a higher proportion of good or outstanding rated homecare than regionally or nationally.

***Question 13b Response from Cllr Liz Leyshon***

***The resources from national Government to local Government to provide essential services for people most in need of support have been reducing over many years as the Revenue Support Grant has reduced from close to £80million per annum for Somerset to nearer £8million. That reduction has led to greater inequality across the country as Council Tax and Business Rates are not collected evenly from area to area.***

***The Secretary of State’s recent announcement on Core Spending Power of Councils having increased by 6.5% has not helped Somerset, where the increase is actually 6.1%. Reductions in grants have exceeded any increase, meaning that our financial position is actually worse than it was last week.***

***The long-promised review of local authority funding becomes less likely as a General Election nears, and the Secretary of State Michael Gove expects Councils to rely on reserves to ‘get by’ until it is the responsibility of a new Government to pick up the huge challenge of how social care is funded. The current model is completely broken, all local council leaders must continue the conversation across the political divide so that all political parties are fully informed.***

**Ian Glover**

Can I please submit the following question and request to speak on behalf of Ian Glover for the above meeting in relation to Paper A – 2024-25 General Fund Revenue Budget and Capital Programme Update:

**Question 14a**

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 4</p>	<p>Staff mental health and high stress levels are prevalent in the workplace from the ongoing worry as a result of the LGR process and associated restructures, and now from the threat of further redundancies as a result of the Council’s financial position. What is the council doing to help with this? Is the current offer of online and telephone support from external companies, such as Care First, really the answer?</p> <p><b>Question 14b</b> What assurances and certainty can be offered to staff at this difficult time?</p> <p>IAN GLOVER Kind regards, James Ellis</p> <p><b>Response from the Lead Member for Transformation and HR: Cllr Theo Butt-Philip</b></p>
<p>Full written response</p>	<p><b>Question 14a Response from Cllr Theo Butt Philip</b></p> <p><i>Thank you, Ian, for your question. You’re quite right that The Employee Assistance Programme, which is predominantly counselling, which is delivered by Care First, is not the whole answer for everyone. Access to such support is just one support mechanism that is accessible to staff. Colleagues in our Workforce Service already have a substantial amount of Wellbeing related activity progressed and available for colleagues to access; this business-as-usual work will be complemented by the Supporting People Through Change sub-workstream, within the Workforce Transformation Programme. Specific initiatives are planned and will be in place throughout 2024 for individual members of staff and teams to access. A new set of Wellbeing Advocates will support the development of this work.</i></p> <p><i>We will continue to review workforce data, including staff sickness; this data already exists and is shared cross the organisation via a monthly workforce report. The sub-workstream will proactively monitor the information so that we</i></p>

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	<p><i>can react accordingly to insert appropriate initiatives to improve the support offered to staff; ensuring staff are as well as they can be whilst at work.</i></p> <p><b>Question 14b Response from Cllr Theo Butt Philip</b> <i>As has been previously described, a programme of Reorganisation, and Transformation, is what we need to lead us to a sustainable position for Somerset Council.</i></p> <p><i>This is a very difficult time and we understand that it is a time of concern and anxiety for many of our staff. We will continue to be as open and transparent, in explaining both our ongoing position and our developing plans for the financial future of Somerset Council throughout any period of change.</i></p>
<p><b>Richard Brown</b> Page 45</p>	<p>Can I please submit the following question and request to speak on behalf of Richard Brown for the above meeting in relation to Paper A – 2024-25 General Fund Revenue Budget and Capital Programme Update:</p> <p>Despite the best efforts of staff working in these areas, the Council has reportedly around £43million in uncollected council tax debt, which is nearer to £55m when uncollected business rates are factored in. In a response to staff questions on the 13th of December, The Chief Finance Officer indicated that these figures ‘may not be accurate’.</p> <p><b>Question 15a</b> What are the accurate figures for unpaid council tax and business rates currently?</p> <p><b>Question 15b</b> What is the council doing to recover this unpaid money in this period of financial emergency and how many dedicated staff have been allocated to recover outstanding money owed in council tax and business rates?</p> <p><b>Question 15c</b> What is the target amount set for recovery and within what period will the recovery be completed?</p>

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	<p>RICHARD BROWN Kind regards, James Ellis</p> <p><b>Response from the Deputy Leader of Council and Lead Member for Resources and Performance: Cllr Liz Leyshon</b></p>
<p>Full written response</p> <p>Page 46</p>	<p><b>Question 15a Response from Cllr Liz Leyshon</b></p> <p><b><i>What are the accurate figures for unpaid council tax and business rates currently?</i></b></p> <p><b><i>The recovery of unpaid Council Tax and Business Rates is also the subject of a Member question from Cllr Leigh Redman. It is important to understand three points with regard to this important question:</i></b></p> <ol style="list-style-type: none"><li><b><i>1. That Revenues and Benefits, which includes collection of Council Tax and Business Rates, is still with the four teams working on separate and different systems from the former District Councils.</i></b></li><li><b><i>2. Council Tax and Business Rates are always subject to a collection rate, identified in the Performance Monitoring Reports produced quarterly, as they were by all District Councils. With collection rates in the region of 97%, that leaves 3% that is not budgeted for, but which can be a ‘gain’ for the Council when collected beyond the target for the financial year.</i></b></li><li><b><i>3. The figures quoted include arrangements made with residents to back pay over a period of time, which may be years, and may be on a small additional sum per month, for instance £5 or even £1 per month. Our Council Tax Reduction Scheme has been designed to reduce the number of unpaid very low bills that can cost the Council more to chase than the total outstanding – and make people’s lives more difficult when they are genuinely not able to pay.</i></b></li></ol> <p><b><i>Council Tax collection is of course not for Somerset Council alone, it is for Police, Fire and the Parish precepts so the collection rates (as well as the Council Tax Reduction Scheme) affect all those for whom Council Tax is collected. With a total collection for 2023/24 well in excess of £400million, it’s easy to see that 3% is a very considerable figure.</i></b></p>

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<p>Page 47</p>	<p><b><i>The figure that has been quoted in the press recently is over 20 years, covers all four former District Councils and does not explain that some Councils had greater resources for both pursuing debt to the Council, and also arrears right offs, for instance where a resident dies owing Council Tax on a rented property, or where a resident leaves the county or country with no forwarding details.</i></b></p> <p><b><i>The Month 6 Revenue Budget Monitoring Report included an update on the Collection Fund, identifying that the total uncollected Council Tax is now £36.7million, over 91,658 accounts.</i></b></p> <p><b><i>Question 15b Response from Cllr Liz Leyshon</i></b>  <b><i>What is the council doing to recover this unpaid money in this period of financial emergency and how many dedicated staff have been allocated to recover outstanding money owed in council tax and business rates?</i></b>  <b><i>A plan for recovery of unpaid Council Tax and Business Rates is being drawn up now that the first six months work on Microsoft Dynamics is complete and debt recovery has recommenced.</i></b></p> <p><b><i>Question 15c Response from Cllr Liz Leyshon</i></b>  <b><i>What is the target amount set for recovery and within what period will the recovery be completed?</i></b>  <b><i>As soon as I have sight of the plan for recovery of Council Tax and Business rates, and the timescale for the realistic recovery of debt, I will ensure that it is shared .</i></b></p>
<p><b>Full written response</b></p>	<p>The Council Tax arrears inherited from the legacy district Councils in respect of previous financial years currently stand at £36.7m, which is spread over 91,658 accounts. This has reduced from £42.6m at the start of the financial year.</p> <p>Some of the outstanding amounts date back as far as 2002 and some debtors will have multi year debts.</p> <p>Whilst this is a large sum of money, it needs to be understood within the wider context of Council Tax collection.</p>

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Irrespective of the rights or wrongs of Council Tax as a local taxation system, collection rates overall are extremely good and have proven very resilient in the face of challenges such as Covid and various economic downturns.

In-year collection (i.e. the amount collected within the financial year to which the charge relates) typically runs in excess of 96%. Over time we would expect to collect circa 97% to 98% of all Council Tax (the predictions can vary slightly from year to year). Provision is made each year within the Council Tax precept calculations for the estimated amount that we will not be able to collect (the bad debt provision).

This means that the £40.6m represents under 3% of the total Council Tax billed over time and this bad debt has already been accounted for within Council Tax calculations.

However this money is still potentially collectable and action is taken to try to enforce payment. We ideally try to enter into mutually acceptable payment arrangements with people who are in arrears, but Council Tax legislation also provides a range of remedies for enforcing payments including deductions from earnings or benefits, the use of Enforcement Agents (bailiffs), bankruptcy, charging orders and committal to prison.

It is fair to say that Somerset Council has inherited a number of resourcing challenges in relation to enforcing the payment of Council Tax. Whilst extensive use is made of Enforcement Agents (which is cost free for us as they derive their income from the statutory fees) we lack the capacity in many areas to actively progress the more complex and time consuming forms of enforcement i.e. bankruptcy, charging orders and committal to prison.

Evidence from an enforcement project undertaken in one of the legacy districts clearly indicates that having more enforcement focussed specialist resource easily pays for itself in terms of collecting additional income. Work is being undertaken to develop a business case for widening this approach. This is likely to also encompass a consolidation of the various Enforcement Agent contracts the Council has inherited in order to leverage the maximum benefit from these contracts.



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	<p>It is a matter for Scrutiny whether they wish to receive regular reports in respect of Council Tax arrears, but data can be provided if requested.</p>
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Annexe B – Member Questions	
Name of person submitting	Question
<p><b>Cllr Leigh Redman</b></p> <p>Page 49</p>	<p>Question for Exec member for finance: Reference uncollected Council tax.</p> <p>It has been noted that the coming together of five legacy councils to create Somerset Council has generated a few teething issues.</p> <p>This council recently declared a financial emergency and identified the need to maximise every available resource to secure the future of the council.</p> <p>The council has in presentations &amp; questions indicated a large amount of uncollected council tax inherited from the legacy councils believed to be in the order of £40m.</p> <p>Can the Exec member confirm the figure and advise how the outstanding figure is being chased and or confirmed?</p> <p>Would it be worth formalising a process, that generates formal reporting to the appropriate Scrutiny committee meetings?</p> <p>Would a report be able to cover these points:- The amount of council tax due and uncollected. The age of that council tax by reference to the year it was due. Action taken to recover said uncollected council tax. Ongoing amounts collected. Any amounts proposed to be written off with a reason.</p> <p>This would allow council to be aware and monitor as the list reduces.</p> <p>Thank you and stay safe,</p>

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	<b>Response from the Deputy Leader of Council and Lead Member for Resources and Performance: Cllr Liz Leyshon</b>
<b>Full written response to</b>	<p>The Council Tax arrears inherited from the legacy district Councils in respect of previous financial years currently stand at £36.7m, which is spread over 91,658 accounts. This has reduced from £42.6m at the start of the financial year.</p> <p>Some of the outstanding amounts date back as far as 2002 and some debtors will have multi year debts.</p> <p>Whilst this is a large sum of money, it needs to be understood within the wider context of Council Tax collection.</p> <p>Irrespective of the rights or wrongs of Council Tax as a local taxation system, collection rates overall are extremely good and have proven very resilient in the face of challenges such as Covid and various economic downturns.</p> <p>In-year collection (i.e. the amount collected within the financial year to which the charge relates) typically runs in excess of 96%. Over time we would expect to collect circa 97% to 98% of all Council Tax (the predictions can vary slightly from year to year). Provision is made each year within the Council Tax precept calculations for the estimated amount that we will not be able to collect (the bad debt provision).</p> <p>This means that the £40.6m represents under 3% of the total Council Tax billed over time and this bad debt has already been accounted for within Council Tax calculations.</p> <p>However this money is still potentially collectable and action is taken to try to enforce payment. We ideally try to enter into mutually acceptable payment arrangements with people who are in arrears, but Council Tax legislation also provides a range of remedies for enforcing payments including deductions from earnings or benefits, the use of Enforcement Agents (bailiffs), bankruptcy, charging orders and committal to prison.</p>

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It is fair to say that Somerset Council has inherited a number of resourcing challenges in relation to enforcing the payment of Council Tax. Whilst extensive use is made of Enforcement Agents (which is cost free for us as they derive their income from the statutory fees) we lack the capacity in many areas to actively progress the more complex and time consuming forms of enforcement i.e. bankruptcy, charging orders and committal to prison.

Evidence from an enforcement project undertaken in one of the legacy districts clearly indicates that having more enforcement focussed specialist resource easily pays for itself in terms of collecting additional income. Work is being undertaken to develop a business case for widening this approach. This is likely to also encompass a consolidation of the various Enforcement Agent contracts the Council has inherited in order to leverage the maximum benefit from these contracts.

It is a matter for Scrutiny whether they wish to receive regular reports in respect of Council Tax arrears, but data can be provided if requested.

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