

Minutes of a Meeting of the Executive held in the JMR, The Deane House, Taunton, TA1 1HE, on Monday, 5 August 2024 at 10.00 am

Present:

Cllr Bill Revans (Chair)
Cllr Liz Leyshon (Vice-Chair)

Cllr Heather Shearer
Cllr Richard Wilkins

Cllr Sarah Wakefield
Cllr Ros Wyke

In attendance:

Cllr David Fothergill
Cllr Fran Smith

Cllr Jo Roundell Greene
Cllr David Woan

Other Members present remotely:

Cllr Federica Smith-Roberts
Cllr Nicola Clark
Cllr Andy Dingwall
Cllr Mark Healey
Cllr Andy Kendall
Cllr Christine Lawrence
Cllr Sue Osborne
Cllr Tom Power
Cllr Diogo Rodrigues
Cllr Martin Wale

Cllr Norman Cavill
Cllr Dawn Denton
Cllr Caroline Ellis
Cllr John Hunt
Cllr Marcus Kravis
Cllr Frances Nicholson
Cllr Oliver Patrick
Cllr Leigh Redman
Cllr Lucy Trimnell
Cllr Rosemary Woods

1 Apologies for Absence - Agenda Item 1

Apologies were received from Councillors Theo Butt Philip and Dixie Darch.

2 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Executive held on 15th July 2024 be confirmed as a correct record.

3 Declarations of Interest - Agenda Item 3

Cllr Ros Wyke declared an interest in agenda item 12 – South West Heritage Trust Core Contract Renewal as she is a trustee of South West Heritage Trust.

The following declarations of interest were automatically recorded:

Cllr Theo Butt Philip - Wells City Council

Cllr Heather Shearer -Street Parish Council

Cllr Federica Smith-Roberts – Taunton Town Council

Cllr Ros Wyke - Westbury-sub-Mendip Parish Council

4 Public Question Time - Agenda Item 4

There were no public questions received by the submission deadline.

5 Executive Forward Plan - Agenda Item 5

The Executive noted the Forward Plan.

6 Somerset Cultural Strategy - Agenda Item 6

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Communities, Housing and Culture, Cllr Federica Smith-Roberts, to introduce the report. Cllr Smith-Roberts detailed the background of the cultural strategy and the work that had taken place to develop it.

Elizabeth Dawson, Service Director – Culture, added to these points: the work undertaken with partners and creative leaders to develop the strategy; the next step of developing a leadership and governance model; following that, co-designing and co-delivering an implementation plan; the need to ensure the council has facilitators.

It was noted that the published recommendations in the agenda were amended after publication.

The Leader of the Council, Cllr Bill Revans, invited comments from Committee Members and other Members present. Questions and points raised included: that the cultural strategy is a remarkable achievement; the value of co-production and partnership working; the level of confidence in our partners to take the lead; the importance of culture for mental and public health; culture in rural areas and work with Local Community Networks; the involvement of the Arts Council; the geographical priority areas; the visitor economy.

The Leader of the Council concluded the discussion and proceeded to vote on the recommendations, which were agreed.

Following consideration of the officer report, appendices and discussion, the Executive resolved:

To provide a delegation to the Lead Member for Communities, Housing and Culture to make any necessary minor alterations and to adopt the Cultural Strategy once the EIA has been completed to the satisfaction of our Equalities team. Noting that any resultant changes that are not considered to be minor will require a further report to be brought back to the Executive.

7 Bridgwater Tidal Barrier Collaboration Agreement - Agenda Item 7

The Leader of the Council, Cllr Bill Revans, invited Nick Tait, Planning Police Service Manager, to introduce the report. He explained the business case for the project and the funding sources.

The Leader of the Council, Cllr Bill Revans, invited comments from Committee Members and other Members present. Questions and points raised included: the terms of the agreement and any risks associated; the timeframe for the project; the impact on the wider area; that the council contribution is capped at £13.7m, only 6% of the cost; whether electricity could be generated; the impact on local insurance rates.

The Leader of the Council concluded the discussion and proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive agreed entering into the proposed Partnership Agreement with the Environment Agency including a commitment to provide up to £13.7m partnership funding, to support the delivery of the Bridgwater Tidal Barrier and associated improvements to downstream banks.

8 Somerset Council Improvement and Transformation Programme – August Update - Agenda Item 8

The Leader of the Council, Cllr Bill Revans, invited Alyn Jones, Executive Director for Strategy, Workforce and Localities, to introduce the report. He explained the progress of the overall programme, the schedule for the workforce programme, the current risks and mitigations, and the corporate peer review with the Local Government Association (LGA).

The Leader of the Council, Cllr Bill Revans, invited comments from Committee Members and other Members present. Questions and points raised included: recognition of the hard work; delays to Partnership, Workforce, and Localities; subject matter experts; confidence in meeting targets relating to risks; workforce motivation; prioritisation of IT projects; the ability of the council to carry out necessary work; responses to the staff survey; the risk of non-delivery by March 2025.

The Leader of the Council concluded the discussion and proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive noted the report.

9 2024/25 Housing Revenue Account Revenue & Capital Budget Monitoring Report - Outturn - Agenda Item 9

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Communities, Housing and Culture, Cllr Federica Smith-Roberts, to introduce the report. Cllr Smith-Roberts highlighted that there was a mixture of overspends and underspends in this budget and there was a reduction in Right to Buy.

The Leader of the Council, Cllr Bill Revans, invited comments from Committee Members and other Members present. Questions and points raised included: the long-term impact of the reduction in Right to Buy; the cause of the underspend in the capital programme; the change in council tax policy on vacant properties and the impact on the budget; the decent homes standard and prioritisation of this work.

The Leader of the Council concluded the discussion and proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion the Executive resolved to:

- a. **Note the reported Housing Revenue Account Budget underspend of £810k in 2023/24 to be transferred to Unearmarked Reserves.**
- b. **Note the reported HRA Unearmarked Reserves Balance of £12.859m as at 31 March 2024.**
- c. **Note the Capital Outturn position.**
- d. **Approve a virement of £1m to provide match funding for energy efficiency works from net capital budget returns.**
- e. **Approve the proposed reductions to the Capital Programme of net £0.171m for underspends on schemes where budget is no longer required, and the continuation of £57.317m approved budget rolled forward for the 2024/25 Housing Revenue Account Capital Programme (as per Appendix B)**

10 Disposal of Non-Operational Assets - Agenda Item 10

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Economic Development, Planning, and Assets, Cllr Ros Wyke, to introduce the report. Cllr Wyke highlighted the consideration of every asset as part of the capitalisation direction.

Oliver Woodhams, Service Director – Strategic Asset Management, added to these points: that the ask of Executive was to delegate the ability to dispose of assets, that there had been a lot of feedback from Scrutiny, that the wider implications in other areas such as primary schools had been considered.

The Leader of the Council, Cllr Bill Revans, invited comments from Committee Members and other Members present. Questions and points raised included: the ongoing cost of managing assets and the need for disposal; that councillors have been kept well informed for that process, acknowledgement of the hard work of the team; the importance of communication with parish and town councils regarding assets; the need to take impact on communities and economic impact into account; that all disposals would have a covenants where appropriate to protect the council (for example, land in Dulverton will have a covenant to remain industrial land); how

tenants and usage may affect value and buyer interest; the future of the Tourist Information Centre in Taunton; concern about development on specific sites; how disposals fit in to the commitment to maintaining county farm estates; the procedure for assets sold at auction; the impact on the overall Firepool project; when further communication would be provided regarding each asset disposal.

The Leader of the Council concluded the discussion and proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices, and discussion, the Executive agreed:

- a. **To authorise the Service Director Strategic Asset Management, in consultation with the interim Head of Legal Services, and the Lead Member for Economic Development, Planning and Assets to execute the disposal of the surplus non-operational assets as set out in paragraphs 30.1 to 30.22**
- c. **To note that disposal of some of these surplus non-operational assets will result in a loss of future income to the Council and to approve the net income loss as a consequential pressure on the budget within Strategic Asset Management, to be funded by appropriate financial adjustments in budget monitoring and the Medium-Term Financial Plan (MTFP).**
- d. **Financial details are contained in Confidential Appendix A.**
- e. **That Appendix A is to be regarded as exempt information and to be treated in confidence, as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.**

11 Capita 5 Councils Contract covering Revs, Bens and Land Charges - Agenda Item 11

The Leader of the Council, Cllr Bill Revans, invited the Deputy Leader and Lead Member for Resources and Performance, Cllr Liz Leyshon, to introduce the report. Cllr Leyshon gave the context behind the decision Executive Committee were considering.

Paul Skuse, Strategic Manager – Procurement and Financial Governance, added to these points: that the contract was due to end in September 2025; notice would need to be issued by the end of September this year; that the proposal would be to bring the service in house in order to consolidate systems.

It was then proposed that the Committee enter private session due to the commercially sensitive nature of the contract.

Having been duly proposed and seconded, the Executive agreed:

To pass a resolution under Schedule 12A of the Local Government Act 1972 to exclude the press and public from the meeting, on the basis that if they were

present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972:

Reason: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Following consideration of the officer report, appendices and discussion, the Executive agreed:

- a. **To exit the current outsourcing agreement with Capita at the end of the current contract in September 2025, and to in-source all the remaining services. The activity will be subsumed within the existing teams.**
- d. **That the lead officer will give the appropriate notice to the provider in September 2024 in accordance with the agreed contract terms.**

12 South West Heritage Trust Core Contract renewal. - Agenda Item 12

Cllr Ros Wyke left the room for this discussion and decision due to a conflict of interest.

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Communities, Housing and Culture, Cllr Federica Smith-Roberts, to introduce the item. Cllr Smith-Roberts highlighted the importance of culture and heritage and the recommendations regarding the contract arrangements.

Elizabeth Dawson, Service Director - Culture, and Sam Astill, CEO of South West Heritage Trust, added to these points: explaining the history of the SWHT, which was devolved in 2014; that the current funding ends October 2024; that there are leases due to end in 2044 and the proposal will make the contract arrangements concurrent with the leases; that the partnership with SWHT is a nationally recognised success; the benefit of long-term investment in SWHT.

The Leader of the Council, Cllr Bill Revans, invited comments from Committee Members and other Members present. Questions and points raised included: the risks posed by buildings needing repairs; the importance of SWHT to Somerset heritage and history; that SWHT provide an amazing service.

The Leader of the Council concluded the discussion and proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices, and discussion, the Executive:

- a. **noted the heritage activities carried out by the Trust during the reporting period 1 November 2023 to 31 October 2024.**
- e. **approved that the Council shall renew its contractual arrangements with the Trust upon same terms save for those set out below and publish an associated Voluntary Ex-Ante Transparency (VEAT) Notice to mitigate risks of legal challenge. Trust New key terms:**
 - i. **Contract value to be £1,500,000 per annum agreement to deliver statutory services.**
 - ii. **No contract indexation uplift will be applied.**

- iii. **Agreement for the length of the contract to be until 2044, in line with the majority of leases, with the lease on Taunton Castle being the last of twelve leases to expire in 2056. Reserving the current ability to end contractual arrangements every 5 years.**
- iv. **A contract review to take place every five years to assess and adjust where necessary:**
 - a. **Service Performance**
 - b. **Suitability of the arrangement**
 - c. **Service delivery scope**
 - d. **Core contract value**
 - e. **Or to bring the arrangement to an end.**
- e. **delegated authority to the Executive Director, Community Services to finalise terms and complete the renewed Grant Agreement contract as approved and upon the expiry of the VEAT Notice save unless the Council receives a meritorious challenge whereupon the matter shall be subject to further report to the Council.**
- f. **delegated authority to Executive Director, Community Services and the Strategic Service Director, Asset Management, to enter into negotiations to align relevant property lease agreements dates, and where appropriate, ensure all terms and conditions are in line with Somerset Council standard clauses**

13 A38 Bridgwater Northern Corridor- Dunball Junction Delivery Contract Award and Reallocation of Funds within LUF Programme. - Agenda Item 13

Cllr Ros Wyke rejoined the committee for this item.

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Transport and Digital, Cllr Richard Wilkins, to introduce the item. Cllr Wilkins highlighted that the works proposed were vital for the county and the strategic road network and would unlock further development in the area, including EDF and Gravity projects, and that the proposal removed some financial risk associated.

Sunita Mills, Strategic Manager – Highways and Transport, and Josephine Paterson, Service Manager – Transport Schemes Commissioning, added to these points: highlighting the risks involved in these projects; the approval sought from Department for Transport; the funding sourced from a number of organisations; the status of the procurement process.

The Leader of the Council, Cllr Bill Revans, invited comments from Committee Members and other Members present. Questions and points raised included: the timeline for the work on Junction 22; modelling of the impact on traffic; the need for safe crossings to be included in the scheme; the inclusion of active travel; the work in partnership with Network Rail and how that would impact timelines; the need for regular review of capacity on the Cross Rifles roundabout, particularly due to the Celebration Mile work.

The Leader of the Council concluded the discussion and proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices, and discussion, the Executive:

- a. Approved the award of the contract for Dunball Roundabout Improvement scheme to the supplier identified in the attached Appendix A (confidential information), following a competitive tender process. Total contract value of £6,626,216.00.**
- f. Approved the re-scoping of Cannon/Cross Rifles scheme.**
- f. Consented to delegate to the Service Director for Infrastructure and Transport, the decision to apportion the funding within the Levelling Up Fund pot to deliver the Dunball and re-scoped Cannon/Cross Rifles schemes.**
- g. Consented to delegate to the Service Director for Infrastructure and Transport, the decision to deliver the A38MRN project through the Dunball delivery contract, subject to funding approval.**
- h. Agreed the case for applying the exempt information provision as set out in the Local Government Act 1972, Schedule 12A and therefore to treat the attached confidential Appendix A in confidence, as it contains commercially sensitive information, and as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.**

All recommendations are contingent upon a favourable outcome from DfT regarding the PAR submitted. No contracts will be signed unless and until approval is received from DfT to amend the scope of the Cannon/Cross Rifles scheme.

(The meeting ended at 1.54 pm)

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CHAIR