

Annexe B – Full Council 27 September 2023 – Member Questions

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Name of person submitting	Question
<p>Cllr Dave Mansell and Cllr Gwil Wren</p>	<p>Section 19 flood investigation reports</p> <p>With the Lead Local Flood Authority having insufficient staff and budget, and following severe floods in Milverton, Queen Camel and other areas in May 2023 and in Wellington and West Somerset in September 2023, would it please be confirmed when sufficient resources will be provided to allow the council to start work on important Section 19 flood investigation reports. These reports are vital to target future maintenance and to build a resilient and sustainable network in the face of changing climatic conditions.</p> <p>Response from Lead Member for Environment and Climate Change: Cllr Dixie Darch</p>
<p>Full written response</p>	<p>We are reviewing the budgets across Climate and Place to seek additional resource to support the growing demand with the Flood and Coastal team. Due to the increase in severe weather, we are seeing the need for the statutory s19 reports rapidly increasing.</p>
<p>Cllr Lucy Trimnell</p>	<p>I am very concerned about the guardianship of our heritage assets within Somerset Council following a recent highways Small Improvement Scheme in Bruton and would like this council to consider appointing a heritage champion role within the executive.</p> <p>Over the summer works were completed to a junction in the middle of the conservation area in Bruton to widen pavements. This included the removal of slabbed paving and iron kerb edging, the same as can be seen in areas of cities such as Bristol and Manchester and it's removal caused a great deal of upset amongst residents, particularly those who live within the conservation area and have to comply with incredibly strict rules for even the most minor of alterations to their properties</p>

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	<p>Conversations with highways officers reveal that although Heritage South West were consulted on this matter as of April this year there is now no contract between Highways and a heritage body and therefore no advisory body to refer to regarding our heritage assets.</p> <p>A heritage champion liaising with highways, local members and Heritage South West could have focussed on establishing ways to incorporate the metal edging into the design scheme (as has been done in Bristol) and therefore respect the heritage and built environment both in Bruton and other parts of Somerset.</p> <p>It is thought that 70% of councils already have a Heritage Champion and with Somerset Council being the custodian of a vast array of heritage assets, Grade I and II listed buildings and Conservation Areas it is clear that such a role within the council is very much a necessity and I would like to see this explored at pace to ensure that heritage is placed at the heart of everything Somerset Council does.</p> <p>For some of these the exterior appearance of their properties has been significantly altered by the rep</p> <p>Response from Lead Member for Economic Development, Planning and Assets: Cllr Ros Wyke</p>
Full written response	<p>Somerset Council takes the responsibility for heritage protection seriously and with officer advice and support we will explore the suggestion of a Heritage Champion, including assessing experience elsewhere.</p>
Cllr Norman Cavill	<p>As we all know there is a requirement by this LPA for any additional development within certain catchment areas, to be phosphate neutral</p> <p>Mitigation is now required to provide neutrality for a minimum of eighty years.</p> <p>Some of the larger developments are providing mitigation, by constructing wetland habitat from existing farmland, which will require a maintenance plan to ensure their continued operation.</p> <p>Recent events clearly show that flash flooding will bring with it substantial quantities of silt, resulting in clogging and filling up of waterways within the mitigation site, in turn reducing the effectiveness of the mitigation site.</p>

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	<p>On new development sites, it is now common practise to set up management companies. Are we to rely on these companies to undertake costly mitigation maintenance?</p> <p>What provision has this council, the LPA, made to regularly inspect and ensure the continued full operation of these important systems?</p> <p>Can you give assurance that future budgets will contain a specified and adequate sum, so that proper inspection and enforcement if necessary will be available?</p> <p>Response from Lead Member for Economic Development, Planning and Assets: Cllr Ros Wyke</p>
<p>Full written response</p>	<p>For all phosphate-affected planning applications that require mitigation, we have been requesting that Applicant's submit Maintenance and Monitoring Plans before a planning decision is issued. This relates to both minor and major applications. We ask for this information so that adherence to these Maintenance and Monitoring Plans can be secured through a Section 106 Agreement. A monitoring fee is attached to the s106 Agreement to cover the Council's administrative costs.</p> <p>Generally, these Maintenance and Monitoring Plans include specific provisions such as annual inspections and the submission of monitoring reports to the LPA. Through the Section 106 Agreement we would be able to take enforcement action if it was found that the Maintenance and Monitoring Plan was not being adhered to. Ongoing maintenance and monitoring is also part of all of the Habitats Regulations Assessment that must be completed for all phosphate affected planning applications, and these all go to Natural England for sign-off so they also have sight of any long-term commitments made by Applicants.</p>
<p>Cllr Sue Osborne</p>	<p>Questions regarding the resourcing of the Somerset Council Planning Service.</p> <p>The creation of the new Somerset Council has presented numerous challenges in bringing together the four District Council Planning Teams, particularly in how they have been resourced, job descriptions and employment contracts. Some areas, eg, Area South have relied heavily upon Agency Contract staff whose contracts are likely to end soon. A job evaluation policy has now been introduced to cover any vacant posts.</p>

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	<p>For the Planning Service, this has resulted in posts being valued at less than the previous District salary/contract fee. My Questions are as follows:</p> <p>What is the timescale for completing and implementing a workforce strategy for the planning department, including job evaluations?</p> <p>What is the likely uplift in budget requirements in order that current planning team members are not financially disadvantaged by the Job Evaluation process and hence leave Somerset Council as a result?</p> <p>What plans are in place to strengthen planning enforcement? I am getting an increasing number of complaints about lack of both action and response from officers working in enforcement to Parish Council enquiries?</p> <p>What is the risk and what are the Consequences for this Council should the planning service start to fail due to inability to recruit and retain enough experienced planning team members?</p> <p>Response from Lead Member for Economic Development, Planning and Assets: Cllr Ros Wyke</p>
Full written response	<p>There are five (5) planning teams which have been brought together and work started to develop a strategic approach to workforce planning. That work is programmed to come forward in the next 6 months. The strategy will support staff retention and recruitment.</p> <p>Somerset is not alone in having planning staff resourcing issues, this is a national issue and has been reflected in the recent DLUHC Planning Skills Delivery Fund programme as well as the commitment to increase planning fees to enable improved funding for planning services. (Albeit not ring fenced)</p>

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	<p>Currently, the job evaluation schemes in use by Somerset Council are different to those previously used by some of the districts including South Somerset. District employees are protected on their TUPE terms and conditions which includes their salaries.</p> <p>Where a new job evaluation has resulted in lower salaries, we can apply a financial recruitment or retention allowance to a role to compensate for the salary difference. This needs to be evidenced based on current market data for similar roles and a recent recruitment exercise.</p> <p>Agency and short-term contract staff are different and their contracts are different. Their contracts are renewed and managed dynamically and in accordance with service needs.</p> <p>The issues of high % contractor staffing is particularly relevant to south and is a carry over from SSDC. West do have vacancies and a contractor presence but this is less of an issue for North and East.</p> <p>With our Investigation and Enforcement teams there is significant demand from the public. We have adopted (01/04/23) a Somerset Council Enforcement Policy which sets the framework for how we will manage our investigations. Current resources have been protected in the latest round of budget review to ensure we can continue to do this.</p> <p>To manage and have oversight of the whole of the service a Head of Planning role is being created. The intention is that we can be agile in our response (for instance when we have staff sickness and with our ways of working. This coupled with formal performance monitoring reported to Strategic Planning Committee will ensure we have an understanding of the needs of the service, the quality of the outcomes and have a customer centric approach moving forward.</p>
Cllr David Fothergill	<p>There is growing anecdotal evidence of modern slavery issues relating to the recruitment, contracting and employment of overseas care workers. These issues raise serious concerns both for the welfare of those individuals brought to the UK and also with regards the quality of safeguarding checks.</p>

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	<p>Please can the Executive Member of Adult Social Care advise of the number of overseas care workers who have been recruited into Somerset Care Homes and (separately) into Somerset Domiciliary Care: which agencies have been used by care and domiciliary care providers and what local authority checks are in place to ensure that providers and their agencies are using appropriate procedures.</p> <p>Somerset has a responsibility to those employed in our County and those receiving services in our County and therefore if the information is not readily available, I would like to know what steps are being put in place to improve levels of safeguarding for all those concerned and when these will be introduced.</p> <p>Response from Lead Member for Adult Services: Cllr Dean Ruddle</p>
Full written response	<ul style="list-style-type: none">• Thank you for raising this query. We very much recognise the importance of this topic and share your interest in ensuring the welfare of our overseas care workforce.• The workforce recruitment and retention challenges, coupled with supply and demand pressures experienced across health and care services, have seen a rise in organisations right across the country increasingly looking overseas to bolster capacity into frontline, public-facing roles. This comes on the back of the government’s decision to add ‘care workers’ and ‘home carers’ to its shortage occupation list for skilled workers in February 2022, enabling providers to directly recruit from abroad to these roles for the first time.• In common with other areas, including our neighbouring counties, we know a significant proportion of Somerset providers, especially those in our homecare market, are supporting overseas recruitment; Somerset Council has felt the benefit of this in being able to reduce previously high levels of ‘unmet need’ in sourcing timely domiciliary care.• We are not required to collect nor able to provide specific numbers of overseas care workers recruited by our independent Somerset care homes or domiciliary care providers. Care providers are independently regulated by the

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Care and Quality Commission and have regulatory duties on them including one linked to safe staffing practices [Regulation 18: Staffing - Care Quality Commission \(cqc.org.uk\)](https://www.cqc.org.uk/regulation-18-staffing). The CQC have made clear their stance and approach to tackling modern slavery and human trafficking and monitor this as part of their inspection and oversight framework - [Our statement on modern slavery and human trafficking - Care Quality Commission \(cqc.org.uk\)](https://www.cqc.org.uk/our-statement-on-modern-slavery-and-human-trafficking)

- However, as part of our safeguarding, and market oversight and shaping duties, we have a range of measures and approaches in place to promote and check that providers are using appropriate procedures:
 - This includes the routine quality assurance and contracting work we undertake with local care providers to ensure services are robust and legal. This work is done in close liaison with the CQC, safeguarding and colleagues in NHS Somerset. Our PAMMS (Provider Assessment and Market Management System) Quality Assurance approach includes a range of questions relating to ‘Staff Training and Recruitment’ (including ensuring ‘recruitment records confirm that the organisation has carried out all relevant employment checks when staff are employed, including (but not limited to) ensuring that all staff have a suitable DBS check before starting work, that the member of staff has the right to work in the UK and that they are registered with any relevant professional body and, where necessary, are allowed to work by that body’). We have also ensured our Quality Assurance team bolster their knowledge in this area through attending Home Office-led training on ‘Right to Work’ requirements so we can advise providers accordingly and respond in line with latest expectations), and our local Safeguarding policies and approach include a focus on modern slavery.
 - We have also ensured we are active in promoting safe recruitment practices and communicating information relating to international recruitment with our care workforce through a variety of comms and engagement channels, including our weekly briefings (newsletters) to care providers and the Registered Care Provider Association (RCPA), our monthly Learning Engagement Meetings, and also via our Proud to Care Somerset activity. On 8th June 2023, an event was delivered in partnership with Skills for Care and the RCPA titled [‘Free](#)

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	<p>International Recruitment Masterclass’ – this event enabled Care Providers to engage in a series of conversations with experts in the field of international recruitment in Social Care. This consisted of representatives from Get Borderless, Yeovil District Hospital, RWK Goodman and more. With many Care Providers feeling the pressures of having a diminished workforce, not just in Somerset but nationwide, we know that international recruitment is becoming more and more appealing. We used this event to help Providers get the information they need to make the appropriate and legal steps in this process.</p>
Cllr Diogo Rodrigues	<p>One</p> <p>Given the refurbishment at Crescent Car Park in Taunton, which resulted in a 37% reduction in regular parking spaces and an expected loss of income totalling approximately £173,000 (excluding the £20,000 monthly loss during refurbishment), Somerset Council's stated 'Stark and Challenging' financial situation, and their plan to continue reduce parking availability in urban areas to promote alternative transportation methods, I would like to ask the lead member the following:</p> <ol style="list-style-type: none">1. Do you believe that reducing the income from Crescent Car Park by £173,000 was a prudent financial decision, given the council's financial challenges?2. Can the council afford the self-inflicted financial loss resulting from rolling out reduced parking availability in urban areas, considering the budget constraints <p>Two</p> <p>It was concerning to learn recently about the potential loss of over £100 a day on the Somerset Council operated 68 bus service from Yeovil bus station as a result of allowing passengers on for free due to not having a contactless payment service. Only last week I had confirmation that the issue was still ongoing on this service.</p> <p>This self-inflicted financial damage takes on a greater seriousness when we consider the 'stark and challenging' financial situation that this council has described itself to be in. I would like to ask the lead member the following:</p>

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	<ol style="list-style-type: none">1. Exactly how many Somerset Council-operated bus services currently do not offer contactless payment options, and can you provide a list of these services?2. What is the estimated weekly financial loss attributed to the absence of contactless payments on these Somerset Council-operated bus services?3. Could you please outline the concrete plans and timelines in place to implement contactless payment options on the affected bus services <p>Response from Lead Member for Transport and Digital: Cllr Mike Rigby</p>
Full written response	<p>One:</p> <p>We do not anticipate any reduction in overall parking income in Taunton as a result of the much needed improvements in the Crescent Car Park and mobility hub. Indeed the installation of EV chargers will create a new income stream to the Council.</p> <p>We also think that overall use of the Crescent will increase due the vast improvement in the public realm attracting more users and maximising the assets use and income.</p> <p>Any peak time displacement from the Crescent will be picked up by surrounding public parking</p> <p>Two:</p> <ol style="list-style-type: none">1. All Council operated routes and a number of subsidised contracted routes are unable to offer contactless payments at the moment. This affects 29 routes but many of these are either once a week or once a day journeys. These routes are set out below: <p>Council operated routes by our in-house fleet:</p> <ul style="list-style-type: none">3 – Taunton Town Service (serving Bishops Hull)5 – Babcary to Yeovil (Wednesday only)8 – Pilton to Yeovil (Thursday only)9 – Crewkerne to Donyatt

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12 – Taunton Town Service (Monkton Heathfield)
18 – Ilminster to South Petherton (Tuesdays and Fridays only)
19 – Bridgwater to Street (College Days only – am and pm journeys only)
22B – Taunton to West Buckland (Mon to Fri one journey)
30 – Frome Town Service
34 – Bruton to Charlton Hawthorne (School Days pm journey only)
39 – Bruton to Yeovil (Friday only)
44 – Over Stratton to Yeovil
48 – Burnham to Cheddar (Tuesdays and Fridays only)
56B – West Coker to Yeovil (one journey a day)
67 – Burnham to Wedmore
68 – Yeovil Town Service (serving the rail stations)
81A – Yeovil to Stanchester School (School Days am and pm journeys only)
667 – Wincanton to Castle Cary (one journey a day)
F – Bridgwater Town Service
S1 – S3 – Ilminster Shuttle

Council subsidised routes:

10 – Porlock to Minhead (At West)
11C – Minehead Town Service (Ridlers)
56 – West Coker to Yeovil (Community Transport South West)
62 – Weston to Bridgwater College (College Days only – Bakers Dolphin)
66 – Axbridge to Bridgwater College (College Days only – Bakers Dolphin)
67 – Wedmore to Wookey Hole (Mendip Community Transport)

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196- Glastonbury Tour Bus (Apr – Sept, Mendip Community Transport)

198 – Dulverton to Minehead (AtWest)

665 – Kingweston to Yeovil (Mendip Community Transport)

2. It is not possible to identify the number of passengers being permitted to travel for free due to the issue with contactless payments. However, a decision was made that due to the technical difficulties which we are working tirelessly to try and resolve, we would allow passengers who were unable to pay with cash to travel for free, rather than leaving potentially vulnerable passengers stranded. Passengers are advised that they can travel for free on this occasion but need to ensure they bring cash payment for their next journey. Many of the passengers travelling on the routes identified will be concessionary pass holders and therefore, travelling for free. These journeys will all be recorded.
3. Officers have been trying to resolve this issue for quite some time, which has proved extremely challenging. We are restricted to using one payment provider for this purpose and have encountered numerous barriers that we have had to overcome, due to the number of parties involved. We are now at a stage where the payment provider and ticket machine provider have finally reached agreement, with SMART Applications Management (SAM) acting as the managing agent for the agreement. We are still awaiting final confirmation of when the contactless payments can go-live and continue to chase on an almost daily basis.