

Minutes of a Meeting of the Scrutiny Committee - Communities held in the Council Chamber, Council Offices, Brympton Way, Yeovil BA20 2HT, on Wednesday, 13 December 2023 at 10.00 am

Present:

Cllr Gwil Wren (Chair)

Cllr Dawn Johnson (Vice-Chair)

Cllr Simon Coles

Cllr Susannah Hart

Cllr Wes Read

Cllr Dawn Denton

Cllr Hazel Prior-Sankey

Cllr Mike Stanton

Other Members present remotely:

Cllr Andy Dingwall

Cllr Tessa Munt

Cllr Heather Shearer

Cllr Claire Sully

Cllr Liz Leyshon

Cllr Leigh Redman

Cllr Federica Smith-Roberts

Cllr Sarah Wakefield

17 Apologies for Absence - Agenda Item 1

Apologies were received from Cllr Kathryn Pearce, Cllr Andy Kendall, with Cllr Stanton as substitute, Cllr Edric Hobbs, Cllr Pauline Ham, Cllr Andy Dingwall, and Cllr Lance Duddridge.

18 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Scrutiny Committee – Communities held on 11th October 2023 be confirmed as a correct record.

19 Declarations of Interest - Agenda Item 3

There were no declarations of interest.

20 Public Question Time - Agenda Item 4

Public questions were received from two members of the public.

Carolyn Griffiths:

1. There are clear cases of planning approval breaches in my community; and there is evidence of inconsistent standards being applied. In one case it was so called reviewed but not with the level of internal independence as is required by your own procedures. In another I was told that a breach that was detrimental to a neighbor would not be followed up because it only affects one other property. If this is the standard applied by the Council then theoretically it means we can all do whatever we want provided it only affects one other household. Clearly this would utterly undermine any planning controls

Evidence suggests the Ombudsman is inadequately resourced to engage properly to understand referrals. And to pursue further would likely require litigation.

The whole point of planning is that there are rules that should be complied with and we expect the Council to require compliance. This is clearly not happening

I ask the Council to carry out an independently led review of its planning compliance activity to include evaluation of consistent application of its enforcement criteria, adequacy of its own standards and criteria for enforcement, its adherence (and oversight of adherence) to its own standards and whether allocation of resources are reasonable to maintain the communities' compliance. This should include but clearly not be limited to the case histories which I will willingly provide. Can the Council confirm this undertaking to a review please or if not what other measure it intends to take to rectify this unsatisfactory situation?

2. I note that the Council has reported changes in the noise management of Glastonbury Festival. However despite this, yet again during the 2023 festival there was unacceptable noise in the so called curfew period experienced in the community.

Please can the Council help us how this will be prevented by your monitoring and enforcement during 2024?

3. During the 2023 festival there was unacceptable amounts of traffic through the heart of the village going to the so-called village car park. The reality is that this car park is not a village car park. If it was, its usage would be far more modest. The car park's capacity (estimated between 1200 and 1800) is far in excess of that required even if every village household drove to the festival. The license management plan is clearly not controlling the nuisance of traffic in the community.

Why is the management plan not mandating that all vehicles (except for those of Pilton residents whose parking is displaced by the freeways and Pilton villagers who

can not reasonably walk to the festival) park in locations that do not require access through the village?

4. We have also been given to believe that households are denied the possibility of parking outside their own homes for the duration of the festival because of access for emergency vehicles. Yet emergency vehicles are expected to navigate the same streets all other weeks of the year and there are other specifically designated emergency access routes to the festival . This brings the reason for clearing these roads into question.

Can the Council confirm why these householders are denied the possibility of parking near their homes. Is it connected with the GFEL specifically routing large amounts of traffic through the village when there are alternatives available to them that would avoid this? Why is the management plan not mandating that the imposition of freeways in the village should be avoided unless it's for the benefit of the village?

The response:

The first question is outside the scope of this committee and report.

For questions three and four there was a response from Bev Norman, Head of Service – Traffic Management, Road Safety, and Parking:

Three: That is what is already in place. People parking in the village are residents, or guests of residents. People outside the village/Parish are parking elsewhere. Note that residents with guests who have no parking near their property will often park cars in the green car park for the week.

Four: All clearways have been implemented at the request of the village representatives of the Parish Council. Some - Cum Hill, Bread St, Pylle Rd have been in place since the early 2000's. Top St more recently in 2022 both as a result of community engagement and planning.

A detailed response from Highways will be provided in writing at a later date.

Nick Hall

Good morning – my name is Nick Hall. I am a Pilton Parish Councillor. Today, I am speaking in a personal capacity but reflecting the views of some members of our community.

What I wish to talk about today is the **effective regulation of Glastonbury Festival**.

Please note that I only had sight of the Council's nineteen-page de-brief report yesterday (6 Dec) – it is unrealistic for me to prepare a full set of questions in such a limited time.

Following the Planning approval earlier this year, Glastonbury Festival Events Limited (GFEL) now has Planning and Licensing in place, in perpetuity. This provides certainty for the company but also reduces the opportunity for regulators, such as Somerset Council, to hold them to account.

Our community is impacted by a number of aspects of the Festival (and not only during the three main days of the event) - most notable are security, noise nuisance, traffic through the parish and environmental impact.

We rely on the goodwill of GFEL, and enforcement of Planning and Licensing conditions to ensure that the impacts on our community are avoided, or at least minimised.

Somerset Council has inherited the regulation of the Festival from Mendip District Council (MDC). MDC were aware of the communities' concerns but seemed unable to put in place significant improvements.

The de-brief report highlights the ongoing issue of noise nuisance. It is disappointing how little progress is being made. MDC Cabinet have already been presented with the problems namely:

- Problems with the License itself including the lack of limits on low frequency noise (dBC limits).
- The need for a more robust approach to monitoring
- Reporting of noise complaints to be more transparent.

There are also the unregulated external (or offsite) campsites described in section 4.4 of the debrief report. I welcome the report's conclusion that additional Council resources are required to prevent nuisances to our community from these activities. The Committee should be aware that in many cases these are no longer campsites but large-scale events with entertainment, alcohol sales etc. In my opinion they are not all "organised independently" of the Festival because it is reported that GFEL guarantees tickets to some operators. What is Somerset Council going to do to address this ongoing matter?

The de-brief report specifically excludes the work undertaken by Highways in respect of Glastonbury Festival. There is little consultation about closure of public roads. How is the work of Somerset Highways monitored if not here?

Section 1.2 refers to "A Flourishing and Resilient Somerset" from the Council Plan. Our community might also be as interested in:

- A Healthy and Caring Somerset,

- A Fairer, Ambitious Somerset, and
- A Greener, More Sustainable Somerset

There is increasing concern that variations to the Event Management Plan (EMP) are in fact minor License variations. Moreover, changes to the EMP that relate to our community are made without any reference to us. In future can the Licensing Authority and other Responsible Authorities be more proactive in this regard?

Perhaps the time has come to adopt a new consultation model, in line with best practice for other major events?

The de-brief report confirms that GFEL's annual License fee is only £32,350. Clearly this fee does not cover the full cost of regulating the Festival – section 4.1 describes “the need for significant support from other areas of the Council”. Would Somerset Council be able to provide a breakdown of their costs for the 2023 Festival across all functions?

Particularly considering the Council's ‘financial emergency’, shouldn't a commercial organisation pay the full costs of regulating their activity?

More importantly there is concern that the ‘financial emergency’ will reduce resources to ensure effective regulation for all aspects of GFEL operations in and around Pilton. For example, there are a number of significant planning conditions associated with the recent planning approval – will Somerset Council have sufficient resources and focus to ensure GFEL discharges these conditions in a timely manner?

My simple request is that in the future, rather than putting up barriers, we seek efficient solutions to our concerns through dialogue.

A full written response will be provided. The response from Dave Coles, head of Licensing and Regulatory Services during the meeting: Noise levels are on ongoing piece of work. We are working with consultants to see what can be put in practice. It's a dynamic event, so it can take adjustment to get it right.

21 Community Services Budget Monitoring Update - Agenda Item 5

A presentation was given by Chris Hall, Executive Director of Community Services, and Paul Matravers, Lead Specialist – Finance, on the current budget position, the overspend in the overall council budget and the particular challenges of bringing the

previous councils into one unitary budget.

During the discussion, the following points were raised and responded to:

- Are the variances in this budget an unusual situation when councils are brought together under unitary? *No. The variance is made up of overspending and bringing in less money than anticipated, due to issues with the budgets of the previous authorities.*
- Where are the decisions around cuts, or does the data still need further cleaning? When will that process be completed and a final figure available? *The anticipated income that was included in budgets from previous councils needs to be financed with cuts to expenditure in other areas. There was also expenditure that wasn't factored into previous councils budgets that now needs to be funded. These are budget anomalies, that will only be a problem for this financial year for the unitary authority.*
- Where there is a clear mistake such as this in the budget setting process, what are the options for resolving it? *Because budgets were set on the expectation of those incomes and expenditures, they have to be balanced in order to cover the anomalies found. Bringing 5 budgets together requires understanding the decision making by legacy councils. It becomes easier after 12 months, and this is an issue across the council, not just in Communities. They will be corrected by the 24/25 financial year.*
- What kind of time scale is there to bring savings to Scrutiny? The overspend in adults means that we need to not just balance the budget but underspend. *The financial control boards put in place as part of the financial emergency are working on reducing the expenditure. There won't be specific proposals on reducing expenditure for this budget. For next year, specific proposals will go to Corporate and Resources Scrutiny in February, then Executive, then Full Council.*
- Would savings made through not recruiting show in the data we have been given? *Yes, but the goal is simply to get balanced at this point.*
- It would be useful to committee members to be kept aware of areas of underspending in Communities, as we will notice the impact of that on our constituents and it will be useful to have awareness of that in our conversations with them. *The Month 9 report which will come to the committee in February we will see the results of the financial emergency spending boards and we are hoping at that point we will see a reduction in variance.*
- How are the decisions that the spending board makes shown in the budget? Will the committee get information on decisions rejected by the board? *We will look at how that can be reported. Eventually the figures will be reflected*

in the budget sheet. The spending board also leads to self-policing, as there are fewer requests for spending since the likelihood of it being rejected is high. Those savings are hard to track as it is more preventative.

- The position of this year's budget and next year are interlinked. We need to set the 24/25 Budget before we will have the final figures for this year. How close do we need to get so that we are prepared for next year, and what level of certainty can we have? *Budget monitoring is a prediction, and we don't know how bad the winter is going to be. Everyone is doing what they can to cover the current whole council overspend of £18.7m, but we may need to cover some of that from reserves. It will be clearer how much it will be in month 9, but we won't know until the end of March.*
- Parish councils are concerned, as they need to set their precepts earlier than the council sets its budget. Finding a final position is important.
- The combination of LGR and the financial emergency have been a particular challenge with timing – Other LGRs have not done budget monitoring until they reached month 6.
- Of the £1.3m overspend in Communities, £900,000 is caused by LGR discrepancies out of our control. What is the global figure for discrepancies like this? *We don't have a global figure. Adults and Childrens do not have these as their budgets have continued under the same authority. When we set the budget for 24/25 we will have a lot more knowledge and all the discrepancies will have been removed.*

The committee thanked the officers for the report and noted it.

22 Glastonbury Festival Scrutiny Report - Agenda Item 6

Dave Coles, Head of Regulatory Services, gave a report that covered the statutory functions the council operates at Glastonbury Festival: Licensing, Food Safety, Structural Safety, Nuisance Prevention. They explained the fee of £32,350 that was charged to Glastonbury Festival for operating these services, and broke down some of the costs involved. Public Health, Civil Contingencies, Highways and Environmental Health are also involved. Overall the festival in 2023 was well run and majority of recommendations made were implemented. The recommendations are for continuous improvement and there were two particular areas: developing further measures to address noise, and crowd distribution and communication for crowd flows.

During the discussion, the following points were raised and responded to.

- Given that this was previously managed by Mendip District Council, it is a testament to a small council dealing with a global event and having relatively few problems.
- Is there an overall command group that meets to liaise, so teams such as highways and environmental health are not working in isolation? *All the teams are talking to each other, there is a multi-agency group that meets monthly and gets fed back to the Executive Directors and Executive Leadership Team. Since unitary, it is slicker to have one point of contact from the council to the festival.*
- Per attendee, the fee that is charged is very low, only pennies, when there is a huge amount of work involved from all of the services. Why aren't those costs acknowledged and dealt with? *The fee is statutory and cannot be amended.*
- Is it rated low because it takes place on farmland? *The licensing fee was set in 2003 and applies to all licenses, regardless of size. They have not changed since 2005, but we have been lobbying the government to have those fees raised. The licensing act provides a table of values. The average for a pub would be £180 a year. The fee is set by number of attendees, and over 90,000 is the £32,350 figure that is the maximum we can charge for a license. Other services such as Police, Ambulance, and Fire Service will have their own negotiations with Glastonbury.*
- Can we identify how much it costs us? *Later this week there is a conversation about our costs and whether the festival should pay us for the resources that we have on site. SWAST, Police, and the Fire Service are paid for the resources that they have on site.*
- The festival is fantastic but the current payment model is flawed, as there is not the capacity within the council to deal with them and not enough for councils to be adequately supported. We should take the position where we expect our costs are covered, and the licensing fee does not do that.
- If the Committee Members made a recommendation to Executive about the licensing fee would that go to the Department for Levelling Up, Housing, and Communities? *There was a recent consultation on licensing fees that the council participated in.*
- Where do Parish Councils and communities have a voice in the impact of the festival on them? *Glastonbury Festival take on the responsibility of liaising with Parish Councils, including Pilton. Those meetings are attended by a council officer, but Somerset council doesn't get personally involved in that liaison.*
- Given that we are the licensing body, shouldn't we be driving those

conversations? *Officers attend those meetings and collect the feedback and take it into consideration. We can look at more of this going forward now that we are a unitary authority.*

- *Can the Ward Members be involved in that as well? That is something that can be looked at. Villages in the area liaise with the festival, and ward members are notified of any variations or changes to the license. Ward Members are included in Parish Council meetings.*
- *The communication needs to be further improved, with councillors more involved. The council's role is primarily licensing and monitoring, and the responsibility for that community engagement lies with Glastonbury Festival, rather than an issue for licensing.*
- *What are the fees and business rates around the festival? Glastonbury is in a very low band, the rateable value is £87,000 to £125,000 a year. Business Rates are therefore £350 a year.*
- *Are external campsites licensed separately and is there a potential for revenue there? External campsites give a notice of a temporary event that costs £21. This is also a statutory fee.*
- *Point of clarification on noise levels, what is the maximum on the periphery? It would be impossible to give a single figure of noise level at the periphery, because the focus is on low frequency energy leaving the site, and environmental factors have an impact on that.*
- *The team have done a great job this year, coming together under LGR and keeping communication strong, and we should learn from that success.*
- *If they are in breach of the noise, what is the process from then on? If there are problems with the license then a review could be called, to go to a licensing subcommittee. We could then remove the license or add conditions. A continued breach would be looking at prosecution.*
- *Has that process been followed? Yes, two years ago there was a prosecution as Paul McCartney overran past the noise restrictions. The case was settled out of court and Glastonbury received a caution. There was no money involved in the settlement.*
- *If the settlement involved a fine, who gets that money? It goes to central government, rather than us.*
- *If there are assaults or incidents on site, do we get reported on that, or is that handled by police? Assaults are dealt with by the police, but there are twice daily debrief meetings at the festival where issues such as assaults are brought, and the council is included in this, so we have access to real time information about it.*
- *Have there been complaints about the external campsites that are sufficient to warrant a refusal of license? The process for temporary event licenses is*

different, so they are not subject to Council approval. Environmental Health, Public Health and the Police can object. If there are instances of noise or unruly behaviour, we need people to make a complaint so there is a justification for those organisations to object.

- Glastonbury Festival is a fact of life in the local area, so there won't be a large amount of complaints about it. The impact on locals is significant, as they can't work or get to the shop, but people often get on board or go on holiday.
- What are the outcome of the licensing consultation period? It would be useful to get feedback when that period ended. *The consultation is on all licensing fees, rather than Glastonbury specifically.*

The chair summed up the key points of the discussion around the cost to the council and how much of it can be recouped, and requested further feedback from discussions with the festival. As 2024 will be the first year the festival is handled entirely by the Unitary Authority, its important that this report returns next year.

23 2023 Rough Sleeping Initiative Overview - Agenda Item 7

A presentation was given by Christopher Brown, Service Director for Housing, providing the context of demand and supply pressures and statistics around people are risk of homelessness and rough sleeping. They detailed the prevention approach, and looked at the impact of rough sleeping and the Severe Weather Emergency Protocol (SWEP), and how the new Somerset Housing and Rough Sleeping Strategy is being developed. The request to the councillors was to know what information the committee needed from the team as the strategy was being developed?

During the discussion, the following points were raised and responded to:

- With the development being an iterative process and there is a huge amount of data to be gathered, when will there be a more detailed report to come back to us? *In six to eight months there will be findings from the data, but there will be working groups that members may want to be involved in.*
- As housing teams were previously in district councils, are the teams now in harmony or is there catching up required? *Service was delivered in 2 different ways in districts. Two delivered through contracts, two delivered through direct delivery. All officers are working together on things like SWEP, a structural change for internal consistency. There are different inherited ways of working but positive communication and working towards a unified service.*
- With the different ways of working, is there a disparity of skills? *Each of the teams has inherent skill, but different skillsets across the council, including specialist officers and officers doing outreach. There is a need to decide how*

much is outsourced in future and how much is managed in house. Some areas need additional support around specific issues like prison leavers, which have impacted some areas more, so there are skill differences around that. There will be different providers who work across the services. Some services are rolled out geographically, while others are across the whole team, for example a recent grant of £269,000 from DLUHC for extra nursing capacity for the homeless health team.

- *Given the council is moving to focusing on statutory responsibilities, how will that impact this work, and is there discretionary funding that will be covered? The statutory duties are very expensive. Prevention work, which is discretionary, should be focused on, as it is much more cost effective. The proposed shape of the service will do more on triage and prevention. Currently the council only prevents 29% of homelessness, compared to a national average of 52%. It's not quite as simple as statutory vs discretionary. There is a ringfenced grant for rough sleeping intervention that has to be returned if it is not used.*
- *Where there is provision in the Taunton area, some people are rough sleeping because they do not follow the rules of accommodation provision, for example not taking drugs or alcohol. Some people have run out of options in terms of accommodation, and there is a creative solutions team.*
- *People in tents cause angst in communities. Councillors let the team know and are not given feedback other than 'outreach is occurring', and would it be possible to get feedback about individual cases? There would be way to feed that back without breaching GDPR. Outreach teams often need to build relationships. The council does not distribute tents, but will provide hot drinks and sleeping bags to people who refuse to go indoors. Tents in Yeovil Park have outreach and are sometimes removed when there is antisocial behaviour.*
- *Are there hotspots of areas of the rough sleepers? Taunton is a rough sleeping hot spot, as Open Door provides showers and hot food and draws people in. East also has a high number of rough sleepers, as they are often returning rough sleepers who haven't had access to the right kind of accommodation and support. The situation there is 50% rough sleepers, and work is being done with other agencies to create a support package. People are attracted to different areas, and there is a need for specialised accommodation in the East and West. In part due to Glastonbury, there is an attraction to rural areas for vehicle dwellers and rough sleepers, as there is a tolerant community and organisations that provide support. All services are seeing needs get more complex, and it is a national issue due to the economic and social situation at the moment.*

- What are the main preventative factors? *Where people are in accommodation, there are more options to retain that accommodation and ensure people remain housed, or finding alternative accommodation and supporting them through legal complications. There is also work around hospital discharge, with workers on wards to discuss accommodation when people are discharged, and prison releases also used to be a real issue, but there is now funding for specialist workers in North and South to work with people before they are released. Prevention can't eradicate homelessness, because life is complicated.*
- What are the different models of housing provision? *There is a housing first model which has 8 houses dedicated to it in West. There are currently 18 houses in East, increasing to 22. Work is being done for the most complex cases. RSI has a personalised budget to help people off the street, including a private rented budget to help with advance rent and working with other support agencies like the homeless nursing team.*
- Where there are schemes that people are placed in communities, need to appreciate the impact on those communities and do communication work. For example, Canons Grove.
- Is housing first a model you will be developing because it works well? *Yes. It's not low cost but when we find money we do it.*
- How do we find appropriate people to speak to about rough sleepers within the community? *There is a members Q&A sheet that shares the contact details for those resources.*
- How do you deal with ongoing problems of antisocial behaviour? *The team are good at intervening early. There may be a need for stronger action.*
- Are traveller issues separate? *We have failed to address this and get provision for travellers. There is work going on around non-bricks and mortar communities, including development of traveller sites. There is a specialist housing advisor in the East who works with that group.*
- What's the definition of rough sleeping versus homelessness? *They are the same – verified bedded down in a public place, or sleeping in a car that's not converted or in a shed, tent, or other shelter. Vehicle dwellers are often living in vans that are worse than rough sleeping.*

The team offered to do a members briefing including the strategic work that the team is doing so that members can be more aware.

Agenda Item 8

Christian Evans, Head of Business Partnering, and Kerry Prisco, Management Accounting and Reporting Lead, gave a presentation on the report, detailing the forecast overspend and how it will be financed.

During the discussion, the following points were raised:

- Variances are voids and unrecovered rents. Are they as you would expect at this time of year? *The team hasn't had the capacity to do a deep dive on the financing. There is a 31% increase in repairs, but we are not seeing that reflected in the workforce feedback. Voids are standard turnover of stock. Where there are major voids like the kitchen etc., more work needs to be done so that the voids team can inherit a better property. Can't reduce turnover but can make sure that the property is improved faster. There are also voids due to regeneration, as there is some demolition in areas. There is an action plan around this that could be brought to Scrutiny.*
- How much time was lost over Covid that slowed down the work and prevented people from entering the property? *Covid and compliance have taken a lot of capacity. A lot of the compliance work has been done and they are back on track with capital programmes.*
- HRA is a ringfenced account, but obviously other work in the council impacts on HRA. Is it still subject to the financial emergency spending limit? How does the scheme get reflected in HRA? *Yes, it is still subject to the £100 spending limit. There are crossovers with the general fund and vice versa, in areas such as flooding. Ringfencing means they have to be clear on what they are charging.*
- How does the council tax reduction scheme impact on revenue predictions? *Individual tenants take on that responsibility. The only impact is on void properties from a council tax perspective, as the discount has been removed.*

25 Scrutiny Communities Work Programme - Agenda Item 9

No further items were added to the Scrutiny – Communities work programme.

(The meeting ended at 1.39 pm)

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CHAIR