

Minutes of a Meeting of the Executive held in the John Meikle Room, The Deane House, Taunton, TA1 1HE, on Wednesday, 8 May 2024 at 10.00 am

Present:

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

Cllr Theo Butt Philip
Cllr Dixie Darch
Cllr Federica Smith-Roberts
Cllr Richard Wilkins

Cllr Adam Dance
Cllr Heather Shearer
Cllr Sarah Wakefield
Cllr Ros Wyke

In attendance:

Cllr David Fothergill
Cllr Jo Roundell Greene

Cllr Frances Nicholson
Cllr Lucy Trimnell

Other Members present remotely:

Cllr Steve Ashton
Cllr Mandy Chilcott
Cllr Bob Filmer
Cllr Edric Hobbs
Cllr Dawn Johnson
Cllr Andy Kendall
Cllr Tony Lock
Cllr Sue Osborne
Cllr Andy Soughton

Cllr Suria Aujla
Cllr Andy Dingwall
Cllr Andy Hadley
Cllr John Hunt
Cllr Val Keitch
Cllr Marcus Kravis
Cllr Martin Lovell
Cllr Leigh Redman
Cllr Martin Wale

13 Apologies for Absence - Agenda Item 1

7

There were no apologies received.

13 Minutes from the Previous Meeting - Agenda Item 2

8

The minutes of the Executive held on 8 April 2024 were agreed as a correct record and signed by the Chair.

13 Declarations of Interest - Agenda Item 3

9

Cllr Theo Butt-Philip - Wells City Council
Cllr Adam Dance - South Petherton Parish Council

Cllr Heather Shearer – Street Parish Council
Cllr Federica Smith-Roberts – Taunton Town Council
Cllr Richard Wilkins – Curry Rivel Parish Council
Cllr Ros Wyke - Westbury-sub-Mendip Parish Council

Cllr Marcus Kravis – declaration of interest as a local resident and business owner, regarding item 11 - Public Spaces Protection Orders for Dog Control (Somerset North Area)

**14
0** **Public Question Time - Agenda Item 4**

Public questions were received from Mr Nigel Behan, the questions were considered at Agenda Item 12 - Update on Waste Collection Contract.

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

**14
1** **Executive Forward Plan - Agenda Item 5**

The Executive noted the Forward Plan.

**14
2** **Octagon Theatre - Addition to Capital Programme - 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 present the report.

The Lead Member for Communities, Housing and Culture, Cllr Federica Smith-Roberts, presented the report, highlighting: that the extension and refurbishment of the Octagon Theatre in Yeovil had previously been part of the Council's capital programme, and that Members approved its removal due to it being unaffordable; summarised the cost and funding of the smaller Octagon refurbishment scheme, including the in principle offer from Yeovil Town Council and the Department for Culture Media and Sport (DCMS) guidance and grant.

The Leader of the Council, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: devolution discussions between Somerset Council and Yeovil Town Council, including service and delivery of the Octagon Theatre project, funding, public consultation and Westlands venue; Somerset Council as the accountable body and management of any risks within the business case; timescales of the submission of business case; and expressed thanks to officers and all partners involved in facilitating the process for application of funding and facilitation of the project.

Having been proposed by Cllr Federica Smith-Roberts, and seconded by Cllr Liz Leyshon, the Executive agreed an amendment to the recommendations, the addition of 'that the DCMS grant is finalised':

Full Council add the revised Octagon project to the Council Capital Programme, on

the proviso that the DCMS grant is finalised, that a build contract is not awarded and build work does not commence until a devolution deal has been finalised with Yeovil Town Council

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices, debate and an amendment, the Executive agreed to recommend to Full Council that:

Full Council add the revised Octagon project to the Council Capital Programme, on the proviso that the DCMS grant is finalised, that a build contract is not awarded and build work does not commence until a devolution deal has been finalised with Yeovil Town Council.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

14 Fixing of hackney carriage fares - Agenda Item 7

3

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Communities, Housing and Culture, Cllr Federica Smith-Roberts, to present the report.

The Lead Member for Communities, Housing and Culture, Cllr Federica Smith-Roberts, presented the report, highlighting: that the Licensing service is seeking to provide one unified table of fares for hackney carriage vehicles (taxis) across Somerset so that maximum fares are aligned across Somerset; the Lead Member summarised comments and feedback from public consultation and Scrutiny Committee – Communities 4 April 2024 and responses; that any table of fares is a maximum rate that can be charged, with the opportunity to work within the rates and the importance of striking a balance to provide the opportunity for a competitive taxi market; and the importance of taxis as a form of public transport especially in areas of limited or non-existent bus and rail options.

The Leader of the Council, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the impact of the increase in cost of living and motoring costs; the omission of a previously used area booking fee; auction of rank and the importance of a competitive market; the negotiation of and pricing of taxi fares; the importance of taxis in the community and the local economy; the importance of reviewing the taxi fares annually or biannually to avoid negatively impacting the travelling public; and the welcome consultation process and associated engagement.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive considered the objections against the proposal, and resolved to

adopt the recommended table of fares shown at Appendix 1 of the report, so that it may come into effect on the 20 May 2024.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

**14 Establishment of the Gravity Enterprise Zone Executive Sub-Committee -
4 Agenda Item 8**

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Economic Development, Planning & Assets, Cllr Ros Wyke, to present the report.

The Lead Member for Economic Development, Planning & Assets, Cllr Ros Wyke, presented the report, highlighting: the progress of delivery of the Gravity Enterprise Zone and development of the Gravity Locality Investment Plan, including compliance work, ongoing Government Department funding discussion, and Council resources and capacity; the collaboration with key local stakeholders to set up a local community forum; the recommendations agreed at the Executive meeting held on 12 March 2024, to enable the Council to progress the delivery of the enterprise zone; and the role of the proposed Sub Committee to provide a robust and transparent governance structure.

The Service Director Economy, Employment and Planning, Paul Hickson, further added to the above points, highlighting: community and member engagement, project monitoring and governance learnings from previous projects such as Hinckley Point C.

The Leader of the Council, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the governance route to oversee and act on feedback, and issues raised by Members, stakeholders and local communities through engagement and consultation with the relevant groups; the frequency of reporting to the Executive; expenditure and funding decisions and control through delegated powers; external critical assurance and internal assurance through internal audit: and the welcome contribution and communication from all communities across Somerset to deliver the best outcomes for Somerset residents.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive approved the proposed terms of reference for the Gravity Enterprise Zone Executive Sub-Committee included as Appendix 1 to this report and commends the progress with developing the Gravity Locality Investment Plan.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

14 Scrutiny Review Update - Agenda Item 9

5

The Leader of the Council, Cllr Bill Revans, introduced the report, highlighting that the purpose of the report was to update the Executive on the Scrutiny Review conducted by the five Scrutiny Committee Chairs, following endorsement at the Corporate and Resources Scrutiny Committee on 25 April 2024, and to seek support for the recommendations.

The Interim Head of Democratic Services, Scott Wooldridge, presented the report, highlighting: the pre vesting day cross-party, cross-scrutiny Task and Finish Group work and recommendations to establish views, suggestions and formal recommendations on how the scrutiny function should operate at Somerset Council post Vesting Day; the key points and focus of the recommendations; and that the recommendations would be considered at Full Council on 22 May 2024.

At the invitation of the Leader of the Council, Cllr Bill Revans, the Chair Scrutiny Committee Corporate and Resources, Cllr Bob Filmer and the Chair Scrutiny Committee Adults and Health, Cllr Gill Slocombe, commented on the Scrutiny Review Update.

The Chair of the Scrutiny Committee Corporate and Resources, Cllr Bob Filmer, welcomed the Executive and Full Council decision to keep the current Scrutiny function structure and emphasised the positive role of Scrutiny in helping and challenging the Executive where necessary. Cllr Filmer further commented on the importance of the coordinating of Scrutiny Committee and Executive meetings to aid the scrutiny feedback process. The Chair of the Scrutiny Committee Adults and Health, Cllr Gill Slocombe, added her support to Cllr Filmer's comments.

The Leader of the Council, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: Scrutiny Committee memberships, including political balance and geographical coverage representation, time and commitment, substitutes, attendance and the importance of Member engagement and topic understanding; timetabling challenges to coordinate Scrutiny Committees and Executive meetings and recent changes to the Scrutiny Committee timetable; the important role of Scrutiny Committees within a large Unitary Council; the opportunity to further review and develop Scrutiny; the work of Members to understand topics to ask relevant questions in the Scrutiny process; and the benefit of forward plans to avoid duplication and highlight issues that can be cross committee scrutinised. In summary Cllr Revans expressed thanks to the Scrutiny Committee Chairs, Vice Chairs, Members and Officers for their coordinated work to improve and develop better ways of working.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive considered, commented and supported the following recommendations agreed by the Corporate and Resources Committee and endorsed by the 5 Scrutiny Committee Chairs:

- 1. The current structure of 5 scrutiny committees to remain in place, with a further scrutiny review to be conducted by the scrutiny chairs in late 2024/early 2025 following any potential service restructure.**
- 2. The scrutiny manager is tasked with preparing a revised and improved scrutiny report template, which enables clearer and more concise presentation of reports, a standard consistency of reports across all 5 scrutiny committees, a clearer link between committee recommendations onto the Executive/Executive Member(s) and ensuring service areas clearly demonstrate where scrutiny is able to add value.**
- 3. That all 5 scrutiny committees adopt a consistent approach to dealing with information only items, in order that agendas are kept clear for items with specific recommendations and the opportunity for the committees to add value. This information also to include details of any delegated decisions the scrutiny chair has been consulted on.**
- 4. To bolster the links between all 5 scrutiny committees and the Executive by ensuring clear communication between the parties and encourage increased opportunities for committee chairs to update the Executive on areas of focus and present any recommendations/proposals the committee have agreed. Also for the Democratic Services team to establish a central record of all formal scrutiny recommendations and the responses to them.**
- 5. The scrutiny manager to liaise with the 5 Group Leaders in advance of the AGM Council meeting (May 2024) in order to provide detailed attendance information on each of the Committee's membership, to ensure committee membership and substitutes reflect maximum engagement and consistency.**
- 6. The scrutiny manager to liaise with the 5 Group Leaders to ensure a consistent, timely and wherever possible consistent approach to scrutiny substitutes.**
- 7. Elected committee membership to remain as 13 individual members.**
- 8. Continue with the monthly meetings of the 5 Scrutiny Chairs, Vice Chairs and scrutiny manager.**
- 9. Continued with the model of an Executive Director aligned to each Committee as the lead service officer and to encourage continued attendance from all relevant Executive Members.**
- 10. Supported the continuation of a dedicated scrutiny resource from the Democratic Services team, to allow for more effective and efficient scrutiny and increase scrutiny opportunities, whilst ensuring resilience within the officer cohort.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

14 LCN update and review - Agenda Item 10

6

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Transformation and Human Resources, Cllr Theo Butt Philip, to introduce the report.

The Lead Member for Transformation and Human Resources, Cllr Theo Butt Philip, introduced the report highlighting: the establishment, operation and development of the 18 LCNs; the key role of LCN participants; the role of LCN Working Groups; learnings from the Exmoor pilot; and that LCNs are in their fifth round with Annual General Meetings planned for June and July 2024.

The LCN Development and Engagement Manager, Kate Hellard, further added to the above points, highlighting: the focus of the paper primarily on changing the Terms of Reference but also to highlight current work regarding governance, staffing and support, geographies, participation and stakeholders; the detailed discussion at the Scrutiny Committee Corporate and Resources on 25 April 2024, and the agreement to establish a Scrutiny Task and Finish Group to inform a wider review; and work to create meetings that facilitate participation from all.

The Leader of the Council, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: acknowledgment of the work of Members, officers, partners and stakeholders; local commissioning work and funding accountability, local funding, equitable share of costs and the impact on smaller Parish Councils; LCN definition within the One Somerset Business Case; LCN foundations, ambition and developments, priorities and developing local solutions; the key role and positive impact of LCN Working Groups to better understand priorities to create and deliver action plans; the progress of LCNs and continued work to build relationships on an asset based approach to community development and facilitate communities working together to affect positive change locally; and LCNs as a conduit for Somerset residents given the amalgamation of the five Councils and disestablishment of District Councils;

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive considered the initial review of the 18 LCNs and agreed the amended Terms of Reference for LCNs.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

14 Public Spaces Protection Orders for Dog Control (Somerset North Area) -

7 Agenda Item 11

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.

The Lead Member for Communities, Housing and Culture, Cllr Federica Smith-Roberts, introduced the report, highlighting that the report sought approval for public spaces Protection Orders for dog control in Somerset North and Somerset West including areas where dogs are to be kept on lead where dogs or to be put on lead by order where dogs are to be prohibited and dog fouling. The Lead Member further summarised the consultation process responses; and highlighted the revised Appendix B and proposed amended report recommendation.

The Leader of the Council, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the Covid pandemic impact and the increase in dog ownership and antisocial dog behaviour; the environmental and economic impacts; the large amount of public interest and public engagement and compromise as a listening Council; adequate provision of dog waste bins; the work on consistent signage across the North and the West areas; clarity of the map line for Land (Dog Exclusion) designated by description for Minehead Beach from Golf Club Groyne to Jubilee Café steps; and suggestions and considerations for the next review point.

The Local Members for Minehead Division, Cllr Mandy Chilcott and Cllr Andy Hadley commented on the welcome opportunity for everyone to have space and enjoy Minehead beach and expressed thanks to officers for their work on the consultation process and proposals to consider.

Having been proposed by Cllr Federica Smith-Roberts and seconded by Cllr Sarah Wakefield the Executive agreed to the following addition to recommendation 'b':

'in amended Appendix B (to reinstate the dog exclusion area in Millenium Rose Garden, Minehead)'.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

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

- a. **The adoption and Implementation of the 'Public Space Protection Order (Dog Control – North Somerset) 2024' for dog fouling relating to the Somerset North area for dog fouling, dogs on lead by order, dogs on leads and exclusion of dogs relating to the Somerset North area, in Appendix A of the report.**
- b. **The adoption and implementation of the 'Public Space Protection Order (Dog Control – West Somerset) 2024' for dog fouling, dogs on lead by order, dogs on leads and exclusion of dogs relating to the Somerset West area, in**

Amended Appendix B (to reinstate the dog exclusion area in Millenium Rose Garden, Minehead).

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

14 Update on Waste Collection Contract - Agenda Item 12
8

The Leader of the Council, Bil Revans, invited the Lead Member for Environment and Climate Change, Cllr Dixie Darch, to introduce the report.

The Lead Member for Environment and Climate Change, Cllr Dixie Darch, introduced the report, highlighting: that Somerset Council have a contract for waste collection services with SUEZ which commenced during April 2020 and runs for 10 years, with the option to extend for a further 10 years; the highly visible and statutory provision of waste services to Somerset residents; that SUEZ have disclosed significant losses on the contract, and may terminate if the Council is unable to agree a settlement figure. Cllr Darch further summarised the purpose of the report including seeking a mandate to enter into negotiations with SUEZ to establish a solution which provides best value for Somerset residents.

The Service Director Climate and Sustainability, Kirsty Larkins, presented the report, highlighting: the commencement of the contract in April 2020 and the commercial challenges faced by SUEZ; the dispute claims issued by SUEZ, including progression through formal process and that the Council disputes the claims; the potential for the contract to become unviable; the Council appointment of an independent consultant to review costs and assess delivery models; on-going work with SUEZ to identify efficiency savings; and the focus on a solution which provides best value whilst causing minimal disruption to the residents of Somerset.

The Leader of the Council, Cllr Bill Revans, invited comments from other Members present, questions and points raised included: the impact of long term contracts across the public sector post the Covid pandemic through economic and financial challenges; local and national contract, procurement and commissioning pressure; the robust and rigorous process to award the contract; strategic risk monitoring and oversight of contracts through the Councils Audit Committee; the significant budget pressure on the budget gap for 2025/26 and onwards; and the reputational risk to Somerset Council.

Having been duly proposed and seconded, the Executive proceeded to vote on a proposal to enter confidential session.

Exclusion of the Press and Public

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.

The confidential session ended and the Council returned to public session

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

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

- a. The case for applying exemption information provision as set out in the Local Government Act 1972, Schedule 12A and therefore treat the attached confidential Appendix A in confidence, as it contains commercially sensitive and legal privilege information, and as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.**
- b. To exclude the press and public from the meeting during discussion regarding confidential Appendices (treated as exempt information).**
- c. To approve the negotiation mandate with SUEZ and instruct the Chief Executive to establish their final negotiated position as an alternative to renunciation of the Contract as set out in confidential Appendix A of the report.**
- d. That following conclusion of the negotiations with SUEZ by the Chief Executive a further report shall be brought back for a final decision setting out the SUEZ final offer and other alternative options.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

(The meeting ended at 1pm)

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CHAIR