

FULL COUNCIL

Date: 20 February 2024

Title: Somerset Council Update

Purpose of Report

To update Members on the current Somerset Council Financial situation and the transfer of assets and services.

Recommendation:

Members to resolve to delegate officers:

- a) To establish the areas for entering into SLA's for the maintenance of areas as opposed to taking over ownerships with SC. This to include verges, hedgerows and other green areas.
- b) To discuss the short-term arrangements for interim grass cutting and then the long term plans for land currently cut in Ilminster by Somerset Council.
- c) To negotiate future plans regarding what changes are to take place in respect of drains and pot gully maintenance and clearance. To also establish frequency of street cleaning and level of service that will be carried out in the coming years.
- d) To establish what highways training will be available for Ilminster staff to enable them to take on the duties on behalf of Somerset Council.
- e) To vire £6,000 from the Earmarked Reserves allocated in the 2024/25 budget for the Tuckshop/toilets refurbishment to cover the cleaning of the Toilets outside Tesco. Officers then to establish the implications if the lease is transferred to the Town Council.
- f) Produce a report detailing the costs and implications of dog and street bin emptying over the next year following meetings with Somerset Council.
- g) Officers to work with Somerset Council officers to establish the possible transfer of the two playgrounds at Greenfylde and Blackdown play parks. Details to then be brought back to Members for their consideration.

Background:

- 1. Members have been provided with numerous documents and reports outlining the financial difficulties that Somerset Council find themselves in.
- 2. The latest information from Somerset Council will be brought to the Town Council meeting verbally following Somerset Council's Full Council Meeting that is due to be held on the 20 February in order for Somerset Council to set a budget for 2024 – 2025.

3. At this current time, they have still not been made aware of whether or not they will be allowed to carry out the re-capitalisation plans that have been put before the Department for Levelling Up and Housing and Communities (DLUHC). As a result of the failure to obtain permission to increase their precept charge by an additional 5% to 9.99%, there has been a need to increase the request for recapitalisation to **£76.9 Mn**.
4. This figure is to cover the **£36.9 Mn** budget deficit and also **£40Mn** to cover the planned workforce reductions that are being undertaken. It is intended to reduce the number of people employed in the council by around **20-25%**. This will reduce staffing to around **4,000** people.
5. There has also been a new deficit figure for the financial year, **2025 - 2026** put forward of **£103.9 Mn** because of the failure to obtain the precept increase. This means that there will in fact be a bigger deficit than the forecast level of reserves of **£74.9 Mn**. This will mean that they will be required to Issue a Section 114 Notice unless it receives significant financial support in the coming year.
6. Ilminster Town Council has taken prudent steps financially to ensure that it will be in a position to limit the impact caused by the Somerset Council plans to carry out significant devolution of assets and to reduce services that it delivers to the communities.
7. The areas that will impact Ilminster are detailed below. The Clerk has been in discussion with officers at Somerset Council but, as has been reported in the past, specific details have been relatively sparse. It is hoped that post the Budget setting meeting that information will become more definitive.
8. There are a number of key areas that Somerset Council look after and maintain within Ilminster. It is clear that there will not be any payments that will come with any of the assets if they are handed over. Their current responsibilities currently include:
 - Maintenance of verges, hedgerows and roundabouts
 - Drainage and pot gulley maintenance
 - Street cleaning
 - Provision of toilets by Tesco in Swan precinct/Shudrick Lane
 - Dog and street bin emptying
 - Maintenance of Greenfylde and Blackdown play parks
 - Car parks
 - Library
9. Following a meeting on Tuesday 14 February between the two council's officers. It has been agreed that a further meeting will take place with the service heads responsible for the following areas.
 - Head of Operations, Regulatory & Operational Services
 - Head of Highways

10. As part of these meetings they are requesting that the Town Council put forward a proposal package of what it might be willing to take over, or manage alongside SC.

Report:

11. One notable change to the plans for Somerset Council (SC) for 2024/25 is that they are now planning to defer some of the proposed Highways savings until 2025/26. This is to enable discussions to take place between SC and various lower tier councils such as Ilminster.

“We will work with Parish Councils and communities to empower them to either undertake some of this work themselves, 'buy back' a level of service, order work themselves through our contracts, or enable local skilled people to be trained to undertake certain tasks where the level of risk is appropriate. There are various mechanisms that can be set up to facilitate these conversations including a Local Community Network (LCN) highways sub-group, a 'parish pricelist' with the Councils new maintenance contractors, and a parish steward scheme that can be purchased through our contracts. We are also developing a health and safety training programme to enable appropriate working in the highway environment.”

12. One aspect that is clear and has been reinforced in both the Scrutiny and Executive meetings is the expectation that the City/Town/Parish (CTP) councils will be required to take far more of a responsibility than they have in the past.
13. A concern has been raised with both of Ilminster’s Ward Members, that whilst we are able to take on some aspects, there does seem to be an increasing momentum amongst Members of Somerset Council and Officers to say “well the CTP Councils will have to take this on or accept that they will lose it.”
14. As you know there have been fortnightly meetings with Clerks and whilst these have been good for providing information that has then been passed to Members, they are not providing detailed information and do have a tendency to be along the lines of this is what is going to happen in a “global” manner. This means that meaningful information has not been provided.
15. An amendment has been proposed to the original budget plan for SC and that is to make **£600,000** available to assist the CTP councils with administrative costs associated with the devolution of services and assets. I have raised the concern with the ward Members that this should not all be allocated to the big 5 Town Councils in Somerset of Bridgewater, Frome, Taunton, Wells and Yeovil.
16. I have asked that mechanisms are put in place to ensure that the smaller towns and parishes are able to access some of this funding in order to cover their associated costs since this will be a far bigger proportion of their precept than the larger councils. It is hoped that a question around this will be tabled at the Full Council meeting.
17. Taking the various areas that SC wish to put into a package for consideration it is best done by looking at them under the headings given earlier in the report.

Maintenance of verges, hedgerows and roundabouts

18. Through the recent Community Consultation (**Appendix 21A**), emails, social media and conversations with members of the community, this has been a major area of angst over the past 18 months and more.
19. It is clear that whilst the intended cutbacks have been rolled back for a year, the delivery of cuts and maintenance was already at an unacceptable level for more than a small minority of residents in certain places. This included the verges alongside a number of roads in Ilminster especially along Canal Way and the roundabouts.
20. It is planned that as part of the discussions, interim grass cutting by the open spaces team will take place in clearly defined areas and frequencies. This will have the immediate benefit of showing the town in a better light. We can then discuss the longer-term desire to take on responsibility in 2025/26 the full-time maintenance of these areas. The discussions can clearly define what these areas will be both in the short and longer term.
21. Having spoken with the Open Spaces Manager and the Deputy Clerk it is clear that there are some areas of the town that are currently maintained by SC that will be beyond our outdoor staff to maintain due to the need for specialist equipment.
22. Officers are discussing entering into SLA's for the maintenance of the areas as opposed to taking over ownership. The reasons for this action have been detailed in past meetings. There is also a need to look at what will be put into place in respect of training to allow this work to be carried out in a lawful and safe manner.

Drainage and pot gulley maintenance

23. This has also been the subject of much concern and the way that it has impacted upon some of the flooding in the town. Discussions will be held so that we can look at ways for a dedicated member of staff to be utilised to carry out inspections and low level clearing and to have the authority to request from Highways more specialised equipment where appropriate. The cost of doing this will need to be understood. That is, will the Town Council be charged or will this be a cost that will accrue to SC.
24. It is hoped that we will be able to obtain further information on the planned number of visits taking place in Ilminster in 2024/25 and what the longer-term plans will be.

Street cleaning

25. We have been given no clear picture yet as to how street cleaning will be affected by all the changes. Again this is something that the meetings will I hope be able to establish.
26. As part of the discussions on the above three areas, we will be provided with more information on the SC provided Highways Steward role that is being provided by Keir. It had been promised that a "Pricing Menu" would have been made available allowing

for various options to be selected rather than pay for a full person. It would appear that this will not now be available until the summer.

27. What is known at the moment is that to buy in a Steward from Keir will be a cost of approximately **£50,000** that will be charged. What the finer details are of this once again have not been provided but it is hoped that an email will be sent containing further information in the next few days.
28. Members have discussed in previous meetings the possibility of looking at employing our own warden who would have a responsibility for these areas and potentially working with other councils to cover the services that they may need through the employment of a second warden part funded initially by this council and possibly another town council.
29. Funding has been allocated but with the deferral of the Highways cuts this places less pressure on the need to recruit someone but this budget will be ringfenced for use in the future.

Toilets by Tesco Swan Precinct/Shudrick Lane

30. We have been notified that the toilets will be closed from the 31 March 2024 if the budget plans for SC are approved on the 20 February. An offer has been made that if the town wishes to pay the cleaning costs for 2024/25 of £6,000 then they will remain open pending the transfer of the lease to Ilminster Town Council.
31. The current lease is with Tesco Stores and runs from 2007 until 2032 for a period of 25 years. The Deputy Clerk has been in touch with the store, and they were unaware of the fact that there was an agreement in place for the running and maintenance of the toilets and that this was all dealt with at their Head Office. A copy of the lease is available to view in the office.
32. The building is required to be painted externally every three years and internally every five years. There is also a requirement any repairs should be carried out at the same time. In addition there will be a requirement for annual inspections to take place and for additional insurance to be taken out for the building.
33. Full details have been requested from SC for the running of the toilets as it is clear that **£6,000** is not in fact the “full” costs of running and maintaining them. A conservative estimate for maintaining these should be set at **£40,000** per year and that is based upon the assumption that all the required maintenance work has been carried out over the past few years. It would also be worth bearing in mind that any works required to the pipework would be far more expensive at these toilets than those at the recreation ground due to the paved surface surrounding the building.
34. As part of any transfer it would be advisable for a full survey to be carried out and that SC should be expected to pick up the costs of this and all of Ilminster Town Council’s legal costs.
35. Members may wish officers to pursue the option to keep the toilets open. If that is an option that is agreed, the **£6,000** could be vired across from the Earmarked Reserves

that have been identified for the recreation ground toilet block/tuck shop to be used to pay for the cleaning of SC's toilet block for 2024/25. As the drainage for the disabled toilet has now been identified as not broken some of the **£10,000** funds allocated could be made available.

36. It should be noted that relatively few people identified these toilets as a priority for the council to consider keeping open. They may be used heavily on two or three days a year and this may cause a disproportionate amount of "noise" compared to the real concern over closing them.

Dog and street bin emptying

37. It is clear that there will be a charge for the emptying of the bins that are currently being emptied by SC. They are proposing a charge of **£7.82** per bin per collection and emptying for next year.
38. A request has been made for SC to provide full details of the number and frequency of bins being emptied over the past year so that we can look at what the exact cost will be. There is also the need to factor in the cost for the collection of waste that is collected by the open spaces team. Currently there is no charge made for this collection.
39. Once full details have been made available to us, then we will then be able to look at obtaining a cost comparison from alternative providers. There is a report contained on this agenda that details the need to dispose of chemicals and one of the companies can in fact provide quotes to us for the emptying of the bins.
40. Officers are looking to push SC into providing a "Waste Transfer License" on an annual basis since this is a cost neutral matter. Currently they receive no income from us in this respect and we will in fact be picking up some of the activities that they currently carry out. It will also then aid us if we have to deal with fly tipping and disposal of roadside rubbish in the future.
41. Once we have all the information we will compile a report for Members to consider at a future meeting.

Maintenance of Greenfylde and Blackdown Play Parks

42. Both play parks are operated and maintained by SC at the current time. The Open Spaces Manager has carried out an inspection of the equipment at both playparks and it has been reported to Members that he found them to be in a vastly differing condition. In the Community Consultation this was an area that was a concern for a number of people for being looked at and addressed.
43. **Greenfylde** is a relatively new park having been installed around 2019 and is in good condition. There should be some outstanding commuted sums available for this play park. According to the S106 funding spreadsheet there are sums of commuted funding that could be allocated towards the maintenance of the play park at Greenfylde. The maintenance and upkeep of this would in the short term not placing a heavy financial burden on the Town Council going forward.

44. Unfortunately, the same cannot be said for the play park at **Blackdown**. This at most has 12/24 months life left in it before most of the equipment will be unsafe or of such a poor condition that it will require removal. The play park is in urgent need of refurbishment.
45. Somerset Council has already halted all play park refurbishment schemes for 12 months and so there is no prospect that any work will be done in the near future. If left in the care of SC, most equipment will be removed.
46. Currently there is a basketball hoop in place at Blackdown and one thought is to ensure that this and the area around it is upgraded and kept. There will then need to be a way forward to fund the replacement of the play equipment.
47. This would potentially be in excess of **£90,000** to achieve. The refurbishment of the play park at **Winterhay** cost **£73,999** to achieve and we have received numerous compliments from people about the equipment and the way the area now looks. This includes people who were concerned about the fence being changed around the play park.
48. One of the conditions that officers would look at from SC is an assurance that funding would be identified in the future to assist with the refurbishment if at all possible, and for assistance to help identify other funding streams. This would include ensuring that all S106/CIL funding applications go through the Town Council to ensure that money identified does not get redirected to other projects without the approval and knowledge of the council.
49. It would be appropriate for the Town Council to seek to take on ownership of both play parks since they will over time be expected to spend significant sums on the installation and maintenance of equipment of these areas. However, Members may feel it would be better to operate the areas under an SLA.

Libraries and Car Parks

50. Currently there are no indications that SC will be willing to transfer any of the car parks across to Ilminster Town Council or any other councils. However, there are thoughts that the council would benefit from the transfer of part of Wharf Lane car park should the school vacate the Red Cross building.
51. We are not currently hearing of any changes that will impact upon the Library in Ilminster. Should however SC change the designation of Ilminster Library then that may change.

Summary of possible proposals for discussion with Heads of Service at Somerset Council

52. Officers to establish the areas for entering into SLA's for the maintenance of areas as opposed to taking over ownerships with SC. This would include verges, hedgerows and other green areas.

AGENDA ITEM 21

53. To discuss the short-term arrangements for interim grass cutting and then the long term plans for land currently cut in Ilminster by Somerset Council.
54. Officers to negotiate future plans regarding what changes are to take place in respect of drains and pot gully maintenance and clearance. To also establish frequency of street cleaning and level of service that will be carried out in the coming years.
55. To establish what highways training will be available for Ilminster staff to enable them to take on the duties on behalf of Somerset Council.
56. Town Council to agree to the virement of **£6,000** from the Earmarked Reserves allocated in the 2024/25 budget for the tuck shop/toilets refurbishment to cover the cleaning of the toilets outside Tesco. Officers then to establish the implications if the lease was to be transferred to the Town Council.
57. A report to be produced detailing the costs and implications of dog and street bin emptying over the next year.
58. Officers to work with SC officers to establish the possible transfer of the two play parks at Greenfylde and Blackdown. Details to then be brought back to Members for their consideration.
59. Members are free to suggest additional actions or take any of the suggested actions out of the motion.

Mark Tredwin
Town Clerk
February 2024