

Yeovil Town Council



Town House
19 Union Street
Yeovil
Somerset
BA20 1PQ

Yeovil Town Council

Yeovil Town Council

Tuesday 5th March 2024

7:30pm

Town House, 19 Union Street, Yeovil BA20 1PQ

For further information on the items to be discussed, please contact town.clerk@yeovil.gov.uk.

Amanda Card, Town Clerk
28th February 2024

This information is also available on our website: www.yeovil.gov.uk

Members of Yeovil Town Council are summoned to attend:

Andy Kendall – Mayor of Yeovil Town

Emma-Jayne Hopkins – Deputy Mayor of Yeovil Town

Barry Boyton

Graham Oakes

Jade Cabell

Evie Potts-Jones

Tareth Casey

Wes Read

Kayleigh Fieldsend

Ashley Richards

Vacancy

Jeny Snell

Karl Gill

Andy Soughton

Kaysar Hussain

Roy Spinner

Tony Lock

Rob Stickland

Jamie Lock

Helen Stonier

Sarah Lowery

Adrian Wilkes

Jane Lowery

Dave Woan

Public Comments at meetings

Members of the public may attend the meeting either physically or via zoom.

If you would like to join the meeting via zoom, please e-mail ytic@yeovil.gov.uk by 9:00am on Tuesday 5th March 2024. Instructions will be sent to you to view the meeting.

Equality Act 2010

The general public sector equality duty places an obligation on a wide range of public bodies (including town and parish councils) in the exercise of their functions to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

The protected characteristics are:

Age	Race
Disability	Religion or Belief
Gender Reassignment	Sex
Marriage and Civil Partnership	Sexual Orientation
Pregnancy and Maternity	

Recording of Council Meetings

The Local Audit and Accountability Act 2014 allows both the public and press to take photographs, film and audio record the proceedings and report on all public meetings (including on social media).

Any member of the public wishing to record or film proceedings must let the Chairman of the meeting know prior to, or at the start of, the meeting and the recording must be overt (i.e. clearly visible to anyone at the meeting), but non-disruptive. Please refer to our Policy on audio/visual recording and photography at Council meetings at www.yeovil.gov.uk. This permission does not extend to private meetings or parts of meetings which are not open to the public.

Members of the public exercising their right to speak during the time allocated for Public Comment who do not wish to be recorded or filmed, need to inform the Chairman who will instruct those taking a recording or filming to cease doing so while they speak.

A G E N D A

Public Comment (15 Minutes)

11/146 APOLOGIES FOR ABSENCE AND TO CONSIDER THE REASONS GIVEN

Council to receive apologies for absence and consider the reasons given. *LGA 1972 s85(1)*

11/147 DECLARATIONS OF INTEREST

Members to declare any interests, including Disclosable Pecuniary Interests (DPI) they may have in agenda items that accord with the requirements of the Town Council's Code of Conduct and to consider any requests from members for Dispensations that accord with Localism Act 2011 s33(b-e). (NB this does not preclude any later declarations).

11/148 MINUTES OF THE PREVIOUS TOWN COUNCIL MEETING

To confirm as a correct record the Minutes of the previous Town Council Meeting held on 30 January 2024.

11/149 MAYOR AND DEPUTY MAYOR'S RECENT AND FORTHCOMING ENGAGEMENTS AND ANNOUNCEMENTS

To note the Mayor and Deputy Mayor's recent and forthcoming engagements as attached at pages 5 to 7.

11/150 CORRESPONDENCE

To consider any correspondence received.

11/151 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

Members who represent the Town Council on outside bodies should take this opportunity to report on any matters of interest.

- LCN Yeovil – 25th January 2024 (minutes previously circulated).

Due to the resignation of councillors, it should be noted that the following Outside Bodies will now be represented by the Councillors shown below:

- Woborns Almshouse – still awaiting volunteers
- Yeovil Crematorium and Cemetery Committee – Cllr H Stonier
- Yeovil Recreation Charity – Cllr H Stonier and Cllr A Wilkes

11/152 MAYOR ELECT AND DEPUTY MAYOR ELECT

Members to consider nominations for the office of Town Mayor and Deputy Mayor for the Municipal Year 2024/25. The election of Town Mayor and Deputy Mayor will take place at the next Annual Meeting of the Town Council, which will be held on 7th May 2024.

11/153 DEVOLUTION OF ASSETS AND SERVICES UPDATE

Members to note the report as attached at pages 8 to 14.

11/154 MOTION FROM CLLR G OAKES

Notice of motion received from Cllr G Oakes on 22nd February 2024: *Standing Orders s9*

The Council will debate the motion below:

“This council notes with concern the decision of the Integrated Care Board to centralise Stroke Services in Taunton.

The consequence of this decision is lengthened travel time for Yeovil and surrounding area residents during the crucial hours after they have had a Stroke.

This Council is opposed to the decision to reduce Stroke Services at Yeovil District Hospital and calls on the Secretary of State to call in the decision to centralise Stroke services in Taunton.”

Public Comment (15 Minutes)

List of Engagements attended/to be attended by the Mayor of Yeovil, Councillor Andy Kendall and the Deputy Mayor of Yeovil, Councillor Emma-Jayne Hopkins 30 January 2024 to 7 May 2024.

<u>February Engagements</u>	
02/02/2024	- The Mayor of Yeovil, Councillor Andy Kendall attended the Yeovil Amateur Pantomime Society's production of Treasure Island
08/02/2024	- The Mayor of Yeovil, Councillor Andy Kendall visited Dodham Brook for Phosphate Testing
17/02/2024	- The Mayor of Yeovil, Councillor Andy Kendall attended The Mayor of Taunton's Fundraising Concert
22/02/2024	- The Mayor of Yeovil, Councillor Andy Kendall attended the Dramatic Community Performance of 'Sisterhood Stories' at the Lighthouse Theatre in support to Ukraine
24/02/2024	- The Mayor of Yeovil, Councillor Andy Kendall attended Crewkerne Civic Reception
28/02/2024	- The Mayor of Yeovil, Councillor Andy Kendall attended the Mayor of Sherborne's Civic Day
29/02/2024	- The Mayor of Yeovil, Councillor Andy Kendall visited Natalie Walton - YMCA
<u>March Engagements</u>	
01/03/2024	- The Mayor of Yeovil, Councillor Andy Kendall attended the High Sheriff of Somerset's Lunch
03/03/2024	- The Mayor of Yeovil, Councillor Andy Kendall attended Axbridge Civic Service
05/03/2024	- The Mayor of Yeovil, Councillor Andy Kendall attended Portland Civic Day
09/03/2024	- The Deputy Mayor of Yeovil, Councillor Emma-Jayne Hopkins will attend Gods House International Celebrations

17/03/2024	- The Mayor of Yeovil, Councillor Andy Kendall will attend the Legal Service at Wells Cathedral
20/03/2024	- The Deputy Mayor of Yeovil, Councillor Emma-Jayne Hopkins will attend the opening of Automotive Engineering Centre at Yeovil College
23/03/2024	- The Mayor of Yeovil, Councillor Andy Kendall, will attend Yeovil Amateur Operatic Society's production of 'Oklahoma'
24/03/2024	- The Mayor of Yeovil, Councillor Andy Kendall and Deputy Mayor of Yeovil, Councillor Emma-Jayne Hopkins will start both races and present the medals to the finishers at the Yeovil Half Marathon
27/03/2024	- The Mayor of Yeovil, Councillor Andy Kendall, will attend The Mayor of Weymouth's Civic Day
28/03/2024	- The Mayor of Yeovil, Councillor Andy Kendall and Yeovil Town Crier, David Recardo will attend The Knoll Nursing Home for Easter Celebrations
<u>April Engagements</u>	
13/04/2024	- The Mayor of Yeovil, Councillor Andy Kendall and Yeovil Town Crier, David Recardo will attend the Wessex Beardsmen Festival
14/04/2024	- The Mayor of Yeovil, Councillor Andy Kendall will attend the Mayor of Wellington's 50 th Anniversary Civic Service
20/04/2024	- The Mayor of Yeovil, Councillor Andy Kendall will attend the Annual Town Criers Competition
21/04/2024	- The Mayor of Yeovil, Councillor Andy Kendall and The Town Clerk, Amanda Card will attend the St Georges Day Parade
<u>May Engagements</u>	
04/05/2024	- The Mayor of Yeovil, Councillor Andy Kendall will Officially Open the Abbey Steam Hill Rally at the Yeovil Showground

Background

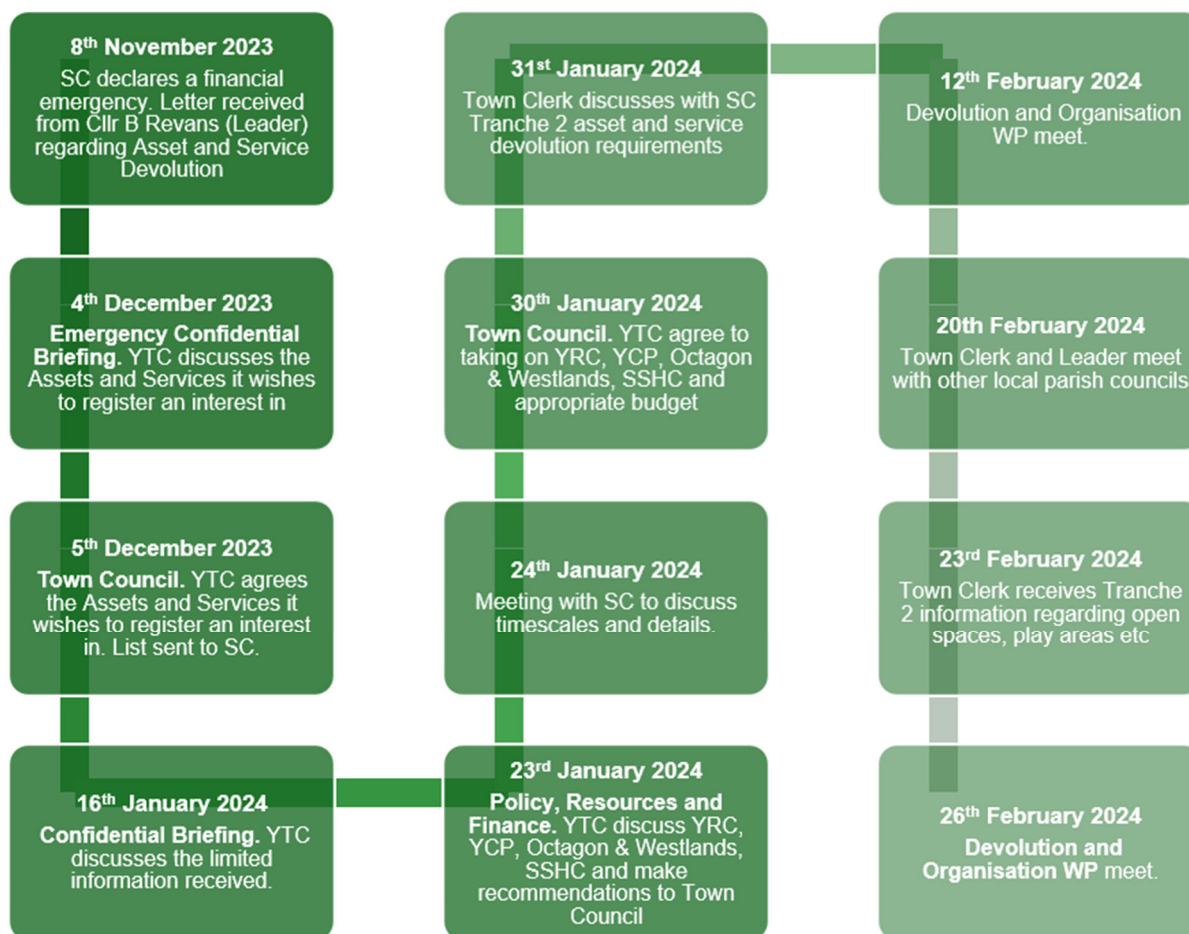
At its meeting held on 30th January 2024, Council agreed to take over the following services, with the budget as detailed:

Devolution of Services:	
Yeovil Recreation Centre (including café)	£240,787
Yeovil Country Park (including café)	£138,136
South Somerset Heritage Collection	£49,144
Octagon Theatre & Westlands Entertainment Venue	£573,300
Total Service Devolution	£1,001,367

They recognised that dates of transfer and the details needed to be developed and finalised.

Timeline

The project has developed at a very fast pace. The timeline below shows key milestones



South Somerset Heritage Collection (SSHC)

The Town Clerk visited the SSHC on 23rd February 2024 to understand the extent of the collection. The collection is formed from over 30,000 objects and 6,000 photographs reflecting the heritage of Yeovil and South Somerset. The collection is stored within the Lufton Depot and occupies 2500 ft². A large part of the collection is stored in an inbuilt temperature, moisture and air-controlled unit which was funded by the National Lottery Heritage Fund. The collection is available for public viewing by appointment.

A major concern is that Lufton Depot as a whole has a high commercial value, and that due to the financial situation at Somerset Council, there is a high likelihood that the site could be sold. This creates a number of issues:

- YTC have taken on the collection on the understanding that the service will continue from its current location.
- If the Lufton Depot is sold, a suitable sized building would have to be found and the items professionally decanted so that both the collection and the logged information relating to the collection are safely moved.
- The cost of the alternative location and moving the collection to an alternative location has not been factored into the budget.
- It is not clear whether there are any conditions which apply to this grant which funded the inbuilt storage facility.
- Since the storage facility is not movable if the collection were to be moved, the conditions that the storage facilities provide will need to be replicated.
- There are other items which require safe and secure storage.

Somerset Council have proposed that they will retain ownership of the collection and would be responsible for the insurance. There are several reasons for this proposal, firstly the transfer of ownership could be a lengthy, complex and costly exercise. There may be conditions that have been attached to various items of the collection which would make a transfer of the whole collection very challenging. The insurance premiums could be quite significant. The working party raised concerns that if they were not in ownership of the collection, that the collection could be taken out of Yeovil to Taunton; and that the priority was to keep the collection in Yeovil.

Discussions are underway with South West Heritage Trust about partnership working to ensure the effective and efficient delivery of this service. Such a partnership will bring benefits in relation to access of alternative funding which would not be readily available to a Council, advanced skills and knowledge, and the UK Museum Accreditation Scheme (UK industry standards for museums and galleries which ensure that museums manage their collections properly, engage with visitors, and are governed appropriately). Any partnership working could be managed under a Service Level Agreement. There is one member of staff and the TUPE (Transfer of

Undertakings Protection of Employment rights) arrangements need consideration. The Town Clerk, under direction of the Working Party, is working with South West Heritage Trust to put together a proposal.

Yeovil Recreation Centre

This service is a priority and the entire service needs to be transferred by 1st August 2024.

There are 8 parcels of land (see map – area highlighted in blue) that make up the Yeovil Recreation Centre site. The freehold of this site will need to be legally transferred to Yeovil Town Council and will require legal advice. There is a need to safeguard Yeovil Town Council due to the risk of Somerset Council issuing a Section 114 notice which could happen before the legal transfer of the freehold. Options are being discussed. No further information can be given at this stage.

The Town Clerk and the Deputy Town Clerk (HF) have received a detailed tour of the site and facilities by the Case Officer – Activities.

Clarification is being sought on which members of staff will transfer under TUPE (no further information can be given at this stage due to the confidential nature and data protection). Broadly, the TUPE regulations state that if an employee spends 50% or more of their time on the transferring service, they will be transferred with that service. The manager of the Café manages both the Yeovil Rec Café and the Ninesprings café.

A number of partnership opportunities have been identified, namely Yeovil Olympiads, Yeovil and Sherborne Hockey Club and Yeovil College. A meeting has been held with Yeovil College to ascertain partnership opportunities. Meetings will be set up with both Yeovil Olympiads, Yeovil and Sherborne Hockey Club soon.

The Assistant Town Clerk is investigating the IT needs and how the site will be connected to the server at Town House (HQ). Further information and investigations need to be carried out regarding the operations, and how cash collection and invoicing will be managed.

Yeovil Country Park

This service is a priority and the entire service needs to be transferred by 1st August 2024.

There are 27 parcels of land (see map – area highlighted in red) that make up the Yeovil Country Park site. The freehold of this site will need to be legally transferred to Yeovil Town Council and will require legal advice. There is a need to safeguard Yeovil

Town Council due to the risk of Somerset Council issuing a Section 114 notice which could happen before the legal transfer of the freehold. Options are being discussed. No further information can be given at this stage.

Yeovil Country Park staff will transfer but without any management. Yeovil Town Council will be considering how this area will be managed going forward. The manager of the Café manages both the Ninesprings Café and the Yeovil Rec café.

The Assistant Town Clerk is investigating the IT needs and how the site will be connected to the server at Town House (HQ). Further information and investigations need to be carried out regarding the operations, and how cash collection and invoicing will be managed.

Octagon Theatre and Westlands Entertainment Venue

The transfer date of Westlands Entertainment Venue has not yet been agreed, although it will be as soon after 1st August 2024 as possible.

The entire Westlands site is leased from Leonardo to Somerset Council, and discussions are being held about the leasing arrangements regarding the Westlands Entertainment Venue. It does seem likely that Somerset Council will sublease to Yeovil Town Council the Westlands Entertainment Venue along with the allotment site and the model railway site (see map – area highlighted in yellow).

In terms of the Octagon Theatre, Members will be aware that a grant bid has been submitted to DCMS for £10 million. The outcome of this bid will be known in late March and at this stage, the Town Council will be in a better position to ascertain the next steps.

In the meantime, the operations of the Octagon Theatre have been transferred to Westlands Entertainment Venue. Due to these circumstances, it is not possible to split the budget between both sites. Staff work across both sites, so are currently deployed at Westlands Entertainment Venue. The staff will transfer under TUPE.

Legal Support regarding Transfer of Assets and TUPE

The Town Clerk is undergoing a procurement process to ensure that there is adequate legal support in terms of transferring assets and staff. The transfer of the assets and titles will clearly require a solicitor to act on behalf of the Town Council. TUPE is a very complicated process and the Town Council will be required to follow the legal steps.

In addition, the Town Clerk is undergoing a process to appoint a commercial agent who will act on behalf of the Town Council to ensure that all aspects of the transfer of property have been considered.

The legal support and commercial agent will clearly come at a cost, but this is imperative to ensure that the Town Council have the best set up going forward.

CCTV

Discussions are being held with Somerset Council regarding the continuation of CCTV. A report will be taken to the March meeting of Buildings and Civic Matters. This will initially be discussed in confidential session, but following the committee processes, will be discussed in public session at the next meeting of Town Council.

Public Toilets

Yeovil Town Council manage both Petters Way and Peter Street toilets. There are no plans to stop providing these services, therefore the loss of these facilities are not at risk.

Both sets of toilets are owned by Somerset Council, and the Town Council will be expecting the freehold of these toilets to be transferred in the future.

Tranche 2

There are a number of other services which are at risk of either being significantly reduced or eliminated entirely from Somerset Council's remit. These include (but not limited to) parks and open spaces. Members will be aware that Yeovil Town Council are currently responsible for some parks and open spaces and that there is a Service Level Agreement in place with Somerset Council who then manage these areas on behalf of Yeovil Town Council. A thorough exercise is planned, pending review of information provided by Somerset Council. At this stage, Yeovil Town Council will consider bringing the management of these parks and open spaces back in house, as well as considering taking over the parks and open spaces not currently in scope of the Service Level Agreement.

Further reports will be considered regarding Tranche 2 devolution.

Meeting with neighbouring parishes

The Leader of the Council and the Town Clerk held a meeting on 20th February 2024 with the Clerks and Chairs or Vice Chairs of neighbouring parishes. This meeting gave opportunity for both the Town Council's plans to be discussed and for the neighbouring parishes to be part of the plans.

The next steps are for the representatives of the neighbouring parishes to discuss with the members of their parishes what support they may be prepared to give Yeovil Town Council.

Committee Structures and Staffing Structure

Going forward there will be a necessity for Yeovil Town Council to review the Committee Structure and the staffing structure to amalgamate the transferred services and staff with the existing services and staff.

Conclusion

A lot of work has taken place to ensure that Yeovil Town Council are in the best possible position going forward. The timescales continue to be very tight and it is clear that there is a lot more work to be done.

Please note that if you have any questions relating to this report, for an answer to be available on the evening, please contact the Town Clerk in good time before the meeting. Please be aware that answers may not yet be available or that due to the confidential nature of specific elements, the information will not be available to discuss in public session.

The Committee is **RECOMMENDED** to note the report.

(Amanda Card, Town Clerk – 01935 382424 or amanda.card@yeovil.gov.uk)

