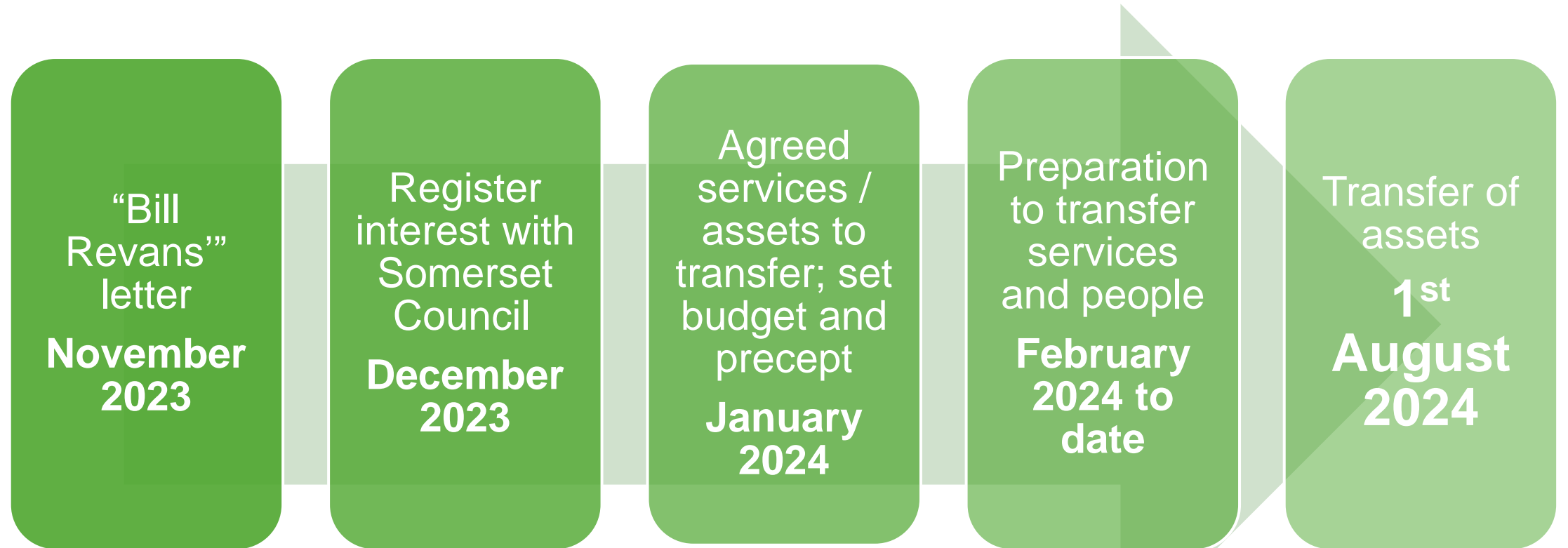


Devolution

Amanda Card
Chief Executive/Town Clerk



Timeline



Power

- Localism Act 2011
- Section 1 – General Power of Competence
- A Local Authority has the power to do anything that an individual generally may do
- Resolution 25th May 2022

11/012 GENERAL POWER OF COMPETENCE

Council considered the report of the Town Clerk that indicated that Yeovil Town Council was eligible to exercise the General Power of Competence in that the Town Clerk held the Certificate in Local Council Administration (CiLCA) and that a minimum of two-thirds of members were elected meaning that the Council had an electoral mandate.

RESOLVED: that Yeovil Town Council hereby confirms that it meets the statutory criteria set out in the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 and is thereby entitled to exercise the General Power of Competence contained in the Localism Act 2011.



Land Transfers - LGA 1972 s123

- **Disposal of Public Open Spaces**

- SC - Public notices informing of intention to dispose
- Yeovil Country Park
- Yeovil Recreation Centre

- **Disposal of land for purposes other than housing or planning**

- Council cannot dispose of land for less than best consideration
- Except with consent of Secretary of State
 - Unless:
 - Helps secure promotion or improvement economic, social or environmental well-being; and
 - Value < £2 million
 - If undervalue > £2 million – Technical valuation require and apply to Secretary of State
 - Likely disposal of land undervalue > £2 million



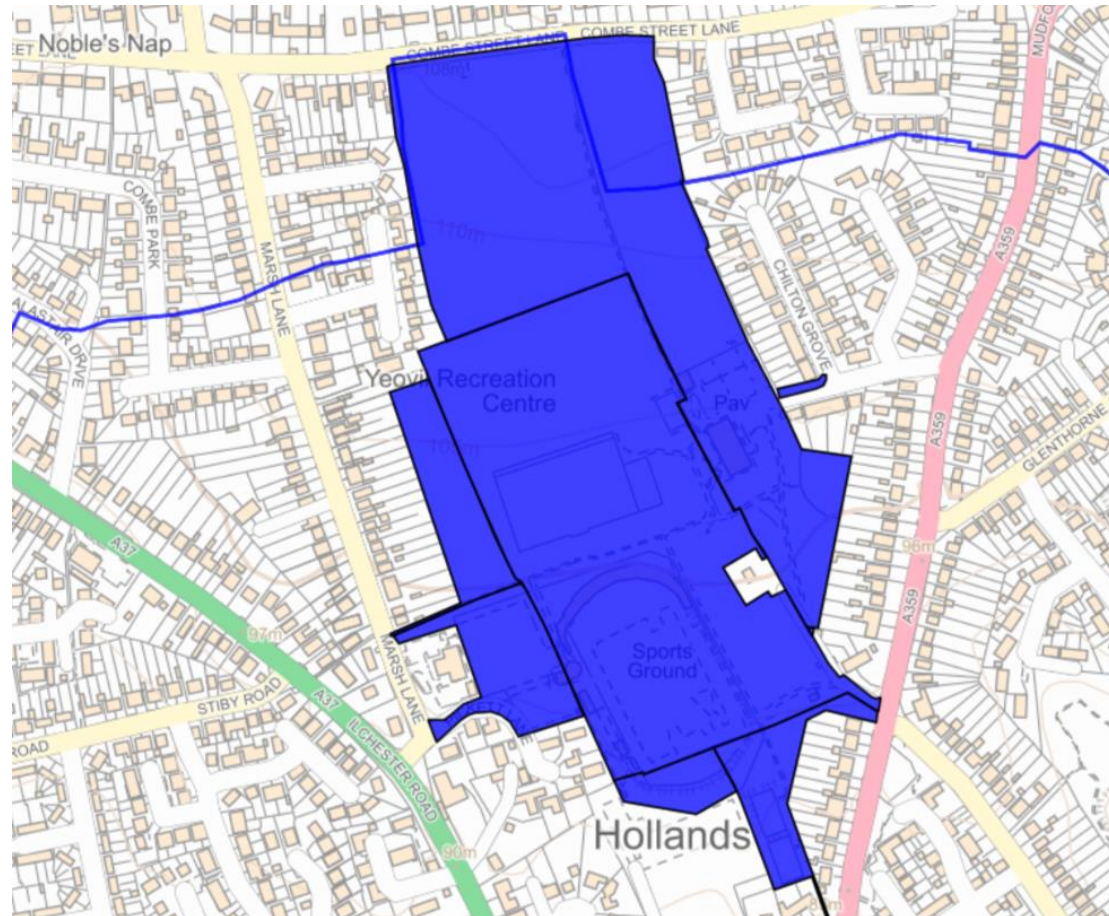
Land Transfers - LGA 1972 s123

- **SC likely disposal of land undervalue > £2 million as will apply to:**
 - Yeovil Recreation Centre (freehold)
 - Yeovil Country Park (freehold)
 - Westlands Entertainment Venue (leasehold)
 - Land adjacent to former Goldcroft Allotment (freehold)
 - Store at Monmouth Hall (freehold)

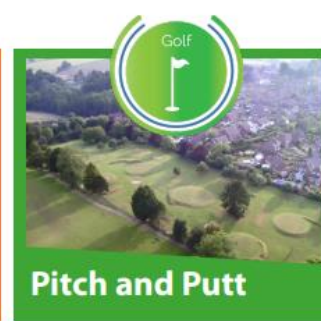


Yeovil Recreation Centre

- **Complicated site – 8 known titles, covering approx. 40 acres**



Yeovil Recreation Centre



Yeovil Recreation Centre

- Land will be transferred on freehold basis
- Some complexities relating restrictions and covenants
- YTC will hold right to use land under a licence to occupy from 1st August 2024
- Further information regarding services can be found at: <https://www.yeovilrec.co.uk/>



Yeovil Country Park

- **Complicated site – 29 known titles, covering approx. 157 acres**

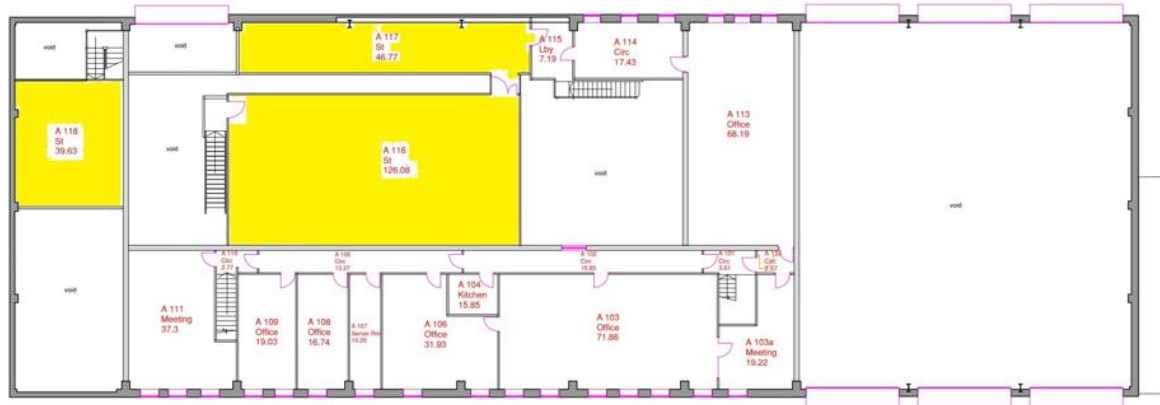


Yeovil Country Park

- Land will be transferred on freehold basis
- Some complexities relating restrictions and covenants
- YTC will hold right to use land under a licence to occupy from 1st August 2024
- Further information regarding services can be found at:
<https://www.visitsouthsomerset.com/listings/countryside-nature-and-wildlife/yeovil-country-park.htm>



South Somerset Heritage Collection



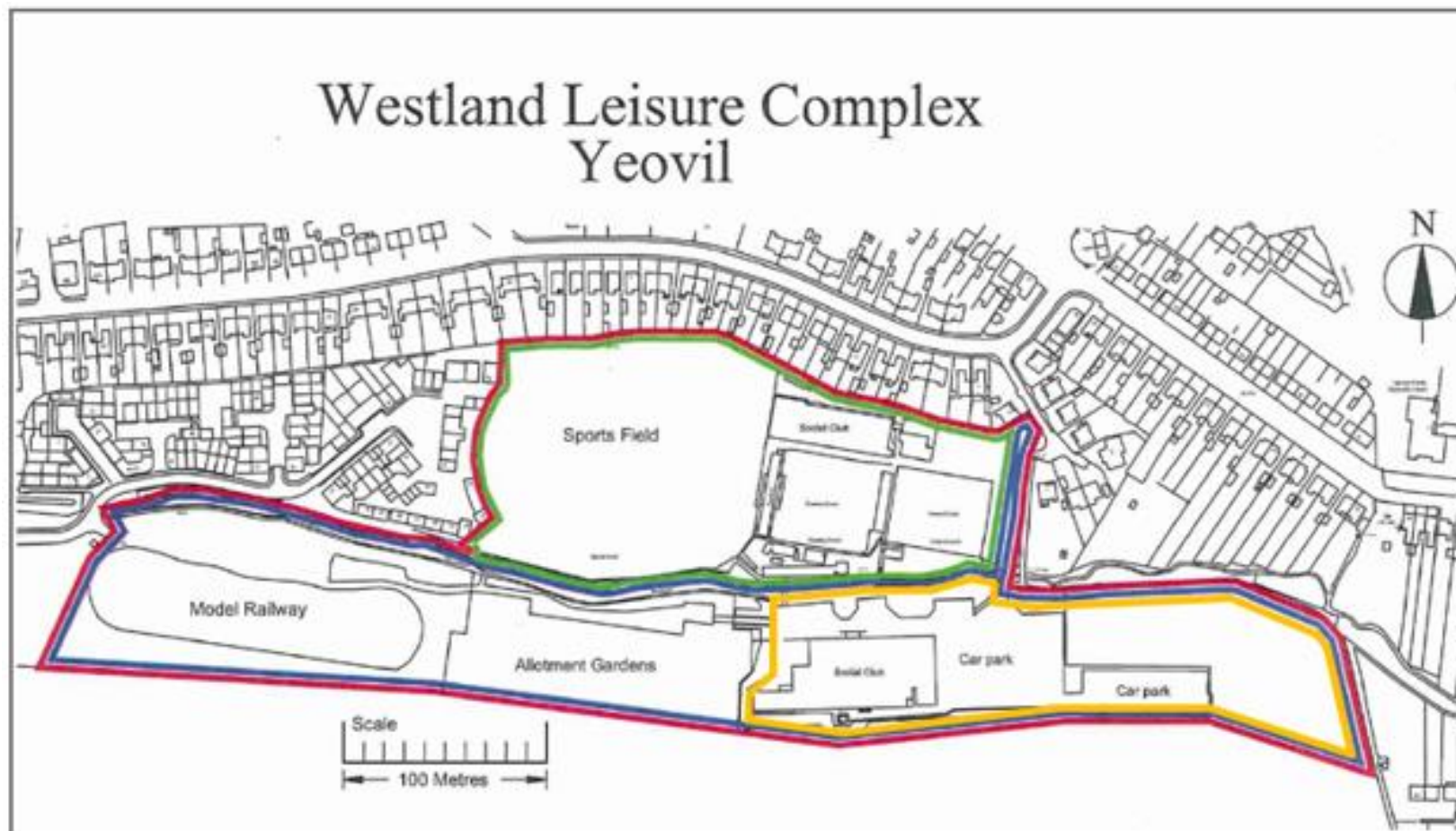
South Somerset Heritage Collection

- Lease for 5 years with 3-year break clause
- YTC will hold right to use land under a licence to occupy from 1st August 2024
- Service Level with South West Heritage Trust for professional support
- Further information regarding services can be found at:
<https://www.visitsouthsomerset.com/listings/museums/south-somerset-heritage-collection.htm>



Westlands Entertainment Venue

- Area highlighted in yellow represents Westlands Entertainment Venue and Carpark



Westlands Entertainment Venue

- Leonardo own the entire Westlands Entertainment Venue and carpark
- The area highlighted will be subleased by SC who lease from Leonardo
- Further information regarding services can be found at:
<https://www.westlandsyeovil.co.uk/>



TUPE (Transfer of Undertakings Protection of Employment)

	Permanent	Casual	Volunteers
Yeovil Recreation Centre	10 (7.6 FTE)	18	0
Yeovil Country Park	5 (3.1 FTE)	11	23
South Somerset Heritage Collection	2 (1.2 FTE)	0	7
Westland Entertainment Venue	19 (18.5 FTE)	74	60
Total	36 (30.4 FTE)	103	90

- **Most staff already been through TUPE process under SSDC to SC**
- **Transfer under existing terms and conditions**
- **Consultation**
- **Measures**



Legal Advice

- **Appointed Porter Dodson**
 - **Commercial expert**
 - **Property expert**
 - **HR expert**
 - **Public Law expert**
- **Somerset Council have agreed to contribute to a proportion of legal costs**



Ancillary Services

In addition to transfer of mentioned services – consideration has been given to changes in necessary ancillary services

- **Finance**

- **Large volume of financial transactions**
- **Payroll transactions**
- **Accounting Structure**
- **Cash management (cash collection, cash delivery, cash processing)**
- **Card payments and Merchant ID's**
- **Internal Audit**
- **Accounting regime**



Ancillary Services

- **HR**
 - **In-house**
 - New starters and leavers
 - Recruitment
 - Record keeping
 - Routine issues
 - **Outsource**
 - Complicated issues
- **Accommodation**
 - Staff of transferred services remain working on site
 - Town House staff some changes in seating arrangements



Ancillary Services

- **Insurance**
 - Assess additional requirements of new services
 - Inform insurance providers
- **IT**
 - SC will continue to provide IT in the interim
 - YTC's contractors work with SC so that IT transferred to YTC
 - Telephones will be ran via Teams
 - Mobile phones being reviewed
- **Websites**
 - Domains to be transferred to YTC
 - Yeovil Country Park and South Somerset Heritage to be separated from Visit South Somerset



Ancillary Services

- **Contracts**
 - Some novated
 - Some terminated
 - Some new agreements
- **Fleet**
 - Transferred either novation of lease or transfer of ownership
 - Arrangements for maintenance
 - Fleet record transfers
- **Equipment**
 - Transferred either novation of lease or transfer of ownership
 - Arrangements for maintenance



Ancillary Services

- **Health & Safety**
 - Obligations to employees
 - Service users
 - Conform to relevant legislation e.g. Environmental Protection Act 1990; H&S at Work 1974
 - Update H&S Policy and H&S Handbook
- **Staff Structure**
 - Have been amended to incorporate new employees
 - Will be published
- **Policies**
 - Will all need to be reviewed



Facts & Figures 2024/25 & 2023/24

• Budget

• Expenditure	£6.34 million	£1.4 million
• Income	£3.8 million	£53,000
• Net Expenditure	£2.54 million	£1.35 million
• Council Tax	£275.82 (Band D)	£145.13

• Staff

• 47 permanent members of staff (38.4 FTE)	11 (8FTE)
• 103 casual members of staff	0
• 90 volunteers	0

• Councillors

- 24 Councillors (20 Lib Dem / 4 Independents)



Recommendations

Town Council is RECOMMENDED:

- (1) To note the report;**
- (2) to agree to accepting the devolvment of the operational services and staff relating to the following assets:**

- **Yeovil Recreation Centre (and Café)**
- **Yeovil Country Park (and Nine Springs Café)**
- **Westlands Entertainment Venue**
- **South Somerset Heritage Collection**

from Somerset Council from 1st August 2024;

- (3) to accept the existing equipment used by Somerset Council to deliver the above-mentioned services, which will become surplus to Somerset Council requirements as a result of the devolution to Yeovil Town Council from 1st August 2024 (subject Yeovil Town Council wanting it);**



Recommendations

(4) To delegate authority to the Chief Executive / Town Clerk in consultation with the Leader of the Council and the Mayor to agree the transfer of the freeholds, lease or sublease on the appropriate terms as soon as practicably possible on or after the 1st August 2024 (subject to advice from Porter Dodson) for the following assets:

- Land adjacent to the former Goldcroft Allotments (freehold transfer)
- Storage facility at Monmouth Hall (freehold transfer)
- Yeovil Recreation Centre (and Café) (freehold transfer)
- Yeovil Country Park (and Nine Springs Café) (freehold transfer)
- Westlands Entertainment Venue (sub lease)
- Part of Lufton Depot housing the South Somerset Heritage Collection (lease)



Recommendations

(5) To agree to the licences to occupy the land and premises currently used by Somerset Council to deliver the devolved services:

- **Yeovil Recreation Centre (and Café)**
- **Yeovil Country Park (and Nine Springs Café)**
- **Westlands Entertainment Venue**
- **South Somerset Heritage Collection**

to enable Yeovil Town Council to deliver the devolved services as if they were the owners of the land and premises; and

(6) to agree to the proposal submitted by South West Heritage Trust to provide professional support Yeovil Town Council



- **The Council meeting will move into confidential session.**
- **The public will be asked to leave during this part of the meeting.**
- **Once the confidential session has finished, the public will be invited back into the meeting to view the decision making.**
- **Thank you**

