



Yeovil Town Council

Town House
19 Union Street
Yeovil
Somerset
BA20 1PQ

Mayor: Cllr A Kendall
Chief Executive / Town Clerk: Amanda Card BA (Hons), FCPFA, BSc (Open)
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Minutes of the special meeting of Yeovil Town Council held on Tuesday 16th July 2024 at 7:00pm held by video-conference using Zoom meeting software; and in the Town House, 19 Union Street, Yeovil BA20 1PQ.

Present: Cllrs A Kendall (in the chair); T Casey; K Gill; E Hopkins; K Hussain; T Lock; J Lock; S Lowery; J Lowery; G Oakes; E Potts-Jones; W Read; A Richards; J Snell; A Soughton; R Spinner; R Stickland; H Stonier; R White and D Woan.

In Attendance (in person): A Card (Town Clerk); S Freemantle (Deputy Town Clerk); H Ferdinand (Deputy Town Clerk); K Menday (Director of Environment and Leisure); J Pang (Deputy Responsible Finance Officer); N Gage (Finance Officer); and A Burgan (Arts and Entertainment Venue Manager – Somerset Council).

In Attendance (virtually): Cllr B Boyton (Yeovil Lyde Ward).

There were 1 member of the public and 2 members of the press present virtually.

Public Comment

There was no public comment.

7:00 pm The meeting commenced.

11/192 APOLOGIES FOR ABSENCE AND TO CONSIDER THE REASONS GIVEN

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

Apologies were received from Cllrs B Boyton* (unwell); J Cabell (work commitment); K Fieldsend (work commitment) and A Wilkes (work commitments).

**Legislation requires that Councillors need to be physically present at the meeting to be shown as present. If a Councillor is unable to attend in person but can attend virtually, then apologies for absence should be given.*

RESOLVED: to accept the apologies with the reasons given.

11/193 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).

Councillor	Reason	Interest
Cllr A Kendall	Member of: Somerset Council	Personal
Cllr T Lock		
Cllr G Oakes		
Cllr E Potts-Jones		
Cllr W Read		
Cllr J Snell		
Cllr A Soughton		
Cllr D Woan		

Cllr S Lowery declared a pecuniary interest in agenda item 11/195 and 11/197 – Devolution, in that she was an employee of Westlands Entertainment Venue.

Cllr J Lowery declared a personal interest in agenda item 11/195 and 11/197 – Devolution, in that her daughter was an employee of Westlands Entertainment Venue.

Cllr K Gill declared a personal interest in agenda item 11/195 and 11/197 – Devolution, in that his home overlooks a parcel of land of the Yeovil Country Park.

Cllr D Woan declared a personal interest in agenda item 11/195 and 11/197 – Devolution, in that he was a Governor at Yeovil College.

11/194 ANNUAL GOVERNANCE AND ACCOUNTABILITY RETURN 2023/24

The Chief Executive / Town Clerk introduced the Annual Governance and Accountability Return (AGAR). She stated that it had been signed off by the Internal Auditor earlier than expected and that it was no longer necessary to hold a Special Meeting on Tuesday 30th July 2024. The Clerk highlighted the issues regarding late receipt of the figures for Yeovil Town Council's share of the Cemetery. She explained that due to the late arrival of these figures, it meant that the Town Council had not met the statutory approval deadline of 30th June 2024 and were unable to comply with the publication requirements whereby the 30-working day public inspection period must include the first 10 working days of July. The Clerk presented the AGAR report, giving explanations about each section of the AGAR.

Cllr R Stickland declared a personal interest in that he was the Chair of Yeovil Without Parish Council and reference had been made to that parish council.

RESOLVED: (1) to note the report; (2) that Council (a) approve the annual governance statement; and (b) that the Chair sign the Annual Governance Statement 2023/24; (3) that Council (a) note the issues described within the report; (b) Council approve the Accounting Statements 2023/24; and (c) that the Chair sign to confirm that these accounting statements were approved; (4) that Council note that the outcome of the External auditor certificate and report 2023/24 be brought to Council on completion; (5) that Council note the outcome of the Internal auditor certificate 2023/24; and (6) that Council note that the required inspection and notice procedures to be followed.

7:20 pm Cllr S Lowery left the meeting and did not return.

11/195 DEVOLUTION

The Chief Executive / Town Clerk gave a comprehensive presentation regarding Devolution. She spoke of the timescales; powers to take on additional services; land transfers and the legal issues regarding Secretary of State consent; each site and service; the TUPE (Transfer of Undertakings Protection of Employment) process; legal advice taken; and all the ancillary services to these front-line services (finance, HR, accommodation, insurance, IT, websites, contracts, fleet, equipment, health and safety, staff structure, policies). The Chief Executive / Town Clerk informed Council that Council relies on the General Power of Competence as defined with Localism Act 2011, s1 ([Localism Act 2011 \(legislation.gov.uk\)](https://www.legislation.gov.uk)), as the statutory power to hold the various lands and operate the various services. The slides can be found by following this link: [Devolution – Assets and Services \(yeovil.gov.uk\)](https://www.yeovil.gov.uk).

7:42pm - Cllr A Richards left the room.

7:42pm - Cllr E Hopkins left the room.

7:44pm – there was a technical issue and the meeting was adjourned, so that the issue could be resolved.

7:48pm – the meeting resumed and all Councillors (with the exception of Cllr S Lowery) returned to the meeting.

7:54pm - Cllr K Hussain left the room.

7:57pm - Cllr K Hussain returned to the room.

There were some questions from Councillors regarding the presentation, which were answered by the Chief Executive / Town Clerk.

RESOLVED: to note the presentation.

There were a number of recommendations following on from the confidential report which needed to be debated and decisions made. It was felt, that for the purposes of transparency,

the decision-making process should be public. The public were informed that after the confidential report that they would be invited back to the meeting.

11/196 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: to exclude the press and public from the next agenda item in accordance with Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

Public Bodies (Admission to Meetings) Act 1960 s3

11/197 DEVOLUTION (CONFIDENTIAL)

The Council considered the confidential report of the Chief Executive / Town Clerk which included some legal issues with land transfers; legal advice sought; and identified risks and mitigations.

There were some questions from Councillors which were answered by the Chief Executive / Town Clerk.

Cllr E Hopkins declared a personal interest in that she was an employee of Leonardos and reference had been made to their company.

Cllr T Lock thanked the staff and the Councillors for the hard work that had been carried out to save services, this was supported by Town Council.

RESOLVED: (1) to note confidential report, and (2) following the end of this agenda item, to include the press and the public for the remainder of the meeting.

8:31pm – Members of the press and public were invited back to the meeting.

A named vote was requested.

RESOLVED: (3) to note that the Council are relying on the General Power of Competence as defined with Localism Act 2011, s1 as the statutory power to hold the various lands and operate the various services; (4) to agree to accepting the devolvement 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; and South Somerset Heritage Collection from Somerset Council from 1st August 2024; and that the legal deed be authorised to be executed in accordance with Standing Order 26 (Execution and Sealing of Legal Deeds) (*voting: for – unanimous*)*¹; (5) 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 to Yeovil Town Council wanting it) (*voting: for – unanimous*)*¹; (6) 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); and Part of Lufton Depot housing the South Somerset Heritage Collection (lease); and that the legal deed be authorised to be executed in accordance with Standing Order 26 (Execution and Sealing of Legal Deeds) (*voting: for – unanimous*)*¹; (7) 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; and 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 (*voting: for – unanimous*)*¹; and (8) to agree to the proposal submitted by South West Heritage Trust to provide professional support to Yeovil Town Council (*voting: for – 18; and 1 abstention*)*².

**1 For (Cllrs A Kendall; T Lock; T Casey; K Gill; E Hopkins; K Hussain; J Lock; J Lowery; G Oakes; E Potts-Jones; W Read; A Richards; J Snell; A Soughton; R Spinner; R Stickland; H Stonier; R White and D Woan).*

**2 For Cllrs A Kendall; T Lock; K Gill; E Hopkins; K Hussain; J Lock; J Lowery; G Oakes; E Potts-Jones; W Read; A Richards; J Snell; A Soughton; R Spinner; R Stickland; H Stonier; R White and D Woan); Abstention (Cllr T Casey).*

Meeting closed at 8:39 pm.

Signed:

Date: