

County Council
Wednesday 28 November 2018
12.45 pm Council Chamber - Shire Hall,
Taunton



To: The Members of Somerset County Council

You are requested to attend the Meeting of Somerset County Council on Wednesday 28 November 2018 to transact the business set out in the agenda below.

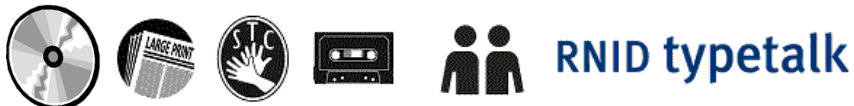
Anyone requiring further information about the meeting, or wishing to inspect any of the background papers used in the preparation of the reports referred to in the agenda please contact Julia Jones on 01823 359027 or jjones@somerset.gov.uk

Issued By Scott Wooldridge, Strategic Manager - Governance and Risk - 20 November 2018

Guidance about procedures at the meeting follows the printed agenda.

This meeting will be open to the public and press, subject to the passing of any resolution under Section 100A (4) of the Local Government Act 1972.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on www.somerset.gov.uk/agendasandpapers



Council Chamber and Hearing Aid Users

To assist hearing aid users, Shire Hall has infra-red audio transmission systems. To use this facility we need to provide a small personal receiver that will work with a hearing aid set to the T position. Please request a personal receiver from the Committee Administrator and return it at the end of the meeting

AGENDA

Item County Council - 12.45 pm Wednesday 28 November 2018

Full Council Guidance notes

1 **Apologies for Absence**

2 **Declarations of Interest**

Details of Cabinet Member interests in District, Town and Parish Councils will be displayed in the meeting room. The Statutory Register of Member's Interests can be inspected via the Democratic Services team.

3 **Public Question Time**

(see explanatory notes attached to agenda)

Details of any public questions / petitions submitted on the matter to be debated at the Extraordinary meeting will be included in the Chair's Schedule which will be made available to the members and to the public at the meeting.

For Decision

4 **Electoral Division name change proposal - Report of the Constitution and Standards Committee (Pages 7 - 14)**

To consider a report and recommendations.

SOMERSET COUNTY COUNCIL – FULL COUNCIL MEETINGS

GUIDANCE FOR PRESS AND PUBLIC

Recording of Meetings

The Council in support of the principles of openness and transparency allows filming, recording and taking photographs at its meetings that are open to the public providing it is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings and a designated area will be provided for anyone who wishes to film part or all of the proceedings. No filming or recording will take place when the press and public are excluded for that part of the meeting. As a matter of courtesy to the public, anyone wishing to film or record proceedings is asked to provide reasonable notice to Julia Jones, Democratic Services Team Leader, County Hall, Taunton, Somerset, TA1 4DY 01823 359027 democraticservices@somerset.gov.uk so that the Chair of the meeting can inform those present.

We would ask that, as far as possible, members of the public aren't filmed unless they are playing an active role such as speaking within a meeting and there may be occasions when speaking members of the public request not to be filmed.

The Council will be undertaking audio recording of some of its meetings in Shire Hall as part of its investigation into a business case for the recording and potential webcasting of meetings in the future.

A copy of the Council's Recording of Meetings Protocol should be on display at the meeting for inspection, alternatively contact the Committee Administrator for the meeting in advance

Members' Code of Conduct Requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: HONESTY; INTEGRITY; SELFLESSNESS; OBJECTIVITY; ACCOUNTABILITY; OPENNESS; LEADERSHIP. The Code of Conduct can be viewed at: <http://www.somerset.gov.uk/organisation/key-documents/the-councils-constitution/>

EXPLANATORY NOTES: QUESTIONS/STATEMENTS/PETITIONS BY THE PUBLIC

General

Members of the public may ask questions at the extraordinary meeting or may make a statement or present a petition **in relation to the matter being considered at the meeting (see agenda item 4 request for extraordinary meeting) – by giving advance notice. Any questions or statements received in relation to any other county council matters will either not be considered at the meeting and receive a written response within 20 working days or can be considered at the next scheduled ordinary meeting on 20 February 2019.**

Notice of questions/statements/petitions

Prior submission of questions/statements/petitions is required in writing or by e-mail to the Monitoring Officer – Scott Wooldridge (email: democraticservices@somerset.gov.uk) by 5PM on Thursday 22 November. The Monitoring Officer may edit any question or statement in

consultation with the author, before it is circulated, to bring it into an appropriate form for the Council.

In exceptional circumstances the Chairman has discretion at meetings to accept questions/ statements/ petitions without any prior notice.

Scope of questions/statements/petitions

Questions/statements/petitions must:

- (a) relate to a matter for which the County Council has a responsibility, or which affects the County;
- (b) not be defamatory, frivolous or offensive;
- (c) not be substantially the same as a question/statement/petition which has been put at a meeting of the Council in the past six months; and
- (d) not require the disclosure of confidential or exempt information.

The Monitoring Officer has discretion to reject any question that is not in accord with (a) to (d) above. The Monitoring Officer may also reject a statement or petition on similar grounds.

Record of questions/statement/petitions

Copies of all representations from the public received prior to the meeting will be circulated to all members and will be made available to the public attending the meeting in the Chair's Schedule, which will be distributed at the meeting. Full copies of representations and answers given will be set out in the minutes of the meeting.

Response to Petitions

Normally the Council will refer any petition to an appropriate decision maker for response – see the Council's Petition Scheme for more details. The organiser will also be allowed 2 minutes at the meeting to introduce the petition, and will receive a response from a relevant member (normally a Cabinet member).

If a petition organiser is not satisfied with the council's response to the petition and the petition contains more than 5000 signatures (approximately 1% of Somerset's population) the petition organiser can request a debate at a meeting of the County Council itself. The Chair will decide when that debate will take place.

Access and Attendance

The County Council meeting in Shire Hall is open to the public but there is limited capacity for health and safety reasons. The Council Chamber in Shire Hall is located on the first floor of the building. Shire Hall is used principally by the Courts Service and their staff are responsible for security arrangements at the main entrance. **All those attending the council meeting and the courts are required to pass through the security 'gate'. At peak times this can take well over twenty minutes – so please arrive early.**

If numbers attending exceed capacity then priority will be given to those who have registered to speak at Public Question Time and thereafter admittance will be on a first come, first served basis.

The design of Shire Hall and the listed Council Chamber is not ideal for those using wheelchairs, with restricted widths in corridors and elsewhere, but council officers will ensure they have access to the meeting if at all possible.

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Somerset County Council

County Council

28th November 2018

Electoral Division name change proposal – Report of the Constitution and Standards Committee

Committee Chair: Cllr William Wallace, (Chair of the Constitution and Standards Committee)

Division and Local Member: N/A

Lead Officer: Scott Wooldridge, Monitoring Officer and Strategic Manager – Governance & Risk

Author: Julian Gale - Strategic Manager – Partnerships Governance

Contact Details: 01823 359500

1. Summary

- 1.1 This report sets out a recommendation from the Constitution and Standards Committee to change the name of the Wellington Electoral Division to the Wellington and Rockwell Green Electoral Division. This follows consideration of proposals to change the names of four electoral divisions to better reflect their local geography and community identities.
- 1.2 Under the Council's Constitution the Committee has responsibility for electoral review matters, hence their consideration of this issue on behalf of the Council.

2. Recommendations

- 2.1 **Council is asked to agree to change the name of the Wellington Electoral Division to the Wellington and Rockwell Green Electoral Division and inform the Electoral Commission accordingly.**
- 2.2 **Council is asked to note that the Committee has not made any recommendations for changes to the names of the:**
 - (a) **Castle Cary Electoral Division**
 - (b) **Blackdown and Neroche Electoral Division**
 - (c) **Watchet and Stogursey Electoral Division.**

Note: A proposal to change the name of an electoral division must be supported by a majority of at least two thirds of the members voting to be agreed under the legislation.

3. Background

- 3.1 This report stems from a request from members to change the names of four County Council Electoral Divisions which emerged from a consultation process involving all elected members. This opportunity stems from the opportunity presented to the Council to make such decisions because the legislation allows us to do so. Electoral division names are normally decided by the Electoral Commission at the time of a boundary review. However, we are now half way through the 10-year boundary review timetable and therefore under the legislation the Council can amend electoral division names in accordance with the required process. The reasons for considering changes are to help electors understand

what electoral division they are in and who represents them on the Council. This is particularly important around election time.

3.2 The legislation (Local Government and Public Involvement in Health Act 2007) requires in summary:

- (a) That the Council must take all reasonable steps to consult such persons as it considers appropriate on the proposed name before it passes a resolution.
- (b) That name changes must be agreed at a special Full Council meeting 'specially convened for the purpose' and must be supported by a majority of at least two thirds of the members voting.
- (c) Once a decision is taken the Council has to notify the change to:
 - the Electoral Commission;
 - the Boundary Commission for England;
 - the Office of National Statistics;
 - the Director General of the Ordnance Survey;
 - all of the District Councils in the area affected by the changes.

The change of name does not take effect until the Electoral Commission have been given notice of the change.

3.3 Following the consultation with elected members, the Constitution and Standards Committee agreed in February to put 4 proposals for name changes submitted by local members out to public consultation. The four proposals were:

- (a) 'Quantock Coast' to replace 'Watchet and Stogursey' Election Division – submitted by Cllr Hugh Davies
- (b) 'Wellington and Rockwell Green' to replace Wellington Election Division – submitted by Cllr Andrew Govier
- (c) 'Neroche and Wellington East' to replace 'Blackdown and Neroche' Election Division – submitted by Cllr John Thorne
- (d) 'Cary' to replace 'Castle Cary' Election Division – submitted by Cllr Mike Lewis.

The reasons for the proposed changes were set out in the consultation document attached as Appendix A to this report.

3.4 The consultation requirements agreed by the Committee were as follows:

- (a) a minimum 10 week consultation period to comply with best practice
- (b) key focus on consulting organisations in the locality rather than individuals – but to also give individuals the ability to comment should they wish to do so via the Council's website
- (c) key audiences proposed: relevant local councils (parish and town) and district councils
- (d) the political groups with Somerset
other groups that the local member considers appropriate.

3.5 The main consultation period ran from 12th March to 25th May 2018. The consultation was open to the public but was targeted at key local organisations who it was considered would have a view on such matters. Local councils were important consultees and a number responded although this varied from division to division. No formal responses were received from the local political party structures or the district councils with the exception of an officer response from South Somerset District Council. The overall response rate was low which was not surprising in the circumstances. In addition to the comments about the specific proposals, there were several comments from members of the public questioning the use of Council resources on this exercise. In response I would say that costs have been minimised where possible with the consultation largely having been carried out 'on line' and with costs limited to officer time. Costs resulting from any changes agreed should also be minimal.

3.6 In July, the Committee considered the responses from each area to the consultation which in summary were:

Cary Electoral Division proposal

- two parish councils responded – one has no objection and the other was not in support
- the South Somerset District Council response in favour was an officer response only

Quantock Coast Electoral Division proposal

- Only one local council responded - Watchet Town Council – who were against the proposal

Wellington and Rockwell Green Electoral Division proposal

- Wellington Town Council – in support of the proposal

Neroche and Wellington East Electoral Division proposal

- Wellington Town Council in favour
- Better response from parish councils but all but one is against the proposal
- There was a consistent thread in the responses from parish councils and the public who opposed the change proposed to drop 'Blackdown' from the name on the basis that a large area of the Electoral Division includes the Blackdown Hills and the Neroche area itself doesn't have the same status.

3.7 The Committee based on the responses received felt that the only proposal which could be considered potentially for recommendation to Council was the Wellington and Rockwell Green proposal because of the strong support for the change from Wellington Town Council as the only local council impacted by the proposal. This was the only response received from that locality and therefore the Committee was nervous about recommending the change based on a single response. The Committee therefore decided to ask for a further round of local consultation to see if any responses could be obtained from other key local community groups / organisations. In respect of the other proposals the

Committee did not feel that there was a sufficient level of support to recommend the changes to Council for approval and decided to take no further action on these proposals.

3.8 The second consultation process in the Wellington Electoral Division brought the following responses:

- Wellington Town Council reaffirmed its strong support for the proposed change through a further email
- The Team Rector of the Wellington & District Team Ministry wrote in support of the proposal. He represents a group of 13 Church of England parishes in Wellington and the surrounding area so including both Wellington and Rockwell Green. His view is that the new title is appropriate as it expresses accurately how local people view the community they live in, Rockwell Green being a distinct community within the wider town of Wellington.
- The Leader of Rockwell Green Christian Fellowship wrote in support of the change.
- One Team Co-ordinator for Wellington wrote to confirm full support of the change to better reflect the current make-up of the electoral division.
- The Acting Headteacher of Rockwell Green Primary School wrote in support of the change to properly recognise the community of Rockwell Green. The community is very proud of its village status.

3.9 The Committee having considered the further representations considered that there was sufficient support from key organisations and representatives of organisations to justify such a change on the basis that Rockwell Green with its significant population and distinctiveness should be recognised within the name of the electoral division, hence the recommendation to Council.

4. Implications

4.1 Legal: The Local Government and Public Involvement in Health Act 2007 is the guiding legislation and specifically section 59.

The 2007 Act requires:

- (a) That the local authority must not pass a resolution to change the name of an electoral division unless it has taken reasonable steps to consult such persons as it considers appropriate on the proposed name.
- (b) That any changes are the subject of a Full Council resolution at a special Council meeting which is specially convened for the purpose, and have to be supported by a majority of at least two thirds of the members voting.
- (c) As soon as practicable after a resolution is passed, the local authority must give notice of the change of name to all of the following—
 - the Electoral Commission;

- the Boundary Commission for England;
 - the Office of National Statistics;
 - the Director General of the Ordnance Survey;
 - if the local authority is a county council, the district council (if any) within whose area the electoral area lies;
 - if the local authority is a district council, the county council (if any) within whose area the electoral area lies.
- (d) The change of name does not take effect until the Electoral Commission have been given notice of the change.

Financial: As detailed in the report

Business risk: Not applicable.

Impact Assessment: There are no direct impacts on any of the protected characteristics falling under the definition of the equalities legislation or the local additional protected characteristics adopted by the Council. There are also no direct impacts in other impact assessment categories of community safety, sustainability or privacy.

5. Background papers

5.1 Report considered by the Constitution and Standards Committee – October 2017

<http://democracy.somerset.gov.uk/documents/s4742/Review%20of%20Electoral%20Division%20names%20-%20Oct%2017.pdf>

Minutes of the Constitution and Standards Committee – October 2017

<http://democracy.somerset.gov.uk/documents/s5893/Minutes%206%20Oct%202017jg.pdf>

Report considered by the Constitution and Standards Committee – February 2018

<http://democracy.somerset.gov.uk/documents/s5895/Review%20of%20Electoral%20Division%20names%20-%20Feb%2018v2.pdf>

Minutes of the Constitution and Standards Committee – February 2018

<http://democracy.somerset.gov.uk/documents/s6625/2018%20February%209%20Minutes.pdf>

Report considered by the Constitution and Standards Committee – July 2018

<http://democracy.somerset.gov.uk/documents/s7346/Review%20of%20four%20Electoral%20Division%20names.pdf>

Minutes of the Constitution and Standards Committee – July 2018

<http://democracy.somerset.gov.uk/documents/s8291/Minutes%20from%206%20July%202018.pdf>

Report considered by the Constitution and Standards Committee – October 2018

<http://democracy.somerset.gov.uk/documents/s8284/Review%20of%20Electoral%20Division%20names.pdf>

APPENDIX

PROPOSAL: 'Quantock Coast' to replace 'Watchet and Stogursey' Election Division – submitted by Cllr Hugh Davies

“The suggested name change to "Quantock Coast Electoral Division" reflects a more appropriate title. The area encompasses the settlements from the start; Sampford Brett, Williton, Sea-port Town of Watchet, West and East Quantoxhead, Kilve, Holford, and ending at Stogursey. The two titles "Quantock" and "Coast" cover all Parishes and the only Town in the Division and provides a more generic description of the area. This is preferable to naming specific settlements which is inevitably a more divisive approach unless you name all of them. And in the case of the existing title the current names selected seem to have been chosen more on the basis of marking the western and eastern boundaries of the division rather than necessarily reflecting the size of settlements – given that Williton is excluded.

With reference to receiving representations to support the change I have only spoken to individuals. I have not yet approached Parish/Town or the Political groups.”

PROPOSAL: 'Wellington and Rockwell Green' in place of 'Wellington' – from Cllr Andrew Govier

“I believe that there is a good case for amending the name of the division that I currently represent to Wellington and Rockwell Green Electoral Division. I think this would better identify the make-up of the division and give the village of Rockwell Green the appropriate status it deserves. I have represented the area for over 20 years now and during this time the village of Rockwell Green has grown significantly in size. A number of new estates have transformed the village in terms of size and socio-economic make up. There are now over 2000 electors in Rockwell Green which is obviously a significant proportion of the overall electorate and I feel that to include the village in the division's name would reflect this. There has always been an anecdotal view that Rockwell Green misses out on things that Wellington gets and I think that by adding the village to the name this would encourage local residents that they are considered in decision-making. There is considerable local pride in the Rockwell Green community and being a 'Greener' is something that many locals would be proud to declare that is what they are. I think this move would increase the visibility of the community and ensure that it is put on an equal footing with the rest of the town.

I have also given some thought to the issue of the fact that although I represent 75% of the town of Wellington, there is a considerable 'chunk' that falls in the division represented by Cllr Thorne. I know that this has caused some confusion in the past but I can't think of a sensible way to describe the division to reflect this. Therefore, on balance, I think that adding Rockwell Green to the current name is as far as we should go. It may well be that there will need to be a revision to the current divisions as the town continues to grow and this may be the time to address this again.

As far as consultation is concerned, I would think that the Town Council would be an obvious place to start as it is made up of representatives from both communities. In addition, I think that Wellington One (a multi-agency team) would be a good cross-section of the community along with Churches Together in the town, which has

representatives from churches in both communities involved. I'm sure that there are other interested parties like local schools etc and I would be happy to work with others to promote this name change."

Cllr Govier has also indicated that he supports Cllr Thorne's proposal outlined below.

PROPOSAL: 'Neroche and Wellington East' to replace 'Blackdown and Neroche' Election Division – submitted by Cllr John Thorne

"Yes, I support the proposed change of division name to 'Neroche and Wellington East'.

Consultation will need to involve the 11 parish and town councils in my division, which are Wellington, West Buckland, Corfe, Pitminster, Churchstanton, Otterford, Neroche, West Hatch, Stoke St Mary, Hatch Beauchamp, and Ruishton and Thornfalcon. Also, Taunton Deane Borough Council, of course, and the political parties.

I cannot think of any other organisations which would be significantly affected by any change of division name.

Regarding the case for change, I have not received any direct representations on this issue. I do not believe there is any particular concern about the name among residents in the rural part of the division because it accurately reflects where they live, but it is something which has been raised with me verbally in the urban Wellington part of the division.

While campaigning for election prior to May 2017, I spoke to many residents in Wellington who were unaware they were in the 'Blackdown and Neroche' division and did not identify with the name at all, expressing some bemusement. I found myself having to explain to them that they lived in the same division as residents in Hatch Beauchamp!

I believe all the major political parties included a reference to Wellington in the titles of their election literature, such as 'Blackdown and Neroche incl Wellington East'. Without the 'Wellington' reference, there is a risk that some of the Wellington electorate are not able to make an informed choice in the polling station because they have dismissed election leaflets which they thought were not relevant to them.

I support a change which includes 'Wellington' in the name because it clearly reflects the inclusion of the division's major centre of population, while the existing name suggests only a sparsely populated rural area stopping short of Wellington."

Cllr Thorne has also indicated that he support Cllr Govier's proposal set out above.

PROPOSAL: 'Cary' to replace 'Castle Cary' Election Division – submitted by Cllr Mike Lewis

"I confirm that I wish to proceed with the outlined consultation procedure for changing the name of my Division to that of "Cary", rather than Castle Cary as at present.

When Somerset County Council agreed to reduce the total number of County Councillors from 58 to 55 in time for the 2013 County Council election this meant

significant communities were added to the Castle Cary Division in the southern part of the Division; namely Mudford, Chilton Cantelo, Ashington, Limington, Yeovilton and Podimore. All these villages and hamlets border, or are closer to Yeovil and indeed are part of the Yeovil Parliamentary Constituency, than Castle Cary which is in the Somerton and Frome Constituency. Mudford is some 10 miles from Castle Cary.

The river Cary runs through Castle Cary, the villages within Carymoor parishes and Babcary, which is close to Podimore .

Certainly when out canvassing in Podimore and Yeovilton one has to take considerable time explaining to the electorate that their polling station is in Ilchester Town Hall (in the Martock Division) and not Castle Cary.

My request to change the name to "Cary" is to simplify for those electors, primarily south of the A303, who do not readily identify themselves with Castle Cary.

I am willing to fully support to the consultation process, but I am mindful that the Local Government Boundary Commissioners for England are due to release their proposals for changing the South Somerset District Council ward boundaries on the 9th January 2018 and the consultation period will extend in to March. The proposals may well impact on the villages and hamlets outlined in paragraph two above and one needs to be mindful that the two consultations do not clash."