



Notice of Meeting of

CONSTITUTION AND GOVERNANCE COMMITTEE

Wednesday, 18 October 2023 at 2.00 pm

**Council Chamber, Council Offices, Brympton
Way, Yeovil BA20 2HT**

To: The members of the Constitution and Governance Committee

Chair: Councillor Ross Henley

Vice-chair: Councillor Tim Kerley

Councillor Simon Carswell

Councillor Barry Clarke

Councillor Dawn Johnson

Councillor Christine Lawrence

Councillor Emily Pearlstone

Councillor Richard Wilkins

Councillor Mandy Chilcott

Councillor Hugh Davies

Councillor Helen Kay

Councillor Martin Lovell

Councillor Steven Pugsley

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services democraticservicesteam@somerset.gov.uk.

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: democraticservicesteam@somerset.gov.uk by **5pm on Thursday, 12 October 2023**.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

The meeting will be webcast and an audio recording made.

Issued by the Proper Officer on Tuesday, 10 October 2023

AGENDA

**Constitution and Governance Committee - 2.00 pm Wednesday, 18 October
2023**

Public Guidance Notes contained in Agenda Annexe (Pages 5 - 6)

Click here to join the online meeting (Pages 7 - 8)

1 Apologies for Absence

To receive any apologies for absence.

2 Minutes from the Previous Meeting (Pages 9 - 16)

To approve the minutes from the previous meeting.

3 Declarations of Interest

To receive and note any declarations of interests in respect of any matters included on the agenda for consideration at this meeting.

(The other registrable interests of Councillors of Somerset Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes: [City, Town & Parish Twin Hatters - Somerset Councillors 2023](#))

4 Public Question Time

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

We are now live webcasting most of our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, please see details under 'click here to join online meeting'.

5 Constitution - Update on its review (Pages 17 - 40)

This report and its supporting presentation to the meeting provide an update on the work being undertaken to review the new Constitution of Somerset Council.

6 Somerset Council Electoral Review - arrangements, update and timeline (Pages 41 - 52)

To receive an update on the Electoral Review proposed by the Local Government Boundary Commission for England.

7 Work Programme (Pages 53 - 54)

To review the Work Programme.

Guidance notes for the meeting

Council Public Meetings

The legislation that governs Council meetings requires that committee meetings are held face-to-face. The requirement is for members of the committee and key supporting officers (report authors and statutory officers) to attend in person, along with some provision for any public speakers. Provision will be made wherever possible for those who do not need to attend in person including the public and press who wish to view the meeting to be able to do so virtually.

Inspection of Papers

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

They can also be accessed via the council's website on [Committee structure - Modern Council \(somerset.gov.uk\)](#)

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: [Code of Conduct](#)

Minutes of the Meeting

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

Public Question Time

If you wish to speak or ask a question about any matter on the Committee's agenda please contact Democratic Services by 5pm providing 3 clear working days before the meeting. (for example, for a meeting being held on a Wednesday, the deadline will be 5pm on the Thursday prior to the meeting) Email democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

Members of public wishing to speak or ask a question will need to attend in person or if unable can submit their question or statement in writing for an officer to read out, or alternatively can attend the meeting online.

A 20-minute time slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. Each speaker will have 3 minutes to address the committee.

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish. If an item on the agenda is contentious, with many people wishing to attend the meeting, a representative should be nominated to present the views of a group.

Meeting Etiquette for participants

Only speak when invited to do so by the Chair.

Mute your microphone when you are not talking.

Switch off video if you are not speaking.

Speak clearly (if you are not using video then please state your name)

If you're referring to a specific page, mention the page number.

There is a facility in Microsoft Teams under the ellipsis button called turn on live captions which provides subtitles on the screen.

Exclusion of Press & Public

If when considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask participants to leave the meeting when any exempt or confidential information is about to be discussed.

Recording of meetings

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public - providing this 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. No filming or recording may take place when the press and public are excluded for that part of the meeting.

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 345 752 136 932

Passcode: pWYgWi

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+44 1823 772277,,78371625#](#) United Kingdom, Taunton

Phone Conference ID: 783 716 25#

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Minutes of a Meeting of the Constitution and Governance Committee held in the Luttrell Room - County Hall, Taunton TA1 4DY, on Wednesday, 16 August 2023 at 2.00 pm

Present:

Cllr Ross Henley (Chair)
Cllr Tim Kerley (Vice-Chair)

| | |
|-----------------------|----------------------|
| Cllr Theo Butt Philip | Cllr Mandy Chilcott |
| Cllr Dixie Darch | Cllr Dawn Johnson |
| Cllr Emily Pearlstone | Cllr Richard Wilkins |

In attendance:

Other Members present remotely:

| | |
|-------------------|----------------------|
| Cllr Simon Coles | Cllr Bob Filmer |
| Cllr Tessa Munt | Cllr Sue Osborne |
| Cllr Leigh Redman | Cllr Sarah Wakefield |

1 Apologies for Absence - Agenda Item 1

Apologies were received from Cllr Simon Carswell (substituted by Cllr Theo Butt-Philip), Cllr Barry Clarke (virtual attendance), Cllr Hugh Davies, Cllr Helen Kay, Cllr Christine Lawrence (virtual attendance), Cllr Martin Lovell (substituted by Cllr Dixie Darch), Cllr Steven Pugsley.

2 Minutes from the Previous Meeting of Somerset County Council Constitution and Governance Committee - Agenda Item 2

The minutes of the Somerset County Council Constitution and Governance Committee held on 23 March 2023, were agreed upon and signed by the Chair.

3 **Declarations of Interest** - Agenda Item 3

Councillors present at the meeting declared the following personal interests in their capacity as a Councillor of a Town or Parish Council or any other Local Authority:

| UNITARY COUNCILLOR | TOWN AND/OR PARISH COUNCIL |
|---------------------------|-----------------------------------|
| Simon Carswell | Street Parish Council |
| Ross Henley | Wellington Town Council |
| Tim Kerley | Somerton Town Council |
| Martin Lovell | Shepton Mallet Town Council |
| Richard Wilkins | Curry Rivel Parish Council |

4 **Public Question Time** - Agenda Item 4

No questions were received for Public Question Time.

5 **Update on Boundary Commission Parliamentary Constituency Review** - Agenda Item 5

The Chair of the Constitution and Governance Committee, Cllr Ross Henley, invited Elections Manager, Steven Lake, to present the update on the Boundary Commission Parliamentary Constituency Review and Electoral Changes.

Parliamentary Constituency Boundaries Review

The Elections Manager, Steven Lake, presented the report, with the aid of a PowerPoint presentation, highlighting: the final report recommendations of the 2023 Boundary Review of Parliamentary Constituencies in Somerset; summarised the process of Government approval and implementation of the recommendations; that the new parliamentary boundaries are expected to come into effect 1 October 2023; that the new constituencies will be used at the next General Election and that any By-Election in the meantime will continue to use the existing constituency.

The Monitoring Officer, David Clark, further added to the above points that there are seven parliamentary constituencies within Somerset boundaries, with three Cross-County boundary constituencies established following the boundary review; North Somerset, Mid Devon and Bath & Northeast Somerset. Additionally, the Monitoring Officer, informed Members that as a result of the majority of population of those constituencies sitting within Somerset, the Returning Officer function for the three Cross-County boundary constituencies would sit with Somerset Council.

The Chair of the Constitution and Governance Committee, Cllr Ross Henley, invited comments from other Members present, questions and points raised included:

- The introduction of more Cross-County Boundary constituencies, both locally and nationally, following changes to the Boundary Commission restrictions.
- The Government funding for Local Authorities to facilitate a General Election, including the cost of the Election set by Parliament, the funding provision and claim process, the financial and resources impact on the Council to process and claim back costs / funding, comparable money spent and received through the claim process.

Elections Act 2022

Voter ID requirement

The Elections Manager, Steven Lake, presented the report with the aid of a PowerPoint presentation, highlighting: that as part of the Elections Act 2022, voters are now required to show photo identification to vote in polling stations; that the first Elections requiring voter ID had taken place on 4 May 2023; summarised the statistics collated in Somerset; Taunton Town Council Election and Somerton and Frome Parliamentary By-Election, including the number of eligible electors, number of votes cast and number of electors that did not have the opportunity to vote due unacceptable voter ID or chose not to vote due to opposing the use of voter ID; that Elections had taken place in 230 areas in England and around 27 million people had been eligible to vote; summarised the Electoral Commission interim analysis of the voter ID at the May 2023 Local Elections in England, including the number of people that were aware of the use of photo ID, the application for and use of the voter authority certificate and the number of non-voters because of the voter ID requirement, the number of people not issued with a ballot paper and the number of people returning and able to vote after later presenting voter ID; local and national statistics comparisons.

The Chair of the Constitution and Governance Committee, Cllr Ross Henley, invited comments from other Members present, questions and points raised included:

- The figure of 4% of all non-voters that did not vote because of the voter ID requirement, and the potential negative impact of voter ID requirement, including; the potential impact whereby the non-voter numbers turned away from a polling station outstrips the majority of the winning party in the General Election; what impact the Voter ID system had on individuals choosing not to vote that would normally have voted, i.e. decrease in voting numbers, people that didn't vote

because they didn't know the new rules, people choosing not to vote through objections to using voter ID, digital exclusion.

The Elections Manager, Steven Lake, added that there were no known figures of how many people did not vote from not knowing rules, as no-one presented themselves at polling stations.

- The possibility that voters with no voter ID could be turned away at the polling station door and not formally recorded.

The Elections Manager, Steven Lake, confirmed that no member of Election staff had been placed outside polling stations to turn people away with no Voter ID.

The Vice-Chairman, Cllr Tim Kerley, emphasised the teller's operation and responsibility to follow and reinforce Council guidance to ensure Voters with no ID be formally recorded.

- Whether any potential voter fraud had been reported in Somerset.

The Elections Manager, Steven Lake, confirmed that no known voter fraud, previous to the 4 May 2023 Elections, had been reported in Somerset.

- The paper and electronic process of obtaining voter ID.
- The pressure, challenge and capacity of the Council to deal with queries, management of and issuing of the new voter ID for a General Election across the whole of Somerset, and what voter ID awareness and promotion is planned for the next General Election.

The Elections Manager, Steven Lake, advised of the application and issuing process of the voter authority certificate and the workplan to prepare, promote and make people aware of voter ID requirement for the next General Election including, the preparation for the upcoming Police and Crime Commissioner (PCC) election in 2024, a household information letter to check residents and register to include a reminder of the requirement of voter ID, and the that voter ID requirement information is on every poll card.

- The comparable voter turnout for the By-Election at Somerton and Frome 44.2% with other By-Elections on the same day, Selby - 44.8% Uxbridge and South Ruislip - 46.2% and the Tiverton and Honiton parliamentary By-Election of June 2022 before the new legislation was enacted, similar seat and time of year, close geographically, small towns, rural areas, with a turnout of 52%, so 8% drop.
- The sharing of Polling station statistics with the Government and information reported to the Electoral Commission by Elections Managers.
- The limited data statistic gathering i.e. generational differences in the take up and the acceptance of the voter ID requirement.

Elections Act 2022 – Absent Voters

The Elections Manager, Steven Lake, presented the report, with the aid of a PowerPoint presentation, highlighting: that Draft Regulations relating to changes in postal voting differ from the initial plans for the transitional arrangements for postal

voters; that the change means postal voters who had to reapply for their postal vote by 31 January 2024 and 31 January 2025 are no longer required to; that all existing postal voters who provided a signature prior to 31 October 2023 will be required to reapply for their postal vote by 31 January 2026; the Electoral Registration Office (ERO) postal vote process will create a peak in 2026 and subsequently every three years; that a new digital service for applications for an absent vote will launch on Tuesday 31 October 2023; the ERO Portal development to process applications for absent votes can now be made both online and on paper.

The Chair of the Constitution and Governance Committee, Cllr Ross Henley, invited comments from other Members present, questions and points raised included:

- The reason / cause of change in signature i.e. maturing, illness.
- The effect and impact on Council resources, following the changes, specifically the demand on officer time to meet the objectives of a much larger organisation, the potential for people to lose the ability to vote through not knowing about renewing changes.

The Elections Manager, Steven Lake, explained the application process and workplan, including writing to all affected.

- The options available for those people that do not have direct access to Internet

The Election Manager, Steven Lake, advised that the paper application to remain available.

- Signature images / photographs and the potential risk of fraud and the security of data.
- The potential for an increase in applications in postal votes due to voter ID requirement.

The Constitution and Governance Committee requested the presentation be made available on the Council website and noted the presentation and report.

6 Internal Governance Arrangements - Agenda Item 6

The Chair of the Constitution and Governance Committee, Cllr Ross Henley, invited Acting Strategic Manager for Business Change, Alastair Higton, to present the report.

Acting Strategic Manager for Business Change, Alastair Higton, proceeded to present the report with the aid of a PowerPoint presentation, highlighting: the new informal corporate (whole Council non democratic, non-constitutional) governance arrangements in place to develop the culture of the organisation, through values and behaviours, to improve and build a new organisation that works across our teams and with Elected Members, to join up services, systems and partnerships to get better outcomes and succeed together; the arrangements to allow decisions to be made in confidence, with transparent democratic governance so that Members are

able to see, understand and challenge the plans and work of the Council; the three new Leadership Team forums, all with a different purpose and replacing previous meetings: Executive Leadership Team, Corporate Leadership Team, Service Director Leadership; the three new boards - Transition, Transformation and Change Board, Medium-Term Financial Plan Board, Performance, Risk and Budget Board; that Services will also have arrangements to support their operations; that the arrangements have taken learnings from the Local Government Reorganisation (LGR) programme alongside the vision to develop leaders who are empowered and accountable; that the arrangements do not replace or reduce the role of formal Constitutional decision-making and democratic governance; summarised the relationships between informal and formal governance and assured Members that their critical role in governance and leadership of Somerset Council is not undermined.

The Chair of the Constitution and Governance Committee, Cllr Ross Henley, invited comments from other Members present, questions and points raised included:

- The support for the ambition, proposed setups and the breaking down of silos across the organisation.
- How transparency, collaboration and feedback from meetings and Boards would take place in real time, how information and actions to be fed through and communicated to appropriate individuals / groups / channels to deliver ambitions, plans and outcomes from meetings, the process of communicating and referral of information.

Acting Strategic Manager for Business Change, Alastair Higton, described the process of connecting the organisation and increasing the number of networks across the organisation through creating and building relationships through sharing information, with informal decisions recorded and shared with appropriate and relevant groups of people, and the plan to continually review and respond as appropriate.

- The possibility of Council wide / public confusion referring to Executive (administration) and Executive Leadership Team.
- The comparison of resources / officer time with the new meetings / groups / boards with previous Leadership arrangements / meetings.
- The importance of improving the reporting of risk to fully understand where there is risk, where the responsibilities are to protect the organisation and to scan for risk.

Acting Strategic Manager for Business Change, Alastair Higton to report risk reporting comments to the Performance and Risk teams.

- How the new Leadership Team Forums / Boards fit with existing Committee arrangements and the ability to respond to Members with confidence and clarity, while delivering at pace through a challenging period.

The Constitution and Governance Committee noted the report and provided feedback and views on the arrangements in order to ensure they remained appropriate, fit for purpose and consistent with the established democratic and

constitutional governance.

7 Chair's Announcements - Agenda Item 7

The Chair of the Constitution and Governance Committee, Cllr Ross Henley, provided Members with a verbal update on some of the queries raised at the Workshop held in June 2023:

- The suggestions and feedback regarding Full Council meeting delivery, and the improved operation of Full Council held 26 July 2023.
- Councillor proposal views regarding Gifts and Hospitality.

The Monitoring Officer, David Clark, advised the Constitution and Governance Committee that a Gifts and Hospitality report was to be considered at the Standards Committee - 30 August 2023.

(The meeting ended at 3.29 pm)

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CHAIR

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(Constitution and Governance Committee – 18 October 2023)

Somerset Council
Constitution and Governance Committee
– 18 October 2023



Constitution – Update on its review

Lead Officer: David Clark, Monitoring Officer, Service Director - Governance, Democratic and Legal Services

Author: Scott Wooldridge, Head of Governance and Democratic Services

Contact Details: scott.wooldridge@somerset.gov.uk or 01823 357628

Executive Lead Member: Cllr Bill Revans, Leader of the Council

Division / Local Member: All

1. Summary and background

- 1.1.** This report and its supporting presentation to the meeting provide an update on the work being undertaken to review the new Constitution of Somerset Council. This work is in line with the commitment given in February 2023 that a review would be completed and reported to Full Council by June 2024.
- 1.2.** The Constitution & Governance Committee maintains the oversight of the review and provides a steer to officers ahead of any proposals being brought forward for consideration and recommendation to Full Council.
- 1.3.** The development of the new Constitution followed extensive partnership work by the five legacy councils and was influenced by the experience and the Constitutions of previous local government reorganisations in Buckinghamshire, Wiltshire and Dorset. Reference was also made to best practice from the five legacy councils.
- 1.4.** The review is aiming to report to the Committee in January 2024. Areas of the Constitution for specific focus under the review include:
 - Full Council meeting procedure rules
 - Public Question Time procedures at committee meetings
 - Planning Committees' Terms of Reference
 - Licensing & Regulatory Committees' Terms of Reference
 - Scheme of Delegation and decision making procedures
 - Contract Procedure Rules
 - Financial Regulations

(Constitution and Governance Committee – 18 October 2023)

Further details of the proposed approach to the review are set out in the supporting presentation.

2. Issues for consideration / Recommendations

2.1. The Committee is asked to :

- 1) provide feedback and views on the proposed approach to the review;
- 2) nominate five members of the Committee to the Constitution Working Group – Council Procedures and appoint a Chair of that Working Group;
- 3) support the proposals for the Constitution Working Group – Planning Committees and its proposed membership as set out in the presentation; and
- 4) support the proposals for the Constitution Working Group – Licensing and Regulatory Committees and its proposed membership as set out in the presentation.

3. Consultations undertaken

- 3.1.** The review is being led by the Monitoring Officer with the support of officers from Democratic Services, Legal Services, Corporate & Resources and other relevant services supporting specific committee.
- 3.2.** The review of the Planning Committees and Licensing & Regulatory Committees' Terms of Reference will be driven by the Chairs and Vice-Chairs of those committees and the relevant Executive Lead Members. Any proposals for changes / improvements will be developed in conjunction with them prior to consideration by Constitution & Governance Committee.

4. Implications

- 4.1.** Legal - under Section 9P of the Local Government Act 2000, the Council is required to prepare and keep up to date a Constitution containing the standing orders of the Council and such other information as is required or desirable.
- 4.2.** No specific negative equalities implications have been identified with the proposals set out in the new Constitution. Decisions taken by the Council, in accordance with its Constitution, will consider equalities implications and have due regards to its legal duties under the Equality Act 2010. The arrangements for committee meetings will take full consideration of equalities and public accessibility requirements. An Equalities Impact Assessment is not considered necessary for this decision as there are no direct impacts.

(Constitution and Governance Committee – 18 October 2023)

5. Background papers

- 5.1.** Somerset Council Constitution – February 2023 and May 2023
Supporting presentation setting out proposed approach to the review

Note For sight of individual background papers please contact the report author

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Constitution – update on the review

18 October 2023

Page 21



Somerset
Council

Introduction

- The Constitution for the new Somerset Council was developed and approved at Full council in February 2023 ahead of vesting
- Predominantly based on Buckinghamshire Council's Constitution with additions and changes made to reflect aspects of the former County and District councils
- Commitment given to review the constitution during the first year of Somerset Council to learn from its practical application and the experience from committee meetings
- Review to be reported to Full Council no later than June 2024

Areas of focus for the review

- Full Council procedure rules – in particular member questions and Public Question Time
- Planning Committees terms of reference and meeting arrangements
- Licensing & Regulatory Committees terms of reference and meeting arrangements
- Contract Procedure rules
- Financial Regulations
- Scheme of Delegation and decision making procedures

Approach to review

- Proposing to form 3 working groups (similar to a scrutiny task & finish groups) led by members with support from officers in Democratic Services, Legal Services and relevant services supporting those committees e.g. planning and licensing officers
- Members to Chair the working groups and these are to meet informally, in private at locations across Somerset
- Democratic Services will administer and support the working groups and compile their reports setting out recommendations

The Constitution Review Working Groups

- **Constitution Review Working Group – Council Procedures**

- 5 members from C&G Committee with Leader of Council
- Meeting in November and December

- **Constitution Review Working Group - Planning Committees**

- All Chairs and Vice Chairs of the five Planning Committees along with the Lead Member for Economy, Planning & Assets
- Meeting in November and then Joint Workshop with C&G Committee in December

- **Constitution Review Working Group – Licensing & Regulatory Committees**

- 5 members from Licensing & Regulatory Committee with Lead Member for Communities, Housing & Culture
- Meeting in December and then Joint Workshop with C&G Committee in January



Spotlight on Scheme of Delegation and Decision-Making Improvements

Page 27



Somerset
Council

Background

- A project is underway to review the constitution now that it is in operation, with particular focus on reviewing the current Decision-Making process and options on how Decision making could be improved, accounting for any impact on both assurance and efficiency
- Some feedback has been received directly since April and this will be incorporated
- A survey was issued to Executive and Service Directors to identify consensus for the level of thresholds and assurance, potential improvements for sub delegations and any other relevant feedback

Results

Respondents

- The survey was issued to Executive Directors and Service Directors to complete and forward to managers within their service where appropriate
- 57 completions of the survey have been received and collated

Page 29

| Directorate | Number of completed responses |
|------------------------------------|-------------------------------|
| Adult Services | 0 |
| Children & Family Services | 6 |
| Climate and Place | 22 |
| Community Services | 11 |
| Public Health | 2 |
| Resources and Corporate Services | 10 |
| Strategy, Workforce and Localities | 6 |
| Total | 57 |

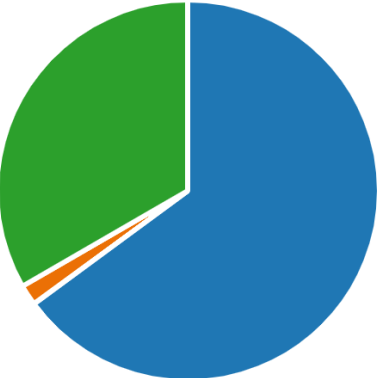
Results

Awareness and Empowerment

Are you familiar with the Council's Decision-Making process, guidance and report templates found on the Intranet?

| | |
|-----------|----|
| Yes | 37 |
| No | 1 |
| Partially | 19 |

Page 30



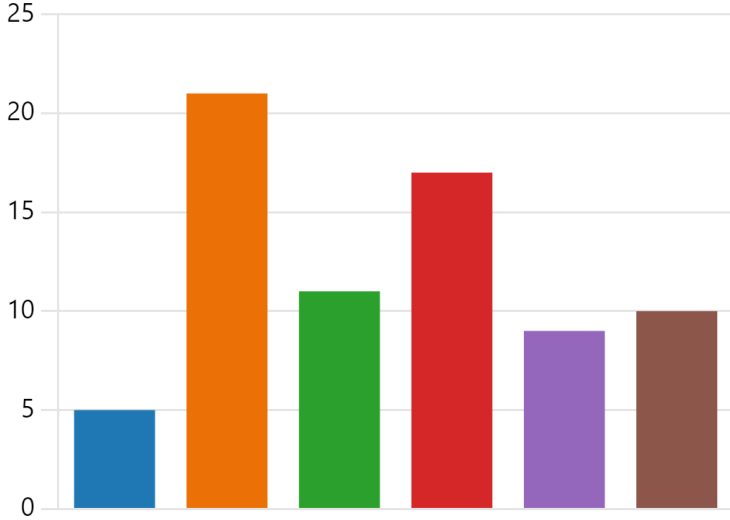
Do you feel empowered to make decisions within the new Council?

| | |
|-----------|----|
| Yes | 14 |
| No | 16 |
| Partially | 22 |
| Not sure | 5 |



What are the reasons for this?

- Lack of Knowledge
- Problems with the Decision-Making Process
- Majority of decisions taken by Elected Members at Executive, Committee or by a Lead Member
- Sub-delegations to you from the Executive Director / Service Director are unclear or not in place
- Have not been required to make a decision as yet
- Other

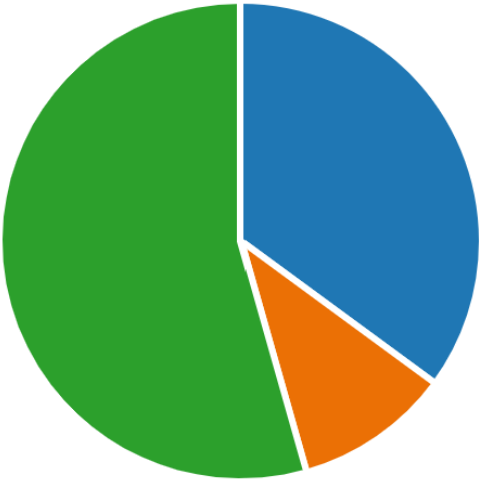


Results

Sub-Delegations

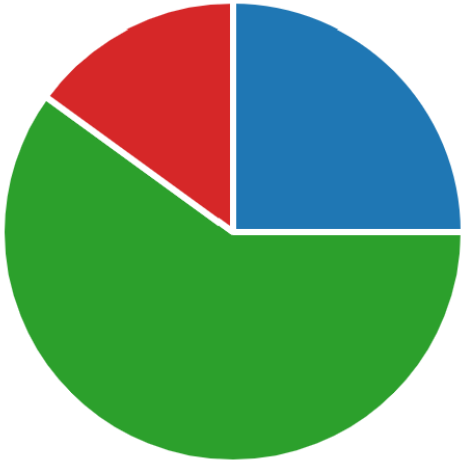
Are sub-delegations set up within your service?

| | |
|----------|----|
| Yes | 20 |
| No | 6 |
| Not sure | 31 |



Are the sub-delegations effective?

| | |
|-----------|----|
| Yes | 5 |
| No | 0 |
| Partially | 12 |
| Not sure | 3 |



Results

Key Decisions

Do you think the financial threshold of 'greater than £500,000' for a key decision is?

- Too High 2
- About Right 36
- Too Low 9
- Not Sure 10



At present, key decision reports require a number of sign-offs in order to provide assurance of the decision e.g. from Finance, Property, Legal, Relevant Members.

Please indicate which option you would prefer

- Increase the level of assurance 4
- Keep the current level of assurance 18
- Decrease the level of assurance 28
- Not sure 7

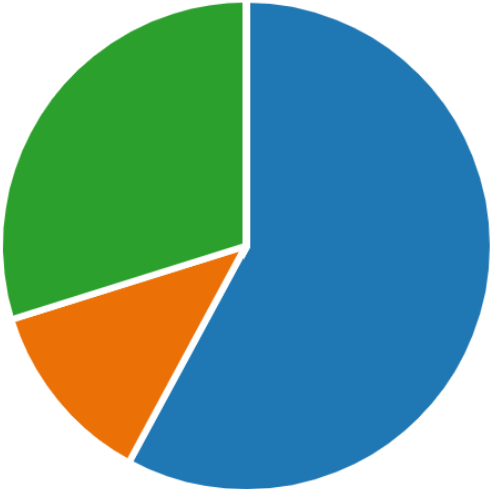


Results

Level of Knowledge and Training Requirements

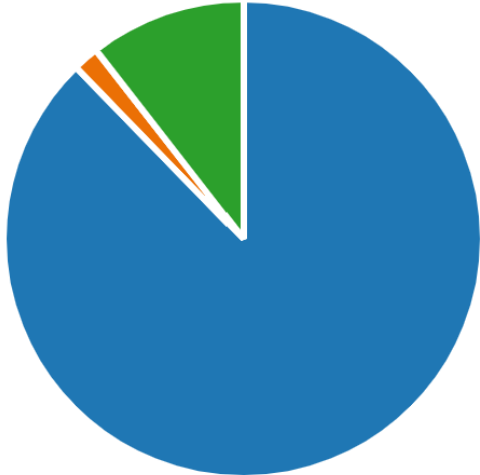
Do you feel that you understand the information, process and steps required to seek approval for a decision?

| | |
|---------|----|
| ● Yes | 33 |
| ● No | 7 |
| ● Maybe | 17 |



Do you believe that a mandatory training session on Decision-Making would be beneficial for officers and colleagues with sub-delegations?

| | |
|---------|----|
| ● Yes | 50 |
| ● No | 1 |
| ● Maybe | 6 |



Themes and Feedback

- Sign off process – Can this be made simpler and quicker?
- Particular activities are assigned to officers / tiers who are not yet in post
- Sub Delegations are not in place in all areas or not widely known
- Arrangements for service level decision making records are not known
- Contract Procedure Rules and Financial Regulations both require review
- Financial Thresholds in Fin Regs for Officer Decisions is too low
- Agreement that further training is important
- A need for colleagues to consider all decisions that may need approval when writing reports to reduce the number of reports required for the same piece of work
- Sign offs are difficult due to availability of approvers
- Delays in getting member consultation responses

Themes and Feedback

Although sub-delegations are effective - managers are unclear how this relates to the scheme of delegation and when decision papers are required.

Delegate to your service managers more....most are professional people with qualifications and experience...

Page 35

I think there is a need to look at delegated authority re. non-key decisions.

Having knowledgeable and empowered officers is fundamental. A higher level of adequate learning, guidance and resources is required to help officers understand and embed the process.

clarity on things like the new structure may help

If it aint broke don't fix it !

Training on Contract Procedure Rules and Standing orders should also be mandatory and is often related to the decision making - many people think that the decision making process is a procurement process.

I think it might be beneficial to look at the Non Key Decision making process and see if it is possible to streamline this to make it more efficient and less onerous for lower value decisions

Colleagues are experiencing delays in decisions. This is particularly difficult when managing externally funded projects that have a timeline for completion of spend.

Themes and Feedback – Sign-off

On some issues/decisions the sign off of some departments is largely irrelevant, but it is difficult to see how this can be streamlined without watering down governance

Page 36

I think this assurance is needed but probably more does need to be done to ensure the availability of these teams to have the time to provide this assurance and to sign off decisions

It takes up a lot of officer time

Not all of the assurance officers listed are relevant to all decisions

Seems too many sign-offs to factor in, adds a significant amount of extra lead time for a report particularly when have to also factor in deadlines for draft reports and final reports in advance of committee meetings it means, the end to end process is very long indeed.

The current level is appropriate, but those seeking a decision need to make proper use of the process rather than using it as an afterthought.

Themes and Feedback – Thresholds

It strikes the right balance...sufficient to move the work along quickly but over this amount would feel too much

Given the size of the council and inflation it would sensible to raise the threshold to £1m or at least £750k

This is in line with peer councils with similar functions, populations and overall size of budget

I think it perhaps is too low as has been this level for a long time (SCC) but the extreme levels of inflation may need to be considered as to whether it should be increased

Thresholds

Feels about right

The threshold should be set with more sensitivity to some of the key types of decision we take frequently, and make reference to other factors than just money.

If this is for say a multi-year contract it seems too low. Appropriate for one-off spend.

Appropriate grade for decision making for accountability

Next Steps

- In-depth analysis of themes and feedback
- Review of specific queries received relating to the Decision-Making process
- Development and implementation of proposals of changes to the process
- Development of proposals of changes to the Constitution and Scheme of Delegation which will need Executive buy-in and wider member buy-in before being taken to Constitution and Governance Committee and signed off at Full Council



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(Constitution and Governance Committee – 18 October 2023)

Somerset Council
Constitution and Governance Committee
– 18 October 2023



Somerset Council Electoral Review - arrangements, update and timeline

Lead Officer: David Clark – Service Director for Governance, Democratic and Legal Services and Monitoring Officer

Author: Clare Rendell – Governance Specialist

Contact Details: clare.rendell@somerset.gov.uk

Executive Lead Member: Councillor Bill Revans – Leader of the Council and Lead Member for Governance and Communications

Division / Local Member: All Councillors

1. Summary

- 1.1.** In March 2022, Parliament authorised the creation of a new unitary council through the implementation of the Somerset Structural Change Order 2022.

The new unitary council was called Somerset Council and began on 1 April 2023.

- 1.2.** Following on from vesting day, the Local Government Boundary Commission for England (LGBCE) have advised the leaders of Somerset Council of their intent to commence an electoral review on the Somerset Council divisions and councillor allocation.

2. Recommendations

- 2.1.** The Constitution and Governance Committee are asked to note the update.

3. Background

- 3.1.** With 110 councillors, Somerset Council is the third largest in the country. When compared with other similar sized areas and populations, it is likely that, as part of the review, the number of councillors will be reduced.

(Constitution and Governance Committee – 18 October 2023)

- 3.2. The review will consider many factors, such as overall number of councillors, overall number of divisions and the number of councillors elected to each division.
- 3.3. The review will take into account certain statutory criteria and also be split into four phases:-
 - Phase 1 – Establishing the appropriate number of Councillors.
 - Phase 2 – Establishing the warding arrangements.
 - Phase 3 – Seeking Parliamentary approval.
 - Phase 4 – Applying the changes to the next Somerset Council Election in 2027

4. Consultations undertaken

- 4.1. Consultations will take place as part of Phase 1 and Phase 2 of the Review.

5. Implications

- 5.1. This is an opportunity for Somerset Council to engage with and influence the review process. A broad approach to a review will ensure that the wider national and local policy context is considered. The impact of local geography and demographics on democratic representation and the role of the Councillors role within the Council, the community and other institutions and partnerships should also be considered.
- 5.2. Representations can be submitted from various groups within the Council e.g. political groups, working party, Constitution & Governance Committee, individual Councillors.

6. Background papers

- 6.1. LGBCE Website: [Changing wards & number of councillors a council has | LGBCE](#)

Centre for Governance and Scrutiny: [Council size changes: learning lessons from submissions and implementation - Centre for Governance and Scrutiny \(cfgs.org.uk\)](#)

Note For sight of individual background papers please contact the report author

Constitution & Governance Committee

Electoral Review Briefing

Wednesday 18 October 2023



Somerset
Council

Background

Page 44

- The LGBCE have approached the Council to inform us that they intend to commence an electoral review in Somerset
- It was always known that a review would take place before the next Council elections in 2027.
- With 110 Members, Somerset Council is the 3rd largest Council in the country (after Buckinghamshire 147 and Durham 126), comparing the Council with similar sized areas and population 70-90 elected members is likely to be the target.

Electoral Review

The review will consider the following:

- Overall number of Councillors
- Overall number of wards/divisions
- The boundaries of wards/divisions
- The names of wards/divisions
- The number of Councillors elected to each ward/division i.e. single or multiple Cllrs
- • The building blocks for a review will be the existing City, Town and Parish boundaries.

Electoral Review

The review will consider the following statutory criteria:

Electoral Equality – Each Councillor should represent the same number of electors. This should consider electoral forecasts to future proof the review for up to 5 years.

Community Identity and Interests – A shared sense of community should be reflected in ward/division boundaries e.g. common shops, schools, sports facilities, places of worship, residents associations and community groups.

Convenient and effective local government – Strong and identifiable boundaries and ward names that are recognisable

Electoral Review

The review will **not** take into account:

- The political consequences of boundary changes;
- Parliamentary boundaries;
- The overall size of the Council area and boundaries with neighbouring Councils.

Electoral Review

The review will be split into 4 distinct phases:

- **Phase 1** – Establishing the appropriate number of Councillors. This will be through consultation with the Council itself and can include a number of representations from different sources e.g. Officers, members, political groups, working groups etc ideally with a variety of numbers. This phase will last 3-6 months.
- **Phase 2** – Establishing the warding arrangements. This will be through x2 community consultations with each consultation taking approximately 10 weeks.
- **Phase 3** – Seeking Parliamentary approval.
- **Phase 4** – Applying the changes to the next Somerset Council Election in 2027

Electoral Review – Next Steps

- Group Leader and All Member briefings have been arranged 7 November
- The Commission will welcome multiple responses on the review e.g. from political groups/cross party working group/C&G Committee
- A thorough review should have a broad rather than a narrow approach and taken as an opportunity for a necessary conversation about the councillor role, with a view to concluding whether council size is appropriate given the roles that members play. This work can play into a wider review of governance or a more general review of local democracy.
- It should cover the following key substantive areas:
 - The wider national and local policy context
 - Local geography and demographics
 - The role of the councillor within the Council
 - The role of the councillor within the Community
 - The role of the councillor in other institutions
 - Technology and social media

Electoral Review – Next Steps

- Spring/Summer 2024 receive submissions on number
- Aug-Nov 2024 receive submissions on boundaries
- LGBCE aim to publish their draft recommendation in May 2025
- LGBCE aim to publish their final recommendation in August 2025

[The Review Process - YouTube](#)

Time for Questions



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Agenda Item 7

Constitution and Governance Committee Work Plan 2023/2024

| Meeting Date | Proposed Agenda Items | Officer |
|--|---|--------------------------------|
| 21 June 2023 @ 2 pm | Proposed Agenda Items | |
| Informal Workshop - In Person - Luttrell Room | Work Programme - items to be brought to committee | |
| | Full Council Debrief | Verbal Update to gain feedback |

| 16 August 2023 @ 2 pm | Proposed Agenda Items | |
|-----------------------|--|---------------------------|
| | Update on Electoral Commission Parliamentary Constituency Review | Louise Potter/Steven Lake |
| | Internal Governance arrangements - statutory and Proper Officers; training | Alastair Higton |
| | Chair Update | Cllr Ross Henley |

| 18 October 2023 @ 2 pm | Proposed Agenda Items | |
|------------------------|---|-------------|
| | Constitution Review/Updates | David Clark |
| | Somerset Council Electoral Review - arrangements, update and review | David Clark |

| 31 January 2024 @ 2pm | Proposed Agenda Items | |
|-----------------------|---|--------------------------|
| | Interim review - LCN Terms of Reference | David Clark/Kate Hellard |
| | Somerset Council Electoral Review - arrangements, update and review | David Clark |
| | Interim review - Planning Committee Terms of Reference | |

| 17 April 2024 @ 2 pm | Proposed Agenda Items | |
|----------------------|--|-------------|
| | Annual Report of Constitution & Governance Committee | David Clark |
| | First year review of Somerset Council Constitution | David Clark |
| | Scheme of Delegation | David Clark |

| To be scheduled | | |
|-----------------|-----------------------------------|-------------|
| | Petition Scheme | |
| | Licensing ToR | |
| | Key and Non Key Decisions | |
| | Public Participation arrangements | David Clark |

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