

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 Dixie Darch
Cllr Emily Pearlstone

Cllr Mandy Chilcott
Cllr Dawn Johnson
Cllr Richard Wilkins

In attendance:

Other Members present remotely:

Cllr Simon Coles
Cllr Tessa Munt
Cllr Leigh Redman

Cllr Bob Filmer
Cllr Sue Osborne
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