

Somerset Council
Constitution and Governance Committee
– 18 October 2023



Constitution – Update on its review

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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

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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.

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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