

## CONSTITUTION AND GOVERNANCE COMMITTEE

Minutes of a Meeting of the Constitution and Governance Committee held in the Luttrell Room - County Hall, Taunton, on Thursday 20 October 2022 at 2.00 pm

**Present:** Cllr T Butt Philip (Chair), Cllr B Clarke, Cllr H Davies, Cllr D Johnson, Cllr H Kay, Cllr C Lawrence, Cllr M Murphy, Cllr S Osborne, Cllr S Pugsley, Cllr R Wilkins, Cllr E Pearlstone, Cllr D Darch and Cllr H Shearer

**Other Members present on Microsoft Teams:** Cllr L Redman and Cllr S Wakefield

**Apologies for absence:** Cllr S Carswell, Cllr M Lovell and Cllr A Wiltshire

### 1 **Apologies for Absence** - Agenda Item 1

Apologies were received from Councillor Martin Lovell, who was substituted by Councillor Emily Pearlstone, Councillor Simon Carswell, who was substituted by Councillor Heather Shearer, and Councillor Alex Wiltshire, who was substituted by Councillor Dixie Darch.

### 2 **Declarations of Interest** - Agenda Item 2

The Committee noted the details of the personal interests of all Councillors present already declared in relation to their membership of County, District, Town and Parish Councils.

There were no new declarations of interest made at the meeting.

### 3 **Minutes from the previous meeting held on 12 September 2022** - Agenda Item 3

The minutes of the meeting held on Monday 12 September 2022 were approved and signed as a correct record.

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

There were no questions asked, statements made or petitions presented.

### 5 **Work Programme** - Agenda Item 5

This was a standing item for the Committee so that it could review and set its forward plan of work to support the delivery of the Council's priorities.

The Committee discussed the items to be considered at the November 2022 meeting and the Monitoring Officer advised the Committee of two changes, Decision Making and Senior Officers were to be moved from the November 2022 meeting to the January 2023 meeting.

## 6 **Public Participation** - Agenda Item 6

The Committee considered a presentation from the Council's Monitoring Officer and Strategic Manager – Governance and Democratic Services, Scott Wooldridge, which outlined the approach and options to developing the section on Public Participation within the new Constitution for the new Somerset Council.

The following points were highlighted:

- Timings of meetings:
- Concern was raised on working age councillors and whether they would be able to attend council meetings during the day, due to work commitments. Councillors further queried whether any comparison work had been carried out with other unitary councils.  
*The Monitoring Officer advised that a comparison had been carried out, the results of which had been included in the presentation.*
- Councillors suggested that some meetings could be held in the local areas, such as Planning Committee and the Local Community Networks (LCNs) and should be held in the evening to encourage public attendance.
- Councillors queried what Public Participation was like in other unitary councils.  
*The Monitoring Officer advised that the participation was varied across the other councils. He also advised that the title was deliberately named 'Participation', as engagement should happen at an earlier stage of the democratic process.*
- Councillors queried the use of hybrid meetings.  
*The Monitoring Officer advised that the current legislation did not allow for hybrid meetings, so committee members (voting members) were required to attend in person. Councils had been lobbying Central Government to request a change to the legislation.*
- Concern was raised that women were under-represented within the council and if meetings were held between 2pm and 6pm, this could be difficult for parents to attend if they had to fit it around the 'school run'.
- Councillors agreed that it was a difficult issue and that they wanted to be fair for all but that a pragmatic approach was needed. The proposed timings were a good starting place.
- Councillors agreed that locations needed to be considered as well as timings of meetings.
- Concern was raised on the timings of the LCNs, as councillors wanted to ensure that those meetings did not clash with the parish council meetings or with any of the unitary council meetings.
- Councillors urged officers to ensure that the computer systems used in the New Council were improved to ensure proper public engagement could be carried out at meetings.

*The Monitoring Officer advised that the systems currently used did allow for public to take part in the meetings from home.*

- Councillors suggested a template could be drawn up for public statements and that the language used should enable public engagement.
- Public questions:
- Councillors supported the addition of a supplementary question for clarification only purposes.

*The Monitoring Officer confirmed that the supplementary question would not allow for another 3 minutes of questions and that he would recommend a time limit of 1 minute. The total time permitted to Public Question Time was 20 minutes in total but was at the Chair's discretion to allow for extra time.*

- Councillors requested assurance that answers would be given at the meetings and not via a written answer.

*The Monitoring Officer advised that answers should be given at the meetings, as the deadline for public questions was sufficient to allow officers to compile answers in time for the meeting.*

- Councillors supported the change to 2 days' notice for public questions.
- Councillors queried whether the agendas could be published 6 days prior to the meetings.

*The Monitoring Officer advised that he could request that agendas were published earlier, however, that would impact on officers' timeframes for producing reports and the legislation stated that agendas had to be published 5 working days prior to the meetings.*

- Councillors queried whether there was a time limit for producing minutes of meetings.

*The Monitoring Officer advised that the standard timeframe was to ensure the minutes were produced in time for inclusion in the following agenda. Decision notices were produced soon after the meeting.*

- Councillors queried whether hard copies of the agendas were available in local offices.

*The Monitoring Officer advised that hard copies were available at the principal council offices.*

- Petitions:
- Councillors suggested that parish councillors should be recognised when they had submitted a statement for Public Question Time.
- Some councillors liked the use of the term 'citizen' and others liked the use of the term 'people'.
- Councillors agreed that the language used in the new constitution needed to be legal, but it should also be clear and 'user friendly'.

## 7 **Full Council Meeting Procedures** - Agenda Item 7

The Committee considered a presentation from the Council's Monitoring Officer and Strategic Manager – Governance and Democratic Services, Scott

Wooldridge, which outlined the approach and options to developing the section on Full Council Procedures within the new Constitution for the new Somerset Council.

The following points were highlighted:

- Councillors queried if the boundary review reduced the number of councillors, would mean the quorum for Full Council meetings would be changed.
- Councillors suggested that the time limit for councillors to speak could be changed from 5 minutes to 3 minutes. The reason behind the suggestion, was that Full Council should be for endorsement only and so councillors should be able to say all that they needed to within a 3-minute timeframe.
- Concern was raised for those councillors who were opposition spokespersons, as they might need longer than 3 minutes.
- Councillors agreed that further clarification was required on the terms 'motions' and 'requisitioned items'.
- Councillors agreed that advance warning was needed for submission of amendments.
- Councillors queried whether the constitution detailed what items would need to go to Full Council.

*The Monitoring Officer advised that those details would be included in the section of the constitution for Full Council Functions.*

- Councillors queried how members would be held accountable with their attendance at meetings.

*The Monitoring Officer advised that he could include a report at the Annual Council Meeting (AGM) that detailed councillors' attendance records.*

- Councillors suggested that substitutes could be appointed at the AGM within the Committee Composition report. That would ensure that all the relevant councillors received training for certain committees. The leader of each group could then monitor attendance.
- Councillors suggested that the unitary councillor job role could be attached as an appendix.

## 8 **Recruitment of Independent Persons for new Somerset Council** - Agenda Item 8

The Committee considered a presentation from the Council's Monitoring Officer and Strategic Manager – Governance and Democratic Services, Scott Wooldridge, which outlined the approach and options for recruiting Independent Persons for the new Somerset Council.

The following points were highlighted:

- Councillors queried why 3 had been chosen and not 5 persons.  
*The Monitoring Officer advised that 3 was the standard number used.*

- Councillors queried how many independent persons were currently appointed across the county.  
*The Monitoring Officer advised that there were 6 independent persons.*
- Councillors requested that the workloads be reviewed every year to ensure that 3 independent persons were sufficient.

9 **2023 Boundary Review - Parliamentary Constituencies** - Agenda Item 9

The Committee considered a presentation from the Council's Monitoring Officer and Strategic Manager – Governance and Democratic Services, Scott Wooldridge, which outlined the approach and options for the Parliamentary Constituencies Boundary Review 2023.

The following points were highlighted:

- Concern was raised on how much influence a county submission would have on the final recommendations.
- Councillors were aware that the Boundary Commission for England were guided by tight guidelines and that could lead to cross boundary constituencies.
- Councillors requested that the final proposals should be added to the agenda for the next meeting.

10 **Any other urgent items of business** - Agenda Item 10

There were no other items of business.

**(The meeting ended at 5.10 pm)**

**CHAIR**