

CONSTITUTION AND GOVERNANCE COMMITTEE

Minutes of a Meeting of the Constitution and Governance Committee held in the Luttrell Room - County Hall, Taunton, on Monday 21 November 2022 at 2.00 pm

Present: Cllr T Butt Philip (Chair), Cllr S Carswell (Vice-Chair), Cllr B Clarke (attended virtually), Cllr H Davies, Cllr D Johnson, Cllr H Kay (attended virtually), Cllr M Lovell, Cllr M Murphy, Cllr S Osborne, Cllr S Pugsley, Cllr R Wilkins and Cllr A Wiltshire

Other Members present: Cllr S Collins and Cllr M Stanton

Other Members present virtually: Cllr R Woods, Cllr L Redman, Cllr L Trimnell, Cllr M Lewis, Cllr A Bradford, Cllr J Bailey, Cllr S Wakefield and Cllr H Bruce

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

Apologies were received from Cllr C Lawrence.

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

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

3 **Minutes from the previous meeting held on 20 October 2022** - Agenda Item 3

The minutes of the meeting held on Thursday 20 October 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 **Elections Act 2022** - Agenda Item 5

The Committee considered a report from the Council's Monitoring Officer and Head of Governance and Democratic Services, Scott Wooldridge, concerning The Elections Act 2022 which received Royal Assent on 28 April 2022. It contains a wide range of proposals to make "new provision for and amend existing electoral law to ensure that UK elections remain secure, fair, modern, inclusive and transparent".

Mr S Lake, Electoral Services Manager at Mendip Council and Ms L Potter, Electoral Services Manager at Sedgemoor District Council attended the meeting and provided further details and information on the wide-ranging changes, which apply to all UK Parliamentary elections in Great Britain, Police & Crime Commissioner elections in England & Wales, English local government polls

(excluding parish polls) and Recall Petitions. The first election planned to be held within the Somerset Council area will be the Town Council elections, on 4 May 2023.

The [Appendix](#) to the report outlined the main elements of the Act and the impacts on the team. Mr Lake highlighted a number of the changes, some of which will apply more immediately whilst others will be in place into 2024 - the requirement for local authority Electoral Registration Officers (ERO) to issue free voter identification documents to eligible residents without valid photo ID (process to commence from January 2023); requirement for voters to show photo ID at polling stations before a ballot paper is issued; the list of acceptable documents which was detailed in the Appendix, and which will need to be reflected in the poll card sent to polling station electors; ERO's will be required to provide a Voter Authority Certificate free of charge to any elector who applies for one; accessibility in polling station changes; changes for EU citizens; scrapping the '15 year rule' which will allow all British citizens living overseas to vote in UK Parliamentary elections, regardless of when they left the UK (expected to be in place from July 2023); require postal voters to reapply every 3 years (transitional arrangements in place from Jan 2024); changes to applying for postal votes and handling of postal votes and limiting number of people someone may act as a proxy voter; 'First past post' to be used at next PCC elections in 2024; change for numbers of subscribers to a nomination papers from 10 people to 2; some changes to the Electoral Commission, law about political finance and for digital campaigning material to display a digital imprint.

During the debate, the following points were highlighted: -

- Whether the new ID rules also apply to parish polls

Mr Lake advised that this rule will not apply to parish polls - these elections retain the requirement for using a stamping instrument to physically perforate the ballot papers and the hours of polling are 4 – 9 pm

- Clarification on the changes for overseas electors (scrapping of the '15 year rule')

Mr Lake advised that this will allow all British citizens living overseas to vote in UK parliamentary elections, regardless of when they left the UK – may need some sort of attestation from the applicant at some point

- Clarification on the handling of postal votes

Mr Lake advised that political parties will not be able to handle (completed) postal votes in future and there will also be a limit on the numbers people can hand in at a polling station (numbers will be set out the secondary legislation).

- Questions on the photo ID changes and if there will be any publicity about the changes

Mr Lake confirmed that the necessary secondary legislation has just been made and that photographic ID will be required in all polling stations - the process will 'go live' on 16 January 2023 – it will be on-line and will be a 'step through

process; it will be ran on national system and certificate issued centrally, by post; there will be national advertising and ERO's will pick this up locally; the Electoral Commission will issue the comms and a suite of resources which the ERO can use; very likely that councils will also write to electors advising them of the changes; believe that approx. 2 – 4% of people won't have the suitable ID and the Voter Authority Certificate will be available to them; applications for the Voter Authority Certificate will close 5 days prior to polling day; there will also be a temporary voter certificate if the elector loses their Voter Authority Certificate (can be used in the 5 day gap and on last day before an election, the elector could appoint an emergency proxy); the first election which this applies to will be the Taunton Council elections and cannot judge the impact as cannot judge likely turnout, being the first ever election for this new Council; the first Somerset-wide election will be the PCC elections in 2024; polling staff will keep records of those electors who arrive at the polling station without ID; in the polling station, only the Presiding Officer or a Poll Clerk is permitted to inspect the identity document and will make the decision if a person is or is not the person in front of them

- Questions about Parliamentary Recall Petition

Mr Lake mentioned that this facility is not often used and that polling stations would be open 9 – 5 pm - electors would need ID to sign the petition

- Questions on the costs of implementing the changes and if the Council will be reimbursed.

Mr Lake confirmed that Councils will be reimbursed on a number of the changes, via grant / justification led bids; extra staff resources will be needed in office checking people are properly registered and anticipate that will take approx. 6 minutes per application (online) and 8 minutes for paper applications made; will need additional / extra staff in every polling station.

The Monitoring Officer highlighted the work of the LGR Governance workstream around risk and mitigation. He also flagged that both the Electoral Commission and the Association of Electoral Administrators have been lobbying government for some time for clarity on resources and about the timetable for implementation.

The Chair thanked officers for their work and the Committee noted the update on The Elections Act 2022, which includes the requirements for voter photo ID, the wide-ranging changes outlined and the significant work and challenges involved for future elections.

6 **2023 Boundary Review - Parliamentary Constituencies - Final Proposals -** Agenda Item 6

The Committee received a PowerPoint presentation from the Council's Monitoring Officer and Head of Governance and Democratic Services, Scott Wooldridge, providing an covering the final proposals for the changes to

Parliamentary Constituencies published by The Boundary Commission for England on [8 November 2022](#).

Mr Wooldridge explained that the consultation closes on 5 December 2022 and that the Commission will then analyse all the responses submitted during this final consultation stages, to decide whether to make any final adjustments to the revised proposals. The outcome of these deliberations will be their final report and recommendations, which should be provided to Parliament (and published) by 1 July 2023.

There are currently five constituencies within the existing Somerset County boundaries and the proposals are for there to be 7 Constituencies. The only amendments affecting initial proposals for Somerset constituencies are the inclusion of the Norton Fitzwarren and Staplegrove ward in the Taunton constituency and the Upper Culm ward in the Tiverton and Minehead constituency.

The Committee discussed the proposals for Somerset and how best to respond to the consultation. It was noted that it is open to individual members to separately submit their own responses.

It was agreed that the following response be submitted to the consultation: -

1. To request that the following County constituencies be renamed, as follows:
 - (a) 'Taunton County Constituency' – renamed as 'Taunton and Wellington County Constituency' and to endorse the proposal to include Norton Fitzwarren and Staplegrove ward in the constituency
 - (b) Tiverton and Minehead County Constituency' – renamed as 'West Somerset and Tiverton County Constituency'
 - (c) 'Wells and Mendip Hills County Constituency' – renamed as 'Wells County Constituency'

2. Raise concerns about the inclusion of Bruton in the Frome County Constituency as opposed to the Glastonbury and Somerton County Constituency, due to its historic ties with Wincanton and additionally the proposed County Constituency boundary divides the secondary school in Bruton.

7 **Work Programme** - Agenda Item 7

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

The Committee considered the work programme of future work and items to be considered at future meetings and the Monitoring Officer advised that the following changes needed to be made: -

- Proposals for LCN functions and arrangements – January meeting
- Scheme of Delegations / Proper Officer appointments – January meeting
- Senior Officer arrangements – February meeting

The Committee AGREED that the work programme be updated as discussed.

8 **Any other urgent items of business** - Agenda Item 8

There were no other items of business raised at the meeting.

(The meeting ended at 3.45 pm)

CHAIR