

## **Annual Report of the Constitution and Governance Committee**

Lead Member: Cllr Theo Butt Philip, Chair of the Constitution and Governance Committee

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### **1. Summary**

- 1.1.** The Constitution and Governance Committee is required through the Constitution to make an annual report to Full Council.
- 1.2.** The Constitution and Governance Committee forms a part of the County Council's corporate governance framework. Its purpose is to maintain an effective, up to date and legally compliant Constitution; consider proposals from Council committees for changes to the constitutional arrangements of the Council; approve in-year changes to individual parts of the Constitution; take all required decisions in respect of the County Council elections; oversee the Council's input and response to boundary or electoral reviews as required by the Boundary Commission; and develop the Constitution for the new Somerset Council.
- 1.3.** This report is to inform members of the work of the Constitution and Governance Committee over the municipal year.

### **2. Background**

- 2.1.** The Constitution and Governance Committee was formed following the Annual General Meeting in May 2022.
- 2.2.** The Constitution and Governance Committee has met a total of 7 times between July 2022 and end of February 2023.
- 2.3.** Constitution and Governance Committees are a key component of an authority's governance framework. The key function this year was to develop the Constitution for the new Somerset Council.

### **3. Work Programme**

**3.1.** Although the main focus of the work programme has been to develop the Constitution for the new Somerset Council, the Constitution and Governance Committee has also focused on the following items:-

**3.2. Community Governance Review for the Unparished Are of Taunton**

At the meeting held on 18 July 2022, the Committee received an update of the project being carried out by officers at Somerset West and Taunton Council to form a Taunton Town Council and to review the geographical scope for the project to include areas of urban extension as well as the unparished area of Taunton.

**3.3. DBS Check Policy**

At the meeting held on 12 September 2022, the Committee were requested to revisit the policy agreed by Full Council in November 2017, with a view to require all members to now be enhanced DBS checked. It felt timely to revisit the policy given the continuing emphasis on safeguarding and an assessment of DBS policies of other councils in relation to members.

**3.4. Boundary Review**

At the meeting held on 20 October 2022, the Committee were presented with the proposals for the final consultation stage of the 2023 Boundary Review – Parliamentary Constituencies. In the Avon, Somerset and Devon sub-region, the increase by two in the number of constituencies had meant that significant change to the existing pattern of constituencies was necessary. The proposed Tiverton and Minehead constituency would cross the county boundary between Somerset and Devon and the proposed Wells and Mendip Hills, and Frome constituencies would cross the county boundary between Somerset and Avon. There was a very in-depth debate held on the proposals, which led to the item being brought back to the meeting held on 21 November 2022, where the Committee agreed their final consultation submission.

**3.5. Elections Act 2022**

At the meeting held on 21 November 2022, the Committee were updated on the changes being brought in by the Elections Act 2022, which had received royal assent on 28 April 2022. The main changes being introduced were:-

- The requirement for voters to show photo ID at polling stations before a ballot paper was issued (expected to be in place for elections from May 2023)
- To extend election accessibility, which required the Returning Officers to take all reasonable steps to provide support for voters with a disability in polling stations (expected to be in place for elections from May 2023)
- To change voting and candidacy arrangements for EU voters (expected to be in from June 2023)
- To scrap the 'fifteen-year rule' to 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)

- To enable electors to apply online for an absent vote, with both online and paper applications requiring the applicant's identity to be verified (expected to be in place from July 2023)

### **3.6. New Somerset Council Constitution**

Throughout the year, the Committee debated in depth the following articles of the Constitution:-

20 October 2022:

- Public Participation
- Full Council Meeting Procedures

15 December 2022:

- Licensing Committee Functions and Arrangements
- Pensions Fund Governance

30 January 2023:

- Scrutiny Functions and Arrangements
- Decision Making, Scheme of Delegation and Proper Officer Arrangements
- Local Community Network's Functions and Arrangements
- Planning Committee Functions and Arrangements

14 February 2023:

- Committee Structure and Arrangements
- Executive Functions and Arrangements
- Overall Review on the New Constitution for Somerset Council

## **4. Conclusions**

- 4.1.** The Constitution and Governance Committee has had a very heavy workload throughout the past municipal year to ensure that the new Constitution was safe and legal in time for vesting day on 1 April 2023. However, this was just a starting point and in the first few years of the new Somerset Council, work will need to be carried out to review the Constitution to ensure it continues to be effective, up to date and legally compliant.

## **5. Background papers**

- 5.1.** Supporting papers can be found at:

[Somerset County Council Constitution and Governance Committee Agendas and Minutes](#)

[Somerset West and Taunton Council – Community Governance Review for the Unparished Area of Taunton](#)

[2023 Boundary Review – Parliamentary Constituencies](#)

[Elections Act 2022](#)