

Report of the Monitoring Officer – Approval to minutes of committees of two legacy councils

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Summary

1. Following the establishment of the new Somerset Council, this report seeks the Council's approval to the accuracy of several minutes of former committees of two legacy district councils, namely Sedgemoor District Council and Somerset West & Taunton Council.

Recommendations

2. That the Council:

a. Approves the accuracy of the minutes of former committee meetings of two legacy councils as set out in Appendix 1 – 9 (Sedgemoor District Council Development Committee – 13 December 2022, 10 January 2023, 7 February 2023, 7 March 2023, 28 March 2023; Executive meeting on 30 November 2022 and Full Council on 29 March 2023 and Somerset West & Taunton Council Planning Committee on 8 December 2022).

b. Agree the case for exempt information for the minutes of the former Sedgemoor District Council Executive meeting on 30 November 2022 (Appendix 1) and the Sedgemoor District Council meeting on 29 March 2023 (Appendix 2) to be treated in confidence, as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.

c. Agree to exclude the press and public from the meeting where there is any discussion at the meeting regarding the minutes of the former Sedgemoor District Council Executive meeting on 30 November 2022 and the former Sedgemoor District Council Full Council meeting on 29 March 2023 (to be treated as exempt information).

Background

3. Following the approval of the Somerset Structural Changes Order 2022, Somerset Council came into effect on 1 April 2023 as part of local government reorganisation in Somerset.
4. Following vesting day for the new Somerset Council on 1 April 2023, the former four district councils have been abolished. There are draft minutes from former committees of Sedgemoor District Council and Somerset West & Taunton Council which have not been agreed as records of those meetings. Those draft minutes are set out in Appendices 1 – 9.
5. Draft minutes of a meeting are submitted for confirmation of their accuracy to the next succeeding meeting. The minutes are merely a record of what has already taken place at a meeting. The confirmation of accuracy is not a further opportunity for debate on items recorded in the minutes nor the reporting of subsequent actions.
6. In accordance with the Somerset Structural Changes Order 2022, the new Somerset Council undertakes all of the powers and functions of the former County Council and the four district councils.
7. The draft minutes need approval and it is therefore proposed that the Council approves the accuracy of the minutes set out in Appendices 1 – 9.
8. It is highlighted that the sets of minutes from the meeting on 30 November 2022 of the former Sedgemoor District Council's Executive and 29 March 2023 of the former Sedgemoor District Council's Full Council meeting contain exempt information under category 3 of Schedule 12A of the Local Government Act 1972 relating to the financial or business affairs of Sedgemoor District Council. It is recommended that the Council resolves to exclude the press and public should it wish to debate the accuracy of those minutes.

Legal Implications

9. There are none arising from the recommendations set out in this report.

Appendices

10. Appendix 1 - Sedgemoor District Council Executive meeting minutes 30 November 2022
Appendix 2 - Sedgemoor District Council Development Committee meeting minutes 13 December 2022.
Appendix 3 - Sedgemoor District Council Development Committee meeting 10 January 2023.
Appendix 4 - Sedgemoor District Council Development Committee meeting 7 February 2023.
Appendix 5 - Sedgemoor District Council Development Committee meeting 7 March 2023.
Appendix 6 - Sedgemoor District Council meeting minutes 29 March 2023
Appendix 7 - Somerset West & Taunton Council Planning Committee meeting 8 December 2022
Appendix 8 - Sedgemoor District Council Development Committee meeting 28 March 2023
Appendix 9 - Sedgemoor District Council Executive meeting minutes 30 November 2022 (Confidential minutes)
Appendix 10 - Sedgemoor District Council meeting minutes on 29 March 2023 (Confidential minutes)

Background Papers

11. Somerset Council Constitution
Local Government Act 1972
Local Government Access to Information Act 1985
Local Government Structural Changes Transitional Arrangement Orders 2008
Openness of Local Government Bodies Regulations 2014
Somerset Structural Changes Order 2022