
Annual Report of the Constitution and Governance Committee

Lead Member: Councillor Ross Henley, Chair of the Constitution and Governance Committee

Local Member(s) and Division: All Members

Lead Officer: Scott Wooldridge, Head of Governance and Democratic Services

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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 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; receive assurance from the Returning Officer regarding the administration of any elections; and oversee the Council's input and response to boundary or electoral reviews as required by the Boundary Commission.
- 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 has met a total of 3 times since vesting day on 1 April 2023.
- 2.2 Constitution and Governance Committees are a key component of an authority's governance framework. The key function this year was to review the Constitution adopted by the new Somerset Council.

3. Work Programme

- 3.1 Although the main focus of the work programme has been to review the Constitution, the Constitution and Governance Committee has also focused on the following items:-
- 3.2 **Update on Electoral Commission Parliamentary Constituency Review**
At the meeting held on 16 August 2023, the Committee received an update on the Parliamentary Constituency Review, which detailed the Final Recommendations submitted to the Speaker of the House of Commons to conclude the review process.
- 3.3 **Elections Act 2022**
At the meeting held on 16 August 2023, the Committee received an update on the Elections Act 2022, which detailed the impacts of the new requirements for voters to show photo identification to vote in polling stations and further changes to the procedures for Absent Voters and the new digital service for processing Voter Authority Certificates.
- 3.4 **Internal Governance Arrangements**
At the meeting held on 16 August 2023, the Committee received an update on the Internal Governance Arrangements of the new Somerset Council, which replaced the senior/corporate leadership team arrangements of the 5 predecessor authorities. In order to facilitate good officer leadership of transition and transformation activity of the New Council, business as usual delivery and improvement, and relationships with elected members, new meeting sets and delivery boards were devised.
- 3.5 **Constitution - Update on its review**
At the meetings held on 18 October 2023 and 31 January 2024, the Committee were provided with an update on the work being undertaken to review the new Constitution of Somerset Council.
- 3.6 **Somerset Council Electoral Review**
At the meeting held on 18 October 2023, the Committee received an update on the Electoral Review proposed by the Local Government Boundary Commission for England. The update included details of the review and that it would take into account certain statutory criteria and would be split into 4 phases: Phase 1 – Establishing the appropriate number of Councillors. Phase 2 – Establishing the warding arrangements. Phase 3 – Seeking Parliamentary approval. Phase 4 – Applying the changes to the next Somerset Council Election in 2027.
- 3.7 **Assurance on preparations for May 2024 Elections**
At the meeting held on 31 January 2024, the Committee received an update on the preparations for the May 2024 Elections. The update included details of the project plan, risk register, polling station bookings, staff recruitment, staff training and count venues. The Committee also received an update to changes on processing postal votes.

4. Review of the Constitution

4.1 At the meeting held on 18 October 2023, the Committee approved the setup of 3 working groups to carry out a review of certain areas of the Constitution.

4.2 The 3 working groups were approved as follows:-

Constitution Review Working Group – Council Procedures

Membership was made up of 5 members from the Constitution and Governance Committee along with the Leader of the Council.

Areas of focus for the working group were Full Council Procedure Rules, in particular Public Participation. Along with Contract procedure Rules, Financial Regulations and Scheme of Delegation.

The working group met in December 2023 and reviewed the proposed amendments to Public Participation, which included further detail on the procedures to be followed at meetings, which was currently not specified in the Constitution.

Constitution Review Working Group – Planning Committees

Membership was made up of all the Chairs and Vice Chairs of the 5 Planning Committees along with the Lead Member for Economic Development, Planning and Assets.

Areas of focus for the working group were the Planning Committees Terms of Reference and meeting arrangements.

The working group have met several times since October 2023 to ensure detailed input was given by members to the proposed amendments to the Terms of Reference. These meetings were attended by the Chairs and Vice Chairs of each Planning Committee along with officers from the Planning Department to ensure that professional and experienced input was given.

Constitution Review Working Group – Licensing and Regulatory Committees

Membership was made up of 5 members from the Licensing and Regulatory Committee along with the Lead Member for Communities, Housing and Culture.

Areas of focus for the working group were the Licensing and Regulatory Committees Terms of Reference and meeting arrangements.

The working group met in November and December 2023 and discussed some proposed amendments to the Terms of Reference, but the general consensus was that there were not many changes to be made and that the Terms of Reference appeared to work well for the main committee along with the sub-committee hearings.

5. Conclusions

5.1 The Constitution and Governance Committee has had a heavy workload throughout the past municipal year to ensure that the review carried out on the new Constitution was safe and legal. However, work will still need to be carried out to review the Constitution to ensure it continues to be effective, up to date and legally compliant.

6. Background Papers

6.1 The background papers to this report are:-

[Browse meetings - Constitution and Governance Committee - Modern Council \(somerset.gov.uk\)](https://www.somerset.gov.uk/council/modern-council)

[Somerset Council Constitution](#)

[2023 Boundary Review - Parliamentary Constituencies](#)

[Elections Act 2022](#)

[Somerset Electoral Review - LGBCE](#)

Note: For sight of individual background papers please contact the report author