

Report of the Constitution and Governance Committee – Review of Part B of the Council’s Constitution – Retention of Committee Meeting Recordings

Chair of Committee: Councillor Ross Henley

Executive Member: Councillor Bill Revans, Leader of Council and Lead Member for Governance and Communications

Local Member and Division: All

Executive Director: Alyn Jones, Executive Director for Resources, Strategy and Transformation

Executive Summary

The Constitution and Governance Committee has been completing a phased review of key elements of the new Constitution.

This report focuses on the review of Part B of the Constitution, which sets out the procedures for the Council’s guidance on the retention of council meeting recordings.

Recommendations

That Full Council considers the review of Part B and approves the proposed amendments set out in Appendices 2 and 3.

Reasons for Proposals

Through the work on the review of the Constitution, the Constitution and Governance Committee requested further review work be carried out on the Council’s Petition Scheme and the Retention Scheme for Council meeting recordings. At their meeting held on 9 December 2024, the Committee agreed to not make any changes to the Council’s Petition Scheme and to keep it under review, but recommended that the Retention Scheme be added to Part B of the Constitution.

Report Author: Clare Rendell, Democratic Services

Contact Details: clare.rendell@somerset.gov.uk

Background and purpose of report

1. At its meeting on 22 February 2023, the Council agreed its Constitution to be implemented from vesting day on 1 April 2023. The Council also recognised that a review would be carried out through the Constitution and Governance Committee on areas that they deemed necessary through experience of using the document.
2. As part of its commitment to review the Constitution, the Constitution and Governance Committee, through the work of several working groups, carried out some detailed reviews during late 2023 and early 2024. The proposed amendments were taken and approved at the Annual Council Meeting on 22 May 2024.
3. At its meeting on 14 April 2024, the Constitution and Governance Committee requested that further review work was carried out.

4. Retention of Committee Meeting Recordings

5. A comparison of other unitary councils formed part of the review and included Cornwall Council, Dorset Council and Wiltshire Council. As a result of the comparison work, it was found that all councils had varying timescales for their retention of committee meeting recordings.

These included:-

Council	Cornwall	Dorset	Wiltshire
Retention Period	6 months (as part of their webcasting contract)	Forever	6 years (to align with document retention)

6. The comparison work was used to compile some proposed additions to Part B of the Somerset Council Constitution, specifically the addition of a section on the Retention of Committee Meeting Recordings. Currently the retention period is not detailed in Part B of the Constitution. The proposed addition to the Constitution will allow for the details to be published on the website, which will manage the expectations of those members of the press and public who wish to view a recording of a committee meeting outside the timeframe.
7. The timeframe for the retention of committee meeting recordings on the Council's internal storage system (SharePoint) is being proposed at 12 months. This would allow for a suitable timeframe for any interested party to

view the recording prior to its deletion. The minutes of the meeting will remain the legal record of the meeting as per the relevant legislation.

8. The Council also uses YouTube to store the recordings for public access via the Council's website, which was currently free of charge.
9. Some research was carried out on the statistics produced by YouTube and it showed that most views were within the first 4 months of the meeting taking place and that they tapered off past that timeframe.
10. The Council would continue to store the recordings on YouTube on an unlimited basis until the time came where YouTube introduced a cost for the service.

Links to Council Plan and Medium-Term Financial Plan

11. The proposed amendments demonstrate the core principles that guide the work of the Council, in particular 'A council with evidence based and open decision making'.

Other options considered

12. Retention of Committee Meeting Recordings – other options were considered for a longer retention period, but it was deemed that 12 months would be sufficient based on the viewing statistics and that the minutes remained the legal record of the meeting.

Key considerations for the Council

Scrutiny comments / recommendations:

13. This report will not be taken to a Scrutiny Committee, as the responsibility of reviewing and updating the Constitution falls under the remit of the Constitution and Governance Committee and Full Council.

Consultation and feedback

14. Due to the nature of the proposed amendments of Part B, the decision was made that there was no requirement to set up a working group. The proposed amendments will receive feedback from the Committee and wider membership of the Council which will remain critical in informing and influencing the review of the Constitution.
15. The Constitution of Somerset Council is not intended to be set in stone or be inflexible. Therefore, the Constitution and Governance Committee will continue to work with the Monitoring Officer to review the document as part of its workload each year, to ensure that it remains fit for purpose and meets the Council's requirements.

Financial and Risk Implications

16. There were no financial implications identified from the proposals.

Legal and Procurement Implications

17. Under Section 9P of the Local Government Act 2000, the Council is required to prepare and keep up to date a Constitution containing the standing orders of the Council and such other information as is required or desirable.

HR / Workforce Implications

18. There are no implications.

Equalities Implications

19. The Council's duty under Section 149 of the Equality Act 2010 is to have "due regard" to the matters set out in relation to equalities when considering and making decisions on the provision of services. Members must consider the effect that implementing a particular policy will have in relation to equality before making a decision.

No specific negative equalities implications have been identified with the proposals set out in the new Constitution. Decisions taken by the Council, in accordance with its Constitution, will consider equalities implications and have due regards to its legal duties under the Equality Act 2010. The arrangements for committee meetings will take full consideration of equalities and public accessibility requirements. An Equalities Impact Assessment is not considered necessary for this decision as there are no direct impacts.

Community Safety Implications

20. There are no implications.

Climate Change and Sustainability Implications

21. There are no implications.

Health and Safety Implications

22. There are no implications.

Health and Wellbeing Implications

23. There are no implications.

Social Value

24. There are no implications.

Background Papers

[Monitoring Officer Report to Full Council on 22 February 2023](#)

[Agenda for Constitution and Governance Committee on Wednesday, 17th April, 2024, 2.00 pm - Modern Council \(somerset.gov.uk\)](#)

[Agenda for Somerset Council Constitution on Wednesday, 22nd May, 2024 - Modern Council](#)

[Agenda for Constitution and Governance Committee on Monday, 9th December, 2024, 2.00 pm - Modern Council](#)

Appendices

Appendix 1 – Part B Current Version

Appendix 2 – Part B Tracked Changes

Appendix 3 – Part B Proposed Version

Report assurance checklist ahead of report publication (for Audit, Executive, Full Council and Scrutiny Committees)

	Officer Name	Date Completed
Legal & Governance Implications	Scott Wooldridge	27.11.2024
Finance & Procurement	Nicola Hix	25.11.2024
Workforce (*)	Dawn Bettridge	N/a
Asset Management (*)		N/a
Executive Director	Relevant Executive Director – Alyn Jones	Consulted on 25.11.2024
Executive Lead Member	Relevant Lead Member – Cllr Bill Revans	Consulted on 25.11.2024
Consulted:	Councillor Name	
Local Division Members	List local members	N/a
Opposition Spokesperson(s)	Relevant Opposition Spokesperson – Cllr Mandy Chilcott	Consulted on 25.11.2024
Relevant Scrutiny Chair(s)	Relevant Chair – Cllr Bob Filmer	Consulted on 25.11.2024