

# Gloucester City Council

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| <b>Meeting:</b>         | <b>Council</b>  | <b>Date:</b>  | <b>1 June 2020</b>  |
| <b>Subject:</b>         | <b>Amendments to the Constitution – Remote Meetings</b>         |   |                     |
| <b>Report Of:</b>       | <b>Head of Paid Service</b>                                     |   |                     |
| <b>Wards Affected:</b>  | <b>All</b>  |   |                     |
| <b>Key Decision:</b>    | <b>No</b>   | <b>Budget/Policy Framework:</b>   | <b>No</b>           |
| <b>Contact Officer:</b> | <b>Tanya Davies</b>   |   |                     |
|                         | <b>Email:</b>   | <b><a href="mailto:tanya.davies@gloucester.gov.uk">tanya.davies@gloucester.gov.uk</a></b> | <b>Tel: 39-6125</b> |
| <b>Appendices:</b>      | <b>1. Procedure Rules for the Regulation of Remote Meetings</b> |   |                     |

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 This report seeks approval for temporary amendments to the Constitution to put in place the necessary arrangements for the council to hold remote meetings in accordance with the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (the Regulations) by way of temporary Standing Orders.

### 2.0 Recommendations

- 2.1 Council is asked to **RESOLVE** that

- (1) The proposed temporary changes to the Constitution be approved with immediate effect.
- (2) Authority be delegated to the Head of Paid Service to make any consequential changes to the Remote Meetings Standing Order as a result of any issues arising from conducting remote meetings in consultation with Group Leaders.

### 3.0 Background and Key Issues

- 3.1 As a result of the Covid-19 pandemic and social distancing requirements, the council is unable to hold face-to-face meetings. The remaining meetings of the last cycle were cancelled and meetings were due to resume in accordance with the ordinary schedule at the beginning of June. To enable democratic decision making to continue, the Government has given councils new powers to hold public meetings 'virtually'.
- 3.2 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (the Regulations) make provision for remote attendance at, and

remote access to, council meetings held on or before 7 May 2021. The Regulations enable the council to hold meetings without all, or any, of the Members being physically present in a room. This allows for remote meetings through electronic, digital, virtual locations, live webcast, live interactive streaming, video and telephone conferencing.

- 3.3 Consequently, after thorough research and testing, the council held its first remote meeting on 20 May 2020, which was a Special Cabinet Meeting, live streamed on the internet for members of the public to watch and participate in. The intention is for all public meetings to be live streamed in the same way until the Covid-19 restrictions are sufficiently relaxed or removed.
- 3.4 According to the LLG (Lawyers in Local Government) and ADSO (Association of Democratic Services Officers), the Regulations, and therefore the temporary Standing Orders, have an automatic amending effect on an authority's existing rules and can be applied immediately in order to run Council, Cabinet and Committee meetings remotely. Nonetheless it is good practice, even with express mandatory standing orders, to have these adopted formally by the full authority at the first opportunity to do so. Additionally, the nature of the technology used to facilitate virtual meetings requires that some specific amendments be made to the council's public participation procedures.
- 3.5 The temporary Standing Orders attached at Appendix 1 set out the arrangements and processes that are required to enable the Council to hold remote meetings effectively using the chosen technology (Microsoft Teams). Various meeting management processes are explained, but the main change is the requirement for members of the public to give advance notice if they would like to ask a question or make representations at a Council, Cabinet or Committee meeting and to provide a written copy of their submission.
- 3.6 The Constitution does not currently require notice from members of the public, with the exception of regulatory meetings, and there is no requirement to provide written copies of submissions. This is now required because the technology dictates that we must have an email address or phone number in order give the individual access to the meeting to enable them to participate. A written submission is required in case the individual's technology fails during the meeting, in which case their submission will be read out by the Democratic Services Officer. Additionally, given that it is possible that members of the public may not have access to the required equipment to participate in a live remote meeting, provision of a written submission will enable their question or comments to be read out during the meeting, thereby removing barriers to participation as far as is possible.
- 3.6 The temporary Standing Orders do not include in detail the in-meeting processes and etiquette participants are expected to follow, as these are contained in separate guidance documents that have and will be issued to the different types of meeting participants, including to members of the public, and will be updated and reissued to reflect the developing technology and our experiences as meetings begin to take place.

#### **4.0 Social Value Considerations**

- 4.1 The proposed changes ensure that all sections of the community can continue to access and engage in public decision-making processes.

#### **5.0 Environmental Implications**

- 5.1 There are no environmental implications.

#### **6.0 Alternative Options Considered**

- 6.1 Thorough research and testing has taken place prior to determining the processes required to proceed with remote meetings. The proposed changes are necessary to implement the chosen approach and as such no alternative options can be considered at this time if the council wishes to proceed with remote meetings during the Covid-19 pandemic.

#### **7.0 Reasons for Recommendations**

- 7.1 While the regulations permit the council to hold remote meetings without amending the Constitution, it is good practice to do so, and the changes proposed deal with the procedural elements that need to be amended to fit the available technology.

#### **8.0 Future Work and Conclusions**

- 8.1 The timescales are such that the first remote meeting will have taken place by the time this report is considered the Council and the arrangements and process herein will be underway; however, processes may be adapted to reflect any desired changes and the supporting guidance will be kept under review.
- 8.2 The temporary Standing Orders are likely to remain in place until Government advice dictates that social distancing and shielding requirements can be sufficiently relaxed or removed. This will be kept under regular review.

#### **9.0 Financial Implications**

- 9.1 Microsoft Teams is already available to and used by the council, therefore, there are no financial implications associated with this report.

(Financial Services have been consulted in the preparation this report.)

#### **10.0 Legal Implications**

- 10.1 The legal implications are set out in the body of the report.

(One Legal have been consulted in the preparation this report.)

#### **11.0 Risk & Opportunity Management Implications**

- 11.1 In drawing up the procedures for remote meetings, steps have been taken to minimise any risks around misuse of the technology, as well as providing opportunities for members of the public to view and participate in meetings.

## **12.0 People Impact Assessment (PIA) and Safeguarding:**

- 12.1 In drawing up the procedures for remote meetings, steps have been taken to ensure that members of the public can participate by video, phone, or by providing a written submission, so that access to the required technology (PC or laptop computer with camera and microphone) does not create a barrier to participation.
- 12.2 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

## **13.0 Community Safety Implications**

- 13.1 There are no community safety implications.

## **14.0 Staffing & Trade Union Implications**

- 14.1 There are no staffing and trade union implications.

**Background Documents:** None