

29. PROCEDURE RULES FOR THE REGULATION OF REMOTE MEETINGS

General

- 29.1 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.
- 29.2 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. The Council intends to use Microsoft Teams as its preferred platform for the foreseeable future, but reserves its ability to use a different platform if it considers that necessary.
- 29.3 The procedure rules in this Constitution apply to remote meetings in the same way as they do for other meetings of the Council except where they conflict, in which case this procedure rule takes precedence over other procedure rules in relation to the governance of remote meetings.
- 29.4 The Chair, following consultation with the Managing Director and Group Leaders or members of the Committee as appropriate may alter the frequency, move or cancel a remote meeting.
- 29.5 The Council will endeavour to enable the public to participate in meetings where possible in terms of asking questions at Council, Cabinet and Committee meetings and making representations at regulatory meetings (Planning Committee and Licensing and Enforcement Committee and Sub-Committees). However, this will be restricted to the parties taking part in the meeting. Other members of the public and press will be able to view the meeting as it will be streamed at a remote location which will be advised on the Council's website. The Council will make alternative provision for those members of the public unable to participate in meetings by permitting a written submission to be circulated and read out by the Democratic Services Officer.
- 29.6 For the avoidance of doubt, neither the press nor members of the public will be able to access remote meetings which will consider exempt information and those meetings will not be live streamed nor will the meeting access arrangements be made available other than to members of the Council.
- 29.7 If during a remote meeting a matter which could be considered exempt arises, the Chair in consultation with the Monitoring Officer or the Democratic Services Officer, will move that the item should be considered in private session and, if that motion is approved, will move the item to the end of the meeting agenda

and the press and public will be excluded from that item. . The live stream will be cut and the meeting will continue in private.

Access to Information

- 29.8 In terms of public and press access, requisite notice of the time of the meeting, the agenda and all agenda papers, together with details of how to view the meeting will be made available on the Council's website.
- 29.9 Elected Members and members of the public who wish to speak at a Council, Cabinet or Committee meetings and those who wish to make representations at regulatory meetings will be notified of a remote meeting by email which will provide them with the joining details.
- 29.10 For all purposes, the terms "notice", "summons", "agenda", "report", "written record" and "background papers" when referred to as being a document that is:
- (a) "open to inspection" shall include for these and all other purposes as being published on the website of the council; and
 - (b) to be published, posted or made available at offices of the Council shall include publication on the website of the Council.

Remote Access to Meetings

- 29.11 For all purposes the term "meeting" is not limited in meaning to a meeting of persons who are present in the same place. Any reference to:
- (i) "place" is to be interpreted as where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers. (The meeting may also be held in a meeting room or Chamber with a proportion of the membership and any participating public additionally attending remotely.)
 - (ii) "open to the public" includes access to the meeting being through remote means including (but not limited to) video conferencing, teleconference, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person.
- 29.12 If the Chair is made aware that the meeting is not accessible to the public through remote means due to any technological or other failure of provision that is the responsibility of the Council, then the Chair shall adjourn the meeting

immediately for the connection to be restored. If the provision of access through remote means cannot be restored within fifteen minutes, the remaining business will be considered at a time and date fixed by the Chair. If they do not fix a date, the remaining business will be considered at the next ordinary meeting.

Members in Remote Attendance

29.13 A member in remote attendance is present and attends the meeting, including for the purposes of the quorum, if at any time both of the following conditions are satisfied, those conditions being that the member in remote attendance is able at that time:

- (i) to hear, and where practicable see, and be heard and, where practicable, be seen by, the other members in attendance.
- (ii) to be heard and, where practicable, be seen by any other members of the public attending the meeting.

29.14 Attendance at the meeting will be recorded by a Democratic Services Officer and a member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained above are not met.

Questions and Representations by members at remote meeting of which they are not a member

23.15 There will be speaking rights for members at remote meetings of which they are not a member in accordance with the provisions of the Council Standing Orders or usual practice, however, the nature of remote meetings requires that notice be given.

23.16 Members of the public will be able to participate in remote meetings of which they are not a member by giving notice no later than 5.00pm, 2 clear working days before the day of the meeting. Such notice must be by electronic mail to democratic.services@gloucester.gov.uk. Members are not required to provide their question or representation in writing.

Questions and Representations by members of the public

29.17 There will be speaking rights for members of the public or their representatives at remote meetings in accordance with the provisions of the Council Standing Orders, however, the nature of remote meetings requires that notice be given and a written submission be provided.

29.18 Members of the public will be able to participate in remote meetings in the following ways:

- Questions, representations and petitions should be submitted in advance of the meeting and will be made available to all members of the remote meeting by Democratic Services.
- Questions for Council, Cabinet and Committees (with the exception of Planning Committee and Licensing Sub-Committees) must be received by no later than 5.00pm, 2 clear working days before the day of the meeting. Such notice must be by electronic mail to democratic.services@gloucester.gov.uk.
- Representations for Planning Committee should be received by 5.00pm 2 clear working days before the day of the meeting, exceptionally, the Council will consider late representations if appropriate.
- Representations for Licensing Sub-Committees may be submitted prior to the meeting, but applicants and their representatives will be able to make oral submissions to the sub-committee.
- Members of the public or their representatives will be able to present their questions, or petitions to Council, Cabinet and Committees in the remote meeting or may elect to have their submission read out by the Democratic Services Officer.

Process at remote meetings

29.19 The Chair will confirm at the outset and at any reconvening of a committee meeting that they can see and hear all participating members and may carry out a roll call of members present (this is unlikely to be practical for a meeting of full Council).

29.20 Unless the member has declared an interest which precludes them from taking part, their attendance at the meeting must be continuous throughout the item and will be monitored and recorded by the Democratic Services Officer.

29.21 The normal quorum requirements for meetings as set out in the Constitution will also apply to a remote meeting. In the event of any apparent failure of the video, telephone or conferencing connection, the Chair should immediately determine if the meeting is still quorate and (Subject to Paragraph 23.20):

- if it is, then the business of the meeting will continue; or
- if there is no quorum, then the meeting shall adjourn for a period specified by the Chair, expected to be a maximum of fifteen minutes, to allow the connection to be re-established after which time the meeting

will be abandoned and any remaining items adjourned to the next meeting.

- 29.21 If there is a disruption to any members attendance due to the quality of internet connection, , the meeting should continue to deal with the business while the member attempts to restore their connection, providing the meeting remains quorate.
- 29.22 In the event of a connection failure, the member(s) will be deemed to have left the meeting at the point of failure. If the connection is successfully re-established, then the remote member(s) will be deemed to have returned at the point of re-establishment.
- 29.23 If a connection to the Chair is lost, the Vice Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within five minutes, the Vice Chair will proceed with the meeting in the absence of the Chair. If the connection to both the Chair and Vice Chair is lost, the committee will wait for a period of five minutes and, if the meeting is still quorate, will elect a Chair Pro Tem. If connection to the Chair or Vice Chair is restored, they will take control of the meeting at the end of the item being discussed.
- 29.24 If a connection to a member is lost during a regulatory meeting, the Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within five minutes, subject to the meeting being quorate, the meeting will proceed, but any member who has been disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.
- 29.25 When determining who may speak, the Chair will refer to an advance list of speakers and/or the chat facility, which members will use to indicate to the Chair that they wish to ask a question or speak in the debate on an item.
- 29.26 In respect of large committees, it will assist the meeting if those members who wish to speak on a particular item could indicate their wish to speak to democratic.services@gloucester.gov.uk in advance of the start of the meeting. However, this is not a requirement and individual Chairs may establish their own procedures, which members will be informed of in advance.

Voting

- 29.27 When the Chair is satisfied that there has been sufficient debate and a proposer and seconder have been determined, the Chair will progress to a decision.
- 29.28 The method of voting may be one of the following methods:

- The Chair will ask if there is any dissent to the motion/recommendation being considered, to be indicated vocally or via the chat facility. If there is no dissent the Chair may declare the motion/recommendation carried.
- A vote by electronic means
- A roll call where the Democratic Services Officer will call out the name of each member present with members stating 'for', 'against', or 'abstain' to indicate their vote when their name is called.

29.29 At the conclusion of the voting the Democratic Services Officer shall announce the numbers of votes cast for, against and abstentions and the Chair will announce whether the motion has been passed or lost.

29.30 Details of how members voted will not be kept or minuted unless a Recorded Vote is called.

Declaration of Interests

29.31 Members will declare interests in the normal way at the appropriate point in the meeting, or if they realise that they have an interest in the item under discussion.

29.32 Any member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting.

29.33 The member will leave the meeting whilst the matter is considered and their departure will be confirmed by the Democratic Services Officer before progressing with the item of business. On the Chair's instruction, the Democratic Services Officer will notify the member to re-enter the meeting via the meeting chat when the matter has been determined and before moving onto the next item of business.