

Classification: Public

Key Decision: Yes

Gravesham Borough Council

Report to: Report to Council
Date: 12 May 2020
Reporting officer: Chief Executive
Subject: Proposals for Remote Meetings

Purpose and summary of report:

New Regulations have been issued in response to the Coronavirus pandemic, The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 have enabled local authorities to hold meetings remotely.

Appendix Two of this report sets out proposals on how these regulations could be adopted for Council, Cabinet and all other Committee meetings and the consequential impact on the 2020/21 schedule of meetings. It also details the amendments required to the procedural rules in the Council's Constitution, which would be followed, but not by way of formal changes.

Recommendations:

1. The Council is asked to agree the procedures for remote participation at Council, Cabinet and Committee meetings in Appendix Two of this report.
2. The Council is asked to delegate authority to the Chief Executive to amend these procedures, if necessary, following consultation with the Leader of the Council and Group Leaders.

3. Background

- 3.1 In response to government guidance on the current novel coronavirus (COVID-19), which developed rapidly over a very short period of time, a decision was made to cancel public meetings scheduled by the council in late March and the whole of April.
- 3.2 In March the UK government laid the Coronavirus Act 2020 in parliament which set out wide ranging measures to respond to the COVID-19 outbreak. The purpose of the Act was to provide numerous powers needed to respond to the coronavirus epidemic

- 3.3 The Coronavirus Act allowed the Secretary of State to make regulations to change the way local authority meetings are held, allowing meetings to be held remotely, ie without anyone needing to be in the same place.

4. Remote Meetings Regulations

- 4.1 The Secretary of State introduced regulations in the form of 'The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020'. The regulations came into force on 4th April and apply to local authority meetings in England held before 7th May 2021, but could be brought back to an earlier date if the existing restrictions are relaxed.
- 4.2 The effect of these regulations was to provide as much flexibility as possible to local authorities in organising their meetings going forward. These regulations covered remote attendance at Local Authority meetings, which includes public and press.
- 4.3 The Regulations enable local authorities to hold meetings remotely including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming.
- 4.4 Where a meeting is held remotely a Member will be considered as being in attendance if they can hear, and where practicable see, and be heard and, where practicable, be seen by other members and the public. This allows for meetings to be held by remote means including via telephone conferencing, video conferencing, live webchat and live streaming.
- 4.5 A guidance document setting out what the regulations allow can be found through the link below:
- <https://www.adso.co.uk/procedure-rules-and-remote-meetings-protocol-now-published/>
- 4.6 With the regulations in place it is proposed that the council fully resume the schedule of meetings for the 2020/21 municipal year (with the schedule itself being subject to approval of the Council). These meeting will be held remotely with everyone involved able to participate using remote meeting software and the public able to view public meeting, in real-time, through the councils YouTube channel.

5. Constitutional Considerations

- 5.1 The effect of the regulations on the Constitution is to insert what are, in effect, mandatory standing orders for those authorities that wish to hold meetings remotely, either wholly or partially.
- 5.2 Whilst the Regulations allow Local authorities to make new standing orders about remote attendance at meetings in relation to voting, access to documents and facilities, it is not suggested that the Council formally changes the procedural rules within the constitution. This would be followed by way of new procedures, not formal changes.

6. Background Papers

- 6.1 Anyone wishing to inspect background papers should, in the first place, be directed to Committee & Electoral Services who will make the necessary arrangements.

IMPLICATIONS	APPENDIX 1
Legal	The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 allow for remote meetings to take place.
Finance and Value for Money	The cost of enabling remote meetings to take place is low as all members are equipped with iPads and have been using these for some time. Software licenses for audio/visual broadcasting of meetings have been purchased and deliver the functionality required after small scale testing of a number of products.
Risk Assessment	The decision making and democratic processes of the council would be severely hampered if the council were not to adopt to the recommendations within this report. Given the social distancing measures currently in place across the country, meetings can only continue remotely.
Data Protection Impact Assessment	<i>A data protection impact assessment (DPIA) should be carried out at the start of any major project involving the use of personal data or if you are making a significant change to an existing process.</i>
	<p>a. Does the project/change being recommended through this paper involve the processing of personal data or special category data or criminal offence data? A definition of each type of data can be found on the Information Commissioner's Office website via the above links. No</p>
	<p>b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice? N/A</p>
	<p>c. If no to question b, please seek advice from your nominated DPIA assessor or the Information Governance Team at gdpr@medway.gov.uk. N/A</p>
Equality Impact Assessment	<p>a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? If yes, please explain answer. No</p>
	<p>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer. N/A</p>
	<i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i>
Corporate Plan	#1 People: A proud community; where residents can call a safe, clean and attractive borough their home.
Crime and Disorder	No implications
Digital and website implications	The digital team have been involved in the testing and setup of the council's audio/visual broadcasting software, which includes live streaming of meetings to the councils YouTube account. Details on how to view meetings will be added to the meeting agenda made available on the website.

Safeguarding children and vulnerable adults	No implications
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