



## OFFICER REPORT TO COUNCIL

### ARRANGEMENTS FOR MEMBER MEETINGS

#### **KEY ISSUE/DECISION:**

County Council is asked to review and approve the proposed arrangements for member meetings for the remainder of the Council Year 2021/22, following the relaxation of the public health restrictions and the expiry of the Remote Meeting Regulations 2020.

#### **BACKGROUND:**

1. In line with the Remote Meeting Regulations set by Government at the start of the pandemic, from April 2020 to May 2021 all formal committee meetings were held remotely. At its meeting in March 2021, Council agreed that informal member meetings should continue to be held virtually in as there was no legal requirement for them to take place at a physical venue.
2. The regulations allowing meetings to take place virtually lapsed at the start of May 2021. Since that time, formal decision-making committee meetings have been held in person at Woodhatch Pace and all meetings were run in line with the national public health restrictions that were in place until 19 July 2021.
3. Public attendance at meetings has been limited, with those wishing to attend being asked to contact Democratic Services in advance of a meeting taking place. Alternatively, they have been given the option to watch the webcast of the meeting or join remotely should they have a question or petition to present. As has been the case through the pandemic, all formal meetings have been webcast to maintain openness and ensure the accessibility of meetings to residents.
4. Government social distancing requirements were mostly removed from 19 July but specific measures to ensure meetings operate safely remains in place which has been drawn up in consultation with Public Health colleagues.

## Formal meeting arrangements

5. In line with the Local Government Act 1972, all committees of the council require members appointed to the committee to attend meetings in person when meeting formally in order for their attendance to be formally count and to allow them to vote on matters being considered at the meeting. Substitute rules are in place for all committees, apart from Cabinet. In order to allow members that are unable to attend in person to send a representative to the meeting on their behalf.
6. The Council Chamber at Woodhatch Place will continue to be used for the majority of formal meetings as this is the safest venue in terms of the spacing of meeting participants and it has good ventilation.
7. Public attendance at meetings will continue to be limited with those wishing to attend in person being asked to contact Democratic Services in advance in order to help manage numbers. This will be reviewed at future meetings and can be revised as circumstances change.
8. It is proposed that hybrid technology that can be used to enable the remote attendance of those who are not committee members but who are due to attend to provide evidence, present information, or answer questions (councillors, officers and external witnesses) is continued to be used. For councillor involvement in formal meetings, Council is asked to approve the following approach in principle:
  - **County Council:** members should attend in person in order to participate in the meeting. However, if for health reasons, a member unable to attend in person, they may speak at the meeting with the agreement of the Chair however, they will not be able to vote.
  - **Cabinet:** Cabinet Members will be able to participate virtually in formal meetings, but where doing so they will not be able to vote. Non-Cabinet Members attending these meetings (regulatory and select committee chairmen, opposition party leaders and other members) and officers will be able to participate virtually.
  - **Non-executive decision-making committees** (e.g. Audit & Governance, Pensions, Planning and Regulatory, People, Performance and Development): committee members may only lawfully take part in debates and decisions if physically present. Other members and officers wishing to attend to address the committee would be able to do so virtually where technology at the meeting venue allows.
  - **Select Committees** committee members should attend in person in order to participate in the meeting. Other members including Cabinet Members, officers and external witnesses will be able to participate virtually.

9. The Cabinet operates under executive arrangements which enables it to function with only three members attending in person and it is not subject to proportionality rules. Therefore, if a Cabinet Member does not attend a meeting in person due to health reasons and decides to attend remotely, although their attendance at the meeting does not formally count and they are unable to vote, the Leader is able to decide whether to allow them to participate in the debate.
10. For all other committees, if a committee member is unable to attend in person and requests to attend remotely due to health reasons, their attendance will not be formally recorded, and they will be deemed to be attending as a non-committee member. They will then be able to speak at the meeting as a non-committee member (with the agreement of the Chair of the committee) to make a statement, however will not be able to participate in the debate or vote on any matters discussed.
11. Members of the public that have submitted a petition or question to a committee meeting will have the option of attending in person or virtually where technology at the meeting venue allows.

#### **Six-month rule for attendance at meetings**

12. Section 85(1) of the Local Government Act 1972 states that all councillors must attend a committee meeting of the council within a six-month period unless the failure was due to a reason approved by the local authority.
13. In March 2021, Council resolved that special dispensation be granted to all members for any non-attendance at meetings of the Council until 31<sup>st</sup> October 2021. Following discussions with Group Leaders' it is proposed that this dispensation is not extended beyond 31<sup>st</sup> October 2021. It is proposed that all councillor attendance records are reset from 31<sup>st</sup> October.

#### **Special dispensation on medical grounds – Councillor Alison Griffiths**

14. As set out in paragraph 3.1 under section 85 of the Local Government Act 1972, a Member ceases to hold that office if he/she has not attended a meeting for a period of six consecutive months, unless the failure to attend is due to a reason approved by the authority during that six months.
15. Councillor Alison Griffiths has unfortunately not been able to attend any formal meetings of the authority from the start of the Council term in May 2021 while she receives treatment for a serious health condition.
16. For that reason, the County Council is requested to agree that she may continue to be absent from meetings while maintaining membership of the Council during her period of ill health. This decision will be reviewed at the County Council AGM in May 2022.

## Ongoing review of meeting arrangements

17. Should there be any change to the public health guidance or new legislation issued in relation to the Council's ability to hold remote meetings then the principles set out in this report will be reviewed and any new legislation incorporated into council business processes.

<b>RECOMMENDATIONS:</b>
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1. To agree the arrangements for committee meetings including remote participation as set out in the report for the remainder of the council year 2021/22.
2. In relation to the six-month rule for meeting attendance;
  - a. To agree that the blanket dispensation for attendance at formal committee meetings for all members is not extended beyond 31 October and that councillor attendance records are reset from this date.
  - b. To agree that Councillor Alison Griffiths may continue to be absent from meetings until May 2022 by reason of ill health and that the Council looks forward to welcoming her back in due course.
3. To authorise the Monitoring Officer in consultation with the Chairman of the Council and group leaders to incorporate any legislative changes issued by Government into council business processes.

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**Sources/background papers:**

Constitution of the Council  
Public Health guidance

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