

REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 2 October 2020. Attendances:

Councillor Glazier (Chair)
Councillors Bennett, Godfrey Daniel, Simmons and Tutt

Councillors Field and Stephen Shing spoke on this item

1. Notice of Motion – Virtual meetings

1.1 The following Notice of Motion has been submitted by Councillor Field:

Since lockdown remote working has been shown to be a very effective way for the Council to conduct its business. Without specific permission from the Government to continue in this way we shall have to revert to face to face meetings after the next County Council elections.

This Council resolves to ask Central Government to change the rules to enable Local Authorities to make their own decisions as to whether to hold virtual and/or physical meetings from May 2021.

1.2 In line with County Council practice, the matter was referred by the Chairman to the Governance Committee for consideration to provide information and inform debate on the Motion.

Supporting Information

1.3 The current situation with regard to Coronavirus has led to widespread disruption to social and business activities, including Council meetings. In light of Government guidance on social distancing the holding of physical meetings at County Hall has been suspended since March. The temporary national regulations enacted in April 2020 to allow Council meetings to be held virtually remain in force until 7 May 2021 (the day after the scheduled date for local government elections). Unless the temporary regulations are extended, or replaced with similar permanent legislation, it will not be legally permissible in most cases for Members to attend formal meetings remotely from 8 May 2021 (there is more flexibility in relation to Executive – Cabinet and Lead Member – meetings).

1.4 In Wales, permanent legislation is already in place to enable a level of remote attendance by Members via video conferencing. The Welsh statutory guidance on remote attendance indicates that this was intended to make it easier for those who, for instance, may have to travel long distances, those with domestic responsibilities and those in employment to attend. Meetings can only take place remotely if not prohibited by the local authority's standing orders/rules of procedure. It is therefore up to each local authority to decide whether it wishes to make remote attendance available. However, the Welsh legislation does, in normal circumstances, require a minimum of 30% of those eligible to attend to be present at the main meeting place (this has been amended during coronavirus restrictions).

1.5 Members have adapted impressively to virtual meetings, embracing both the technology and the different procedures and etiquette involved in holding meetings in this way. The public have remote access to all public formal meetings via a webcast. From a practical point of view virtual meetings are running smoothly on Microsoft Teams.

GOVERNANCE

1.6 Members have been invited to provide feedback on their experiences of virtual meetings and this informed a recent review of the arrangements by the Member ICT and Development Reference Group. Overall, the Reference Group was very positive about virtual meetings and the way they are running. The benefits of reduced travel in terms of carbon emissions, time and cost savings were also welcomed. Member feedback indicated that the larger meetings - full Council, Cabinet and Scrutiny Committees – are viewed as less suited to the virtual format due to the nature of discussion and debate amongst larger numbers of attendees and the length of meeting. Some Members have found the technology and interaction with others via a screen to be challenging, and the loss of informal networking at County Hall outside of the meetings themselves was also noted. However, feedback also indicated that some Members wish to continue meeting remotely longer-term, especially for certain meetings which are seen as well suited to the format. These are generally the shorter meetings with fewer attendees where the benefits of reduced travel and greater flexibility are particularly apparent, and the meeting format adapts well to a video conferencing approach.

1.7 The Notice of Motion to the County Council is to ask the Government to allow local authorities to make their own decisions in relation to the ability to hold virtual meetings after May 2021. There are a number of benefits to virtual meetings including a reduction in travel time, costs and emissions and greater flexibility with diary management (which may be of particular benefit to councillors who work or have caring responsibilities). However, virtual meetings are also reported to result in a loss of informal contact with other councillors and officers and require additional support in relation to the technology and related issues. It is likely, therefore, that if remote attendance was to be allowed on a permanent basis, the Council would wish to have flexibility to choose whether and how to make use of this provision in order to best meet the Council and Members' needs.

1.9 The Committee recommends the County Council to:

- ✧ 1) reject the Notice of Motion

2. Coronavirus Temporary Arrangements

2.1 In May 2020 the County Council agreed recommendations from the Committee in relation to a number of temporary measures to help enable the County Council's business to be conducted efficiently throughout the period of disruption due to Covid-19. A copy of the report considered by the Committee is attached as Appendix 1. The Council agreed that the measures would be reviewed at the October meeting of the Council or as soon as practicable thereafter.

2.2 The temporary measures approved by the Council were:

- to approve the approach in relation to Lead Member decisions being made virtually and to its continuation;
- to agree that the Leader will assume all the powers of the Cabinet where required;
- to agree delegations to officers in relation to the functions of the Planning, Pensions and Governance Committees and the Discretionary Transport Appeal Panel;
- to agree that Member non-attendance related to Covid-19 be considered as an absence approved by the Council;
- to agree that the Chief Executive (or in her absence the Assistant Chief Executive) be authorised to cancel or postpone meetings, in consultation with the relevant Chair or Cabinet Member;

2.3 Since May a large number of virtual meetings have been held under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 which were enacted by

GOVERNANCE

Government to enable councillors to attend remotely during Covid-19 restrictions; these regulations are currently in place until 7 May 2021. In general, the holding of virtual meetings has been a success, councillor attendance at such meetings has been good and decision making has largely continued as normal. As a result, there has no need to rely on or use the measures outlined above. However, there remains a risk that there could be practical and capacity constraints in the coming months which will place unavoidable limitations on the holding of meetings. It is therefore proposed that the temporary measures previously agreed be extended until July 2021 to ensure that provision continues to be in place to allow essential business to be conducted in the event of disruption to meetings. This will allow the Governance Committee, which will be appointed in May following the election, to make recommendations to the Council.

2.4 In July 2020 the County Council considered and agreed recommendations from the Committee regarding a supplementary section of Standing Orders to formalise the approach to virtual meetings, taking the provisions of the national regulations into account. The supplementary Standing Orders confirmed the position of what constitutes a valid formal virtual meeting until the expiry of the Regulations in May 2021 and therefore also support the continuation of core County Council business during the pandemic.

2.5 The Committee recommends the County Council to:

☆ 1) agree to the continuation of the measures previously agreed by Council and set out in paragraph 2.2 of the report; and

2) review these measures at the July 2021 meeting of the Council or as soon as practicable thereafter.

2 October 2020

KEITH GLAZIER
(Chair)