

Proposed Amendments to Standing Orders to delete references to virtual meetings

Full Council Thursday, 27 May 2021

Report of: Head of Legal Services & Monitoring Officer

Purpose: For decision

Publication status: Open

Wards affected: All

Executive summary:

Amendments to Standing Orders (which set out procedures for the conduct of meetings and other governance issues) are required to remove references to the 'Coronavirus Regulations 2020' and associated measures to facilitate virtual meetings. Those Regulations are no longer in force and Councillors must now be present in the Council Chamber or any other physical venues to participate in a meeting.

This report supports the Council's priority of:

Building a better Council

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Recommendations to Council:

That:

- A. the Council's Standing Orders for meetings (Part B of the Constitution) be amended in accordance with the track changes at Appendix A; and
 - B. the 'Protocol for Members and Officers attending remote meetings' be removed from Part F of the Constitution.
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Reason for recommendation:

Standing Orders for meetings form part of the Council's Constitution (Part B). The current version of Standing Orders includes reference to:

- (i) the "*Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020*" (hereafter referred to as the 2020 Regulations);
and
- (ii) arrangements for facilitating virtual meetings, as previously permitted by the 2020 Regulations.

The 2020 Regulations permitted Councils to conduct virtual meetings up until 6th May 2021. In the absence of new legislation, Councils must now revert to conducting meetings 'in person' and references to (i) and (ii) above should be deleted from Standing Orders.

Similarly, the '*protocol for Members and Officers attending remote meetings*' should also be removed.

Introduction and background

- 1 The 2020 Regulations came into force on the 4th April 2020 to enable Councils to overcome the restrictions imposed by the coronavirus emergency. The measures included powers to conduct virtual meetings up until the 6th May 2021.
- 2 At its meeting on 6th May 2020, the Council approved amendments to Standing Orders which made arrangements for conducting virtual meetings. A temporary '*Protocol for Members and Officers attending remote meetings*' was also adopted.
- 3 These provisions now need to be removed from the Constitution in so far as Member participation in meetings is concerned. However, it is proposed to retain an option for members of the public to pre-record:
 - questions under Standing Order 30;
 - representations to Committees (including to the Planning Committee in connection with planning applications) under Standing Order 31;
and
 - statements in support of petitions (Standing Order 30).

Other options considered

- 4 As an alternative to deleting all references to virtual meetings, relevant provisions could be retained but made conditional upon future legislation making them permissible. However, as there is no immediate prospect of such legislation being introduced, it is suggested that, subject to the exceptions referred to in 3 above, Standing Orders should revert to the pre-May 2020 position. Should the law change to enable virtual meetings, Standing Orders will again be revised accordingly.

Key implications

Comments of the Chief Finance Officer

There are no financial implications associated with this report.

Comments of the Head of Legal Services

Legal implications are contained within the body of the report. There are no other specific implications which need to be identified.

Equality

There are no equality implications associated with this report.

Climate change

The requirement for Members to attend meetings in person will have a potentially negative (albeit marginal) impact on the Council's carbon footprint if attendees are required to travel to the meeting venue using internal combustion powered transport. However, as the report states, a position contrary to this would require government to pass new legislation, therefore there is little the Council can do with respect to the climate change considerations of this report.

Appendices

Appendix A - proposed amendments to certain Standing Orders, shown with track changes.

Background papers

None

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