

# Annex to Council Procedure Rules

## Remote Meetings Protocol and Procedure Rules

### 1 Introduction

- 1.1 The Remote Meetings Protocol and Procedure Rules amend the Constitution, in particular the Council and Committee Rules and Access to Information provisions, in consequence of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 ('the Regulations'). As such they should be read in conjunction with the Constitution. Wherever there is a conflict, these Rules take precedence in relation to any remote meeting.
- 1.2 The Protocol and Procedure Rules relate to all formal meetings of the Council and may be applied to other meetings as good practice. They will apply until the 7 May 2021 or until further legislative changes are introduced.

### 2 Notice of meeting and provision of papers

- 2.1 The proper officer will give the requisite notice to the public of the time of the meeting, and the agenda, together with details of how to join the meeting which will be available on the Council's [website](#).
- 2.2 Members will be notified of a remote meeting by email. All agenda papers will be available on the Council's website and via the agenda software (Moder.Gov app) or other electronic means as appropriate.
- 2.3 The 'place' at which the meeting is held may be a physical building or a virtual location, web address or conference call telephone number; or a combination of these. The meeting may also be held in a meeting room or Council Chamber with a proportion of the membership and any participating public additionally attending remotely.

Amends Council Procedure Rule 6 and Committee Procedure Rule 7 (notice of and summons to meetings) and Access to Information Procedure Rules 5 (access to agenda and reports before the meeting)

### 3 Remote access to meetings

- 3.1 Councillors will attend meetings remotely using the video conferencing facilities provided by the Council. Members of the public who are invited to contribute to a meeting remotely will attend via an audio link or other electronic means as permitted by Regulation 5(6)(c) of the Regulations.
- 3.2 Councillors and members of the press and public who are not participating in the meeting will access the meeting through webcasting, live audio streaming or other means.
- 3.3 Live broadcasts will normally be recorded automatically and will be available to the public after the meeting.
- 3.4 If technology fails for a wholly remote meeting so that the meeting is no longer open to the public, the meeting will be adjourned until public access is restored or to another date.
- 3.5 If technology fails so that a member of the public who attends to exercise their right to speak and is unable to do so, their written representation will be provided for all Members attending the meeting. In the absence of a written representation the item will be deferred.

Amends Council Procedure Rule 6 and Committee Procedure Rule 7 (notice of and summons to meetings), Access to Information Procedure Rules 3 and 5 (rights to attend meetings and access to agenda and reports before the meeting)

#### **4 Management of remote meetings for councillors**

- 4.1 Any councillor participating in a meeting remotely must be able to be heard and ideally seen by all other councillors in attendance, and the remote participant must in turn, be able to hear and ideally see those other councillors participating.
- 4.2 In addition, a remote participant must be able to be heard by, and in turn hear any members of the public entitled to attend the meeting and exercise their right to speak.
- 4.3 At the outset of the meeting and at any reconvening of a committee or Executive meeting, all councillors attending either remotely or in person, will normally be asked to confirm their attendance and that they can hear (and see) all participants. This may not be practical for large meetings such as Full Council. The attendance of those councillors at the meeting will be recorded by the Democratic Services Officer.
- 4.4 A Member who is not practicably able to see or be seen by other members during a meeting, for example due to technological issues, still 'attends' a meeting if they can hear and be heard by other participants, for example connecting by phone.
- 4.5 The normal quorum requirements for meetings as set out in the Council's Constitution will apply to a remote meeting. In the event of any apparent failure of the technology the Chair should immediately determine if the meeting is still quorate:
  - if it is, the business of the meeting will continue
  - if it is not, the meeting will adjourn for a period of no more than 15 minutes specified by the Chair, to allow the connection to be re-established.
- 4.6 Should any aspect of an individual's remote participation fail, the Chair may call a short adjournment of up to five minutes to determine whether the connection can quickly be re-established, either by video technology or telephone. If the connection is not restored within that time the remote councillor will be deemed to have left the meeting at the point of failure then the presumption will be that the meeting should continue to deal with the business, providing the meeting remains quorate and the public are able to hear.
- 4.7 If the connection is successfully re-established, then the remote councillor(s) will be deemed to have returned at the point of re-establishment.
- 4.8 If a connection to a councillor 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 a reasonable time, the meeting will proceed, but the councillor who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.
- 4.9 A Member who disconnects and re-connects to the meeting due to technological issues will be deemed to be 'present throughout' as long as any matters discussed during their absence are repeated.

Amends Council Procedure Rule 8 and Committee Procedure Rule 9 (quorum)

#### **5 Remote attendance of the public to exercise their right to speak**

- 5.1 Any member of the public participating in a meeting remotely in exercise of their right to speak at Council or in regulatory or other meetings must meet the same criteria as members of the Council. Members of the public attending a meeting remotely must, likewise, when they are speaking be able to be heard (and ideally be seen) by all

councillors in attendance, and the remote participant must in turn, be able to hear (and ideally see) other participants and, where practicable, be seen by any other members of the public attending the meeting.

- 5.2 The provisions within the Constitution regarding deadlines for notification of a request to exercise a right to speak at a meeting will continue to apply. For those items of business, an invitation to participate in the meeting remotely will be sent out in advance.
- 5.3 In those instances when a technological solution is not available for a particular meeting or fails during the meeting, existing public speaking rights with public participation will be by receipt of representations in writing. Submissions, petitions or questions received from the public will then be read out by the Chair or a supporting officer.
- 5.4 As part of their introduction the Chair will explain the procedure for public participation. Members of the public must adhere to this procedure otherwise they may be excluded from the meeting.
- 5.5 The Democratic Services Officer or meeting facilitator should mute the member of the public once they have spoken, if possible, and remove them from the remote meeting on the instruction of the Chair, in order to maintain the good administration of the meeting or to retain order.
- 5.6 Wherever possible a breakdown of the technology and/or prohibitive call costs should not disadvantage the member of the public in remote attendance.

Amends Council Procedure Rule 9 (public participation) and any scheme for public participation in respect of planning, licensing and other committees

## **6 Meeting procedures**

- 6.1 Where required the meeting will be supported by a meeting facilitator in addition to the Democratic Services Officer. Their role will be to control the video, telephone or conferencing technology employed for remote access and attendance, and to administer the public and Member interaction, engagement and connections on the instruction of the Chair.
- 6.2 Councillors participating in meetings remotely should indicate their wish to speak via the technological solution in place which replaces the physical practices or rules concerning raising one's hand or standing to be recognised or expressing a desire to speak.
- 6.3 It will assist the meeting if those councillors who wish to speak on a particular item could indicate their wish to speak to the Chair and to the Democratic Services Officer in advance of the start of the meeting where possible. Political groups are also encouraged to co-ordinate this activity wherever possible in respect of Full Council meetings and other meetings likely to result in a high number of requests to speak. This is particularly important if Members are unable to participate via video conference for any reason.
- 6.4 The Chair will follow the normal rules of debate within the Constitution and will determine who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.
- 6.5 At the beginning of the meeting the Chair will explain the protocol for councillor and public participation and the rules of debate. The Chair's ruling during the debate will be final.
- 6.6 Where members of the public are exercising speaking rights at the meeting via remote attendance, the Chair will, as part of their introduction explain the procedure

for their participation which will reflect those relevant elements of the meeting etiquette. Members of the public must adhere to this procedure otherwise they may be excluded from the meeting.

- 6.7 When the Chair is satisfied that there has been sufficient debate and (if the rules of the meeting require) there is a proposer and seconder for the item being discussed the Chair will progress to making a decision. Unless a Recorded Vote is called, the method of voting will be at the Chair's discretion and will be by one of the following methods:
- a vote by electronic means
  - an officer calling out the name of each councillor present with:
    - members stating 'for', 'against', or 'abstain' to indicate their vote when their name is called
    - the Democratic Services Officer clearly stating the result of the vote and the Chair then moving onto the next agenda item
    - by the general assent of the meeting
- 6.8 A Member who is attending the meeting over the telephone due to technical issues can give their vote over the telephone if the Chair is satisfied that they are the correct person and that they have been present for all of the debate on the item under discussion.
- 6.9 Details of how Members voted will not be kept or minuted unless a Recorded Vote is called. Where a Recorded Vote is requested Members will be asked in turn to signify verbally whether or not they support that request and it will be recorded in the normal way.

Amends Council Procedure Rule 15 and Committee Procedure Rule 18 (voting)

## **7 Meetings etiquette protocol**

- 7.1 Participants are asked to adhere to the following etiquette protocol during remote attendance at a meeting:
- Committee members should join the meeting no later than fifteen minutes before the start to allow themselves and the Democratic Services Officer/meetings facilitator the opportunity to test the equipment.
  - Any camera (video-feed) should show an agreed virtual background where possible, or a non-descript background. Participants should be careful not to allow exempt or confidential papers to be seen in the video-feed.
  - Participants should have their video turned off and microphones muted when not talking unless invited by the Chair or Democratic Services Officer to switch them on.
  - Councillors should use the agreed technological solution to indicate a wish to speak or be recognised, replacing the requirement to raise one's hand or to stand to be recognised or to speak. Where the technological solution is to use a chat facility, the camera should be switched on when the councillor is the next to be called to speak which will minimise delays in the public broadcast.
  - **The chat facility must not be used for private conversations between participants.**
  - When the Chair invites a participant to speak they will unmute their microphone and turn on their camera if they have not already done so, unless speaking to a diagram, presentation slide or drawing.
  - Participants should only speak when invited to by the Chair.

- Only one person may speak at any one time.
- Before speaking each participant should say their name in full e.g. 'Cllr Joanne Smith'.
- When referring to a specific report, page, or slide, the participant should make it clear what they are referring to so that all participants have a clear understanding of what is being discussed at all times.

## **8 Declarations of interests**

- 8.1 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. Their departure will be confirmed by the Democratic Services Officer or meeting facilitator, who will invite the relevant Member by link, email or telephone, to re-join the meeting at the appropriate time.

## **9 Exclusion of press and public**

- 9.1 There are times when council meetings are not open to the public, when confidential, or "exempt" issues (as defined in Schedule 12A of the Local Government Act 1972) are under consideration. Where the technology is available, the Democratic Services Officer or meeting facilitator will ensure that no members of the public in remote attendance or remotely accessing the meeting are able to hear or see the proceedings once the exclusion has been agreed by the meeting.
- 9.2 Where this technology is not available the remote public meeting will be ended and the Members and officers will be invited to join the private meeting.
- 9.3 Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be present, either hearing or seeing consideration of such items, and/or recording the proceedings.
- 9.4 Any Member in remote attendance who fails to disclose that there were in fact persons present who were not so entitled would be deemed to be in breach of the Members' Code of Conduct responsibilities.

## **10 Public access to meeting documentation following the meeting**

Members of the public may access minutes, decisions and other relevant documents through the Council's website.

Amends Council Procedure Rule 6 and Committee Procedure Rule 7 (notice of and summons to meetings) and Access to Information Procedure Rules 5 (access to agenda and reports before the meeting)