

**County Council**  
**Wednesday 19 January 2022**  
**12.30 pm Luttrell Room County Hall**



**SUPPLEMENT TO THE AGENDA**

To: The Members of the County Council

We are now able to enclose the following information which was unavailable when the agenda was published:

Item 4	Proposed Temporary Democratic and Decision Making Arrangements (Pages 3 - 10) To consider a report with recommendations from the Monitoring Officer.
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Democratic Services, B3, County Hall, Taunton, TA1 4DY

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# Democratic Meetings Proposals Jan 2022 until mid May 2022



Scott Wooldridge, Monitoring Officer

# Legal position



- The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) Regulations 2020 No.392 – expired 7 May 2021
- These allowed local authority committee meetings to be held virtually and allowed members to join meetings remotely to take part and to vote
- Government confirmed on 25 March 2021 that it could not extend the Regulations and instead called for evidence for potential legislation later in the year. To date the Government has not set out any proposals for primary legislation or temporary regulations to enable virtual / hybrid meetings to take place

# High Court Judgement



- The High Court met on 21 April 2021 and dismissed the remote meetings case submitted by Local Government stating that this is a matter for Parliament to legislate for.
- Page 5 The High Court issued a subsequent further judgement to clarify the questions regarding that any face to face committee meetings 'open to the public' should allow for the public to attend and to speak at meetings.
- The Court did differentiate between those members of the public that want to observe a meeting and those wanting to attend and speak, so webcasting (hybrid meetings) can still help reduce the number of total people attending a face to face meeting.

# Our approach since May 2021



## Face to Face / hybrid style meetings

- All committees : Full Council, Cabinet, Heart of the South West Joint Committee, all 3 Scrutiny Committees, Police & Crime Panel, Somerset Waste Board, Audit, Regulation, Pensions, HR Committee, Officer Appeals Committee, Health & Well-Being Board

## Virtual meetings

- Panels and groups : School Appeals , School Exclusions, Schools Forum, Joint Waste Scrutiny, SRA Scrutiny, Scrutiny Task and Finish groups, Corporate Parenting Board, SACRE & Member Engagement Board. Where committee meetings don't have decision making items then holding virtually as advisory meetings.

# Key challenges for face to face meetings



- The Council needs to comply with Government Covid 19 workplace regulations and these are affecting meeting room capacities due to adequate ventilation
- Committee meetings complying with legislation which dates from the 1970s when webcasting was not thought of as a solution for participation
- Undermines delivery of new ways of hybrid working after so much achieved
- Members, Officers and public anxieties and need for reassurance about personal safety with face to face meetings – managing expectations
- Finding appropriate meeting venues– easier for most committees apart from where there are lots of members or public e.g. Full Council, Cabinet
- Reduced member attendance, quoracy issues growing, lower public involvement and Face to face meetings creating additional resource implications than virtual meetings



# Have all councils been holding face to face committee meetings?



- Since May 2021 most councils have returned to holding face to face committee meetings
- However several councils have put in place quasi virtual committees where they have live broadcast “advisory boards” on MStTeams or Zoom open to members and the public to join and participate.
- These advisory boards provide for relevant members to give a ‘minded to’ steer on the recommendations set out in officer reports. After those meetings, officers then make formal decisions after the advisory meetings taking into consideration the ‘minded to’ steer from members.
- Councils operating this way since May 2021 include North Yorkshire County Council (also progressing LGR), South Somerset District Council, York City Council, Dorset, Wiltshire
- These virtual arrangements are not considered appropriate for Full Council and Cabinet arrangements are a matter for the Leader.



# Proposals for Jan 22 – mid May 22

## MIXED APPROACH:

- Full Council budget setting meeting has to meet on a face to face basis on 23 February at Canalside, Bridgwater with managed attendance for personal safety. Meeting to be open to the public and broadcast using new webcasting system so that public, officers and any members not attending the venue can still participate and observe.
- Cabinet meetings could continue in a hybrid meeting format with limited face to face attendance and majority of people participating remotely using new webcasting system
- All other committee meetings to be converted into 'advisory board' meetings and held virtually with officers presenting to the meeting and the 'advisory boards' given a 'minded to' steer for officers to consider when using their delegated powers. Attendance is remote for these meetings using MSTeams



# Proposals for Jan 22 – mid May 22



- Full Council to agree temporary extension of delegated powers to officers to enable the ‘advisory boards’ to operate and for decisions to be taken by officers
- Full Council to agree temporary amendments to Constitution to reflect the role and functions of the ‘advisory boards’
- Dispensation for all members until the elections
- Continue lobbying Government and support LGA work for legislation to enable hybrid committee meetings – remote participation and voting