

Somerset Waste Board
31 July 2020
Report for decision

Waste Board Membership, Meeting Dates 2020/21, and Virtual Meeting Procedures

Lead Officer: Scott Wooldridge, Monitoring Officer and Strategic Manager for Governance and Democratic Services

Author: Julia Jones, Governance Specialist – Democratic Services

Contact Details: jjones@somerset.gov.uk

Forward Plan Reference:	SWB/20/01/02
Summary:	<p>The report sets out changes to board membership for 2020/21 following agreement of each partnership organisation and also the proposed meeting dates for the Board up to June 2020.</p> <p>In addition, it also sets out the virtual meetings procedures for the Board following the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 which came into force on 4 April. The Board should acknowledge the need to operate under the basis as Somerset County Council is the administering authority for the Board.</p>
Recommendations:	<p>The Joint Waste Scrutiny Panel considers and comments on the following recommendations in this report.</p> <p>That the Somerset Waste Board:</p> <ol style="list-style-type: none"> 1. Notes the revised Board’s membership for 2020/21 and Joint Scrutiny Panel of Somerset Waste Board set out in Section 2 and the need for induction training for new members. 2. Agrees the Board meeting dates for 2020 and 2021 set out in section 3. 3. Acknowledges the need for the Board to operate under the rules set out in the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 set out in section 4.

1. Background

- 1.1. Since 1992 the Somerset Waste Partnership has improved working arrangements in waste management across the County. In 2007, the partner authorities (comprising Somerset County Council, Mendip district council, Sedgemoor district council, South Somerset district council, Taunton Deane borough council and West Somerset council) agreed to establish the Somerset Waste Board as a Joint Committee with an Administering Authority. The Partner Authorities delegated responsibilities for waste collection, waste recycling, and waste disposal to the Waste Board.
- 1.2. The legal powers to constitute a Joint Committee and discharge the Partner Authorities' statutory waste functions and responsibilities to it are in Sections 101 and 102 of the Local Government Act 1972, and the Local Authorities (Arrangement for the Discharge of Functions) (England) (Amendment) Regulations 2001 made under Section 20 of the Local Government Act 2000.

A Joint Committee does not have a separate legal personality and as such is not able to hold contracts or employ staff. In this instance a well-established solution is that one of the authorities becomes the 'administering authority' for the purpose of holding contracts and employing staff.

- 1.3. The Board has a Constitution and there is also an Inter-Authority Agreement which sets out how the partners work together and how costs are shared amongst partners.
- 1.4. The Constitution sets out the membership of the Waste Board, its functions and voting arrangements. Each of the five Partner Authorities is represented on the Board by two Elected Members, one of whom is the Portfolio Holder for Waste and/or Environment functions. The 10 elected members on the Waste Board are supported by officers from Somerset Waste Partnership, the Administering Authority (Somerset County Council) and from partners.

There will be a requirement for officers to ensure any new members benefit from an early induction and training regarding the Waste Partnership and Waste Board Business Plan priorities, services, meeting procedures and standing orders.

2. Somerset Waste Board Membership 2020-21

- 2.1. The Board membership for 2020/21 is as follows:
- 2.2. **Mendip District Council**
Matthew Martin
Tom Ronan
- 2.3. **Sedgemoor District Council**
Andrew Gilling
Janet Keen
- 2.4. **Somerset County Council**

David Hall
Clare Paul

2.5. South Somerset District Council

Tim Kerley
Sarah Dyke

2.6. Somerset West and Taunton Council

Sarah Wakefield
David Mansell

2.7. The Joint Waste Scrutiny membership for 2020/21 is as follows:

Mendip District Council

Garfield Kennedy
Michael Dunk

Sedgemoor District Council

Li Gibson
Ian Dyer

Somerset County Council

Liz Leyshon
Tessa Munt

South Somerset District Council

Brian Hamilton
Charlie Hull

Somerset West and Taunton Council

John Hassall
Anthony Trollope-Bellew

3. Board Meeting Dates for 2020 and 2021

3.1. The Joint Waste Scrutiny Board is requested to approve the following Board meeting dates for 2020 to 2021:

3.2.	2020	2021
	23 rd September	To follow
	2 nd December	

3.3. All meetings to be held virtually via Microsoft Teams until there is new Government guidance and regulations enabling local authority meetings to be held again physically or for hybrid meetings. Agendas and papers will be published five clear working days before the meeting. Details of any proposed key decisions for consideration by the Board are published in advance via the Waste Board's Forward Plan which can be viewed on the County Council's website.

4. Virtual Committee Meetings Procedure and Guidance

4.1. Background

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 have given local authorities new powers to hold public meetings virtually by using video or telephone conferencing technology. Remote attendance is permitted as long as certain conditions are satisfied. These include that the Member is able to hear and be heard by the other Members in attendance. Also, being able to hear and be heard by any members of the public entitled to attend the meeting (in line with the public participation scheme). To ensure reliability an audio conferencing solution is preferred, but video conferencing can be achieved in some circumstances. The regulations are clear that a meeting is not limited to those present in the same place, but includes electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers). A precis of the Regulations is contained in Appendix A of this report.

4.2. Guidance

This guidance is an immediate response to the above regulations and is based on the information available at the time. Therefore, we will update the guidance, if necessary as we receive further information.

4.3. Accessing Meetings

Microsoft Teams is the virtual meetings solution recommended for hosting remote / virtual meetings by Somerset County Council. It has functionality for audio, video, and screen sharing and you do not need to be a member of an organisation (or have a Teams account) to join a Teams meeting.

For external users, they can also use the Teams app, by downloading it to their laptop, smartphone or tablet.

External participants can be sent the meeting request via email and if a participant is included in this way, they can use all the functions of Teams (video / chat) in the meeting. This might be useful for external presenters at Board meetings, for example NHS / CCG Officers.

Alternatively, someone can be added to a meeting as a voice call. This can be done at the appropriate time in the meeting by the Democratic Services Officer.

There is also provision for a conference call number and ID to be given to external people who are calling in, which is another mechanism for them to join the meeting. Again, this will be coordinated by the Democratic Services Officer as part of the meeting administration.

4.4. Accessing Agendas and Reports

Democratic Services will continue to publish the agenda and reports for Board meetings ahead of these taking place on the Council's website and will notify councillors by email in line with usual practice.

Because of the Covid19 social distancing requirements, printed copies will no longer be available for inspection at the Council's offices and this requirement was removed by the Regulations.

4.5. Meeting Procedures

At the start of the virtual meeting, the Democratic Services Officer will check

all required attendees are present (viewing the participant list).

The Democratic Services Officer will also have details of any Members of the public attending and / or press. The public and press will be notified via the meeting information on the website that they will need to contact the Democratic Services Officer to obtain the link or code for the meeting.

The Chair will ask all Members and Officers to turn off all unnecessary microphones, unless they are speaking. This prevents background noise, coughing etc which is intrusive and disruptive during the meeting. Members would then need to turn their microphones back on when they wish to speak.

The Chair, who will use video when speaking will ask all participants to turn off their video cameras. It cannot be stressed enough how important it is to turn off the video (unless you are the Chair or speaking). This helps with call quality. There is no facility for the Democratic Services Officer to turn off other participants video (like you can with microphones) or even see who has their video turned on, so it is even more important that participants are aware of this.

Some of the virtual meetings will be recorded by the Council in line with the current audio recording protocol. Participants will be asked to only turn on their microphones when they are invited to speak and keep their video functions turned off. This is good practice for all meetings, but especially important because the meeting is recorded. The recording is not like a webcast, because what is being recorded can be different to what you see on screen, even as a meeting organiser. So, participants could be being filmed, even if they are not speaking, simply by virtue of having their video switched on. It might be helpful to think in terms of switching the mic on and off at the appropriate times, just like it would be in the committee room.

For members of the Board who wish to speak in the debate, they should click on the meeting chat facility and simply write their question or state they wish to ask a question so that the Chair and meeting administrator are aware. When the Chair invites someone to speak at the meeting, the speaker should say whom they are for the benefit of everyone listening to the meeting so it is clear who is speaking at any point.

It is important that the chat function is used solely for this purpose or to raise a point of order, otherwise it is very distracting if other questions/conversations are happening within the chat, simultaneous to the meeting.

When referring to reports or making specific comments, Councillors should refer to the report and page number so that all Members of the Board have a clear understanding of what is being discussed at all times

4.6. Minutes of the Meeting

Following consent from the Board, the Chair will sign the minutes of the meeting as a correct record at the next scheduled virtual meeting of the Board remotely using an electronic signature.

4.7. Public Participation

Participation by members of the public will continue in line with the current public participation scheme.

This can include speaking and / or asking formal questions and / or making representations at various Board in line with the scheme.

Members of the public can listen to or observe the proceedings of a committee. They are asked to contact the Democratic Services Officer to obtain a conference ID which will allow them to dial into the meeting.

When a member of the public is addressing a meeting, in line with the public participation scheme, they will be invited to speak at the appropriate time by the Chair.

Both they and the Democratic Services Officer will need to ensure their microphone is enabled so the meeting can hear them.

It must be switched off again after they have made their statement or asked their question.

4.8. Voting

The Chair will ask each Member (of the Board) to vote in turn. If this is the case, Councillors should express their vote verbally and the Democratic Services Officer will record the outcome of votes and announce these to the meeting.

4.9. Confidential or exempt issues

There are times when part of a council meeting is not open to the public, when confidential, or “exempt” issues – as defined in Schedule 12A of the Local Government Act 1972 – are under consideration. It is important to ensure that there are no members of the public at remote locations able to hear or see the proceedings during such periods of a meeting.

Any Councillor in remote attendance needs to ensure that only they are able to hear the debate or consider any exempt information else they could be in breach of the Council’s Code of Conduct.

If there are members of the public and press that attempt to listen to the private / closed session part of the meeting, then the Democratic Services Officer will ask them to leave or if necessary virtually remove the participant from the meeting.

4.10. Disturbance from Members of the Public

In line with the council’s procedural rules, if any member of the public disrupts a meeting the Chair will ask them to stop and if necessary advise them that they may be asked to leave the virtual meeting.

If that person continues to interrupt or disrupt proceedings the Chair can ask

the Democratic Services Officer to remove them as a participant from the meeting.

4.11. Technical issues

In the event that the Chair or Democratic Services Officer identifies a failure of the remote participation facility, the Chair should declare an adjournment while the fault is addressed.

If it is not possible to address the fault or if the meeting becomes inquorate at any point, the meeting can only continue with information items only and decision items will have to be postponed to the next virtual meeting.

4.12. Implications

General Principles

There are some general principles to guide how remote formal meetings to which the public will have access, will operate. These include:

- People being clear about their respective roles.
- Recognising that meeting remotely requires a different approach to the agenda and to behaviour than a meeting in person;
- The need to think carefully about – and plan for – how everyone involved in the meeting will be able to actively contribute;
- Having a clear focus on the actual outcome of the meeting.

Remote meetings will not be able to run in the same way as meetings are run in person as participants will not be able to pick up on physical and verbal cues from others such as nods or shakes of heads. The focusing of attention on a speaker (or others in the room) all play an important role.

In light of the uncertainty of the Covid-19 pandemic and with councils focusing resources on delivering essential services, getting remote meetings “right” will be a challenge. Virtual meetings are new ways of working for councils and it should be recognised that there may be occasions where despite planning things can go wrong.

Expectations

People’s physical presence in the same space has a significant impact on behaviour. Behaviour which might seem normal when everyone is in the council chamber – heckling, applause, the raising of points of order, all part of the cut and thrust of political debate – are likely to feel alien and possibly slightly absurd when participants are sitting at tables in their homes. It’s necessary to emphasise the cognitive dissonance that may result, and the way that we will need to shift our expectations of how “normal” meeting activity will need to change.

- Plan to do less; agendas and work programmes may need to change at short notice. Planning to do less in Board meeting than would be usual will provide flexibility when things don’t go as planned;
- Take more time to prepare. Chairs and Board members will need to put more time into thinking about a meeting’s outcomes;
- Take more time in the meeting. There will be a need to pause

discussion, remind people of the process and the meeting's outcomes, and work to ensure that everyone is able to contribute.

Supporting Members

The amount of work to effectively Chair these meetings is likely to increase and report authors and presenting officers will need to be mindful of how they can support the Chair and Board in these new arrangements. This includes producing reports timely for publication, providing clear and easy to read information in presentations or slides that are viewable on small screens and being clear what is expected of them at formal meetings.

5. Background Papers

- 5.1** Waste Board Constitution - [SWB constitution](#)
- 5.2** A precis of the Regulations for local authorities to hold virtual meetings. (Appendix A)