

Governance Committee

22 June 2020

Part I

Plans for Member Meetings during the Covid-19 Emergency

Report by the Director of Law and Assurance

Summary

At its last meeting this Committee agreed to review plans for member meetings, looking ahead to autumn 2020, as well as to consider the format for and business of the County Council meeting due to be held on 17 July 2020. This report outlines proposals for the July County Council meeting as well as for meetings to the end of this calendar year. Any proposals agreed by the Committee will be subject to review in line with any new guidance relating to the Covid-19 public health emergency.

Recommendations

The Committee is asked to:

- (1) Agree the plans for the County Council meeting on 17 July 2020 (as set out at paragraph 2);
- (2) Agree the amendments to Standing Orders for Virtual Meetings (as set out in Appendix A);
- (3) Review the list of member meetings to the end of December 2020 (as set out at Appendix B) and agree principles for holding these meetings;
- (4) Consider any consultation required on proposals for future member meetings (as set out at paragraph 4), to be reported back to the Committee; and
- (5) Agree that plans for member meetings should be reviewed at each meeting of this Committee until further notice.

Proposal

1. Background and Context

1.1 At the meeting of this Committee on 20 May 2020 plans for member meetings during the Covid-19 Emergency to the end of July 2020 were agreed, as set out below:

- Non-urgent or non-time critical matters to be postponed or dealt with informally

- Cabinet meetings to continue to be held monthly for collective decision-making.
 - Scrutiny Committees to continue as scheduled to focus on key decision preview and the monitoring of important service improvement programmes.
 - All County Local Committee meetings due to be held in June and July to be cancelled.
 - Full Council on 17 July 2020 to go ahead, with arrangements for this to be agreed by this Committee in June.
- 1.2 A list of meetings to the end of July 2020 was agreed and the Council's calendar of meetings has been updated accordingly. The Committee agreed that future meeting plans should be reviewed in June, including looking ahead to autumn 2020.
- 1.3 Up to the start of June all formal meetings were held virtually via audio Skype, with public able to listen via the audio-webcast. From June meetings are being video-webcast (still using Skype) as network capacity issues have been addressed. The Council is evaluating the feasibility of other video conferencing solutions and this Committee will be updated on progress.
- 1.4 There are no plans at this stage to return to meetings being held 'in person' at venues such as County Hall. Any return to meetings being held physically will require a full risk assessment, with the health, safety and wellbeing of councillors and staff being the paramount consideration. It may be possible in the future to hold 'hybrid' meetings, with some councillors and staff present in person and others joining virtually. However, the current legal position is that councils may not gather together in person to hold meetings. This will be kept under review and any changes reported to this Committee.

2. Proposals

- 2.1 Following discussions involving the Chairman, the Leader and minority Group Leaders plans for the agenda and the procedural arrangements for the County Council meeting on 17 July have been prepared for consideration by the Committee.
- 2.2 It is proposed that the agenda comprises:
- A report on the Council's response to the Covid-19 public health emergency including service impact by cabinet portfolio, with a set time for questions.
 - A report on the Council's plans for re-setting service and corporate priorities and outcomes in light of the impact of the Covid-19 public health emergency on services and resources, with a set time for speeches and questions.
 - A report on the Improvement Plan for Children's Services in accordance with usual rules for cabinet member address.
 - A report on the Improvement Plan for the Fire and Rescue Service in accordance with the usual rules for cabinet member address.

- The Scrutiny annual report and work programme.
 - Governance Committee matters for approval (if needed).
- 2.3 It is proposed that the meeting on 17 July be limited in time to half a day, but scheduled to begin at 10.00 a.m. and to finish at 1.15 p.m. This is one and a half hours shorter than the usual Council meeting. It will take place virtually using audio and video conferencing facilities, with members able to choose whether to use the video link or to limit contact to audio. It is also proposed that changes are made to Standing Orders in order to better manage the reduced time and to ensure that as many members who wish to speak may do so. A set of revised Standing Orders is attached for approval by the Committee at **Appendix A**. It is proposed that, if approved, the Standing Orders be formally adopted by urgent action in advance of the July meeting.
- 2.4 It is also proposed that all members have the opportunity to present a written question (limited in length) for reply in advance of the meeting so as to reduce the pressure on the time allocated to business at the meeting, where information requested can easily be provided.
- 2.5 Several changes were proposed at a recent meeting of the Chairman with group leaders, including a proposal to extend the time of Council to a whole day (10.30 to 4.15). The suggested changes are:
- that each of the item timings should be extended (the main items and also the Cabinet Member addresses) to provide for a longer period for questions.
 - that there should be a Cabinet general question time of up to 45 minutes.
 - that new notices of motion should be allowed.
 - that the gap from July to October is too long between meetings and that an extra Council meeting should be scheduled for August or September or the October meeting brought forward.
- 2.6 In relation to outstanding notices of motion previously moved for debate by the County Council it is proposed that the following arrangements be agreed by the Committee:
- That the members moving and seconding each of the motions be invited to confirm by the end of June whether they wish to withdraw the motion in light of the response from the relevant Cabinet Member.
 - That, in the event of any motion being requested to be debated, arrangements be made for those to be debated at the next meeting of the County Council after 17 July, currently 16 October 2020.
 - That the time for debate on any motion be limited to 45 minutes, with all individual member speeches limited to five minutes.
- 2.7 A list of member meetings to the end of December 2020 is attached at **Appendix B**. This includes meetings already reviewed by the Committee to the end of July. The Committee is asked to endorse the proposed approach

to meetings it sets out, pending any further Government/Public Health guidance that may impact on future arrangements.

- 2.8 At its last meeting, the Committee agreed that business should be kept to essential business in order to manage capacity during the public health emergency. Some scrutiny Task and Finish Groups (TFGs) are due to meet during June and July, but the details of these are not included in Appendix B as the timing has not been confirmed. It will be important to minimise such TFG work, both in terms of their overall number and the number of times any TFG meets and it is proposed that the Performance and Finance Scrutiny Committee could play an informal role in monitoring this. The principle is that the TFGs should not duplicate any scrutiny committee work and that they should be established only for matters the main committee cannot otherwise address.
- 2.9 The current assumption is that all member meetings will be held virtually, and webcast live, enabling the public to watch the meeting. It is proposed that this Committee will review member meeting plans at each meeting and that at its September meeting it should consider whether County Local Committee meetings should be resumed. Any changes proposed to the agreed list of meetings, including additional meetings or cancellations, will be reported to the Committee so that it can continue to monitor capacity and ensure appropriate democratic accountability.

3. Resources

- 3.1 There are no significant resource implications relating to the proposals contained in this report. Council staff, both within Democratic Services and across the organisation, have been involved in supporting the corporate response to Covid-19. This is ongoing and there is therefore some reduction in capacity to support member meetings. Virtual meetings require more support from Democratic Services staff, so there are increased resource implications for such meetings. It will be important to monitor the frequency of meetings and to continue to minimise business where appropriate.

Factors taken into account

4. Consultation

- 4.1 The Chairman and Group Leaders have been consulted on the proposed arrangements for the July County Council meeting. The Committee is asked to consider any wider consultation required relating to future meeting plans. Consultees may include county councillors, committee chairmen, Executive Directors and Directors and other partners (e.g. NHS organisations that have seats on the Health and Wellbeing Board; co-optee members; Arun District Council on plans for the Joint Arun Area Committees).
- 4.2 This report was shared on publication with all county councillors inviting comment via the Chairman.

5. Risk Implications and Mitigations

Risk	Mitigating Action (in place or planned)
Lack of democratic debate on issues	Plans will be led by members following consultation within groups
Insufficient capacity to support meetings	Decisions will be informed by advice on resources and impact on critical services

6. Other Options Considered

6.1 Options will be considered within the Committee's debate.

7. Equality Duty

7.1 There is no equality duty impact arising from this report. The needs of individuals who may wish to participate in member meetings will need to be considered in planning the technology and methods of communication for all council business.

8. Social Value, Crime and Disorder Act and Human Rights Implications

8.1 None

Tony Kershaw

Director of Law and Assurance

Contact: Helen Kenny, Head of Democratic Services, 033022 22532 or email: helen.kenny@westsussex.gov.uk

Appendix

Appendix A – Standing Orders on Virtual Meetings

Appendix B - List of Member Meetings to December 2020

Background Papers

None