

Report to Governance Committee

24 September 2021

Plans for Member Meetings

Report by Director of Law and Assurance

Electoral division: N/A

Summary

The Governance Committee agreed at the start of the public health emergency to regularly review plans for all formal Council/committee meetings. The Committee is asked to consider proposals for meeting arrangements to the end of March 2022, following the relaxation of public health restrictions, and taking account of consultation feedback from county councillors. The Committee is also asked to agree that webcasting should revert to the pre-pandemic arrangements.

Recommendations

The Committee is asked to:

- (1) Agree the proposed arrangements for formal committee meetings to the end of March 2022, as set out in paragraphs 2.1 and 2.2 and in Appendix 1;
 - (2) Agree the arrangements for full County Council meetings, as set out at paragraphs 2.3 to 2.5;
 - (3) Endorse the proposed changes to Standing Orders, as set out at Appendix 3, for recommendation to the County Council;
 - (4) Agree that webcasting should revert to the pre-pandemic arrangements; and
 - (5) Agree that arrangements for formal member meetings should continue to be monitored by this Committee.
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Proposal

1. Background and Context

- 1.1 This Committee has reviewed plans for Council and committee meetings during the COVID-19 public health emergency. From April 2020 to May 2021 all formal meetings were held virtually in line with emergency regulations made by the Government. At its meeting in November 2020, the Committee agreed that informal member meetings should continue to be held virtually in as there was no legal requirement for them to take place at a physical venue.
- 1.2 The regulations allowing meetings to take place virtually lapsed in early May 2021. Since that time, to the end of July 2021, formal decision-making

committee meetings have been held in person, in the Council Chamber at County Hall Chichester without the option to join virtually. This is the only venue large enough to accommodate the necessary number of meeting participants whilst meeting social distancing requirements and measures to manage or reduce the risk of infection. This was in line with the Government's public health restrictions in place until 19 July 2021.

- 1.3 Public attendance at meetings was limited, those wishing to attend being asked to book in advance. As has been the case through the pandemic, all formal meetings have been webcast to maintain openness and ensure the accessibility of meetings to residents.
- 1.4 Government social distancing requirements were mostly removed from 19 July but revised guidance relating to enclosed public spaces is published and specific measures to maintain the safety and wellbeing of everyone using County Hall remain in place in consultation with Public Health colleagues.
- 1.5 The technology to enable hybrid meetings (with some participants joining in-person meetings remotely) is available in the Council Chamber. There were some technical issues with this when it was first used in May, so it continues to be tested and the implications for formal meeting arrangements will need to be assessed. It cannot lawfully be used to enable any councillor to participate in formal decision-making business but could assist officer, non-committee member or third-party involvement. Depending on the nature of the meeting, where committee members are unable to attend a meeting in person for good reason, it may be possible for them to join an in-person meeting remotely, but they would not be able to vote on substantive business. Such flexibility will be specifically available for scrutiny committees and some aspects of full Council meetings and for non-cabinet members attending Cabinet meetings.
- 1.6 Full County Council meetings continue to be the most difficult to accommodate safely due to the numbers involved. The last Council meeting in July was held as an informal, virtual meeting with decisions confirmed after the meeting by urgent action. Most members have expressed a preference for the meeting in October to be held in person. Options available instead of the Chamber include using a large external venue such as a sports hall, college or theatre but such venues are limited within the county and given the reopening of hospitality and other event-based activity venues are reverting to normal activity. Finding and adapting a venue is likely to be a time-consuming and expensive exercise and one that could potentially create other challenges in terms of infection risk with the venue outside the Council's control.
- 1.7 All members were consulted on their views on future meeting arrangements during July and August 2021. The results of the consultation are attached at **Appendix 2**. As part of the consultation members were specifically asked if they were happy to attend an in-person full Council meeting in the Council Chamber in October subject to suitable mitigations. On balance the majority of members said they would support the meeting being held in the Chamber as long as infection rates remain low and that simple precautions are taken including adequate ventilation. Currently infection rates are relatively stable but moderately high compared with other times.

1.8 This Committee agreed arrangements for future catering provision for councillors at County Hall Chichester at its meeting on 28 June 2021. For meetings from September onwards, hot drinks will be made available through coffee machines available in the members' office in the reception area. Sandwich lunches will be provided on County Council meeting days and for other meetings when agreed by the Head of Democratic Services in consultation with that meeting's chairman. The assumption is that lunches will not be provided for meetings finishing before 1.15 pm. Members may also wish to continue to bring their own refreshments and it is advised that they should continue to bring their own water to drink at all meetings as water fountains are not currently available due to public health measures in place.

2. Proposal details

Formal meeting arrangements

2.1 A list of the formal meetings to be held to the end of March 2022 is attached at **Appendix 1**. It is proposed that the Council Chamber should continue to be used for these meetings as the safest venue in terms of the spacing of meeting participants and good ventilation. Public health measures will continue to be operated, such as social distancing in the meeting. Public attendance at meetings will continue to be limited with those wishing to attend being asked to book in advance to help manage numbers. This will be reviewed at future meetings and can be revised as circumstances change. Scrutiny committees that do not take decisions are able to meet either virtually or in-person ('recommendations' to the Executive by such committees do not constitute decisions in this context). It is not currently proposed that virtual meetings are used unless the scrutiny committee itself in any case chooses to do so. The option is not available for other formal committees or public Cabinet.

2.2 It is proposed that hybrid technology (subject to ongoing testing and assessment) be used to enable the remote attendance of those who are not committee members but who are due to attend to provide evidence, present information or answer questions (councillors, officers and external witnesses). For councillor involvement in formal meetings, use would be as follows:

- **County Council:** see paragraph 2.5 below.
- **Cabinet:** Cabinet Members will be able to participate virtually in formal meetings, but where doing so they will not be able to vote. Non-Cabinet Members attending these meetings (scrutiny chairmen and minority party leaders) will be able to participate virtually.
- **Non-executive decision-making committees** (Governance, Pensions, Planning and Rights of Way, Standards, Regulation, Audit and Accounts): committee members may only lawfully take part in debates and decisions if physically present. Other members wishing to attend to address the committee would be able to do so virtually.

- **Scrutiny Committees:** committee members can participate virtually subject to the chairman's discretion (except where the committee is due to take any formal decisions, such as appointing the chairman and vice-chairman).

Full County Council meetings

2.3 It is proposed that arrangements proceed on the basis that the October Council meeting will be held in the Chamber but that if, when the time comes, it is not possible, the meeting should be held as an informal virtual meeting as was the case in July. As the Public Health Authority and in terms of its health and safety at work statutory obligations it is important for the County Council to ensure infection risks are minimised and to protect the health and wellbeing of both members and staff as well as to minimise the infection risks within the local community. A number of precautions will be put in place in consultation with Public Health advisers including:

- All participants are expected to have had both vaccinations
- All participants are encouraged to take a lateral flow test within 24 hours prior to the meeting and to have logged a negative result with the NHS
- Temperature checks to be taken on arrival (participants plus anyone in the public gallery)
- Members experiencing symptoms of Covid in the days preceding the meeting must book a test and must not attend the meeting
- Members living with persons in clinically vulnerable groups are encouraged not to attend the meeting
- All participants to be encouraged to wear masks in the chamber when not speaking (it is still a requirement to wear masks when moving around the building)
- Increased ventilation in the Council Chamber
- Only officers required to be present to be in attendance
- Individual wrapped packed lunches to be provided and members asked to bring their own water (water fountains not currently operating)
- Rooms for members to eat lunch to be provided

Arrangements for how circulation around the building and access to facilities will be organised will be advised to members nearer the time when risks have been assessed. These arrangements and the measures in place will be reviewed after the meeting.

2.4 Consideration can be given to using the hybrid meeting kit for Council meetings to allow members who are uncomfortable with attending an in-person meeting with all 70 members plus officers in the Chamber to take part remotely. Whilst under current legislation any members taking part remotely would not be able to vote, it would allow them to take part in items such as Cabinet question time rather than having to give their apologies for the meeting. Some officers could also participate remotely to reduce the number physically present in the Chamber. Unlike the contingency arrangements previously agreed, this would not require political groups to make choices about attendance at the meeting as all members would be able to attend should they so wish. It is therefore proposed that minor changes should be made to Standing Orders to allow for that possibility, as set out at **Appendix 3**, for recommendation to the County Council.

- 2.5 It is anticipated that similar arrangements may be required for the Council meetings in December and February given the nature of the pandemic and the likelihood of sustained infection rates through the winter.

Webcasting

- 2.6 From April 2020 until May 2021, all formal meetings were held virtually, with the public able to watch or listen to these via the live webcast. Prior to the public health emergency, only the following meetings were webcast:
- County Council
 - Cabinet
 - Scrutiny committees
 - Planning (now Planning and Rights of Way) Committee
- 2.7 As meetings are now being held in person, with the public able to attend, the Governance Committee is asked to consider future webcasting arrangements. Viewing figures for meeting webcasts in 2019/20, 2020/21 and to date in 2021/22 are attached at **Appendix 4**. The Appointing Committee and Appeals Panel figures have not been included as the public section of these meetings only lasts for a few minutes. It is not intended to webcast these in future as they return to being in-person meetings.
- 2.8 Webcasting is resource intensive, and the figures in Appendix 4 show that some meetings have not had very high viewing numbers. The Governance Committee is therefore asked to agree that webcasting should revert to the pre-pandemic arrangements. Other meetings may be webcast on occasion where matters of significant public interests are due to be considered and with the agreement of the relevant chairman. Meetings being held virtually, and which require public access, may still be webcast (e.g. the Health and Wellbeing Board).

3. Consultation, engagement and advice

- 3.1 All county councillors were invited to give feedback on formal meeting arrangements, including those for full Council meetings. A summary of responses received is at **Appendix 2** and have informed the proposals.

4. Finance

- 4.1 Formal physical meetings require more officer support in a COVID-secure environment, including the provision of stewards to help guide members and the public. This increases for larger meetings such as full Council. The webcasting of all formal meetings has required significant additional staff resource, as prior to the pandemic fewer meetings were webcast. Some virtual meetings also require more officer support, although this has lessened as familiarity with both the technology and the meeting protocols has increased.

5. Risk Implications and Mitigations

Risk	Mitigation
Harm to the health and wellbeing of councillors, staff and public	Public health precautions to be put in place for all in-person meetings and ongoing advice from Public Health to be provided
If hybrid technology is used to enable committee members to join meetings remotely, they will not be able to vote and there is a risk that meetings will not be quorate	It is proposed that hybrid technology mainly be used to enable other participants to join meetings remotely
Lack of openness and transparency due to reduced public gallery	Meetings where matters of significant public interest are due to be considered are webcast

6. Policy alignment and compliance

- 6.1 There is no equality duty impact arising from this report which is a general overview of plans. The need for the Council to consider the needs of individuals who may wish to participate in member meetings has not changed and will need to be considered in planning the logistics, technology and methods of communication for all council business. There are no social value, crime and disorder, human rights or legal implications. Public health requirements relating to COVID-19 are informing all meeting arrangements.

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Appendices

Appendix 1 – List of Council/committee meetings to end March 2022

Appendix 2 – Summary of consultation feedback from county councillors

Appendix 3 – Proposed changes to Standing Orders

Appendix 4 – Webcasting data

Background Papers

None