



BROMSGROVE DISTRICT COUNCIL

URGENT DECISIONS

WEDNESDAY 20TH MAY 2020 AT 12.10 P.M.

PLEASE NOTE - THE ATTACHED URGENT DECISION HAS BEEN ELECTRONICALLY SIGNED OFF BY ALL THE NECESSARY MEMBERS/OFFICERS DUE TO THE CURRENT COVID-19 SITUATION.

1. Urgent Decision - Remote Meeting Protocol (Pages 1 - 8)

20th May 2020

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BROMSGROVE DISTRICT COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

Subject: Virtual Committee Meetings Protocol

Brief Statement of Subject Matter:

The following urgent decision is required to facilitate the continued functioning of Council business during the Covid-19 outbreak.

Under 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 Regs) local authority Committee meetings, can now take place virtually.

In order to ensure that these meetings run smoothly the Council has created the attached Virtual Committee Meetings Protocol. The aim of the protocol is to provide guidance to both Members and Officers when participating in Virtual Committee Meetings. This was considered necessary as the process for holding Virtual Committee meetings differs in some respects from physical committee meetings.

Decision: Council

Date: 19th May 2020

RESOLVED:

The attached virtual committee meetings protocol be approved.

Grounds for Urgency:

The decision is due urgently to ensure that the protocol is in place prior to the forthcoming Planning Committee and in the context of the Covid-19 outbreak.

DECISION APPROVED BY:

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Chief Executive – K Dicks

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Dated

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Section 151 Officer - J Pickering

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Dated

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Monitoring Officer - C Felton

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Dated

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Leader – K May

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Dated

Agenda Item 1

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Chairman, Overview & Scrutiny Board
M Thompson

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Dated

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Chairman- R Laight

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Dated

BROMSGROVE DISTRICT COUNCIL REMOTE MEETING PROTOCOL

Introduction

This protocol is made in line with the requirements 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 Regs) and will apply to the conduct of all Virtual Meetings of the Council and its various Committees and Sub-Committees.

Remote attendance is permitted provided certain conditions are satisfied. These include that the Councillor is able to hear and be heard by the other Councillors in attendance and be heard by any members of the public entitled to attend the meeting. A visual solution is preferred, but audio is sufficient.

This also relates to members of the public attending the meeting also being able to be heard by all those attending the meeting.

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).

This protocol should be read in conjunction with the wider requirements for meetings as set out in the Councils Constitution and where the specifics for a Virtual Meeting are not detailed then the normal meeting rules should be assumed unless the meeting Chairman states otherwise.

This protocol will be kept under regular review.

Skype for Business

Skype for Business is the system which has been adopted by the Council for hosting remote / virtual meetings. It has functionality for audio, video, and screen sharing and has accessibility for a member of an organisation or the public to join a meeting.

1. Calling of Virtual Meetings

- 1.1 All virtual meetings will be considered called when the relevant Notice of meeting and Agenda are published on the Councils website. This shall be at least five clear working days before a meeting and detail date, time and web attendance details.
- 1.2 Members and Officers should note that the start times of virtual meetings may differ from the usual time of a meeting, therefore all attendees are encouraged to check their agendas in advance to ensure they have the correct details.
- 1.3 This will be accompanied by such reports as are available and clearly set out details on how, and by when, members of the public can submit their questions and comments in advance of the meeting.

2. Access to Documents

- 2.1 Democratic Services will publish the agenda and reports for committee meetings on the Council's website and will notify councillors by email in line with usual practice. Paper copies of agendas will be made available to attendees to assist with participating in virtual meetings.

(Printed copies will not be available for inspection at the Council's offices and this requirement was removed by the Regulations.)

3. Pre meeting arrangements

- 3.1 Officers hosting virtual Council meetings will ensure that all public questions and comments received by the relevant cut off time (where meeting rules allow for these) will be published on the website and available to all Members and officers attending the meeting prior to the start of the meeting.
- 3.2 In respect of Planning Committee meetings the updated public speaking rules as set out in the Council's constitution will apply.
- 3.3 Any Member, not a member of the relevant committee, wishing to participate in the virtual meeting must submit their request by email to Democratic Services at least 24 hours in advance of the meeting taking place (for example a Member wishing to speak to Cabinet or Portfolio Holders at Overview and Scrutiny Board) in order to be provided with the relevant information to join the meeting.
- 3.4 For a Ward Councillor wishing to speak at Planning committee, Members should refer to the updated Planning Procedure Rules within the Council's Constitution.
- 3.4 All members of the committee whose meeting has been called will be sent a Skype for Business Outlook Calendar invitation by email.
- 3.5 The Outlook Calendar invitation will always be set as, at least 15 minutes prior the commencement of the virtual meeting start time.

4. Including external participants

- 4.1 All employees and Councillors have Skype for Business on their Council owned equipment (it can also be made available on personal mobile phones) linked to their email account and therefore they can join a meeting.
- 4.2 External participants (for example WCC Highways Officers at Planning Committee meetings) can be sent the meeting request via email and if a participant is included in this way, they can access the meeting by voice call as a guest. This needs to be controlled at the appropriate time in the meeting by the Democratic Services Officer.
- 4.3 Alternatively 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 done by the Democratic Services Officer as part of the meeting administration.

5. Starting the Meeting

- 5.1 The Chairman will give a brief overview and introduction to the meeting, explaining how it is anticipated that the virtual meeting will be run.
- 5.2 At the start of the meeting, the Chairman will check all required attendees are present by asking each Member and Officer to introduce themselves and in the case of Members confirm that they have received and read the agenda and any supplementary documentation.

- 5.3 The Chair will ask all Councillors and Officers to **turn off all unnecessary microphones** unless they were speaking. This prevents background noise, coughing etc which is intrusive and disruptive during the meeting. The Democratic Services Officer will also keep a watch on this and will be able to turn off participant mics when they are not in use. Councillors would then need to turn their microphones back on when they wished to speak.

6. Chairman of Virtual Meetings

- 6.1 Subject to being available to virtually join the meeting, the Chairman of the committee whose meeting has been called shall lead the meeting and exercise their discretion to ensure that the virtual meeting is conducted, as much as reasonably practicable, in line with the requirements of this protocol.
- 6.2 Where the Chairman is not available the usual rules around Vice Chairman, another member, chosen by the members present shall apply.
- 6.3 Where the Chairman is required to interpret the Council's Constitution in light of the requirements for virtual participation they shall take advice from the Monitoring Officer, other Legal Officer or Democratic Services Officer prior to the meeting or in virtual attendance at the meeting. The Chairman's decision will be final.
- 6.4 The rules of quorums for virtual meetings are the same as those applicable to non virtual meetings and as set out in the Council's constitution.

7. Etiquette When Attending a Virtual Meeting

Members and officers attending a virtual meeting should ensure:

- They must ensure that in advance of the meeting that their Council device is fully charged and operational and remains so throughout the length of the meeting.
- They should be available and logged in to any virtual meeting at least 15 minutes prior to the start to ensure equipment is working.
- They have no audible background noise when participating in the meeting
- Turn off smart speakers such as Amazon Echo (Alexa), Google Home or smart music devices. These could inadvertently record phone or video conversations, which would not be appropriate during the consideration of confidential items and can also cause interference.
- They mute their microphone when they are not speaking
- They join and stay for the duration of the meeting unless specifically asked to leave by the Chairman
- On each occasion that they speak, they clearly state their name
- They do not speak when somebody else is speaking/ interrupt anybody already speaking
- If a specific page is referred to in the agenda, ensure the page number is read out.
- The chat function is used solely for the purpose of making the Chairman/Democratic Services Officer aware that you wish speak (otherwise it is very distracting if other questions/conversations are happening within the chat simultaneous to the meeting).
- Members may also wish to think about their location during the duration of a meeting and the background which will be displayed whilst they are participating by video.
- Members also need to remember that the meeting, whilst being remote, may also be available by video to the public and is a public meeting and they should therefore behave in the same manner as they would if attending a meeting on Council premises.

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- It is suggested that during formal committee meetings Members and officers also give consideration to how they are dressed.

8. The Meeting and Debate

- 8.1 The Chairman will go through the list of Members 'in attendance' following presentation of each item and ask each Member in turn if they have any comments or questions on that item that they would like to discuss in more detail.
- 8.2 Any member who has declared an interest in an item and stated that they will not be partaking in the vote, either at the start of the meeting or prior to the meeting, will not be included in the debate for that item and must remove themselves both by video and sound from the meeting (in line with standard practice when declaring any pecuniary interest).
- 8.3 For Members of the Committee who wish to speak in the debate, they should click on the meeting chat facility and simply write their name. The Chairman/Democratic Services Officer will then be aware you wish to speak and can take the requests in the appropriate order. Officers should also use this mechanism if they wish to speak.
- 8.4 When referring to reports or making specific comments, Councillors should refer to the report and page number so that all Members of the Committee and any members of the public that may be "observing" have a clear understanding of what is being discussed at all times.
- 8.5 If the debate appears to be coming to an end, the Chairman may ask if any other Member wishes to speak before concluding the debate.

9. Proposing / Seconding / Voting

- 9.1 As the Chairman takes comments from each member in attendance any member wishing to propose or second a proposal being discussed will state this clearly and officers will record this information
- 9.2 When the Chairman is satisfied that they have allowed sufficient debate and have a proposer and seconder for the item being discussed they will pass to the Democratic Services Officer present who will then call out the name of each Member present (in the form of a roll call). When the Member's name is called they will be required to clearly state 'for', 'against', 'abstain' to indicate their vote.
- 9.3 The Democratic Services Officer will then clearly state the result of the vote and the Chair will then move onto the next agenda item.
- 9.4 Details of how Members voted will not be kept or minuted unless a formal Recorded Vote was requested by a Member before the vote took place and the normal process for recorded votes was followed.

10. Public Participation

- 10.1 Officers in attendance of the meeting will, at the relevant time and upon request of the Chairman, read out, verbatim, public comments as received and published in advance of the virtual meeting.

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- 10.2 Any public speakers at the meeting will, at the invitation of the Chairman, be given the opportunity to speak at the relevant time. The Democratic Services Officer will ensure that they are not able to speak at any other point within the meeting.
- 10.3 At the discretion of the Chairman any member of the public speaking, when not invited to do so or when asked by the Chairman to cease speaking may be removed from the meeting by the Chairman.

11. Confidential/Exempt Items

- 11.1 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. 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 meetings.
- 11.2 If the discussion of a confidential/exempt item is required, prior to the meeting each member will be asked to record in an email. confirmation verifying that their venue is secure, that no member of the public has access and that no recording of the proceedings is being made.
- 11.3 At the start of the confidential item webcasting will temporarily be suspended, and any member in attendance who has not returned their verification email will be asked by the Chair to leave the meeting.
- 11.4 Any Councillor in remote attendance who fails to disclose that there are in fact persons present, such as those who may be able to see and/or hear the meeting, who are not entitled could be in breach of the Council’s Code of Conduct.
- 11.5 If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time when the meeting goes into exempt session, remove the participant from the meeting.
- 11.6 It may be good practice to turn off smart speakers such as Amazon Echo (Alexa), Google Home or smart music devices. These could inadvertently record phone or video conversations, which would not be appropriate during the consideration of confidential items.

12. Leaving a Virtual Meeting

- 12.1 Once all business on the agenda is concluded the Chairman will close the meeting and invite all Members and officers who have joined the meeting to log out.
- 12.2 Members should all leave the meeting quickly and quietly.

13. Technical Issues

- 13.1 If a member encounters IT problems causing them to drop out of the virtual meeting they should use best endeavours to re-join as quickly as possible, eg by recalling the joining number, contacting IT services or a Democratic Services Officer.
- 13.2 At any point during a virtual meeting should any aspect of the IT fail, either at the Council source, for an individual Member or for a participating Member of the public, the Chairman will use their discretion and call a short adjournment of up to fifteen minutes if necessary in order for this to be rectified.

- 13.3 If a Members' IT equipment fails for any reason during the debate around a quasi-judicial meeting that Member would be unable to vote on that particular item. This corresponds with arrangements for a physical meeting, where a member would not be permitted to vote where they had left the meeting for any reason.
- 13.3 If it is not possible to address the fault and the meeting becomes inquorate through this fault, the meeting will be abandoned until such time as it can be reconvened. If the meeting is quorate, then it should continue.
- 13.4 Members attending remotely would be aware of the problems and accept that the meeting would continue without them, and a vote taken without their attendance.
- 13.5 If the meeting was due to determine an urgent matter or one which is time-limited and it has not been possible to continue because of technical difficulties, the Chief Executive, Leader and relevant Cabinet Member, in consultation with the Monitoring Officer shall explore such other means of taking the decision as may be permitted by the Council's constitution.

14. Disability

- 14.1 It is also important for authorities to ensure that the needs of any disabled Members and virtual participants are taken into account when considering the practicality of a remotely attended meeting.

15. Interpretation of Procedure Rules

- 15.1 Where the Chairman is required to interpret the Council's existing Procedure Rules in light of the requirements of remote participation, they shall take advice from the Democratic Services Officer, Legal Advisor or Monitoring Officer prior to making a ruling. However, the Chairman's decision shall be final.

16. Disorderly Conduct

- 16.1 In line with the Procedure Rules at Part 20 of the Councils Constitution, if a Councillor persistently disregards the ruling of the person presiding by behaving improperly or offensively or deliberately obstructs business, the person presiding may direct that the Councillor be not heard further.
- 16.2 If the Councillor continues to behave improperly after such a direction, the person presiding may direct that either the Councillor leaves the meeting or that the removed from the meeting or that the meeting is adjourned for a specified period.
- 16.3 Disorderly conduct by members of the public and Council officers will also not be tolerated. The Chairman will reserve the right to exclude such a person should they behave in an inappropriate matter.