



Council Procedure Rules Relating to the holding of Remote Meetings

This Remote Meeting Procedure Rules and accompanying Meeting Protocol and Etiquette Guidance provide the means and guidance for the conduct of any remote meeting of the Authority and its various Committees and Sub-Committees, held under the provisions 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 Regulations').

This Remote Meeting Procedure Rules and the Meeting Protocol and Etiquette Guidance should be read in conjunction with the Council Procedure Rules within the Constitution. The Regulations, made under section 78 of the Coronavirus Act 2020, apply notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Authority governing meetings and remain valid until 7th May 2021.

This means that, wherever there is a conflict, these Remote Meetings Procedure Rules will take precedence in relation to any remote meeting. Corresponding Council Procedure Rules (CPR) are referenced for Elected Members' information.

1. No Requirement to Hold an Annual Meeting (CPR 1)

The requirement to hold an Annual Meeting is to be disregarded and, prior to 7th May 2021, an Annual Meeting of Council may only take place: -

- (a) where called by the Chair; or
- (b) following a resolution calling for an Annual Meeting being passed at an ordinary or extraordinary meeting of Council.

2. Time and Place of Meetings (CPR 5)

Meetings will be held remotely using 'Microsoft Teams' at a time and date specified on the Notice and Summons which will be published in accordance with CPR 6 'Notice and Summons of Meetings.'

Where 'attend' or 'attendance' is referred to in these Emergency Council Procedure Rules this should be read as 'remote participation' at a meeting.

In order to mitigate some of the internet traffic issues being experienced across the network it was proposed that CPR 5 also be amended to include the following addition: -

That Ordinary meetings of Full Council shall, when being held remotely, commence at 6.00 pm and any Full Council meeting that has lasted until 8.00 pm shall adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If s/he does not fix a date, the remaining business will be considered at the next ordinary meeting.

3. Duration of a Meeting (CPR 8)

All remote meetings will be scheduled in consultation with the Chair for a time period which the Chair estimates sufficient to deal with the business of the meeting. Should the duration be insufficient the time period can be extended by the Chair.

4. Access to Information

For all purposes of the Constitution, the terms 'notice', 'summons', 'agenda', 'report', 'written record' and 'background papers' when referred to as being a document that is:

- (a) "open to inspection" shall include for these and all other purposes as being published on the website of the council; and
- (b) to be published, posted or made available at offices of the Authority shall include publication on the website of the Authority.

5. Remote Access to Meetings

- (a) For all purposes of the Constitution the term 'meeting' is not limited in meaning to a meeting of persons all of whom, or any of whom, are present in the same place, for which purposes any reference to:
 - (i) "place" is to be interpreted as where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or 'virtual' locations such as internet locations, web addresses or conference call telephone numbers; and
 - (ii) "open to the public" includes access to the meeting being through remote means including (but not limited to) video conferencing, live webcast, and live streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person; and
- (b) If the Chair is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chair shall adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date fixed by the Chair. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

6. Elected Members in Remote Attendance

- (a) An Elected Member in remote attendance is present and attends the meeting, including for the purposes of the meeting's quorum, if at any time all three of the following conditions are satisfied; those conditions being that the Elected Member in remote attendance is able at that time:
- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other Elected Members in attendance.
 - (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
 - (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- (b) An Elected Member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in (a) above are not met. In such circumstance the Chair may, as they deem appropriate;
- (i) adjourn the meeting for a short period to permit the conditions for remote attendance of an Elected Member contained in (a) above to be re- established;
 - (ii) count the number of Elected Members in attendance for the purposes of the quorum; or
 - (iii) continue to transact the remaining business of the meeting in the absence of the Elected Member in remote attendance.

7. Remote Attendance by Members of the Public at a Regulatory Committee

- (a) A member of the public entitled to attend the meeting in order to exercise a right to speak at the meeting is in remote attendance at any time if all three of the following conditions are satisfied, those conditions being that the member of the public in remote attendance is able at that time:
- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, Elected Members in attendance;
 - (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any other members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
 - (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

- (b) A member of the public in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in Procedure Rule 7(a) above are not met. In such circumstance the Chair may, as he or she deems appropriate:
- (i) adjourn the meeting for a short period to permit the conditions for remote attendance contained in Procedure Rule 7 (a) above to be re-established;
 - (ii) suspend consideration of the item of business in relation to the member of public's attendance until such time as a following item of business on the agenda has been transacted and the conditions for the member of the public's remote attendance have been re-established or, on confirmation that this cannot be done, before the end of the meeting, whichever is the earliest; or
 - (iii) continue to transact the remaining business of the meeting in the absence of the member of the public in remote attendance.

8. Remote Voting (CPR 15)

All voting procedure rules will continue to apply except for CPR 15.3, 15.4 and 15.5 as in all cases the Chair will take a recorded vote by roll-call and the number of votes for or against the motion or amendment or abstaining from voting will be recorded in the minutes.

9. Elected Members Excluded from the Meeting

Where an Elected Member is required to leave the meeting, the means of remote attendance and access is to be severed whilst any discussion or vote takes place in respect of the item or items of business which the Elected Member or co-opted member may not participate.

10. Motions on Notice (CPR 11)

With reference to Council Procedure Rule 11, where signatures cannot be obtained Elected Members supporting the motion must confirm by email to Democratic Services that they have read the motion and support it for submission to Council. Once five email submissions have been received the motion will be referred to the Managing Director and Chair of Council in accordance with the procedure rules.

11. Rules of Debate (CPR 13)

All rules will still apply subject to the application of the Meeting Protocol and Etiquette Guidance for Remote Meetings.

12. Minutes (CPR 16)

The minutes from the previous meeting, once approved, will be signed by the Chair at a later date. Motions in relation to the accuracy of the minutes should, as far as is possible, be submitted in advance of the meeting to Democratic Services and, in turn, will be discussed with the Chair ahead of the meeting at which they are due to be approved.

13. Record of attendance (CPR 17)

Attendance will be recorded by the Chair asking Democratic Services to perform a roll call of all Elected Members who are participating in a remote meeting. This will be recorded by Democratic Services as the official attendance for the minutes.

14. Exclusion of Press and Public (CPR 18)

CPR 18 continues to apply where a remote meeting is to consider a matter to which the public/press may be excluded in accordance with the Access to Information Rules in Part 4 of the Constitution.

15. Elected Members Conduct (CPR 19)

CPR 19.1 and 19.2 do not apply to remote meetings.

Where an Elected Member wishes to speak they must indicate using the Microsoft Teams 'virtual hand up'. CPR 19.3, 19.4 and 19.5 continue to apply. In relation to a breach of these rules the Chair may 'Mute' the specific Elected Member or remove them from the remote meeting.

16. Elected Member Interests (CPR 21)

CPR 21 continues to apply.

Where an interest becomes apparent to an Elected Member part way through the meeting they must immediately notify the Chair by raising a 'virtual hand'. Depending on the nature of the interest, the Elected Member may be removed from the meeting.

17. Suspension, Amendment and Interpretation of Council Procedure Rules (CPR 22)

CPR 22.1 and 22.2 shall not apply to these Emergency Council Procedure Rules.

CPR 22.3 continues to apply.

18. Committees and Subcommittees of the Council (CPR 23)

CPR 23.1 to 23.5 continue to apply with the amendment that 'attend' and 'attendance' shall refer to 'remote attendance' at meetings.

19. Application of Emergency Council Procedure Rules to other Meetings (CPR 24)

These Emergency Council Procedure Rules shall apply to Committees and Sub-Committees, subject to any variation approved by a Committee for regulating its own procedures.

20. Reference to Council (CPR 25)

CPR 25 continues to apply, with the amendment that the requisition may be requested by sending an email by an Elected Member to Democratic Services. Once not less than half of the whole number of Elected Members have sent such an email, the Managing Director will call the meeting in accordance with CPR 25 (ii) and (iii).