

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	YES/NO	
	Discretionary /	Need to be recommendations to Council	YES/NO	
	Operational	Is it a Key Decision	YES/NO	
Lead Member: Cllr Stuart Dark (Leader) E-mail: cllr.stuart.dark@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted: Group Leaders and Deputies		
Lead Officer: Lorraine Gore E-mail: lorraine.gore@west-norfolk.gov.uk Direct Dial: 01553 616345		Other Officers consulted:		
		Management Team Assistant Directors Executive Directors		
Financial Implications YES/NO	Policy/Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO

Date of meeting: 3rd August 2021

COUNCIL MEETINGS – INTERIM ARRANGEMENTS

Summary

Following the expiry of the powers granted by Section 78 of the Coronavirus Act 2020, from 7th May the council has reverted to face-to-face meetings for Members, supported by Democratic Officers in the room. This report considers the impact of the decision not to extend the facility of virtual meetings for councils and to recommend to Cabinet/Council, interim measures to enable the council to fulfil their statutory obligations in respect of council meetings whilst maintaining social distancing and COVID-19 safety measures at all times.

Although nationally, covid restrictions and legislation are being relaxed from Monday 19th July, in Norfolk, numbers of positive cases are growing to the extent they are doubling each week. The council is mindful that although regulations will no longer be in place, there is a responsibility to keep officers and members safe during this time until the impact of the relaxation of the rules is known.

Recommendation

- That Cabinet agree with the recommendations for the interim arrangements for council meetings
- It is recommended that Council and Scrutiny Panel meetings continue to meet at their current start times.
- Officers will attend meetings via Zoom to limit the number of people in the room at one time

- Members attending under SO34 may do so via Zoom or in person
- That a further review of council meetings is conducted at the end of September 2021, when the impact of the relaxing of national covid measures are more widely known

Reason for Decision

To enable council meetings to proceed according to legislation whilst maintaining COVID-19 secure at all times, reducing any associated risk to officers, members or the public.

1. Background

- 1.1 Under the powers granted by section 78 of the Coronavirus Act 2020, new regulations were introduced to allow local authorities to meet remotely or in hybrid format. The regulations came into force on 4 April 2020 and applied to meetings taking place before 7 May 2021.
- 1.2 The regulations were brought in specifically to make express provision for local authorities to deal with the challenges of holding physical meetings during the coronavirus pandemic. They have helped local authorities to redeploy resources to deal with the pandemic and ensure that essential business continues whilst protecting the health and safety of their members, officers and public.
 - 1.2.1 The regulations allowing hybrid meetings ended on 7 May 2021 and despite a High Court challenge, council meetings must be held in person. For hybrid meetings to continue, new primary legislation would be required.
- 1.4 Over the past few months, the borough council has worked hard with partners to manage the pandemic, deal with local outbreaks, and roll out the vaccination programme whilst providing business as usual services. We have also recently delivered a double set of COVID-secure elections and subsequent Annual General Meetings. The provision of virtual meetings has allowed for critical decisions to be made democratically and without undue delay. It has, without doubt, increased the transparency of the decision-making process and the equity of access for elected members and the public.
- 1.5 The Prime Minister has announced that all covid restrictions will be relaxed on Monday 19th July 2021. However, in Norfolk and across the country, cases of the Delta variant of covid continue to rise and are currently doubling each week. For west Norfolk, the number of positive cases are at similar levels to those seen in the middle of February 2021, despite the highly successful vaccination programme. It is with

this in mind that the council should proceed with caution and try to maintain social distancing wherever possible.

2. Options Considered

- 2.1 With the covid legislation revoked, council meetings require physical attendance. The decision makers are required to be in the room for the meeting to be valid. The public can attend if they wish, subject to adherence to social distancing guidelines.
- 2.2 The legislation does not apply to working groups who may continue to meet remotely and Members attending under SO34 may also attend remotely as they are not the decision makers in the room.
- 2.3 There have been some significant benefits of remote meetings, including:
 - Increased flexibility for councillors e.g. travel/time constraints to attend physical meetings were overcome, particularly where there were consecutive meetings in one day.
 - Reduced vehicle uses with a positive impact of Co2 emissions related to each meeting
 - More efficient use of councillor time
 - Increased citizen engagement
 - Assisted councillors with caring responsibilities
- 2.4 Following a High Court decision that in-person meetings will go ahead following a challenge from several local authorities, the Government has held a 'Call for Evidence' consultation process to which the council has provided a response (Appendix A). In the intervening period, the council has reverted to face-to-face meetings.

3. Interim arrangements for council meetings

- 3.1 Pending any outcome of the government's consultation process, the existing arrangements for council meetings will continue and will be reviewed again at the end of September 2021.
 - 3.1.1 Council meetings will be held in the Assembly Room or the Stone Hall at the Town Hall if necessary.
 - 3.1.2 Members of each committee or panel will be required to physically join the meeting or apologies should be sent
 - 3.1.3 Members attending under SO34 may do so in person, but alternatively may join via Zoom.
 - 3.1.4 Members of the public may attend in person or view via the YouTube channel. Public speakers in Council and Planning can join via Zoom as they do now.

- 3.1.5 Live streaming of all council meetings will continue
- 3.1.6 Democratic Services officers will attend the meetings in person, with support from ICT and other Democratic Services Officers will carry out the administration of the live stream remotely
- 3.1.7 All other council officers attending meetings will join remotely to keep numbers in the room to a minimum except for the member of senior management team supporting the panel.
- 3.1.8 Whilst not compulsory, we strongly recommend that all members undertake lateral flow testing prior to attending a meeting. If that test is positive, that Member should self-isolate until a PCN test can be carried out.

4. Policy Implications

- 4.1 Returning to face-to-face meetings will not require an amendment to currently policy. However, this may change if the government introduces new primary legislation for council meetings following the consultation process.

5. Financial Implications

- 5.1 Introducing hybrid meetings will inevitably lead to cost savings relating to both officers and members. Time spent on travel and travel expenses will reduce. The annual cost of Zoom is £3,262.80 which should be offset by the savings made in travel claims.

6. Personnel Implications

- 6.1 There will be benefits to council officers attending hybrid meetings as prior to the pandemic, an officer had to attend the face-to-face meeting at the start and wait for their agenda item. They can now be invited into the meeting at the appropriate time, negating the need for them to attend for items which they are not responsible for.
- 6.2 Hybrid meetings may also help with safety measures as officers will not be required to attend the meeting in person will be able to avoid travelling in poor weather/dark evenings across a rural area. This applies equally to members attending under SO34 and not required to attend the meeting in person.

7. Statutory Considerations

- 7.1 Implementing the recommendations will align with current statutory obligations.

Equality Impact Assessment (EIA)

Pre-screening equality Impact Assessment attached.

8. Risk Management Implications

8.1 There are two risks to the recommendations

1. Failure of the ICT systems streaming the meetings
2. A virtual attendee losing connection and not able to reconnect

8.2 Whilst the risks are significant, it is difficult to mitigate against them as we are unable to foresee if/when they occur. However, an ICT representative will be available at all meetings to try to resolve any issues as they arise. Officers and members will also be able to connect to the Teams/Zoom meeting by telephone should such an issue occur.

9. Environmental Considerations

9.1 As noted previously in this report, the proposal will reduce Co2 emissions due to fewer people attending the meetings and the related reduction in vehicle usage.

10. Declarations of Interest / Dispensations Granted

10.1 None

Background Papers

Coronavirus Act 2020 Section 78

<https://www.localgov.co.uk/Virtual-council-meeting-challenge-dismissed-by-High-Court/52242>

https://consult.communities.gov.uk/local-government-stewardship/local-authority-remote-meetings-call-for-evidence/consultation/my_response?user_id=ANON-N2UZ-453H-K&key=fbdecc3d1255befa6002f2249e65d89d4d6413ed

Pre-Screening Equality Impact Assessment



Name of policy/service/function	Council meetings
Is this a new or existing policy/ service/function?	Existing
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	

Question	Answer
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<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age	X			
	Disability	X			
	Gender	X			
	Gender Re-assignment	X			
	Marriage/civil partnership	X			
	Pregnancy & maternity	X			
	Race	X			
	Religion or belief	X			
	Sexual orientation	X			
Other (eg low income)	X				

Question	Answer	Comments
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2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favoring a particular community or denying opportunities to another?	No	<p>Members of the public have an improved ability to observe and take part in the democratic process. They can physically attend the meetings and/or where they have access to the necessary technology can watch live via Zoom or Youtube and could be invited to participate via Zoom.</p> <p>The ability to access the meeting digitally from home or their choice of place may be beneficial for those reliant upon with public transport, those on low incomes or those with mobility issues.</p> <p>The ability to view/listen to the live/recorded proceedings may also provide a richer experience than relying upon the written agenda, reports and minutes.</p>
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3. Could this policy/service be perceived as impacting on communities differently?	No	
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4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	
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5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	No	Actions:
		Actions agreed by EWG member:

Assessment completed by: Name	
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Job title	Date
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Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.

