

ELDC Remote Meetings

Protocols and Procedures

As agreed on 14 May 2020 and modified on 9 December 2020

1. Introduction

- 1.1 This protocol and procedures document provides the means and guidance for the conduct of any remote meeting of the Council and its various Committees and Sub-Committees, held under the provisions of The Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 (The Regulations).
- 1.2 This document should be read in conjunction with the Council Standing Orders and Procedure Rules within the Council's 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 take precedence in relation to any remote meeting.

2. Annual Meeting

- 2.1 The requirement to hold an Annual Meeting in 2020 is to be disregarded and the current appointments to Council Committees and Outside Bodies will continue.

3. Access to Information

- 3.1 The Chief Executive will publish the date and time of remote meetings including associated agendas and supporting papers through the Council's website in line with legislative requirements.
- 3.2 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:
- (i) "open to inspection" shall include for these and all other purposes as being published on the website of the Council; and
 - (ii) to be published, posted or made available at offices of the Authority, shall include for these purposes being published on the website of the Council.
- 3.3 An electronic copy of the agenda and supporting papers will be available to Members via the Modern.Gov App in the usual way. Hard copies of papers will also be posted to Members of the Meeting and relevant Officers unless otherwise indicated by the Member/Officer.

4. Organisation of Remote Meetings of the Council

- 4.1 The Democratic Services Team will organise and support the facilitation of remote meetings of the Council. Facilitation is likely to include but not be limited to controlling access to the meeting, supporting microphone/speaker management, recording and livestreaming meetings, advising on speaking times, supporting voting procedures and acting as a contact point for issues.

5. Place of the Remote Meeting

5.1 A reference to a meeting of a local authority is not limited to a meeting of persons present in the same place. Any reference to 'place' at which the 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.

6. Attendance of Members at Remote Meetings

6.1 A Member attends the meeting at any time if all of the following conditions are satisfied at any given time in the meeting:

- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other 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.

6.2 Should any aspect of an individual's remote participation fail, the Chairman may call a short adjournment of up to ten minutes to determine whether the connection can quickly be re-established, either by video technology or telephone in the alternative. If the connection is not restored within that time, the meeting shall continue to deal with the business whilst this happens providing the meeting remains quorate, the public are able to hear and it is practicable to continue with the business.

6.3 In the event of connection failure, the remote Member(s) will be deemed to have left the meeting at the point of failure and if the connection cannot be re-established to those member(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item/s.

6.4 If the connection is successfully re-established, then the remote Member(s) will be deemed to have returned to the meeting at the point of re-establishment. If the Member who was disconnected has missed part of the debate then they will not be able to vote on the matter under discussion as they would not have heard all the facts.

6.5 The final decision of whether a Member is deemed to have been in attendance shall be that of the Chairman of the Meeting.

6.6 The attendance of those Members at the meeting will be recorded by the Democratic Services Officer.

6.7 The quorum requirements for remote meetings will be as set out in the Council's Constitution.

7. Public Speaking at Remote Meetings

7.1 Any member of the public participating in a meeting remotely in exercise of their right to speak at Council or in other meetings must meet the same criteria as Members of the Council. Members of the public attending a meeting remotely must, likewise, when they are speaking, be

able to be heard (and ideally be seen) by all Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those Members participating and be heard and, where practicable, seen by any other members of the public attending the meeting.

- 7.2 The Democratic Services Officer shall be able to mute the member of the public once they have spoken, and remove them from the remote meeting on the instruction of the Chairman, in order to maintain the good administration of the meeting or to retain order.

Planning Committee (Public Speaking)

- 7.3 Planning Committee Public Speaking Procedure Rules in the Council's Constitution along with the following additional protocol and procedures will be applied to remote meetings of the Planning Committee:

- I. Speakers can register to speak via Planning.Speaking@e-lindsey.gov.uk from the Thursday the week before the Planning Committee Meeting - until 12 noon the Tuesday before the Planning Committee meeting. Registered speakers will be contacted in advance to go through the joining instructions for the remote meeting.
- II. In deciding who should speak in favour of the application, the applicant/agent will be given precedence over supporters. All other speakers will be registered on a 'first come, first served' basis. Speakers will be asked for permission to share contact details with other people who wish to speak, but this is not a requirement. A reserve list will be kept in case any of the registered speakers de-register.
- III. It is the speaker's responsibility to ensure that he/she is able to connect to join the remote meeting (either by internet connection or telephone).
- IV. Registered speakers may provide a typed up statement of their verbal presentation.
 - o The statement must be provided by 12 noon on the Wednesday the day before the meeting to Planning.Speaking@e-lindsey.gov.uk
 - o It must not exceed the allocated time for the verbal presentation.
 - o Any statement considered to contain aggressive or abusive language, or that makes personal remarks regarding any Member, officer or third party will be rejected.
 - o In the event that a registered speaker cannot remotely attend the meeting, then the meeting will continue, taking account of their statement.

Planning Committee (Written Representations)

- 7.4 Written representations for items being considered by the Planning Committee should be received by the Planning Team by 9am on the Wednesday before the Thursday Planning Committee. Written representations received by this time will be circulated to the Planning Committee Members and supporting committee officers on the Wednesday prior to the Thursday Planning Committee Remote Meeting. Written representations should be emailed to development.control@e-lindsey.gov.uk or posted to the Planning Team, East Lindsey District Council, Tedder Hall, Manby Park, Manby, Lincolnshire, LN11 8UP. Written representations received will be published on the Council's website.

8. Joining a Remote Meeting

8.1 Participants in the Meeting (i.e. relevant members, officers and others participating for example under speaking rights or external agencies) will be notified of the remote meeting by email and will receive details of how to access the remote meeting.

8.2 Participants will be able to join the Remote Meeting prior to the start time of the Meeting using the details provided. Sound and visual checks will take place with each participant following which the participant's microphone should be muted.

9. Attendance of public, press and Member observers at Remote Meetings

9.1 All observers (i.e. those wishing to attend the meeting but not with speaking rights), including members of the public, the press and non-participating Members, will be able to attend the meeting via a livestream, webcast or other remote means. Details of where to attend the remote meeting will be included on the Council's website and on the meeting agenda. 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.

9.2 A technological failure of the Council's livestream that removes the ability of members to be heard by the public, press and others renders the meeting incapable of proceeding. In this case the Chairman of the Meeting shall adjourn the meeting until the failure can be rectified or postpone the business to a later time and date.

10. Opening the Remote Meeting and confirming who is present

10.1 The Chairman will ask the Democratic Services Officer to confirm that the meeting is open to the public by remote means. The Meeting shall not start until this has been confirmed.

10.2 The first item on the agenda will be Register of Attendance (replacing Apologies for Absence). The Chairman will undertake a name-roll call in the order of Members listed on the agenda to confirm attendance.

11. Approving Minutes

11.1 For ease, the Chairman and Vice Chairman will propose and second Minutes of the previous meetings. The Chairman will then invite members to confirm the minutes as accurate. This shall be confirmed by no dissent being received. Any inaccuracies shall be recorded in the usual manner.

12. Declaration of Interests

12.1 Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. Their departure will be confirmed by the Democratic Services Officer who will remove the Member from the meeting and then re-admit them at the appropriate time.

13. Meeting Procedures

- 13.1 The Chairman will follow the rules set out in the Constitution when determining who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.
- 13.2 The Chairman, at the beginning of the meeting and if required during the meeting, will explain the protocol for Member and public participation and the rules of debate. The Chairman's ruling during the debate will be final.
- 13.3 Members are asked to adhere to the following procedures during remote attendance at a meeting:
- Members are asked to join the meeting fifteen minutes before the start to allow themselves and the Democratic Services Team the opportunity to test the equipment.
 - Any camera (video feed) should show a non-descript background or a virtual background and Members should be careful to not allow exempt or confidential papers to be seen in the video-feed.
 - Members shall type their name on joining the meeting in full, i.e. "Cllr John Smith" (where the technological solution employed by the authority enables this).
 - All Members must have their microphones muted when not talking.
 - To indicate they wish to speak Members should utilise the "raise hand" option or any other solution as may subsequently be available. The Chairman will call the names of speakers in the order they are received. Members will unmute their microphone when the Chairman invites them to speak and once they have spoken they should mute their microphone and lower the raise hand option.
 - Only one person may speak at any one time.
 - When referring to a specific report, page, or slide, mention the report, page, or slide so that all Members have a clear understanding of what is being discussed at all times.
 - Members will not be required to stand to speak.
- 13.4 Where members of the public are exercising speaking rights at the meeting via remote attendance, the Chairman will as part of their introduction explain the procedure for their participation which will reflect those relevant elements of the above. Members of the public must adhere to this procedure otherwise they may be excluded from the meeting.
- 13.5 When the Chairman is satisfied that there are no more speakers and (if the rules of the meeting require) there is a proposer and seconder for the item being discussed he/she will progress to a decision. Unless a Recorded Vote is called, the method of voting will initially be at the Chairman's discretion and will be by one of the following methods:
- calling out the name of each Member present with Members stating 'for', 'against', or 'abstain' to indicate their vote when their name is called; the Democratic Services Officer will record the vote and advise the Chairman who in turn will announce the outcome of the vote; or

- By the general assent of the meeting that shall be indicated by no dissent being received. This is likely to be more appropriate for non-controversial items. If dissent is received or a roll call requested then the Chairman should proceed with a roll call as described above.

13.6 Details of how Members voted will not be minuted unless a Recorded Vote is called for.

13.7 A recorded vote regarding a motion may be requested by a Member before the vote is taken in the usual way. Where a Recorded Vote is requested the Chairman will ask Members to signify whether or not they support that request by using the “Green Yes” button or any other solution that may subsequently become available. The Chairman will then confirm whether 10 members support a recorded vote and ask the first 10 members listed to confirm verbally, in turn, that they support a recorded vote.

14. Exclusion of Public and Press

14.1 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. If a meeting is required to enter an exempt session then the Democratic Services Officer will ensure that the livestream of the meeting is stopped and that only participants entitled to hear proceedings are present in the meeting. There will be a short delay whilst this is confirmed. The Chairman will ask for this confirmation before proceeding.

14.2 The Chairman will also ask each Member in remote attendance to verbally declare that there are no other persons present at their location who are not entitled to either hear or see proceedings and that no recording of proceedings is taking place at their location.

14.3 Any Member in remote attendance who fails to disclose that there were in fact persons present who were not so entitled to be would be in breach of the Members’ Code of Conduct responsibilities.

ENDS