

NORTH YORKSHIRE COUNTY COUNCIL
INFORMAL MEETING OF EXECUTIVE MEMBERS

25 January 2022

Formal meetings of the authority's committees from 16 February 2022 onwards

Report of the Assistant Chief Executive (Legal and Democratic Services)

1.0 PURPOSE OF REPORT

- 1.1 To present options for holding formal committee meetings from 16 February 2022 onwards to the Members of the Executive, for their consideration and formulation of recommendations to the Chief Executive Officer under his emergency delegated powers, for onward recommendation to the meeting of the County Council on 16 February 2022.

2.0 BACKGROUND

- 2.1 Following on from the expiry of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, which allowed for committee meetings to be held remotely, the County Council resolved at its meeting on 5 May 2021 to continue to hold remote live-broadcast committee meetings. These would then be informal meetings of the committee Members, with any formal decisions required being taken by the Chief Executive Officer (CEO) under his standing emergency delegated powers, taking into account the views of the committee Members and all relevant information. This position was reviewed at the informal meetings of the County Council Members, and subsequently agreed by the Chief Executive Officer, under emergency delegated powers, on 21 July 2021 and 17 November 2021.
- 2.2 At the meeting on 17 November 2021, County Council Members agreed for recommendation to the Chief Executive Officer for approval:
- 1) The remote access, live broadcast informal meetings of the Council's committees continue with any formal decisions required being taken by the Chief Executive Officer under his emergency decision making powers and after consultation with Officers and Members as appropriate and after taking into account any views of the relevant Committee Members.
 - 2) The meetings of the Executive revert to in person meetings, if it is determined to be safe and practical to do so.
 - 3) The continued use of remote access, live broadcast informal meetings is reviewed periodically, taking into account the level of Covid-19 infections and hospitalisation, with a further report being considered at the Council meeting on 16 February 2022.
 - 4) That the meeting of the County Council on 16 February 2022 is held as an in person meeting, if it is determined to be safe and practical to do so.
 - 5) That the power be delegated to the Chief Executive Officer in consultation with the Leader to determine which committee meetings should be held virtually and which could be held physically, subject to consultation with the relevant committee chair.

- 2.3 On 17 November 2021, the Chief Executive Officer agreed the recommendations as set out in paragraph 2.2 above. A copy of the decision record is available via the following link - [Decision - Formal Meetings of the Authority's Committees | North Yorkshire County Council](#)
- 2.4 On 25 March 2021, the Ministry of Housing, Communities and Local Government issued a call for evidence regarding remote meetings, which closed after 12 weeks, roughly 6 weeks after the existing regulations lapse – [Local authority remote meetings: call for evidence - GOV.UK \(www.gov.uk\)](#) Through the call for evidence, the Government sought to understand the experience of local authorities regarding remote meetings and invited their views on the advantages and disadvantages of making permanent express provision for remote meetings. A formal response from the Government is still awaited.

3.0 COMMITTEE MEETINGS HELD BETWEEN 19 MAY 2020 AND 5 JANUARY 2022

- 3.1 A total of 197 remote access, live broadcast meetings of the Council's committees were held from 19 May 2020 to 14 January 2022. The benefits associated with holding remote access, live broadcast meetings have previously been discussed but some headline figures are as below, comparing the years 2019/20 (meetings in person at County Hall, Northallerton) and 2020/21 (remote access meetings):
- An overall reduction in mileage claimed by councillors of 131,338 miles
 - An overall saving in travel claims of £55,221
 - An estimated saving in terms of time not spent travelling to and from meetings of 5,013 hours or 668 working days
 - An overall saving in carbon dioxide emissions associated with reduced travel estimated to be 36.774 tonnes per annum.
- 3.2 Between 19 May 2020 and 14 January 2022, there were a total of 12,736 views of the 197 meetings on the Council YouTube site. This equates to an average of 65 views per meeting. The lowest number of views for a meeting was 6 (Thirsk and Malton ACC) and the highest number of views for a meeting was 1,647 (Police Fire and Crime Panel).
- 3.3 Four committee meetings have been held in person, since the March 2020 lockdown. These were: meetings of the Planning and Regulatory Functions Committee on 27 July 2021 and 28 September 2021; a meeting of the Police Fire and Crime Panel on 14 October 2021; and a meeting of the Executive on 30 November 2021.

4.0 CONSIDERING HOW COMMITTEE MEETINGS ARE HELD IN THE LONGER TERM

- 4.1 The following paragraphs provide details of a number of issues that Executive may wish to take into account when considering how committee meetings are held.
- 4.2 North Yorkshire County Council is one of a number of local authorities continuing to hold committee and Council meetings remotely on an informal basis with the CEO using their emergency powers to make a decision in consultation with the relevant committee Members. The County Council has been doing so since 5 May 2021. Recently and in response to the spread of the Omicron variant, some councils have reverted back to remote meetings, including City of York.
- 4.3 The County Council has a leadership role to play. As such, there is a question as to whether, as part of a return to more normal, pre- pandemic ways of living and working, the

Council should be leading by example and hold committee meetings in person once again.

- 4.4 Covid-19 omicron variant infections are high locally, regionally and nationally. At the time of writing, the county average stood at 1,566 per 100,000, 200 behind the England average. Whilst the Omicron variant is less severe than the Delta variant, there is an increasing number of hospital admissions. This is largely due to the amount of people who are being infected and so the number of people falling seriously ill, whilst lower than other variants as a proportion, is increasing in real terms. The peak of the surge in infections is expected towards the end of January 2022. In addition to the increasing hospital admissions, there is also an increased burden upon adult social care services.
- 4.5 There is a heightened risk for those people who have pre-existing long term health conditions, who are over 60 years of age and who have not been fully vaccinated.
- 4.6 In response to the high and rising Omicron variant infection rates, the Government has implemented the 'Plan B' element of the 'Covid-19 Response: Autumn and Winter Plan 2021', which was published in September 2021. The measures in 'Plan B', include:
- Get vaccinated and get your booster dose
 - Wear a face covering in most indoor public places and on public transport
 - Work from home, if you can
 - Let fresh air in if you meet indoors. Meeting outdoors is safer
 - Get tested and self-isolate if required.

Source: [Coronavirus \(COVID-19\): guidance and support - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/coronavirus-covid-19-guidance-and-support)

- 4.7 The position of the Government remains one of encouraging people to stay safe, limit the spread of the virus and return to more normal, pre-pandemic, ways of living and working. This is embodied in the recent statement of the prime minister that we should now "learn to live with the virus". At the time of writing, it is of note that schools, the hospitality sector, shops and gyms all remain open.
- 4.8 As previously indicated in paragraph 3.3, four committee meetings have been held in person, since the March 2020 lockdown. The meetings were live broadcast and members of the public were able to remotely access the meeting using MS Teams. The audio visual support was provided by an external contractor, due to the timescales involved. In the longer term, the audio visual elements will be managed in-house by Technology and Change. The meetings were held in a Covid-safe manner with social distancing and hand cleansing in place and face masks worn. Those people attending were encouraged not to attend early and to leave promptly once the meeting had concluded.
- 4.9 At this stage, it is anticipated that the meeting of County Council on 16 February 2022 will be held in person, as it is the annual budget setting meeting.
- 4.10 The existing legislation in England (Local Government Act 1972) requires that committee Members be physically present at a committee meeting to be counted as part of the quorum and to be able to fully participate and vote. Advisers who are not members of the committee can take part virtually should they so wish and members of the public are entitled to physically attend the meeting (but there is no legal requirement for them to attend in person, even if they hold a particular role in relation to a meeting, for example an applicant on a matter).

- 4.11 It remains unclear whether local authorities in England will be given the power to determine for themselves how they hold their meetings. Primary legislation would be required to do this and indications are that the necessary Parliamentary time is not currently available.
- 4.12 Between October and November 2021, the Local Government Association conducted a survey of councils in England to understand the impact of the return to in-person meetings for councils after the expiry of Government Regulations in May 2021. In summary, the findings were that: councillor attendance was lower; public attendance and engagement was lower; and costs had increased. The full report can be found via the following link – [Impact of in-person council meetings survey October - November 2021 WEB.pdf \(local.gov.uk\)](https://www.local.gov.uk/sites/default/files/2021-11/Impact_of_in-person_council_meetings_survey_October_-_November_2021_WEB.pdf)
- 4.13 In previous discussions, a distinction has been made between those committees that make legally binding decisions and those that make recommendations. As part of a phased return to meetings in person, which still enables some of the benefits associated with remote access meetings to be accrued, then committees that make recommendations only could continue to be held remotely. This could include: all six Area Constituency Committees; the five thematic Overview and Scrutiny Committees; the Health and Wellbeing Board; the Outbreak Management Board; and possibly Howardian Hills AONB; the Standing Advisory Committee on Religious Education; and the Local Access Forum.

5.0 CONCLUSION

- 5.1 In the absence of Regulations enabling local authorities in England to determine for themselves how they hold their committee meetings, consideration needs to be given to the approach in holding some or all of the Council's committee meetings in person. Committee meetings could be held in a Covid-safe way and accommodated in the Council Chamber at County Hall, the exceptions being County Council, Scrutiny of Health Committee and meetings of the Planning and Regulatory Functions Committee and Sub-Committee where there is significant public interest in attending. The meetings in person could be live broadcast and recorded.
- 5.2 Executive Members are asked to consider making recommendations to the Chief Executive Officer under his emergency delegated powers, for onward recommendation to full Council, on continuing with remote meetings or reverting to some or all in person meetings.

6.0 FINANCIAL IMPLICATIONS

- 6.1 The financial implications are set out in the body of this report.

7.0 LEGAL IMPLICATIONS

- 7.1 The legal implications are set out in the body of this report. It is noted that the Regulations which allowed virtual committee meetings to make decisions are no longer in force.

8.0 CLIMATE CHANGE IMPLICATIONS

- 8.1 There are no significant climate change implications arising from this report. However allowing virtual meetings to continue will reduce carbon emissions by reducing the requirement to travel to meetings.

9.0 EQUALITIES IMPLICATIONS

9.1 The equality implications are set out in the body of the report. The live broadcast and recording of council meetings makes them more accessible to the public. An initial equality impact assessment screening form has been completed.

10.0 REASONS FOR RECOMMENDATIONS

10.1 With the emergence of a new and highly infectious variant of Covid-19, the effective roll out of the national vaccination and booster programme, the implementation of Government 'Plan B', no clear indication if or when regulations will be put in place to enable lawful remote access committee meetings to be held by local authorities in England and the recommendations of County Council Members on 17 November 2021 (subsequently agreed by the Chief Executive Officer under emergency delegated powers), it is necessary to review the options for holding formal, public committee meetings going forwards.

11.0 RECOMMENDATIONS

11.1 Having reviewed the Council's current decision-making arrangements in light of the ongoing Covid-19 pandemic, and considered the future of remote access and in person meetings for the County Council, Executive Members are asked to make a recommendation to the Chief Executive Officer under his emergency delegated powers, for onward recommendation to full Council for review at its meeting on 16 February 2022.

BARRY KHAN

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County Hall
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14 January 2021