

NORTH YORKSHIRE COUNTY COUNCIL
18 May 2022

Formal meetings of the authority's committees from 18 May 2022 onwards

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

1.0 PURPOSE OF REPORT

- 1.1 To enable County Council to determine how to hold committee meetings from 18 May 2022 onwards.

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 (before the expiry of the Regulations on 7 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 subsequent meetings of the County Council on 21 July 2021, 17 November 2021 and 16 February 2022.
- 2.2 At the meeting on 16 February 2022, County Council Members resolved that:
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 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 18 May 2022.
 3. That the meeting of the County Council on 18 May 2022 is held as an in person meeting.
 4. 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 19 April 2022, a meeting of the Executive was held in person at County Hall. The decision was made under point four above and in the context of falling Covid-19 infections, hospitalisations and the relaxation of Government Covid-19 restrictions.

3.0 COMMITTEE MEETINGS HELD BETWEEN 19 MAY 2020 AND 31 MARCH 2022

- 3.1 A total of 228 remote access, live broadcast meetings of the Council's committees were held over the period from 19 May 2020 to 31 March 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 per annum
- An overall saving in travel claims of £55,221 per annum
- An estimated saving in terms of time not spent travelling to and from meetings of 5,013 hours or 668 working days per annum
- 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 31 March 2022, there was a total of 14,873 views of the meetings on the Council's YouTube site. This then means an average viewing number per meeting of 65. The highest number of views was for the meeting of the Police Fire and Crime Panel on 14 October 2021 (1,721) and the least number of views was the meeting of the Thirsk and Malton Area Constituency Committee on 3 December 2021 (6).

3.3 Six 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; meetings of the Executive on 30 November 2021 and on 19 April 2022; and the meeting of the County Council on 16 February 2022.

3.4 These meetings were held in a Covid-safe manner. Four were held in the Council Chamber at County Hall, Northallerton and two were held off site.

4.0 CONSIDERING HOW COMMITTEE MEETINGS ARE HELD IN THE LONGER TERM

4.1 North Yorkshire County Council has continued to hold the vast majority of its committee meetings remotely since the Government Regulations enabling this expired on 7 May 2021. This has been done by the meeting being held remotely on an informal basis with the CEO using his emergency powers to make a decision in consultation with the relevant committee Members.

4.2 As of 1 April 2022, the Government removed all remaining Covid-19 restrictions and recommended that people take personal responsibility for managing their Covid-19 risk by:

- Getting vaccinated
- Letting fresh air in if meeting indoors, or meeting outside
- Wearing a face covering in crowded and enclosed spaces, especially where you come into contact with people you do not usually meet, when rates of transmission are high
- Trying to stay at home if you are unwell
- Taking a test if you have Covid-19 symptoms, and staying at home and avoiding contact with other people if you test positive
- Washing hands and following advice to 'Catch it, Bin it, Kill it'.

4.3 The Government emphasis is upon 'Living with Covid' and returning to pre-pandemic ways of working, living and socialising (with the exception of people who have pre-existing health conditions that make them vulnerable to a Covid-19 infection and illness). The focus is now upon public health measures and interventions rather than regulations and requirements.

4.4 The Covid-19, 7-day infection rate per 100,000 for North Yorkshire at 30 April 2022 was 138, compared to an England average of 124. This is down from a peak of 2,045 for North Yorkshire on 4 January 2022, compared to an England average of 2,213. It is acknowledged

that some of this decline may be attributed to a general fall in the number of people testing for Covid-19.

- 4.5 Significant progress has been made with the vaccination programme in the UK. As at 28 April 2022 the total number of people having received a first dose total was 53,184,869; a second dose was 49,727,305; and a third dose was 39,248,005.
- 4.6 As previously indicated in paragraph 3.3, six committee meetings have been held in person, since the March 2020 lockdown.
- 4.7 It still 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.
- 4.8 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 return to meetings in person, which still enables some of the benefits associated with remote access meetings to be accrued, then committees that do not make formal decisions 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; and possibly the Standing Advisory Committee on Religious Education; and the Local Access Forum.

5.0 CONCLUSION

- 5.1 The Regulations that enabled local authority meetings in England to be held remotely expired on 7 May 2021. Since that time, the meetings have continued 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. The basis for the use of the CEO emergency powers is the ongoing Covid-19 pandemic and the need to keep councillors, officers and members of the public safe.
- 5.2 In view of the falling Covid-19 infection and hospitalisation rates, the relaxation of Covid-19 restrictions and the Government emphasis upon 'Living with Covid', therefore it is necessary to review the ongoing use of CEO emergency powers that enable remote access, decision making meetings to be held.

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 EQUALITIES IMPLICATIONS

- 8.1 The equality implications are set out in the body of the report. An initial equality impact assessment screening form has been completed and is at Appendix 1.

9.0 CLIMATE CHANGE IMPLICATIONS

9.1 There are no significant climate change implications arising from this report. However, it is recognised that the law does not allow Councillors to make formal decisions at virtual meetings.

10.0 REASONS FOR RECOMMENDATIONS

10.1 With falling Covid-19 infection and hospitalisation rates, the relaxation of Covid-19 restrictions and the Government emphasis upon 'Living with Covid', it is necessary to review the options for holding formal, public committee meetings going forwards.

11.0 RECOMMENDATIONS

That:

- 11.1 Committee meetings where formal decisions are made are held as in person meetings from 18 May 2022 onwards
- 11.2 Consideration be given to whether some or all of the non-decision making meetings, listed in para 4.8, could be held remotely
- 11.3 That the power be delegated to the Chief Executive Officer in consultation with the Leader to determine which committee meetings could be held virtually and which could be held physically, subject to consultation with the relevant committee Chair.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer

County Hall
NORTHALLERTON

10 May 2022

Appendix 1 - Initial equality impact assessment screening form	
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.	
Directorate	Central Services
Service area	Legal and Democratic Services
Proposal being screened	That the formal, public committee meetings of the Council are held in person from 18 May 2022.
Officer(s) carrying out screening	Daniel Harry – Democratic Services and Scrutiny Manager
What are you proposing to do?	<p>The Regulations that enabled local authority meetings in England to be held remotely expired on 7 May 2021. Since that time, the meetings have continued 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. The basis for the use of the CEO emergency powers is the ongoing Covid-19 pandemic and the need to keep councillors, officers and member of the public safe.</p> <p>In view of the falling Covid-19 infection and hospitalisation rates, the relaxation of Covid-19 restrictions and the Government emphasis upon 'Living with Covid', therefore it is necessary to review the ongoing use of CEO emergency powers that enable remote access, decision making meetings to be held.</p> <p>The proposal is that the formal, public committee meetings of the Council are held in person from 18 May 2022.</p>
Why are you proposing this? What are the desired outcomes?	See above.
Does the proposal involve a significant commitment or removal of resources? Please give details.	No. Instead of the meetings being held remotely using MS Teams and then broadcast and recorded, the majority of meetings will be held in person at County Hall, Northallerton.
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics As part of this assessment, please consider the following questions: <ul style="list-style-type: none"> • To what extent is this service used by particular groups of people with protected characteristics? • Does the proposal relate to functions that previous consultation has identified as important? 	

- Do different groups have different needs or experiences in the area the proposal relates to?

If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your [Equality rep](#) for advice if you are in any doubt.

Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
NYCC additional characteristics			
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	NA		
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	NA		
Decision (Please tick one option)	EIA not relevant or proportionate:	X	Continue to full EIA:
Reason for decision	Prior to the pandemic, the formal public meetings of the County Council were held in public at County Hall, Northallerton. This proposed change see a return that position. Whilst there have been some benefits associated with the use of remote meetings, the lapse of the Government Regulations on 7 May 2021 that enabled remote access committee meetings, the falling Covid-19 infection and hospitalisation rates, the relaxation of Covid-19 restrictions and the Government emphasis upon 'Living with Covid', it is necessary to review the ongoing use of CEO emergency powers that enable remote access, decision making meetings to be held.		
Signed (Assistant Director or equivalent)	Daniel Harry, Democratic Services and Scrutiny Manager		
Date	10 May 2022		