



TITLE OF CONSULTATION: **AMENDMENTS TO THE CONSTITUTION TO ENABLE VIRTUAL FULL COUNCIL AND COMMITTEE MEETINGS**

OFFICER REQUESTING: **SIMON COPLEY
HEAD OF CORPORATE GOVERNANCE**

1.0 PURPOSE

1.1 A decision is required in respect of proposed amendments to the Constitution to enable virtual Council and/or Committee meetings to be held.

2.0 RECOMMENDATION(S)

2.1 It is recommended that:

- (i) The proposed amendments to the *Rules of Procedure – Meetings and Proceedings of Full Council*, outlined in Appendix A, be approved and the Constitution updated accordingly.
- (ii) The proposed amendments outlined to the *Rules of Procedure – Meetings and Proceedings of Committees*, outlined in Appendix B, be approved and the Constitution updated accordingly.
- (iii) The proposed amendments to the *Rules of Procedure – Miscellaneous matters*, outlined in Appendix C, be approved and the Constitution updated accordingly.

3.0 REASON FOR RECOMMENDATION(S)

3.1 The Council's Constitution does not currently contain mechanisms required for virtual Council or Committee meetings to be held. Approval of the recommended amendments to the Rules of Procedure for Full Council and Committees will ensure that these mechanisms are in place for holding virtual meetings when necessary.

3.2 Physical meetings will continue to be held when it is safe and legal to do so, as informed by continuing risk assessments and consideration of developing Government guidance, legal advice and health and safety advice. However, the proposed changes will reflect the need for an alternative mechanism for holding democratic meetings to be available, where physical meetings are deemed unsafe.

4.0 SIGNIFICANT RISKS

4.1 There is a risk that the Council may be unable to hold physical meetings safely and legally should lockdown restrictions tighten or Government guidance change, for example in the event of a local outbreak or a national 'second peak' of COVID-19. In

addition, it may not always be advisable to hold physical meetings for reasons arising from the ongoing risk assessment process.

- 4.2 The recommended amendments to the Constitution would mitigate the risk of the use of urgency powers being required again, through allowing Council and Committee meetings to continue virtually should physical meetings be unable to take place.

5.0 IMPLICATIONS

- 5.1 The following implications have been identified:

a) Financial

There are no direct financial implications arising from the recommended changes to the Constitution.

b) Legal

No legal implications are anticipated to arise from the proposed amendments to the Constitution. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 makes provision for local authorities to hold virtual meetings.

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)

There are no additional direct implications arising from the recommended changes.

In the event that physical meetings are deemed unsuitable for reasons of Health and Safety, the amendments to the Constitution will provide an alternative mechanism for meetings to continue to be held. An equalities impact assessment has been undertaken in respect of both virtual and physical meetings.

6.0 MONITORING OFFICER ADVICE

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| This would be a Full Council decision under business as usual. The Leader and, as this is a matter of process, the Chair of Council should be consulted. |
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7.0 CONSULTATION RECORD

According to the Constitution, under urgency powers, decisions usually taken by the Council and its committees are taken by the CEO following consultation with the appropriate elected members.

The appropriate elected members are:

- The Leader of the Council
- The Chair of the appropriate committee, for matters relating to that specific committee¹
- Relevant Ward member(s), if any, for matters of particular relevance to that ward²

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| Name of consultee | Cllr Duncan – Leader of Council |
| This is urgently required in case virtual meetings of council and/or committees are required in the future. | |
| Date consultation completed | 26-08-20 |

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| Name of consultee | Cllr Cleary – Chair of Council |
| Cllr Cleary was consulted on 27 August 2020 and confirmed that he was in agreement with the recommendations. | |
| Date consultation completed | 27-08-20 |

8.0 DECISION

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| Decision of the CEO based on consultation | The recommendations are approved. |
| Date | 28-08-20 |

¹ “Chairman of the appropriate Committee” refers to committee specific matters and does not mean that all Committee Chairs will be consulted on everything

² “Relevant Ward Member(s), if any” refers to ward specific matters and does not mean that all Members will be consulted on everything