

ANNUAL COUNCIL:

27 MAY 2021

REPORT OF THE DIRECTOR OF GOVERNANCE & LEGAL SERVICES

REMOTE / MULTI-LOCATION MEETING ARRANGEMENTS

Reason for this Report

1. To inform Council of new legislative provisions regarding arrangements for local authority meetings in Wales (under the Local Government and Elections (Wales) Act 2021) and the arrangements which are to be made in this regard.

Background

2. Under the Coronavirus Act 2020, the Welsh Ministers issued Regulations (The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020, 'the 2020 Meeting Regulations'), temporarily relaxing the rules for local authority meetings during the COVID-19 pandemic. The 2020 Meeting Regulations were intended to enable Councils to safely continue to discharge their functions during the pandemic, whilst adhering to public health restrictions and guidance.
3. In May 2020, the Council noted the arrangements being made for meetings to be held remotely using video conferencing facilities, in line with the provisions of the 2020 Meeting Regulations; and in June and September 2020 approved a programme of meetings, to be held remotely until any alternative arrangements may be agreed. Information and guidance was provided for Members setting out instructions on joining and participating in remote meetings. All meetings of Council, Cabinet and Committees have been held remotely, using Microsoft Teams video conferencing software, since May 2020 to date.
4. The provisions of the 2020 Meeting Regulations ended on 30th April 2021 and have been replaced by new provisions for local authority meetings made under the Local Government and Elections (Wales) Act 2021.

Issues

5. The Local Government and Elections (Wales) Act 2021 ('the 2021 Act'), Part 3, Chapter 4, makes permanent provisions in respect of local authority

meetings, specifically:

- (i) Full Council meetings must be electronically broadcast, with effect from 5 May 2022.
As Members will be aware, full Council meetings in Cardiff are already webcast and available to view live on the Council's website. (The requirement to broadcast meetings may be extended to other local authority meetings by Regulations issued by the Welsh Ministers.)
- (ii) Local authorities are required to make and publish arrangements to ensure their meetings may be attended remotely (ie. enabling persons who are not in the same place to attend the meeting).
Under the arrangements, meetings have to be capable of being held virtually, but individual authorities must decide whether their meetings will be held fully virtually, partially virtually (where some participants are in the same physical location, whilst others join the meeting virtually, also referred to as 'hybrid meetings') or as physical meetings. Meeting participants must be able to speak to and hear each other; and for meetings which are required to be broadcast (ie. full Council meetings), participants must also be able to see and be seen by each other.
- (iii) Notices of meetings must be published electronically, summonses to attend meetings may be served electronically and copies of meeting documents which are to be made available for public inspection (agendas, reports, minutes etc) may be provided electronically.

Proposals for Multi-Location Meeting Arrangements

6. When considering arrangements for remote attendance or 'multi-location meetings' (as referred to under paragraph 5(ii) above), authorities must have regard to statutory guidance issued by the Welsh Ministers.
7. Draft statutory guidance (not yet finalised) indicates that the overall purpose of the new legislation is to give authorities powers and freedoms to convene meetings in a way which achieves greater accessibility and improved public participation in local government. The draft guidance states that 'Multi-location meetings offer authorities the potential to update and transform the way they do business. It provides [an] opportunities for authorities to become more flexible and efficient and also raise their profile in the local community and to bring their work directly into people's homes. Public access to multi-location meetings is likely to be significantly higher than the level of audiences of formal meetings when all were held physically – attendance levels during the pandemic bear this out. This heightened public awareness and involvement is to be welcomed – and further encouraged. In particular, authorities will need to think directly about the needs of the public as they design their arrangements and policies for multi-location meetings. While these meetings are still "meetings in public" rather than "public meetings" – by and large the public will be able to observe but not participate – they provide a crucial opportunity for accountability and transparency, and an accessible shop window for many public bodies.'

8. Whilst arrangements for fully virtual or remote meetings are now relatively well-established in Cardiff, arrangements for hybrid meetings raise a number of practical challenges, including:
 - a. The procurement, and installation of appropriate equipment to facilitate hybrid meetings.
 - b. Suitable testing of the systems to ensure they fully integrate with dual language and existing meeting room and remote facilities.
 - c. The development of consistent procedures for the use of face to face, remote and hybrid meetings.
 - d. The provision of training for Elected, Independent, and Co-opted Members, Chairpersons and other attendees at meetings, in the effective use of the hybrid systems and revised meeting procedures.
9. Some of this work has already commenced following a successful bid for grant funding from the Digital Democracy Fund to support the procurement of a Hybrid meeting system for initial use in County Hall. Following the implementation of this hybrid functionality and the improved knowledge this will have provided, will lead to the development of a detailed procurement of a new conference system which will support multi-location meetings including City Hall. Funding of £220k for the new conferencing system has been allocated in the Capital Budget for use during 2021-22.
10. As the rules for Council meetings are set out in the Constitution and fall within the remit of the Constitution Committee, it is proposed that Constitution Committee be asked to consider arrangements for 'multi-location meetings' (and associated constitution amendments) and make recommendations to full Council for approval. It is hoped that the statutory guidance will be finalised and issued shortly, which will allow the Council's arrangements to take proper account of the guidance.
11. The 2021 Act provisions for remote attendance came into effect on 1st May 2021, to allow Councils to transition smoothly from the temporary remote attendance arrangements introduced by the 2020 Meeting Regulations.
12. As an interim measure, the Director of Governance and Legal Services has agreed, under her general delegated authority and the statutory provisions of the 2021 Act, the extension of the remote attendance arrangements approved by Council in May 2020, until Council has the opportunity to consider the recommendations of the Constitution Committee on multi-location meeting arrangements. The Remote Attendance Standing Order (in Part 4 of the Constitution) has been amended accordingly, under the Monitoring Officer's delegated authority, to reflect the current arrangements, as shown in **Appendix A**. This addresses the requirement for the arrangements to be published.

Legal Implications

13. Relevant legal provisions are referred to in the body of the report.

Financial Implications

14. There are no direct financial implications arising from the recommendations of the report.

RECOMMENDATIONS:

15 Council is recommended to:

- a) Note the information set out in the report;
- b) Note the extension of the current remote attendance meeting arrangements and the amended Remote Attendance Standing Order (**Appendix A**), as referred to in paragraph 12 of the report; and
- c) Receive a further report in due course to consider the recommendations made by the Constitution Committee in respect of multi-location meeting arrangements and associated constitution amendments, for approval by full Council.

DAVINA FIORE
DIRECTOR OF GOVERNANCE AND LEGAL SERVICES AND
MONITORING OFFICER

19th May 2021

APPENDICES

Appendix A Remote Attendance Standing Order (amended)

Background papers

- *Remote Meetings: Information and Guidance, including Elected Members Protocol for Remote Meetings*
- *Governance reports to Council in May 2020, June 2020 and September 2020*
- *Draft Interim statutory guidance on multi-location meetings, Welsh Government, May 2021*
- *Director of Governance and Legal Services' decisions to (i) extend current remote attendance arrangements and (ii) update Remote Attendance Standing Order, 21st April 2021*