



Review of Remote Meetings after 8 January 2022

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Purpose of the Report

1. To seek members instructions on whether or not to continue to hold SSDC meetings remotely with the appropriate use of delegated powers. This decision was originally made on 15 April 2021 and was reviewed by Council on 8 July 2021 when it was agreed to extend the use of delegated powers for a further 6 months to 8 January 2022.

Public Interest

2. Part 3 of the Council's Constitution sets out who within the Council has the power to do what, sets out any associated limitations and, in particular, sets out which decisions can be taken by members and which can be taken by officers.
3. The District Executive and Full Council have previously agreed to allocate certain executive and non-executive matters to others, and it is important that these changes are made clear on the face of the Constitution.
4. This report is seeking Council instructions on the continuation of remote consultative meetings and associated delegation to ensure that (i) the Council's decision-making processes continue to operate in accordance with the law and in line with safe practice under the Covid-19 guidance and requirements issued by the Government from time to time while remaining transparent and (ii) the Constitution is kept up-to-date.

Recommendation

5. That the delegation of decision making given on 8 July 2021 be extended for a further period of six months to 8 July 2022 for all meetings apart from Council itself, which will now be in person with appropriate social distancing measures and with provision for remote attendance by vulnerable members and additional appropriate provision for in person or remote attendance by members of the public and officers.



Background

6. On 15 April 2021, in view of the imminent lapse 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, Council decided to:
 - (a) continue to enable members to hold remote, virtual meetings using available technology; and
 - (b) amend Part 3 (Responsibility for Functions) of the Council's Constitution to allow those remote meetings to function as consultative bodies and delegate decisions, including Executive and Quasi-Judicial decisions, that would have been taken by those meetings if the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 had continued in force to the Chief Executive (or the relevant Director in the Chief Executive's absence) in consultation with those meetings and those members to whom the decision would otherwise have been delegated under Part 3 of the Constitution.
7. The delegated authority given on 15 April was reviewed by Council at their meeting on 8 July 2021 and it was agreed to extend the delegated authority for a further 6 months (minute 26 refers).

Report

8. On 25 March 2021 Luke Hall, the Minister of State for Regional Growth and Local Government, wrote to all local authorities to announce that the MHCLG (Ministry for Housing, Communities and Local Government) was opening a call for evidence on the experience of local authorities and remote meetings to inform a decision about whether or not to promote primary legislation to allow remote and/or hybrid meetings in the future. This call for evidence closed on 17 June 2021. The Government has made it clear that it is in favour of local authorities having the power to hold remote meetings, but as existing legislation does not already enable local authorities to hold meetings remotely, new legislation will be required.
9. Although new legislation is required, it is still open to local authorities to continue to hold remote meetings but treat them as consultative bodies with decisions delegated to the Chief Executive in consultation with those members to whom the decision would otherwise have been delegated under Part 3 of the Constitution. It should be noted that in-person meetings of Council will be required for any decision reserved for Council under Part 3 Section 1 of the Constitution.
10. Council's previous decisions were taken on the basis that although it would be physically possible to hold meetings of members in person from 7 May in compliance with social distancing rules and the Covid-19 safe use guidance, there were many reasons to suggest that it would be sensible to continue to meet remotely for the time being. Consideration of space constraints and social



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distancing requirements suggests that members of the public and officers would still need to attend meetings remotely and, as Council meetings since July have shown, this type of hybrid arrangement can be technologically challenging. Any members who were previously shielding (for themselves or for family members) would need to attend in person to be able to vote. There is also the not insignificant risk that if a member or officer were to attend and subsequently test positive, all meetings would have to stop during the self-isolation period.

11. Since the decision in July, all meetings other than Council itself, have continued to be held remotely with delegation. Council itself has had to meet in person as each meeting has involved decisions that Council cannot delegate.
12. Since July, the majority of the population has now been vaccinated, but new variants of Covid continue to emerge and there is some uncertainty about how long protection is effective without booster jabs, which are now being rolled out. In the circumstances, it would seem prudent for meetings other than Council itself to remain remote for a further six months. In terms of full Council meetings, given the experience since July in terms of matters that need to be considered by Council and cannot be delegated and in anticipation that this will continue to be the case, particularly in the light of local government reorganization in Somerset, it would be sensible for Council meetings to be in person going forwards with appropriate distancing safeguards (for example at a larger venue such as Westlands) and provision for remote attendance by members who need to safeguard.

Financial Implications

13. There have been budget savings in travel allowances to attend meetings. The amount varies from month to month but is in the region of £1,000 to £1,400 per month.

Legal Implications

14. These are set out and/or referred to in the body of the report.

Council Plan Implications

15. To ensure a modern, efficient and effective council that delivers for its communities, we will:
 - Deliver a high quality, effective and timely service to our customers and communities

Carbon Emissions and Climate Change Implications

16. The use of Zoom and Teams software to hold virtual meetings has reduced the need to travel to attend Council meetings and therefore resulted in reduced carbon emissions from vehicles across the district.



Equality and Diversity Implications

17. There are no specific equality or diversity implications arising from the subject matter of this report.

Background Papers

Council Constitution - Part 3

Agenda and minutes of Council meetings – 19 March 2020, August 2020, 15 April 2021, 08 July 2021.

Letter from Luke Hall MP, Minister of State for Regional Growth and Local Government -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/973494/Letter_to_council_leaders_-_remote_meetings.pdf?fbclid=IwAR3Ik0_9RDUFkiNHQIzARGaU2L3AYy3xvXPjqQd_oNCcNEc0P5_NIjljMT0

Updated Guidance on the Safe Use of Council Buildings -

<https://www.gov.uk/government/publications/covid-19-guidance-for-the-safe-use-of-council-buildings/covid-19-guidance-for-the-safe-use-of-council-buildings>