

SUBJECT: Remote Attendance at Council Meetings**MEETING: Council****DATE: 9th November 2017****DIVISION/WARDS AFFECTED: All****1. PURPOSE:**

To consider changes to the Constitution that would allow members to take part in meetings remotely.

2. RECOMMENDATIONS:

2.1 To adopt the changes to rules 8 and 9 of Standing Orders in the council's Constitution as detailed in appendix 3 to the report so that the council will permit remote attendance of meetings of the council, its committees, and any other meeting of the council where the technology is available in the meeting room.

2.2 Paragraph 1.9 of the Executive Procedure Rules in the Constitution is amended to allow remote attendance at meetings of the Cabinet.

3. KEY ISSUES:

Rule 9 in Part 4 of the council's constitution – its "Standing Orders", currently do not allow meetings to take place remotely through the use of facilities to enable compliance with the requirements of section 4 of the Local Government Measure 2011 is prohibited.

Section 4 of the Local Government Measure 2011 introduced the power for councils to allow remote attendance at council meetings. The idea behind the legislation is to allow members attending remotely to fully participate and vote in meetings as if the member was physically attending in the council chamber or meeting room. Section 4 is reproduced in full at appendix 1 to the report. The section sets a number of conditions that must be met to allow a member to attend remotely. The conditions are:-

(a) the member in remote attendance is able at that time:-

(i) to see and hear, and be seen and heard by, the members in actual attendance,

(ii) to see and hear, and be seen and heard by, any members of the public entitled to attend the meeting who are present in that place and who exercise a right to speak at the meeting, and

(iii) to be seen and heard by any other members of the public so entitled who are present in that place;

(b) the member in remote attendance is able at that time to hear, and be heard by, any other member in remote attendance in respect of whom the condition in paragraph (a) is satisfied at that time;

(c) use of facilities enabling the conditions in paragraphs (a) and (b) to be satisfied in respect of the member in remote attendance is not prohibited by the standing orders or any other rules of the authority governing the meeting.

(d) the standing orders of a local authority must secure that there is no quorum for a meeting of the local authority at any time when the number of members in actual attendance constitutes less than 30% of the total number of members in attendance at the meeting.

The council must also have regard to the statutory guidance of the Welsh Government issued on 2nd April 2014 in respect of remote attendance at council meetings. The guidance is attached to this report at appendix 2.

The council trialled remote attendance at its meeting of the cabinet on 4th October 2017 where the technology allowed compliance with the conditions in section 4(3) of the Local Government Measure 2011 so that the member in remote attendance was, when they were speaking, able to be seen and heard by the members who were physically attending the meeting and the remote attendee was able to see and hear those members in actual attendance.

The council needs to consider the quorum for a meeting where remote attendance is permitted. Section 4(4) says that to be quorate at least 30% of those eligible to attend the meeting must be present at the main meeting place. Does the council want to increase this percentage?

The council also needs to consider a technical solution to provide simultaneous interpretation for non-Welsh speakers attending at a meeting where both Welsh and English will be used. Members will note at paragraph 12 of the guidance that it is the Welsh Government's policy that remote attendance should not be permitted if, for technical or other reasons, it would not be possible to provide simultaneous interpretation. The guidance suggests that the council asks members to their language preference in terms of speaking at meetings.

Further, the council needs to consider what should happen if a technical difficulty results in the breakdown of the remote technology. Does the chair of the meeting postpone the meeting to another date or does the meeting carry on without contributions and the votes from the remote attendees.

In this year's White Paper from the Welsh Government on Reforming Local Government: Resilient and Reformed it mentions, *Councils will be required also to allow Members to attend Council meetings remotely if they have domestic, business or travel difficulties preventing them getting to the main meeting place.*

Currently no council in Wales permits remote attendance at its council or cabinet meetings, although some allow remote attendance at scrutiny and Democratic Services Committee meetings.

4. REASONS:

If the technology is available that meets the requirements of section 4 of Local Government Measure then remote attendance by members is a useful tool to enable full participation at meetings of the council. It will also allow members to cut down on travel time to County Hall, Usk. Members will be able to take part in meetings that they would otherwise be unable to attend.

5. RESOURCE IMPLICATIONS:

Officer time. The cost of the technology that would enable members to attend meetings remotely is already in place.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

The significant equality impacts are identified in the assessment attached to the report. The actual impacts from this report's recommendations will be reviewed every year by the Democratic Services Committee.

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:

NONE.

8. CONSULTEES:

Group leaders, Chair of Democratic Services, Cabinet member for Governance, Chief Executive, Head of Democratic Services, Local Democracy Manager.

The Democratic Services Committee considered the report at its meeting on 23rd October 2017 where a range of opinions were given on the proposal. Some members were worried about the cost of technology; its reliability and the consequences for democracy. Others saw the proposal as an enabling power which could lead to increased participation by members in the democratic process. Members did not foresee that remote attendance would become the norm so that members would remotely attend rather than physically attend meetings. The option would only be used where necessary. Some members were concerned that no other councils in Wales had not used the legislation for meetings of their cabinet and council.

9. BACKGROUND PAPERS:

None.

10. AUTHOR:

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