



Report to Council

Report of: Director of Legal & Governance

Date: 7 October 2020

Subject: Format of Future Council Meetings in 2020/21

Author of Report: Jason Dietsch (Head of Democratic and Member Services)
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Summary:

This report provides details of proposed changes to the format of the meetings of the Council for the remainder of the 2020/21 Municipal Year, and seeks approval to temporary revisions to the Council Procedure Rules (CPR) to apply for the ordinary meetings on 4th November and 2nd December 2020 and 3rd February 2021.

Recommendations: The Council is recommended to:-

1. Agree that the ordinary meetings of the Council to be held on 4th November and 2nd December 2020 and 3rd February 2021, will include Public Questions and Petitions, and Members Questions, but that Notices of Motion are not to be a feature of those meetings and that, instead, an update will be provided to Council on Covid-related topical subjects; and
 2. Approve, in order to implement the changes proposed in paragraph 1 above, the temporary revision to the Council Procedure Rules within Part 4 of the Constitution, as set out in the report, which (via suspension of Council Procedure Rule 4.1) is to apply for those three ordinary meetings.
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Background Papers: Reports submitted to Council on 12 August 2020 (Agenda Items for the September Meeting of the Council) and on 9 September 2020 (Agenda Items for the October Meeting of the Council).

Category of Report: OPEN

Statutory and Council Policy Checklist

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| Financial & Commercial implications |
| NO: |
| Legal implications |
| YES – Cleared by Gill Duckworth |
| Equality of Opportunity implications |
| NO: |
| Tackling Health Inequalities implications |
| N/A |
| Human rights implications |
| N/A |
| Environmental and Sustainability implications |
| N/A |
| Economic impact |
| N/A |
| Community safety implications |
| N/A |
| Human resources implications |
| N/A |
| Property implications |
| N/A |
| Area(s) affected |
| None |
| Relevant Scrutiny Committee if decision called in |
| N/A |
| Is the item a matter which is reserved for approval by the City Council? |
| YES |
| Press release |
| NO |

1. Background and Proposals

- 1.1 This report sets out proposed changes to the format of the ordinary meetings of the Council to be held on Wednesdays, 4th November and 2nd December 2020 and 3rd February 2021, and seeks approval to revisions to the Council Procedure Rules (CPR) to apply for those meetings in order to give effect to the proposed changes.
- 1.2 The Regulations introduced in April 2020 [*The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020*] give more flexibility to local authorities and enable them to hold meetings remotely. Consequential amendments to the Council's Council Procedure Rules incorporate the effect of the Regulations while they are in force.
- 1.3 The Zoom virtual platform is currently being used by the Council to enable elected members, members of the public and officers to participate in meetings. The Council's formal decision making meetings are streamed through the Public-i webcasting system in order to facilitate public access in compliance with those Regulations. Although Zoom is enabling the Council to fulfil its duties, the platform was not designed with local authority meetings in mind and does have limitations, particularly in relation to voting. The Council's webcasting supplier (Public-i) has recently developed a virtual platform (Connect Remote) which has been designed with local authority meetings in mind, and does include a voting function. Officers are currently exploring the functionality of this platform and considering whether it fully meets the Council's needs, particularly in relation to facilitating public participation, but are hopeful that, subject to the incorporation of some additional functionality which is expected in the near future, this new platform should offer an improvement on the Zoom platform for the formal meetings of the Council. Indeed, several local authorities, including Barnsley, have recently begun to use that platform. It is therefore likely that, subject to Members' endorsement, the Council's decision making meetings may move on to the new platform in the near future. Although the operation of Connect Remote is similar to Zoom, Members will be provided with assistance and guidance on its operation and new functionality to enable them to become familiar and comfortable with its operation.
- 1.4 Most of the Council's formal decision making meetings have now been reinstated following the outbreak of the Coronavirus (Covid-19) pandemic. The October meeting of the full Council will be the second ordinary meeting of the Council to be held by remote means. The intention, when reinstating the full Council meetings, was to take a phased approach to the reinstatement of all aspects of the ordinary meetings of the Council, drawing from the experience of operating remote meetings of other bodies of the Council, and the first few full Council meetings; having regard for the purpose and role of the full Council meetings; and bearing in mind some considerations for the holding of remote meetings of full Council in the present circumstances of the Coronavirus pandemic, including:-

- To take into account what has been learned so far about remote meetings, such as the slower pace of proceedings, etiquette, potential technical issues, the focus of the subject matter and amount of business and appropriate duration and time limits to keep people engaged and which considers people's health and wellbeing;
- To look at the context of the wider programme of decision making meetings and activities in the Council and to make sure there is capacity to support the meetings;
- To make sure there is appropriate support for the Lord Mayor, as chair of the meeting, elected members and all other participants in the remote meeting.

1.5 Meetings of full Council fulfil the following purposes:-

- Public engagement – public questions and petitions;
- Accountability – an opportunity to hold executive members to account by asking questions;
- Political debate and democracy – debating issues of importance to the local area;
- City leadership;
- Statutory duties – Policy framework, budget, and appointments to key roles, committees and outside bodies etc.

1.6 Ordinary meetings of the Council have certain regular items of business. The duration of the ordinary meetings are normally three hours and 30 minutes. Paragraph 5.7 of the Council Procedure Rules (set out in Part 4 of the Council's Constitution) states that ordinary meetings of the Council will:-

- (a) elect a person to preside if the Chair and Deputy Chair are not present;
- (b) consider the extent to which the public and press may be excluded from the meeting;
- (c) receive any apologies for absence from Members of the Council;
- (d) receive declarations by Members of interest in the matters to be considered at the meeting;
- (e) receive any communications or announcements from the Lord Mayor, the Leader or the Chief Executive;
- (f) receive public questions and petitions;
- (g) receive questions from Members of the Council in accordance with Council Procedure Rules 16 and 32;
- (h) receive any reports relating to matters reserved to the Council.
- (i) consider motions of which notice has been submitted by Members of the Council in accordance with Council Procedure Rule 10.

- (j) receive any reports from the Executive, Overview and Scrutiny and Policy Development and the Council's Committees
- (k) receive any presentations on matters of significant interest to the City;
- (l) approve as a correct record the minutes of the last meeting; and
- (m) make any changes to the memberships of its Committees and appointments to outside bodies.

1.7 At its extraordinary meeting in August it was agreed by the Council that its September meeting would include Public Questions and Petitions, and Members Questions, but that Notices of Motion would not be a feature of the meeting, and instead, the Director of Public Health provided an update in relation to Covid-19. At its September meeting, the Council agreed that this format be also used at its October meeting and an officer update be provided to Council on a topical subject. The Whips of the political groups subsequently agreed that the Director of Public Health be invited to provide the latest update in relation to Covid-19.

1.8 As part of the phased approach to the reinstatement of the Council meetings, and in the lead up to each of the August, September and October Council meetings, discussions have been held with leading Members (primarily the Whips of the three political groups on the Council) in relation to the format and arrangements for future Council meetings. The Whips have reflected on the experience of the first ordinary meeting of the Council in September, and their views have been sought in relation to the elements of an ordinary meeting which are considered the most important. There has been, and continues to be, a difference of opinion in relation to the inclusion of political debate via Notices of Motion. The views are summarised in paragraphs 1.9 and 1.10 below:-

1.9 The largest political group on the Council has indicated that they would wish for the next few ordinary meetings of Council, prior to the budget meeting in March, to follow a similar format to the September and October meetings and that Notices of Motion would not be a feature of those meetings and that, instead, an update be provided to Council on Covid-related topical subjects. This is in view of the rapidly changing position in relation to the pandemic and the proposed format, focussing on various topical subjects, would enable Members of the Council to scrutinise and debate aspects and progress regarding the impact of the pandemic upon Sheffield, and the City's response in order to: keep people safe and well; protect the most vulnerable people; support people to get back to school and work safely when the time is right; follow Government and scientific lead and help people with the difficult decisions they are having to make. It is now apparent that the country will continue to be in a pandemic emergency situation for at least a further 6 months and a winter spike is expected, and therefore, the proposed format will allow Council Members to consider its impact and ask questions on behalf of the citizens they represent, and, in turn, promote the city leadership role of full Council. It will also provide the time and opportunity to introduce a new platform for the virtual meetings of the Council and ensure an appropriate voting system is put in place.

- 1.10 The two opposition groups have both stated that they would wish to see Notices of Motion included as part of the agenda for future meetings of the Council, to enable Members of the Council to debate issues of importance to the local area, promoting the political debate and democracy role of full Council. In order to facilitate this, the opposition groups would wish for the Council to approve an allocation and formula for the order in which Notices of Motion shall be listed on the Council Summons from November to the end of the 2020/21 Municipal Year, in accordance with the requirements of Council Procedure Rule 10.2.
- 1.11 In light of the views expressed by leading Members, it is proposed that the ordinary meetings of the Council to be held on 4th November and 2nd December 2020 and 3rd February 2021, will include Public Questions and Petitions, and Members Questions, but that Notices of Motion are not to be a feature of those meetings and that, instead, an update will be provided to Council on Covid-related topical subjects. In order to implement the changes proposed for those meetings, it will be necessary to approve a temporary revision to the Council Procedure Rules, to apply for those three ordinary meetings, by the removal of subparagraph (i) of paragraph 5.7 of those Rules, i.e. to remove “*consider motions of which notice has been submitted by Members of the Council in accordance with Council Procedure Rule 10*”.
- 1.12 Agreement to the proposals outlined in paragraph 1.11 would result in the following standard agenda items for the ordinary Council meetings in November December 2020 and February 2021:-
- Apologies For Absence
 - Declarations of Interest
 - Public Questions and Petitions
 - Members’ Questions
 - Minutes of Previous Council Meeting
 - Changes to Memberships of Committees & Appointments to External Bodies
 - An update to be provided to Council on Covid-related topical subjects (presentation, followed by questions from Members of the Council).

As stated in the Council Procedure Rules, the ordinary meetings of the Council held in the month of January do not include Notices of Motion, nor Members’ Questions.

2. **Legal Implications**

- 2.1 The main legal implications are covered in the body of the report. The report contains proposals for how the Council meetings will operate in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

3. **Financial & Commercial Implications**

- 3.1 There are no direct financial implications associated with the proposals in the report.

4. **Equality of Opportunity Implications**

- 4.1 The proposals in the report include reinstating accessibility of the formal decision-making process and enabling people in the City to participate. An Equality Impact Assessment was produced relating to arrangements for remote meetings. Equality implications will continue to be considered as part of the phased approach to the reinstatement of all aspects of the ordinary meetings of the Council.

5. **Recommendations**

- 5.1 Council is recommended to:

1. Agree that the ordinary meetings of the Council to be held on 4th November and 2nd December 2020 and 3rd February 2021, will include Public Questions and Petitions, and Members Questions, but that Notices of Motion are not to be a feature of those meetings and that, instead, an update will be provided to Council on Covid-related topical subjects; and
2. Approve, in order to implement the changes proposed in paragraph 1 above, the temporary revision to the Council Procedure Rules within Part 4 of the Constitution, as set out in the report, which (via suspension of Council Procedure Rule 4.1) is to apply for those three ordinary meetings.

**Gillian Duckworth (Director of Legal & Governance)
Monitoring Officer**

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