

Part 5J: Annex to Constitution Dated 14 April 2020: Remote Meetings

This Annex amends the Council's Constitution in relation to provisions contained in the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

This Annex shall have effect from 7 August 2020 to 7 May 2021.

AMENDMENTS TO COUNCIL PROCEDURE RULES (PART 5A)

The following statement is to be added under the heading **Constitution - Part 5A – Council Procedure Rules**.

These rules of procedure are to be read in conjunction with Part 5J: Annex to the Constitution dated 7 August 2020 Remote Meetings.

Notice, Summons and Access to Information

Council Procedure (Part 2A) Rule 6 and Access to Information Procedure Rules 4.1 and 5.1 are replaced by the following rule:

The Head of Paid Service will give notice to the public of the time and place of any meeting in accordance with rule 4.2 of the Access to Information Procedure Rules.

At least five clear days before a meeting, the Head of Paid Service will sign and send a summons to every member of the Council by email to the member's Council email address. The summons will be accompanied by all reports which are available.

For all purposes of the Constitution, the terms "notice", "summons", "agenda", "report", "written record" and "background papers" when referred to as being a document:

- (a) that is "open to inspection" shall include for these and all other purposes as being published on the website of the council; and
- (b) that is to be published, posted or made available at offices of the Authority shall include publication on the website of the Authority.

Minimum Attendance and Quorum

Council Procedure Rule 6 is amended by the addition to Rule 6 of the following provisions:

6A Members in remote attendance

A member in remote attendance is present and attends the meeting, including for the purposes of the meeting's quorum, if at any time all three of the following conditions are satisfied, those conditions being that the member in remote attendance is able at that time:

- i. to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance.
- ii. to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- iii. to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

6B Members deemed to have left the meeting

A member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in 6A above are not met. In such circumstance the Chair may, as they deem appropriate;

- a. adjourn the meeting for a short period to permit the conditions for remote attendance of a member contained in 6A above to be re-established; or
- b. count the number of members in attendance for the purposes of the quorum; and
- c. if the meeting remains quorate continue to transact the remaining business of the meeting in the absence of the member who is deemed to have left the meeting.

Rules of Debate

Council Procedure Rule 14 is amended to the extent that any rule making provision for a member to stand during a debate is to be disregarded.

Voting

Council Procedure Rule 16.1 is amended to read as follows:

- 16.1 Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those members in attendance and voting at the time the question was put.

Council Procedure Rule 16. 3 and 16.4 replaced by the following provisions:

- 16.3 Unless a recorded vote is demanded, (which may be confirmed by the requisite number of Members confirming the demand verbally when requested by the Chair) the Chair will take the vote:
- a) by the affirmation of the meeting if there is no dissent (by assent); or
 - b) the Chair will take the vote by roll-call and the number of votes for or against the motion or amendment or abstaining from voting will be recorded.

AMENDMENTS TO CABINET PROCEDURE RULES (PART 5B)

The following statement is to be added under the heading **Constitution - Part 5B – Cabinet Procedure Rules**.

These rules of procedure are to be read in conjunction with Part 5J: Annex to the Constitution dated 7 August 2020 Remote Meetings.

Cabinet Procedure Rule 1.13 is replaced by the following provision:

- 1.13 The Cabinet will meet at times as agreed by the Leader. The Cabinet meets at the County Council's main offices, or at other locations to be agreed by the Cabinet. The place of the meeting can include holding meetings remotely.

Cabinet Procedure Rule 1.15 is replaced by the following provision:

- 1.15 Voting at meetings of the Cabinet and its committees will be by a simple majority of those members in attendance and voting at the time the question is put; in the event of equality, the Leader or in his/her absence the Chair, will have a second or casting vote.

AMENDMENTS TO THE PUBLIC PARTICIPATION SCHEME (PART 6A)

The following statement is to be added under the heading **Constitution - Part 6A – Public Participation Scheme**.

The Introduction to the Public Participation Scheme (Part 6A of the Constitution) is to be read to include the following paragraphs:

- 1.5 Under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (“the Regulations”) the Council is holding virtual meetings with remote attendance by members and by members of the public entitled to attend for public participation under this Scheme. The Scheme should therefore be read in this context.
- 1.6 The practicable arrangements that the Council has made for remote attendance at a meeting by a member of the public for the purposes of public participation under this Scheme are for participation to take place through a telephone connection to the meeting. Members of the public attending for public participation may also choose to see and hear the meeting by watching the Council’s livestream of the meeting.
- 1.7 Guidance on how public participation while the Regulations remain in force is published on the Council’s website and members of the public wishing to attend a meeting under the Public Participation Scheme should refer to this.