

DECISION MAKER:	CHIEF EXECUTIVE
Date of report & decision:	30 APRIL 2020
Title:	EMERGENCY DELEGATED DECISION TO APPROVE SUPPLEMENTARY STANDING ORDERS TO ENABLE REMOTE MEETINGS
Author:	BOROUGH SOLICITOR AND MONITORING OFFICER
Status:	FOR DECISION AND SUBSEQUENT REPORTING TO FULL COUNCIL

Purpose

Due to the Covid-19 global pandemic and associated rules regarding social distancing it is not possible to hold Council meetings in public in the usual way.

The Government has made the Coronavirus Act 2020 and also the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. These regulations enable the Council to hold meetings using videoconference and teleconference facilities. Supplementary Standing Orders are required to provide further details regarding the way in which the Council will operate such meetings.

Recommendation

That the Supplementary Standing Orders annexed to this report are approved and shall subsequently be included as part of the Council's Constitution appearing at Appendix A to Part 4 Schedule 11.

1.0 Background

1.1 The Council's Constitution sets out at paragraph 3.7 Part 3 Schedule 10 that the Chief Executive has:

"Authority to take any action on urgent matter which would otherwise require reference to or consultation with the Council, a Board or Committee, if there is no such time for such reference or consultation to be made provided the Section 151 Officer and Monitoring Officer agree to the proposed course of action before it is decided. All such decisions shall be reported to the next meeting of the Council, Board or Committee".

1.2 The Government has made the Coronavirus Act 2020 and also the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. These regulations enable the Council to hold meetings using videoconference and teleconference facilities. Supplementary Standing Orders are required to provide further details regarding the way in which the Council will operate such meetings.

1.3 Due to other rules and regulations regarding social distancing and working from home unless essential together with protecting those in the vulnerable category it is not possible to hold Council meetings in the usual way. An emergency decision under the Chief Executive's delegated powers is required to approve the Supplementary Standing Orders which will allow for the use of these in future Council meetings. The decision will be reported to the next meeting of Full Council.

2.0 Report

2.1 The Supplementary Standing Orders ("SSOs") which are attached at Annex A are proposed to form part of the Council's Constitution at Appendix A to Part 4 Schedule 11. They are temporary and will expire on 7 May 2021 unless the Council have resolved to dispense with them earlier (this might occur if the usual programme of Council meetings has resumed). The SSOs are to apply if a Council meeting of any kind is to take place as a "Remote Meeting", as defined in the SSOs.

2.2 The SSOs temporarily amend particular defined terms and standing orders of the Council. They reduce the number of Full Council meetings that must take place whilst the SSOs have effect and remove the requirement that these meetings must take place in the Council Chamber. Other rules relating to the applicability of existing Standing Orders and formalities regarding the appointment of substitute members are made to provide flexibility.

2.3 The SSOs provide for the Summons in relation to Remote Meetings to be sent to Members, rather than collected, to state on the Summons that the meeting is to be via remote means and also to give information to the public how to gain access to the meeting using their own technology.

2.4 During a Remote Meeting, the SSOs have provided for the Chairman to require public questions and deputations to be dealt with in writing. If a member of public is invited to participate in the meeting by asking a question or making a deputation verbally the Chairman may keep that person's microphone on mute during the meeting apart from the time during which they are invited to speak.

2.5 Other SSOs provide for the Chairman's ability to keep participants' microphones on mute and/or remove their video feed to the meeting so that order can be retained. The Chairman can also use such functions of electronic meeting management to enable the efficient conduct of the meeting which may indicate a desire to speak on any item, vote on any item and/or otherwise show support for a proposition or comment. The SSOs enable the Chairman to ensure that a Member with a pecuniary interest is suitably excluded from participating in that part of a meeting that the interest relates to.

2.6 Finally, there are SSOs which provide for a meeting to be adjourned and restarted in the event of needing to deal with a confidential or sensitive item.

2.7 Notification of this decision has been provided to Group Leaders for their comment. Various comments have been received and the SSOs have been subsequently amended to reflect these where applicable.

2.8 Any additional Information Technology equipment which may be required in order to facilitate this decision will be subject to separate decision making and budgetary considerations.

3.0 Risk Assessment

3.1 If no decision was made there would be no provision for Remote Meetings in the Council's Constitution which would hamper the Council's ability to continue to make democratic decisions.

4.0 Conclusion

4.1 Supplementary Standing Orders are required to provide further details regarding the way in which the Council will operate such meetings. This decision will facilitate democratic decision making by the Council and it will be reported to the next meeting of Full Council.

Financial Services comments:	There are no immediate financial implications associated with the recommendations contained within this report, these will be the subject of a separate report.
Legal Services comments:	Contained within the report
Crime and Disorder:	N/A
Equality and Diversity:	N/A
Service Improvement Plan implications:	N/A
Climate Change implications:	N/A
Corporate Plan:	Deliver effective services: continually review and improve our processes
Risk Assessment:	See paragraph 3.1
Background Papers:	Gosport Borough Council Constitution
Appendices:	Annex A – Supplemental Standing orders for the conduct of Council Meetings
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