



Report subject	Review of Article 15 - Covid-19 Interim Decision-Making Arrangements
Meeting date	15 September 2020
Status	Public Report
Executive summary	<p>The Council adopted, under urgency provisions, an Article for the Constitution which enabled effective and transparent decision-making to continue during the Covid-19 crisis, including provisions relating to the holding of virtual meetings. The Article included provisions for review and indicated that, in any event, the Article would be reviewed by the end of September 2020.</p> <p>This report therefore seeks Council's approval for a revision to this Article in light of working practices and latest guidance. The report outlines options for conducting meetings of the council during the pandemic and recommends that virtual meetings should continue.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>the revised Article 15 – Covid-19 Interim Decision-Making Arrangements, as set out in Appendix 1 to this report, be approved.</p>
Reason for recommendations	<p>To ensure the Council is able to continue to make effective and transparent decisions during the continued Covid-19 crisis in accordance with the various legal requirements, whilst maintaining compliance with local and national public health protection guidance.</p>

Portfolio Holder(s):	Councillor Vikki Slade, Leader of the Council
Corporate Director	Graham Farrant, Chief Executive
Report Authors	Richard Jones, Head of Democratic Services
Wards	Council-wide
Classification	For Decision

Background

1. In response to the Coronavirus pandemic, the Secretary of State made regulations permitting public meetings of local authorities to be held in a virtual space rather than at a physical premise. The Regulations came into force on 4 April 2020 and shall apply until 7 May 2021.
2. In response to the Regulations, the Chief Executive, under urgency provisions, approved an additional Article for the Constitution which enabled effective and transparent decision-making to continue during the Covid-19 crisis, including provisions relating to the holding of virtual meetings. The Article included provisions for review and indicated that, in any event, the Article would be reviewed by the end of September 2020.
3. Council is therefore asked to consider to the content of Article 15 (Covid-19 Interim Decision-Making Arrangements) and the changes proposed as shown with track changes in Appendix 1 to this report.
4. Meetings of the Council, Cabinet, Committees, Boards and Sub-Committee have been held as virtual meetings since April 2020. Whilst initially, meetings were only convened to consider business deemed to be essential or for statutory purposes, the full schedule of meetings is now functioning.

Current Covid-19 Guidance

5. The Government advice in response to the Covid-19 pandemic is constantly evolving in response to the crisis. The government has set out its plan to return different sectors to as near normal as possible and as quickly and fairly as possible in order to safeguard livelihoods, but in a way that continues to protect communities and the NHS.
6. There is no specific guidance for local authority meetings, however, social distancing requirements would limit the number of attendees in one location, and potentially require the wearing of face-covering by those in attendance.
7. Work is underway on establishing the Bournemouth Town Hall as the main civic centre base for the Council. To aide in this process, office-based staff are continuing to work from home as the default position, with space available for those required to work from the office. Councillors who do not have a space to work from home or where their broadband is not adequate for videoconferencing may work from a civic office to join a meeting remotely; working in isolation and adhering to social distancing requirements.

Options Appraisal

8. There are three core options for conducting meetings of the council.
 - a. Return to on-premise meetings only with all participants required to be present in person;
 - b. Maintain the status quo and continue with virtual meetings only;
 - c. Adopt a hybrid approach with councillors, officers and the public attending in person or remotely.
9. **Returning to on-premise meetings** only is contrary to the national public health guidance. Compliance with social distancing guidelines would significantly limit the number of attendees and prevent the public from attending the meeting. The technology is not currently in place to broadcast meetings held at the Town Hall and therefore compliance with the Access to Information provisions would not be possible. This option is not recommended for consideration at the current time.
10. **The convening of virtual meetings** has proved successful and has been popular with the public. The number of online viewers has varied between meetings, however, many meetings have attracted views of several hundred with one meeting exceeding 7,000. In comparison, attendance at ordinary meetings on site is limited to 30 – 50 depending upon the meeting space. Councillors and officers have embraced the use of virtual meetings and whilst, for some, it presents challenges and requires additional support, meetings have generally operated smoothly. Some meetings have been quite lengthy, however, decision-making has been effective and transparent.
11. **The adoption of hybrid style meetings**, which effectively is an arrangement for some participants to be present in person in a normal committee room with others joining the meeting remotely, is appealing and would allow a degree of personal preference to be exercised. To enable such an arrangement, on-site participants would typically use desktop microphones and in-room automatic cameras to capture images, with remote participants using their laptops. Remote attendees would be shown on a large screen in the meeting room and the meeting broadcast to the public. Unfortunately, the existing meeting spaces are not equipped with suitable or compatible technology to enable such an arrangement. At the current time, all participants in a shared meeting space would be required to use their laptop with headphones; effectively replicating remote attendance. It is desirable to facilitate effective hybrid meetings in the future to promote smarter working arrangements and reduce travel time, however, this will require investment in appropriate technology. The Town Hall accommodation project will be exploring options for civic and meeting space and it is considered appropriate for that project to lead on evaluating the delivery options.
12. Reconvening on-premise or hybrid meetings will also present a number of operational challenges and potentially impact upon other services, including but not exhaustive:-
 - Arrangements would be required to control entering and exiting the Town Hall to avoid conflicting with other public services (e.g., weddings, registrations, etc.).
 - Additional cleaning schedules would be required for all touch points

- Additional staffing would be needed to manage comfort breaks in a controlled manner and to prevent the use of other facilities (e.g., the resource room, refreshments, etc.).
- Meeting spaces would require full ventilation to comply with current guidance, potentially resulting in the coming months to variable room temperatures.

Public Participation

13. One of the consequences of conducting virtual meetings has been the impact upon the public from physically attending to present their questions, statements or petitions. However, all representations and responses to questions have been published online the day before the relevant meeting or read out in full by an officer of the Council.
14. There are increased risks and operational overheads of supporting remote attendance by members of the public. Some councils have experienced embarrassing interruptions to meetings where access has been widened, and it is considered important to protect the reputation of the council by limiting access to the live broadcast. However, it is recognised for some items of business, particularly overview and scrutiny, that it may be considered necessary and conducive to effective decision-making to allow third parties to address a meeting. It is proposed that discretion is permitted to allow the Chairmen of Overview and Scrutiny Board and Committees to invite third parties to address a particular meeting. This provision should be used sparingly, and consideration must be given on the operational impact for Democratic Services staff.

Summary of financial implications

15. There are no financial implications arising from this report.

Summary of legal implications

16. The legislation relating to access to information ordinarily requires the provision of facilities to allow members of the public to attend meetings of the council. Regulations made pursuant to the Coronavirus Act 2020 temporarily suspended that legislative requirement for the period to 7 May 2021 to allow access to be virtual and the Council has streamed all public meetings to comply.

Summary of human resources implications

17. There are no human resource implications arising from this report.

Summary of sustainability impact

18. There are no sustainability impact issues arising from this report, however, it should be noted that the transition to virtual meetings has significantly reduced the impact of travelling to and from meetings for both councillors and officers. In addition, the cessation of paper agenda packs and the associated postage and delivery has further reduced the environmental impact of meetings.

Summary of public health implications

19. The protection of public health and the well-being of councillors and officers is paramount at this time. A return to on-site meetings to conduct business which can

adequately be delivered through virtual meetings, unnecessarily increases the risk of spreading the virus.

20. The Council should seek to protect those members of the community, councillors and staff who are at greatest risk should they contract the virus, and therefore retaining the ability for remote connection to a meeting should be maintained.

Summary of equality implications

21. There are no specific equality implications arising from this report. However, the protection of those protected characteristic groups who are at greater risk if they contract the virus is critical. The report proposed the continuation of virtual meetings to allow councillors, officers and residents to participate or observe local democracy in action.

Summary of risk assessment

22. The recommendation proposes the continuation of virtual meetings which is considered to be the lowest risk option in terms of risk to public health. However, the continuation of virtual meetings will continue to be a challenge for some councillors and officers. To mitigate this risk, Democratic Services support staff have continuously offered one-to-one support both prior to, and during meetings. This support will continue to be made available.

Background papers

Published Works

Appendices

Appendix 1 – Revised Article 15 – Covid-19 Interim Decision-Making Arrangements