

COUNCIL MEETING ARRANGEMENTS

Portfolio holder for Regulatory, Housing and Health

Date:	20 April 2021
Agenda Item:	14
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Key Decision?	YES
Local Ward Members	NA



FULL COUNCIL

1. Executive Summary

- 1.1 Since May 2020 we have successfully hosted virtual meetings to keep members and officers safe whilst allowing essential decision making to take place in line with the Coronavirus Act 2020.
- 1.2 These regulations come to an end on 7 May and Council must agree how it will continue to keep members and officers safe until restrictions are fully lifted on 21 June 2021.

2. Recommendations

- 2.1 That Council notes the end of regulations allowing virtual attendance at committee meetings on 7 May 2021.
- 2.2 Council approves the deferment of all non-essential Council meetings prior to 21 June and the updated Diary of meetings as set out in Appendix 1.
- 2.3 That Full Council note the change of venue for Annual Council to ensure Covid security.
- 2.4 Council members agree to voluntary participation in lateral flow testing prior to public meetings, until and including July Full Council.
- 2.5 Council delegates the ability to call virtual meetings to the Chief Executive, should the legal challenge prove successful and virtual attendance will qualify beyond 7 May.

3. Background

- 3.1 The Coronavirus Act 2020 gained royal assent on 25 March 2020 after being fast-tracked through both the House of Commons and the House of Lords in response to the first lockdown. Under this emergency legislation, committee meetings have been allowed to be held virtually during restrictions implemented to stem the spread of Covid-19.
- 3.2 In response Lichfield District Council launched their first virtual meetings in May 2020 using zoom and a direct broadcast facility to YouTube. This has resulted in 49 meetings being recorded and accessible to the public and over 7,231 views.
- 3.3 In March Local government minister Luke Hall wrote to all local authority leaders to say extending the legislation beyond 7 May would require primary legislation which the government does not have time for in the legislative programme. As a consequence all committee meetings due to take place after 7 May must return to physical meetings, which will need to take place within the council's normal venues with Covid protocols in place.
- 3.4 The return to physical meetings will also limit the council's ability to record and broadcast proceedings. Hybrid meetings, which would allow recording of the activity and comments made during the

proceedings of physical meeting in the Council Chamber or Committee Room, would require significant capital investment in audio visual equipment and ongoing staffing resources to set up and maintain which the Council does not have within the current budget.

- 3.5 As a result, any meetings due to take place before the lockdown restrictions ease completely (currently June 21) have been reviewed and re-prioritised or rescheduled wherever possible to allow for the physical meeting to take place. A revised programme is set out in Appendix 1 and suggests the deferment of all meetings apart from Planning meetings, May and June Cabinet and the Council Annual General Meeting (AGM).
- 3.6 Members will remember that the Act removed the requirement of an Annual General meeting of the council in 2020 only. As a consequence, the Chairman and Vice- Chairman appointed in May 2019 have remained in post. Our next AGM is planned for Tuesday 18 May and due to restrictions of the legislation that require them to be completed by the end of May, cannot be delayed further.
- 3.7 Given the challenges and risks of physically fitting all members into the Council Chamber at Frog Lane, the AGM will instead be held in the sports hall at Burntwood Leisure Centre. This venue will allow for sufficient social distancing and some public viewing space as this meeting will not be able to be broadcast as meetings during the past year have been.
- 3.8 Planning Committee meetings are linked to our requirement to determine applications within certain periods. Therefore this is also considered an essential meeting that must go ahead. The numbers on this committee make it feasible to hold within the Council Chamber safely though some procedures will need to be adapted to ensure Covid security and remote access by the public, all participants will be advised of these.
- 3.9 Similarly May Cabinet has key decisions which are essential to the effective running of the Authority and can be accommodated in the Council Chamber with the public viewing the meeting remotely.
- 3.10 Legislation requires all formal committee meetings to be held in person with members in attendance, in October 2020 Full Council accepted the following motion:

“This Council commends the work of the officers to support the transition of Council and committee meetings to an online format in the face of social distancing restrictions due to the coronavirus pandemic. This Council further understands that the use of new technology represents an opportunity for current and future elected representatives to engage a wider audience in its work, including parents or guardians with young children, commuters, shift workers and those with mobility problems. This Council resolves to continue the use of virtual meetings while social distancing restrictions remain in place and to actively consider ways of integrating video conferencing and the online streaming of Council and committee meetings when restrictions are lifted, so that it can continue to engage with the wider community.”

As a consequence all council meetings not required to be held in public by law will be held wherever practicable via Zoom or MS Teams. Further work will be undertaken to find cost effective ways to allow virtual participation in meetings.

- 3.11 It is also recommended that all members and officers likely to attend any formal council meeting undertake a Lateral Flow Test in the 48 hours preceding the meetings to prevent anyone not exhibiting symptoms accidentally spreading the virus. This will be reviewed at July Full Council and subject to relevant government guidance.

3.12 It is also recommended that any member required to self-isolate due to a positive Covid -19 test or track and trace alert will have their apologies accepted (as previously agreed) but their absence from the meeting will not count towards their reported absence figures in Mod Gov.

Alternative Options	Members can decide not to amend the calendar of meetings, but this would contradict current public health advice and place the Council, members and officers at further risk.
Consultation	<p>Consultation has been carried out with Local Government Association, National Association of Local Councils (NALC) and representations to MPs in an attempt to allow the continuation of virtual attendance.</p> <p>A High Court legal challenge is currently progressing brought forward by Hertfordshire County Council, Local Government Lawyers (LLG) and Association of Democratic Services Officers (ADSO). However this is not being considered until 21 April and unlikely to rule before meetings must begin again and has no guarantee of success.</p>
Financial Implications	<p>Outline costings to provide audio visual equipment to facilitate broadcast in council meetings are £90,000 in capital and ongoing revenue costs in maintaining and using the equipment during each meeting.</p> <p>Other less costly options are being explored, but are unlikely to be realisable before meetings must begin again and would require a suitable business case and approvals for funding to be included in the MTFS.</p> <p>Relocating to Burntwood Leisure Centre will incur a moderate charge for furniture hire and room set up that can be met from existing budgets.</p>
Contribution to the Delivery of the Strategic Plan	Meetings underpin our ambitions be a good council by allowing for transparency and participation in decision making.
Equality, Diversity and Human Rights Implications	Members have highlighted that virtual meetings allowed participation in evening meeting from a much broader range of councillors and the wider community. As a statutory requirement LDC have no control over the move back to physical meetings and wherever possible meetings will continue to be held virtually.
Crime & Safety Issues	None arising from this report.
Environmental Impact	A return to physical meetings will impact on our carbon neutral targets as members and officers will be required to travel to attend and locations used must be heated and lit.
GDPR/Privacy Impact Assessment	None arising from this report.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Essential meetings cannot take place due to ongoing Covid restrictions	Consider the meetings scheduled before restriction are lifted	Yellow – material Likelihood – low Impact – high
B	Current work stops or slows due to lack of meetings	Key meetings are scheduled and mitigations in place to ensure they are	Yellow – material Likelihood – low

		Covid secure. Delegations are used wherever applicable.	Impact – high
C	Lack of capacity in council venues limits public participation in meetings.	Ensure some Covid secure capacity remains to enable public attendance. Explore hybrid options as a priority.	Yellow – material Likelihood – med Impact – high

Background documents

[Agenda for Council on Tuesday, 13th October, 2020, 6.00 pm \(lichfielddc.gov.uk\)](#)

Relevant web links

[Remote Council Meetings | Local Government Association](#)

[COVID-19: Guidance for the safe use of council buildings - GOV.UK \(www.gov.uk\)](#)

<https://www.ukauthority.com/articles/local-government-groups-challenge-mhclg-on-remote-meetings/>