

Report Title:	Council Meeting Arrangements
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Rayner, Deputy Leader of the Council, Corporate & Resident Services, Culture & Heritage, and Windsor
Meeting and Date:	Full Council - 28 September 2021
Responsible Officer(s):	Emma Duncan, Deputy Director of Law and Strategy & Monitoring Officer / Karen Shepherd, Head of Governance & Deputy Monitoring Officer
Wards affected:	All



## REPORT SUMMARY

*Since early May 2021 the council has been required to undertake decision making meetings in person, whilst others have continued in the virtual format. Under the government roadmap all social distancing requirements ended on 19 July 2021. The council therefore needs to consider the appropriate split between virtual and in-person meetings for the remainder of the municipal year.*

### 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That full Council notes the report and:

- i) Agrees the split of virtual meetings/in-person meetings for the remainder of the municipal year as detailed in Appendix A.**
- ii) Notes that a further review would take place if and when legislation is enacted to allow decision making meetings to take place virtually.**

### 2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

#### Options

**Table 1: Options arising from this report**

<b>Option</b>	<b>Comments</b>
Agree the split of virtual meetings / in-person meetings for the remainder of the municipal year as detailed in Appendix A  <b>This is the recommended option</b>	The proposed split takes into account legal requirements relating to decision making meetings whilst also recognising the benefits of virtual meetings experienced over the last 16 months.
Amend the split of virtual meetings / in-person meetings for the remainder of the municipal year as detailed in Appendix A	Members could decide on an alternative split, whilst maintaining the in-person requirement for decision making meetings.

## Virtual / in-person meetings

- 2.1 The pandemic has given councils, including the Royal Borough, an opportunity to amend working practices. Whilst the past 18 months have been a significant challenge, the borough needs to capitalise on the changes that have been successfully introduced to improve democratic accountability, transparency, and more agile ways of working. It will be important to retain flexibility of options for meetings, to allow for mitigation measures should any future social distancing restrictions be imposed.
- 2.2 The legislation specifically permitting council meetings to take place in a virtual format as a result of the global pandemic included a sunset clause and therefore, for decision making meetings, the virtual format is no longer possible until the government introduces new legislation, if indeed it decides to do so. For non-decision-making meetings the option to continue in the virtual format remains.
- 2.3 Relevant officers responded to the recent government call for evidence on remote meetings and all Members were also encouraged to submit their own response. Various professional bodies and local government organisations are lobbying government to consider fresh legislation at the earliest opportunity to give councils the flexibility to choose which format best suits their meeting and governance arrangements.
- 2.4 The key lessons from virtual meetings have been:
  - On-line platforms have overall worked well for formal meetings of the Council, increasing transparency and engagement.
  - Public engagement has increased as a result of the live-streaming of meetings and has allowed residents to participate more easily, which has been widely welcomed.
  - The ability for officers to attend some meetings remotely has reduced travel time, thereby increasing capacity for other productive work, and supporting the council's climate change agenda. It has also encouraged wider officer attendance at meetings, leading to a better corporate understanding of the council's priorities.
  - Remote meetings support the council's move to a Modern Workplace and more agile ways of working.
  - Members attending meetings remotely has reduced costs in terms of Member travel claims, and printing and postage of hard copy agenda documentation.
  - The flexibility of online meetings has been welcomed by meeting participants with caring responsibilities or other commitments (such as Members who also work full time).
  - The virtual format has brought benefits for participants with disabilities, for example acoustics are improved for fully virtual meetings in comparison to those held in some council meeting rooms.

- The virtual format has exacerbated some issues of poor behaviour as eye contact is limited and participants, including the Chairman who has a role in managing behaviour during a meeting, are less aware of the body language of others. In-person meetings can therefore mitigate some of the behaviour issues experienced.

2.5 In considering appropriate arrangements for the remainder of the municipal year the following principles should be supported:

- Taking an agile and resilient approach in the face of the ongoing pandemic, including the potential for future ad hoc restrictions.
- On-line accessibility should be maintained for meetings to allow for increased transparency and public participation.
- The council should look to transform its democratic processes to focus the service around the needs of the users (public, partners, Members, officers) and deliver efficiencies, allowing officer and Member time to be spent where it delivers more value to the authority and thereby to residents.
- There should be a mixed economy approach to meetings with some being held with Members in-person and some virtually, demonstrating the Council's leadership in adopting agile ways of working.
- For in-person meetings, non-Members of Committees, public speakers and officers continue to be given the option of attending virtually, to encourage attendance and generate a wider understanding of the Council's work, other than where in-person attendance is required under legislation (N.B. In-person attendance requirements can be different for different types of attendees). It is acknowledged that for councillors this creates a 'two tier' system where Members of the Committee must attend meetings in-person whereas non-Members can join virtually if they wish. However, the right of a non-Member to speak is subject to agreement by the Chairman of the relevant committee, as set out in the constitution.

2.6 In recognition that some Members and other meeting participants are returning to working in office locations rather than from home on a regular basis, the start times for all meetings are proposed to return to those in place pre-pandemic. Details can be found in Appendix A.

2.7 The split between virtual and in-person meetings would be further reviewed if legislation is enacted to allow decision making meetings to take place virtually and when Members consider the 2022/23 programme of meetings (Full Council January 2022).

#### **Audio visual equipment**

2.8 Meetings held in a fully virtual format have brought benefits to both participants and online viewers in terms of improved picture and audio quality, particularly in comparison to the volume and quality pre-Covid when only Cabinet and full Council meetings (held in-person) were streamed online via the Periscope app.

- 2.9 Since 7 May 2021 the council has been legally required to hold decision making meetings in person. To ensure residents can continue to view all council meetings online, basic equipment already in council possession (a camera and microphone/speaker) have been linked to a council officer laptop from which the meeting has also been live streamed on YouTube. This has provided a single fixed view of the meeting room, and enabled online attendees (non-Panel Members, public speakers, some officers) to interact with in person attendees including Panel Members via screens in the meeting room.
- 2.10 Concerns have been expressed at the audio quality provided by the current equipment, particularly for meetings with a large number of participants and in council meeting rooms with poor acoustic properties. Feedback has also been received that the single fixed view is a step back from fully virtual meetings in terms of transparency as it is not always clear to viewers who is speaking. Officers are therefore investigating procurement options to improve the audio-visual equipment whilst maintaining a hybrid solution (allowing two-way audio and video between in-person and virtual meeting participants) and a livestream either to the council's page on YouTube or embedded into the Modern.gov agenda webpages on the council website. Once these investigations have concluded, the appropriate decision-making and resources will be identified, dependent on the solution.

### 3. KEY IMPLICATIONS

#### 3.1

**Table 2: Key Implications**

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
Virtual meetings held where appropriate	No virtual meetings held	Virtual meetings held where appropriate	n/a	n/a	Meetings for which agenda are published 29 September 2021 onwards

### 4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 The costs of holding meetings in-person are contained within existing budgets. A Zoom licence to allow both in-person and virtual meetings to be livestreamed costs c.£1000 per annum (licence for 6 x meeting clerks).
- 4.2 Once investigations on procurement options to improve the audio-visual equipment are complete, the appropriate decision-making and resources will be identified dependent on the solution.

### 5. LEGAL IMPLICATIONS

- 5.1 There are a number of Acts of Parliament, Regulations, Statutory Instruments, and guidance which govern meetings of the Council; the principal ones being

the Local Government Act 1972, the Local Government Act 2000, and the Localism Act 2011.

- 5.2 New legislation would be required to enable decision making meetings to be held virtually.

## 6. RISK MANAGEMENT

### 6.1 Table 4: Impact of risk and mitigation

<b>Risk</b>	<b>Level of uncontrolled risk</b>	<b>Controls</b>	<b>Level of controlled risk</b>
Reduced public engagement in council meetings	Medium	Enable some meetings to continue in the virtual format and maintain the hybrid meeting format	Low

## 7. POTENTIAL IMPACTS

- 7.1 Equalities. An Equality Impact Assessment (EQIA) has been undertaken and published on the [council's website](#).
- 7.2 Climate change/sustainability. Virtual meetings have reduced the need for Members, officers, and members of the public to travel to venues around the borough. The virtual format has also enabled increased use of electronic agenda, thereby reducing printing requirements and paper usage.
- 7.3 Data Protection/GDPR. The council undertook a Data Protection Impact Assessment and published a Privacy Notice in May 2020 when virtual meetings first took place; the principles still apply for meeting participants attending meetings in a virtual capacity, whether or not the meeting itself is held fully virtually, or in a hybrid format.

## 8. CONSULTATION

- 8.1 Feedback from meeting participants (Members, officers, external partners, public speakers) and from viewers of the livestreams on YouTube over the last 16 months has been taken into account in considering proposals for virtual meetings.

## 9. TIMETABLE FOR IMPLEMENTATION

9.1 The full implementation stages are set out in table 5.

**Table 5: Implementation timetable**

Date	Details
28 September 2021	Full Council consideration of proposals
29 September 2021 and ongoing for the remainder of the municipal year	For agenda published 29 September 2021 onwards, implementation of revised virtual / in-person meeting split
If legislation is implemented to allow decision making meetings to be held virtually	Split between virtual / in-person meetings to be reviewed in light of any new legislation
25 January 2022	The split between in-person and virtual meetings would be reviewed as part of the consideration of the 2022/23 programme of meetings.

## 10. APPENDICES

10.1 This report is supported by one appendix:

- Appendix A – proposed virtual / in-person meeting split for the remainder of the municipal year

## 11. BACKGROUND DOCUMENTS

11.1 This report is supported by one background document:

- [Programme of meetings for 2021/22](#)

11.2 The above link also provides access to recordings of fully virtual and in-person meetings held since May 2021 for comparison.

## 12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory: Statutory Officers (or deputy)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	13/9/21	16/9/21
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	13/9/21	
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	13/9/21	13/9/21
Andrew Durrant	Executive Director of Place	13/9/21	15/9/21

Kevin McDaniel	Executive Director of Children's Services	13/9/21	
Hilary Hall	Executive Director of Adults, Health and Housing	13/9/21	13/9/21
<i>Heads of Service (where relevant)</i>			
Lynne Lidster	Head of Commissioning - People	13/9/21	13/9/21
Elaine Browne	Head of Law	13/9/21	13/9/21
Nikki Craig	Head of HR, Corporate Projects, and IT	13/9/21	13/9/21
Chris Joyce	Head of Infrastructure, Sustainability and Economic Growth	13/9/21	14/9/21

Confirmation relevant Cabinet Member(s) consulted	Cllr Rayner, Deputy Leader of the Council, Corporate & Resident Services, Culture & Heritage, and Windsor	Yes
	Councillor Johnson, Leader of the Council	Yes

## REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Council decision	No	No

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## Appendix A

Meeting	No. of meetings scheduled per year in the council programme of meetings	Notes - N.B. start times for all meetings are those agreed pre-Covid (Full Council Feb 2020)
<b><i>Council meetings required to be held in-person or considered to best held in-person (Panel Members and clerk/Proper Officer)</i></b>		
Council	7	Start time 7.00pm; could only be held virtually if new legislation enacted
Cabinet	13	Start time 7.00pm; could only be held virtually if new legislation enacted
Corporate Overview and Scrutiny Panel	6	Scheduled meetings to be held in person (start time 7.00pm); Extraordinary meetings (unless decision-making e.g. a call-in) to be held virtually (start time 7.00pm)
Adults, Children and Health Overview & Scrutiny Panel	4	Scheduled meetings to be held in person (start time 7.00pm); Extraordinary meetings (unless decision-making e.g. a call-in) to be held virtually (start time 7.00pm)
Infrastructure Overview & Scrutiny Panel	4	Scheduled meetings to be held in person (start time 7.00pm); Extraordinary meetings (unless decision-making e.g. a call-in) to be held virtually (start time 7.00pm)
Communities Overview & Scrutiny Panel	4	Scheduled meetings to be held in person (start time 7.00pm); Extraordinary meetings (unless decision-making e.g. a call-in) to be held virtually (start time 7.00pm)
Audit and Governance Committee	5	Scheduled meetings to be held in person (start time 7.00pm); Extraordinary meetings (unless decision making) to be held virtually (start time 7.00pm)
Maidenhead Development Management Committee	12	Start time 7.00pm; could only be held virtually if new legislation enacted
Windsor and Ascot Development Management Committee	12	Start time 7.00pm; could only be held virtually if new legislation enacted
Licensing Panel	4	Start time 6.00pm; Could only be held virtually if new legislation enacted



<b>Berkshire Pension Fund Committee</b>	<b>4</b>	<b>Start time 4.00pm; Could only be held virtually if new legislation enacted</b>
<b>Grants Panel</b>	<b>1</b>	<b>Start time 10.00am; Could only be held virtually if new legislation enacted</b>
<b>Appeals Panel</b>	<b>0</b>	<b>Various daytime start times; Could only be held virtually if new legislation enacted</b>
<b>Appointment Committee</b>	<b>0</b>	<b>Start time 6.30pm; Could only be held virtually if new legislation enacted</b>
<b>Rights of Way and Highway Licensing Panel</b>	<b>0</b>	<b>Start time 6.30pm; Could only be held virtually if new legislation enacted</b>
<b>Independent Remuneration Panel</b>	<b>0</b>	<b>Various daytime start times; independent panel members prefer in person</b>
<b>Statutory Officer Panel</b>	<b>0</b>	<b>Daytime start time; Could only be held virtually if new legislation enacted</b>
<b>Member Standards Sub Committee</b>	<b>0</b>	<b>Various daytime start times; Could only be held virtually if new legislation enacted</b>
<b>Employment Appeals Sub Committee</b>	<b>0</b>	<b>Various daytime start times; Could only be held virtually if new legislation enacted</b>
<b>Licensing and PSPO Sub Committee</b>	<b>0</b>	<b>Various daytime start times; can be held virtually without new legislation as falls under Licensing Act 2003 not Local Government Act 1972, however Members have expressed a preference for in-person meetings</b>

### ***Council meetings considered to best held virtually***

<b>Windsor Town Forum</b>	<b>6</b>	<b>6.30pm start time; External attendees welcomed the virtual format; one meeting per municipal year to be held in person to be agreed with the Chairman</b>
<b>Maidenhead Town Forum</b>	<b>6</b>	<b>6.30pm start time; External attendees welcomed the virtual format; one meeting per municipal year to be held in person to be agreed with the Chairman</b>
<b>Corporate Parenting Forum</b>	<b>6</b>	<b>5.30pm start time; External attendees including Children In Care, foster carers, NHS etc welcomed the virtual format; majority of agenda is in Part II; one meeting per municipal year to be held in person to be agreed with the Chairman</b>
<b>School Improvement Forum</b>	<b>3</b>	<b>5.00pm start time; Teacher attendees have welcomed the virtual format; one meeting per municipal year to be held in person to be agreed with the Chairman</b>

<b>Aviation Forum</b>	<b>0</b>	<b>7.00pm start time; number of external attendees welcomed the virtual format; one meeting per municipal year to be held in person to be agreed with the Chairman</b>
<b>Health &amp; Wellbeing Board</b>	<b>0</b>	<b>3.00pm start time; External attendees welcomed the virtual format; one meeting per municipal year to be held in person to be agreed with the Chairman</b>
<b>Member Standards Panel</b>	<b>0</b>	<b>6.30pm start time; one meeting per municipal year to be held in person to be agreed with the Chairman</b>

***Other/outside bodies administered by Democratic Services considered to best held virtually***

<b>One Borough</b>	<b>4</b>	<b>Start time 11.00am; community groups welcomed virtual format; encouraged to hold one meeting per municipal year in person, to be agreed with the Chairman</b>
<b>Berkshire Pension Board</b>	<b>4</b>	<b>Start time varies but during daytime, attendees welcomed virtual format; encouraged to hold one meeting per municipal year in person, to be agreed with the Chairman. N.B. May be occasional decision making which would require an in-person meeting</b>
<b>Rural Forum</b>	<b>2</b>	<b>Start time 5.30pm; farming community welcomed virtual format; encouraged to hold one meeting per municipal year in person, to be agreed with the Chairman</b>
<b>Flood Liaison Group</b>	<b>4</b>	<b>Start time 6.00pm; encouraged to hold one meeting per municipal year in person, to be agreed with the Chairman</b>
<b>Standing Advisory Council on Religious Education</b>	<b>4</b>	<b>Start time 6.00pm, attendees welcomed the virtual format; encouraged to hold one meeting per municipal year in person, to be agreed with the Chairman</b>
<b>Local Access Forum</b>	<b>2</b>	<b>Start time 6.30pm; encouraged to hold one meeting per municipal year in person, to be agreed with the Chairman</b>
<b>Schools Forum</b>	<b>6</b>	<b>Start time 2.00pm; teacher attendees welcomed virtual format; encouraged to hold one meeting per municipal year in person, to be agreed with the Chairman</b>
<b>Disability and Inclusion Forum</b>	<b>4</b>	<b>Start time 11.00am; external attendees representing services users with disabilities welcomed the virtual format given ease of accessibility; encouraged to hold one meeting per municipal year in person, to be agreed with the Chairman</b>