

Virtual Meeting Procedure Rules

The Government has issued The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392. The Regulations have been issued under Section 78 of the Coronavirus Act 2020. They allow the council to hold virtual meetings between 4 April 2020 and 6 May 2021. These Virtual Meeting Procedure Rules set out the procedure to be followed when the council conducts formal virtual meetings and should be read in conjunction with the procedure rules in the Constitution for the Council, Cabinet, Scrutiny Committees, Joint Audit and Governance Committee, Planning Committee, General Licensing Committee, Licensing Acts Committee, Climate Emergency Advisory Committee, Community Governance and Electoral Issues Committee, Area Committees, Community Grants Panel, and licensing and taxi panels. Except as varied by these rules, the procedure rules for meetings set out in the Constitution also apply to virtual meetings.

Annual meeting of Council

1. Council Procedure Rule 1, requiring an annual meeting of Council to be held, shall not apply between the date of adoption of these procedure rules and 6 May 2021. Council may hold an annual meeting if it wishes but is not required to do so during the period specified above. An annual meeting of Council may be called by:
 - (a) the Chair of the Council or
 - (b) a resolution calling for an Annual Meeting being passed at an ordinary or extraordinary meeting of Council.

Virtual meetings

2. Between the date of adoption of these procedure rules and 6 May 2021, the council may hold meetings:
 - (a) at a physical location, with some councillors in attendance in the meeting room and with some councillors attending through remote access, or
 - (b) at a virtual location, being a web address or a conference call telephone number or a combination of these.
3. The council will live stream these meetings for the public to listen to or watch.
4. A virtual meeting that is open to the public held between the date of the adoption of these procedure rules and 6 May 2021 includes any meeting specified in paragraph 2 above where business is transacted that is open to the public and press.

Participants in the virtual meeting

5. The following shall be deemed to be participants of the virtual meeting:
 - (a) Members of the meeting or their substitutes
 - (b) Other district councillors who have indicated a wish to speak at the meeting
 - (c) Members of the public or other invitees to speak to a specific agenda item
 - (d) Officers in attendance
6. When participants are speaking, they must be able to be heard by other participants. There is no requirement to be able to see other participants, although this is preferable.

Observers

7. The council must provide a facility so that members of the public who are listening to or watching the virtual meeting, rather than participating, can hear the participants speaking at the meeting.

Notice of meetings

8. The head of legal and democratic will give notice of a meeting by publishing the agenda to the council's website at least five clear days in advance of meeting.
9. The notice will set out the date and time of the meeting, and the business to be transacted. The council will publish details of how the public may listen to or watch the virtual meeting.
10. Participants will be notified by email of how to join the virtual meeting.
11. The agenda will not be available as a paper copy if the meeting is completely virtual.

Attendance at virtual meetings

12. Attendance at virtual meetings can be either:
 - (a) by being present in the physical place the meeting is held or
 - (b) by joining the virtual meeting.
13. Participants will be asked to join the virtual meeting at least 15 minutes before the advertised start time. Councillors joining the virtual meeting must use their council-supplied device.
14. Any video camera should show a non-descript background or where possible, a virtual background. Participants are asked not to eat or drink while their audio and video link is active and wear appropriate clothing for a public meeting.
15. At the commencement of each meeting, the Chair shall take a register of all councillors and officers joining the meeting to allow their presence to be recorded and explain the protocol for councillor and public participation and the rules of debate.

Quorum

16. The normal quorum rules apply to each meeting.

Public participation

17. Members of the public may make a statement, ask a question or present a petition in accordance with the relevant meeting's procedure rules, as set out in the Constitution. To be able to speak at a meeting, the public must first register to do so. The rules on deadlines for registering to address meetings and the time limits on statements, questions and petitions at those meetings are set out in the relevant meeting's procedure rules in the Constitution. The public may either:
 - (a) address the meeting in person if the meeting is held in a physical location or

- (b) submit their address in writing to democratic.services@southandvale.gov.uk so that it can be circulated at a virtual meeting or
 - (c) join and address a virtual meeting.
18. Members of the public who have registered to address a meeting are encouraged to submit a written statement of their address to democratic.services@southandvale.gov.uk by 12 noon on the working day before the meeting so that this can be read out by the democratic services officer if they experience technical difficulties in joining or remaining in the meeting that cannot be overcome within a reasonable time.

Non-committee member's participation

19. If a councillor who is not a member of the meeting, wishes to address the meeting during a particular agenda item, they should inform the Chair and Democratic Services by 12 noon on the working day before the meeting.

Technical failure during a virtual meeting

20. If the Chair becomes aware that the virtual meeting is not accessible to the public through remote means, due to technical failure or other means, the Chair may adjourn the meeting.
21. If the Chair becomes aware that the meeting is not accessible by one or more members of the meeting through remote means, due to technical failure or other means, the Chair may adjourn the meeting immediately but is not required to, unless the meeting is inquorate.
22. If a councillor temporarily disconnects and re-connects to the meeting due to technological issues, they are still considered to be present throughout the meeting as long as any matters discussed during their absence are repeated.
23. If a technical connection to a councillor is lost during a Planning Committee or licensing panel hearing for a prolonged period, the Chair will announce that the relevant councillor is absent. The meeting may proceed as long as a quorum can be established, but the councillor who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the evidence.
24. If a member of the public or other invitee experiences technical difficulties in joining or remaining in any meeting that cannot be overcome within a reasonable time the meeting may proceed and if so the democratic services officer will read out any written statement of their address submitted before the meeting.
25. If the provision of access through remote means cannot be restored within a reasonable period, the Chair may adjourn the meeting or close the meeting and defer the remaining business to the next appropriate meeting.
26. If the Chair has technical issues and cannot take part in the meeting, the Vice-Chair or another councillor may take over the chair to allow the virtual meeting to proceed.

Consideration of agenda items, the debate and decision-making

27. During the meeting, each participant must specify their name to introduce themselves at the start of every contribution, unless they have been introduced by the Chair. This is particularly important for audio-only meetings or when video cameras are switched off.
28. The Chair will ask councillors if they have any interests to declare. Any councillor who declares a disclosable pecuniary interest in an item of business must not participate in the debate or voting and must leave the virtual meeting for that item.
29. The Chair will in turn invite each member of the public who has registered or been invited to speak to address the meeting. The meeting may ask the members of the public questions of clarification only. Once the member of the public has spoken and answered any questions, they must turn off their video and mute their sound and remain silent to allow the consideration of that agenda item to continue; if they fail to do so when requested they may be ejected from the meeting. Once the agenda item has been completed the member of the public must leave the meeting and may continue to listen to or watch the live stream of the meeting. The public must not use the Chat facility to comment on the proceedings.
30. The Chair or officer will refer the meeting to any written statements submitted.
31. The Chair will ask the relevant officer/Cabinet member to present their agenda item/report. Councillors may raise questions of clarification to the officer/Cabinet member.
32. Councillors or officers will indicate their wish to speak by the method agreed by the Chair, such as by raising their hand when video is available or by using the Chat facility.
33. Participants may unmute their audio and turn on their video when invited by the Chair to speak or to indicate their wish to speak. Participants shall address the Chair at all times, and not one another. Participants are not required to stand when speaking. Only one person may speak at a time.
34. Participants should turn off their video and mute their sound when not talking to the meeting.
35. The virtual meeting Chat facility must not be used for private or political conversations and does not constitute any part of the meeting's debate.
36. The Chair will determine the order of those speaking and may limit the length and content of speeches.
37. The Chair may ask councillors or officers to specify the relevant agenda page number and paragraph number when raising a particular point covered in the agenda. This allows others to follow the debate.
38. The Chair may ask the meeting as a whole or each councillor in turn for any further comments before completing the debate on that agenda item. If the meeting is in general agreement with a proposal, a vote need not be taken. Normal rules in the

Constitution on proposing motions and amendments apply to allow votes to be taken where necessary.

39. If a vote is required, the Chair or the democratic services officer will ask each councillor in turn, alphabetically, to verbally announce whether they are voting in favour or against a motion or abstaining. The voting results will be declared by the democratic services officer and the decision will be confirmed by the Chair. A recorded or named vote will not be kept unless such a request was made prior to the vote.
40. In the case of virtual meetings considering planning applications and licensing panel hearings, councillors may be required to confirm that they have heard all of the discussion and indicate their vote.

Exclusion of the public and press

41. In the case of confidential/exempt business, councillors and relevant officers will be sent a separate link to a virtual, confidential meeting session that will follow the public meeting (after a short break). This virtual, confidential meeting session will not be accessible to the public.
42. If during a public debate, a meeting needs to move into confidential discussion to receive some confidential or exempt information before making a decision in public, the public debate will be deferred until the item can be discussed in confidential session. The final decision will either be taken in public at the next appropriate meeting, in confidential session and published after the meeting, or by individual Cabinet member decision or officer key decision as appropriate.
43. In confidential/exempt session, each councillor and officer present must ensure that no other person can hear or see the virtual meeting.
44. Councillors must ensure they do not share confidential or exempt content in the video feed.

Closing the meeting

45. The Chair will close the meeting. All participants must leave the virtual meeting quickly and quietly. Any subsequent discussion will not form part of the meeting, nor be recorded in the minutes.

Chair's discretion

46. The Chair shall exercise discretion on how the virtual meeting is conducted and may waive any of these virtual meeting procedure rules. The Chair's ruling on any procedure shall be final.