



Report to Council

Report of: Director of Legal & Governance

Date: 12 August 2020

Subject: Agenda Items for the September Meeting of the Council

Author of Report: Jason Dietsch (Head of Democratic and Member Services)
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Summary:

This report provides details of proposed changes to the format of the meeting of the Council to be held on Wednesday 9th September 2020, in recognition that this will be the first ordinary meeting of the Council to be held remotely, and seeks approval to revisions to the Council Procedure Rules (CPR) to apply for that meeting.

Recommendations: The Council is recommended to:-

1. Agree that the September meeting of the Council will include Public Questions and Petitions, and Members Questions, but that Notices of Motion are not to be a feature of the meeting and that, instead, the Director of Public Health will provide an update in relation to Covid-19;
2. Approve, in order to implement the changes proposed in paragraph 1 above, the temporary revisions to Part 4 of the Constitution – (Council Procedure Rules), as set out in the report, which are to apply only for the duration of that meeting; and
3. Agree to receive a further report at its September meeting on proposals for the format of the Council meetings from October onwards.

Background Papers: None

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial & Commercial implications
NO: Cleared by Paul Schofield
Legal implications
YES – Cleared by Andrea Simpson
Equality of Opportunity implications
YES: Cleared by Adele Robinson
Tackling Health Inequalities implications
N/A
Human rights implications
N/A
Environmental and Sustainability implications
N/A
Economic impact
N/A
Community safety implications
N/A
Human resources implications
N/A
Property implications
N/A
Area(s) affected
None
Relevant Scrutiny Committee if decision called in
N/A
Is the item a matter which is reserved for approval by the City Council?
YES
Press release
NO

1. Background and Proposals

- 1.1 The September meeting of the Council will be the first ordinary meeting of the Council to be held by remote means. Many other of the Council's formal decision making meetings have now been reinstated following the outbreak of the Coronavirus (Covid-19) pandemic.
- 1.2 The Regulations introduced in April 2020 [*The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020*] give more flexibility to local authorities and enable them to hold meetings remotely. Consequential amendments to Council Procedure Rules incorporate the effect of the regulations while they are in force. This means that elected members, members of the public and officers can participate in meetings using a virtual platform. Sheffield City Council is using Zoom as its virtual platform for formal meetings, and the Zoom meetings are streamed through its Public-i webcasting system in order to facilitate public access in compliance with those Regulations.
- 1.3 This report sets out some considerations for the holding of remote meetings of full Council in the present circumstances of the Coronavirus pandemic, drawing from the experience of operating remote meetings of other bodies of the Council, and proposes a phased approach to the reinstatement of all aspects of the ordinary meetings of the Council.
- 1.4 Meetings of full Council fulfil the following purposes:-
- Public engagement – public questions and petitions;
 - Accountability – an opportunity to hold executive members to account by asking questions;
 - Political debate and democracy – debating issues of importance to the local area;
 - City leadership;
 - Statutory duties – Policy framework, budget, and appointments to key roles, committees and outside bodies etc.
- 1.5 Ordinary meetings of the Council have certain regular items of business. The duration of the ordinary meetings are normally three hours and 30 minutes. Paragraph 5.7 of the Council Procedure Rules (set out in Part 4 of the Council's Constitution) states that Ordinary meetings of the Council will:-
- (a) elect a person to preside if the Chair and Deputy Chair are not present;
 - (b) consider the extent to which the public and press may be excluded from the meeting;
 - (c) receive any apologies for absence from Members of the Council;

- (d) receive declarations by Members of interest in the matters to be considered at the meeting;
- (e) receive any communications or announcements from the Lord Mayor, the Leader or the Chief Executive;
- (f) receive public questions and petitions;
- (g) receive questions from Members of the Council in accordance with Council Procedure Rules 16 and 32;
- (h) receive any reports relating to matters reserved to the Council.
- (i) consider motions of which notice has been submitted by Members of the Council in accordance with Council Procedure Rule 10.
- (j) receive any reports from the Executive, Overview and Scrutiny and Policy Development and the Council's Committees
- (k) receive any presentations on matters of significant interest to the City;
- (l) approve as a correct record the minutes of the last meeting; and
- (m) make any changes to the memberships of its Committees and appointments to outside bodies.

1.6 In considering the arrangements for introducing remote meetings of full Council in the present circumstances, relevant factors to be taken into account include the following:-

- To take into account what has been learned so far about remote meetings, such as the slower pace of proceedings, etiquette, potential technical issues, the focus of the subject matter and amount of business and appropriate duration and time limits to keep people engaged and which considers people's health and wellbeing;
- To look at the context of the wider programme of decision making meetings and activities in the Council and to make sure there is capacity to support the meetings;
- To make sure there is appropriate support for the Lord Mayor, as chair of the meeting, elected members and all other participants in the remote meeting.

1.7 In terms of the proposed format for the September meeting of the Council, the views of the political groups on the Council have been sought in relation to the elements of an Ordinary meeting which are considered the most important, taking into account the factors identified in paragraph 1.5 above. There was consensus that public participation via public questions and petitions, and accountability of the Council's Executive via Members' Questions, were priority elements for this first ordinary meeting. There was a difference of opinion in relation to political debate via Notices of Motion, and promoting the Council's city leadership role via a presentation on Covid-19 by the City's Director of Public Health.

- 1.8 **Public Questions and Petitions** - Cabinet and some Scrutiny and Policy Development Committee meetings are taking place and public question time is a feature of both of them. There has also been the opportunity for public participation in Planning & Highways and Licensing Committees held remotely. In order to enable participation at a remote meeting, temporary changes to the arrangements for public participation in meetings have been introduced, which require that a member of the public wishing to submit a petition or ask a question at a Council decision making meeting must submit their petition or question in writing at least two clear days in advance of the date of the meeting, and provide a contact email and/or telephone number to enable a meeting invitation to be issued to them to join the meeting remotely. It is proposed that public engagement, through the public questions and petitions item, should be a feature of the remote Council meetings from September onwards, operating in accordance with the temporary changes to the arrangements for public participation in meetings.
- 1.9 **Members' Questions** – Consideration was given to a suggestion to not include Members' Questions at this first meeting, or alternatively, to introduce a limit on the number of questions to be submitted. This suggestion was made with staffing capacity in mind, given that most staff are working from home, and the need to adapt the question and answer process to operate at a remote, rather than physical, meeting. The feedback from the opposition groups was that this process was a key element and should not be restricted.
- 1.10 **Notices of Motion** - Due to the outbreak of the pandemic, the Annual Meeting of the Council scheduled for May 2020 was postponed until May 2021. This has meant that there isn't yet an agreed formula for how Notices of Motion are to be managed at meetings of the Council during the Municipal Year 2020/21, nor an agreed schedule of Council meetings (although the proposed dates for Council meetings are included on the agenda for approval at this meeting). Taking into account the priority given to the items on public questions and petitions, and Members' Questions, and experience so far about operating remote meetings, the two largest political groups on the Council have supported the removal of Notices of Motion from the agenda for the September meeting and instead accommodate a presentation on Covid-19 by the City's Director of Public Health. The smaller opposition group's preference is to retain political debate via Notices of Motion and have suggested that the format of individual motions could be changed to be more "Zoom appropriate" in order to facilitate this democratic function more easily.
- 1.11 In view of the above, it is proposed that the September meeting of the Council will include Public Questions and Petitions, and Members Questions, but that Notices of Motion are not to be a feature of the meeting and that, instead, the Director of Public Health will provide an update in relation to Covid-19. Furthermore, that a further report be submitted to the September meeting on proposals for the format of the Council meetings from October onwards, as part of the phased approach to the reinstatement of all aspects of the ordinary meetings of the Council. In order to implement the changes proposed for the September meeting, it will be necessary to approve a revision to the Council Procedure Rules, to apply only for the duration of that meeting, by the removal of sub-paragraph (i) of paragraph 5.7 of those Rules, i.e. to remove "*consider motions of which notice has been submitted by Members of the Council in accordance with Council Procedure Rule 10*"

1.12 Agreement to the proposals outlined in paragraph 1.11 would result in the following agenda for the September meeting:-

- Apologies For Absence
- Declarations of Interest
- Public Questions and Petitions
- Members' Questions
- Minutes of Previous Council Meetings
- Changes to Memberships of Committees & Appointments to External Bodies
- Update on Covid-19 (Presentation by the Director of Public Health, followed by questions from Members of the Council)

2. **Legal Implications**

2.1 The main legal implications are covered in the body of the report. The report contains proposals for how the Council meetings will operate in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

3. **Financial & Commercial Implications**

3.1 There are no direct financial implications associated with the proposals in the report.

4. **Equality of Opportunity Implications**

4.1 The proposals in the report include reinstating accessibility of the formal decision-making process and enabling people in the City to participate. An Equality Impact Assessment was produced relating to arrangements for remote meetings. Equality implications will be considered as part of the phased approach to the reinstatement of all aspects of the ordinary meetings of the Council.

5. **Recommendations**

5.1 Council is recommended to:

1. Agree that the September meeting of the Council will include Public Questions and Petitions, and Members Questions, but that Notices of Motion are not to be a feature of the meeting and that, instead, the Director of Public Health will provide an update in relation to Covid-19;

2. Approve, in order to implement the changes proposed in paragraph 1 above, the temporary revisions to Part 4 of the Constitution – (Council Procedure Rules), as set out in the report, which are to apply only for the duration of that meeting; and

3. Agree to receive a further report at its September meeting on proposals for the format of the Council meetings from October onwards.

**Gillian Duckworth (Director of Legal & Governance)
Monitoring Officer**

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