



North Devon Council

Report Date:

Topic: Virtual Meetings

Report by: Chief Executive/Leader

1. INTRODUCTION

- 1.1. During the pandemic national regulations were introduced which allowed local authorities to hold formal meetings virtually.
- 1.2. Those regulations were withdrawn in May 2021 and at the current time they have not been re-introduced.
- 1.3. This report provides an option for the holding of virtual meetings should members wish to hold them

2. RECOMMENDATIONS

2.1 To delegate to the Chief Executive and to the Director of Resources/Deputy Chief Executive and any Head of Service the power to take all decisions reserved to Council or to any Committees subject to:-

- (i) Prior consultation taking place with the appropriate committee or with Council through the means of a virtual meeting at which the press and the public are invited to attend and at which the required quorum of councillors appointed to that Committee is present in accordance with the Constitution, and
- (ii) The Chief Executive or Director of Resources/Deputy Chief Executive or Head of Service having heard all of the debate taking place at the consultative meeting of the Committee, either by being present or by listening to a recording of the same

2.2 The above delegation will exclude:-

- (i) decisions on matters that would otherwise be taken by a Joint Committee of North Devon Council and another authority, and
 - (ii) decisions on planning applications submitted by the council,
- and the discretion to refer a decision to a committee will rest with the Chief Executive and Director of resources/Deputy Chief Executive notwithstanding the delegation under 2.1.

2.3 To formally review the arrangements at Annual Council 2022.

3. REASONS FOR RECOMMENDATIONS

3.1 To allow for decision making to take place with democratic involvement but at the same time reducing the need to meet physically as often as present. The report has been presented in the light of the current increase in infection rates and with a view to balance safe working practices with ensuring decision making is open and transparent.

4. REPORT

4.1 Under the Local Government Act 1972, formal meetings of a council must be held physically and the time and place of the meeting have to be advertised in advance. In response to the pandemic, and to try to reduce the spread of infection, regulations were introduced which allowed formal meetings to take place virtually.

4.2 North Devon Council adopted procedures which allowed the public and councillors to attend meetings virtually through Teams.

4.3 Most councils, including North Devon, saw an increase in the number of councillors attending meetings and the feedback from councillors was very positive.

4.4 The Regulations allowing virtual meetings were withdrawn in the summer and although government is acknowledging that virtual meetings would be useful, there are legislative difficulties in re-introducing them. Most local authorities and the LGA etc are pushing for virtual meetings to be allowed.

4.5 With infection rates still very high some councils have devised arrangements which allow virtual meetings to continue as consultative meetings with decisions being taken under delegated powers by senior officers.

4.6 Under that arrangement, agendas would be published as normal and members of the committee and the public would be able to sign in virtually. The agendas would be discussed but instead of a decision being made, a consultative view would be expressed by the committee. A decision would then be taken by the Chief Executive, or other officer, after taking account of the consultation view.

4.7 It is envisaged that the decision(s) by the officer would be taken as soon after the virtual meeting as possible, hopefully immediately after, and would accord with the consultation view given by the Committee.

4.8 East Devon Council have adopted a similar approach and have recently voted to extend the arrangements until May 2022. They have reported that although there is a higher administrative burden, no concerns about the operation of the system have been expressed.

4.9 If the delegated powers are adopted, members could still decide to hold a physical committee meeting without the need to make constitutional changes.

4.10 The proposals would not apply to decisions required by law to be taken by a Committee or by Full Council such as setting the budget etc, nor decisions taken by Joint Committees. There is also a suggested exclusion



for decisions on planning applications submitted by the authority to ensure transparency. In those cases a physical meeting would still be held.

4.11 The decisions taken by the officer would then be published alongside the minutes of the consultative committee meeting

5. RESOURCE IMPLICATIONS

5.1. There are none from this report.

6. EQUALITIES ASSESSMENT

6.1. (Please detail if there are/are not any equalities implications anticipated as a result of this report. If so, please complete the Equality Impact Assessment Summary form available on Insite and email to the Corporate and Community Services Team at equality@northdevon.gov.uk).

6.2. There are no equality issues. Members of the public will still be able to attend as with a physical committee.

7. CONSTITUTIONAL CONTEXT

7.1. Full Council has the power to amend the scheme of delegations in this way

8. STATEMENT OF CONFIDENTIALITY

8.1. This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

9. BACKGROUND PAPERS

9.1. The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the author of the report).

10. STATEMENT OF INTERNAL ADVICE

10.1. The author (below) confirms that advice has been taken from all appropriate Councillors and Officers: Leader and Deputy Leader, Group Leaders, Director of Resources, Head of Governance and Solicitor and Monitoring Officer.