

<b>Report of:</b>	Director of Legal and Governance Services - Charlotte Benjamin
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**AGENDA ITEM 4**

<b>Submitted to:</b>	Corporate Affairs and Audit Committee – 11 June 2020
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<b>Subject:</b>	Remote Meetings and Amendments to Council Procedure Rules
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**Summary**

<b>Proposed decision(s)</b>
That the proposed amendments to the Council Procedure Rules, required as a result of the requirement to hold remote meetings during the outbreak of the coronavirus be noted.
That it be noted that these amendments to the Council Procedure Rules only apply to meetings held prior to 7 May 2021.

<b>Report for:</b>	<b>Key decision:</b>	<b>Confidential:</b>	<b>Can be called-in:</b>
Decision	No	No	No

<b>Contribution to delivery of the 2020-23 Strategic Plan</b>		
<b>People</b>	<b>Place</b>	<b>Business</b>
Not applicable	Not applicable	The Regulations, made under section 78 of the Coronavirus Act 2020, apply notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Authority governing meetings and remain valid until 7th May 2021. This means that, wherever there is a conflict, these Remote Meetings Procedure Rules take precedence in relation to any remote meeting.

<b>Ward(s) affected</b>
Not applicable

## **What is the purpose of this report?**

1. The report highlights the changes required to Council meeting standing orders in consequence of 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'. These Regulations apply to local authority and Parish Council meetings that are required to be held, or held, before 7th May 2021.

## **Why does this report require a Member decision?**

2. The "Regulations" (Appendix 1) which came into force on 4th April 2020, provide for alternative arrangements for Local Authority meetings which are required to be held between 4th April 2020 and 7th May 2021 and elected Members should be made aware/consulted in relation to changes to Council Procedure Rules.

## **Background**

3. Following the implementation of the above regulations, authorities are empowered to make provision in their standing orders for remote attendance at meetings for instance; member, press and public access to meeting notices and documents; voting; and to enable their attendance or participation
4. The Regulations give flexibility to the Local Authority to devise arrangements to hold meetings remotely at a time of their choosing, without all, or any, of the Members being physically present in a room. They allow for remote meetings through electronic, digital, virtual locations, live webcast, live interactive streaming, video and telephone conferencing.
5. Regulation 5 (5) applies notwithstanding any prohibition or restriction in the Council's standing orders or other rules of the authority governing the meeting and any such prohibition or restriction has no effect. This means that the Council does not have to draft revisions to its Constitution and have them approved by Full Council before commencing remote meetings. The Council is though empowered to change its standing orders and rules to address remote attendance but the legislation does not require it to do so.
6. Therefore the Monitoring Officer has drawn up some protocols and procedures, to identify how this can be facilitated, and to enable the council to operate in a reasonable, rational and fair manner. In the event that any remote meeting procedures conflict with the Council's Constitution or standing orders, the provisions contained within this document take precedence in relation to the governance of remote meetings.
7. In accordance with 10(ii) of the Council's Scheme of Delegation, the Rules and Guidance (Appendix 2) have been issued by the Monitoring Officer in order to implement the "Regulations". This will have the effect of amending Part 3 of the Council's Constitution mainly in relation to the Meeting Procedure and Access to Information Procedure Rules for the prescribed time period.
8. The Monitoring Officer has developed the changes and guidance in line with the Lawyers in Local Government (LLG) and the Association of Democratic Services Officers (ADSO) Guidance (Appendix 3).

9. These arrangements will remain under review by the Monitoring Officer.
10. It should also be noted that the Officer Schemes of Delegation will also continue to be utilised during this time.

### **Decision Making by Chief Executive**

11. As a result of the current situation with regard to the COVID 19 emergency, the Mayor has included the following temporary delegation to the Chief Executive:
12. The Chief Executive of the Council will have delegated authority to make Executive decisions of a policy, financial and operational nature in response to the Covid-19 emergency. It is anticipated that there will be instances where urgent decisions are required. As such, the Council will continue to operate the Urgent Decision Making process as set out at Paragraph 15 and 16 of the Access to Information Procedure Rules contained within the Constitution.

### **Which meetings do the Regulations refer to?**

13. The Regulations refer to the following:
  - Full Council;
  - Executive;
  - All Committees;
  - All Sub Committees; and
  - Annual Council (separate arrangements).
14. The revised Procedure Rules provide the means and guidance for the conduct of any remote meeting of the Council, and its various Committees and Sub-Committees.
15. The effect of the Regulations on the Authority's Constitution is to insert what are, in effect, mandatory standing orders in order for the Council to hold meetings remotely, either wholly or partially.
16. The Regulations, and therefore the standing orders, have an automatic amending effect on an authority's existing rules and can be applied immediately in order to run committee and Executive meetings remotely without having them approved by Full Council before commencing remote meetings.
17. In the event that any remote meeting procedures conflict with the Council's Constitution or current standing orders, the provisions contained within this document takes precedence in relation to the governance of remote meetings.

### **Full Council Meetings**

18. Under Paragraph 2 of the Regulations there is no requirement to hold an Annual Meeting prior to 7th May 2021 and an Annual Meeting of Council may only take place:
  - (a) where called by the Chair; or
  - (b) following a resolution calling for an Annual Meeting being passed at an ordinary or extraordinary meeting of Council.

19. The Chair of the Council has decided that the Council AGM will be postponed until May 2021. The question of convening an AGM before that date will be reviewed on a regular basis taking into account matters including government guidance regarding social distancing as it develops, and the practicability of remote meetings.
20. There are no current arrangements planned to convene a meeting of Full Council unless one is deemed necessary. The Monitoring Officer will discuss this with the Chair of the Council to ensure it meets with the terms of the Regulations for remote meetings. Where Council approval would normally be required, decisions may be referred to Corporate Affairs and Audit Committee as an interim measure.
21. However, it is envisaged that other smaller committees, Overview and Scrutiny Board and the executive functions will resume remotely until further guidance is issued.

### **Convening a Meeting**

22. The Regulations have put alternative arrangements in place for the convening of a meeting including the flexibility of meetings taking place:

- Meetings can now be held on a date and time of the Council's choice;
- The frequency of meetings can be altered; and
- Meetings can now be held, moved or cancelled without requirement for further notice.

23. This means that the Council are not bound by the previously published meetings calendar and are free to schedule meetings much more flexibly to meet the local decision-making requirements. However, in the interests of fairness, the Council will give as much notice as possible.

24. It should be noted, that hearings to determine licensing applications under the Licensing Act 2003 must be postponed or adjourned to a specified date notified to the parties, with stated reasons that are in the public interest.

### **Which ICT platform will Middlesbrough Council use to promote remote meetings that can be live streamed?**

25. The ICT platform which the Council will use to facilitate remote attendance and access to its meetings is Cisco Webex.

This platform will allow:

- Contributions to be received from people using a wide variety of devices, not all of whom are on the Council network;
- Being accessible to participants and members of the public who are either taking active role or just observing; and
- Presentations and documents (maps, plans, etc) to be displayed where required

### **Member Attendance**

26. Members are in remote attendance so long as they comply with all of the following

conditions at the specific time [of the scheduled meeting] and are able to:

- Hear, and where practicable see, and be so heard and where practicable be seen by, the other members in attendance;
- Hear, and where practicable see, and be so heard and where practicable be seen by any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- Be heard, and where practicable, be seen by any other members of the public attending the meeting.

### **Public Participation**

27. There is still a requirement to ensure that meetings are open to the public, however this now includes access by remote means, including video conferencing, live webcast and live interactive streaming. Where a meeting is accessible to the public through such remote means, the meeting is open to the public whether or not members of the public are able to attend the meeting in person.

28. The Council will endeavour to facilitate public access by live streaming meetings via the Council's YouTube account, save for meetings of the full council which will continue to be live streamed on the Council's Facebook page. Meetings will be made available to view on the Council's website, so that the public can observe the meetings as they take place.

29. Public inspection of any agenda items will be via the Council website only.

### **Arrangements for Confidential/Part II items of business**

30. The Council have arrangements in place which will enable Members to go into a private session that is entirely separate to the public meeting to enable such matters to be dealt with in private.

### **Moving or cancelling/rearrange remote meetings**

31. The Monitoring Officer may, following consultation with the Chair of the relevant remote meeting move or cancel or rearrange a remote meeting without further notice.

### **What decision(s) are being asked for? Why is this being recommended?**

32. That Members note the proposed changes to the Council Procedure Rules in order to facilitate remote meetings.

### **Other potential decisions and why these have not been recommended**

33. No other options were considered.

### **Impact(s) of recommended decision(s)**

34. Adoption of new interim Council procedure rules.

### **Legal**

35. The arrangements noted in the report enable the council to be compliant with its' legal obligations in respect of the Council's decision-making processes.

***Financial***

36. There are no financial implications arising from this report.

***Policy Framework***

37. The report will temporarily amend the Council's meeting Procedure Rules until May 2021 and may be subject to further review.

***Equality and Diversity***

38. Not applicable

***Risk***

39. It is important that the democratic process is followed. If the Council does not have adequate governance processes in place to ensure that it complies with all relevant legislation, it could result in a breach in governance requirements leading to (depending on the seriousness of the breach) fines, reputational damage, government intervention alongside failure to deliver organisational priorities.

**Actions to be taken to implement the decision(s)**

40. Adopt the necessary changes to the Council Procedure Rules when arranging and conducting meetings.

**Background papers**

41. 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

42. LLG & ADSO Remote Meetings Protocol and Procedure Rules

## **APPENDIX 2**

### **Council Procedure Rules / Standing Orders May 2020**

1. The revised Procedure Rules provide the means and guidance for the conduct of any meeting of the Council, and its various Committees and Sub-Committees.
2. This Protocol and Procedure Rules should be read in conjunction with the Council's Standing Orders and Procedure Rules within the Constitution. The Regulations, made under section 78 of the Coronavirus Act 2020, apply notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Authority governing meetings and remain valid until 7th May 2021. This means that, wherever there is a conflict, these Remote Meetings Procedure Rules take precedence in relation to any Council/remote meeting.

#### **Annual Council Meeting**

3. Following the cancellation of the local elections for those that were due, holding an Annual Meeting during what would have been the normal 2020/21 municipal year is now a matter of choice, and it is the Chair of the Council who can make that decision.
4. The Chair of the Council has decided that the Council AGM will be postponed until May 2021. The question of convening an AGM before that date will be reviewed on a regular basis taking into account matters including government guidance regarding social distancing as it develops, and the practicability of remote meetings in line with the above regulations.
5. There is still the possibility that some Members will call for an earlier Annual Meeting and if a request was received, this would be dealt with via a vote at an ordinary or extraordinary meeting.
6. It should be noted that, where an Annual Meeting is delayed, all appointments from the 2019 Annual Meeting continue.

#### **Change to Council Procedure Rules – Paragraph 2 – Annual Meeting of the Council**

7. No Requirement to Hold an Annual Meeting.
8. The requirement to hold an Annual Meeting is to be disregarded and, prior to 7th May 2021, an Annual Meeting of Council may only take place:
  - where called by the Chair; or
  - following a resolution calling for an Annual Meeting being passed at an ordinary or extraordinary meeting of Council.

#### **Member Attendance – 6 Month Rule**

9. A Member's attendance at a remote meeting will be recorded by Democratic Service as an attendance at a Council meeting where they comply with all of the following:

- They are able to hear and where practicable see and be similarly heard or seen by, the other members in attendance and any members of the public who are attending to exercise a right to speak at the meeting;
- They must also be able to be heard and, where practicable, be seen, by any other members of the public attending the meeting to observe. A member must therefore be able to fully engage with the meeting.

### **Notice of meeting and publication of agenda and papers**

10. The Monitoring Officer will, where possible give the requisite 5 working days' notice to the public of the time of the meeting, and the agenda, together with details of how to join the meeting which needs be available on the Council's website.
11. Members will be sent the summons to meeting by email and an electronic invitation in the form of a Outlook Calendar/ Webex meeting invitation and the agenda and associated papers will be available on the Council website and via the Committee management system 'eGenda'.
12. The 'place' at which the meeting is held has changed and may now be at a Council building or may be where the organiser of the meeting is located or may be an electronic or a digital or virtual location, a web address or a conference call telephone number; or could be a number of these combined. The meeting may also be held in a meeting room or Chamber with a proportion of the membership and any participating public additionally attending remotely.
13. All meetings will be run remotely where possible subject to subsequent government guidance and appropriate risk assessments.

### **Change to Council Procedure Rules – Paragraph 13 - Notice and Summons to meeting and Change to Access to Information Procedure Rules - Access to agenda and reports before the meeting**

14. For all purposes of the Constitution, the terms "notice", "summons", "agenda", "report", "written record" and "background papers" when referred to as being a document that is:
  - "open to inspection" shall include for these and all other purposes as being published on the website of the council; and
  - to be published, posted or made available at offices of the Authority shall include publication on the website of the Authority.

### **Remote Access to meetings**

15. Members and members of the press and public will be encouraged to use any video conferencing facilities provided by the Council to attend a meeting remotely.
16. If this is not possible, attendance may be through an audio link or by electronic means as referred to in Regulation 5(6) (c) of the Regulations.
17. Remote access for members of the public/press and elected Members (non-committee) who are wishing to observe but not participate in the meeting, will be provided through webcasting, live audio streaming, or others means. The Council is



using the Webex system for this purpose, and meetings will be live-streamed through the Council's You tube page.

18. If the technology fails for a wholly remote meeting, and the meeting is no longer open to the public, any decisions made could be challenged as unlawful.
19. It is important to note that the status of the public accessing the meeting by remote means, as described here, is different from the status of the public attending to exercise a right to speak. A technological failure removing the ability for the public to access the meeting by remote means renders the whole meeting incapable of proceeding (as described above).
20. A member of the public who attends to exercise their right to speak and is unable to do so may render only their item incapable of proceeding. Therefore, where a connection is lost the Chair may choose to defer the item to later time in the meeting until connection can be resumed, to another meeting date or to consider a written submission where appropriate.
21. **Change to Council Procedure Rules – Paragraph 13 - Notice and Summons to meeting and Change to Access to Information Procedure Rules – Rule 3 - Rights to attend the meeting**
22. For all purposes of the Constitution the term “meeting” is not limited in meaning to a meeting of persons all of whom, or any of whom, are present in the same place, for which purposes any reference to:
  - (a) “place” is to be interpreted as where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers: and
  - (b) “open to the public” includes access to the meeting being through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person; and
  - (c) If the Chair is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chair shall adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date fixed by the Chair. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

### **Management of Remote Meetings for Members**

23. Any Member participating in a meeting remotely, must when they are speaking, be able to be heard (and ideally seen) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other Members participating.

24. In addition, a remote participant must be able to be heard by, and in turn hear any members of the public entitled to attend the meeting and who exercise a right to speak at the meeting.
25. The Chair will normally confirm at the outset and at any reconvening of a committee or Executive meeting that they can see and hear all participating Members (this is unlikely to be practical for a meeting of full council). Any Member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can see and hear the proceedings and the other participants .
26. In any event the attendance of those members at the meeting will be monitored and recorded by the Democratic Services Officer.
27. The normal quorum of Members present requirements for meetings as set out in the Council's Constitution/Committee Terms of Reference will also apply to a remote meeting.
28. In the event of any apparent failure of the video, telephone or conferencing connection, the Chair should immediately determine if the meeting is still quorate:
- if it is, then the business of the meeting will continue; or
  - if there is no quorum, then the meeting shall adjourn for a period specified by the Chair, expected to be no more than ten or fifteen minutes, to allow the connection to be re-established.
29. Should any aspect of an individual's remote participation fail, the Chair may call a short adjournment of up to five minutes or so to determine whether the connection can quickly be re-established, either by video technology or telephone in the alternative. If the connection is not restored within that time, the meeting should continue to deal with the business whilst this happens, providing the meeting remains quorate and the public are able to hear.
30. In the event of connection failure, the remote Member(s) will be deemed to have left the meeting at the point of failure and if the connection cannot be re-established to those Member(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item/s.
31. If the connection is successfully re-established, then the remote Member(s) will be deemed to have returned at the point of re-establishment and the Member informed of any information they may have missed.
32. If a connection to a Member is lost during a regulatory meeting, the Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within a reasonable time, the meeting will proceed, but the Member who was disconnected will not be able to vote on the matter under discussion, as they would not have heard all the facts.

### **Change to Council Procedure Rules – Paragraph 16 - Quorum**

33. A Member in remote attendance is present and attends the meeting, including for the purposes of the meeting's quorum, if at any time all three of the following conditions are satisfied, those conditions being that the Member in remote attendance is able at that time:

- to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other Members in attendance.
- to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

34. A Member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in (a) above are not met. In such circumstance the Chair may, as they deem appropriate;

- adjourn the meeting for a short period to permit the conditions for remote attendance of a Member contained in (a) above to be re-established;
- count the number of Members in attendance for the purposes of the quorum; or
- continue to transact the remaining business of the meeting in the absence of the Member in remote attendance.

35. Regulation 5 (6)( a) stipulates that local authority may make other standing orders and any other rules of the authority governing the meeting including voting. This is covered under the meetings procedure (para 59).

### **Remote Attendance of the Public**

36. Any member of the public participating in a meeting remotely in exercise of their right to speak at Council or in regulatory or other meetings must meet the same criteria as members of the Council.

37. Members of the public attending a meeting remotely must, likewise, when they are speaking be able to be heard (and ideally be seen) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other members participating be so heard and, where practicable, be seen by any other members of the public attending the meeting.

38. Members of the public **entitled** to attend a meetings must provide advance notification of their wish to attend the meeting. For those items of business, an invitation to participate in the remote meeting will then be sent out in advance.

39. The Democratic Services Officer or technical officer (see below) will be able to mute the member of the public once they have spoken, and remove them from the remote meeting on the instruction of the Chair, in order to maintain the good administration of the meeting or to retain order.

40. A breakdown of the technology should not disadvantage the member of the public in remote attendance wherever possible.

### **Change to Council Procedure rules – Paragraph 40 - questions by the public; also amends any scheme for public participation in respect of planning, licensing and other committees.**

41. A member of the public entitled to attend the meeting in order to exercise a right to speak at the meeting is in remote attendance at any time if all three of the following

conditions are satisfied, those conditions being that the member of the public in remote attendance is able at that time:

- to hear, and where practicable see, and be so heard and, where practicable, be seen by, Members in attendance;
- to hear, and where practicable see, and be so heard and, where practicable, be seen by, any other members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

42. A member of the public in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in Standing Order 5A (a) above are not met. In such circumstance the Chair may, as he or she deems appropriate:

- adjourn the meeting for a short period to permit the conditions for remote attendance to be re-established;
- suspend consideration of the item of business in relation to the member of public's attendance until such time as a following item of business on the agenda has been transacted and the conditions for the member of the public's remote attendance have been re-established or, on confirmation that this cannot be done, before the end of the meeting, whichever is the earliest; or
- continue to transact the remaining business of the meeting in the absence of the member of the public in remote attendance.

## Meeting Protocol

43. For each meeting, the Council will utilise a meeting facilitator/technical officer. This will be a Democratic Services Officer and their role will be to control the video, telephone or conferencing technology employed for remote access and attendance and to administer the public and Member interaction, engagement and connections on the instruction of the Chair. In addition, a further Democratic Services Officer will be in attendance at each meeting to advise the Chair on procedural matters and to minute the meeting.

44. The Council has put in place a technological solution (Webex) that will enable Members participating in meetings remotely to indicate their wish to speak via this solution, replacing the physical practices or rules concerning raising one's hand or standing to be recognised or expressing a desire to speak.

45. To ensure meeting business flows smoothly it is important that committee Members advise Democratic Services if they have any apologies, declarations of interest or comments/ questions, in advance to the meeting. These should be submitted via email, **ideally not later than 1 working day prior to the meeting**, to [councilquestions@middlesbrough.gov.uk](mailto:councilquestions@middlesbrough.gov.uk) (stating which meeting the matter relates to). The Chair will invite Members who have submitted questions in advance to pose their question at the appropriate time in the meeting.

46. In respect of key committees and at Executive meetings, it will assist the meeting if those none committee Members who wish to speak on a particular item could indicate their wish to speak at the meeting to the Democratic Services Officer in 48 hours in advance of the meeting, to enable the Chairs permission being sought and an invitation to the meeting to be sent.

47. Political groups are also encouraged to co-ordinate this activity wherever possible in respect of full Council/Authority meetings and other meetings likely to result in a high number of requests to speak. This is particularly important if Members are unable to participate via video conference.
48. The Chair will follow the rules set out in the Constitution when determining who may speak, however the order and priority of speakers and the content and length of speeches will be at the Chair's discretion.
49. The Chair, at the beginning of the meeting, will explain the protocol for member and public participation and the rules of debate. The Chair's ruling during the debate will be final.
50. Members are asked to adhere to the following etiquette during remote attendance at a meeting:
- (a) Committee members are asked to join the meeting no later than fifteen minutes before the start to allow themselves and the meetings facilitator or Democratic Services Officers the opportunity to test the equipment;
  - (b) Any camera (video-feed) should show a non-descript background or, where possible, a virtual background and members should be careful to not allow exempt or confidential papers to be seen in the video-feed
  - (c) Type their name on joining the meeting in full, e.g., "Cllr Joanne Smith"
  - (d) All Members to have their video turned off and microphones muted when not talking
  - (e) Members can participate in the meeting speaking through the chair only, Members may also avail themselves of the remote chat process for requesting to be heard through the technical officer or the raise your hand function
  - (f) The chat facility must not be used for private conversations between Members
  - (g) Members will unmute their microphone and ensure their video camera is on when the Chair invites them to speak
  - (h) Only speak when invited to by the Chair
  - (i) Only one person may speak at any one time
  - (j) Turn on the microphone and also the video-feed then state your name before you make a comment. This enables those who are on audio only to also identify who is speaking
  - (k) When referring to a specific report, page, or slide, mention the report, page, or slide so that all members have a clear understanding of what is being discussed at all times
  - (l) Where confidential items are to be discussed, each Member in remote attendance must ensure that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings

- (m) Where members of the public are exercising speaking rights at the meeting via remote attendance, the Chair will as part of their introduction explain the procedure for their participation which will reflect those relevant elements of the above. Members of the public must adhere to this procedure otherwise they may be excluded from the meeting
- (n) In exercising their right to public participation a member of the public is entitled to express views positive or negative about the performance of the Council but must not say anything which is defamatory or discriminatory, make any personal attack on an officer or a Member or disclose confidential or exempt information including personal information

## **Quorum**

51. In the event of any apparent failure of the video, telephone or conferencing connection, the Chair will immediately determine if the meeting is still quorate. If it is, the business of the meeting will continue; or if there is no quorum the meeting shall adjourn for a period specified by the Chair, expected to be no more than ten or fifteen minutes, to allow the connection to be re-established.
52. Should the meeting become inquorate, the Chair will adjourn the meeting until a resolution can be found. Members will be advised of any resolution this by the Democratic Services Officer and Technical Officer.
53. If no resolution can be found the Democratic Services Officer and Technical Officer will call to advise you the meeting has had to be adjourned to another date, to be reconvened as soon as possible.

## **Observing Members**

54. All formal meetings will be live streamed through the Council's YouTube Channel and non-committee Members are welcome to observe proceedings via his route. As per normal procedure, observers wanting to participate in the meeting (e.g. asking questions) is at the discretion of the chair. If you wish to make representations at a virtual meeting you must advise Democratic Services via email using [councilquestions@middlesbrough.gov.uk](mailto:councilquestions@middlesbrough.gov.uk) at least 2 working days in advance of the meeting. This will enable the permission of the chair to be sought and an electronic invite to be sent.

## **Change to Council Procedure Rules – Paragraph 104 – 110 - Voting**

### **Remote Voting**

55. When the Chair is satisfied that there has been sufficient debate and (if the rules of the meeting require) there is a proposer and seconder for the item being discussed the Chair will progress to making a decision. Unless a Recorded Vote is called, the method of voting will be at the Chair's discretion and will be by one of the following methods:
- a vote by electronic means; or
  - an officer / chair calling out the name of each member present with:
  - members stating 'for', 'against', or 'abstain' to indicate their vote when their name is called
  - the Democratic Services Officer clearly stating the result of the vote and the Chair then moving onto the next agenda item

- a show of hands where all members in attendance and able to vote are visible by the general assent of the meeting

56. Details of how Members voted will not be kept or minuted unless a Recorded Vote is called. Where a Recorded Vote is requested the Chair will ask members in turn to signify verbally whether or not they support that request.

### **Declaration of Interests**

57. Declarations of Interest should be submitted to; [councilquestions@middlesbrough.gov.uk](mailto:councilquestions@middlesbrough.gov.uk) stating which meeting the declaration relates to, no later than 1 clear working day prior to the meeting. Declarations arising during the meeting can still be made through the Chair.

58. Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. Their departure will be confirmed by the Democratic Services Officer or technical officer, who will place the Member in the remote lobby for the duration of the item that the Member has an interest in. The technical officer will admit the Member back into the meeting once the item has been discussed and voted upon.

### **Changes to the Members Code of Conduct**

#### **Members excluded from the meeting**

59. Where a Member is required to leave the meeting, the means of remote attendance and access is to be severed whilst any discussion or vote takes place in respect of the item or items of business which the member or co-opted member may not participate.

60. Failure to adhere to Council Procedure Rules may be a breach of the Members' Code of Conduct.

#### **Exclusion of Press and Public**

61. There are times when Council meetings are not open to the public, when confidential, or "exempt" issues (as defined in Schedule 12A of the Local Government Act 1972) are under consideration. The Democratic Services Officer or technical officer will ensure that there are no members of the public in remote attendance or remotely accessing the meeting are able to hear or see the proceedings once the exclusion has been agreed by the meeting.

62. Any Member in remote attendance who failed to disclose that there were in fact persons present who were not so entitled would, be in breach of the Members' Code of Conduct responsibilities.

#### **Public Access to Meeting Documentation following the meeting**

63. Members of the public will access minutes, decision and other relevant documents through the Council's website.