

Report to	Democratic Services Committee
Date of meeting	2 October 2020
Lead Member / Officer	Richard Mainon (Lead Member for Corporate Services and Strategic Direction) Gary Williams (Head of Legal, HR and Democratic Services)
Report author	Gary Williams
Title	Recovery Plan for Democratic Arrangements

1. What is the report about

- 1.1. The report is about the recovery plan for the democratic arrangements of the Council

2. What is the reason for making this report?

- 2.1. To provide members of the committee with information relating to the reinstatement of democratic processes and give them an opportunity to examine and discuss the proposals.

3. What are the Recommendations?

- 3.1. That members consider and scrutinise the recovery plan for democratic arrangements as set out in this report and Appendix 1

4. Report details

- 4.1. The Coronavirus pandemic and the lockdown that began in March 2020 had an immediate impact on the way in which the Council was able to make decisions and conduct its democratic processes. The last meeting of a formal committee prior to lockdown was the Communities Scrutiny Committee on 12th March 2020. At that time there was no legal provision by which a formal meeting of any of the Council's committees could be held in a completely remote manner.

- 4.2. Members were informed that in the absence of the ability to hold formal meetings, the Council would be relying on emergency delegated powers provided by the law and our constitution to make urgent decisions on a business critical basis. Only two decisions were required to be made using this process.
- 4.3. The Welsh Government made regulations, the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020, (the Regulations) under powers granted to them by the Coronavirus Act 2020. The Regulations came into force on 22nd April 2020.
- 4.4. The Regulations temporarily changed the law relating to local authority meetings to make completely remote meetings permissible. They also removed the requirement to make meetings accessible to the public. The scale of the response to the pandemic meant that the Council's resources including staff, many of whom were redeployed into new roles, were focussed on the emergency response. It was decided that meetings would be reinstated on a business critical basis only in order that essential decisions could be made.
- 4.5. The Leader and Lead Member for Corporate Services and Strategic Direction were keen to ensure that all members and their political groups had the opportunity to be kept informed of progress with the emergency response and to comment upon and question Lead Members and Heads of Service on proposals that were being brought forward. In order to maintain engagement with elected members and to consult political groups on essential decisions, regular group leaders' meetings were held, on a weekly basis. In addition remote meeting facilities were provided to the political groups in order that they could meet to discuss relevant matters.
- 4.6. A gradual approach was taken to the reinstatement of formal meetings with the priority given to those meetings where business critical decisions were required to be made.
- 4.7. Cabinet had continued to meet on a regular informal basis prior to the commencement of the Regulations. Cabinet met formally by remote means on 26th May and has continued to meet formally on a monthly basis. Planning Committee met formally on 17th June and has continued to meet remotely since.

Corporate Governance and Audit Committee met on 8th July and has continued its scheduled meetings. In addition licensing hearings were resumed in August. The full suite of formal meetings resumed on 3rd September with a meeting of Communities Scrutiny Committee.

- 4.8. The remote meeting system used by the Council, Cisco Webex has provided a platform for these meetings to be conducted. The Council has been unable to conduct these meetings in public as it is required by the Welsh Language Standards to conduct all public meetings bilingually. The Webex system does not enable simultaneous translation. In order to provide some external observation of meetings the local democracy reporter has been invited to every formal meeting, as have representatives of Audit Wales.
- 4.9. The only system that can currently facilitate simultaneous translation is Zoom. Members may be familiar with this system through social use or meetings of other bodies. There have been some concerns expressed by government and IT professionals about the security of this system. Colleagues in the Council's ICT service have been working hard to overcome these issues. It had been hoped that meetings could be held bilingually and be webcast to the public from September by using Zoom. Some additional equipment required to be installed in the Council Chamber to facilitate this, however, on installation, engineers encountered unforeseen problems with other equipment that has to be replaced. This equipment will be installed in early October and it is envisaged that bilingual meetings can be broadcast by the end of October.
- 4.10. It is likely that the circumstances that have necessitated remote meetings will persist for some time. In order that members can operate as effectively as possible by remote means, they are being issued with laptops in order that they can participate in video meetings and refer to meeting papers on a second screen. Further training will be provided to members on this new equipment and the new meeting system.
- 4.11. The Council is as part of its recovery, looking at learning lessons from the way in which it has been able to work during the pandemic in order that some of the increased flexibility and responsiveness that has been required to be applied to its decision making processes are not lost. The Council is looking at how it will be operate in the future. Members are reminded that the ability for members to

be able to attend meetings remotely has been an objective of Welsh Government for some time. The Local Government and Elections (Wales) Bill, introduced prior to the pandemic, contained provisions which, if enacted, would make it compulsory for authorities to have facilities in place to enable remote attendance. The experience of the pandemic has demonstrated that remote meetings are possible and it is likely that legislation requiring facilities to hold remote meetings will be passed. This will in all likelihood result in hybrid meetings where some members are present at a physical location when circumstances permit and others attend remotely. This is likely to allow more people of working age, with caring responsibilities or disabilities to participate in local democracy. It would also result in less travel across our county which will support the Council's climate change agenda.

4.12. Members will have received a questionnaire recently asking for their opinions on the way in which remote meetings have worked for them during the pandemic and their suggestions for how these may be taken forward into the future. The results of this exercise will be considered by a working group of members.

4.13. Attached as Appendix 1 is a template recovery theme report for democratic arrangements which provides some greater detail in respect of the reinstatement of formal member meetings.

4.14. The Regulations enabled authorities to postpone their Annual General Meeting (AGM) in 2020 which this Council did. The Council must hold an AGM before the 31st December 2020. It is envisaged that the Council meeting scheduled for 13th October be this year's AGM. The Regulations further provided that authorities could decide not to hold elections for Chair and Vice Chair of Council at this year's AGM and could instead allow the current post-holders to continue in office until May 2021. It is suggested that the current Chair and Vice Chair of Council remain in office until May 2021 in order that the new Chair and Vice Chair have the opportunity to have a full year in office.

5. How does the decision contribute to the Corporate Priorities?

5.1. A fully functioning democratic process enabling decisions to be made in a robust and transparent manner with effective scrutiny is essential for the Council to be able to pursue its corporate priorities.

6. What will it cost and how will it affect other services?

6.1. The resumption of meetings by remote means has placed an increased burden on democratic and ICT staff in supporting individual meetings and members. There has been a cost of £17k with upgraded equipment in the Council Chamber and the purchase of laptops for members to be able to conduct meetings remotely at a cost of £28k

7. What are the main conclusions of the Well-being Impact Assessment?

7.1. An assessment is not required for this report.

8. What consultations have been carried out with Scrutiny and others?

8.1. Cabinet briefing and SLT have received a copy of the recovery theme template report. Chairs and Vice Chairs of Scrutiny have considered proposals for the resumption of Scrutiny meetings and their forward work programmes in the context of recovery.

9. Chief Finance Officer Statement

9.1. As stated in Section 6 there have been additional costs incurred in order to facilitate remote meetings. These costs have not been eligible for grant funding from Welsh Government as their view is that this investment should be occurring anyway. It is hoped the spend can be kept within existing resources. Any service overspends at year end, as in every year, will be funded in year through underspends elsewhere or ultimately drawing down from Unearmarked Reserves. The overall position is reported monthly to Cabinet.

10. What risks are there and is there anything we can do to reduce them?

10.1. There is a risk that remote meetings are more resource intensive in terms of democratic services and ICT support. This can be mitigated by member training in the operation of the relevant system. There is a risk that technology failure such as loss of internet connection may cause proceedings to be interrupted. The risk of not implementing remote meeting measures in the current circumstances is that decisions would have to be made without the regular democratic oversight and challenge which is the hallmark of good governance.

11. Power to make the decision

11.1. No decision is required.