

Addendum: Remote meetings in the context of Covid-19

The Coronavirus Act 2020 made provisions to allow council business to continue in the context of the Covid-19 pandemic in which personal attendance at meetings risked the spread of the virus. The following provisions in this section apply where the council is legally permitted to hold remote meetings. They override any other provisions in this constitution which would in other circumstances have prevented remote meetings.

1. No requirement to hold an annual meeting

The requirement to hold an annual meeting is to be disregarded and, prior to 7 May 2021, an annual meeting of council may only take place:

- (a) where called by the Mayor; or
- (b) following a resolution calling for an annual meeting being passed at an ordinary or extraordinary meeting of council assembly.

2. Access to Information

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:

- (a) “open to inspection” shall include for these and all other purposes as being published on the website of the Council; and
- (b) to be published, posted or made available at offices of the Council shall include publication on the Council’s website.

3. Remote Access to Meetings

- (a) 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:
 - (i) “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
 - (ii) “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
- (b) If the Chair is made aware that a meeting is not accessible to the public through remote means at any time when it is legally required to be accessible to the public, 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.

4. Members in Remote Attendance

- (a) 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:

- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance.
 - (ii) 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
 - (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- (b) 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 4(a) above are not met. In such circumstance the Chair may, as they deem appropriate:
- (i) adjourn the meeting for a short period to permit the conditions for remote attendance of a Member contained in 4(a) above to be re-established;
 - (ii) count the number of Members in attendance for the purposes of the quorum; or
 - (iii) continue to transact the remaining business of the meeting in the absence of the Member in remote attendance.

5. Remote attendance by members of the public

- (a) 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:
- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, members in attendance;
 - (ii) 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
 - (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- (b) 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 5(a) above are not met. In such circumstance the Chair may, as he or she deems appropriate:
- (i) adjourn the meeting for a short period to permit the conditions for remote attendance contained in 5(a) above to be re-established;
 - (ii) 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

- (iii) continue to transact the remaining business of the meeting in the absence of the member of the public in remote attendance.

6. Remote Voting

Unless a recorded vote is demanded, which may be confirmed by the requisite number of members confirming the demand verbally when requested by the chair, the chair will take the vote, where there are such facilities, by use of an electronic voting system for remote voting.

Where there is no electronic voting system available, it is not working correctly, or by the agreement of the meeting, then the vote may be taken by the affirmation of the meeting if there is no dissent.

Alternatively the chair may take the vote by roll-call and the number of votes for and against the motion or amendment and abstaining from voting will be recorded.

7. Members excluded from the meeting

Where a member is required to leave the meeting, the member's camera will be turned off and microphone will be muted 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.