

From: Ben Watts, General Counsel

To: **Selection and Member Services Committee – 19 November 2020**

Subject: Meetings Update

Classification: **Unrestricted**

1. Introduction

- a) At the last meeting of the Selection and Member Services Committee, I provided an update to Members on our approach to managing formal meetings within Kent County Council.
- b) The key points I made at that meeting still apply:
 - a. The operating environment is not stable and subject to change at short notice.
 - b. The Council is bound by statutory regulations and health and safety obligations.
 - c. Meetings need to comply with the statutory rules in place at the time of the meeting.
 - d. Resources are limited (including staffing resources) and Members need to determine what is important within these resources.
 - e. The Council has successfully established virtual meetings and has procedures in place to ensure that they are conducted safely and lawfully.
- c) The biggest change since the last meeting has been the introduction of a new lockdown across England. The Health Protection (Coronavirus, Restrictions) (England) (No.4) Regulations 2020 came into force on 5 November and will expire after 28 days. However, there is provision for this to be extended.
- d) Similarly, since the last meeting, case numbers across the County have increased and Members will have seen the presentation by the Director of Public Health at Cabinet on 9 November 2020. At the time of publication, we do not know what the arrangements will be across Kent in terms of local or national lockdowns upon the expiry of the current national lockdown.
- e) As many Members have rightly observed, the regulations allowing formal meetings to be held virtually only apply to meetings held before 7 May 2021 (SI 2020 392). I understand that the Government is actively considering extending these regulations, or making new ones, to allow formal meetings to be held virtually after this date. Given the imminent elections and pressure on my service, it is vital to have clarification on this as soon as is practicable.

2. Meeting Arrangements Going Forwards

- a) Within the context set out above, there is a need above all to have an environment which allows Members and Officers to carry out the business of the Council in a way that is both safe and legal. This also needs to be a way that Committee guests can participate, and the public can view meetings, safely and with confidence. In my view, the current arrangements we have in place do provide this.
- b) Therefore, for these reasons, and to provide certainty around future planning, I am proposing to continue the current arrangements for formal meetings to be conducted virtually for the remainder of the municipal year as allowed by the regulations.
- c) This will be kept under review as the situation develops. A decision about meetings in the period following the election next year will be made in due course and will in part be determined by the regulations governing meetings that are in place at the time.
- d) In an effort to expedite matters and in addition to discussions that are taking place between professional associations (Lawyers in Local Government, Association of Democratic Services Officers and LGA) and Government, I would like to write to Government. I am aware that Members have different views about virtual meetings and the regulations that may follow and so would like to reflect on that ahead of my writing to Government.

3. Recommendation:

That the Selection and Member Services Committee:

- a. discuss and agree with the proposals for meeting arrangements going forward set out in Section 2 of this report; and**
- b. ask that the Monitoring Officer write to the Ministry of Housing, Communities and Local Government seeking clarification on their plans for extending the regulations allowing virtual meetings.**

4. Background Documents

None.

5. Contact details

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