From: Ben Watts, General Counsel

To: Selection and Member Services, 13 December 2024

Subject: Remote Attendance and Proxy Voting: Government Consultation

Status: Unrestricted

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1. Introduction

a) On 24 October 2024, the Ministry of Housing, Communities and Local Government opened a consultation on "Enabling remote attendance and proxy voting at local authority meetings." This runs until the end of 19 December 2024.

b) The formal questions of the consultation are set out in the Appendix.

c) It is undoubtedly the case that there are diverse Member views in relation to the way in which these questions might be answered and in relation to remote/virtual attendance at meetings.

2. The Consultation

a) The consultation covers some of the same ground as the "Local authority remote meetings: call for evidence" held by the previous government in March to June 2021. On remote attendance, the government consultation page says the following:

   a. The government intends to legislate to give local authorities the flexibility to allow elected members to attend formal council meetings remotely. We believe that this modernising measure of providing broad flexibility to enable remote attendance will have the dual positive impacts of diversifying the representation of those willing and able to stand for elected office and enhance the resilience of local authorities in the face of local or national emergencies.
   b. The intent is that this legislative change would give local authorities the flexibility to allow members to attend remotely.[1]

b) In addition, the current consultation also asks about proxy voting. The government consultation page sets out the following on this subject.

   a. Proxy voting is a form of voting whereby a member of a decision-making body may delegate their voting power to another representative to enable a vote in their absence.
   b. It is possible some members may find that, due to their personal circumstances, they are temporarily unable to participate in meetings even if remote attendance provisions are in place. Provisions for proxy voting could

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[1] [Enabling remote attendance and proxy voting at local authority meetings - GOV.UK](#)

provide additional flexibility to those who really need it on a time-limited basis, allowing affected members to indirectly exercise their democratic duty, participate in their local authority's governance, and ensure that their views are taken into consideration. In the context of local authorities, the representative would have to be another elected member of the local authority.[2]

c) The Council response to the previous consultation is set out in the papers for the meeting of this Committee, 1 July 2021[3]. The approach taken at the time, in common with many authorities, was to support local authorities having the flexibility to allow remote meetings across the board, in limited cases, or not at all. Ultimately, the Council's position at that time and the Officer advice is for Kent County Council Members to determine the appropriate arrangements locally as opposed to being mandated from central government.

d) Following the consultation, were flexibilities around remote attendance or proxy voting to be introduced, the appropriate legal / governance advice would be provided on the options then available to the Council, along with any relevant risks.

3. Recommendation

The Selection and Member Services Committee is asked to:

a) Note the report;
b) Agree the key points for a response to the government consultation;
c) Delegate to the Monitoring Officer the submission of the response to the Consultation.

4. Background Documents

None.

5. Report Author and Relevant Director

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[2] Ibid.
[3] Agenda for Selection and Member Services Committee on Thursday, 1st July, 2021, 2.30 pm