

CYNGOR GWYNEDD



Date of meeting:	2 December, 2021
Title:	Local Government and Elections (Wales) 2021
Purpose:	To approve the arrangements for future Council meetings to address the new requirements in Part 3 of the Local Government and Elections (Wales) Act 2021.
Recommendation by:	Councillor Anne Lloyd Jones, Chair of Democracy Services Committee
Cabinet Member:	Councillor Nia Jeffreys
Contact Officers:	Geraint Owen, Head of Democracy Services and Iwan Evans, Monitoring Officer

Report to Full Council meeting

1. THE DECISION SOUGHT

It is recommended that the Full Council

- **Adopt the arrangements for future Council meetings in accordance to the principles noted in paragraph 9 of the report, with meetings of the Full Council, Planning Committee and scrutiny Committees held from a location (hybrid) with the remainder remaining virtual meetings.**
- **Confirm the responsibility of implementing a start date to the Head of Democracy Services in consultation with the Monitoring Officer, Chair of Democracy Services Committee and Council Chair, following the lifting of the current restrictions.**

2. BACKGROUND AND REASON

Background.

1. Part 3 of the Local Government and Elections (Wales) Act 2021
 - Allows for remote access for participants in formal democratic meetings.

- Permits formal democratic meetings to be held at a location or virtually with public access to committees via electronic arrangements
 - Places expectations to publish our arrangements for holding formal democratic meetings
 - Places expectations to Web-cast democratic meetings (regulations are expected which will establish the range of requirement).
2. Several reports have been submitted on various elements already, and the Full Council has adopted the interim arrangements at its meeting on 8 July 2021. An update was submitted to the Full Council meeting on 7 October outlining the practical arrangements (adapting the chambers in order to hold hybrid meetings) and the other steps that need to be achieved in order to proceed with the work.
 3. The report on 7 October noted the need to establish a Committees Framework which would outline which meetings will continue to be held virtually and which meetings will be held at a location a a hybrid meeting.

Meetings and Committees Operating framework.

4. We are reminded in the document 'Interim Statutory Guidance on Multi-location Meetings' published by Welsh Government in May 2021 that the general purpose of amending the act to allow remote access was "... to achieve greater accessibility and improved public participation in local government." It also states that "The convenience of participants and the efficient operation of relevant authorities themselves is important but the needs of the public will come first when these decisions are being made." Any arrangements established will have to meet the requirements contained in the statutory guidance.
5. Deciding on the arrangements to be established is a matter of discretion. The statutory guidance outlines the considerations to be evaluated in order to draw a conclusion. Local democracy and the requirements of the public are fundamental and leading considerations in deciding on arrangements. The framework is also based on the basic principles established by the Democracy Services Committee, which can be seen in the table below.

Meetings and Committees Operating Framework Principles

- ✓ We need to build on the success of the virtual meetings which have been held over the past eighteen months.
- ✓ We need to continue to ensure that our Democracy arrangements are transparent for the people of Gwynedd and open for all.
- ✓ We should strive to hold most meetings virtually in order to:
 - Contribute to the carbon reduction agenda by reducing travelling for Councillors and Officers, particularly as the Council has declared a climate emergency.
 - Promote diversity in Democracy by encouraging the flexibility of remote access to virtual meetings and thereby attracting more people who work and young parents
 - Use Councillors' and Officers' time more sensibly by reducing travelling requirements
 - Reduce travelling costs
 - Promote positive behaviour and participation

What is being proposed?

6. A Framework for the Council's formal meetings is submitted in accordance with the requirements of the Act. It is probably sensible to develop an internal framework noting expectations for other meetings of which Councillors are a part, such as internal meetings, regional and national meetings and training in the future.
7. As already noted, the requirements of the Act mean that meetings may be held entirely virtually or by providing remote access where a specific location such as the Chamber has been identified (namely a hybrid meeting).
8. It is important that we do not slip back to the old arrangements because of custom and lose sight of the principles noted above. It is also important to remember our success over the past eighteen months. We have managed to hold every committee effectively, virtually, in both languages, and are now web-casting many of them.

This is our opportunity as a Council to innovate and set sustainable operating expectations for the future.

9. In order to develop the framework on robust foundations, the Democracy Services Committee supported the simple principle as follows:

- a) **to hold formal committee meetings virtually wherever possible.**
- b) **to hold hybrid meetings when there is a high level of public interest.**

10. Members will remember that the basis for selecting the committee meetings to be web-cast were the meetings of highest public interest. The Full Council, Cabinet and Planning Committee meetings were identified originally, with web-casting arrangements later extended to Scrutiny Committee also. It is recommended that the same arrangements be followed to identify the committees that are to be held as hybrid.
11. It is a matter for the Cabinet to decide upon its own arrangements. The Cabinet have already established that their meetings will be held at a location in the future, being the “hybrid” arrangements. The basis for the allocation is in accordance to that noted, with the discussions and decisions in the meetings identified being of high public interest.
12. Holding the meetings at locations, along with webcasting provides the fullest range of opportunities to gain access to discussions. It will also be noted that the draft report recommends for a range of committees to be held through virtual meetings only. Therefore, as a Meetings Framework, it reflects the aims of the Well-being of Future Generations Act (Wales) 2015.
13. A table outlining the impact of the recommendation on a committee by committee basis can be seen in **Appendix A**. It is recognised that there would be exceptions to the arrangements, such as the first meetings following elections. Also, it will be necessary to review our arrangements within a reasonable time-frame.
14. Where meetings are held as hybrid, it is recommended that Councillors seriously consider whether they have to travel to the location, bearing in mind that the circumstances in the chambers and offices will not be the same as they were previously.

Access to the Public

15. Alongside the above arrangements, it is necessary to ensure and state how we intend to ensure access to the public to our committees. For virtual committees, public access will be provided by watching the web-cast or by contacting to gain alternative access. Details will be provided on the front of the agenda as currently happens.
16. For hybrid meetings, where a specific location is noted, the public will be able to gain access to the back of the chamber. If the meeting is also web-cast, public access will also be provided via the web-cast.

Equality Act 2010

17. The Council is subject to a duty under the 2010 Equality Act to give due attention to the need to remove illegal discrimination, harassment and oppression, along with any other behaviours prohibited under the provisions of the Act. In addition, there is a need to increase equal opportunities and foster good relationships between those with protected characteristics and those who do not have protected characteristics (the General Equality Duty). In accordance with the requirement in Wales, and in order to address this duty, an Equality Impact Assessment has been prepared and updated for hybrid meetings. It is appended in **Appendix B** and did not find impacts which would lead to changing the recommendation.

Consultations

18. We have listened to the observations which have been offered by you as Councillors in various meetings and in response to the recent questionnaire. It is fair to conclude that there are 75 different responses from you as Councillors for the ideal situation in the future when discussing individual committees, with everyone considering their own personal situation.
19. We have also received observations from the people of Gwynedd. At the Planning Committee, observations were received stating that the current arrangements allowing people to attend virtually or record a video clip to be played at the committee are an improvement on the previous arrangements as they are more convenient for the people of Gwynedd. On the contrary, others have expressed their frustration in watching meetings via web-cast only as it does not offer the same experience as attending the public gallery in a chamber as Members are not as aware of the presence of the public when reaching decisions.
20. Whilst the framework seeks to respond to the main messages which have been voiced in recent months, the emphasis is on ensuring a sustainable framework for

the future, whoever will be elected as Councillors after May 2022, based on the above principles and the statutory guidance.

Timetable

21. As reported to the full Council meeting on 7 October 2021, the above is one element of the work of preparing for future meetings. As well as developing a local Meetings Framework (which will be recommended to the full Council on 2 December 2021) it is necessary to continue with the technological and practical developments, all of which are subject to the Government's guidelines in relation to coronavirus.
22. A robust technical infrastructure is needed in order to ensure the success of the hybrid arrangements. The chambers have been upgraded since the end of September this year, but we have come across a few minor obstacles during testing. We are currently working with the company to try to overcome these obstacles as soon as possible. In addition, we must ensure that participants are able to take part fully in proceedings whichever way they attend the meeting. We must also ensure that the Cabinet's arrangements for making decisions are robust in order to ensure the public's confidence in our democracy arrangements.
23. Furthermore, we presume that participating in a hybrid meeting, and particularly chairing a hybrid meeting, will be a very different experience and will require different and new skills. It will be necessary to identify good practice for chairing such meetings and offer training for Councillors.
24. In addition, there is currently no change to Welsh Government's guidelines that everyone should continue to work from home wherever possible; therefore, the recommendation does not propose implementing the arrangements until those guidelines allow this.
25. As a result of the above, it is impossible to give a start date for the new arrangements. If the recommendation is approved, we will report further in order to state formally when it is possible for the new arrangements to come into force.
26. Members of the Democracy Services Committee have discussed the principles for the committee framework and present the arrangements to be adopted by the Full Council.

3. ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

- 3.1 The Democracy Services Committee was consulted on the framework at their meeting on 16/11/2021. In addition, as the arrangements for Cabinet meetings

are separate, the Cabinet decided on their arrangements at their meeting on 09/11/2021.

3.2 VIEWS OF THE STATUTORY OFFICERS:

The Monitoring Officer:

I have contributed to the report and therefore have no further comments with regards to propriety.

Head of Finance:

Appropriate resources have been prioritised in order to ensure that suitable support will be in place for hybrid working by the relevant meetings, if that is the decision of the Council.

APPENDICES:

Appendix A - Committee Framework for the future

Appendix B - Equality Impact Assessment

APPENDIX A

Committee Framework for the Future

Type of meeting	Committees in question
Hybrid	<ul style="list-style-type: none">• Full Council• Cabinet• Planning• Scrutiny
Virtually only	<ul style="list-style-type: none">• Democratic Services Committee• Audit and Governance Committee• Standards Committee• Language Committee• SACRE• Local Joint Consultative Committee• Pensions Committee• Chief Officers Appointment Committee *• Central/General Licensing Committee (and the Central and General Licensing Sub-committees)• Joint Planning Policy Committee• Any sub-committee
Possible exceptions	<p>Employment Appeals Committee (dependent on the individual's request).</p> <p>Chief Officers Appointment Committee - consideration when interviews are held - virtual otherwise</p> <p>Committees and Sub-Committees where quasi-judicial hearings are held</p>

Porthmadog/Pwllheli/Aberdyfi/Barmouth Harbour Consultative Committees will be considered at a later date.