

# CYNGOR GWYNEDD



<b>Date of meeting:</b>	8 July, 2021
<b>Title of Item:</b>	Local Government and Elections (Wales) Act 2021
<b>Purpose:</b>	Approve arrangements for Council committees and address the new requirements in Part 3 of the Act.
<b>Cabinet Member:</b>	Councillor Nia Jeffreys
<b>Contact Officers:</b>	Geraint Owen, Head of Democracy Services and Iwan Evans, Monitoring Officer

## Report to meeting of Gwynedd Council

### 1. DECISION SOUGHT

It is recommended that the Full Council

1. adopts the arrangements and protocol to continue with virtual meetings until arrangements are revised as noted in the report.
2. Approve the Amendments to the Constitution in Appendix B

### 2. BACKGROUND AND REASONS

#### Foreword

1. A report on the Local Government and Elections (Wales) Act 2021 was presented to Full Council in March 2021. Section 47 of the Local Government and Elections (Wales) Act 2021 establishes arrangements which allows for remote attendance by members. The Council is required to adopt and publish arrangements. The relevant part of the work programme can be seen in Appendix A.

#### Access to the public

2. The access rights of the press and public to Cabinet meetings is a basic statutory principle in Local Government Legislation. Previously, this was based on ensuring access to the press and public to the room/chamber where the meeting was held

(excluding Exempt matters). It must be noted, although the principles are almost identical, the Cabinet arrangements are in a specific, separate system

3. Section 3 of the Local Government and Elections (Wales) Act 2021, adapts this legislation by allowing the Authority to hold meetings virtually, i.e. that the access to the press and public is provided virtually. This could be via webcasting at the meeting, but it could be via other electronic methods, which allow them to speak to hear and see the meeting. Therefore, where a meeting is held wholly through the virtual method, rather than stating the time and location of the meeting on the front of the agenda, it must be stated clearly how access can be gained to the meeting.

### **Holding a meeting**

4. In accordance to Section 47 of the Act, the Council must adopt and publish arrangements with provision to enable meetings to be held with people who are not all at the same location. Such a meeting could be held purely virtually or as a hybrid meeting which is held at a specific location with provision for remote attendance. Although a meeting can be held purely in a specific location, remote attendance for attendees must be provided for. The term 'hybrid' is used for these types of meetings, and it is envisaged that they will be a normal occurrence in the future.
5. This provision has been in place since 1 May this year. As part of the work, the Authority is requested to adopt and publish its arrangements for delivering these requirements, and re-publishing if changes arise.
6. At present, we continue to hold virtual meetings only. A specific project has been established to develop the necessary technology in order to offer hybrid meetings - meetings that allow for remote access and at a specific location. These developments are progressing. It will be necessary to ensure that the provision is technically easy to use and responds to the requirements of bilingualism, voting matters, webcasting, etc
7. This is also subject to Coronavirus regulations that apply to our decisions regarding attending offices.

### **Equality Act 2010**

8. The Council is subject to its duty under the 2010 Equality Act to give due attention to the need to remove unlawful 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. It is included in appendix Ch, and has identified no impact which would change the recommendation.
9. Therefore, in response to the above requirements, it is suggested that temporary arrangements should be established and published, whilst the above developmental

work is done. The arrangements will need to be reviewed regularly. A further report on developments will be presented to the Full Council meeting in October 2021.

10. The policy includes two options to enable Access to the public in the short-term:
  - Live webcasting
  - Sharing a link for the meeting that will be held as a webinar.

### **Constitution**

11. It is unavoidable that these legal changes lead to adaptations in the constitution to reflect and comply with the new legal rights which exist.
12. This will include:
  - Changing the definition of Quorum in order to address remote attendance
  - Amending rights of access to the press and public in order to acknowledge the new electronic context and the alternative statutory arrangements
13. The changes are reported in Appendix B.

### **Interim Arrangements**

14. Gwynedd Council Cabinet meetings will continue to hold virtual meetings only during the period from May 2021 onwards, until noted otherwise. Meanwhile, we will continue to develop our arrangements for holding hybrid meetings and ensure safety in returning to the chambers. We will review the situation regularly.
15. In order to ensure public access to view and hear the discussions we will web-cast the following meetings live:
  - Full Council
  - Cabinet
  - Planning Meetings
16. For other committees – a note on the front of the programme will explain that the meeting is a virtual meeting, with members of the public able to access to view the webinar through the relevant link or other means noted on the programme.
17. A further report on the technical developments for hybrid meetings will be presented to the Full Council yn October 2021. In the meantime, the Head of Democracy Services, in consultation with the Chair of individual committees, will be able to agree to hold a pilot of any prospective arrangements.
18. Note that the protocol for virtual meetings has been included in Appendix C of the report and is an integral part of the arrangements.

### **3. ANY CONSULTATIONS HELD PRIOR TO RECOMMENDATION**

- 3.1 A report was presented on the interim arrangements to The Democracy Services Committee for consultation on 29/06/2021. In addition, as their arrangements are separate, a report was presented to the Cabinet on 06/07/2021.

#### **3.1 VIEWS OF THE STATUTORY OFFICERS:**

##### **The Monitoring Officer:**

Co-author of the report.

##### **Head of Finance:**

Nothing to add from the perspective of financial propriety.

#### **APPENDIX**

- Appendix A - Work programme
- Appendix B – Amendments to the Constitution relevant to the Cabinet
- Appendix C – Protocol for Virtual meetings
- Appendix Ch - Equality Impact Assessment

