

Virtual Meetings Procedure Rules

1. Introduction

- 1.1 These Procedure Rules have been made by the Monitoring Officer in accordance with the provisions in the Council's Constitution to provide the means and guidance for the conduct of virtual meetings of the Cherwell District Council and its committees, held under the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 ('the Regulations').
- 1.2 The Procedure Rules should be read in conjunction with the Standing Orders and Procedure Rules within the Shadow Authority's Constitution. The Regulations, made under section 78 of the Coronavirus Act 2020, apply notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Authority governing meetings and remain valid until 7 May 2021. This means that, wherever there is a conflict, these Virtual Meetings Procedure Rules take precedence in relation to any remote meeting.
- 1.3 The effect of the Regulations on the Authority's Constitution is to insert what are, in effect, mandatory standing orders for those authorities that wish to hold meetings virtually, either wholly or partially.
- 1.4 In these Procedure Rules the words Meeting, Committee and Sub Committee mean meetings formally constituted under the Local Government Act 1972 as amended.
- 1.5 Attached as an annex to these Procedure Rules is a protocol for Members on the running of meetings where there is virtual attendance.

2. General

- 2.1 A virtual meeting is a meeting of the Council, Cabinet, Committee or Sub-committee of the Council held by remote access and where virtual attendance by Members of the Council is by way of MS Teams Live Event or such other platform as provided.
- 2.2 Attendance of the public and public address at virtual meetings open to the public will be via MS Teams Live Event or such other platform provided.
- 2.3 The Council, Executive and all Committees of the Council may hold all such virtual meetings that are deemed necessary and where such meetings are held these rules of procedure shall apply.

3. Annual Meeting of the Council

- 3.1 The Annual Meeting of the Council will not be held in May and appointments to the Chairman, Deputy Chairman of the Council and appointments to other Committees will remain the same until the Annual meeting is held or until such time as the Council determines.

4. Notice of and Summons to the Meeting

- 4.1 The Proper Officer will give notice to the public of the time and place of any meeting, the agenda and details of how to view the meeting by publication of the details on the website.
- 4.2 At least five clear days before a meeting, the Proper Officer will send a summons by electronic mail to every member of the Council. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.
- 4.3 The Proper Officer may call an urgent virtual meeting without notice. The reasons for calling an urgent virtual meeting shall be clearly stated at the beginning of the urgent virtual meeting.
- 4.4 The Proper Officer may, following consultation with the Chair of the relevant committee, move or cancel a virtual meeting without notice.

5. Access to Virtual Meetings

- 5.1 Press and members of the public will be able to access virtual meetings using a link that will be made available on the website in advance of the meeting.
- 5.2 The press and members of the public will not be able to access those parts of the meeting where exempt or confidential information is being considered.

6. Management of Remote Participation

- 6.1 Any Councillor participating in a virtual meeting must, when they are speaking, be able to be heard (and ideally seen) by all other Councillors in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other Councillors participating.
- 6.2 In addition, a virtual participant must be able to be heard by, and in turn hear any members of the public entitled to attend the meeting and who exercise a right to speak at the meeting.
- 6.3 The attendance of those members at the meeting will be recorded by the Democratic Services Officer.

- 6.4 The normal quorum requirements for meetings as set out in the Authority's Constitution will also apply to a remote meeting.
- 6.5 In the event of any apparent failure of the video, telephone or conferencing connection, the Chairman should immediately determine if the meeting is still quorate:
- if it is, then the business of the meeting will continue; or
 - if there is no quorum, then the meeting shall adjourn for a period specified by the Chairman to allow the connection to be re-established.
- 6.6 If the meeting was due to determine an urgent matter or one which is time-limited and it has not been possible to continue because of technical difficulties, the Chief Executive, in consultation with the Monitoring Officer and where appropriate, the relevant Lead Member, shall explore such other means of taking the decision as may be permitted by the Council's Constitution.
- 6.7 Should any aspect of an individual's remote participation fail, the Chairman may call a short adjournment of up to five minutes to determine whether the connection can quickly be re-established, either by video technology or telephone in the alternative (this is unlikely to be practical for a meeting of the full council). If the connection is not restored within that time, the meeting shall continue to deal with the business whilst this happens providing the meeting remains quorate and the public are able to hear.
- 6.8 In the event of connection failure, the Councillor(s) will be deemed to have left the meeting at the point of failure and if the connection cannot be re-established to those Councillor(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item(s) of business. If the connection is successfully re-established, then the Councillor(s) will be deemed to have returned at the point of re-establishment.
- 6.9 In order to maintain good administration of the meeting, Members are encouraged to notify the Democratic Services Officer if they wish to speak on a particular agenda item. Members who have not given notification will still be able to speak on an agenda item in accordance with the rules of debate.
- 6.10 Etiquette at the meeting is set out in the Protocol, which is an Annex to these Procedure Rules.

7. Public Participation at Virtual Meetings

- 7.1 Any member of the public who has been given permission by the Chairman to address a meeting in accordance with the Council's Rules of Procedure must meet the same criteria as Councillors. Members of the public attending a meeting remotely must, when they are speaking, be able to be heard (and ideally seen) by Councillors in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other members participating.

- 7.2 Requests to address a meeting and the submission of petitions will be determined in accordance with the Meeting Procedure Rules (Part 2 of the Constitution) and, in the case of requests to address Planning Committee, the Planning Committee Procedure Rules, (Part 2.6 of the Constitution). In such instances, an invitation to participate in the remote technology will be sent out.
- 7.3 In advance of the meeting, every effort will be made to facilitate a Member of the public joining the virtual meeting to address the meeting directly. If this will not be possible, members of the public who wish to address the meeting may submit a written statement that can be read out by the Chairman at the appropriate time. The written statement must be submitted to the Democratic Services Officer by noon on the day of the meeting.
- 7.4 The member of the public will only join the meeting for the item they will be addressing the meeting on and should leave the meeting at the conclusion of their address. The Democratic Services Officer will be able to remove the member of public them from the virtual meeting, in order to maintain the good administration of the meeting or to retain order.
- 7.5 A breakdown of the technology should not disadvantage the member of the public in virtual attendance wherever possible.

8 Motions And Questions at Full Council

- 8.1 The arrangements for motions and written questions will be in accordance with the Meeting Procedure Rules (Part 2 of the Constitution). In order to maintain good administration of the meeting, Members are encouraged to notify the Democratic Services Officer if they wish to speak on a motion. Members who have not given notification will still be able to speak on a motion in accordance with the rules of debate.
- 8.2 If a Member wishes to ask a question to the Leader (including on the minutes of Executive) or a Committee Chairman on the minutes, they must notify the Democratic and Elections Team by noon on the day of the meeting they wish to do so. It is not required for the topic to be notified. No questions without notice will be permitted at a meeting of Full Council.

9 Voting

- 9.1 At a meeting using virtual meeting technology any matter will be decided by a clear majority of those in attendance, physically or virtually.
- 9.2 When the Chairman is satisfied that there has been sufficient debate, the meeting will move to the vote. Unless a Recorded Vote is requested, the method of voting will be at the Chairman's discretion and will be by one of the following methods:
- a vote by electronic means; or
 - an officer calling out the name of each member present with:

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- members stating 'for', 'against', or 'abstain' to indicate their vote when their name is called
- the Democratic Services Officer clearly stating the result of the vote and the Chairman then moving onto the next agenda item
- by the general assent of the meeting.

10. Review

- 10.1 These rules will be kept under regular review and updated as necessary by the Monitoring Officer.