



You can view the agenda on the [website](#)  
or use a smart phone camera and scan the code

---

To: The Chair and Members  
of the Procedures  
Committee

County Hall  
Topsham Road  
Exeter  
Devon  
EX2 4QD

---

Date: 7 September 2020

Contact: Karen Strahan 01392 382264

Email: [karen.strahan@devon.gov.uk](mailto:karen.strahan@devon.gov.uk)

### **PROCEDURES COMMITTEE**

Tuesday, 15th September, 2020

A Virtual Meeting of the Procedures Committee is to be held on the above date at 10.30 am to consider the following matters. To view and watch the meeting, the link will appear on the agenda webpage for the meeting.

Phil Norrey  
Chief Executive

## **A G E N D A**

### **PART I - OPEN COMMITTEE**

1 Apologies for absence

2 Minutes

Minutes of the meeting held on 4 February 2020.

3 Items requiring urgent attention

Items which in the opinion of the Chair should be considered at the meeting as a matter of urgency.

## **MATTERS FOR DECISION**

### 4 Locality Budgets - Elections

As has been the case prior to previous quadrennial elections, the Committee may wish to give some thought to the arrangements for the use of locality budgets in the period immediately prior to County Council elections and now rather than in the more febrile atmosphere preceding the election period itself.

**RECOMMENDATION** that, recognising the need for Members to exercise caution in the use of their locality budgets in the period leading up to the County Council elections on the 6 May 2021, Members be authorised to initiate the allocation of any monies from 2020/21 or likely to be carried forward into 2021/22 to be approved under the normal arrangements by no later than 5 March 2021 but that, thereafter, the use of any potential unspent carry-forwards or of new funds allocated for 2021/22 be deferred until after the elections and, similarly, Members should not give any undertaking as to the allocation of funds either in that period; the County Solicitor to advise Members accordingly at the appropriate time.

*Electoral Divisions(s): All Divisions*

### 5 Calendar of Meetings - January 2021 to May 2022 (Pages 1 - 20)

The draft calendar of meetings for 2021/2022 is attached.

*Electoral Divisions(s): All Divisions*

### 6 Timings and Length of Speeches - Council and Committee Meetings (Pages 21 - 24)

Report of the County Solicitor: Chief Officer for Legal, Communications and Human Resources (CSO/20/9) on the current lengths of speeches at Council and Committee meetings, asking the Committee to consider if these timings are still fit for purpose, attached.

*Electoral Divisions(s): All Divisions*

7 Moving Minutes at Council Meetings

The Chair has asked that the Committee consider the process for moving minutes of Committees at the Council meeting.

Under Standing Order 13(2) Minutes of other committees submitted to the Council for approval will be formally 'moved' by the Chair of the relevant committee (or another member acting on their behalf) and put to the Council for consideration. When all matters relating to those minutes have been dealt with (see also standing order 14(1)-(3)) the Chair of the committee will then ask the Council to adopt the minutes as a whole (together with any amendments the Council may have agreed), without any further discussion.

Members will recall at the last Council meeting, Standing Orders were suspended to enable the Chair to move all minutes of Committees simultaneously.

Members are asked to consider if they wish to amend Standing Orders so this process can be followed as a matter of course. The exception would be if a minute had been called and then it would be for the Chair to formally move those minutes at the appropriate time.

*Electoral Divisions(s): All Divisions*

8 Local Government Association (LGA) Boards and Members Allowances (Pages 25 - 30)

Report of the County Solicitor; Chief Officer for Legal, Human Resources and Communications on proposals for amending the Members Allowances Scheme in relation to certain Local Government Association (LGA) commitments, attached.

*Electoral Divisions(s): All Divisions*

9 Devon Day - 4 June 2020

The Leader under Standing Order 23(2) has asked that the Procedures Committee consider the matter of Devon Day, how the current date was chosen, the link to St Petrock's Day and asks that a piece of research is undertaken and brought back to the Committee.

*Electoral Divisions(s): All Divisions*

## **MATTERS FOR INFORMATION**

10 The Remote Meetings Regulations (Pages 31 - 42)

Report of the County Solicitor: Chief Officer for Legal, Communications and Human Resources (CSO/20/15) outlining the scope of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and the Council's Meetings Protocol, attached.

*Electoral Divisions(s): All Divisions*

11 Remote Meetings and the Use of Technology for Member Meetings

Members of the Committee are asked to note that following Councillor Biederman's Notice of Motion relating to remote meetings and the recommendation of the Cabinet, a full Report will be brought to the November meeting of this Committee.

## **PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED**

NIL

*Members are reminded that Part II Reports contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). They need to be disposed of carefully and should be returned to the Democratic Services Officer at the conclusion of the meeting for disposal.*

## **MEETINGS INFORMATION AND NOTES FOR VISITORS**

### **Getting to County Hall and Notes for Visitors**

For SatNav purposes, the postcode for County Hall is EX2 4QD

[Further information about how to get to County Hall](#) gives information on visitor parking at County Hall and bus routes.

Exeter has an excellent network of dedicated cycle routes. For further information see the [Travel Devon webpages](#).

The nearest mainline railway stations are Exeter Central (5 minutes from the High Street), St David's and St Thomas. All have regular bus services to the High Street.

Visitors to County Hall are asked to report to Main Reception on arrival. If visitors have any specific requirements, please contact reception on 01392 382504 beforehand.

### **Membership of a Committee**

For full details of the Membership of a Committee, please [visit the Committee page](#) on the website and click on the name of the Committee you wish to see.

### **Committee Terms of Reference**

For the terms of reference for any Committee, please [visit the Committee page](#) on the website and click on the name of the Committee. Under purpose of Committee, the terms of reference will be listed. Terms of reference for all Committees are also detailed within Section 3b of [the Council's Constitution](#).

### **Access to Information**

Any person wishing to inspect any minutes, reports or background papers relating to an item on the agenda should contact the Clerk of the Meeting. To find this, [visit the Committee page](#) on the website and find the Committee. Under contact information (at the bottom of the page) the Clerk's name and contact details will be present. All [agenda, reports and minutes of any Committee are published on the Website](#)

### **Public Participation**

The Council operates a Public Participation Scheme where members of the public can interact with various Committee meetings in a number of ways. For full details of whether or how you can participate in a meeting, please [look at the Public Participation Scheme](#) or contact the Clerk for the meeting.

In relation to Highways and Traffic Orders Committees, any member of the District Council or a Town or Parish Councillor for the area covered by the HATOC who is not a member of the Committee, may attend and speak to any item on the Agenda with the consent of the Committee, having given 24 hours' notice.

### **Webcasting, Recording or Reporting of Meetings and Proceedings**

The proceedings of any meeting may be recorded and / or broadcasted live, apart from any confidential items which may need to be considered in the absence of the press and public. For more information [go to our webcasting pages](#)

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chair. Filming must be done as unobtrusively as possible without additional lighting; focusing only on those actively participating in the meeting and having regard to the wishes of others present who may not wish to be filmed.

Anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance.

Members of the public may also use social media to report on proceedings.

### **Declarations of Interest for Members of the Council**

It is to be noted that Members of the Council must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

### **WiFi**

An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall.

### **Fire**

In the event of the fire alarm sounding, leave the building immediately by the nearest available exit following the fire exit signs. If doors fail to unlock press the Green break glass next to the door. Do not stop to collect personal belongings; do not use the lifts; and do not re-enter the building until told to do so. Assemble either on the cobbled car parking area adjacent to the administrative buildings or in the car park behind Bellair.

### **First Aid**

Contact Main Reception (Extension 2504) for a trained first aider.

### **Mobile Phones**

Please switch off all mobile phones before entering the Committee Room or Council Chamber

### **Alternative Formats**

If anyone needs a copy of an Agenda and/or a Report in another format (e.g. large print, audio tape, Braille or other languages), please contact the Customer Service Centre on 0345 155 1015 or email: [committee@devon.gov.uk](mailto:committee@devon.gov.uk) or write to the Democratic and Scrutiny Secretariat in G31, County Hall, Exeter, EX2 4QD.

**Induction Loop available**





**Calendar  
January 2021  
to May 2022**

# Agenda Item 5

<b>JANUARY 2021</b>			
1	Fri		<b>NEW YEARS DAY</b>
2	Sat		
3	Sun		
4	Mon	9.45am	Appeals (Transport)
5	Tues		
6	Wed		
7	Thurs		
8	Fri		<i>Dartmoor National Park Authority</i>
9	Sat		
10	Sun		
11	Mon	10.30am 2.15pm	Budget Consultation (Representatives of Older People / Voluntary) Budget Consultation (Trade Union Representatives)
12	Tues	10.30am	Budget Consultation (Business Community)
13	Wed	10.30am	Cabinet
14	Thurs		
15	Fri		
16	Sat		
17	Sun		
18	Mon	2.15pm	Exeter Highways and Traffic Orders
19	Tues	10.30am 2.15pm	Children's Scrutiny (Budget) Children's Scrutiny
20	Wed	10.00am 2.15pm	Devon Education Forum Appointments & Remuneration Committee
21	Thurs	9.30am 2.15pm	School Admission Appeals Health and Wellbeing Board
22	Fri	10.30am	Devon Pension Board
23	Sat		
24	Sun		
25	Mon		
26	Tues	10.30am 2.15pm	Health & Adult Care Scrutiny Committee (Budget) Health & Adult Care Scrutiny Committee
27	Wed	2.15pm	Development Management
28	Thurs	10.30am 2.15pm	Corporate, Infrastructure and Regulatory Services Scrutiny Committee (Budget) Corporate, Infrastructure and Regulatory Services Scrutiny Committee
29	Fri		
30	Sat		
31	Sun		



# Agenda Item 5

<b>FEBRUARY 2021</b>			
1	Mon	9.45am	Appeals (Transport)
2	Tues	10.30am	Procedures <i>Exmoor National Park Authority</i>
3	Wed	10.30am	Torrige Highways and Traffic Orders/Locality (County) (TBC, Torrige)
4	Thurs	10.30am	Member Development Steering Group
5	Fri		
6	Sat		
7	Sun		
8	Mon	10.30am	East Devon Highways and Traffic Orders/Locality (County) (Honiton)
9	Tues	10.00am	<b>Standing Advisory Council on Religious Education (SACRE)</b>
10	Wed	9.30am 2.15pm	School Admission Appeals Devon Authorities Strategic Waste Committee
11	Thurs	2.15pm	Heart of the South West (HotSW) Local Enterprise Partnership (LEP) Joint Scrutiny Committee
12	Fri	10.30am	Cabinet
13	Sat		
14	Sun		
15	Mon		
16	Tues		
17	Wed		
18	Thurs	10.00am 11.30am 2.15pm	Corporate Parenting Forum Member Briefings County Council (Budget)
19	Fri	10.30am	South Hams Highways and Traffic Orders/Locality (County) (Follaton House, Totnes) <i>Devon and Somerset Fire and Rescue Authority Meeting (Budget)</i>
20	Sat		
21	Sun		
22	Mon	2.15pm	Farms Estate
23	Tues	10.30am	2nd Council Meeting (RESERVE)
24	Wed		
25	Thurs	9.30am 2.15pm	School Admission Appeals Audit <i>Devon and Somerset Fire and Rescue Authority Meeting (reserve)</i>
26	Fri	10.30am 2.15pm	Investment and Pension Fund Investment and Pension Fund Staff Consultation
27	Sat		
28	Sun		

# Agenda Item 5

<b>MARCH 2021</b>			
1	Mon	9.45am	Appeals (Transport)
2	Tues	10.30am	North Devon Highways and Traffic Orders/Locality (County) (Taw View, Barnstaple) <i>Exmoor National Park Authority</i>
3	Wed		
4	Thurs	10.30am	Teignbridge Highways and Traffic Orders/Locality (County) (Forde House) <i>Dartmoor National Park Authority</i>
5	Fri		
6	Sat		
7	Sun		
8	Mon		
9	Tues	10.30am	Mid Devon Highways and Traffic Orders/Locality (County) (Phoenix House, Tiverton)
10	Wed	9.30am 10.30am	School Admission Appeals Cabinet Scrutiny Chairs and Vice Chairs (on the rising of Cabinet)
11	Thurs	2.15pm	Public Rights of Way
12	Fri		<i>SW Employers Panel</i>
13	Sat		
14	Sun		
15	Mon	2.15pm	Exeter Highways and Traffic Orders
16	Tues	10.30am 2.15pm	Members Development (Children's Scrutiny) Children's Scrutiny
17	Wed	10.00am	Devon Education Forum
18	Thurs	10.30am 2.15pm	Members Development (Health & Adult Care Scrutiny Committee) Health & Adult Care Scrutiny Committee
19	Fri		
20	Sat		
21	Sun		
22	Mon	10.30am	West Devon Highways and Traffic Orders/Locality (County) (Kilworthy Park, Tavistock)
23	Tues	2.15pm	Standards
24	Wed	2.15pm	Development Management
25	Thurs	9.30am 10.30am  2.15pm	School Admission Appeals Members Development (Corporate, Infrastructure and Regulatory Services Scrutiny Committee) Corporate, Infrastructure and Regulatory Services Scrutiny Committee
26	Fri		
27	Sat		
28	Sun		
29	Mon		
30	Tues		
31	Wed		

# Agenda Item 5

<b>APRIL 2021</b>			
1	Thurs		
2	Fri		<b>GOOD FRIDAY</b>
3	Sat		
4	Sun		
5	Mon		<b>EASTER MONDAY</b>
6	Tues		<i>Exmoor National Park Authority</i>
7	Wed		
8	Thurs	2.15pm	Health and Wellbeing Board
9	Fri		<i>Dartmoor National Park Authority</i>
10	Sat		
11	Sun		
12	Mon		
13	Tues		
14	Wed	10.30am	Cabinet
15	Thurs		
16	Fri		
17	Sat		
18	Sun		
19	Mon	9.45am	Appeals (Transport)
20	Tues	10.30am	Procedures
21	Wed	2.15pm	Development Management
22	Thurs		
23	Fri		
24	Sat		
25	Sun		
26	Mon	10.30am	Devon Pension Board
27	Tues	10.30am	Personnel Partnership
28	Wed	9.30am	School Admission Appeals
29	Thurs	11.30am 2.15pm	Member Briefings County Council (election year only)
30	Fri		

# Agenda Item 5

<b>MAY 2021</b>			
1	Sat		
2	Sun		
3	Mon		<b>EARLY MAY BANK HOLIDAY</b>
4	Tues		<i>Exmoor National Park Authority</i>
5	Wed		<b>Clear Committee Rooms (all Booked to KES)</b>
6	Thurs		<b>Elections !!!</b>
7	Fri		<b>RESULTS</b>
8	Sat		
9	Sun		
10	Mon		
11	Tues	9.30am	Secondary School Admission Appeals (double room)
12	Wed	9.30am	Secondary School Admission Appeals (double room)
13	Thurs		All rooms booked out to Karen
14	Fri	All day	New Council Induction Seminar
15	Sat		
16	Sun		
17	Mon		
18	Tues	9.30am	Secondary School Admission Appeals (double room)
19	Wed	9.30am	Secondary School Admission Appeals (double room) <i>CCN Council</i>
20	Thurs	9.30am	Secondary School Admission Appeals (double room) <i>Devon County Show</i>
21	Fri		<i>Devon County Show</i>
22	Sat		<i>Devon County Show</i>
23	Sun		
24	Mon		
25	Tues	9.30am	Secondary School Admission Appeals (double room)
26	Wed	9.30am	Secondary School Admission Appeals (double room)
27	Thurs	10.00am 2.15pm	Members briefing induction Annual Council Meeting
28	Fri	10.30am	Cabinet (election year only)
29	Sat		
30	Sun		
31	Mon		<b>LATE MAY BANK HOLIDAY</b>

# Agenda Item 5

<b>JUNE 2021</b>			
1	Tues		<i>Exmoor National Park Authority</i>
2	Wed		
3	Thurs		
4	Fri		<i>Devon and Somerset Fire and Rescue Authority Meeting (Annual)</i>
5	Sat		
6	Sun		
7	Mon	9.45am	Appeals (Transport)
8	Tues	10.30am 2.15pm	Members Development (Children's Scrutiny) Children's Scrutiny
9	Wed	10.30am	Cabinet Scrutiny Chairs and Vice Chairs (on the rising of Cabinet) <i>LGA Board</i>
10	Thurs	10.30am	Teignbridge Highways and Traffic Orders/Locality (County) (Forde House) <i>LGA Executive Advisory Board</i>
11	Fri	10.30am	Member Development Steering Group <i>Dartmoor National Park Authority Annual</i>
12	Sat		
13	Sun		
14	Mon	2.15pm	Farms Estate
15	Tues	10.30am 2.15pm	Members Development (Health & Adult Care Scrutiny Committee) Health & Adult Care Scrutiny Committee
16	Wed	10.00am 2.15pm	Devon Education Forum Devon Authorities Strategic Waste Committee
17	Thurs	2.15pm	Heart of the South West (HotSW) Local Enterprise Partnership (LEP) Joint Scrutiny Committee
18	Fri	10.30am	Investment and Pension Fund
19	Sat		
20	Sun		
21	Mon	10.30am	Torrige Highways and Traffic Orders/Locality (County) (TBC, Torrige)
22	Tues		
23	Wed	2.15pm	Development Management
24	Thurs	9.30am 10.30am 2.15pm	School Admission Appeals (Primary) Members Development (Corporate, Infrastructure and Regulatory Services Scrutiny Committee) Corporate, Infrastructure and Regulatory Services Scrutiny Committee
25	Fri	10.30am	South Hams Highways and Traffic Orders/Locality (County) (Follaton House, Totnes)
26	Sat		
27	Sun		
28	Mon	10.30am	East Devon Highways and Traffic Orders/Locality (County) (Honiton)
29	Tues		
30	Wed		

# Agenda Item 5

<b>JULY 2021</b>			
1	Thurs	2.15pm	Public Rights of Way
2	Fri		
3	Sat		
4	Sun		
5	Mon		
6	Tues	10.30am	Procedures <i>Exmoor National Park Authority LGA General Assembly &amp; AGM</i>
7	Wed	10.30am	North Devon Highways and Traffic Orders/Locality (County) (Taw View, Barnstaple)
8	Thurs	2.15pm	Standards
9	Fri	10.30am	Mid Devon Highways and Traffic Orders/Locality (County) (Phoenix House, Tiverton)
10	Sat		
11	Sun		
12	Mon	9.45am	Appeals (Transport)
13	Tues	10.30am	Devon Pension Board
14	Wed	10.30am	Cabinet <i>LGA Board</i>
15	Thurs	2.15pm	Health and Wellbeing Board <i>LGA Executive Advisory Board</i>
16	Fri	10.30am	West Devon Highways and Traffic Orders/Locality (County) (Kilworthy Park, Tavistock) <i>South West Councils</i>
17	Sat		
18	Sun		
19	Mon	2.15pm	Exeter Highways and Traffic Orders
20	Tues		
21	Wed	2.15pm	Development Management
22	Thurs	10.00am 11.30am 2.15pm	Corporate Parenting Forum Member Briefings County Council
23	Fri		
24	Sat		
25	Sun		
26	Mon		
27	Tues	2.15pm	Audit
28	Wed		
29	Thurs		
30	Fri		<i>Dartmoor National Park Authority</i>
31	Sat		

# Agenda Item 5

<b>AUGUST 2021</b>			
1	Sun		
2	Mon		
3	Tues		<i>Exmoor National Park Authority</i>
4	<u>Wed</u>		
5	Thurs		
6	Fri		
7	Sat		
8	Sun		
9	Mon		
10	Tues		
11	<u>Wed</u>		
12	Thurs		
13	Fri		
14	Sat		
15	Sun		
16	Mon		
17	Tues		
18	<u>Wed</u>		
19	Thurs		
20	Fri		
21	Sat		
22	Sun		
23	Mon		
24	Tues		
25	<u>Wed</u>		
26	Thurs		
27	Fri		
28	Sat		
29	Sun		
30	Mon		<b>AUGUST / SUMMER BANK HOLIDAY</b>
31	Tues		

# Agenda Item 5

<b>SEPTEMBER 2021</b>			
1	Wed		
2	Thurs		
3	Fri		<i>Dartmoor National Park Authority</i>
4	Sat		
5	Sun		
6	Mon	9.45am	Appeals (Transport)
7	Tues	10.30am 2.15pm	Members Development (Children's Scrutiny) Children's Scrutiny <i>Exmoor National Park Authority</i>
8	Wed	10.30am	Cabinet Scrutiny Chairs and Vice Chairs (on the rising of Cabinet) <i>LGA Board</i>
9	Thurs		<i>LGA Executive Advisory Board</i>
10	Fri		
11	Sat		
12	Sun		
13	Mon		
14	Tues	10.30am	Procedures
15	Wed	9.30am 10.30am 2.15pm	School Admission Appeals Members Development (Health & Adult Care Scrutiny Committee) Health & Adult Care Scrutiny Committee
16	Thurs	10.30am	Member Development Steering Group <i>CCN Council</i>
17	Fri	10.30am	Investment and Pension Fund <i>SW Councils Employers Panel</i>
18	Sat		
19	Sun		
20	Mon		
21	Tues	2.15pm	Audit
22	Wed	2.15pm	Development Management
23	Thurs	9.30am 10.30am 2.15pm	School Admission Appeals Members Development (Corporate, Infrastructure and Regulatory Services Scrutiny Committee) Corporate, Infrastructure and Regulatory Services Scrutiny Committee
24	Fri		
25	Sat		
26	Sun		
27	Mon	2.15pm	Farms Estate
28	Tues		
29	Wed		
30	Thurs		



# Agenda Item 5

<b>OCTOBER 2021</b>			
1	Fri		<i>Dartmoor National Park Authority</i>
2	Sat		
3	Sun		
4	Mon	9.45am	Appeals (Transport)
5	Tues		<i>Exmoor National Park Authority</i>
6	Wed		
7	Thurs	10.00am 11.30am 2.15pm	Corporate Parenting Forum Member Briefings County Council
8	Fri	10.30am	Torrige Highways and Traffic Orders/Locality (County) (TBC, Torrige)
9	Sat		
10	Sun		
11	Mon	10.30am	Devon Pension Board
12	Tues		
13	Wed	10.30am	Cabinet
14	Thurs	2.15pm	Devon Authorities Strategic Waste Committee
15	Fri	10.30am	South Hams Highways and Traffic Orders/Locality (County) (Follaton House, Totnes)
16	Sat		
17	Sun		
18	Mon	2.15pm	Exeter Highways and Traffic Orders
19	Tues	10.30am	Personnel Partnership
20	Wed	2.15pm	Development Management <i>LGA Board</i>
21	Thurs	2.15pm	Heart of the South West (HotSW) Local Enterprise Partnership (LEP) Joint Scrutiny Committee <i>LGA Executive Advisory Board</i>
22	Fri		
23	Sat		
24	Sun		
25	Mon		
26	Tues		
27	Wed		
28	Thurs	2.15pm	Health and Wellbeing Board
29	Fri	10.30am	Mid Devon Highways and Traffic Orders/Locality (County) (Phoenix House, Tiverton)
30	Sat		
31	Sun		

# Agenda Item 5

<b>NOVEMBER 2021</b>			
1	Mon	9.45am	Appeals (Transport)
2	Tues		<i>Exmoor National Park Authority</i>
3	Wed		
4	Thurs	10.30am 2.15pm	Teignbridge Highways and Traffic Orders/Locality (County) (Forde House) Standards
5	Fri	10.30am	West Devon Highways and Traffic Orders/Locality (County) (Okehampton Town Hall)
6	Sat		
7	Sun		
8	Mon		
9	Tues	10.30am 2.15pm	Members Development (Children's Scrutiny) Children's Scrutiny
10	Wed	10.30am	Cabinet Scrutiny Chairs and Vice Chairs (on the rising of Cabinet)
11	Thurs	10.30am 2.15pm	Members Development (Health & Adult Care Scrutiny Committee) Health & Adult Care Scrutiny Committee
12	Fri	10.30am	East Devon Highways and Traffic Orders/Locality (County) (Honiton)
13	Sat		
14	Sun		
15	Mon		
16	Tues	10.30am	Procedures
17	Wed	10.00am	Devon Education Forum
18	Thurs	10.30am 2.15pm	Members Development (Corporate, Infrastructure and Regulatory Services Scrutiny Committee) Corporate, Infrastructure and Regulatory Services Scrutiny Committee
19	Fri		<i>South West Councils</i>
20	Sat		
21	Sun		<i>CCN Conference</i>
22	Mon	10.30am	North Devon Highways and Traffic Orders/Locality (County) (Taw View, Barnstaple) <i>CCN Conference</i>
23	Tues	2.15pm	Audit <i>CCN Conference</i>
24	Wed		
25	Thurs	2.15pm	Public Rights of Way
26	Fri	10.30am	Investment and Pension Fund
27	Sat		
28	Sun		
29	Mon	2.15pm	Farms Estate
30	Tues		

# Agenda Item 5

<b>DECEMBER 2021</b>			
1	Wed	2.15pm	Development Management
2	Thurs	10.00am 11.30am 2.15pm	Corporate Parenting Forum Member Briefings County Council
3	Fri		<i>Dartmoor National Park Authority</i>
4	Sat		
5	Sun		
6	Mon	9.45am	Appeals (Transport)
7	Tues		<i>Exmoor National Park Authority</i>
8	<u>Wed</u>	10.30am	Cabinet
9	Thurs		<i>LGA Board &amp; LGA Executive Advisory Board</i>
10	Fri		
11	Sat		
12	Sun		
13	Mon		
14	Tues		
15	<u>Wed</u>		
16	Thurs		
17	Fri		
18	Sat		
19	Sun		
20	Mon		
21	Tues		
22	<u>Wed</u>		
23	Thurs		
24	Fri		
25	Sat		<b>CHRISTMAS DAY</b>
26	Sun		<b>BOXING DAY</b>
27	Mon		<b>CHRISTMAS DAY (SUBSTITUTE)</b>
28	Tues		<b>BOXING DAY (SUBSTITUTE)</b>
29	<u>Wed</u>		<b>HOLIDAY</b>
30	Thurs		<b>HOLIDAY</b>
31	Fri		<b>HOLIDAY</b>

# Agenda Item 5

<b>JANUARY 2022</b>			
1	Sat		<b>NEW YEARS DAY</b>
2	Sun		
3	Mon	9.45am	Appeals (Transport)
4	Tues		<i>Exmoor National Park Authority</i>
5	Wed		
6	Thurs		
7	Fri		
8	Sat		
9	Sun		
10	Mon	10.30am	Budget Consultation (Business Community)
11	Tues	10.30am 2.15pm	Budget Consultation (Representatives of Older People / Voluntary) Budget Consultation (Trade Union Representatives)
12	Wed	10.30am	Cabinet
13	Thurs	2.15pm	Health and Wellbeing Board
14	Fri		
15	Sat		
16	Sun		
17	Mon	2.15pm	Exeter Highways and Traffic Orders
18	Tues	10.30am 2.15pm	Children's Scrutiny (Budget) Children's Scrutiny
19	Wed	10.00am 2.15pm	Devon Education Forum Appointments & Remuneration Committee
20	Thurs	10.30am 2.15pm	Health & Adult Care Scrutiny Committee (Budget) Health & Adult Care Scrutiny Committee
21	Fri		
22	Sat		
23	Sun		
24	Mon		
25	Tues	10.30am	Personnel Partnership
26	<u>Wed</u>	2.15pm	Development Management <i>LGA Board</i>
27	Thurs	10.30am 2.15pm	Corporate, Infrastructure and Regulatory Services Scrutiny Committee (Budget) Corporate, Infrastructure and Regulatory Services Scrutiny Committee <i>LGA Executive Advisory Board</i>
28	Fri		
29	Sat		
30	Sun		
31	Mon		

# Agenda Item 5

<b>FEBRUARY 2022</b>			
1	Tues		<i>Exmoor National Park Authority</i>
2	Wed	10.30am	Devon Pension Board
3	Thurs	10.30am	Torrige Highways and Traffic Orders/Locality (County) (TBC, Torrige)
4	Fri		
5	Sat		
6	Sun		
7	Mon	9.45am 2.15pm	Appeals (Transport) Farms Estate
8	Tues	10.30am	Procedures
9	Wed	2.15pm	Devon Authorities Strategic Waste Committee
10	Thurs	2.15pm	Heart of the South West (HotSW) Local Enterprise Partnership (LEP) Joint Scrutiny Committee
11	Fri	10.30am	Cabinet
12	Sat		
13	Sun		
14	Mon	10.30am	East Devon Highways and Traffic Orders/Locality (County) (Honiton)
15	Tues	10.30am	Member Development Steering Group
16	Wed		
17	Thurs	10.00am 11.30am 2.15pm	Corporate Parenting Forum Member Briefings County Council (Budget)
18	Fri	10.30am	South Hams Highways and Traffic Orders/Locality (County) (Follaton House, Totnes)
19	Sat		
20	Sun		
21	Mon		
22	Tues	10.30am	2nd Council Meeting (RESERVE)
23	Wed	10.30am	Mid Devon Highways and Traffic Orders/Locality (County) (Phoenix House, Tiverton)
24	Thurs	2.15pm	Audit
25	Fri	10.30am 2.15pm	Investment and Pension Fund Investment and Pension Fund Staff Consultation
26	Sat		
27	Sun		
28	Mon		

# Agenda Item 5

<b>MARCH 2022</b>			
1	Tues		<i>Exmoor National Park Authority</i>
2	Weds		
3	Thurs	10.30am	Teignbridge Highways and Traffic Orders/Locality (County) (Forde House)
4	Fri		
5	Sat		
6	Sun		
7	Mon	9.45am	Appeals (Transport)
8	Tues		
9	Wed	10.30am	Cabinet Scrutiny Chairs and Vice Chairs (on the rising of Cabinet) <i>LGA Board</i>
10	Thurs	2.15pm	Public Rights of Way <i>LGA Executive Advisory Board</i> <i>SW Councils Employers Panel</i>
11	Fri		
12	Sat		
13	Sun		
14	Mon	10.30am	North Devon Highways and Traffic Orders/Locality (County) (Taw View, Barnstaple)
15	Tues	10.30am 2.15pm	Members Development (Children's Scrutiny) Children's Scrutiny
16	Wed	10.00am	Devon Education Forum
17	Thurs	10.30am 2.15pm	Members Development (Health & Adult Care Scrutiny Committee) Health & Adult Care Scrutiny Committee
18	Fri		
19	Sat		
20	Sun		
21	Mon		
22	Tues	2.15pm	Standards
23	Wed		
24	Thurs	10.30am 2.15pm	Members Development (Corporate, Infrastructure and Regulatory Services Scrutiny Committee) Corporate, Infrastructure and Regulatory Services Scrutiny Committee
25	Fri	10.30am	West Devon Highways and Traffic Orders/Locality (County) (Kilworthy Park, Tavistock)
26	Sat		
27	Sun		
28	Mon		
29	Tues		
30	Wed	2.15pm	Development Management
31	Thurs		

# Agenda Item 5

<b>APRIL 2022</b>			
1	Fri		
2	Sat		
3	Sun		
4	Mon	9.45am	Appeals (Transport)
5	Tues	10.30am	Procedures <i>Exmoor National Park Authority</i>
6	<u>Wed</u>		
7	Thurs	2.15pm	Health and Wellbeing Board
8	Fri		
9	Sat		
10	Sun		
11	Mon		
12	Tues		
13	<u>Wed</u>	10.30am	Cabinet
14	Thurs		
15	Fri		<b>GOOD FRIDAY</b>
16	Sat		
17	Sun		
18	Mon		<b>EASTER MONDAY</b>
19	Tues		
20	<u>Wed</u>		<i>LGA Board</i>
21	Thurs		
22	Fri		
23	Sat		
24	Sun		
25	Mon		
26	Tues	10.30am	Personnel Partnership
27	<u>Wed</u>	2.15pm	Development Management
28	Thurs		
29	Fri		
30	Sat		

# Agenda Item 5

<b>MAY 2022</b>			
1	Sun		
2	Mon		<b>EARLY MAY BANK HOLIDAY</b>
3	Tues		
4	<u>Wed</u>	10.30am	Devon Pension Board
5	Thurs		
6	Fri	2.15pm	Exeter Highways and Traffic Orders
7	Sat		
8	Sun		
9	Mon	9.45am	Appeals (Transport)
10	Tues		
11	<u>Wed</u>	10.30am	Cabinet
12	Thurs	10.30am	Member Development Steering Group
13	Fri		
14	Sat		
15	Sun		
16	Mon	2.15pm	Farms Estate
17	Tues		
18	<u>Wed</u>		Secondary School Admission Appeals (double room)
19	Thurs		Secondary School Admission Appeals (double room)
20	Fri		<i>Devon County Show</i> <i>Devon County Show</i>
21	Sat		<i>Devon County Show</i>
22	Sun		
23	Mon		
24	Tues	2.15pm	Audit
25	<u>Wed</u>		
26	Thurs	10.00am 11.30am 2.15pm	Corporate Parenting Forum Member Briefings County Council (Annual)
27	Fri		
28	Sat		
29	Sun		
30	Mon		<b>LATE MAY BANK HOLIDAY</b>
31	Tues		



# Agenda Item 5

Monday 21<sup>st</sup> December to Friday 1<sup>st</sup> January 2021  
Monday 15 February to Friday 19 February 2021 (Half Term)  
Friday 2 April to Friday 16 April 2021 (Easter Holiday)  
Monday 31 May to Friday 4 June 2021 (Half Term)  
Tuesday 27 July to Monday 6 September 2021 (Summer Holiday)  
Monday 25 October to Friday 29 October 2021 (Half Term)  
Monday 20 December 2021 to Monday 3 January 2022 (Christmas Holiday)  
Monday 21 February to Friday 25 February 2022 (Half Term)  
Monday 11 April to Friday 22 April 2022 (Easter Holiday)

[Holiday dates shown shaded above]



Report of the County Solicitor: Chief Officer for Legal, Communications and Human Resources.

***Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.***

## Recommendation

The Committee is asked to consider the current timings of speeches at Council and Committee meetings and consider if any changes are required.

### 1. Introduction

- 1.1 The current timings of speeches at Council and Committee meetings have been in place for a number of years. They were, however, due to be reviewed by a Motions Working Group, originally convened due to the large number of motions being submitted to Council meetings, often on issues over which the Council had very little control or jurisdiction.
- 1.2 The first meeting of this working group was on 7<sup>th</sup> November 2019.
- 1.3 However, on 7<sup>th</sup> November 2019 (Minute 79 refers) the Procedures Committee RESOLVED that, in view of the current process working well at the last Council meeting, the working group should not make any recommendations at this time, but reconvene when and if required.
- 1.4 In light of this resolution, the timings of speeches were never fully considered by the Procedures Committee.

### 2. Current Lengths of Speeches

- 2.1 The current lengths of all speeches at Council and Committee meetings are outlined in the Constitution under Standing Order 16.
- 2.2 The Procedures Committee previously made some suggested changes to the lengths of speeches as outlined below, but no decision was made.
  - (a) on a minute or other matter relating to the Cabinet, by the Leader or a Cabinet Member: from 7 minutes to 5 minutes;
  - (b) on a minute or other matter relating to any other committee, by the Chair of that committee or the relevant 'spokesperson' of the main Party Groups serving on that Committee: from 7 minutes to 5 minutes;

# Agenda Item 6

- (c) by the mover of a motion to remove the 'star' from a minute to enable an amendment to that minute to be considered by the Council: to remain at 3 minutes;
- (d) by the mover of any other motion or an amendment: from 7 minutes to 5 minutes;
- (e) by the mover of a motion or an amendment exercising his/her right of reply: to remain at 3 minutes;
- (f) by the Leader of the Council exercising their right of reply to Budget amendments: to remain at up to 10 minutes;
- (g) by a Member attending a meeting of a committee understanding order 8(1) or 25: from 5 minutes to 3 minutes; and
- (h) all other speeches: from 5 minutes to 3 minutes

2.3 At the time of considering this, a representation was received from a Member of the Council in relation to (g) a Member attending a meeting of a committee under standing order 8(1) or 25. The issue raised was that a reduction to three minutes unnecessarily curtailed the ability of a Member to speak on a serious divisional issue, or to place any complicated divisional or other issue on the agenda of a Scrutiny Committee. The original time of 5 minutes was felt to be important in addressing both local and general issues and on that basis should be maintained.

## 3. Conclusion / Summary

3.1 Members are asked to consider the current timings and those that were previously proposed, taking into account the comments made in relation to Members attending a committee meeting under standing order 8(1) or 25. For ease of reference, standing orders 8(1) or 25 are attached at Appendix A.

## 4. Financial considerations

4.1 No financial implications have been identified.

## 5. Risk management considerations

5.1 No unmanageable risks have been identified.

## 6. Equality, Environmental Impact and Public Health Considerations.

6.1 No equality, environmental, climate change impact or public health implications have been identified.

# Agenda Item 6

JAN SHADBOLT

**Electoral Divisions: All**

Local Government Act 1972: List of Background Papers:

None

Contact for enquiries: Karen Strahan 382264

Room No: G31, County Hall

### Standing Order 8 - Referred Motions

(1) When a motion has been referred to the Cabinet under standing order 6(6) the Chief Executive will inform the member who originally submitted it when the Cabinet is to discuss it. If they are not a member of the Cabinet, they have a right to attend the meeting and speak but not to vote on the motion.

### Standing Order 25 - Attendance at Committee Meetings

(1) The Chair of the County Council or any member of the Cabinet may attend meetings of a Scrutiny Committee but may not exercise his/her right to speak under paragraph 2(a) below except at the invitation of that Committee.

(2) Subject to (1) above, a member of the Council may attend a meeting of the Cabinet or a committee of the council of which they are not an ordinary member as follows:

(a) Any member, having given 24 hours notice to the Chief Executive in writing or email, may attend any meeting and speak but not vote on an item on the agenda for that meeting.

(b) Any member of the Council may attend, without notice, a meeting of the Development Management Committee to speak (but not vote) about a planning application or other matter which is on the agenda and which affects his/her electoral division and will have the right to speak at the beginning of the debate and again before the debate is finished — before any right of reply by a mover of a motion or an amendment. If a local member is unable to attend a meeting of the Development Management Committee they may put their views in writing and they will be read out and circulated at the meeting.

(c) Any member who has asked under standing order 23(2) that an item be placed on the agenda of any committee (which is within its terms of reference) or whose Notice of Motion has been referred by the Council to a Committee or the Cabinet under standing order 6(6) may attend the meeting at which this matter is considered with a right to speak (but not vote) on that item.

# Agenda Item 8

CSO/20/07  
Procedures Committee  
15 September 2020

Report of the County Solicitor: Chief Officer for Legal, Human Resources and Communications.

***Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.***

## Recommendation

The Committee is asked to review the options for approving travel expenses for Local Government Association (LGA) appointments to Policy Boards, as outlined below.

## Options

Option 1 - Amend the allowances scheme to include such policy board travel as an 'approved duty'. Whilst this would be very inclusive, it would be very difficult to keep a track on the expenses incurred and the significant impact this could have on the Members allowances budget. In times of restricted budgets, this may appear unpalatable and also unmanageable in terms of monitoring spend.

Option 2 – Adopt a similar approach to that of attendance at training events where Members seek approval before they accept the appointment as to whether the Council will pay for the travel expenses for the meetings of the Board. This would be via approval of the budget holder, the Head of Democratic Services, in liaison with the Leader of the Council. Members would be expected to make a case, outline the expected costs and frequency and also demonstrate the benefits to Devon County Council.

Option 3 – Members accept the appointment to the Board of their own volition, but are then responsible for all travel costs, to be met from their basic allowance or other personal income

## 1. Introduction

1.1 Members will be aware of the value that this Council places on training and development and the benefits brought. There are a number of mechanisms by which this happens, including in house training, approved conferences and previously via a shared service with a number of District Councils and Somerset County Council. It has become apparent of late that the LGA political groups makes a number of appointments to other boards and forums. Whilst it is important that Devon and other rural authorities are represented at some of these, to ensure they are not 'London centric' and also to provide development opportunities for Members, it is felt appropriate to apply some consistency in the application of approval of travel expenses to such events.

# Agenda Item 8

## 2. Background

2.1 The Council makes a number of appointments to outside bodies. Included in this schedule are a number of national bodies as well as regional and countywide organisations and also some appointments that are very local in nature such as charity's or educational foundations.

2.2 Within the national appointments (approved at Council every four years) some of these relate to the Local Government Association (LGA) including the General Assembly as well as more specific appointments, for example, the Coastal Issues Special Interest Group, Sparsity Partnership for Authorities delivering Rural Services (SPARSE), the Public Transport Consortium LGA Special Interest Group and Patrol / Bus Lane Adjudication Service Joint Committee.

## 3. Current Allowances Scheme in Devon

3.1 The basic allowance is intended to recognise the time devoted by members to their work and covers constituency duties; correspondence; telephone calls; attendance at meetings of the County Council, committees, joint committees and working parties or other authorised meetings; meetings of the Local Government Association not covered under the LGA Scheme of Allowances; single member duties; attendance at seminars and conferences, outside bodies and Parish Council meetings.

3.2 However, Schedule 1 of the scheme lists those approved duties, conferences and meetings that qualify for travel and subsistence allowances. This includes the approved conference of the Local Government Association Annual Conference, LGA General Assembly and National Children's and Adults Services Conference and County Councils Network Annual Conference.

3.3 Any variation requires the approval of the budget holder, the Head of Democratic Services, in liaison with the Leader of the Council as appropriate, in accordance with framework outlined in Procedures Minute 33 (5/6/18). This revised procedure allows Members to make a case for external training opportunities. However, attendance at any other conference requires the specific approval of the Leader of the Council with a presumption that attendance will not be permitted unless a case is made.

3.4 The list of approved duties for travel and subsistence also includes;

- meetings of the County Council, Committees, Joint Committees, Fora, Working Parties / Panels properly constituted to which Members have been appointed by the County Council;
- Duties necessarily undertaken by the Chair of the Cabinet, Cabinet Members or Chairs, Vice-Chairs of Committees or Working Parties/Panels;
- Meetings of those European, National, Regional and County-wide bodies to which representatives have been appointed by the County Council and a number of other outside body appointments; and
- Seminars, briefings or training events arranged for the benefit of Members of the Council.

3.5 A small number of other duties qualify for travel expenses only such as site visits, official openings of Council premises, launches of Council services and meetings of Town or Parish Councils in the electoral division of the Member concerned.



3.6 It is therefore clear that the scheme does not currently permit travel expenses for LGA Policy Board appointments, other than the ones specifically listed. They are not an 'approved duty'.

## 4. LGA Political Groups Appointments Process.

4.1 Outlined in Appendix 1 are the current Policy Boards, other LGA Structures and Workforce Employer Bodies:

4.2 The LGA Political parties all have a different mechanism for making the appointments and these are listed below.

4.3 The **LGA Labour Group** appointments to LGA member structures are reviewed each year by the elected group officers with appointments made to LGA Leadership Board, LGA Policy Boards and Employer Workforce Bodies. All Labour Councillors on LGA member councils are eligible to self-nominate for the roles and appointments are then made by Group Officers, using the [Labour Group Appointment Principles](#).

4.4 The **LGA Conservative Group** annually appoints a number of Conservative Councillors to serve on the various member bodies at the LGA, including all the Policy Boards outlined in appendix 1. They send nomination forms to all Conservative group leaders in June asking for up to three names from their authorities, including their area(s) of expertise. Appointments are made by the Conservative Group Leader, in consultation with lead members.

4.5 The **LGA Liberal Democrat Group** nominates member places via an electronic and postal ballot of all Liberal Democrat Councillors in LGA member authorities. Councillors are invited to submit expressions of interest, and bi-ennial elections are held.

4.6 The **LGA Independent Group** invites members to submit applications for appointments on a yearly basis. The Group's elected Leader, Deputy Leader and Treasurer considers all interest and, ensuring a balance across the Group's political affiliations, Local Government tiers, regions and gender, put forward recommendations to the Group Executive Committee for a final decision.

## 5. Local Government Association (LGA) Allowances Scheme

5.1 Paragraph 6 of the LGA Members Allowances Scheme says that the LGA does not pay Travel and Subsistence for attendance at its own meetings, albeit with a small number of exceptions. As an example the Chair of the Fire Service Management Committee (FSMC) can claim expenses from the LGA, but this does not include ordinary members or substitute members of FSMC.

5.2 The LGA would also cover expenses for those Members who are attending an outside body meeting on behalf of the LGA.

5.3 Paragraph 24 of the LGA scheme states that "Travel and subsistence costs for all other meetings should be met by the member's home authority." This is due to the large number of members involved in their own meetings, so they are unable to cover the cost of all their expenses.

# Agenda Item 8

## 6. Current Position

6.1 One of the issues in Devon is that we are not clear how many Members are appointed to these Boards. This is because some are appointed at District level and that political groups approach Members direct.

6.2 It is not felt that the numbers are high, therefore the impact on the budget is not significant, but budget codes would not reflect that Members had attended 'Policy Board' event.

6.3 It is felt that clarity and consistency on the approach would be beneficial.

## 7. Conclusion / Summary

7.1 In summary, whilst the Council supports attendance at LGA events, training and other Boards, it would seem sensible that a process is adopted to better grasp and share the learning of Members attending those events as well as managing the financial commitment of attendance at these Boards.

## 8. Financial considerations

8.1 It is unlikely there will be any significant financial considerations as many of these requests are approved, albeit on a more ad hoc basis.

## 9. Risk management considerations

9.1 No unmanageable risks have been identified.

## 10. Equality, Environmental Impact and Public Health Considerations.

10.1 No equality, environmental, climate change impact or public health implications have been identified.

**JAN SHADBOLT**

### **Electoral Divisions: All**

Local Government Act 1972: List of Background Papers:

None

Contact for enquiries: Karen Strahan 382264

Room No: G31, County Hal

### LGA Policy Boards:

**Children & Young People Board:** The Children and Young People Board has responsibility for Local Government Association (LGA) activity on the wellbeing of children and young people, including education, social care, health and early years.

**City Regions Board:** The City Regions Board represents the interests of city areas. Its remit includes growth, transport infrastructure, skills and wider public service reform.

**Community Wellbeing Board:** The Community Wellbeing Board has responsibility for Local Government Association's (LGA) activity in the areas of the wellbeing of adults, including lifelong learning, training, health and social care and for the wellbeing of all people in the areas of community cohesion, asylum and immigration.

**Culture, Tourism & Sport Board:** The Culture, Tourism and Sport Board has responsibility for Local Government Association's (LGA) activity in championing the role that all cultural and sporting services play in making places where people want to live, visit and work.

**Environment, Economy, Housing & Transport Board:** The Environment, Economy, Housing and Transport Board provides strategic oversight of the LGA's policy, regulatory and improvement activity in relation to the economy and environment, including transport, employment and skills, economic development and business support, housing, planning, waste and climate change, in line with the LGA priorities and any specific regulatory and LGA European lobbying priorities as they relate to this activity.

**Improvement & Innovation Board:** The purpose of the Improvement and Innovation Board is to provide strategic oversight of all the Local Government Association's (LGA) policy and improvement activity in relation to councils improving their performance and productivity.

**People & Places Board:** The People and Places Board seeks to develop greater clarity on the role of nonmetropolitan authorities in enabling economic growth for the long-term benefit of residents, and on how transformation in public services can enable that.

**Resources Board:** The LGA's Resources Board shapes and develops the Association's policies and programmes in line with the LGA priorities in relation to: Local Government Finance; Strategic Finance; Welfare Reform; and Workforce issues.

**Safer & Stronger Communities Board:** The purpose of the Safer and Stronger Communities Board is to provide strategic oversight of all the LGA's policy, regulatory and improvement activity in the promotion of the safety of local communities, including issues of crime and anti-social behaviour, policing, licensing, and emergency planning.

**Fire Services Management Committee:** The role of the Fire Services Management Committee (FSMC) is to represent as an LGA body the views and concerns of the fire community ensuring that local circumstances have a voice in the national context. FSMC will take the lead on behalf of the LGA: on the future direction of the fire and rescue service; improvement within the sector; and on all other day-to-day issues (e.g. technical or operational matters) affecting fire authorities. **[Please note that you must be a serving member of Fire and Rescue Authorities to be nominated to this body]**

# Agenda Item 8

**Fire Commission:** The Fire Commission shall provide the forum within the LGA for all Fire and Rescue services throughout England and Wales. The Fire Commission will act in a way that complements the principles and corporate priorities of the LGA as a whole.

**[Please note that you must be a serving member of Fire and Rescue Authorities to be nominated to this body]**

There are also a number of other LGA bodies including the LGA Executive, Leadership Board and Councillors Forum, National and Regional Member Peers,

## **Other LGA Structures:**

- Audit Committee
- Commercial Advisory Board
- IDeA Board
- Local Government Association (Properties) Ltd
- Local Government Management Board
- Fire Services Management Committee
- Fire Commission

## **Workforce Employer Bodies:**

- National Employers Organisation for School Teachers (NEOST)
- JNC for Teachers in Residential Establishments
- Soulbury Committee
- JNC for Youth and Community Workers
- NJC for Local Authority Fire & Rescue Services / NJC for Brigade Managers of Local Authorities' Fire & Rescue Services / Middle Managers Negotiating Body
- JNC for Coroners
- Local Government Services Employers NJC inc. Chief Executives NJC, Chief Officers NJC and Workshops for the Blind
- Local Government Pensions Committee
- CEEP UK Executive
- CEMR – Employers' Platform

Report of the County Solicitor: Chief Officer for Legal, Communications and Human Resources.

***Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.***

## Recommendation

The Committee is asked to note the contents of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 meetings regulations and in line with good practice formally adopt the Regulation's and also endorse the Meetings Protocol.

### 1. Introduction

1.1 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 come into force from 4<sup>th</sup> April 2020.

1.2 The Regulations were made by the Secretary of State for Housing, Communities and Local Government, in exercise of the powers conferred by section 78 of the Coronavirus Act 2020(1) and paragraph 36(1)(b) of Schedule 6 to the Police Reform and Social Responsibility Act 2011(2).

1.3 The Regulations apply to local authority meetings (and police and crime panel meetings) that are required to be held, are before 7th May 2021.

1.4 In the Regulations, "the 1972 Act" means the Local Government Act 1972 and "local authority" includes a County Council (and numerous other bodies).

1.5 The section below outlines the various requirements of the regulations as well as the permissions they allow.

### 2. Regulations

#### Frequency of Meetings / Annual Meetings

2.1 A local authority is permitted to alter the frequency, move or cancel such meetings, without requirement for further notice. In reality, this means a meeting can be cancelled, even if the agenda has been published.

2.2 When an appointment would otherwise be made at an annual meeting, such an appointment continues until the next annual meeting of the authority or until such time as that authority may determine.

# Agenda Item 10

## Remote Attendance in Local Authority Meetings

2.3 A meeting is not limited to a meeting of persons all of whom, or any of whom, are present in the same place. The reference to a “place” includes reference to more than one place such as electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).

2.4 A Member ‘in remote attendance’ can attend the meeting as long as certain conditions are satisfied. These include that the Member is able to hear and be heard by the other Members in attendance. Also, being able to hear and be heard any members of the public entitled to attend the meeting. The regulations would prefer a visual solution, but audio is sufficient.

2.5 To be clear, the above caveats (in relation to Members of the authority and the public) includes a person who is attending by remote access.

2.6 The Regulations clarify that any reference to being “present” at a meeting includes being present through remote attendance and a “place” where a meeting is held, or to be held, includes reference to more than one place, as outlined above.

## Standing Orders

2.7 The provision in the Regulation overrides provisions in existing standing orders or rules governing the meeting.

2.8 However, a local authority may make other standing orders regarding issues such as voting, member and public access to documents; and remote access of public and press to a local authority meeting to enable them to attend or participate. This doesn’t appear necessary as current processes allow this and access to meetings and public participation will continue.

2.9 The meetings protocol that has been created had the aim of staying true, and as close to possible, as current Standing Orders.

## Annual Meeting

2.10 Paragraphs 1 and 7 of Schedule 12 to the 1972 Act are disapplied which means the removal of the requirement to hold an annual meeting, albeit, as Members will know, this Council conducted its AGM business at a meeting of the Council on 23 July 2020.

## Access to Information

2.11 The requirement for a paper copy of an agenda to be displayed in the Council’s offices has been removed, so publishing solely to the website is acceptable.

## Access of Public and Press

2.12 The Regulations clarify that a meeting being “open to the public” includes access to the meeting through remote means (video conferencing, live webcast, interactive streaming). Where a meeting is accessible to the public through such remote means the meeting is deemed open to the public whether or not members of the public are able to attend the meeting in person.

2.13 As the Protocol states, Members of the public and press can be invited into the meeting to participate under public participation or can view the meeting via a live stream, with the link published on the agenda page for the meeting.

## Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

2.14 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 have also been amended to reflect the new arrangements in terms of access to documents and meetings, but still retains the need for publication of key decisions, general exception, cases of special urgency etc.

2.15 The provisions in relation to the inspection and supply / copy of documents have been disapplied, but the Authority would still need to make any background papers available for inspection through other means (for example the website).

## Formal Meetings Protocol

2.16 A formal meetings protocol was prepared, but the key matter was that the Protocol was as close to current processes, standing orders and public participation as possible, therefore ensuring accessibility was at the forefront of thinking.

2.17 A copy of the Protocol is attached at Appendix 1 to the Report.

## 3. Conclusion / Summary

3.1 Members will be aware that this Council undertook its first remote meeting on the 8th April (Cabinet), which was just 5 days after the Regulations were published. The Council continues to learn and the technology advances all the time, so the experience of remote meetings will continually improve. The Local Government Association took an interest and published us as one of their first [case studies](#) on their Remote Council Meetings Guidance webpages.

## 4. Financial considerations

4.1 There are clearly savings to be made from holding remote meetings. Early indications show a saving of £16,246 when compared to 20/21 Quarter 1 Base Budget for the period April to June. This figure however, doesn't include refreshments (teas and coffees) at meetings, however a full financial assessment will be carried out for the future Report.

# Agenda Item 10

## 5. Risk management considerations

5.1 No unmanageable risks have been identified.

## 6. Equality, Environmental Impact and Public Health Considerations.

6.1 No equality or public health implications have been identified, although the impact on climate change and the environment impact will be considered more fully as part of the future work, as clearly there are benefits.

**JAN SHADBOLT**

### **Electoral Divisions: All**

Local Government Act 1972: List of Background Papers:

None

Contact for enquiries: Karen Strahan 382264

Room No: G31, County Hall



### Devon County Council Formal Meetings Protocol - Using Microsoft Teams

#### 1. Introduction

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations permit remote attendance in Local Authority meetings.

Remote attendance is permitted as long as certain conditions are satisfied. These include that the Member is able to hear and be heard by the other Members in attendance. Also, being able to hear and be heard by any members of the public entitled to attend the meeting (in line with the public participation scheme). A visual solution is preferred, but audio is sufficient.

This also relates to members of the public attending the meeting also being heard.

The regulations are clear that a meeting is not limited to those present in the same place, but includes electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).

A precis of the Regulations is contained in Appendix 1 of this protocol.

#### 2. Microsoft Teams

Teams is the system recommended for hosting remote / virtual meetings. It has functionality for audio, video, and screen sharing and you do not need to be a member of an organisation (or have a Teams account) to join a Teams meeting.

#### 3. Access to documents

Democratic Services will publish the agenda and reports for committee meetings on the Council's website and will notify councillors by email in line with usual practice. Paper copies of agendas will only be made available to those who have previously requested this and also the Chair of a virtual meeting. If any other Member wishes to have a paper copy, they must notify the Democratic Services Officer before the agenda is published, so they can arrange to post direct with the printers.

Printed copies will not be available for inspection at the Council's offices and this requirement was removed by the Regulations.

# Agenda Item 10

## 4. Setting up the Meeting

This will be done by the Democratic Services Officers ..... They will send a meeting request via Microsoft Teams and will also appear in the participants Outlook calendar. This effectively enables them to be the 'organiser' and gives them slightly more functionality than other participants. This will be used to support the Chair of the meeting.

Meetings will be held at the time notified in the agenda but may be held in more than one place and may include electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.

Meetings are also live streamed and the link to view any meeting can be found on the agenda page for the meeting on the website. Those meetings that were previously webcast will still be recorded and uploaded to the [public-i microsite](#) after the meeting for future viewing.

## 5. Including external participants

Everyone employed by the Council has Microsoft Teams on their laptop/device linked to their email account and therefore they can join a meeting.

For external users, they can also use the Teams app, by downloading it to their laptop, smartphone or tablet.

External participants can be sent the meeting request via email and if a participant is included in this way, they can use all the functions of Teams (video / chat) in the meeting. This might be useful for external presenters at Committee meetings, for example NHS / CCG Officers.

Alternatively, someone can be added to a meeting as a voice call. This can be done at the appropriate time in the meeting by the Democratic Services Officer (ensuring the international dialling code is included when dialling).

There is also provision for a conference call number and ID to be given to external people who are calling in, which is another mechanism for them to join the meeting. Again, this will be done by the Democratic Services Officer as part of the meeting administration.

The public will need to be invited to the meeting if they are participating in some way in line with the public participation rules.

## 6. Joining the Meeting

Councillors are encouraged to join the meeting promptly (i.e. at least three minutes before the scheduled start time) in order to avoid disrupting the meeting.

Attendees should use the link within the calendar invite for the meeting which will say 'Join Microsoft Teams Meeting', which will open the Microsoft Teams app on the laptop/tablet automatically.

See here for a [step by step guide](#) to joining the meeting.

## 7. Starting the Meeting

At the start of the meeting, the Democratic Services Officer will check all required attendees are present (viewing the participant list).

The Democratic Services Officer will also have details of any Members of the public attending under the public participation scheme. They will be notified via the meeting information on the website that they will need to contact the Democratic Services Officer to obtain the link or code for the meeting.

The Democratic Services Officers will start the meeting with a short briefing on meeting etiquette (the meeting agenda will reflect this). They will 'share their screen' with a pictorial presentation of microphone and video icons to demonstrate the relevant controls. This briefing will include asking Members and Officers to **turn off all unnecessary microphones**, unless they are speaking. This prevents background noise, coughing etc which is intrusive and disruptive during the meeting. The Democratic Services Officer will also keep a watch on this and will be able to turn off participant mics when they are not in use. The Chair can also do this, but the Democratic Services Officer will fulfil this function. Members would then need to turn their microphones back on when they wish to speak.

The Democratic Services Officers (as part of this briefing) will also ask all participants to **turn off all unnecessary video**. It cannot be stressed enough how important it is to turn off the video (unless you are the Chair or speaking). This helps with call quality and avoids anyone being filmed/recorded without realising. The Chair should keep their video on at all times. There is no facility for the Democratic Services Officer to turn off other participants video (like you can with microphones) or even see who has their video turned on, so it is even more important that participants are aware of this.

Formal Committee meetings will be recorded. Participants must only turn on their mic and video **when they speak**. This is good practice for all meetings, but especially important because the meeting is recorded. The recording is not like a webcast, because what is being recorded can be different to what you see on screen, even as a meeting organiser. So, participants could be being filmed, even if they are not speaking, simply by virtue of having their video switched on. It might be helpful for Members to think in terms of switching the video and mic on and off at the appropriate times, just like it would be in the DAW room.

## 8. Quorum

The number of Councillors required to be present for a quorum for a meeting shall be as set out in the Constitution. However, for the purposes of determining whether a quorum of Councillors is present at a meeting the Chair shall include all those Councillors in remote attendance.

# Agenda Item 10

## 9. Interests

A Councillor who would ordinarily be required to leave the room during the consideration of an item of business due to the Councillor having a disclosable pecuniary interest or to having such other interest as the Council's Code of Conduct may require the Councillor to do so, shall be deemed to have done so if the Councillor disconnects their remote access and remains disconnected until such time as the Democratic Services Officer and / or Chair invites the Councillor to re-join the meeting.

## 10. Notice to Speak - Members

The Council's Standing Orders relating to Member speaking at meetings will continue.

Members must give notice to speak within the required timescales (24 hours notice) to ensure the meeting request is sent to them in advance.

Any notifications to speak that is out of time means you will not be permitted to speak at the meeting. You can of course still listen to the debate.

## 11. Public Participation

Members of the public can listen to or observe the proceedings of any Committee by clicking on the live stream link which will be posted on the agenda page for the meeting on the website.

Participation in meetings by members of the public will continue in line with the Council's public participation scheme

<https://www.devon.gov.uk/democracy/guide/public-participation-at-committee-meetings/part-1-can-i-attend-a-meeting/>

This can include speaking and / or asking formal questions and / or making representations at various Committee in line with the scheme. They are asked to contact the Democratic Services Officer so they can be sent the link direct into to the meeting or be dialled in at the appropriate time.

When a member of the public is addressing a meeting, in line with the public participation scheme, they will be invited to speak at the appropriate time.

Both they and the Democratic Services Officer will need to ensure their microphone is enabled so the meeting can hear them. If they have video capability on their laptop / device, then they should turn this on so the Committee can see them.

It must be switched off again after they have made their statement or asked their supplementary question (Council and Cabinet meetings only).

As stated earlier, for those who do not have access to the internet / teams, the Democratic Services Officer can dial the member of the public into the meeting using either a mobile or landline phone number.

In the absence of either access to a PC, Mobile or landline, Members of the public can participate in those meetings where they would have made verbal representations by submitting their representation in writing. Those submissions, petitions or questions can then be read out by the Chair or the Democratic Services Officer.

The Democratic Services Officer will mute the member of the public once they have spoken.

## 12. The Meeting and Debate

Councillors who are not Members of the Committee who wish to speak on a particular agenda item must indicate their wish to speak to the Democratic Services Officer in advance of the meeting, within the required timescales in line with section 8.

For Members of the Committee who wish to speak in the debate, they should click on the meeting chat facility and simply write their name or use the 'raised hand' function on the toolbar which allows participants to virtually 'raise a hand' i.e. signalling that they wish to speak,. The Chair will then be aware you wish to speak and can take the requests in the appropriate order.

It is important that the chat function is used solely for this purpose, or for amendments or to raise a point of order, otherwise it is very distracting if other questions/conversations are happening within the chat, simultaneous to the meeting.

When referring to reports or making specific comments, Councillors should refer to the report and page number so that all Members of the Committee have a clear understanding of what is being discussed at all times.

If the debate appears to be coming to an end, the Chair may ask if any other Member wishes to speak before concluding the debate.

When you speak, remember to switch on your mic and video, refer to any relevant page numbers and speak clearly.

## 13. Meeting Etiquette Reminder

- Behave like you would do in a formal committee setting.
- Switch off other applications so that you are focussed during the meeting, do not take phone calls during meetings and never attempt to attend more than one online meeting or event at any one time.
- Do not have Members of your household in the same room as you.
- Any video feed should show a non-descript background (e.g. using the 'blur' function)
- Mute your microphone when you are not talking.
- Switch off video if you are not speaking.
- Only speak when invited to do so by the Chair.
- Speak clearly (if you are not using video then please state your name)
- If you're referring to a specific page, mention the page number.

# Agenda Item 10

- Switch off your video and microphone after you have spoken.
- The only person on video will be the Chair and the one other person speaking.
- Members should upload their photographs to 'Teams' for easy identification of persons in the meeting space.

## 14. Voting

The chat function can be used to ask the Committee to take a vote. When it comes to taking the vote, the Democratic Services Officer will type in the chat ....'All those in favour' or in the case of Cabinet 'Are the Cabinet in Agreement'. Those entitled to vote in the meeting should type 'yes' (in favour of the Motion), 'no' (against the Motion) or 'abstain'. The Clerk will announce whether the motion has been carried or lost.

If the Chair does not wish to use the chat function, they will ask each Member of the Committee to vote in turn. Councillors should (after being asked by the Democratic Services Officer) to express their vote verbally and the Democratic Services Officer will record the outcome of votes and announce these to the meeting.

Details of how Members voted will not be minuted unless a Recorded Vote is called for (and agreed) or that a Member requests their vote to be recorded in line with existing Standing Order (32(4)).

In line with Standing Order 32(3), in the case of an equality of votes the Chair or person presiding at any meeting of the Council, Cabinet or Committee will have a second or casting vote.

\* see section 20 in the case of regulatory meetings.

## 15. Part 2 Reports and Debate

There are times when council meetings are not open to the public, when confidential, or "exempt" issues – as defined in Schedule 12A of the Local Government Act 1972 – are under consideration. It is important to ensure that there are no members of the public at remote locations able to hear or see the proceedings during such meetings.

Any Councillor in remote attendance who fails to disclose that there are fact persons present, such as those who may be able to see and/or hear the meeting, who are not entitled could be in breach of the Council's Code of Conduct.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, remove the participant from the meeting.

It would be good practice to turn off smart speakers such as Amazon Echo (Alexa), Google Home or smart music devices. These could inadvertently record phone or video conversations, which would not be appropriate during the consideration of confidential items.

If the agenda comprises of both public items and part 2, the Clerk may set up a separate meeting to consider the part 2 item, so there is no danger of a previous participant inadvertently re-joining the meeting.

As the meeting moves into Part 2, the Chair should ask each Member in remote attendance to ensure and verbally declare that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.

## 16. Interpretation of standing orders

Where the Chair is required to interpret the Council's existing standing orders in light of the requirements of remote participation, they shall take advice from the Democratic Services Officer or Monitoring Officer prior to making a ruling. However, the Chair's decision shall be final.

## 17. Disorderly Conduct by Members

In line with Standing Order 18, if a Member behaves in the manner as outlined in the Constitution (persistently ignoring or disobeying the ruling of the Chair or behaving irregularly, improperly or offensively or deliberately obstructs the business of the meeting), any other Member may move 'That the member named be not further heard' which, if seconded, must be put to the vote without discussion.

If the same behaviour persists, after following the guidance in Standing Order 18, if a Motion is approved 'that the member named do leave the meeting', then they will be removed as a participant by the Democratic Services Officer.

## 18. Disturbance from Members of the Public

In line with Standing Order 19, if any member of the public interrupts a meeting the Chair will warn them accordingly.

If that person continues to interrupt or disrupt proceedings the Chair will ask the Democratic Services Officer to remove them as a participant from the meeting.

## 19. After the meeting

At the conclusion of the meeting, the recording of the meeting will be uploaded to the public i webcasting site. It will not be live at the time of the meeting, but will be available a few hours after the meeting, allowing time for staff to add agenda points and any other relevant information.

Please ensure you leave the meeting by clicking on the red phone button to hangup.

The Clerk can also end the meeting and will do so, if participants fail to leave the meeting properly.

# Agenda Item 10

## 20. Technical issues

In the event that the Chair or Democratic Services Officer identifies a failure of the remote participation facility, the Chair should declare a recess while the fault is addressed.

If it is not possible to address the fault and the meeting becomes inquorate through this fault, the meeting will be abandoned until such time as it can be reconvened. If the meeting is quorate, then it should continue.

Those attending remotely would be aware and accept that the meeting would continue and a vote would be taken without their attendance.

However, if a connection to a Member is lost during a regulatory meeting, the Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within a reasonable time, the meeting will proceed, but the Member who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.

If the Chair is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chair shall adjourn the meeting. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at the next ordinary meeting or at a time and date fixed by the Chair if the remaining business is time critical.

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, Leader and relevant Cabinet Member, in consultation with the Monitoring Officer shall explore such other means of taking the decision as may be permitted by the Council's constitution.

## 21. Equality

It is also important for authorities to ensure that the needs of any Members with a disability are taken into account when considering the practicality of a remotely attended meeting, taking any reasonable adjustments into account.