

COUNCIL

Tuesday 19 July 2022

Present:-

The Right Worshipful the Lord Mayor Councillor Mrs Yolonda Henson (Chair)

Councillors Asvachin, Allcock, Atkinson, Bennett, Bialyk, Branston, Denning, Ellis-Jones, Foale, Ghusain, Hannaford, Harvey, Holland, Jobson, Knott, Leadbetter, Lights, Mitchell, K, Mitchell, M, Moore, D, Moore, J, Morse, Newby, Oliver, Packham, Parkhouse, Pearce, Read, Rees, Snow, Sparling, Sutton, Vizard, Wardle, Williams, Wood and Wright

Also Present

39 **NOTICE OF MOTION BY COUNCILLOR WILLIAMS UNDER STANDING ORDER NO. 6**

Councillor Williams, seconded by Councillor Wright, moved a Notice of Motion in the following terms:-

Local Authority Remote/Hybrid Meetings

This Council notes that:

On 5 January 2022, the Association of Democratic Services Officers (ADSO) and Lawyers in Local Government (LLG) launched a petition calling on the Government to change the law to give Councils (ranging from County, Districts and Unitary Authorities, through to Town and Parish Councils) the freedom to hold remote meetings when local circumstances suit. This includes hybrid meetings.

This follows the unsuccessful High Court action in 2021 and the subsequent judgement that it was for Parliament to change the law not the courts - as indeed the devolved administrations have done in Wales and Scotland to allow for on-line meetings.

This Council believes that:

We do not wish to impose remote meetings on Exeter City Council, or indeed any Council. We should have the choice to decide how to run our meetings depending on local circumstances. We also accept that some meetings (for example full Council) are more suited to physical attendance.

You will be aware that the Government issued a call for evidence on 21 March 2021 in relation to remote meetings. We are still awaiting their response to the large number of submissions from local authorities, relevant organisations and the public.

The period of lockdown showed that remote meetings bring so many benefits to local democracy and residents, apart from the obvious public health safeguards. It is no longer just a response to Covid, although we are aware that some Councillors are still not able to attend meetings for health reasons either relating to them or their families.

The wider benefits are:

- Increased attendances at remote meetings by both Councillors and the public
- Significant cost savings for some Authorities arising from much less travel to meetings.
- The environmental benefits of less travel, particularly in the large County authorities.
- A better work-life balance.
- Improved equality of access to meetings for all and opening up opportunities for more people to stand for election as Councillors.
- More transparency and openness for the public to see Council meetings.
- An option to move meetings online where there are constraints, for example bad weather such as snow or flooding.

The Council resolves:

To write to the Secretary of State for Levelling Up, Housing and Communities to express our support for the petition launched by ADSO and LLG on 5 January 2022 with regard to remote and hybrid meetings. We call on the Government to change the law to allow Councils the flexibility to hold such meetings when they deem it appropriate within agreed rules and procedures.

Councillor Rees moved and Councillor D. Moore seconded the following amendment:-

“The Council write to Exeter’s two MP’s to refer them to the early Day Motion 264 “Accessible Council Meetings””

In presenting the amendment, Councillor Rees stated that the Early Day Motion had been tabled at Parliament by Caroline Lucas MP on 11 July 2022.

Councillors Williams and Wright accepted the amendment which became the substantive motion.

Councillor Jobson, as the leader of an opposition group, stated that her group would not be supporting the substantive motion. She asserted that Council meetings should be in person so that members of the public could be present in person to witness decision making which was not possible through Zoom, Teams or any other social media platform. Whilst certain meetings, such as briefings, could be held on Zoom, meetings where decisions were to be made should always be in public. This was particularly applicable in respect of Planning Committee meetings where up to 50 plus people could attend and only if individuals were presenting their case in person could Members appreciate the passion of their arguments and the eloquence of their reasoning. She believed that it would be a retrograde step to reintroduce remote meetings.

Councillor D. Moore, as a co-leader of an opposition group, stated that permitting hybrid meetings would open up democracy to many more people and a failure to allow this would be a barrier to participation in modern, local democracy. Going forward, she expected that the meetings will be appropriately managed as had been the case with City Council meetings during lockdown.

Councillor K. Mitchell, as a co-leader of an opposition group, stated that other institutions such as the NHS and big business had adapted and held many meetings remotely, sometimes more often than face to face and that, in his experience, worked well and were often more productive. Continuing with only in

person meetings would effectively disenfranchise people from participating in the democratic process.

Councillor Wright, in seconding the Motion, advised that reference to coverage of meetings via social media was misleading as the platforms used such as Zoom were more accurately described as a livestream communication media. She stated that the public had voted Councillors to represent them and that there were varying ways in which this could be achieved as well as through in person meetings. Councillor Wright expressed her disappointment that, whilst Councils were required to meet in person, Parliamentary meetings had continued remotely in some cases. She also reminded Members that the City Council had been the first authority to hold on-line meetings after the outbreak of the Pandemic.

Members made the following comments:-

- whilst the Government's call for evidence on 21 March 2021 had closed in June 2021, it was yet to share the results of that consultation nor issue guidance on the way forward;
- a Local Government Association survey had shown that, since resuming in person meetings, there had been a 72% drop in Member attendance and a 73% drop in public attendance. Hybrid models should therefore be the way forward and a recent survey showed that 72% of Councillors felt that a hybrid model would attract more ethnic minorities and younger people and encourage them to stand in local elections. It would also assist people with caring responsibilities, disabilities and chronic illness to view and participate in meetings. The Government should bring democracy into the 21st Century;
- remote meetings would help diversify the demographic profile by overcoming existing barriers and encouraging increased participation by women in local democracy. It would be important therefore for flexibility in the system;
- the Pandemic proved that remote meetings were workable and successful and, in some cases, as with the Planning Committee, improved the ability of the public to view documentation being put forward as part of planning applications and also provide greater visibility on the speakers themselves;
- failing to enable Councils to opt for alternative means of holding meetings was discriminatory and could exclude groups such as young people, ethnic minorities, those with disabilities or health issues, those in employment or with inflexible work patterns who, accordingly, found it difficult to attend meetings in person;
- a number of people who were vulnerable and at risk would have been able to participate in meetings during the Pandemic outbreak via remote means and this would still be the case if another Pandemic occurred;
- the Government's failure to date to permit remote meetings discriminates against the vulnerable and the immune impaired;
- young people in the 21st Century are familiar with new technology and, potentially, are more likely to view meetings on Zoom rather than attend in person;
- hybrid meetings would enable those Councillors who encounter health issues to continue as Members;
- the Motion acknowledges that in person meetings would also remain appropriate as there was a benefit for the majority to be in a room together, whilst at the same time, allowing others to participate remotely;
- hybrid meetings would be particularly beneficial to single parents as parental responsibilities could limit attendance at meetings;
- on line coverage of Scrutiny Committees would also help the democratic process; and

- hybrid meetings would also facilitate Members of the public submitting and asking questions without having to attend.

The Leader stated that it was to be hoped that this matter would be progressed through Parliament for an early decision. Whilst it was to be expected that Councils would seek to follow national guidance, it was hoped that there could be a degree of local latitude in respect of decisions whether Committees, Working Groups etc. could be hybrid or otherwise.

Councillor Williams, in concluding, stated that it would not be a retrograde step to hold hybrid meetings. Virtual meetings had worked exceptionally well during lockdown, particularly the Planning Committee and the Council had ensured that its formal meetings had remained fully accessible to the public. She congratulated Councillor Holland, the Lord Mayor at the time, who had successfully chaired Council meetings under the new procedures put in place during that time, as well as the Council's Democratic Services team, for its work to successfully deliver on-line meetings. It was important to plan for the future and hybrid meetings should be a part of that process. Councillor Williams commended the Substantive Motion to Council.

The Notice of Motion, as amended, was put to the vote and CARRIED.

(The meeting commenced at 6.00 pm and closed at 8.20 pm)

Chair



Department for Levelling Up,
Housing & Communities

Rt Hon Ben Bradshaw MP
House of Commons
London
SW1A 0AA

Paul Scully MP

*Minister of State at the Department for Levelling Up,
Housing and Communities and Minister for London*

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Our Ref:20232947
Your ref:BB90148

18 October 2022

Dear Ben,

Thank you for your letter of 12 August, to Rt Hon Greg Clark MP, on behalf of your constituent Mr John Street of Exeter City Council, about local authority remote and hybrid meeting. I have been asked to reply as this matter falls within my ministerial responsibilities. Please accept my apologies for the delay in responding to you.

As Mr Street notes, in response to the pandemic, the Government introduced regulations under section 78 of the Coronavirus Act 2020 to allow local authority meetings to take place remotely. The regulations were time limited and only applied to meetings held between 4 April 2020 and 7 May 2021. A High Court judgement handed down on 28 April 2021 confirmed that local authority meetings must take place in person.

Prior to the expiry of the remote meetings regulations, the Government recognised that councils were keen to retain the flexibility to choose to meet remotely or in hybrid form as and when circumstances dictate. A Call for Evidence on remote meetings was conducted from 25 March to 17 June 2021 to inform consideration of permanent provisions. Any permanent provision would require primary legislation and would depend upon available Parliamentary time. The department has considered responses to the Call for Evidence and Government will respond shortly.

Thank you for taking the time to share Exeter City Council's experience on this matter.

Yours sincerely,

PAUL SCULLY MP

