

Dartmoor National Park Authority Formal Meetings Protocol Using LifeSize

Version 3 dated 18 September 2020

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 2020 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. LifeSize

LifeSize is the system that will be used 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 LifeSize account) to join a LifeSize meeting. Separate guidance on using LifeSize has been issued to Members.

Please contact the ICT team if you need assistance (email: it@dartmoor.gov.uk)

3. Access to documents

The Business Support Officer will publish the agenda and reports for committee meetings on the Authority's website and will notify Members by email in line with usual practice. Members will receive by email the agenda, reports and officer presentations for reference during the meeting.

The papers will also be uploaded to the Authority's website as usual prior to the meeting.

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

4. Setting up the Meeting

This will be done by the Business Support Officer who will send a link to connect to the meeting to your Dartmoor email address. Another DNPA officer will attend and act as the meeting 'moderator' who, along with the Chair, will have some additional functionality to support and manage the meeting (e.g. control of mics; seeing who has 'raised their hand').

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. The meetings will be live streamed to enable public participation.

5. Joining the Meeting

Members are encouraged to join the meeting 30 minutes prior to the start time if possible, to provide us with opportunity to resolve any problems in order to avoid disrupting the meeting.

Attendees should connect to LifeSize using the link provided by the Business Support Officer in the email. When joining the meeting by video, please ensure you type your full name and add Officer or Member, for example:

Neil White - Officer
Kevin Ball - Member

The Chair for each meeting will add the word "Chair" after their name.
For a step by step guide to joining the meeting, please refer to the LifeSize instructions provided.

6. Starting the Meeting

At the start of the meeting, the Business Support Officer/Moderator/Chair will check all required attendees are present (viewing the participant list). After the meeting, the Business Support Officer will prepare a document that will form the electronic attendance record of the meeting.

The Business Support Officer will also have details of any Members of the public attending and / or press. The public and press will be notified via the meeting information on the website that they will be able to follow the meeting by watching a live stream by following a link.

The Chair and/or Moderator will start the meeting with a short briefing on meeting etiquette, if required/as appropriate. They may 'share their screen' with a pictorial presentation of microphone, video and raise hand icons to demonstrate the relevant controls. This briefing may 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 Moderator will also keep a watch on this and will be able to turn off participant mics when they are not in use. Members would then need to turn their microphones back on when they wish to speak. Video cameras may be switched off but must be switched on when addressing the committee.

Formal Committee meetings will be live streamed. Participants must only turn on their microphone and video **when they speak**. Participants need to be aware that they may be being filmed, even when they are not speaking, simply by virtue of having their video switched on.

7. Quorum

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

8. Interests

Members would ordinarily be required to leave the room during the consideration of an item of business where they have a disclosable pecuniary interest, or such other interest that would require the member to leave the room under the Authority's Code of Conduct. In such circumstances, the member shall be deemed to have left the room if they disconnect their remote access and remain disconnected until such time as the Moderator and/or Chair invites the Member to re-join the meeting.

Members who disconnect from the meeting will be contacted (by separate telephone call) to advise them to re-join the meeting (using the same link) at the appropriate time. Members should stay

close to their devices to avoid delays in reconnecting them at the appropriate time, otherwise the meeting may have to continue without them in attendance.

9. Speaking at Meetings - Members

The Authority's Standing Orders relating to Member speaking at meetings will continue (section 18, Rules of Debate).

Members should indicate they wish to speak by using the 'Raise Hand' feature in LifeSize if they have access to it. For those without access to this feature, the Chair will periodically check if they wish to speak.

Members should only speak when invited to do so by the Chair (all Members will be given the opportunity to speak in turn) and should keep their contributions short and to the point.

At times it may be necessary for the Monitoring Officer, Head of Development Management or the Solicitor to interrupt proceedings, e.g. to prevent a procedural error.

10. Public Participation

Participation by members of the public will continue in line with the Authority's Standing Orders (section 22 and the provisions set out at Appendix 8).

This can include asking questions and/or presenting a statement or any petition in line with the Standing Orders.

Members of the public can listen to or observe the proceedings of a committee if it is livestreamed by a link which shall be advertised on the DNPA website. Any member of the public who wishes to speak at the meeting is asked to contact the Business Support Officer as soon as possible, or at the latest by 10am on the working day prior to the meeting, so they can be sent the link to join the whole meeting or join the meeting at the appropriate time.

Members of the public who wish to speak at the meeting will do so by video link if they have a good internet connection and appropriate capability on their laptop/device. If they do not have access to the internet they have the option of dialling in via a mobile or landline phone number. In the absence of access to either a computer/suitable device, mobile or landline, Members of the public can participate in those meetings where they would have made verbal representations by submitting a written statement which will be read out by the Business Support Officer or Case Officer at the appropriate time.

When a member of the public is addressing the meeting, they will be invited to speak at the appropriate time and should turn on their microphone and/or video before doing so. The microphone and/or video must be switched off again when they have made their statement.

In case of technical difficulties on the day, those members of the public wishing to speak in person on a planning application will also be asked to provide a written statement or transcript. If the technical difficulties cannot be resolved, this statement will be read out by the Business Support Officer or Case Officer unless the member of the public has expressly stated this should not happen. In that event, the Committee may be unable to determine the application and may have to defer it for consideration at a future meeting.

11. The Meeting and Debate

The Chair will invite each Member to speak in turn. When referring to reports or making specific comments, Members should refer to the report and page number so that all Members 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 in turn if any other Member wishes to speak before concluding the debate.

When you speak, remember to switch on your microphone and video, refer to any relevant document and page numbers, and speak clearly. Remember to turn off your microphone and video when you have finished speaking.

As Members are aware, site visits should only be proposed where there are genuine planning reasons and Members may wish to consider whether Officers might be able to provide additional information and/or materials that might negate the need for a site visit. In the event a site visit is still required, Members should be aware that the item may need to be deferred for some time, until social distancing restrictions are eased such that it is possible to convene a site visit for all those who may wish to attend.

12. Meeting Etiquette Reminder

- Behave and appear like you would do in a formal committee setting
- Remember that you are in a public meeting as soon as you 'join the meeting' (i.e. before the formal meeting starts)
- Do not have members of your household or pets in the same room as you
- Think about what is visible in the background, remove personal items and de-clutter
- Wherever possible, choose a light room where your face is easily seen
- Mute your microphone when you are not talking; video cameras may be turned off but must be switched on when speaking
- Only speak when invited to do so by the Chair
- Speak clearly (if you are not using video then please state your name before speaking)
- If you're referring to a specific document, state the name of the document and specify the page number
- Switch off your microphone and/or video after you have spoken
- Remember that if your video is on, you are being recorded even if you cannot see your video on the screen or you are not talking
- Ensure your mobile phones and other devices are set to silent
- Switch off smart speakers e.g. Amazon Echo (Alexa), Google Home or smart music devices

13. Voting

Members will cast their vote verbally, rather than by a show of hands.

The Chair will ask each Member to vote in turn. Members should express their vote verbally and the Business Support Officer / Solicitor will record the outcome of votes and announce these to the meeting. The Chair will ask Members if they approve the recommendations, Members should respond with one of the following:

- For motion
- Against motion
- Abstain

14. Part 2 Reports and Debate

There are times when Authority 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 Member in remote attendance who fails to disclose that there are in 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 Authority's Code of Conduct.

If there are members of the public listening to the open part of the meeting, then the Business Support 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.

15. Interpretation of Standing Orders

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

16. Disorderly Conduct by Members

In line with Standing Order 19, if a Member behaves in the manner as outlined (*persistently disregarding the ruling of the Chair or by behaving irregularly, improperly or offensively, or by wilfully interrupting or obstructing the business of the Authority*), the Chair shall inform the meeting of that opinion and may take any of the actions set out in Standing Order 19.1.

If the same behaviour persists, after following the guidance in Standing Order 19, if a Motion is approved 'that the Member named do leave the meeting', then they will be removed as a participant by the Moderator or Chair.

17. 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 Moderator to remove them as a participant from the meeting.

18. After the meeting

A copy of the minutes of the proceedings at each meeting of the Authority shall be published upon the Authority's website within 10 working days of the date of the meeting at which those minutes are approved.

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

19. Technical issues

In the event that the Chair or Moderator 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.

20. Disability

It is also important for authorities to ensure that the needs of any disabled participants are taken into account when considering the practicality of a remotely attended meeting.

A Briefing on the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

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 4th April 2020.

The regulations are 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).

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

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

Frequency of Meetings / Annual Meetings

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.

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.

Remote Attendance in Local Authority Meetings

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 including electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).

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.

This also relates to members of the public attending the meeting being heard, but preferably seen.

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.

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 (including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers).

Standing Orders

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

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.

Annual Meeting

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.

Access to Information

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

Access of Public and Press

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.

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

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.

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).