Remote Meetings Protocol and Procedure Rules

THE ROYAL BOROUGH OF
**KENSINGTON
AND CHELSEA**

1. Introduction and Application

1.1   This Protocol and accompanying Procedure Rules apply to the conduct of any remote meeting of the Council or its Leadership Team, Committees and Sub-Committees held under the provisions of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority, Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (hereafter referred to as 'the Regulations').

1.2   This Protocol and Procedure Rules should be read in conjunction with the Council's Constitution, in particular Council Standing Orders.   The Regulations apply, notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Council governing meetings, and the Regulations remain valid until 7 May 2021.   This means that, wherever there is any conflict, these Remote Meetings Protocol and Procedure Rules take precedence in relation to any remote meeting.

1.3   The provisions of the Councillor and Officers' Codes of Conduct apply to remote meetings of the Council in the same way as they do to meetings of the Council where Members and officers are in actual attendance.

2. Public Notice of, and Access to Remote Meetings

2.1   The Council will give five clear working days' notice of the date and time of each remote meeting on the Council website in the same way as it does for other meetings, i.e. those normally held at Kensington Town Hall. However, in place of the physical location for the meeting, details will be provided of the weblink to the livestream (or broadcast) of the proceedings (which will be audio or audio with video) to enable anyone who so wishes to observe.

2.2   The remote meeting may be held at any Council building or may be an electronic or a digital or virtual location, a web address or a conference call telephone number, or could be a number of these combined. The meeting may also be held in a meeting room or Chamber with a proportion of the membership and any participating public additionally attending remotely.

2.3   The Council will notify all Members of the Committee or forum in question of the date and time of any meeting and will provide details of where they may find the meeting agenda and reports. Hardcopy agendas will be sent to Committee Members upon request, however any failure to send a hardcopy agenda or agenda weblink to any Councillor shall not affect the validity of a meeting of the Council.

2.4   Where late or supplementary papers are circulated these will be published as soon as practicable on the Council website and Committee Members alerted.

2.5   The Council will make available for public inspection all agendas, reports, minutes and background papers (other than those that are confidential or exempt under the provisions Schedule 12A of the Local Government Act 1972) in the same way they would for other meetings.

3.   Livestreaming to the Public

3.1   Anyone with the published weblink will be able to watch the livestream on their personal desktop, laptop or mobile device without downloading any additional software. Those without access to such devices will be able to dial a published number that will enable them to listen to proceedings.

3.2   Whilst Committee and other meetings will generally be livestreamed - to facilitate public access, openness and transparency - no meeting or part thereof that is considering confidential or exempt matters (as defined in Schedule 12A of the Local Government Act 1972) will be livestreamed.

3.3   The recorded livestream of any remote meeting will be available on the Council's website at least until the Minutes of the meeting have been confirmed and signed as a correct record.

4.   Participation in Remote Meetings

4.1   Whilst participation in most meetings will be limited to the Councillors and officers concerned, full participation access to some meetings will be arranged, with sufficient advance notice, for additional participants as follows:

- Some Committees have co-opted members who will participate in the same way as other Committee Members;

- Some Committees, such as the Investment Committee, have external advisers who will participate so as to give the necessary advice;

- The established procedures and protocols of some committees, such as the Planning Committee, the Planning Applications Committee and Licensing Sub-Committees provide for objectors and applicants to speak;

- Councillors who are not Members of a Committee may ask in advance to join a meeting as a participant whether or not they choose to, or are permitted to speak; and

- In some instances the Chair of a Committee will give permission in advance for members of the public or representatives of organisations or groups to address the Committee. This may well happen more commonly, for example, at remote Scrutiny or Select Committee meetings.

4.2   The above external participants will be able to participate and will be heard on the broadcast along with other participants, but their image will only be visible insofar as they opt to turn on the camera on their device.

5.   The Start of the Meeting, Quorum and Participant Record

5.1   The meeting will start at, or as soon as practicable after, the published start time – but the meeting will not start until the Governance officer, who is the Chief Executive's representative at the meeting, switches the meeting to 'live' mode and starts streaming to the public.   Those tuning in via the weblink may have to wait for a few minutes until the livestream commences, but in doing so will not miss any of the meeting.

5.2   The quorum for each remote meeting is no different than for any ordinary meeting, as specified in the Council's Constitution.

5.3   The Governance officer will take full details of those participating in the meeting and will record all such names in the minutes of the meeting.

6.   The Chair

6.1   The Chair will start the meeting by welcoming all those participating and following the livestream. The Chair will then:

- make it clear who each of the participants are – Members, officers and any others participating. The Chair will explain that participants are joining the meeting from remote locations;

- where practicable ask Committee Members to introduce themselves and remind them that they should so indicate if they leave the meeting at any point;

- invite Members to make any necessary declarations of interest and, where they declare a disclosable pecuniary interest or other declarable interest in any item of business that would normally require them to leave the room must similarly leave the remote meeting when the Committee considers the business in which they have that interest;

  [Any such Member departure will be confirmed by the Governance officer and he or the meeting facilitator will invite the relevant Member by link email or telephone to re-join the meeting at the appropriate time.]

- if a Vice-Chair is not already appointed, invite Members to appoint a Vice-Chair for the meeting to preside in the event that the Chair's connection 'drops out' at any point during the meeting; and

- explain how the meeting will be managed and the proposed order of business.

7.   Members Participating Remotely

7.1   In the event of any apparent failure of the video, telephone or conferencing connection, the Chair will immediately determine if the meeting is still quorate, and:

- if it is, then the business of the meeting will continue; or

- if there is no quorum, then the meeting shall adjourn for a period specified by the Chair, expected to be no more than ten or fifteen minutes, to allow the meeting connection to be re-established. If during the adjournment period the meeting connection is not re-established the Chair will terminate the meeting and defer any outstanding business to a later meeting or arrange for any urgent matters to be dealt with under Constitutional urgency arrangements.

7.2   Should any aspect of an individual's remote participation fail, the Chair may at his/her discretion call a short adjournment to determine whether the connection can quickly be re-established, either by video technology or telephone in the alternative. If the connection is not restored within that time, the meeting will continue to deal with the business whilst this happens, providing the meeting remains quorate and the livestream is maintained.

7.3   In the event of unresolved connection failure, the remote Member(s) will be deemed to have left the meeting at the point of failure and if the connection cannot be re-

established to those Member(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the business on the agenda provided that the meeting remains quorate and the livestream is maintained.

7.4   Where 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 (if still quorate), 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 and representations.

7.5   Members are expected to adhere to the following etiquette during remote attendance at a meeting:

- They should join the meeting no later than fifteen minutes before the start to allow themselves and the meeting facilitator and/or Governance officer the opportunity to test the equipment.

- They should ensure that any camera (video-feed) should show a nondescript or neutral background and Members should be careful to not allow exempt or confidential papers or family members, especially children, to be seen in the video feed. They should also consider what might and might not be appropriate clothing to wear and refrain from drinking, smoking or behaving on camera in any other way that might reflect less than favourably on them or the Council.

- They should ensure as far as possible that their full name appears, upon joining the meeting in full, e.g. 'Councillor Joanne Smith'.

- They should have their video turned off and microphones muted when not talking.

- They should use the remote 'chat facility' to signal to the Chair that they wish to speak and will only speak when so invited by the Chair. The chat facility must not be used for private conversations between Members.

- They should unmute their microphone, turn their camera on and give their name when the Chair invites them to speak – and when referring to a specific report, paragraph, slide, diagram or drawing should make it clear which this is so that all participants, and those following the livestream, can follow proceedings.

- They should not speak when another participant is already speaking, i.e. only one Member/participant may speak at any one time.

8.   Remote External Participants

8.1   Any external person participating in a meeting remotely (see paragraph 4.1 above) must, once the meeting is 'live', mute their microphone until such time as they are invited by the Chair to participate. They should also leave their camera in off mode if they do not wish to be seen by other participants or on the livestream. It's important to note that whether or not cameras are on or off, every participant present will be able to hear 'unmuted' comments made by other participants.

8.2   Committee Members and all other participants are expected, prior to speaking, to introduce themselves for the benefit of those who may not recognise who is speaking at any given time. Furthermore, they should always make it clear to whom they are addressing a question so as to minimise any misunderstanding.

8.3 In the event of an individual's disorderly conduct affecting the proper proceedings of the meeting that person's connection may be terminated upon the instruction of the Chair.

8.4 An external participant in remote attendance will be deemed to have left the meeting if at any point in time during the meeting where that person cannot be heard by other participants. In such circumstance the Chair may, as s/he deems appropriate, adjourn or suspend proceedings or continue to transact the remaining business:

9. Meeting Procedures

9.1 A meeting facilitator, which may be a Governance officer or some other member of Council staff, will be present to control the video, telephone or conferencing technology employed by the Council for remote access and attendance and to facilitate the meeting and associated connections.

9.2 All existing Constitutional and other procedure rules in relation to speaking and speakers at meetings continue to apply.

9.3 When the Chair is satisfied that there has been sufficient debate, s/he will progress to making a decision. The method of voting will be at the Chair's discretion and will be by one of the following methods:

- by agreement amongst Committee Members, with the Chair asking "Can we take that as agreed?" or similar, then waiting for a period to allow for Member responses;

- the Chair or Governance officer at the meeting will ask each Committee Member in turn to signal clearly whether they vote 'for', 'against', or 'abstain from' the proposal or recommendation that the Chair has put to the vote; or

- a vote by electronic means.

9.4 When the voting on the item has been completed the Chair or Governance officer will clearly state the result of the vote and the Chair will then move onto the next item of business.

10. Conclusion of the Meeting

10.1 Once the final item of business has been concluded and the decision announced:

- the Chair will indicate that s/he is bringing the meeting to a close and the time at which this occurs; and

- the Governance officer or IT facilitator will end the livestream but all participants, (including any external participants still online) may still be able to speak to and hear each other unless they have left the remote meeting.