

## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** **CONSTITUTION COMMITTEE**  
**DATE:** **WEDNESDAY, 17 JULY 2013**  
**REPORT BY:** **DEMOCRACY & GOVERNANCE MANAGER**  
**SUBJECT:** **CONSULTATION ON REMOTE ATTENDANCE AT COUNCIL MEETINGS**

### **1.00 PURPOSE OF REPORT**

1.01 To determine the response to consultation by the Welsh Government on remote attendance at Council meetings

### **2.00 BACKGROUND**

2.01 Section 4 of the Local Government (Wales) Measure 2011 is attached as Appendix 1. It provides that attendance at meetings is not limited to meetings of persons who are all present in the same place. It empowers attendance remotely if this is not prohibited by the authority's standing orders where via technology the remote attendee is able to see and hear and be seen and heard by those in actual attendance. Section 4 (6) provides that a local authority must have regard to guidance issued by Welsh Ministers in relation to attending meetings remotely.

2.02 On the 29 April 2013 the Welsh Government issued draft guidance on remote attendance for consultation purposes. This is attached as Appendix 2. Responses to the consultation are required by the 21 August 2013.

2.03 In February 2013 the Welsh Government made grant funding available to Welsh authorities and one of the purposes of that grant funding was to assist in providing remote attendance at meetings. Flintshire subsequently received £40K to assist in this and in webcasting meetings of the Council and its committees.

### **3.00 CONSIDERATIONS**

3.01 Section 4 of the Measure has not as yet been implemented but the draft guidance indicates it is the intention to do so when the final version of the guidance is published.

3.02 The stated intention behind enabling Councils to permit remote attendance is to make it easier for those Councillors who may have to travel long distances, or have domestic responsibilities, or are in employment.

- 3.03 The draft guidance that has been issued does not have numbered paragraphs but these have been added in appendix 2 to facilitate comment on the draft guidance. It is considered that the first point to be made is that the final guidance should have numbered paragraphs.
- 3.04 The eighth paragraph of the draft guidance envisages the remote attendance being by a number of Councillors in a different Council office from where the meeting is held. This does suggest that the main intention behind the new legislation is to address those Councillors who have to travel long distances rather than those with domestic responsibilities or those in employment. The paragraph indicates that there will probably need to be an officer present both to support those Members attending remotely but also to ensure that the equipment needed for remote attendance is operating correctly. This therefore creates a significant demand on staffing resources for any such meetings.
- 3.05 The next paragraph indicates that local authorities will need to decide whether or not they wish to permit members of the public to be present at the remote location and if they are an officer presence would be required to make arrangements for them. If at any stage the meeting resolves to exclude the press and public the officer would have to ensure the public left the remote location for that part of the meeting.
- 3.06 Paragraphs 10 to 15 of appendix 2 relate to the Welsh language implications of remote attendance. Again these paragraphs would have a significant resource implication, not only in relation to the cost of purchasing the relevant technology but also as translation facilities would need to be available, both at the main meeting place and at the remote locations.
- 3.07 The view expressed in paragraph 19 of appendix 2 is inconsistent with the wording of Section 4 (3) (c) of the Measure and paragraph 5 of the draft guidance both of which make it clear that standing orders can prohibit remote attendance. Section 4 was drafted to enable remote attendance if a Council so wished rather than, as the draft guidance is here indicating, requiring some remote attendance.
- 3.08 Paragraph 21 of appendix 2 envisages that normally if the technology providing remote attendance fails and can not be rectified the meeting should be abandoned. In practice this will lead to the majority attending at the main meeting place being inconvenienced by the minority who have chosen to attend remotely. It would seem preferable that if someone has chosen to attend remotely then they bear the risk of a technical failure and the meeting continues rather than being abandoned.
- 3.09 The penultimate paragraph – attached as Appendix 3 is a draft response to consultation for Members to consider and approve or

amend as they believe appropriate.

#### **4.00 RECOMMENDATIONS**

4.01 For the committee to determine its response to the consultation paper.

#### **5.00 FINANCIAL IMPLICATIONS**

5.01 There will be significant financial implications beyond the grant funding made available.

#### **6.00 ANTI POVERTY IMPACT**

6.01 None as a result of this report.

#### **7.00 ENVIRONMENTAL IMPACT**

7.01 None as a result of this report.

#### **8.00 EQUALITIES IMPACT**

8.01 None as a result of this report.

#### **9.00 PERSONNEL IMPLICATIONS**

9.01 There will be significant personnel implications as indicated in paragraphs 3.04 to 3.06 above.

#### **10.00 CONSULTATION REQUIRED**

10.01 None as a result of this report.

#### **11.00 CONSULTATION UNDERTAKEN**

11.01 None as a result of this report.

#### **12.00 APPENDICES**

12.01 Appendix 1 - Section 4 of the Local Government (Wales) Measure  
Appendix 2 - Draft guidance on remote attendance  
Appendix 3 - Draft response to consultation

#### **LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985 BACKGROUND DOCUMENTS**

Letter from the Welsh Government dated 21 February 2013.

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