

MAIDSTONE BOROUGH COUNCIL
PROTOCOLS FOR CONDUCTING REMOTE COMMITTEE MEETINGS

The following protocols have been established for Maidstone Borough Council when conducting remote Committee meetings.

In drafting the protocols consideration has been given to the flexibility provided by **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 Regulations override any existing procedure rules/standing orders or other rules authorities may have relating to the governance of meetings. Therefore, there is no need at this stage to make amendments to the Council's Constitution.

The protocols have been put together with the aim of ensuring efficient and timely decision making and continued Member, press and public participation prior to the Committee making decisions regarding agenda items.

The meetings do not have to take place in the evening but can occur at any time determined by the Proper Officer (subject to complying with the need to give 5 clear working days' notice regarding a Committee meeting).

PROTOCOL FOR ALL COMMITTEE MEETINGS

1.0 Notice of the Meeting

The notice will be published on the Council's website and notification sent by email to Members.

If possible and entirely dependent on Corporate Support staff being available in Maidstone House, the Notice will be posted on the Notice Board in the Reception of Maidstone House.

2.0 Publishing of the Agenda

The agenda, which includes the summons to the meeting, will be published in the normal way on the Council's website 5 clear working days before the meeting. The agenda will include instructions for the press and public about how to access the meeting (audio only) by dialling in.

As well as being published on the website and sent via email to Members, a hard copy of the agenda will be sent out to all Committee Members for ease of use during the meeting. Should a Member be unavailable to attend a meeting, a Substitute Member can retrieve the online papers and/or be sent hard copy papers (time permitting).

3.0 **Public Access to Meetings**

The meetings will be broadcast live on the Council's Youtube Channel. This will allow the public to hear the meeting and where possible see the meeting.

4.0 **Questions by Councillors**

Having given notice by 10.00 a.m. one clear working day before the day of the meeting, and providing that the question has been accepted by the Proper Officer, the Councillor will put the question (by telephone conference call arranged through the Facilitator or by logging on to Skype) to the Chairman of the Committee. Once the initial question has been addressed, the Member can raise a supplementary question without notice on the subject of the original question

If the Member is unable to access the meeting remotely, the initial question will be read by the Facilitator and responded to by the Chairman.

5.0 **Questions from the Public**

Having given notice by 5.00 p.m. one clear working day before the day of the meeting, and providing that the question has been accepted by the Proper Officer, the member of the public will put the question (by telephone conference call arranged through the Facilitator) to the Chairman of the Committee. Once the initial question has been addressed, the Chairman will ask if any Group Leader/Representative present would also like to respond.

A questioner who has put a question in person may also put one supplementary question without notice to the Chairman. The supplementary question must arise directly out of the original question or the reply. Once the supplementary question has been answered, the Chairman will ask if any Group Leader/Representative present would also like to respond.

If the member of the public is unable to access the meeting remotely, the initial question will be read out by the Facilitator and addressed by the Chairman.

The question and answer session will be time limited to 30 minutes.

6.0 **Petitions**

There will be provision for the presentation of Petitions. Members of the public will be advised that they can make a statement to the Committee at the appropriate Committee meeting (for a maximum of five minutes or three minutes for Planning Committee). Alternatively, they can send their statement to Democratic Services for it to be read out. The normal rules of submitting petitions will apply, i.e. notification of the petition wording should be given to Democratic Services two weeks in advance of the meeting and the petition should be sent to the Council offices one clear working day before the day of the meeting. The Corporate Support team can then scan the petition and send it to Democratic Services for checking provided that further social distancing restrictions do not prevent the operation of the post room.

However, in the current circumstances, it is possible that any petitions received will be electronic due to social distancing, and these will be accepted, subject to the normal rules concerning timing, and will be easier to process.

7.0 **Prior to the Meeting**

As well as being published on the website and sent via email to Members, a hard copy of the agenda will be sent out to all Committee Members for ease of use during the meeting, provided that further social distancing restrictions do not prevent the operation of the post room and postal delivery.

Should a member be unavailable to attend a meeting, a Substitute Member can retrieve the online papers and/or be sent hard copy papers (time permitting).

8.0 **The Chairman**

The role of the Chairman will continue, however the responsibility for managing the meeting will be temporarily assigned to a Democratic Services Officer (the Facilitator). This Officer will not steer the debate. He/she will merely assist in implementing the remote meeting protocols.

Another Democratic Services Officer (the Committee Clerk) will attend the meeting to produce the Minutes and to provide procedural advice as required.

No later than an hour before the Committee meeting is due to commence, the Democratic Services Officer will have a discussion with the Committee Chairman to update him/her on whether there have been any apologies and to ensure the Chair is fully briefed.

Remote meetings will not go ahead unless there is a quorum.

9.0 **Quorum**

Full Council – one quarter of the whole number of Councillors i.e. 14 Councillors

Committees – not less than four Councillors except the quorum for the Cobtree Manor Estate Charity Committee and the Queen's Own Royal West Kent Regiment Museum Trust Committee is three Councillors.

10.0 **Substitute Members**

Substitute Members must notify Democratic Services at least an hour before the scheduled start of the Committee meeting to ensure that they can gain access to the meeting.

11.0 **Visiting Members**

Visiting Members must notify Democratic Services of their intention to speak at the meeting by 4 p.m. on the day of the meeting with the agenda item(s) they wish to speak on. This will ensure that they can gain access to the meeting.

12.0 **During the Meeting**

Members and Officers are expected to have access to either an electronic copy

of the agenda or their hard copy of the agenda which will be sent by post to Members of the Committee and known Substitutes (if there is time).

Members and Officers are encouraged to attend the remote meeting in a quiet environment.

Members are advised to 'log on' to Skype/the conference call 15 minutes before the meeting is due to commence to ensure they are correctly set up to take part in the meeting. The Democratic Services Officer responsible for facilitating the meeting will ensure all Members have accessed the meeting through the electronic means 10 minutes before commencement of the meeting with the assistance of an I.T. Officer.

- If there are any problems connecting, the Member will be expected to contact the IT department to resolve this issue. A telephone number is included in the guidance notes.
- If a Member drops out due to connectivity problems, then they should attempt to re-enter the meeting as soon as practicable and will then be let back into the meeting by the Facilitator.
- A member of the IT department will be present throughout the meeting to ensure that any technical difficulties can be resolved as quickly as possible. If there are significant technical difficulties which affect the continuity of the meeting then the Chairman will make a considered decision on whether to reconvene or adjourn the meeting.

All attendees will be 'muted' as default (this includes Members, Officers and the Public Participating and the Public Observing). At the start of the meeting the Members and Officers will be unmuted by the Facilitator to allow debate. The members of the public who are participating in the meeting will be unmuted when they are required to speak to give their question or make a statement. This practice will help to prevent disruption to the meeting.

The Skype call (including audio, video, presentations and IM) will be uploaded onto the Council's YouTube channel and broadcast live.

The procedure for the meeting will be as follows:-

Introduction by the Chairman	Welcoming those present and providing Members and attendees with a short briefing on meeting protocol. The Chairman will indicate that accessing the meeting remotely by telephone will signify acceptance on the part of members of the press and public that their landline/mobile number may be seen but will not be
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	<p>shared by Members and Officers present at the meeting.</p> <p>The Chairman will advise that the meeting will be audio recorded and that after the meeting the recording will be uploaded onto the Council's YouTube channel and/or the webcast. He will ask whether anyone else will be recording the meeting.</p>
Attendance Register	<p>The Chairman will ask the Facilitator to take the attendance register by reading out the list of Committee Members, starting with the Chairman and Vice-Chairman and then the remaining Members of the Committee (in alphabetical order) who will confirm their attendance by answering 'present'.</p> <p>The Chairman will then ask the Facilitator to read out the list of Officers present and what items they are presenting on.</p>
Apologies	<p>The Chairman will ask the Facilitator to read out the list of apologies received.</p>
Substitute Members	<p>The Chairman will ask the Facilitator for any Substitute Members. The Facilitator will read out each person from the list and the Substitute Member will answer 'present' and who they are substituting for. The Chairman will then ask if there are any other Substitute Members and if there are any, the Member will speak to confirm who they are substituting for. However, all Substitute Members should have notified Democratic Services in advance of the meeting if they are substituting for a Member of the Committee.</p>
Urgent Items	<p>The Chairman will advise the Committee if there are any Urgent Items and confirm that he/she has agreed to take this and for what reason.</p>

Visiting Members	<p>The Chairman will ask the Facilitator to read out the Visiting Members along with the Agenda Items they have indicated they wish to speak on.</p> <p><i>The list will have already been sent to the Chairman so he/she knows who to call when the Committee get to the specific agenda item.</i></p> <p>As Visiting Members are required to provide prior notice of their intention to speak, there should not be any late comers as it may be difficult to identify them, especially if they are dialling in.</p>
Disclosures by Members and Officers	<p>The Chairman will ask for any Disclosures by Members and Officers. Members and Officers will only speak if they have a disclosure.</p>
Disclosures of Lobbying	<p>The Chairman will ask for any Disclosures of Lobbying. The Facilitator will ask Members of the Committee and Substitutes in alphabetical order if they have any disclosures of lobbying. They must answer either 'none' or 'yes for agenda item'.</p>
To consider whether any items should be taken in private because of the possible disclosure of exempt information	<p>The Chairman will advise that there are no Part II papers and he/she intends to take all items in public. He/she will ask if this is agreed. In the event that there are Part II papers, the Chairman will advise the meeting that the Committee Members will need to go into Private Session which will not be heard by those observing the meeting.</p>
Minutes of the Previous Meeting	<p>The Chairman will ask whether the Minutes of the previous meeting are agreed as a correct record. He/she will then declare that the Minutes will be signed as a correct record at a later date.</p>

<p>Petitions (if any)</p>	<p>The Chairman will ask the Facilitator if there are any petitions. If there are, the Facilitator will advise the Committee of the presenter of the Petition and the Chairman will ask the petitioner to give their 5 minutes statement. At the end of the statement, the Chairman will advise the petitioner of the course of action that will be taken. Should the petitioner not be present, the Facilitator will read out the statement.</p>
<p>Question and Answer Session for Members of the Public</p>	<p>The Chairman will advise the Committee if there have been any questions received from members of the public. <i>(The Chairman will have received a copy of these in advance of the meeting)</i></p> <p>The Chairman will request the questioners in turn to ask their question and will then make the response. He/she will ask if any Group Leader/Representative present would also like to respond to each question.</p> <p>The Chairman will ask each questioner whether they have a supplementary question arising out of the original question or the reply. The Chairman will respond to each supplementary question and then ask if any Group Leader/Representative present would also like to respond.</p> <p>If the member of the public is unable to access the meeting remotely, the initial question will be read out by the Facilitator and addressed by the Chairman.</p>
<p>Questions from Members to the Chairman</p>	<p>The Chairman will advise the Committee if there have been any questions received from Members. (The Chairman will have received a copy of these in advance of the meeting).</p> <p>The Chairman will request the Members in turn to ask their question</p>

	<p>and will then make the response. The Chairman will ask each Member if they have a supplementary question on the subject of the original question and then make the response.</p> <p>If the Member is unable to access the meeting remotely, the initial question will be read out by the Facilitator and responded to by the Chairman.</p>
Substantive Agenda Items	<p>The Chairman will read out the agenda item and then refer to the Officer who will be presenting the item.</p> <p>After the Officer has finished their introduction, the Chairman will invite the Visiting Members he/she has on their list for that item to make their contribution.</p> <p>The Chairman will then advise Members of the list he/she has received by Instant Messenger of those Members wishing to speak and then ask if there are any other Members who wish to speak (those might be Members who have dialled in).</p> <p>After <u>each</u> Member has spoken, the Officer will be invited to respond by the Chairman.</p> <p>After the list of Members wishing to speak has been exhausted then the Chairman may ask if any Members wish to come back with more questions.</p> <p>If a Member wishes to propose a new motion or amend the current one, the Chairman will ask for a Secunder by those Members going through Instant Messaging and the first one to post will be the Secunder. The Secunder will be asked if they wish to speak or reserve their right. At the end of the debate, any amendments having been voted on in the way described below,</p>

	<p>the Chairman will sum up and the original motion or substantive motion will be put to the vote in the way described below.</p> <p>If a report is for information only, and the recommendation has been moved and seconded, the Chairman will ask if that is agreed and if there is no dissent a named vote will not be taken.</p> <p>The Chairman will also ask if all the recommendations can be taken together or whether the Committee wishes to take them separately. Having established this, the Chairman will ask the Facilitator to go through the list of Members in alphabetical order and ask them for their vote which would be 'For' 'Against' or 'Abstain'.</p> <p>The Democratic Services Officer will be asked to confirm the result of the vote.</p> <p>Unless requested by three Members of the Committee by Instant Messaging or verbally in the debate, the names of those voting for and against a motion or amendment or abstaining from voting will not be entered in the Minutes.</p> <p>During the Officer presentations and the debate, there may be a need for summaries/recaps if connections are lost.</p> <p>At the end of each Substantive Agenda Item the Chairman will ask for a brief pause while those who wish to do so leave the meeting. At the end of the agenda, the Chairman will formally close the meeting.</p>
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13.0 **Order of Debate at Committee Meetings**

If a Member is late to a regulatory committee meeting, or drops out of the meeting for any reason, and it is of sufficient time for them to miss any of the Officer presentation/debate, they will be excluded from any decision making for that particular item.

A Member who is required to withdraw from the meeting having disclosed a Disclosable Pecuniary Interest or Other Significant Interest (unless a dispensation is granted) or because they are pre-determined, will be muted until such time that they may return to the meeting.

14.0 **Voting**

When voting on any proposals/amendments, the Facilitator will read out each Member's name in alphabetical order, with the response of 'For, Against or Abstain' to be given and these will be used to confirm the outcome of the Member vote. The Chairman will have a second or casting vote regardless of whether he/she has used his/her first vote. By voting the Member would be confirming that they have been present for the whole debate on that item on which to take an informed decision.

The Committee may resolve that decisions relating to the agenda item be delegated to Officers.

15.0 **Public and Member Engagement**

Provided any public and/or Member questions meet the necessary criteria outlined in the Constitution, a question will be accepted. Members of the public will be offered the choice of either dialling in to ask their question or having their question read out by the Facilitator.

If the member of the public is unable to access the meeting remotely, the initial question will be read by the Facilitator and responded to by the Chairman.

Planning Committee – See Annex attached.

Licensing Committee - If it is necessary to arrange a Licensing Sub-Committee hearing, the Panel will be chosen from those Members of the Licensing Committee who have the means to skype in. The applicant and objectors can skype in or dial in to participate. Members of the public who wish to observe the meeting will be able to dial in.

16.0 **After the Meeting**

Once all of the agenda items have been discussed and business completed, the Chairman will close the meeting. Members and Officers will disconnect themselves from the remote meeting.

The Minutes of the meeting will be circulated to the Chairman and relevant Officers, as per current procedures. The draft Minutes will be published on the Council's website for the public to view. Once the Minutes have been approved at the next relevant committee meeting, arrangements will be made for the

final Minutes to be signed. A record of the final Minutes will be retained and published on the Council's website.

17.0 **Instant Messaging**

Instant messaging should only be used for raising technical issues, indicating a wish to speak, raising a point of order, or seconding a motion. No motions can be moved in the instant messaging they must be moved when a Councillor is speaking. If it helps to clarify, and at the request of the Chairman, specific wording can be set out in the instant messaging function.

18.0 **Feedback**

Members will be given the opportunity to provide feedback to Democratic Services once a remote meeting has taken place, in order to improve the running of remote meetings. A template form will be circulated. Implementation of any changes as a result will be based on the majority of opinions expressed, subject to the proposed changes being in compliance with the regulations and other statutory requirements.

ADDITIONAL PROVISIONS FOR THE PLANNING COMMITTEE

(a) Skype/YouTube – Who Controls and Operates (Democratic Services Officer)

The Chairman will continue to have responsibility for the proper conduct of meetings. However, the responsibility for managing the meeting will be temporarily assigned to a Democratic Services Officer (the Facilitator) for remote meetings. This Officer will not steer the debate. He/she will merely assist in implementing the remote meeting protocols.

Another Democratic Services Officer will be in attendance at the meeting as the Committee Clerk. Procedural advice may be given to the Chairman as required by either the Lead Officer or Legal Officer in attendance.

The Lead Planning Officer will have oversight and control of the agenda pack and highlight each report and related plan and photographs.

(b) Reports / Plans / Photos

The Lead Planning Officer will share their screen to show plans and photographs to the Members to replicate as far as possible what happens in a meeting held in person.

(c) Report Circulation

- The agenda will be published in the normal way on the Council's website 5 clear working days before the day of the meeting.
- Requests to speak at the meeting by Objectors, Parish Councils and Applicants must be received by Democratic Services by 4 p.m. on the working day before the meeting. Visiting Members must also give the same notice of their intention to speak.
- Any relevant planning information which is received after the agenda has been dispatched, will normally be presented to the Committee by Officers and where possible circulated in advance to Committee Members.

(d) Officer Attendance and Presenting Expectations

Presenting Officers must carefully refer to agenda page numbers and describe carefully the plan and photograph being referred to.

(e) Managing Member/Parish Council/Public Attendance

Members of the public or parishes who have registered to speak by 4.p.m. on the day before the meeting must submit representations as set out in part (g) below.

The Facilitator will list those requests to speak on the item at the appropriate juncture (after the Planning Officer has introduced their report) and then ask the speakers to address the Committee in the following order:-

Parished Areas

An Objector	A petitioner, or a representative of a Residents' Association/Amenity Group, or an individual objector.
A representative of the appropriate Parish Councils	Where a representative of the Parish Council does not register to speak, a concerned resident may speak with the Chairman's discretion.
*The applicant or his/her representative	The applicant or his/her representative (including a supporter), or a petitioner, or a representative of a Residents' Association/Amenity Group.

Non-Parished Areas

A representative of a Residents' Association/Amenity Group	Where a representative of a Residents' Association/Amenity Group does not register to speak, a concerned resident may speak with the Chairman's discretion.
An Objector	A petitioner, or a representative of a second Residents' Association/Amenity Group, or an individual objector.
*The applicant or his/her representative	The applicant or his/her representative (including a supporter), or a petitioner, or a representative of a second or third Residents' Association/Amenity Group.

* The applicant or his/her representative would have priority.

Each category of speaker will be limited to three minutes to address the Committee.

Visiting Members may address the Planning Committee for three minutes on individual matters but should give the same notice of their intention to speak to the Proper Officer as members of the public. Visiting Members will exercise their right to speak after the public speakers.

After the contributions by the public speakers and Visiting Members, and the debate commences, the Chairman will look to

Members of the Committee who are Members for the Ward(s) in which the application site is located to speak first.

(f) Parish Councils' Representations

Parish Councils can attend the meeting to speak provided that notice has been given as set out above or their representations can be read out or summarised in urgent updates by Officers.

(g) Public Speaking at Planning Committee

Due to the number of speakers at planning committee, speakers being dispersed throughout the agenda and the limitations of technology the speaking arrangements for the public and parishes at planning committee will be as follows:

- 1) Speakers will need to submit a written statement to be read out by the Chairman, or a video to play to the committee
- 2) When submitting a video the speaker will need to submit a written copy of the statement too in case of technology issues on the night
- 3) All statements/videos should be limited to 3 minutes.