



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
COUNCIL**

Report of the Head of Legal Services – Mr Craig Griffiths

2 JULY 2020

Matter for Decision

Wards Affected: All Wards

Voting Arrangements as a result of Remote Attendance

Purpose of the Report:

1. To implement a voting system for decision making as a result of the establishment of remote meetings of Neath Port Talbot County Borough Council (“the Council”)

Background:

2. The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (“the Regulations”) make temporary provision in relation to local authority meetings during the COVID-19 pandemic.

3. The regulations came into effect on 22 April 2020 and make temporary provision in relation to local authority meetings during the COVID-19 pandemic.
4. Legislation currently places requirements on local authorities to meet in person in specified offices, to make many meetings open to the public and to enable the public to inspect documents related to the meetings, in some cases, in the offices of local authorities. This runs counter to the measures in place for COVID-19. The Regulations provide flexibility to enable local authorities (including local authority executives) to operate safely, effectively and lawfully, while retaining the principles of openness and accountability to the public by, for example, enabling meetings to be conducted on the basis of full or partial remote attendance.
5. The Council is now able to allow participation at meetings held before 1 May 2021 based on full or partial remote attendance so long as persons who are not in the same place are able to speak to, and be heard by, other participants.
6. Since the implementation of these rules the protocol has been that a roll call has been held every time a recommendation is to be voted, which as members will note results in a detailed administrative and time consuming process being embarked on
7. In order to ensure time can be spent at meetings on actively discussing reports and scrutinising accordingly, it would be proposed an alternative approach be adopted in the voting on recommendations.

8. It would be proposed:

- The Chair will read the recommendation before members (or refer to the page number of the report where the recommendation is to be found).
- The Chair will ask members whether there are any members who wish to object to the recommendation, providing a suitable delay to allow members to respond accordingly – they may do so either by relaying the objection verbally, using the hand raise functions on Microsoft TEAMS or utilising the chat facility on Microsoft TEAMS.
- The Chair will ask members whether there are any members who wish to abstain on the recommendation, providing a suitable delay to allow members to respond accordingly – they may do so either by relaying the objection verbally, using the hand raise functions on Microsoft TEAMS or utilising the chat facility on Microsoft TEAMS.
- Following this, it will be assumed that any members who have not indicated to the contrary will be deemed to be in favour of the recommendation.
- The Chair will then confirm whether the recommendation has been approved or not.
- In the event that the Chair is unable to confirm that all members were capable of being heard or they deem a roll call to be necessary to ensure the democratic process is complied with, the Chair shall be entitled to undertake a roll call of all members to confirm their vote.

9. Where the Chief Executive, Head of Democratic Services or Monitoring Officer are of the opinion that members have not had the ability to be heard, they will advise the Chair that a roll

call of all members to confirm their vote should be held, the final discretion as to whether to hold such a roll call will remain at the discretion of the Chair

10. For the avoidance of doubt this revised protocol would not apply to meetings of the Licensing or Planning Committees (or any sub committees) because of a need to address additional matters as part of decision making processes in those meetings (i.e. the need to establish that a Member has heard all elements of the debate before a decision is reached).
11. It should be noted that Members will also be able to call for a recorded vote as per the requirements of the Council's Constitution

Financial Impacts:

12. There are no financial impacts associated with this report.

Integrated Impact Assessment:

13. There is no requirement for an integrated impact assessment for this report.

Valleys Communities Impacts:

14. No implications

Workforce Impacts:

15. No implications

Legal Impacts:

16. The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 make temporary provision in relation to local authority meetings and for public and press access to these meetings during the COVID-19 pandemic. Legislation currently places requirements on local authorities to meet in person in specified offices, to make many meetings open to the public and to enable the public to inspect documents related to the meetings, in some cases, in the offices of local authorities. This runs counter to the measures in place for COVID-19. These new Regulations provide flexibility to enable local authorities (including local authority executives) to operate safely, effectively and lawfully, while retaining the principles of openness and accountability to the public by, for example, enabling meetings to be conducted on the basis of full or partial remote attendance and by making provision about the electronic publishing of certain documents.

Risk Management Impacts:

17. Despite the emergency regulations that have been laid, there is a risk that the public will lose confidence in the way the Council conducts its business if we do not make provision for accurate decision making within the Council's. The recommendations made in this report will address and mitigate this risk.

Consultation:

18. There is no requirement for external consultation on this item.

Recommendations:

19. It is recommended that the protocol for voting set out in paragraph 8 of this report for the duration that meetings of the Neath Port Talbot County Borough Council are held remotely is

approved and that the Head of Legal Services be authorised to amend the Constitution accordingly to incorporate this.

Reasons for Proposed Decision:

20. To ensure that suitable arrangements are in place for the recording of voting by elected members on reports before them.

Implementation of Decision:

21. The decision is proposed for implementation immediately

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