

## Democracy and Standards Committee

### 25 November 2024

<b>Report Title</b>	<b>Consultation on Remote Meetings and Proxy Voting</b>
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<b>Are there public sector equality duty implications?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Does the report contain confidential or exempt information (whether in appendices or not)?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972</b>	
<b>Which Corporate Plan priority does the report most closely align with? <a href="#">Our priorities for the future   North Northamptonshire Council (northnorthants.gov.uk)</a></b>	Modern public services

### List of Appendices

Appendix A – Consultation Questions (Extract)

#### 1. Purpose of Report

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- 1.1. This report sets out the details of a government consultation on the subject of remote meetings and proxy voting, it invites the committee to provide a consensus on the response to be submitted on behalf of the council.

#### 2. Executive Summary

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- 2.1. The government opened a consultation on 24<sup>th</sup> October 2024 running for eight weeks seeking views on remote meetings and proxy voting.
- 2.2. The area of the consultation has been subject to much debate nationally and locally following expiry of the temporary covid regulations in May 2021 permitting remote meetings.
- 2.3. It was determined following a legal challenge in the High Court that a change to allow remote meetings would require a permanent change in legislation.
- 2.4. This consultation seeks views on reform to consider the introduction of powers for local authority members to apply to the relevant authority for a

dispensation to attend formal council meetings remotely and vote by proxy in certain circumstances.

- 2.5. A copy of the consultation is shown at Appendix A and the committee is invited to provide views on the consultation on behalf of the council.

### **3. Recommendations**

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- 3.1. It is recommended that the democracy and standards committee:
  - (a) Note the government consultation on the subject of remote meetings and proxy voting;
  - (b) Provide views on the consultation to inform the response to be submitted on behalf of the council to the consultation; and
  - (c) Delegate authority to the monitoring officer in consultation with the chair of democracy and standards to submit the response on behalf of the authority based on the consensus view.
- 3.2. Reason for Recommendations – This is a high-profile consultation which has been highlighted as an area for reform to improve engagement in particular within local government. The committee is invited to provide a consensus view to facilitate a response to the consultation on behalf of the council. Any changes to legislation arising from this consultation will be considered by this committee and if amendments require to the constitution a decision will be presented to full council.
- 3.3. Alternative Options Considered – The option to not to provide an update to the committee was considered and rejected on the basis that this consultation links directly to the activities of this committee and looks to promote engagement in local government. The option to update the committee and not invite a response was considered and rejected on the basis this does not promote the views of the council in this consultation and the work directly linked to the activities of this committee.

### **4. Report Background**

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- 4.1. Temporary covid regulations permitting remote meetings expired in on 6<sup>th</sup> May 2021. This was confirmed following a legal challenge in the High Court which ruled that councils could no longer lawfully hold meetings remotely on or after 7<sup>th</sup> May 2021. It was recognised that such changes would require changes in legislation.
- 4.2. Significant work was undertaken in the sector, led by Lawyers in Local Government and the Association of Democratic Services Officers (ADSO) to support reform in this area.
- 4.3. The Local Government Capability and Improvement Division in the Ministry of Housing, Communities and Local Government (MHCLG) is responsible for conducting a consultation launched on 24<sup>th</sup> October 2024 for a period of eight

weeks which seek views on the detail and practical implications of allowing remote and hybrid attendance and proxy voting at local authority meetings in England.

- 4.4. The consultation has the focus to support the sector to modernise democratic engagement, raise standards and widen the range of candidates standing for council by removing unnecessary barriers.
- 4.5. The consultation highlights that the attendance of elected members at local authority meetings is a core part of the democratic process at the local level and is integral to members carrying out their functions effectively. In addition to the value of members coming together to debate and discuss the issues which impact the lives of the people they represent; it is also important that local residents have the opportunity to engage directly with the people they have elected to take key decisions on their behalf.
- 4.6. The consultation document recognises that there are circumstances in which it may not always be possible for members to attend council meetings in person. It is with this in mind that the government intends to amend the law to introduce provisions for remote attendance at local authority meetings.
- 4.7. The intent is that this increased flexibility will strike the balance between the principle that significant in-person engagement remains vitally important, and a recognition that there will sometimes be a need to accommodate members' requirements to attend council meetings remotely. We hope it will encourage a wider diversity of people willing and able to stand and actively participate in local democracy by creating improved conditions where meetings are accessible and inclusive.
- 4.8. In addition, the government are seeking views on the possible introduction of proxy voting for those occasions when an elected member, due to personal circumstances, may be unable to attend even remotely, for example during maternity, paternity or adoption leave.
- 4.9. Members are reminded that any changes arising from this consultation will require changes to legislation. The consultation is open but views as specifically sought from individual members of the public; prospective and current local authority members/representatives; all relevant local authorities; and those bodies that represent the interests of local members/representatives at all levels.

## **5. Issues and Choices**

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- 5.1. The consultation consists of 13 questions, which are shown in full at Appendix A.
- 5.2. The proposal for remote attendance - The government intends to legislate to give local authorities the flexibility to allow elected members to attend formal council meetings remotely. This is considered to be a modernising measure, providing broad flexibility to enable remote attendance which will have the dual positive impacts of diversifying the representation of those willing and able to stand for elected office and enhance the resilience of local authorities

in the face of local or national emergencies. The intent is that this legislative change would give local authorities the flexibility to allow members to attend remotely.

- 5.3. It is recommended that the democracy and standards committee provide a response to the consultation on behalf of the council to the questions relevant to the authority.
- 5.4. Due to the high-profile nature of this consultation and to ensure as wide as possible response within the area, Councillors of North Northamptonshire Council will be made aware of the consultation through the Councillor bulletin upon the publication of this report. Councillors will be invited to share their views with the representatives on the committee. Councillors will be informed that they are permitted to submit their individual responses. The monitoring officer also intends to update NCALC of the consultation to ensure that awareness is have promoted to town and parish councils including those not within the membership of NCALC.

## **6. Next Steps**

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- 6.1. Upon the views of the committee being shared it is recommended that the Committee delegate responsibility to the monitoring officer in consultation with the chair of the committee to submit a response to the consultation on behalf of the authority.

## **7. Implications (including financial implications)**

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### **7.1. Resources and Financial and Transformation**

- 7.1.1. There are no arising resources, financial and transformation implications arising from the consultation response however a change to the legislation requiring further consideration by the committee and in turn the council will have implications under this heading.

### **7.2. Legal and Governance**

- 7.2.1. There is no legislative provision allowing remote meetings to take place. This consultation seeks views to determine whether changes are required and in turn legislation. The monitoring officer will consider any legislative changes which may arise from this consultation and update the committee and where appropriate Council on proposed constitutional changes to be considered arising from any changes in legislation and to determine local arrangements.

### **7.3. Relevant Policies and Plans**

- 7.3.1. There are no relevant policies or plans linked to this consultation stage.

## 7.4. Risk

7.4.1. There are no significant risks arising from the proposed recommendations in this report.

## 7.5. Consultation

7.5.1. Upon publication of this report, all North Northamptonshire Councillors will be made aware of this consultation and invited to share their views with the representatives on the democracy and standards committee.

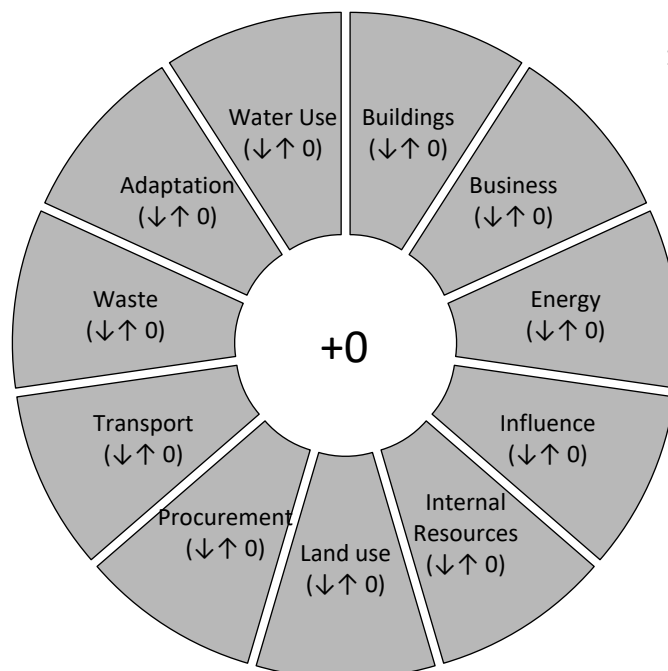
7.5.2. Further engagement is planned upon the publication of this report to share the updates with NCALC for circulation and distribution within their network as appropriate.

## 7.6. Equality Implications

7.6.1. There are no arising equality implications from this consultation stage however any changes to legislation requiring consideration by the council will be likely to contain equality implications.

## 7.7. Climate Impact

7.7.1. There are no arising climate impact implications from this consultation stage however any changes to legislation requiring consideration by the council will be likely to contain climate impact implications.



North Northamptonshire Council has committed to being a carbon neutral organisation by 2030, 5 yrs & 1 mos away.

## 7.8. **Community Impact**

- 7.8.1. There are no arising community impact implications from this consultation stage however any changes to legislation requiring consideration by the council will be likely to contain community impact implications.

## 7.9. **Crime and Disorder Impact**

- 7.9.1. There are no significant implications arising from this report relating to crime and disorder.

## **8. Background Papers**

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- 8.1. [UK Government consultation - Enabling remote attendance and proxy voting at local authority meetings](#)