

GWYNEDD COUNCIL CABINET



Report to a meeting of Gwynedd Council Cabinet

Date of meeting: 9 NOVEMBER 2021

Cabinet Member: Councillor Nia Jeffreys

Contact Officer: Geraint Owen, Head of Corporate Support
Department in consultation with Iwan Evans,
Monitoring Officer.

Contact Number: 32325

Subject: To approve arrangements to hold Cabinet meetings in order to address the new requirements in Part 3 of the Local Government and Elections (Wales) Act 2021.

THE DECISION SOUGHT

That the Cabinet adopt the arrangements for holding Cabinet meetings in the future, with the start date to be decided by the Leader in consultation with the Head of Democracy Services and the Monitoring Officer, after the current restrictions are lifted.

REASONS FOR THE NEED FOR A DECISION

1. The Local Government and Elections (Wales) Act 2021 requirements allow for multi-location or virtual meetings. The Council is required to adopt and publish arrangements to achieve this. The Cabinet has the right to determine arrangements for its meetings within the relevant legal requirements.
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INTRODUCTION AND RELEVANT CONSIDERATIONS

BACKGROUND

Access to the Public

2. Part 3 of the Local Governments and Elections (Wales) Act 2021 allows an Authority to hold meetings virtually whilst ensuring that access for the public and press is provided virtually. This could be via web-casting of the meeting, but it could be via other electronic methods which would allow them to see and hear the meeting. If a meeting is held in a specific location, the press and public could access the room/chamber where the meeting is held (excluding exempt matters). In order to ensure access, a meeting location must be stated, or it must be stated clearly how access can be gained to the meeting on the front of the agenda.

Date of meeting

3. According to Section 47 of the Act, the Council must adopt and publish arrangements which mean that meetings can be held via equipment which allow participants to attend a meeting from different places. Such meetings could be held virtually only or a combination of meetings held at a venue but with some members attending remotely. Although it is possible to hold a meeting in a meeting room or chamber, it must be ensured that it is possible for those taking part to attend remotely if they wish to do so. The term "hybrid" is used to describe meetings that are held in this way.
4. This provision has been in place since 1 May this year. As a part of the work, the Authority is required to adopt and publish its arrangements for delivering these requirements, and re-publishing them if changes arise.
5. At its meeting on 6 July, the Cabinet stated that its meeting would continue to be held virtually only until a further review would be carried out.

Preparing for the future

6. A report was presented to the full Council on 7 October 2021 regarding the developments to date and the steps afoot to allow 'hybrid' meetings in future. It was reported that the Council would be required to establish a policy regarding determining which meetings, and what type of meetings, could be held virtually and which ones could be held in a specific location (or via a 'hybrid' arrangement).

7. As previously reported, it is a matter for the Full Council to establish the meeting arrangements for other Committees and sub-committees and the Democratic Services Committee will consider the draft meetings Framework at its meeting on 16 November 2021, prior to its submission to the Full Council on 2 December, 2021. To provide context, a copy of the draft report to be submitted to the Committee is included in Appendix (i) for information.
8. However, it is a matter for the Cabinet to establish its own arrangements. It is recommended that the Cabinet meetings are held at a location in the future, as a 'hybrid' meeting. Deciding on the arrangements to be established is a matter of discretion. The statutory guidance outlines the considerations to be evaluated in order to draw a conclusion (Interim Statutory guidance on multi-location meetings 2021). Attention needs to be given to the guidance. Local democracy and the requirements of the public are fundamental and leading considerations in deciding on arrangements. The basis is in accordance to that included in the draft report to be submitted to the Democratic Services Committee being that Cabinet meetings, (along with meetings of the full Council and some of our other main committees), are of specific public interest. Holding the meetings at locations, along with webcasting provides the fullest range of opportunities to gain access to discussions. It will also be noted that the draft report to the Democracy Services Committee includes a recommendation for a range of committees to be held through virtual meetings only. Therefore, as a Meetings Framework it reflects the aims of the Well-being of Future Generations Act (Wales) 2015.
9. The term 'hybrid' is noted for meetings that are held at a location with provision for remote access for participants.

Equality Act 2010

10. The Council is subject to a duty under the 2010 Equality Act to give due attention to the need to remove illegal discrimination, harassment and oppression, along with any other behaviours prohibited under the provisions of the Act. In addition, there is a need to increase equal opportunities and foster good relationships between those with protected characteristics and those who do not have protected characteristics (the General Equality Duty). In accordance with the requirement in Wales, and in order to address this duty, an Equality Impact Assessment has been prepared and updated for hybrid meetings. It is appended in Appendix (ii) and did not find impacts which would lead to changing the recommendation.

Timetable

11. As reported to the full Council meeting on 7 October 2021, the above is one element of the work of preparing for future meetings. As well as developing a local Meetings Framework (which will be recommended to the full Council on 2 December 2021) it is necessary to continue with the technological and practical developments, all of which are subject to the Government's guidelines in relation to coronavirus.
12. A robust technical infrastructure is needed in order to ensure the success of the hybrid arrangements. The chambers have been upgraded since the end of September this year, but we have come across a few minor obstacles during testing. We are currently working with the company to try to overcome these obstacles as soon as possible. In addition, we must ensure that participants are able to take part fully in proceedings whichever way they attend the meeting. We must also ensure that the Cabinet's arrangements for making decisions are robust in order to ensure the public's confidence in our democracy arrangements.
13. In addition, there is currently no change to Welsh Government's guidelines that everyone should continue to work from home wherever possible; therefore, the recommendation does not propose implementing the arrangements until those guidelines allow this.
14. As a result of the above, it is impossible to give a start date for the new arrangements. If the recommendation is approved, we will report further in order to state formally when it is possible for the new arrangements to come into force.

ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

VIEWS OF THE STATUTORY OFFICERS

The Monitoring Officer:

I have had input into the preparation of this report.

Head of Finance:

"I am satisfied that suitable support would be in place to realise hybrid working by the Cabinet if it so wishes. I have no further comments from the perspective of financial propriety".

Appendices

APPENDIX i Draft report to the Democratic Services Committee (16/11/2021)
APPENDIX ii Equality Impact Assessment