

# Standing Orders - procedure rules for remote meetings

January 2022

## 1. Purpose

- 1.1. These procedure rules for remote meetings set out the rules for the conduct of any remote meeting of the Broads Authority's consultative/advisory non-decision making committees and working groups (Audit and Risk Committee and the Navigation Committee).

## 2. Decision on whether to hold a meeting remotely

- 2.1. Following preparation of the agenda for each meeting, the Chief Executive to consult the Chair and Vice-Chair of the relevant committee on whether it would be appropriate for the meeting to be held remotely.

## 3. General

- 3.1. These procedure rules form part of the Authority's Constitution and should be read in conjunction with the Authority's [existing Standing Orders](#) and other procedure rules within the Constitution. Live streams of committee meetings will be available to view from the respective [committee's](#) web page. Public speakers will be sent additional guidance on participating in a remote meeting.
- 3.2. Where there is a conflict, these procedure rules are, in effect, mandatory Standing Orders, and take precedence in relation to any remote meeting of the Broads Authority's consultative/advisory non-decision-making committees and working groups.
- 3.3. Reference in this document to 'members' includes all Broads Authority members and co-opted members.
- 3.4. For clarity, these procedure rules do **not** apply to the Authority's decision making committees, including the Broads Authority and Planning Committee.

## 4. Notice of, and access to, remote meetings

### Notice

- 4.1. The normal notice requirements as set out in the Authority's Constitution will also apply to remote meetings that are open to the public. The meeting time and agenda papers will be published on the Authority's website (where applicable). Any member

of the public wishing to access a remote meeting to exercise a right to speak will be sent joining instructions by email (where applicable).

- 4.2. Where notice of a meeting is required and has been given, the Chair of the remote meeting may move or cancel that meeting without further notice of the new date of that meeting being required to be given.

### **Remote access to meetings**

- 4.3. For all purposes of the Constitution, the term “meeting” is not limited in meaning to a meeting of persons all of whom, or any of whom, are present in the same place, for which purposes any reference to:

- a) “place” is to be interpreted as where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers: and
- b) “open to the public” includes access to the meeting being through remote means including (but not limited to) video conferencing, live webcast, and live streaming; where a meeting is accessible to the public through such remote means, the meeting is open to the public whether or not members of the public are able to attend the meeting in person.

- 4.4. Members of the public exercising a right to speak at a remote meeting will be asked to confirm their wish to attend the meeting in advance, giving notice of at least two working days before the meeting date. Members of the public wishing to observe a remote meeting will be able to access the meeting via a link published on the relevant committee page on the Authority’s website.

- 4.5. If the Chair is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chair shall adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date fixed by the Chair. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

## **5. Management of remote meetings**

### **Members in remote attendance**

- 5.1. A member in remote attendance is present and attends the meeting, including for the purposes of the meeting’s quorum, if at any time all three of the following conditions are satisfied, those conditions being that the member in remote attendance is able at that time:
- a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance.

- b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
  - c) as to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- 5.2. A member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in paragraph 5.1 above are not met. In such circumstances the Chair may, as they deem appropriate:
- a) adjourn the meeting for a short period to permit the conditions for remote attendance of a member contained in 5.1 above to be re-established;
  - b) count the number of members in attendance for the purposes of the quorum; or
  - c) continue to transact the remaining business of the meeting in the absence of the member in remote attendance.
- 5.3. If remote attendance by the Chair is lost, the Vice-Chair will chair the meeting until the Chair's remote attendance is re-established.

### Quorum

- 5.4. The normal quorum requirements for meetings as set out in the Authority's Constitution will also apply to a remote meeting. The attendance of those members at the meeting will be recorded by the meeting moderator.
- 5.5. In the event of any apparent failure of the video, telephone or conferencing connection resulting in the conditions in paragraph 5.1 not being met the Chair, assisted by the meeting moderator, should immediately determine if the meeting is still quorate:
- if it is, then the business of the meeting will continue; or
  - if there is no quorum, then the meeting shall adjourn for a period specified by the Chair, expected to be no more than 15 minutes, to allow the connection to be re-established
- 5.6. Should any aspect of an individual's remote participation fail, the Chair may call a short adjournment to determine whether the connection can quickly be re-established, either by audio-video technology or by telephone link. If the Chair advises of a short temporary adjournment to a remote meeting, all members must remain in attendance with their microphones on mute, until the Chair instructs otherwise. The live stream will be suspended during an adjournment. If the connection is not restored within the specified time, the meeting should continue to deal with the business while this happens, providing the meeting remains quorate and the public are able to hear.

- 5.7. In the event of audio connection failure, the remote member(s) will be deemed to have left the meeting at the point of failure. If the connection cannot be re-established to those member(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item/s. If the connection is successfully re-established, then the remote member(s) will be deemed to have returned at the point of re-establishment.
- 5.8. In the event that a remote meeting starts quorate but due to unforeseen circumstances, such as lost connection, does not remain quorate and is temporarily suspended until the issue is resolved and the meeting recommences, the minutes of each meeting must fully record these circumstances.

### Remote attendance by members of the public (under public speaking rights)

- 5.9. The arrangements as set out in the Authority's ['Public Question Time Scheme of Operation'](#) (for members of the public wishing to participate in a meeting to ask a question, present a petition or make a statement on any matter that relates to the business of the Broads Authority and its committees) will also apply to a remote meeting, with the following additional provisions.
- 5.10. A member of the public entitled to participate in a meeting is in remote attendance at any time if all three of the following conditions are satisfied, those conditions being that they are able at that time:
- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, members in attendance;
  - (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any other members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
  - (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- 5.11. A member of the public in remote attendance will be deemed to have left the meeting where, at any point during the meeting, any of the conditions in paragraph 5.10 above are not met. In such circumstances, the Chair may:
- (i) adjourn the meeting for a short period to allow for the remote attendance to be re-established;
  - (ii) suspend consideration of the item of business in relation to the member of public's attendance until a following item of business on the agenda has been completed and the member of the public's remote attendance has been re-established or before the end of the meeting, whichever is the earliest; or

- (iii) continue to carry out the remaining business of the meeting in the absence of the member of the public in remote attendance.

- 5.12. A member of the public participating in a remote meeting is required to give advance notice and to submit their representation at least two working days before the meeting day to the Governance Officer. No questions will be permitted at the remote meeting unless advance notice has been given. The officer will, for those items of business, send the member of the public an invitation to participate. Members of the public who wish to participate in meetings may need to familiarise themselves with the Authority's chosen conferencing technology.
- 5.13. If a member of the public exercising speaking rights is unable or unwilling to participate in a remote meeting, they may choose to make their representation in writing and request that it is read out by the Chair or a supporting officer at the meeting.
- 5.14. Any technological failure removing the ability for the public to access the meeting by remote means renders the whole meeting incapable of proceeding. A member of the public who attends to exercise their right to speak and is unable to do so (due to such technological failure) renders only their item incapable of proceeding.
- 5.15. Once the member of the public has spoken, they will be removed from the remote meeting on the instruction of the Chair to maintain the good administration of the meeting or to retain order. The member of the public may continue to follow proceedings through the live streaming facility.

## **6. Meeting procedures**

- 6.1. The Chair will follow the rules set out in the Constitution when determining who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.
- 6.2. At the beginning of the meeting, the Chair will explain the protocol for member and public participation and the rules of debate. The Chair's ruling during the debate will be final.
- 6.3. Where members of the public are exercising speaking rights at the meeting via remote attendance, the Chair will, as part of their introduction, explain the procedure for their participation. Members of the public must adhere to this procedure, otherwise they may be excluded from the meeting.

## **7. Declaration of interests**

- 7.1. Any member participating in a remote meeting who declares an interest in any item of business that would normally require them to leave a physical meeting room must also leave the remote meeting room. The moderator will confirm their departure to the committee and the member's access to the meeting will be severed while any

discussion takes place in respect of the item(s) of business in which the member may not participate. At the appropriate time, the member will be asked to re-join the meeting and the moderator will re-admit them to the meeting.

## **8. Exclusion of public and press**

- 8.1. For meetings not open to the public when confidential or 'exempt' issues are under consideration (as defined in Schedule 12A of the Local Government Act 1972), the meeting moderator will ensure that no members of the public are in remote attendance or able to hear or see the proceedings once the exclusion has been agreed by the meeting.
- 8.2. Each member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be either hearing or seeing consideration of such items, and/or recording the proceedings.
- 8.3. Any member in remote attendance who failed to disclose that there were in fact persons present who were not so entitled would be in breach of the Member Code of Conduct responsibilities.

## **9. Public access to meeting documents following the meeting**

- 9.1. Members of the public may access minutes, decision notices and other relevant documents through the Authority's website.
- 9.2. Requests for access to the list of agenda background papers and other relevant documents should be sent by email to [committees@broads-authority.gov.uk](mailto:committees@broads-authority.gov.uk).

Dated: January 2022