

FULL COUNCIL – 20 JULY 2020**STANDING ORDERS****1. PURPOSE**

- 1.1 To update the Standing Orders in light of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020; and
- 1.2 To confirm process for consideration of planning applications.

2. STANDING ORDERS

- 2.1 Standing Orders are the rules that the Council operates under and they are re-adopted every year at the May Council meeting.
- 2.2 Supplementary Standing Orders are proposed for adoption to take account of recent changes to legislation as part of the Coronavirus. The supplementary Standing Orders are attached at Appendix 1.
- 2.3 On 16 March 2020, the Council adopted an emergency resilience and business continuity plan which set out measures and processes to ensure the continuation of the business of the Council during an emergency – such as the Covid-19 pandemic. At this meeting, the Council gave delegated powers to the Deputy Clerk, in consultation with the Chairman of the Planning Committee to respond to all planning applications received from the Borough Council. In addition to this the Deputy Clerk has circulated applications for comments to all members. Comments submitted to the Borough are then published on the Council’s website and noted at the monthly Full Council meetings. This process appears to be working well, with the Council being able to respond to applications in line with the Borough’s consultation deadlines. Previously, with the timings of Committees and members availability for Planning committees and frequent inquorate meetings, this was not always possible.
- 2.4 As the Council continues with virtual monthly Council meetings, it is suggested that in order to accommodate members’ availability the interim arrangements for the consideration of planning applications continue until the Annual Council meeting on 17 May 2021, where a review of Committees will be undertaken as part of the annual review of corporate governance arrangements. The exception to the arrangements as set out in paragraph 2.3 above will be where a large-scale applications i.e developments of 10 dwellings or more, be submitted to the Full Council for consideration.

3. RECOMMENDATION

- 3.1 That the supplementary Standing Orders attached at Appendix 1 be approved;
- 3.2 That the interim process for dealing with planning applications as set out in paragraph 2.3 be approved;
- 3.3 That the supplementary Standing Orders and interim process for dealing with planning applications remain in force until the annual Council meeting scheduled for 18 May 2021, or the repeal of legislation whichever is the earlier.

APPENDIX 1

FAIR OAK & HORTON HEATH PARISH COUNCIL – SUPPLEMENTARY STANDING ORDERS (JULY 2020)

The Local Authorities and Police and Crime Panels (Coronavirus) Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 allow local councils to hold remote meetings and amend standing orders as required.

These regulations remain in force until 7 May 2021 or earlier if repealed and require a number of temporary changes to the Council's Standing Orders. These are set out below:

GENERAL

These procedures should be read in conjunction with Fair Oak and Horton Heath Parish Council's Standing Orders 2019. The Regulations made under s78 of Coronavirus Act 2020 apply and where there is a conflict between these and any other adopted standing orders or legislation, these Remote Meetings Procedures take precedence in relation to any remote meeting.

1) Annual Meeting

The requirement to hold an annual meeting of the Council is to be disregarded and prior to 7 May 2021 may only take place:

- a) Where called by the Chairman; or
- b) Following a resolution calling for an annual meeting being passed at a meeting of the Council

2) Access to information

"Published on the website of the Council" will also apply in relation to where:

- a) a document is required to be 'open to inspection'
- b) a document is required to be published and made available at the council's offices
- c) there is a requirement to publish information including public notices, agendas, minutes, background papers and written reports

3) Remote Meetings

The definition of "meeting" within the Council's Standing Orders is amended so that:

- a) 'place' includes where a meeting is held, or to be held in more than one place including electronic digital or virtual locations such as internet locations, web addresses or conference call telephone numbers
- b) 'open to the public' includes access to the meetings by remote means including video conferencing, live webcasting and interactive streaming
- c) Where a meeting is accessible to the public through remote means, the meeting is open to the public whether or not members of the public are able to attend the meeting in person.
- d) If the Council becomes aware that its technology has failed, and the meeting is no longer accessible to the public, the meeting shall be adjourned.

- e) If the public access cannot be restored within a reasonable period, the remaining business shall be deferred to a future meeting.

4) Councillors in remote attendance

A councillor is present and counted for the purpose of the quorum when they can:

- a) Hear and where practicable see other members of the Council
- b) Hear and where practicable see members of the public wishing to participate during the public session of the meeting or as invited by the Chairman

A councillor be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance are not met. In these circumstances the Chairman may appropriate:

- c) Adjourn the meeting to permit conditions for remote attendance to be re-established
- d) Count the number of councillors in attendance for the purpose of the quorum

5) Remote attendance by members of the public

A member of the public is in attendance when they can:

- a) Hear (and where practicable) see the members of the council at the meeting and also be heard (and where practicable be seen)
- b) Hear (and where practicable) see the members of the public attending the meeting and also be heard (and where practicable be seen), including those wishing to speak during the public session or as invited by the Chairman

A member of the public will deemed to have left the meeting where, at any point during the meeting, any of the conditions for remote attendances at 5a) are not met.

- c) Subject to 5b) the Chairman may
- d) Adjourn the meeting to permit conditions for remote attendance to be re-established
- e) Vary the order of the agenda or complete the remaining business of the meeting in the absence of the member of the public in remote attendance.

6) Remote voting

Unless a recorded vote is demanded, the Chairman will take the vote by:

- a) Clear visual confirmation at the meeting that there is agreement or
- b) A roll call and the number of votes for or against the motion or amendment or abstaining will be recorded

7) Code of conduct – councillors excluded from the meeting

Where a councillor is required to leave the room as a requirement of the Council's code of conduct, the means or remote attendance and access will be severed whilst any discussion or vote take place.

8) Exclusion of the press and public

Where the Council has resolved to exclude the press and public from any part of the meeting, due to the confidentiality of the business to be discussed then:

- a) The means of remote attendance and access to the meeting by members of the press and public will be severed
- b) Each councillor present shall declare that there are no other person present who are not entitled to be (hearing or seeing), and /or recording the meeting.

These supplementary standing orders will be reviewed and/or revoke at the Annual meeting on 17 May 2021.