



## Committee and Date

Council

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Public



# Consultation on Enabling Remote Attendance and Proxy Voting at Local Authority Meetings

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## 1. Synopsis

This report sets out the proposed response from Shropshire Council to the Ministry of Housing Communities & Local Government consultation on '[Enabling Remote Attendance and Proxy Voting at Local Authority Meetings](#)'.

## 2. Executive Summary

The Ministry of Housing Communities and Local Government has launched a short consultation seeking views on the detail and practical implications of allowing remote and hybrid attendance and proxy voting at local authority meetings in England. The proposed response from Shropshire Council (attached at appendix 1) has been drafted following a meeting of Group Leaders to discuss the consultation, held on 15 November 2024.

## 3. Recommendations

3.1 That Council approves the response to the consultation attached at Appendix 1.

# Report

## 4. Risk Assessment and Opportunities Appraisal

It would be preferable to provide a consultation response on behalf of the Council to demonstrate a broad consensus on the proposals being made, even if it is not possible to reach complete unanimity. The changes proposed will support the objectives of a 'Healthy Organisation' and 'Strong Councillors' within the Shropshire Plan by introducing more flexibility in the way decision-making meetings are conducted.

## 5. Financial Implications

There are no financial implications of responding to the consultation. If any of the proposals set out in the consultation are implemented the costs will be carefully assessed at the time.

## 6. Climate Change Appraisal

There are no climate change implications of responding to the consultation but if it leads to more opportunities for remote attendance at meetings there will be a small reduction in carbon emissions by reason of fewer journeys being necessary.

## 7. Background

- 7.1 The proposed response from Shropshire Council to the consultation is attached at appendix 1. Responses can also be made by individual councillors, members of the public, prospective local authority members, and bodies representing the interests of local members and representatives.

### Context

- 7.2 In order to fulfil the requirements of attendance (and therefore contribute to a quorum, and vote at a meeting), a member of a committee must be physically present in the room to satisfy the requirements of the Local Government Act 1972.
- 7.3 Shropshire Council committee meetings are currently conducted in a hybrid manner and live streamed using Microsoft Teams as a platform. This gives the opportunity for those who are not members of a committee but who need to participate (eg officers, other councillors, representatives of other organisations) the ability to do so remotely in a meeting if they have difficulties attending in person.
- 7.4 On rare occasions, members of committees who cannot attend a meeting in person and are unable to arrange for a substitute to attend, do join remotely. In these circumstances they are not able to vote, do not count towards a quorum and their attendance record will show that they were absent for the meeting.
- 7.5 It is understood that the consultation seeks views on proposals which would remove the requirement of a committee member to be physically present in the room in order to be recorded as being in attendance, contribute to the quorum and vote.

Within the response to the consultation, the Council asks for clarification if the flexibilities are introduced that the virtual committee member attendance can be recorded as being in attendance for the purposes of the “six month rule”.

- 7.6 The consultation also seeks views on Proxy Voting, whereby a member of Council may delegate their voting powers to another representative to enable a vote to be made in their absence.
- 7.7 The Conservative, Liberal Democrat, Group Leader and Independent Group Leaders met on 15 November 2024 to discuss the consultation.
- 7.8 There was agreement around the broad principle of granting local authorities powers to allow remote attendance at formal meetings, but there was also recognition that one size would not fit all and that the option to do so should be a decision that lay with individual councils rather than being imposed on all.
- 7.9 Group Leaders agreed on the importance of in-person attendance of committee members at Full Council and all council committee meetings as a default, for the benefit of the decision-making process. It was felt that face to face interactions help to develop trust and understanding, develop relationships across the council, facilitate collaboration and debate resulting in more informed decision making.
- 7.10 It was agreed that remote attendance of a member of a committee, although permissible in certain circumstances, should be the exception rather than the norm. In particular, it was agreed that remote attendance should not be permitted at regulatory committees involved in quasi-judicial decision making.

### **Exceptional Circumstances**

- 7.11 During discussion of the proposed response, Group Leaders agreed that a definition of exceptional circumstances for remote attendance of a committee member would be necessary, and could include for example, health and medical issues; domestic or family emergencies; maternity or paternity leave; caring responsibilities; and hazardous weather conditions.

### **Procedural measures**

- 7.12 It was also agreed that mechanisms would be needed to help ensure a hybrid or purely remote meeting policy was workable and efficient. For example:
- a mechanism to help decide whether a reason for requesting remote attendance qualified as an exceptional circumstance.
  - Clear requirements for participating remotely, eg committee members should have camera on for the entire meeting, with microphone muted until invited to speak by the Chair
  - Consideration should be given to there being a limit to the number of meetings each councillor could attend remotely each year, although this might prove difficult in practice because of the variation of committee frequency and timings.
  - A clear definition of ‘private location’ should be provided for those participating in restricted items remotely

## Fully remote meetings

7.13 It was agreed that fully remote meetings would only ever be appropriate in cases of national or local emergencies, or extreme circumstances, such as exceptionally hazardous travel conditions, where the majority of committee members are unable to travel to the venue for a meeting which **must** take place at the appointed time due to urgent business.

## Recording Attendance at Meetings

7.14 Group Leaders agreed that regardless of whether the new flexibilities were implemented, it would be useful for minutes of meetings to include who was present and participating at meetings both in the room and virtually, whether they were a committee member or not.

## Proxy Voting

7.15 Group Leaders agreed that if proxy voting were to be permitted, it should be allowed only in “rare and exceptional circumstances”, so as not to undermine the integrity of council operations. Clear guidelines would be needed to define what would constitute ‘rare and exceptional’

### List of Background Papers (This **MUST** be completed for all reports, but does not include items containing exempt or confidential information)

Ministry of Housing, Communities & Local Government Consultation: Enabling Remote Attendance at Local Authority Meetings

Link: [Enabling remote attendance and proxy voting at local authority meetings - GOV.UK](#)

**Local Member:** All

**Appendices:** Appendix 1 – proposed response to consultation

## APPENDIX 1

### Proposed response to Ministry of Housing, Communities & Local Government Consultation – enabling remote attendance and proxy voting at local authority meetings

#### Question 1

In what capacity are you responding to this consultation:

**Unitary Authority**

#### Question 2

Do you agree with the broad principle of granting local authorities powers to allow remote attendance at formal meetings?

**Yes/No**

#### Question 3

If you answered Yes to the above question, do you think that there should be specific limitations on remote attendance? Please tick all the options below that correspond with your view and use the free text box for any other comments.

- a) Any formal meeting allowing remote attendance should have at least two thirds of members in physical attendance.
- b) Members should only be able to attend council meetings remotely in exceptional circumstances, such as those who are medically or physically unable to attend, or for reasons of local or national emergencies. ✓**
- c) There should be no limitations placed upon councils with regard to setting arrangements for remote attendance of council meetings, up to and including full remote attendance.

*Free Text:*

**It would be helpful for a mechanism to be identified with clear rules and parameters for decision making on whether circumstances are deemed ‘exceptional’**

**Shropshire Council believes that Councillors should make every effort to attend council meetings in person for the benefit of their residents. Attending in person meetings strengthens debate and allows Councillors to make more informed decisions and develop relationships across the council.**

**It does however recognise that in some cases, allowing hybrid attendance should be provided as an option – in exceptional circumstances only. We assume that this**

**would not apply to regulatory committees where 100% in person attendance should be a requirement, given the decision making function that these committees perform.**

**Shropshire Council suggests that the following situations could be regarded as 'exceptional': health and medical issues; domestic or family emergencies; maternity or paternity leave; caring responsibilities; hazardous weather conditions**

**Question 4** – relates to responses from individual members

### **Question 5**

If you are responding to this consultation on behalf of a council as a whole, what proportion of the council's current elected members are likely to seek to attend council meetings remotely over the course of a year?

- less than 10%
  - more than 10% but less than 50%
  - more than 50% but less than 90%
- most of them 90% to 100%

### **Question 6**

The government recognises that there may be cases in which it is necessary for councils to hold meetings fully remotely. Do you think there should be limitations placed on the number of fully remote meetings councils should be able to hold?

- a)** Councils should be able to allow full remote attendance at up to half of council meetings within a twelve-month calendar period.
- b)** Councils should only have the flexibility to change a meeting from in-person to online, or vice versa, due to unforeseen and exceptional circumstances.
- c)** Councils should not have the flexibility to conduct fully remote meetings to ensure there is always an in-person presence

### *Free Text*

**In person/hybrid meetings should always be the default option but this flexibility would give Local Authorities the mandate needed to ensure that circumstances such as a lock down, or hazardous weather and travelling conditions does not prevent urgent decision making taking place. The position on regulatory committee meetings needs to be made clear.**

## Question 7

Do you think there are there any necessary procedural measures that would help to ensure a remote or hybrid attendance policy is workable and efficient?

Please tick all the options that correspond with your view and use the free text box for any other comments.

- a) Councils should be required to publish a list of attendees joining the meeting remotely and give notice if a meeting is being held with full remote attendance.
- b) Councils should be required to ensure that standard constitutional arrangements are followed for hybrid and fully remote meetings. ✓
- c) Councils should be required to make arrangements to ensure restricted items (where a council decision is taken in private to protect confidentiality) are managed appropriately and to require remotely attending members to join from a private location. ✓

*Free Text:*

**It should be compulsory for remote attendees to have their camera on at all times, so they can be seen by other participants and to remain muted until invited to speak by the Chair**

**Conduct of remote participants should be as is expected of those in the room, and measures agreed for the Chair to deal with poor conduct if necessary**

**A mechanism for agreeing a circumstance is exceptional and who makes that decision will be required.**

**Any limitation on the number of meetings a member can attend virtually in a year would be problematic due to the variation in frequency and timings of meetings of certain committees.**

**A definition of a “private location” will be required.**

**Clarity is needed whether remote attendance counts as ‘attendance’ in the application of the 6 month rule.**

**Contingency plans should be required and agreed in case of technical failure.**

## Question 8

Do you think legislative change to allow councillors to attend local authority meetings remotely should or should not be considered for the following reasons?

Tick all the statements below that apply to your point of view.

Should be considered because

Should not be considered because

It is a positive modernising measure.

Councillors should be physically present at all formal meetings.

It would likely increase the diversity of people willing and able to stand for election in their local area, making councils more representative of the communities they serve.

It could lead to a significant number of councillors habitually attending remotely and ultimately reduce the effectiveness of councils.

Councils would be more resilient in the event of local or national emergencies which prevent in-person attendance.

It would be more difficult for councillors to build personal working relationships with colleagues, and engage with members of the public in attendance at meetings.

*Free Text:*

**It would facilitate members of committees being able to attend remotely when their circumstances require it, but a purely 'online council' is not desirable, and attendance at meetings is always the preferred option**

## Question 9

In your view, would allowing councillors to attend formal local authority meetings remotely according to their needs particularly benefit or disadvantage individuals with protected characteristics, for example those with disabilities or caring responsibilities?

Please tick an option below:

- It would benefit members
- It would disadvantage members
- Neither



## **Proxy voting**

### **Question 10**

In addition to provisions allowing for remote attendance, do you consider that it would be helpful to introduce proxy voting?

- yes
- no
- unsure

### **Question 11**

If yes, for which of the following reasons which may prohibit a member's participation in council meetings do you consider it would be appropriate?

Please select all that apply:

- physical or medical conditions
- caring responsibilities
- parental leave or other responsibilities

*Free Text:*

**Appropriate only in rare and exceptional and temporary circumstances – ie only if extremely unwell on a short term basis.**

**Generally it is felt that the option of proxy voting should be explored in the context of the current system used in the House of Commons where MPs who have a severe illness can delegate to a proxy, or in other rare and exceptional circumstances where a member is unable to attend in person or remotely on a temporary basis.**

### **Question 12**

Are there circumstances in which you feel proxy voting would not be appropriate?

**Yes, Regulatory Committees and in any circumstances which are not rare and exceptional.**

### **Question 13**

If you think proxy voting is appropriate, are there any limitations you think should be placed upon it?

**There should be a strict limit on the number of occasions a proxy vote can be used.**