

# Public Document Pack



## Law and Governance

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### 11. **Enabling Remote Attendance and Proxy Voting at Local Authority Meetings - Consultation Response** (Pages 3 - 8)

Report of the Director of Law and Governance



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Coventry City Council: 3 December 2024

## Item 11: Enabling Remote Attendance and Proxy Voting at Local Authority Meetings – Consultation Response

### Appendix 1

#### Ministry of Housing, Communities and Local Government Open consultation

#### Enabling remote attendance and proxy voting at local authority meetings

**Question 1 - Please tick all that apply - are you responding to this consultation as:**

- a) an elected member – if so please indicate which local authority type(s) you serve on
- Town or Parish Council
  - District or Borough Council
  - Unitary Authority
  - County Council
  - Combined Authority / Combined County Authority
  - Fire and Rescue Authority
  - Police and Crime Panel
  - Other local authority type - please state
- b) **x** a **council body** – if so please indicate which local authority type
- Town or Parish Council
  - District or Borough Council
  - **x Unitary Authority**
  - County Council
  - Combined Authority / Combined County Authority
  - Fire and Rescue Authority
  - Police and Crime Panel
  - Other local authority type - please state
- c) a member of the public
- d) a local government sector body – please state

#### **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. We believe that this modernising measure of providing broad flexibility to enable remote attendance 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.

**Question 2 - Do you agree with the broad principle of granting local authorities powers to allow remote attendance at formal meetings?**

**Yes/No**

If you answered No to the above question please go directly to question 4.

**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 d) 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.
- d) **[Free Text] Proposals a-b would be very challenging to manage. Any limitations should be set by the individual authority within their constitution. Local choice arrangements would enable effective management with an understanding of local resources and needs.**

**Question 4 - If you are an elected member can you anticipate that you personally may seek to attend some of your council meetings remotely?**

- Yes
- No
- I am not an elected member**

**Question 4a - If you answered No please use the free text below**

N/A

**Question 4b - If you answered Yes, could you indicate below which of the following options best describes your likely pattern of attending meetings remotely**

- Very occasionally
- From time to time
- Regularly but not always
- All the time

**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%

[Response to question 5 to be completed following indications of attendees at Council meeting]

**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 inperson 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.
- d) **[Free Text] Local choice arrangements should be put in place to allow individual authorities to determine their own arrangements. The impact of legislation around the holding of meetings, publication of agendas, public access and forward plans should be addressed within any proposed changes.**

**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 d) 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.
- d) **[Free Text] Compliance with legislation, regulations and public law principles should be in place before any changes to ensure effective and transparent decision-making.**

**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
<p><b>x It is a positive modernising measure.</b></p>	<p>Councillors should be physically present at all formal meetings.</p>
<p><b>x 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</b></p>	<p><b>x It could lead to a significant number of councillors habitually attending remotely and ultimately reduce the effectiveness of councils.</b></p>
<p><b>x Councils would be more resilient in the event of local or national emergencies which prevent in person attendance.</b></p>	<p><b>x 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.</b></p>

Free text box – please state any other reasons	Free text box – please state any other reasons
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**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:

- **x it would benefit members**
- it would disadvantage members
- neither

Please use the text box below to make any further comment on this question.

**The practical implications of enabling hybrid or remote meetings on local government arrangements should be considered including the increased resource implications with such new burdens.**

### **Proxy voting**

Proxy voting is a form of voting whereby a member of a decision-making body may delegate their voting power to another representative to enable a vote in their absence.

It is possible some members may find that, due to their personal circumstances, they are temporarily unable to participate in meetings even if remote attendance provisions are in place. Provisions for proxy voting could provide additional flexibility to those who really need it on a time-limited basis, allowing affected members to indirectly exercise their democratic duty, participate in their local authority's governance, and ensure that their views are taken into consideration. In the context of local authorities, the representative would have to be another elected member of the local authority.

**Question 10 - In addition to provisions allowing for remote attendance, do you consider that it would be helpful to introduce proxy voting?**

- yes
- **x 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
- other [Free text box]

**Question 12 - Are there circumstances in which you feel proxy voting would not be appropriate?**

*[Free text box]*

**Question 13 - If you think proxy voting is appropriate, are there any limitations you think should be placed upon it?**

*[Free text box]*

**We do not consider that proxy voting is appropriate. However if it was introduced there should be clear and consistent regulations around when proxy would apply including limitations such as currently applies to parliamentary proxy voting.**

**Clarity around how people can vote in the absence of the hearing of representations or debates and around concerns of predetermination should be addressed.**