



Extraordinary Council Meeting

**Council Offices
White Cliffs Business Park
Dover**

Wednesday, 19 May 2021

Summons and Agenda

Nadeem Aziz
Chief Executive



Democratic Services
White Cliffs Business Park

Dover
Kent CT16 3PJ

Telephone: (01304) 821199
Fax: (01304) 872452
DX: 6312
Minicom: (01304) 820115
Website: www.dover.gov.uk
e-mail: democraticservices@dover.gov.uk

11 May 2021

To the Members of the Council,

You are hereby summoned to attend an Extraordinary meeting of the **COUNCIL** to be held in the Council Chamber at these Offices on Wednesday 19 May 2021 at 6.00 pm for the transaction of the business set out in the Agenda.



Chief Executive

Members of the Council:

M D Conolly (Chairman)	N J Collor	D P Murphy
D Hannent (Vice-Chairman)	D G Cronk	O C de R Richardson
J S Back	J P Haste	J Rose
T J Bartlett	D A Hawkes	M Rose
M Bates	M J Holloway	C A Vinson
D G Beaney	S J Jones	R S Walkden
S H Beer	P D Jull	P Walker
E A Biggs	L A Keen	H M Williams
T A Bond	N S Kenton	C F Woodgate
P M Brivio	S C Manion	C D Zossedder
S S Chandler	K Mills	

AGENDA

1 **APOLOGIES** (Page 5)

To receive any apologies for absence.

2 **ANNOUNCEMENTS** (Page 6)

To receive any announcements from the Chairman, Leader, Members of the Cabinet or Head of Paid Service.

3 **BROADCASTING OF COUNCIL MEETINGS** (Pages 7 - 10)

To consider the report of the Monitoring Officer.

4 **URGENT BUSINESS TIME** (Page 11)

To consider any other items deemed by the Chairman of the Council to be urgent in accordance with the Local Government Act 1972.

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes will be published on our website as soon as practicably possible after each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Rebecca Brough, Democratic & Corporate Services Manager, democraticservices@dover.gov.uk, telephone: (01304) 872304 or email: democraticservices@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

APOLOGIES

To receive any apologies for absence.

ANNOUNCEMENTS

To receive any announcements from the Chairman of the Council, the Leader of the Council, Members of the Cabinet or the Head of Paid Service.

Subject:	BROADCAST OF COUNCIL MEETINGS
Meeting and Date:	EXTRAORDINARY COUNCIL – 19 MAY 2021
Report of:	MONITORING OFFICER
Classification:	UNRESTRICTED

Purpose of the report: To seek Council approval for a trial period during which some Executive, Council and Committee meetings will be broadcast online.

Recommendation:

- (a) That Council authorise the broadcast of Executive, Council and Committee meetings during a six-month trial period commencing with immediate effect.
- (b) That the Democratic and Corporate Services Manager be authorised to manage all aspects of the broadcast of committee meetings.

1. Summary

This report seeks the approval of the full Council for a trial period to test the feasibility of broadcasting meetings of the Executive, Council and Committees.

2. Introduction and Background

2.1 Under the provisions 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 the Council has live broadcast its remotely held Council and Committee meetings that would in normal circumstances be open to the public. This has proven to be very successful with levels of public viewing on several occasions in excess of that which could be comfortably accommodated in normal circumstances in the Council Chamber.

2.2 The legal basis to do this prior to 6 May 2021 was The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. A sunset clause in these Regulations ended the legal basis for the Council to continue holding its meetings remotely and the situation has reverted to that which existed in March 2020 where none of the Council's meetings were broadcast online. This report therefore seeks permission from the Council for a trial period to introduce arrangements for the live broadcasting of Executive, Council and Committee meetings going forward.

Trial Period

2.3 The purpose of the trial period will enable time for the refinement of procedures and for the necessary amendments to the Constitution, in particular in respect of the Access to Information Procedure Rules, to be identified. In accordance with Article 15 of the Constitution, permanent amendments to the Constitution will require consideration by the Governance Committee before they can be approved by the full Council. However, it is the view of the Solicitor to the Council and Monitoring Officer that a temporary trial period will not require such Constitutional amendments.

2.4 It is intended that the results of the trial and proposals for a permanent move to the broadcast of meetings would be considered by the full Council no later than its meeting to be held on 20 October 2021.

Technology

- 2.5 It is currently proposed that the technology that would support the more advanced broadcasting of meetings will be installed in August 2021 as part of arrangements to upgrade the Council Chamber. Prior to this date, a single static wide angled webcam selected by Digital Services will be used to broadcast meetings. This will provide a more limited viewing experience for the public than the upgraded infrastructure that will be installed in August 2021.
- 2.6 The six-month trial period will therefore also allow Democratic Services to test using the technology of the upgraded Council Chamber in September and October and develop arrangements that will reflect this new technical infrastructure.
- 2.7 The trial will also facilitate the broadcast of some meetings during the period 19 May to 21 June 2021 when covid restrictions on indoor meetings are still in place and which will provide for greater public access to meetings than can be permitted under current covid arrangements.

Retention of Broadcasts

- 2.8 It is not proposed that any of the proceedings broadcast will be recorded or retained by the Council. The broadcast will only be viewable live. This is in keeping with the position adopted by the Council during the broadcast of remote meetings under The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.
- 2.9 This decision has been taken due to concerns that the recording of meetings and the retention of these broadcasts would require measures to manage the archive and deal with Freedom of Information and Subject Access requests.

Meetings that will be broadcast

- 2.10 The proposals are that meetings of the following bodies will be broadcast during the trial period:
- Council
 - Cabinet
 - General Purposes Committee
 - Governance Committee
 - Planning Committee
 - Overview and Scrutiny Committee
- 2.11 The Council will not broadcast any exempt or confidential business or any meetings that are not open to the public.
- 2.12 In respect of Project Advisory Groups, these meetings are not covered by the provisions of Part VI of the Local Government Act 1972, The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 so as to require its meetings to be open to the public. It is therefore not proposed to broadcast these meetings during the trial period. However, the grounds for which some of these PAGs when meeting in public could be broadcast will be considered as part of the report to Council on permanent broadcasting arrangements.
- 2.13 The following meetings will not be broadcast during the trial period as they may contain significant personal information from and about applicants, objectors and customers, some of which may be in dispute.
- Licensing Committee
 - Licensing Sub-Committees

- Regulatory Committee

2.14 It is also the view of the Solicitor to the Council & Monitoring Officer and the Head of Governance that the Council cannot make a decision to broadcast meetings for the Licensing Committee as it is responsible for its own arrangements under the Licensing Act and the Gambling Act.

2.15 A Data Privacy Impact Assessment into the proposed trial has been undertaken and the Data Protection Officer is satisfied that risks associated data protection laws can be adequately mitigated.

Members of the Public

2.16 There are several considerations around the broadcasting of members of the public that will need to be considered. The current thinking in respect of members of the public is that their express consent will be needed for them to be broadcast. This will have a particular impact in respect of public speaking at committees.

Delegation to the Democratic and Corporate Services Manager

2.17 In developing these proposals, it has been identified that there could be a number of circumstances where the Council would not want to broadcast a meeting or will need to suspend the broadcasting of a live meeting. This would include cases such as disruption to meetings that cause proceedings to be halted or where something has occurred that is not suitable for broadcasting, such as an outburst from a member of the public making unfounded personal allegations against a member or officer. The delegation to the Democratic and Corporate Services Manager enables decisions to be made in respect of the broadcast of meetings in response to circumstances as they arise.

3. Identification of Options

3.1 Option1 – To approve the trial period for the broadcast of Executive, Council and Committee meetings and to authorise the Democratic and Corporate Services Manager to manage all aspects of the broadcast of committee meetings.

3.2 Option 2 – To approve either a different set of meetings to be broadcast/different trial period or to not approve the broadcast of Executive, Council and Committee meetings.

4. Evaluation of Options

4.1 Option 1 is the preferred option as it facilitates the broadcast of Executive, Council and Committee meetings for a trial period and provides the Democratic and Corporate Services Manager with the necessary authority to manage the trial. As the Governance Committee must consider any amendments to the Constitution prior to the Council considering them, it is not open to the Council at this time to approve a permanent adoption of a policy of broadcasting Executive, Council and Committee meetings.

4.2 Option 2 is not the recommended option. The trial period has been timed to both enable testing of the new Council Chamber infrastructure and provide enough time to identify the necessary constitutional amendments that would be required to make such arrangements permanent.

5. Resource Implications

5.1 The only resources arising from the trial are likely to be staff resourcing issues. The cost of the wide angled webcam has already been covered from existing budgets.

6. Climate Change and Environmental Implications

6.1 There are no direct climate change or environmental implications arising from the report.

7. **Background Papers**

There are no background papers.

Contact Officer: Rebecca Brough, Democratic and Corporate Services Manager

URGENT BUSINESS

To consider any other items deemed by the Chairman of the Council to be urgent in accordance with the Local Government Act 1972.