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<b>Subject:</b>	<b>DELIVERY OF AGENDAS TO COUNCIL MEMBERS</b>
<b>Meeting and Date:</b>	<b>Cabinet – 3 June 2024</b> <b>Governance Committee – 27 June 2024</b> <b>Licensing Committee – 17 July 2024</b> <b>Council – 17 July 2024</b>
<b>Report of:</b>	<b>Rebecca Brough, Head of Corporate Services and Democracy</b>
<b>Portfolio Holder:</b>	<b>Councillor Kevin Mills, Leader of the Council</b>
<b>Decision Type:</b>	<b>Non-Key</b>
<b>Classification:</b>	<b>Unrestricted</b>

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**Purpose of the report:** The Leader of the Council has requested a review of the arrangements by which agendas and summons are distributed to Members with a view to reducing the number of paper agendas sent by post.

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**Recommendation:** **That it be recommended to the Cabinet:**

(a) That it be agreed that Cabinet, Project/Policy Advisory Group and Executive Committee agendas only made available in electronic format or, if paper copies are required by Members, that these be left at the Council Offices for collection.

(b) That it be recommended to the Governance Committee and Council that the Leader and Executive Procedure Rules be amended to insert a new paragraph 1.6(c) as follows:

“The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Proper Officer will send a summons signed by him or her to every member of the Council. All Members serving on a body will receive an electronic copy **of the summons and agenda** unless they have requested a paper copy which will be made available for collection from the Council Offices. All Members will receive an electronic notification by e-mail. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.”

**That it be recommended to the Governance Committee:**

That it be recommended to the Council that the Constitution be amended as follows:

(a) That Council Procedure Rule 6 be amended as follows:

“The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Proper Officer will send a summons signed by him or her to every member of the Council. All Members serving on a body will receive an electronic copy **of the summons and agenda**

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unless they have requested a paper copy which they will receive at their usual place of residence **be made available for collection from the Council Offices**. All other Members will receive an electronic notification by e-mail. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.

This rule shall be interpreted subject to the provisions of paragraph 4 of Schedule 12 to the Local Government Act 1972.”

- (b) That the Leader and Executive Procedure Rules be amended to insert a new paragraph 1.6(c) as follows:

“The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Proper Officer will send a summons signed by him or her to every member of the Council. All Members serving on a body will receive an electronic copy of the summons and agenda unless they have requested a paper copy which will be made available for collection from the Council Offices. All Members will receive an electronic notification by e-mail. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.”

- (c) That on the recommendation of the Licensing Committee, that Council Procedure Rule 6 be amended to include the Licensing Committee and Licensing Sub-Committees.

**That it be recommended to the Licensing Committee:**

That Council Procedure Rule 6, as amended below, be adopted by the Licensing Committee and Licensing Sub-Committees:

“The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Proper Officer will send a summons signed by him or her to every member of the Council. All Members serving on a body will receive an electronic copy of the summons and agenda unless they have requested a paper copy which will be made available for collection from the Council Offices. All Members will receive an electronic notification by e-mail. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.”

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“The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Proper Officer will send a summons signed by him or her to every member of the Council. All Members serving on a body will receive an electronic copy of the summons and agenda unless they have requested a paper copy which will be made available for collection from the Council Offices. All Members will receive an electronic notification by e-mail. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.”

- (c) That on the recommendation of the Licensing Committee, that Council Procedure Rule 6 be amended to include reference to the Licensing Committee and Licensing Sub-Committees.
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**1. Summary**

- 1.1 This report seeks to set out the background to the current arrangements for agenda distribution to Members and the options for changing these arrangements.

**2. Introduction and Background**

- 2.1 The introduction of the Modern.Gov system in 2012 with its secure app for electronic agenda delivery significantly reduced the number of paper copies of agendas that needed to be sent to councillors and officers. This allowed for the instant delivery of agendas and summons to Members and officers when published and for convenient publication to the Council’s website for members of the public to view. Additionally, an email is also sent to all Members of the Council advising of the publication of the agenda and summons.

- 2.2 At the time, it was estimated that the change to electronic delivery of agendas and summons saved the Council in excess of £30,000 in postage and printing per annum, with estimates now that the figure has risen to in excess of £50,000 per annum saved.
- 2.3 For officers the default position has been that electronic agendas via the Mod Gov app are the method of circulation and where a paper agenda is occasionally required this would be circulated using the internal post system. There are no proposals to change this arrangement.
- 2.4 For councillors, a small number of paper agendas are still printed and posted out by Royal Mail where a Member has specifically requested that they receive a paper copy of an agenda. On some occasions a Member has indicated that they would be prepared to collect it from the Council Offices saving postage costs.
- 2.5 The Leader of the Council has requested that this arrangement be reviewed with a view to reducing the number of agendas that are posted to as low a number as possible on environmental and cost grounds.

### **Council Agendas**

- 2.6 The Council agenda contains on it the summons for Members to attend the full Council meeting. This is prescribed by law in paragraph 4 of Schedule 12 of the Local Government Act 1972, which in summary makes provision for the summons to be (a) posted/left at the Member's usual place of residence; (b) to be posted/left at another address specified by the Member; or (c) delivered electronically (unless consent for this has been withdrawn).
- 2.7 The consequence of this is that if a Member does not give consent for the electronic delivery of the Council agenda, or withdraws that consent after it has been given, a paper copy of the agenda must be posted or left at the Member's usual address or at another address specified by them. It is therefore at the discretion of each individual Member as to what their preferred method of agenda delivery is for full Council. However, it should be noted that the provisions of paragraph 4 of Schedule 12 of the Local Government Act 1972 does mean that a Member could designate the Council Offices as the other address for the agenda to be left at should they wish to do so.
- 2.8 It is therefore not possible to implement the proposed changes without the consent of individual Members. Currently, there are 5 Council agendas that are printed at the request of individual Members, although only 4 are posted out with the remaining agenda collected from the Council Offices.

### **Committee Agendas**

- 2.9 The situation for non-executive committee agendas and summons is that it is a matter for the Council to determine. The current arrangements are set out at Rule 6 of the Council Procedure Rules which specifies the methods by which a committee agenda will be delivered. This states as follows:

"The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Proper Officer will send a summons signed by him or her to every member of the Council. **All Members serving on a body will receive an electronic copy unless they have requested a paper copy which they will receive at their usual place of residence. All other Members will receive an electronic notification by e-mail.** The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available."

- 2.10 It is proposed that if the proposed change to limit committee agenda distribution to electronic agenda delivery or collection from the Council Offices, then Council Procedure Rule 6 will need to be amended as follows:

“The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Proper Officer will send a summons signed by him or her to every member of the Council. All Members serving on a body will receive an electronic copy of the summons and agenda unless they have requested a paper copy which they will receive at their usual place of residence be made available for collection from the Council Offices. All other Members will receive an electronic notification by e-mail. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.”

- 2.11 The following numbers of agendas are currently posted out for committees:

- Dover Joint Transportation Advisory Board – 2 copies
- Joint Health, Safety and Welfare Consultative Forum – 3 copies
- Planning Committee – 6 copies
- Regulatory Committee – 1 copy

- 2.12 The necessary changes to the Constitution will need to be considered by the Governance Committee prior to approval by the full Council.

#### **Cabinet Agendas, Project/Policy Advisory Groups and Executive Committees**

- 2.13 The situation for Cabinet agendas and summons like committee agendas, is a matter of local choice but in this case, it is a matter for the Leader and Cabinet to determine. It is therefore possible that the options for agenda delivery for Cabinet agendas could be limited to electronic delivery or collection from the Council Offices.

- 2.14 As the Constitution is currently silent on how Cabinet agendas are to be delivered to Members, it is proposed that if changes are made for Cabinet agendas that the Constitution be updated to reflect this position.

- 2.15 This could be achieved through a new paragraph designated as 1.6(c) being inserted into the Leader and Executive Procedure Rules in the Constitution as follows:

“The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Proper Officer will send a summons signed by him or her to every member of the Council. All Members serving on a body will receive an electronic copy of the summons and agenda unless they have requested a paper copy which will be made available for collection from the Council Offices. All Members will receive an electronic notification by e-mail. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.”

- 2.16 For Cabinet, PAG and Executive Committee agendas, this could be implemented as usual for executive decisions, subject to any delays that may arise in the event that the call-in process is activated.

- 2.17 There is currently one paper agenda posted out for Cabinet (to a non-Cabinet member) and a small number for Project Advisory Groups.

## **Licensing Committee**

- 2.18 While the Licensing Committee is responsible for adopting its own arrangements, it would be possible for it to adopt the same arrangements as other committees. It is therefore proposed that the Licensing Committee adopt the amended Council Procedure Rule 6 in respect of the agenda and summons for Licensing Committees and Licensing Sub-Committees:

“The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Proper Officer will send a summons signed by him or her to every member of the Council. All Members serving on a body will receive an electronic copy of the summons and agenda unless they have requested a paper copy which will be made available for collection from the Council Offices. All Members will receive an electronic notification by e-mail. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.”

- 2.19 There are currently 2 copies of Licensing Committee or Licensing Sub-Committee agendas sent out by post on a regular basis.

## **Equality Act 2010**

- 2.20 In setting out the options below, it should be emphasised that none of these will affect the printing and posting of paper agendas where required as a reasonable adjustment under the Equality Act 2010.

## **3. Identification of Options**

- 3.1 Option 1 – That with the exception of the agenda and summons for meetings of the full Council, the necessary changes for committees of the council; sub-committees; the Cabinet, Policy/Project Advisory Groups and Executive Committees; and the Licensing Committee and Licensing Sub-Committees set out in this report at paragraphs 2.10, 2.15 and 2.18 be adopted so as to remove the option for Members to have agendas and summons posted/left at the Member’s usual place of residence or to be posted/left at another address specified by the Member, unless that other address is the Council Offices.
- 3.2 The default method of delivery for agenda and summons would remain electronic unless a member chose to withdraw their consent for that method.
- 3.3 The changes, if adopted, will come into effect for Cabinet following the expiration of the call-in date and for the other bodies, following the meetings of the full Council and Licensing Committee on 17 July 2024.
- 3.4 Option 2 – That the current position remain unchanged and that Members have the option to receive agendas and summons (a) posted/left at the Member’s usual place of residence; (b) to be posted/left at another address specified by the Member; or (c) delivered electronically (unless consent for this has been withdrawn).
- 3.5 The default method of delivery for agenda and summons would also remain electronic unless a member chose to withdraw their consent for that method.
- 3.6 Option 3 – To do something else, such as adopting changes only for some of the specified bodies listed in this report.

## **4. Evaluation of Options**

- 4.1 Option 1 is the recommended option if the changes to the posting of agendas is desired. This will also deliver a modest budgetary saving that will increase in value in subsequent years as postage costs rise.

4.2 Option 2 is the option to be adopted if no changes are desired to the current arrangements.

4.3 Option 3 is not the recommended option. Depending on the nature of what is adopted, a further report may be required from officers setting out the implications and lawfulness of the arrangements.

## 5. **Resource Implications**

5.1 Postage costs currently form part of a central recharge to the Democratic Services budget and agenda postage costs are not separated from other general postage costs for the service. However, it is estimated that agenda postage costs form most of the postage costs for the service. For 2023/24, that cost was £892.66. There would therefore be a modest but not insignificant reduction in costs because of these proposals if Option 1 were to be adopted.

## 6. **Climate Change and Environmental Implications**

6.1 The continued reduction in printing of agendas has a positive environmental impact in reducing paper consumption and energy costs. The proposals set out in this report would have a modest environmental impact by reducing the impact of posting agendas and summons. However, in some cases this will be offset by additional journeys to the Council Offices to collect agendas for those Members not regularly travelling to the offices.

## 7. **Corporate Implications**

7.1 Comment from the Director of Finance (linked to the MTFP): Accountancy has been consulted and has no further comment to add.

7.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

7.3 Comment from the Equalities Officer: This report seeking the review of the delivery of agendas to Council Members does not specifically highlight any equality implications as noted at paragraph 2.17. In discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

## 8. **Appendices**

None.

## 9. **Background Papers**

Local Government Act 1972

Contact Officer: Rebecca Brough, Head of Corporate Services and Democracy