

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Councillors Commission** broadcast from the Civic Suite - The Civic Suite on Wednesday, 8 July 2020 at 2.00 pm.

PRESENT: Councillor R Blaney (Chairman)

Councillor L Dales, Councillor Mrs G Dawn, Councillor Mrs L Hurst and Councillor P Peacock

APOLOGIES FOR ABSENCE: Councillor J Lee (Committee Member) and Councillor D Lloyd

ALSO IN ATTENDANCE: Councillor K Girling

REMOTE MEETING LEGISLATION

The meeting was held remotely, in accordance with the Local Authorities and Police & Crime Panels (Coronavirus) (Flexibility of Local Authority and Police & Crime Panel Meetings) (England and Wales) Regulations 2020.

23 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

No declarations of interest were declared.

24 MINUTES OF MEETING HELD ON 9 DECEMBER 2019

AGREED that the Minutes of the meeting held on 9 December 2010 be approved as a correct record.

25 COUNCIL'S RESPONSE DURING COVID-19 EMERGENCY

The Director – Governance & Organisational Development presented a report which set out the Council's response to the Covid-19 emergency to date, by referencing the report presented to the Policy & Finance Committee on 25 June 2020 and invited the Commission to consider the content of a draft survey aimed at collating Members' experience during the pandemic.

During Covid-19, officers and Members responded rapidly during an unprecedented crisis, with Councillors having a crucial role leading their communities, keeping their residents updated and representing their interests. Remote working and the pressure placed on communities during the pandemic undoubtedly changed the way that Councillors conducted their role. It was proposed to survey all Members on their experiences based around the following four areas:

- What their experiences have been in terms of communications and meetings;
- What feedback can they give about working in their communities during the pandemic, what have they done differently, innovatively and what have they learnt about their role as a community leader;

- Working practices – what are the preferred methods of engaging with community and voluntary groups;
- Health and well-being during this challenging period.

A suggested draft survey was attached as an appendix to the report. It was suggested that to be more effective, surveys with Members would be conducted on a one to one basis with officers from Democratic Services to capture views.

The Commission welcomed the report and thanked officers for the way in which the Council had responded to the crisis. The Chief Executive added that the excellent response had also been attributable to the Members as community leaders. The Commission welcomed the proposed survey of all Members suggesting just one addition to ask if they welcomed the email updates from the Leader of the Council.

AGREED that:

- (a) the Council's response to the Covid-19 pandemic be welcomed and noted; and
- (b) subject to the one addition, the all Member survey be approved, to be undertaken by Democratic Services.

26 REVIEW OF JUNE COMMITTEE CYCLE SUSPENSION

The Business Manager – Elections & Democratic Services presented a report which provided a review of the suspension of the June cycle of committee meetings following the outbreak of the Covid-19 pandemic and considered the September cycle following the summer recess.

The decision to suspend all committee meetings (with the exception of the Planning Committee, any licensing hearings or any other committee where there was a pressing need to consider specific business) was taken on 14 April 2020 by the Chief Executive, following consultation with Group Leaders. For those committees that had taken place during the Covid-19 pandemic, these had been held in a virtual manner utilising Microsoft Teams in accordance with the 'The Local Authorities and Police & Crime Panels (Coronavirus) (Flexibility of Local Authority and Police & Crime Panel Meetings) (England & Wales) Regulations 2020'.

The report set out proposals for committee meetings to be reinstated following the summer recess. Given it was likely that the Government's social distancing measures would still be in place at that time, it was noted that these meetings would need to be held in the virtual format but this would be subject to review in line with any fresh guidance around social distancing. The Director – Governance & Organisational Development advised that Counsel's opinion had been obtained by the Association of Democratic Services Officers and Lawyers in Local Government which confirmed that 'hybrid' meetings, with some Members meeting together physically whilst others joined remotely, was considered to be unlawful. It was noted that in respect of Full Council Meetings, the decision taken by the Chief Executive under his delegated authority, was not to hold these whilst social distancing measures were in place but this was also to be kept under review.

The report also made reference to a large number of Members, due to the suspension of the June cycle of meetings, that would not have attended a formal Council meeting since the Full Council Meeting held on 9 March 2020 which was just prior to the start of the lockdown provisions. Given there were currently no plans to hold a Full Council Meeting, the Commission were requested to note that the Chief Executive would use his delegated powers to authorise this extended period of absence for those Members to whom this applied.

The Commission discussed the success of the virtual meetings to date and Councillor Blaney referred to the large numbers of the public viewing the live stream of the Planning Committees, which have been held in this way. The Commission did however raise concern over a further proposal within the report for all meetings in the September restart to commence at 2pm and it was suggested that all Members be canvassed for their view on this as part of the wider Covid-19 survey to be conducted by Democratic Services. It was also suggested that Members should also be asked if they wish to receive paper copies of the agendas by post for the virtual meetings to be held in September.

AGREED that the Councillors Commission note and support:

- (a) the reinstatement of those Committees set out in paragraph 3.1 of the report (effectively the September cycle);
- (b) that the start time for the meetings be determined following a canvass of all Members;
- (c) that those Committee meetings be held in a remote manner in accordance with the 2020 Regulations;
- (d) that the Chief Executive will keep the provision of Committee Meetings and Full Council Meetings under review in line with Government guidance in respect of social distancing;
- (e) that the Chief Executive will authorise the continued absence of those Members who have failed to attend a Council meeting for six months in accordance with Section 85 of the Local Government Act 1985; and
- (f) that the Chief Executive will use his delegated authority under Paragraph 7.2.1 of the Constitution to effect (a) to (e) above given there are no current plans to hold a Full Council Meeting.

27 PREPARATION FOR RE-OPENING OF CASTLE HOUSE

The Assistant Director – Transformation & Communications gave a PowerPoint presentation to the Commission detailing how officers were preparing and planning for when staff and Members, could return to Council offices, including Castle House. The detailed plans had been developed which ensured that the 2 meter social distancing measures could be adhered to. The plans included additional signage, enhanced cleaning regimes and track and trace procedures. For Members wishing to attend an office, a process was to be set up whereby they speak to Democratic

Services for them to understand who they wished to meet and try to facilitate this digitally if possible. This was due to the restrictions of numbers in offices. The Commission noted that reopening in the way presented would only commence once the current government guidance advising to 'work from home if you can' changed. The Commission noted and welcomed the presentation and requested that all Members be sent a copy in due course.

28 MODEL MEMBER CODE OF CONDUCT - LGA CONSULTATION

The Director – Governance & Organisational Development presented a report which invited the Commission to consider how they wished the Council to respond to the LGA's consultation on the Model Code of Conduct. It was noted that the consultation ran until 17 August 2020.

A copy of the draft Model Code of Conduct was attached as an appendix to the report. In addition to updating the Model Code to reflect changes to ways of working and increased use of social media, it was intended to create additional guidance, working examples and explanatory text. The report detailed three main areas of proposed changes in the draft Model Code. Firstly, a widening of the applicability of the Code in that it is proposed it should apply when Members are making public comment, are identifying as a councillor and when it would be reasonable for the public to identify them as acting or speaking as a councillor. Secondly, a clearer steer on the use of social media and online activity and finally, an increase in potential sanctions, which were for serious breaches a bar on chairing advisory or special committees for up to two months and a bar on attending committees for up to two months.

The Commission discussed the new term of 'civility' in the Code as opposed to respect, which was welcomed. The further information on the use of social media was also welcomed as this was the area which caused the greatest number of issues, however it was felt that this was still unclear as when posting on social media the public will always view posts as being sent by councillors acting in an official capacity. The Commission considered that all Members should be regularly updated in respect of requirements of the Code of Conduct.

The Commission considered that given the Leader of the Council and the Leader of the Liberal Democrat Group were not able to attend the meeting the consultation should be sent to individual Members to either respond as individuals or in political groupings and not submit a formal Council response.

AGREED that the Commission note the consultation on the Model Code of Conduct and request that the Director – Governance & Organisational Development send the consultation document to all Members to enable individual responses to be made by those that wish to do so.

29 MEMBERS INDEPENDENT REMUNERATION PANEL

The Business Manager – Elections & Democratic Services presented a report which provided an update in respect of convening the Members' Independent Remuneration Panel and set out a draft timetable for the review process.

At their meeting held on 15 October 2019, the Full Council agreed the appointment of the Council's two independent persons, Paul Cox and Sarah Britton onto the Panel. The Full Council also gave delegated authority to the Monitoring Officer, following consultation with the Leader of the Council, to appoint an appropriate Chairman of the Panel. Subsequently, John Shaw had been identified as an appropriate Chairman given his local government financial background covering more than 30 years. It was reported that he had worked for Newark & Sherwood District Council for a period and then Newark and Sherwood Homes, before retiring. In addition, he had sat on the Members' Independent Remuneration Panel for North Kesteven District Council for their last three reviews.

The proposed timetable for the review process was set out in the report with the Full Council due to consider and adopt the Final Recommendations on the Members' Allowances Scheme at their meeting scheduled to be held on 9 February 2021.

AGREED that:

- (a) Members note the progress made in respect of convening a Members' Independent Remuneration Panel;
- (b) Members note the appointment of John Shaw as the Chairman of the Panel; and
- (c) Members support the timetable for the review by the Members' Independent Remuneration Panel.

Meeting closed at 4.00 pm.

Chairman