

## Merseyside Waste Disposal Authority

### Remote Meetings Protocol

## **Introduction**

The following protocols have been produced to provide support and clarity for any remote meetings of the Merseyside Waste Disposal Authority and its Committees and Sub-Committees. This should be read in conjunction with Articles 2, Procedural Rules and 4 Information Procedural Rules of the Authority's Constitution.

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authorities Police and Crime Panel Meetings) (England and Wales) Regulations (the Regulations) made under Section 78 of the Coronavirus Act 2020 apply notwithstanding any other legislation or Constitution provisions governing meetings of the Authority and its Committees come into effect from 4 April 2020 until 7<sup>th</sup> May 2021.

### **1. Annual Meeting**

- 1.1 Part 3, Regulation 6(c) of the Regulations removes the requirement to hold an Annual Meeting during the 2020/21 municipal year. Unless otherwise notified, appointments from Constituent Local Authorities to the Authority will continue for the 2020/21 municipal year.

### **2. Notice of Remote Meetings and Access to Information**

- 2.1 Five clear days before a Remote Meeting, Elected Members will receive electronic notice of the Agenda via their constituent Local Authority email account. The email notification will include the date, time and provide details on how the Elected Member can join the Remote meeting to ensure compliance with Article 5.
- 2.2 Notice of the Remote Meeting will also be made available on the Authority's website for Members of the public and press to inspect. This notice will include the date, time and details of how to view the remote meeting as well as the Agenda outlining the business to be transacted at the remote meeting.
- 2.3 For those Remote meetings which have provision for Questions, Statements and Petitions, the Agenda will include the deadline and details for submission.
- 2.4 For all purposes of the Constitution the term "meeting", is not limited in meaning to a meeting of persons all of whom, or any of whom, are present in the same place, for which purposes any reference to:
  - (1) "place" is interpreted as where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers; and
  - (2) "open to the public" includes access to the meeting being through remote means including (but not limited to) video conferencing, live webcast and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person.

- 2.5 If the Chairperson is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chairperson shall adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date determined by the Chair. If a date is not determined, the remaining business will be considered at the next ordinary meeting.
- 2.6 For all purposes of the Constitution, the terms “notice”, “summons”, “agenda”, “report”, “written record” and “background papers” when referred to as being a document that is:
- (1) “open to inspection” shall include for these and all other purposes as being published on the website of the Authority; and
  - (2) to be published, posted or made available at offices of the Authority shall include publication on the website of the Authority.

### **3. Accessing Remote Meetings**

- 3.1 Elected Members and members of the press and public will be asked to use any video conferencing facilities provided by the Authority to attend a meeting remotely.

### **4. Remote Access for Elected Members**

- 4.1 Any Elected Member of the Authority or its Committees who is participating in a remote meeting must be able to hear and (where practicable) see and be heard and (where practicable) be seen by other Elected Members in attendance at a meeting.
- 4.2 At the beginning of each meeting, the Chairperson will ask each Elected Member to confirm that they can hear and see all participants and the Chairperson will ask the Proper Officer (Clerk) to confirm that they can hear and see all participants.
- 4.3 The quorum requirements for all meetings are set out in the Authority’s Constitution and apply to a remote meeting.
- 4.4 In the event of any failure of the video, telephone or conference connection, the Chairperson will determine if the meeting is still quorate. If the meeting is still quorate then business will resume once the connection has been re-established. However, if the meeting is inquorate, the meeting shall be adjourned for 10 minutes to allow for the connection to be re-established.
- 4.5 Should any aspect of an individual’s remote participation fail, the Chair may call a short adjournment of up to five minutes to determine whether the connection can be re-established quickly. If the connection is not restored within this time and the meeting remains quorate and members of the public can hear the discussion the meeting will proceed.

- 4.6 In the event of connection failure, the remote Member(s) will have been deemed to have left the meeting at the point of the connection failure. If connection cannot be re-established to those Member(s) before the end of the meeting, then the meeting will continue to deal with the remaining items contained in the agenda.
- 4.7 If the connection is successfully re-established, then the remote Member(s) will be deemed to have returned to the meeting at the point of re-connection.

## **5. Remote Attendance and participation by the Press and Public**

- 5.1 That the provisions of Article 2, Section 10 of the Authority Constitution, be modified to reflect that the Monitoring Officer will during any remote meeting read out any submitted Questions, Statements and Petitions.
- 5.2 Any member of the public who wishes to submit a question, statement or petition to meetings of the Authority must be emailed to [paula.pocock@merseysidewda.gov.uk](mailto:paula.pocock@merseysidewda.gov.uk) no later than seven clear working days preceding the meeting of the Authority at which it is to be asked. Article 2, Section 10 of the Authority Constitution sets out the remit in which questions, petitions and statements will be considered eligible by the Monitoring Officer. Responses to the question, petition or statement will be provided verbally at the meeting with a subsequent written response provided within 10 working days of the meeting.
- 5.3 Subject to the Monitoring Officer approving the question, petition or statement, the Proper Officer will contact the member of the public with instructions on how to participate in the meeting at the appropriate juncture.
- 5.4 The Monitoring Officer may reject a question if it does not apply to:
- (1) matters which are not directly related to the Authority's functions;
  - (2) is substantially the same as a question which has been put at a meeting of the Authority in the past six months;
  - (3) any matter that may require the disclosure of confidential or exempt information;
  - (4) any defamatory, frivolous or offensive submissions.
- 5.5 As the remote meeting may be broadcast by the Authority, Members of the public submitting a question, petition or statement should note that their image will be captured and displayed on the Authority's website for the meeting which they have registered for.
- 5.6 The Proper Officer will be able to mute the member of the public once they have spoken, and remove them from the remote meeting on the instruction of the Chairperson, in order to maintain good administration of the meeting or to retain order.

- 5.7 The Authority does not wish to place a member of the public at a disadvantage should there be a breakdown in technology and where possible the Authority will work to establish a re-connection.
- 5.8 A member of the public in remote attendance will be deemed to have left the meeting where, at any point during the meeting, any of the conditions for remote attendance set out in paragraph 5.1 have not been met. As such the Chairperson may determine the following:-
- (1) the meeting be adjourned for 10 minutes to permit the re-establishment of remote attendance as set out in paragraph 5.1;
  - (2) suspend consideration of the item of business in relation to the member of public's attendance until such time as a following item of business on the agenda has been transacted and the conditions for the member of the public's remote attendance have been re-established
- 5.9 Where members of the public are exercising speaking rights at the meeting via remote attendance, the Chairperson will as part of the introduction explain the procedure for their participation. Members of the public must adhere to this procedure otherwise they may be excluded from the meeting.

## **6. Procedure for Meetings**

- 6.1 The Proper Officer will facilitate the remote meeting in consultation with the Chairperson. The Proper Officer will control the video, telephone or conferencing technology to facilitate the remote meeting, to administer the Elected Member and public interaction, engagement and connection on the instruction of the.
- 6.2 Where possible, the Authority will endeavour to provide a technological solution that will enable Elected Members participating in meetings remotely to indicate their wish to speak via this solution. This will replace the physical practices or rules of expressing a desire to speak.
- 6.3 To facilitate the running of the remote meeting, Elected Members who wish to speak on a particular item should indicate their wish to speak to the Chairperson and to the Proper Officer in advance of the start of the meeting where possible. Political Groups are encouraged to co-ordinate this activity wherever possible for meetings which are likely to result in a high number of requests to speak.
- 6.4 The Chairperson will follow the rules as set out in the Constitution when determining who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.
- 6.5 At the beginning of each remote meeting the Chairperson will explain the protocol for Elected Member and public participation. The Chairperson's ruling during the debate will be final.
- 6.6 To support the smooth running of a remote meeting, Elected Members, Officer and Advisors asked to:-

- Join the meeting no later than fifteen minutes before the start to allow themselves and the Proper Officer the opportunity to test the equipment;
- Where possible any video-feed should show a non-descript background and Elected Members should be careful to not allow exempt or confidential information to be seen in the video-feed.
- When considering exempt or confidential information Elected Members in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be considering of such items;
- All Elected Members should have their microphones muted when they are not speaking;
- To notify the Chairperson of their wish to speak, the Elected Member should use the hand facility. When the Chairperson invites the Elected Member to speak they must unmute their microphone before they start speaking.
- Only speak when invited to do so by the Chairperson;
- Only one person should speak at a time;
- When referring to a specific report, page or slide mention the report, page number etc. so that all participants have a clear understanding of what is being discussed at all times.

## **7. Remote Voting**

- 7.1 Unless a Recorded Vote is called, either the Monitoring Officer or the Proper Officer will call out the name of each Elected Member present in alphabetical order.
- 7.2 Each Elected Member will clearly state 'for', 'against' or 'abstain' to indicate their vote when their name is called.
- 7.3 Upon the conclusion of the vote, the Monitoring Officer or Proper Officer will clearly state the result of the vote. If a Member or a Committee requests, the names of those voting and their votes will be recorded individually as necessary in the Minutes.

## **8. Declarations of Interest**

- 8.1 Elected Members will have an opportunity to declare a Disclosable Pecuniary and Non-Pecuniary Interest at an appropriate time at each Remote Meeting in relation to the publish Agenda for that Remote Meeting.
- 8.2 Where an Elected Member has a Disclosable Pecuniary Interest and are present at the Remote Meeting they must act in accordance with the Constitution. Ensuring that they do not participate in any discussion of the matter at the meeting and must not vote on the matter. A verbal declaration of the interest if an interest of business affects or relates to that interest, at or before the item is considered or as soon as the interest becomes apparent. The Elected Member must leave the Remote Meeting during any discussion or vote.

- 8.3 As such, the Elected Members will cease to be able to view or hear the discussions of the Remote Meeting. Upon the matter being concluded, the Proper Officer will notify the Elected Member and they will be permitted to re-join the Remote Meeting, ensuring that they can see and hear the proceedings of the Remote Meeting in accordance with Section 4.

## **9. Conduct of Members**

- 9.1 If the Chairperson is of the opinion that at a meeting any Elected Member has misconducted, or is misconducting themselves by either persistently disregarding the ruling of the Chairperson, or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the remote meeting, the Chairperson may notify the remote meeting of the opinion and may take any of the following actions either separately or in sequence:
- (1) the Chairperson may direct the Member to refrain from speaking during all or part of the remainder of the remote meeting;
  - (2) the Chairperson may direct the Member to withdraw from all or part of the remainder of the remote meeting;
  - (3) the Chairperson may order the Member to be removed from the remote meeting; and
  - (4) the Chairperson may adjourn the remote meeting for such a period as they consider expedient.

## **10. Disturbance by Members of the Public at a remote meeting**

- 10.1 If a member of the public, following their pre-registration to address a Remote Meeting, interrupts the proceedings of a Remote Meeting by the use of offensive, defamatory, intimidatory or abusive language or display of imagery such as to disrupt or prevent the conduct of business at the Remote Meeting, will be advised by the Chair to cease doing so. If the member of the public continues to do so after being so advised by the Chair, then their participation in the proceedings shall be ceased for the remainder of the Remote Meeting with immediate effect. In the event of persistent disruption the Chair may adjourn the Remote Meeting for a period of up to fifteen minutes to enable any member of the public who has caused disruptive conduct to be removed.

## **11. Exclusion of the Press and Public**

- 11.1 The Press and Public must be excluded from a Remote Meeting when confidential or exempt matters, as defined in Schedule 12A of the Local Government Act 1972, are under consideration and as set out in Article 5, Section 8, of the Authority Constitution.
- 11.2 Subject to the Remote Meeting approving a resolution to exclude the press and public, the Remote Meeting will be adjourned for a brief period to enable the Proper Officer to ensure that no members of the press or public are in remote attendance or remotely accessing the meeting and are able to hear or see the proceedings once the exclusion has been agreed by the Remote Meeting.

- 11.3 Upon verification that the press and public cannot view or hear the proceedings the Remote Meeting will be reconvened.
- 11.4 Where an item of business has been deemed exempt, press and public access to the accompanying reports, appendices, background documents and minutes will also be excluded.