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**NORTH AYRSHIRE COUNCIL****16 February 2022****North Ayrshire Council**

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**Title:** Council/Committee Meetings**Purpose:**

To invite the Council to consider the format and arrangements for Council and committee meetings during the remainder of the current Administration, including the proposed resumption of the hybrid meetings pilot.

**Recommendation:**

That the Council agrees:

- (a) to reschedule a number of meetings in the pre-election period prior to the Local Government Elections on 5 May 2022) as illustrated in Appendix 1, such that:
    - (i) the scheduled meeting of the Cabinet on 22 March 2022 is cancelled in favour of a Special Meeting on 8 March 2022;
    - (ii) the scheduled full Council meeting on 30 March 2022 is cancelled in favour of a Special Meeting on 16 March 2022; and
    - (iii) for the purpose of considering Minutes of Meeting only, a Special Meeting takes place at 1.00p.m. on 30 March 2022;
  - (b) to resume the hybrid committee meetings pilot, subject to:
    - (i) consultation with the Health and Social Care Partnership with regard to the IJB arrangements;
    - (ii) any applicants/licence-holders attending the Licensing Committee doing so on a remote basis only;
    - (iii) the number of physical attendees not exceeding the current maximum capacity of the Council Chambers;
    - (iv) any hybrid meetings during the pilot proceeding as “remote meetings (with physical participation)”, meaning that any failure of the hybrid equipment would result in the meeting reverting to a remote platform;
    - (v) the implementation of all necessary COVID-19 mitigation measures in respect of the Council Chambers;
    - (vi) the pilot being suspended in the event of additional COVID-19 restrictions; and
    - (vii) the extent of the pilot being dependent on the availability of sufficient staff resources; and
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- (c) that, in principle, meetings of the Council and its committees revert to a physical format, with the provision of hybrid facilities for those who may wish to access remotely, in the new Administration, subject to (i) the relevant change to Scottish Government guidance permitting it and (ii) the carrying out of appropriate risk assessment.
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## **1 Executive Summary**

- 1.1 The timetable of Council and committee meetings for the remainder of the current Administration includes a number of meetings due to take place in the pre-election period prior to the Local Government Elections. It is suggested that a number of meetings in this period should be rescheduled as illustrated in Appendix 1.
- 1.2 The format of Council and committee meetings has been wholly remote since June 2020. A hybrid meetings pilot at the end of 2021 was paused in light of concern around the Omicron variant of COVID-19. In light of the latest Scottish Government advice, it is recommended that the hybrid pilot be resumed, running until the end of the current Administration.

## **2 Background**

### Committee Timetable

- 2.1 At its meeting on 8 September 2021, the Council approved a timetable of Council/committee meetings for the period from January 2022 until the conclusion of the current Administration in May 2022.
- 2.2 The timetable currently includes a number of meetings during the pre-election period for the Local Government Elections (which commences at 4.00 p.m. on 14 March 2022, running until Polling on 5 May 2022), during which there are restrictions as to the business which can be considered.
- 2.3 In order to provide more certainty in the run-up to this year's Local Government Elections, it is suggested that the Cabinet meeting scheduled to take place on 22 March 2022, be brought forward to 3.30 p.m. on 8 March 2022.
- 2.4 A Special Meeting of the Council on 16 March 2022, close to the start of the pre-election period, is also suggested. The scheduled full Council meeting on 30 March 2022 would be cancelled, replaced by a Special Meeting at 1.00 p.m. on 30 March 2022 for the purpose of considering Minutes of Meeting only.
- 2.5 The proposed changes are illustrated in green font at Appendix 1.
- 2.6 By exception, there remains the provision to schedule a further Special Meeting(s) should a matter of urgency necessitate it.

## Meeting Format

- 2.7 As a result of COVID-19 and associated restrictions, meetings of the Council and its committees have taken place on a remote basis via MS Teams since June 2020.
- 2.8 A hybrid meetings pilot, involving the Licensing Committee and Integration Joint Board, took place in October-November 2021. This allowed up to 50% of committee members to attend in person in the Council Chambers, with the remainder joining the meeting remotely via MS Teams. At its meeting on 8 December 2021, the Council agreed to pause the pilot to allow the implications of the Omicron variant of COVID-19 to be understood further.
- 2.9 Whilst a wholesale return to offices is not currently recommended, the latest Scottish Government guidance does allow for the resumption of the hybrid meetings pilot, subject to measures to minimise the incidence and spread of COVID-19, such as the wearing of face coverings when not speaking, maintaining 1m social distancing and ensuring appropriate ventilation. Further information on the measures assessed as being necessary for the Chambers are set out at Section 4.6 below.
- 2.10 The hybrid pilot involved meetings of the Licensing Committee and Integration Joint Board and was subject to (i) consultation with the Health and Social Care Partnership with regard to the IJB arrangements, (ii) any applicants/licence-holders attending the Licensing Committee do so on a remote basis only; (iii) any hybrid meetings during the pilot proceeding as remote meetings (with physical participation) with no more than 50% of committee Members attending in person and on the basis that any failure of the hybrid equipment would result in the meeting reverting to a remote platform; (iii) the pilot being suspended in the event of a reintroduction of social distancing requirements; and (iv) the extent of the pilot being dependent on the availability of sufficient staff resources.
- 2.11 In resuming the pilot, it is noted that COVID requirements and Health and Safety Risk assessment do not permit the Council Chambers to be fully occupied as per pre-pandemic. It is therefore recommended that the conditions at Section 2.9 above remain in place for the time being.
- 2.12 It is expected that meetings will revert to a physical format, along with the provision of hybrid facilities for those who may wish to access remotely, with the start of the new Administration, subject to (i) the relevant change to Scottish Government guidance permitting it and (ii) the carrying out of appropriate risk assessment.

### **3 Proposals**

3.1 The Council is invited to:

3.1.1 to reschedule a number of meetings in the pre-election period prior to the Local Government Elections on 5 May 2022) as illustrated in Appendix 1, such that:

- (i) the scheduled meeting of the Cabinet on 22 March 2022 is cancelled in favour of a Special Meeting on 8 March 2022;
- (ii) the scheduled full Council meeting on 30 March 2022 is cancelled in favour of a Special Meeting on 16 March 2022; and
- (iii) for the purpose of considering Minutes of Meeting only, a Special Meeting takes place at 1.00p.m. on 30 March 2022;

3.1.2 agree to resume the hybrid committee meetings pilot, subject to:

- (i) consultation with the Health and Social Care Partnership with regard to the IJB arrangements;
- (ii) any applicants/licence-holders attending the Licensing Committee doing so on a remote basis only;
- (iii) the number of physical attendees not exceeding the current maximum capacity of the Council Chambers;
- (iv) any hybrid meetings during the pilot proceeding as “remote meetings (with physical participation)”, meaning that any failure of the hybrid equipment would result in the meeting reverting to a remote platform;
- (v) the implementation of all necessary COVID-19 mitigation measures in respect of the Council Chambers;
- (vi) the pilot being suspended in the event of a reintroduction of COVID-19 restrictions; and
- (vii) the extent of the pilot being dependent on the availability of sufficient staff resources.

3.1.5 agree that, in principle, meetings of the Council and its committees revert to a physical format, with the provision of hybrid facilities for those who may wish to access remotely, in the new Administration, subject to (i) the relevant change to Scottish Government guidance permitting it and (ii) the carrying out of appropriate risk assessment.

### **4 Implications/Socio-economic Duty**

#### **Financial**

- 4.1 Prior to COVID-19, only meetings of the Council, Cabinet and Integration Joint Board were webcast, but it is assumed that webcasting/live-streaming will be expected as a matter of course in future. Additional webcasting hours have been purchased to accommodate this in the interim. These hours can be used to stream wholly physical, wholly remote or hybrid meetings.
- 4.2 Remote meetings have reduced expenditure on Elected Member travel. The resumption of physical attendance could increase such costs where Members claim them.

## **Human Resources**

- 4.3 Remote/hybrid meetings are more resource-intensive than physical meetings. Due to a secondment, the Committee Services team currently comprises three Committee Services Officers and each hybrid meeting is currently supported by three CSOs (although it may be possible to reduce this to two over time).

## **Legal**

### *Room Temperature/Working Conditions*

- 4.4 The Workplace (Health, Safety and Welfare) Regulations 1992 lay down particular requirements for most aspects of the working environment and Regulation 7 deals specifically with the temperature in indoor workplaces, stating that “During working hours, the temperature in all workplaces inside buildings shall be reasonable.” Although the law does not state a minimum or maximum temperature for working environments, the temperature would normally be expected to be at least 16°C (or 13°C if much of the work involves rigorous physical effort).
- 4.5 However, COVID-19 brings exceptional circumstances and, as there is the possibility of more harm occurring from COVID-19 than cooler air, closing the windows during meetings in the Council Chambers to bring the room to what might be considered a more reasonable temperature, has not been permitted.
- 4.6 Recently updated guidance from the HSE has indicated that air-conditioning/ blown air heating systems may be suitable for use where other mitigating measures to ensure adequate fresh air are in place. Corporate Health and Safety and Property Management and Investment advise that, for the Chambers, the following should apply:
- heating can now be used, subject to a minimum of three windows being open before and during the meeting and the mechanical ventilation system being in operation
  - the wearing of face coverings at all times unless addressing the meeting in order to limit the amount of breath droplets being introduced into the atmosphere. (Please note that where an exemption from wearing a face covering is applicable, attendees must be offered a full face visor)
  - windows may be closed during any confidential parts of a meeting, subject to CO2 monitors being in the room to monitor ventilation and the air blown heating system also being switched off. Additional recesses will also be introduced so that the windows and doors can be opened to allow fresh air into the Chambers
  - physical distancing of at least 1m
  - the capacity of the room is now 26 Members and officers and up to four public gallery seats
  - hand hygiene controls in place
  - everyone attending (including visitors) must comply with the Cunninghame House COVID-19 Risk Assessment

### *Remote and Hybrid Meetings*

- 4.7 The Local Government (Scotland) Act 2003 permits the holding of and participation in remote meetings. The Council's Standing Orders were varied using the Chief Executive's urgency powers to mirror the terms of the Act and facilitate the holding of remote and/or hybrid meetings. [The Standing Orders relating to the Integration Joint Board already include a general provision which encompasses remote or hybrid meetings]. In terms of Section 43(2) of the 2003 Act, the decision on whether a meeting is remote or hybrid is for the Provost/Chair.

### *Public Gallery Provision*

- 4.8 The temporary power to exclude the public from Local Authority meetings on coronavirus grounds was enforceable under Part 1 of the 2020 Act. Parts of the Act, including this power, expired on 30 September 2021. Whilst live streaming of remote meetings is likely to constitute public access to a meeting of the Council or its committees held on a wholly remote basis, the resumption of physical meetings or the introduction of hybrid meetings will require some public gallery provision even if live streaming continues.

### **Equality/Socio-economic**

- 4.9 The reintroduction of a small physical public gallery as part of the hybrid pilot addresses access issues where a member of the public has no access to IT equipment to allow them to view a live-stream. A provision within the hybrid protocol also allows for assistance to be provided by officers in exceptional circumstances where an invited party to a meeting/hearing has no suitable device.
- 4.10 At the same time, there may also be some equalities advantages associated with live-streaming meetings of the Council and committees in terms of offering easier/more extensive access to meetings than would be afforded by a small public gallery.

### **Environmental and Sustainability**

- 4.12 Reintroducing a physical attendance element to meetings of the Council and its committees would have a small negative impact associated with travel to and from meetings.
- 4.13 Similarly, there will be some negative impact in the event that additional heating is required within the Chambers while windows are open.

### **Key Priorities**

- 4.14 None arising from the recommendations set out in this report.

### **Community Wealth Building**

- 4.15 None arising from the recommendations set out in this report.

## **5 Consultation**

- 5.1 Members of the Licensing Committee previously provided feedback on the hybrid pilot and this has already been reported to the Council.
- 5.2 Consultation has taken place with colleagues from Corporate Health and Safety/ Property Management and Investment with regard to Section 4 of the report.

Craig Hatton  
Chief Executive

For further information please contact Melanie Anderson, Senior Manager (Committee and Member Services), on [melanieanderson@north-ayrshire.gov.uk](mailto:melanieanderson@north-ayrshire.gov.uk)

### **Background Papers**

N/A

## Approved Committee Timetable January – May 2022

Meeting Cycle 1

| Week Beginning | Week | Monday                        | Tuesday                                | Wednesday                           | Thursday  | Friday |
|----------------|------|-------------------------------|--|-------------------------------------|---|--------|
| 3 January      |      | Public Holiday                |  |                                     | 10.00 a.m. Policy Advisory Panel  |        |
| 10 January     | 1    |                               | 11.00 a.m. Audit & Scrutiny Pre-Agenda | 10.00 a.m. Licensing                | 10.00 a.m. IJB Budget Briefing (private)  |        |
| 17 January     | 2    |                               | 2.30 p.m. Cabinet Pre-Agenda           | 10.00 a.m. Audit & Scrutiny         | 10.00 a.m. Appeals (if required)  |        |
| 24 January     | 3    |                               | 2.30 p.m. Cabinet                      | 2.00 p.m. Planning<br>2.30 p.m. LRB |   |        |
| 31 January     | 4    | NHS Board (for info)          | 10.00 a.m. IJB Pre-Agenda              |                                     | 10.00 a.m. Policy Advisory Panel  |        |
| 7 February     | 5    |                               | 2.00 p.m. Police & Fire & Rescue       | 10.00 a.m. Licensing                | 10.00 a.m. Integration Joint Board  |        |
| 14 February    | 6    | 2.00 p.m. Council Pre-Meeting | 2.30 p.m. Cabinet Pre-Agenda           | 2.00 p.m. Council                   | 10.00 a.m. Appeals (if required)<br>2.00 p.m. Ayrshire Economic Partnership Board |        |

Meeting Cycle 2

| Week Beginning | Week | Monday  | Tuesday  | Wednesday   | Thursday                           | Friday  |
|----------------|------|---|--|---|------------------------------------|---|
| 21 February    | 1    |   | 2.30 p.m. Cabinet (Education)  | 2.00 p.m. Planning<br>2.30 p.m. LRB   |                                    |   |
| 28 February    | 2    | 1.00 p.m. Council Pre-Meeting<br>2.00 p.m. Ayrshire Regional Economic Joint Committee | 11.00 a.m. Audit & Scrutiny Pre-Agenda<br>2.30 p.m. Special Cabinet Pre-Agenda         | 2.00 p.m. Special Council (Budget)  |                                    | 10.00 a.m. IJB PAC                                  |
| 7 March        | 3    | 2.00 p.m. Council Pre-Meeting   | 10.00 a.m. Audit and Scrutiny<br>2.00 p.m. IJB Pre-Agenda<br>3.30 p.m. Special Cabinet | 10.00 a.m. Licensing  | 2.00 p.m. Special Planning         | 10.00 a.m. Ayrshire Shared Services Joint Committee |
| 14 March       | 4    | 1.00 p.m. Special Council Pre-Meeting   | 2.30 p.m. Cabinet Pre-Agenda   | 10.00 Special Appeals<br>2.00 p.m. Special Council                              | 10.00 a.m. Integration Joint Board |   |
| 21 March       | 5    |   | 2.30 p.m. Cabinet <sup>±</sup>   | 2.00 p.m. Planning<br>2.30 p.m. LRB   | 10.00 a.m. Appeals (not required)  |   |
| 28 March       | 6    | 2.00 p.m. Council Pre-Meeting   |  | 1.00 p.m. Special Council (for Minutes only)<br>2.00 p.m. Final Council Meeting |                                    |   |
| 4 April        |      |   |  |   |                                    |   |
| 11 April       |      |   |  |   |                                    |   |
| 18 April       |      |   |  |   |                                    |   |
| 25 April       |      |   |  |   |                                    |   |
| 2 May          |      |   |  |   | Local Government Elections         |   |

The pre-election period is highlighted in yellow

\*Please note that the deadline for any call in from the final Cabinet meeting would be 15 March and the call in would, therefore, be considered as an urgent item at the Council meeting on 16 March rather than being submitted to a meeting of the Audit and Scrutiny Committee.