



Title of Report:	Local Government (Remote Meetings) Regulations (Northern Ireland) 2024
Committee Report Submitted To:	Council Meeting
Date of Meeting:	6th August 2024
For Decision or For Information	For Decision
To be discussed In Committee	No

Linkage to Council Strategy (2021-25)	
Strategic Theme	Leader and Champion
Outcome	Council operates as one effective and efficient corporate unit with a common purpose and culture
Lead Officer	Democratic and Central Services Manager

Budgetary Considerations	
Cost of Proposal	
Included in Current Year Estimates	No
Capital/Revenue	No
Code	
Staffing Costs	Yes

Legal Considerations	
Input of Legal Services Required	Yes
Legal Opinion Obtained	Yes

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date: 29 th July 2024
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date: 29 th July 2024
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

1.0 Purpose of Report

- 1.1 The purpose of the report is to inform Council of the approval by the NI Assembly of the Local Government (Remote Meetings) Regulations (Northern Ireland) 2024 (The Regulations) which were brought forward by the Minister for Communities using the powers in the Local Government (Meetings and Performance) Act (NI) 2021 and to establish how and when the Council wishes to hold its meetings.

2.0 Background

- 2.1 The Council previously responded to a Call for Evidence from the Department for Communities (the Department) indicating that it supported proposals to have legislation put in place which would allow remote/hybrid meetings to be held on a permanent basis. Over the last few months the Department has been developing regulations to provide councils with the flexibility to hold meetings by remote or hybrid means. Following publication of the draft Regulations in March, correspondence has now been received from the Department advising that The Regulations have now been made and became operational from 25th June 2024. The letter is attached at Appendix A and The Regulations are attached at Appendix B.
- 2.2 The legislation is intended to be permissive and empowers councils to establish their own rule in relation to how and when meetings can be held remotely or in hybrid version. To allow remote meetings to take place, Council must put in place standing orders governing remote attendance at meetings.
- 2.4 When the previous Regulations allowing remote/hybrid meetings were made under the Coronavirus Act 2020, Council amended its Standing Orders at Standing Order 2 Time and Place of Meetings to state, *'The Annual Meeting and other meetings of the Council shall normally be held at 7pm in the Council Chamber, or in remote or hybrid format, except where otherwise fixed by statute or by special summons.'* In 2020 the Council adopted a Remote Meetings Protocol. A draft revised version is attached for consideration at Appendix C. With the expiration of the previous Regulations earlier this year Council was required to hold its meetings in person.
- 2.5 The approval of the Local Government (Remote Meetings) Regulations (Northern Ireland) 2024 in June now allows Council to consider how it wishes to hold its meetings, in person, remotely or in hybrid format. Standing Order 2 in its current format permits the holding of meetings in person, remotely or in hybrid format and the Remote Meetings protocol sets out the governance arrangements for remote and hybrid meetings.

3.0 Recommendation

- 3.1 **It is recommended** that Council notes the approval of Local Government (Remote Meetings) Regulations (Northern Ireland) 2024 which became operational on 25th June 2024; and
Further recommends that the Council reviews Standing Order 2 Time and Place of Meetings in relation to how and when meetings can be held remotely or in hybrid

version and consequentially if required that Council reviews its Protocol for the holding of Remote Meetings.

Appendix A – Correspondence from the Department for Communities dated 27th June 2024

Appendix B - The Local Government (Remote Meetings) Regulations (Northern Ireland) 2024

Appendix C – Causeway Coast and Glens Borough Council Remote Meetings Protocol

To: Council Chief Executives

Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG

Telephone: (028) 90582 3346
e-mail: [REDACTED]@communities-ni.gov.uk
Our ref:
Date: 27 June 2024

Dear Chief Executive

Council Remote/Hybrid Meetings

As you will be aware, over the last few months the Department has been developing regulations to provide councils with the flexibility to hold meetings by remote or hybrid means.

I am pleased to advise that on 24 June 2024, [the Local Government \(Remote Meetings\) Regulations \(Northern Ireland\) 2024](#) were approved by the NI Assembly.

The Regulations have now been made and became operational from 25 June 2024. To allow remote meetings to take place, a council must put in place standing orders governing remote attendance at meetings of that council.

The Regulations [S.R. 2024 No. 140] will be published on the [legislation.gov.uk](#) website in the next few days.

I would like to thank you for your assistance during the development of these Regulations.

Yours sincerely

[REDACTED]

Anthony Carleton
Director
Local Government & Housing Regulation

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

STATUTORY RULES OF NORTHERN IRELAND

2024 No. 140

LOCAL GOVERNMENT

**The Local Government (Remote Meetings)
Regulations (Northern Ireland) 2024**

Laid before the Assembly in draft

Made - - - - 25th June 2024

Coming into operation 25th June 2024

The Department for Communities (1) makes these Regulations in exercise of the powers conferred by section 2(1) to (4) of the Local Government (Meetings and Performance) Act (Northern Ireland) 2021(2).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Government (Remote Meetings) Regulations (Northern Ireland) 2024 and shall come into operation on 25th June 2024.

(2) In these Regulations—

“the 2014 Act” means the Local Government Act (Northern Ireland) 2014(3);

“council” means a district council;

“council meeting” means a meeting of—

- (a) a council;
- (b) an executive of a council (within the meaning of Part 6 of the 2014 Act);
- (c) a joint committee of two or more councils; and
- (d) a committee or sub-committee of anything within subparagraphs (a), (b) or (c).

“remote access” means the ability to attend or participate in a meeting by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming; and

“remote attendance” is to be construed in accordance with regulation 2(2) and (3).

(1) See section 1(7) of the Departments Act (Northern Ireland) 2016 (c.5 (N.I.)).

(2) 2021 c. 8 (N.I.).

(3) 2014 c. 8 (N.I.).

Remote attendance

2.—(1) A reference in any enactment to a council meeting is not limited to a meeting of persons all of whom, or any of whom, are present in the same place and a reference to a “place” 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.

(2) In any enactment where there is a reference to a council meeting, a member of a council (“a member in remote attendance”) attends the meeting at any time if all of the conditions in paragraph (3) are satisfied.

(3) Those conditions are that the member in remote attendance is able at that time—

- (a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance;
- (b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public in attendance in order to exercise a right to speak at the meeting; and
- (c) to be so heard and, where practicable, be seen by any other members of the public in attendance.

(4) In this regulation, any reference to a member, or a member of the public, attending a meeting or being in attendance includes that person attending by remote access.

(5) A council must make standing orders governing remote attendance at meetings of that council, which shall—

- (a) specify the basis or process for considering whether (including who is to assess or decide whether) council meetings should or are to be held remotely;
- (b) govern the arrangements for and conduct of such meetings whenever such meetings are to be held remotely; and
- (c) regulate—
 - (i) the public’s access to such meetings, and
 - (ii) the availability to the public of documents pertaining to such meetings,

whenever such meetings are to be held remotely.

Related modifications

3.—(1) In section 28(7) (overview and scrutiny committees: supplementary provision) and paragraph 9 of Schedule 5 to the 2014 Act, a reference to a person attending a meeting, or before a meeting, includes that person attending by remote access.

(2) Schedule 5 to the 2014 Act (meetings and proceedings) applies as follows—

- (a) any reference to being “present” at a meeting includes being present through remote attendance; and
- (b) in paragraph 5(1)(a) after “the offices of the council” insert “and on the council’s website”.

(3) In sections 39 (simple majority) and 40 (qualified majority) of the 2014 Act references to “members present and voting on the decision” includes a member being present through remote attendance.

Sealed with the Official Seal of the Department for Communities on 25th June 2024.

(L.S.)

Anthony Carleton
A senior officer of the Department for
Communities

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 2(1) to (4) of the Local Government (Meetings and Performance) Act (Northern Ireland) 2021. These Regulations make provision regarding the running of council meetings.

Regulation 1 sets out preliminary matters and defines terms used in these Regulations.

Regulation 2 makes provision for remote attendance at council meetings by members of the council and requires a council to make standing orders regarding the decision to hold a meeting remotely, the conduct of the meeting and access by the public.

Regulation 3 makes related modifications to the Local Government Act (Northern Ireland) 2014.

REMOTE MEETINGS PROTOCOL

This document details changes required to Council's Standing orders in consequence of Local Government (Remote Meetings) Regulations (Northern Ireland) approved by the NI Assembly and coming into operation on 25th June 2024.

Introduction and Application of the Remote Meetings Procedure Rules

This Protocol and Procedure Rules sets out the basis upon which any remote meeting of the Council, and its various Committees, will be held.

This Protocol and Procedure Rules should be read in conjunction with the Council's Standing Orders. The Regulations were made using the powers in the Local Government (Meetings and Performance) Act (NI) 2021.

The effect of the Regulations on the Authority's Constitution is to insert what are, in effect, mandatory Standing Orders if the Council wishes to hold meetings remotely, either wholly or partially.

The Regulations, and therefore the Standing Orders, have an automatic amending effect on an authority's existing Standing Orders and can be applied immediately in order to run Council and Committee meetings remotely. However, it is good practice, even with express mandatory standing orders, to have these adopted formally by the full Council at the first opportunity to do so.

1. How will notice of Meetings and papers be provided?

- 1.1 Democratic Services will give the requisite notice to the public of the time of the meeting, and the agenda, together with details of how to join the meeting which will be made available on the Council's website.
- 1.2 Members will be notified of a remote meeting by email (in the form of an Outlook calendar entry with a link to join) and all agenda papers will be available on the Council's website and the Members' Portal.
- 1.3 The 'place' at which the meeting is held may be at a Council building or may be where the organiser of the meeting is located or may be an electronic or a digital or virtual location, a web address or a conference call telephone number; or could be a number of these combined. The meeting may also be held in a meeting room or Chamber with a proportion of the membership and any participating public additionally attending remotely.



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2. How will remote access to Meetings be provided?
 - 2.1 Members and members of the press and public will be encouraged to use any video conferencing facilities provided by the Council to attend a meeting remotely.
 - 2.2 If this is not possible, attendance may be through an audio link or by electronic means.
 - 2.3 Remote access for members of the public, and Members who are not attending to participate in the meeting, together with press facilities, will be provided through webcasting, live audio streaming, or other means. Those details will be published on the Council's website and on social media.
 - 2.4 If technology fails for a wholly remote meeting, and the meeting is no longer open to the public, any decisions made could be challenged as unlawful.
 - 2.5 It is important to note that the public accessing the meeting by remote means, as described here, is different from the public attending to exercise a right to speak. A technological failure removing the ability for the public to access the meeting by remote means renders the whole meeting incapable of proceeding (as described above). A member of the public who attends to exercise their right to speak and is unable to do so renders only their item incapable of proceeding (This is set out paragraph 5 below).
 - 2.6 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 fixed by the Chairperson. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.



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3. Management of Remote Meetings for Members

- 3.1 Any Member participating in a meeting remotely, must when they are speaking, be able to be heard (and be seen where practicable) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and see where practicable) those other Members participating.
- 3.2 In addition, a remote participant must be able to be heard by, and in turn hear any members of the public entitled to attend the meeting and who exercise a right to speak at the meeting.
- 3.3 The Chairperson will normally confirm at the outset and at any reconvening of a Committee meeting that they can see and hear all participating members (this is unlikely to be practical for a meeting of full Council). Any Member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can see and hear the proceedings and the other participants.
- 3.4 The attendance of those members at the meeting will be recorded by the Democratic Services Officer.
- 3.5 The normal quorum requirements for meetings as set out in the Council's Standing Orders will also apply to a remote meeting.
- 3.6 In the event of any apparent failure of the video, telephone or conferencing connection, the Chairperson should immediately determine if the meeting is still quorate:
 - if it is, then the business of the meeting will continue; or
 - if there is no quorum, then the meeting shall adjourn for a period specified by the Chairperson, expected to be no more than fifteen minutes, to allow the connection to be re-established.
- 3.7 Should any aspect of a Member's remote participation fail, the Chairperson may call a short adjournment of up to five minutes or so to determine whether the connection can quickly be re-established, either by video technology or telephone in the alternative. If the connection is not restored within that time, the meeting should continue to deal with the business whilst this happens, providing the meeting remains quorate and the public are able to hear.
- 3.8 In the event of connection failure, the remote Member(s) will be deemed to have left the meeting at the point of failure and if the connection cannot be re-established to those Member(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item/s.



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- 3.9 If the connection is successfully re-established, then the remote Member(s) will be deemed to have returned at the point of re-establishment.
- 3.10 If a connection to a Member is lost during a regulatory meeting, the Chairperson will stop the meeting to enable the connection to be restored. If the connection cannot be restored within a reasonable time, the meeting will proceed, but the Member who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.

4. Remote Attendance of the Public

- 4.1 Any member of the public participating in a meeting remotely in exercise of their right to speak at Council or in regulatory or other meetings must meet the same criteria as members of the Council. Members of the public attending a meeting remotely must, likewise, when they are speaking be able to be heard (and ideally be seen) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other members participating be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- 4.2 A process will be developed which may include requiring advance notification from members of the public wishing to attend remotely (if practicable). For those items of business, an invitation to participate in the remote technology can then be sent out in advance.
- 4.3 Alternatively, if the Council is unable to provide a technological solution, the existing public speaking rights will be replaced with public participation by receipt of representations in writing only, unless there is an express legislative provision which requires the person to be given the opportunity to appear before and be heard by the Committee. Submissions received from the public can then be read out by the Chairperson or a supporting officer.
- 4.4 The Democratic Services Officer or meeting facilitator should 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 the good administration of the meeting or to retain order.
- 4.5 A breakdown of the technology should not disadvantage the member of the public in remote attendance wherever possible.

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5 Meeting Procedures

- 5.1 Democratic Services will facilitate the meeting. Their role will be to control the video, telephone or conferencing technology employed for remote access and attendance and to administer the public and Member interaction, engagement and connections on the instruction of the Chairperson.
- 5.2 In respect of Standing Committees and at Council meetings, if members wish to speak on any item it would assist if they could make that known to the Democratic Services Team in advance of the meeting.
- 5.3 Given the reliance on technology it is particularly important that those making proposals or amendments differing from or in addition to report recommendations should, where possible, ensure these are provided to Democratic Services in advance of the meeting also. Political Parties are also encouraged to co-ordinate this activity wherever possible in respect of full Council meetings and other meetings likely to result in a high number of requests to speak. This is particularly important if Members are unable to participate via video conference.
- 5.4 The Chairperson will follow the rules set out in Standing Orders 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.
- 5.5 The Chairperson, at the beginning of the meeting, will explain the protocol for member and public participation and the rules of debate. The Chair's ruling during the debate will be final.
- 5.6 Members are asked to adhere to the following etiquette during remote attendance at a meeting:
 - Committee members are asked to join the meeting no later than fifteen minutes before the start to allow themselves and the meeting facilitator the opportunity to test the equipment.
 - Any camera (video-feed) should show a non-descript background or, where possible, a virtual background and members should be careful to not allow exempt or confidential papers to be seen in the video-feed.
 - Mute the microphone when not talking.
 - Rather than raising one's hand or rising to be recognised or to speak, Members should avail themselves of the remote process for requesting to be heard:
 - [e.g., where available]
 - o Members are to use any chat facility to indicate to the Chairperson



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that they wish to speak. Members will unmute their microphone and turn their cameras on when the Chairperson invites them to speak. **The chat facility must not be used for private conversations** between Councillors.

- Only speak when invited to by the Chairperson
- Only one person may speak at any one time
- Turn on the microphone and also the video-feed (if available or unless speaking to a diagram, presentation slide or drawing), then state your name before you make a comment
- When referring to a specific report, page, or slide, mention the report, page, or slide so that all members have a clear understanding of what is being discussed at all times.

5.7 Where members of the public are exercising speaking rights at the meeting via remote attendance, the Chairperson will, as part of their introduction, explain the procedure for their participation which will reflect those relevant elements of the above. Members of the public must adhere to this procedure otherwise they may be excluded from the meeting.

Voting

5.8 When satisfied that there has been sufficient debate, the Chairperson will ask for a proposer and seconder for the item being discussed and progress to making a decision. Unless a Recorded Vote is called, the method of voting will be as followings:

- Where there is a clear recommendation(s) in a report, the Chairperson will put the recommendation(s) forward. If there is no dissention then it is taken as agreed; or
- If there is a single amendment to the recommendation(s) or an alternative proposal, the Chairperson will put this forward. If there is no dissention then it is taken as agreed; or
- Where there is dissention or more than on proposal/amendment, these will be dealt with in the normal manner by means of a vote.
- Voting will take place as follows:
 - an officer will call out the name of each member present with:
 - members stating 'for', 'against', or 'abstain' to indicate their vote when their name is called
 - the Democratic Services Officer clearly stating the result of the vote



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- once confirmed the Chairperson will then move onto the next agenda item

5.9 Details of how Members voted will not be minuted (the minutes will, as normal practice state the numbers for and the numbers against) unless a Recorded Vote is called. Where a Recorded Vote is requested the Chair will ask members in turn to signify verbally whether or not they support that request. As per existing custom and practice, Recorded Votes will not normally be taken at regulatory meetings.

Leaving a Meeting

5.10 Members leaving the meeting should use the chat facility or otherwise indicate to the Chairperson that they are exiting the meeting. Failure to do this will lead to an assumption that the Member has dropped out through a technology failure. The meeting may be adjourned to re-establish the remote link or to utilise the alternative phone connection. The Chairperson of the meeting will check with Members, joined to the meeting by phone, if they wish to make any contribution during discussion on any item. As the technology will make it difficult to monitor drop out at a Council meeting at which 40 Members may be present, a number will be provided enabling a message to be conveyed by text to Democratic Services.

6 Declaration of Interests

6.1 Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. Their departure will be confirmed by the Democratic Services Officer or meeting facilitator, who will invite the relevant Member by link, email or telephone, to re-join the meeting at the appropriate time.

7 Exclusion of Public and Press

7.1 There are times when Council meetings are not open to the public, when confidential, or “exempt” issues (as defined in Schedule 12A of the Local Government Act 1972) are under consideration. Where the technology is available, the Democratic Services Officer or meeting facilitator will ensure that there are no members of the public in remote attendance or remotely accessing the meeting are able to hear or see the proceedings once the exclusion has been agreed by the meeting.

7.2 Each Member in remote attendance must ensure and verbally declare that



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there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.

DRAFT