

Temporary Updates to SDNPA Standing Orders to accommodate remote attendance at meetings pursuant to The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

The following temporary updates shall be made to the Authority's Standing Orders to be effective for the period during which The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 apply:

“These Standing Orders shall be interpreted in a way that allows the Authority to make use of the flexibility permitted by The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. For example:

Attendance, including attendance by the public & Quorum:

- All references in Standing Orders which relate to a person's attendance or participation at a meeting will include attending and participating through virtual methods, including audio conferencing or video conferencing.
- Quorum for meetings will remain unchanged, and a Member will be deemed to be present for the purposes of quorum if he/she is able:
 - to hear, and where practicable see, and be so heard and, (here practicable, be seen by, the other Members in attendance and any member of the public entitled to attend in order to exercise a right to speak at the meeting; and
 - to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- All references to meeting locations or place include reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference telephone numbers.

Public access

- A meeting of the Authority or any committee or sub-committee may be made open to the public by providing access through remote means including live webcasting of the audio or video content and, in such a case, the provisions of Standing Order 11 relating to confidential and exempt items shall continue to apply.

Communications

- All references to 'nomination', 'writing' or 'presentation' include by email or other electronic methods of communication and recording.
- Standing Order 13.1 requiring a notice of motion to be signed by the Member or Members giving the notice shall be satisfied upon a receipt of an e-mail for the member's or members' @southdowns.gov.uk email address confirming their intention to sign such a notice of motion.

Access to documents including background papers

- All references relating to the supply, provision, publication, posting or inspection of documents and background papers, including at the South Downs Centre or other offices of the Authority, shall include such action via electronic methods such as the Authority's website in the first instance, or email where Officers deem it appropriate. At the discretion of Officers, hard copies of documents may be provided by post where requested by those who do not have internet provision.

Conduct of meetings

- The Chair of a virtual meeting or a meeting which at least one Member is attending by remote access will manage the meeting with clear instructions and requests to participants. The Chair will introduce or ask each participant to identify themselves at the start of the meeting.
- In accordance with Standing Order 14.4, whenever the Chair speaks, any Member then speaking shall immediately stop and the Authority shall be silent.
- If the Chair requests a Member or other meeting participant to stop speaking and that person is attending the meeting by remote access the meeting administrator shall mute that person's microphone. Where the Chair orders a person attending by remote access to leave the meeting, the meeting administrator shall remove them from the meeting
- Requests to raise points of order or points of personal explanation as provided for in Standing Order 14.3 may be communicated to the Chair via electronic means and must be allowed as soon as practicable.
- The Chair continues to have discretion to follow a more informal debating process than that set out at Appendix 5 of Standing Orders and any variation to the conduct of meeting will be communicated clearly by the Chair.
- Subject to Standing Order 2.2 (rules on elections), Standing Order 15.1 (Voting) shall be varied so that, at a virtual meeting or a meeting which at least one Member is attending by remote access, every question shall be determined by the voices of those present at the meeting.
- in respect of any meeting of the Authority which is a virtual meeting or which at least one Member is attending by remote access, paragraphs 1.1(e) and 1.1(k) of Appendix 2 of Standing Orders (ballot process) shall be modified as follows:

“(e) The Authority’s Monitoring Officer, Deputy Monitoring Officer, Solicitor or Head of Governance & Support Services shall act as Returning Officer and shall be responsible for the election process.”

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“(k) A ballot shall be held using the elimination ballot system as follows:

- 1) The Returning Officer shall invite Members to vote clearly for one candidate only. Candidates shall be entitled to vote for themselves.
- 2) The meeting shall then be adjourned for a period of time to allow each Member attending by remote access to email his/her vote to the Returning Officer using his/her @southdowns.gov.uk email address. The Returning Officer shall distribute voting papers to any Members physically present at the meeting and then collect them once votes have been cast.
- 3) The Returning Officer shall examine the votes received and shall count the votes recorded for each candidate, rejecting any that are invalid.
- 4) If, once the votes have been counted, the candidate with the highest number of votes has secured more than 50% or more of the number of votes cast, the Returning Officer shall declare that candidate duly elected.
- 5) If the candidate with the highest number of votes does not secure more than 50% or more of the number of votes cast, the Returning Officer shall inform the Authority that a further ballot is required and the name of the candidate with the lowest number of votes, who shall be eliminated from the ballot.
- 6) The person presiding shall call for a further ballot between the remaining candidates.
- 7) This process of elimination shall continue until such time as a candidate secures the highest number of votes AND more than 50% or more of the number of votes cast, at which time the Returning Officer shall declare that candidate duly elected.

- 8) In the event of a tie or equality of votes in any ballot, for whatever cause, the person presiding shall without comment, question or debate call for a further ballot. In the event of a further tie or equality of votes in that ballot, the matter shall be settled by the person presiding on the toss of a coin.”

Note: These provisions will equally apply in relation to the election of the Deputy Chair by virtue of Appendix 2, paragraph 2 of Standing Orders

- in respect of any meeting of a committee of the Authority which is a virtual meeting or which at least one Member is attending by remote access, paragraphs 3.1(e), 3.1(j), 4.1(d) and 4.1(i) (erroneously identified in Standing Orders as subparagraph (j)) of Appendix 2 of Standing Orders (Elections of Chair and Deputy Chair) shall be modified as follows:

“3.1(e) The Authority’s Monitoring Officer, Deputy Monitoring Officer, Solicitor or Head of Governance & Support Services shall act as Returning Officer and shall be responsible for the election process.”

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“3.1(j) Once the candidates have addressed the meeting, the ballot shall be held without comment, question or debate, as follows:

- 1) The Returning Officer shall invite Members to vote clearly for one candidate only. Candidates shall be entitled to vote for themselves.
- 2) The meeting shall then be adjourned for a period of time to allow each Member attending by remote access to email his/her vote to the Returning Officer using his/her @southdowns.gov.uk email address. The Returning Officer shall distribute voting papers to any Members physically present at the meeting and then collect them once votes have been cast.
- 3) The Returning Officer shall examine the votes received and shall count the votes recorded for each candidate, rejecting any that are invalid.
- 4) If, once the votes have been counted, the candidate with the highest number of votes has secured more than 50% of the number of votes cast, the Returning Officer shall declare that candidate duly elected.
- 5) If the candidate with the highest number of votes does not secure more than 50% of the number of votes cast, the Returning Officer shall inform the committee that a further ballot is required and the name of the candidate with the lowest number of votes, who shall be eliminated from the ballot.
- 6) The Returning Officer shall call for a further ballot between the remaining candidates.
- 7) This process of elimination shall continue until such time as a candidate secures the highest number of votes AND more than 50% or more of the number of votes cast, at which time the Returning Officer shall declare that candidate duly elected.
- 8) In the event of a tie or equality of votes in any ballot, for whatever cause, the person presiding shall without comment, question or debate call for a further ballot. In the event of a further tie or equality of votes in that ballot, the matter shall be settled by the person presiding on the toss of a coin.”

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“4.1(d) The Authority’s Monitoring Officer, Deputy Monitoring Officer, Solicitor or Head of Governance & Support Services shall act as Returning Officer and shall be responsible for the election process.”

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“4.1(i) Once the candidates have addressed the meeting, the ballot shall be held without comment, question or debate, as follows:

- 1) The Returning Officer shall invite Members to vote clearly for the number of candidates for which there are vacancies. Candidates shall be entitled to vote for themselves.
- 2) The meeting shall then be adjourned for a period of time to allow each Member attending by remote access to email his/her vote(s) to the Returning Officer using his/her @southdowns.gov.uk email address. The Returning Officer shall distribute voting papers to any Members physically present at the meeting and then collect them once votes have been cast.
- 3) The Returning Officer shall examine the votes received and shall count the votes recorded for each candidate, rejecting any that are invalid.
- 4) Once the votes have been counted, one of the following outcomes will apply:

Where there is only one vacancy

- a) where there is only one vacancy, if a candidate has secured more than 50% of the number of votes cast, the Returning Officer shall declare that candidate duly elected.
- b) If the candidate with the highest number of votes does not secure more than 50% of the number of votes cast, the Returning Officer shall inform the committee that a further ballot is required and the name of the candidate with the lowest number of votes, who shall be eliminated from the ballot. The Returning Officer shall declare to the meeting the name of the candidate who is eliminated from the ballot and shall call for a further ballot between the remaining candidates.
- c) This process of elimination shall continue until such time as a candidate secures the highest number of votes AND more than 50% of the number of votes cast, at which time the Returning Officer shall declare that candidate duly elected.
- d) In the event of a tie or equality of votes in any ballot, for whatever cause, the person presiding at the meeting shall without comment, question or debate call for a further ballot. In the event of a further tie or equality of votes in that ballot, the matter shall be settled by the person presiding on the toss of a coin.

Where there is more than one vacancy

- e) Where there is more than one vacancy, the vacancies shall be filled by the candidates receiving the highest number of votes and the Returning Officer shall declare the candidates as duly elected.
- f) In the event of a tie or equality of votes in any ballot, for whatever cause, the person presiding at the meeting shall without comment, question or debate call for a further ballot. In the event of a further tie or equality of votes in that ballot, the matter shall be settled by the person presiding on the toss of a coin.”

Interests

- Standing Orders in relation to Members Interests continue to apply. Members must have regard to the Members’ Code of Conduct in any meeting. Where a Member who is attending a virtual meeting or is attending a meeting by remote access is required by the Members’ Code of Conduct to leave the meeting, he/she must cease to attend the meeting by remote access for the duration of that item, after which he/she will be invited to re-join the meeting.

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- The requirement in Standing Order 3.1 to hold an annual meeting and at least three other meetings every year shall not apply and the remaining provisions of Standing Order 3 shall be interpreted accordingly.