

Draft Regulation laid before the Assembly under section 2(5) of the Local Government (Meetings and Performance) Act (Northern Ireland) 2021, for approval.

DRAFT STATUTORY RULES OF NORTHERN IRELAND

2024 No.

LOCAL GOVERNMENT

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

Made - - - - *X Month 2024*
Coming into operation *X Month 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 X Month 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 X Month 202x.

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.