

## Individual Executive Decision Notice

<b>Report title</b>	Democratic Transparency, Accessibility and Accountability: Webcasting	
<b>Decision designation</b>	GREEN	
<b>Cabinet member with lead responsibility</b>	Portfolio Holder for Resources and Digital City	
<b>Wards affected</b>	(All Wards);	
<b>Accountable Director</b>	Claire Nye, Director of Finance	
<b>Originating service</b>	Governance	
<b>Accountable employee</b>	Julia Cleary Tel Email	Scrutiny and Systems Manager 01902 555046 julia.cleary@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	Cabinet Member Briefing Governance and Equality	11 April 2022

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### Summary

Cabinet on 23 February 2021 in the Capital Programme 2021-2022 to 2025-2026 Quarter Three Review and 2022-2023 to 2026-2027 Budget Strategy report continued to delegate authority to the Portfolio Holder responsible for resources, in consultation with the Director of Finance, to approve the allocation of the Corporate Provision for Future Programmes to individual projects in order that the corporate priorities may be addressed in an agile and timely manner, to be confirmed through an Individual Executive Decision Notice.

### Recommendation for action or decision:

That the Cabinet Member for Resources and Digital City, in consultation with the Director of Finance:

1. Approve the virement of £40,000 from the Corporate Provision for Future Programmes to fund the installation and purchase of the required audio-visual equipment and conference microphone system.

## **1.0 Background**

- 1.1 During the coronavirus emergency, councils had to find other ways of working to meet social distancing guidelines and to keep members, staff and the public safe. One of the methods was to hold our public meetings remotely.
- 1.2 Virtual meetings in Wolverhampton worked well during the pandemic and positively benefitted local democracy in a variety of ways, and it would be preferable to retain the ability to choose whether to run face to face, virtual or hybrid meetings.
- 1.3 The Coronavirus Act 2020, section 78 permitted the making of secondary legislation relating to the holding of local authority meetings, however any such regulations were only able to make provision for meetings before 7 May 2021.
- 1.4 The Flexibility Regulations expired on 6 May 2021 and were unextendable due to the sunset clause in section 78(3) of the Coronavirus Act 2020. Primary legislation was required to continue the express provision of remote meetings in England.
- 1.5 Hertfordshire County Council, Lawyers in Local Government and the Association of Democratic Services Officers jointly made an application to the High Court for a declaration that the legislation in place in England relating to local authority meetings already permitted remote meetings to take place. High Court judgments on 28 April 2021 and 4 May 2021 dismissed this claim.
- 1.6 Local authorities can continue to broadcast and live stream meetings to widen public access but this does not fulfil the obligation for certain meetings to be physically accessible to the public, it does however enable social distancing, and reduces the risk of transmission. The ability to run hybrid, live streamed meetings from a number of rooms in the Civic Offices is therefore beneficial for all concerned.
- 1.7 In December 2021, an invitation to tender was published on the Braintree Framework. The contract was for a high-quality Audio-Visual Webcasting system. The deadline for the return of tenders was 12 midday on 31 January 2022 and only one tender was received.
- 1.8 Following evaluation of this tender it was clear that the capital costs exceeded original estimations and the decision was taken to withdraw the tender exercise.
- 1.9 Options were investigated in consultation with the Procurement Manager as to the best route to market given that the original framework (Braintree) had now expired. Dynamic purchasing systems and G Cloud options were considered but these were not deemed suitable, and the tender exercise will now be advertised on the open market through Find a Tender Service (FTS), Contracts Finder (CF) and the council's own e-tendering system ProContract.

- 1.10 Based on initial estimates as to capital requirements, a sum of £75,000 was agreed to be vired from the Corporate Provision for Future Programmes to support this procurement. However, based on the tender received in January 2022 and supplemental market engagement, an additional sum will be required to enable the required works to proceed.
- 1.11 Following discussion with the relevant directors and portfolio holders the decision has been made to procure a solution for the Council Chamber and Committee Room 3. The benefits from this will be improved microphone performance in the Council Chamber due to having a hard-wired system that is not dependent on Wi-Fi and continuous recharging of batteries. Additional functionality such as on-screen voting and clock display. One supplier appointed to manage all the systems so problems can be identified and solved quickly. Flexibility to live stream in two rooms simultaneously. More suitable rooms being available to live stream meetings such as cabinet and scrutiny meetings. Officers joining meetings for just one item being able to join from home which will enable a better work life balance and safety in relation to late night meetings. Committee Room 3 is larger than Committee Room 5 and as such better suited to public meetings or conferences. Committee Room 3 is already fitted with suitable screens. Committee Room 3 would be accessible for attendees using wheelchairs and there is easy access via the lifts.
- 1.12 This option will require an additional capital spend of £40,000.
- 1.13 Existing Resources and Equipment**
- 1.14 Hardware and equipment are available in the Council Chamber to enable live streaming and hybrid meetings to take place.
- 1.15 A suite of Bosch Dicontis microphones is situated in the Chamber, along with charging facilities and associated Wi-Fi and software.
- 1.16 Flat screen televisions are available in the Council Chamber and Committee Room 3.
- 1.17 Proposed Resources and Equipment**
- 1.18 Hybrid and live streaming equipment to be made available in the Council Chamber and Committee Room 3.
- 1.19 The Bosch Dicontis microphones will be moved to Committee Room 3.
- 1.20 A new fixed microphone solution will be built into the Chamber. This will include software to help manage the meeting, pre-programming of attendees and speakers, digital voting and a second display to share information to the meeting participants such as voting results, active speaker name, and for how long they have spoken for (this removes the need for the large clock that we currently use).
- 1.21 Existing screens will be used in the Council Chamber and Committee Room 3.

- 1.22 The successful supplier will also be requested to work with us to provide a solution that will enable the hybrid, webcasting and microphone software to be controlled and managed from one software programme and device.
- 1.23 Implementation will be managed by the Scrutiny and Systems Manager and the Business Improvement Team, with overview and monitoring by the Business Improvement Board and the Council's Chief Operating Officer as Senior Responsible Officer.
- 1.24 Benefits for modern local democracy**
- 1.25 There have been many positive outcomes and benefits from the use of virtual and hybrid meetings throughout the pandemic. Online meetings during the pandemic have led to more transparency and overall visibility in the decision-making process and have encouraged and created increased public and press interest.
- 1.26 Being able to hold virtual or hybrid meetings has been hugely beneficial to both the council, councillors, officers, and the public. As a modern council, we must continue embracing and future proofing our working practices - remote meetings are just one of the ways that we can achieve this. Having a genuine choice over the type of meetings we chose to hold in the future is vital and of continued benefit to the democratic process.
- 1.27 Online meetings have made council business more easily accessible to a wider audience and a return to physical meetings could be a barrier to this progress. Improved accessibility has made it easier to attend and participate in meetings and could potentially encourage other prospective councillor candidates from under-represented groups to consider standing for public service.
- 1.28 Hybrid meetings can accommodate councillors and officers whose work, family or childcare arrangements might prevent them attending meetings in person; they are more efficient, cut down on travel costs and avoid associated environmental concerns. Care would have to be taken however to avoid individual councillors becoming semi-detached from the more centralised in person democratic functions of the Council.
- 1.29 The law has never prevented speakers who are not members of a particular body from taking part remotely, a councillor could speak at a planning meeting on a ward matter through a video link. Physical attendance would solely be concerned with the members of the committee themselves. Similarly, officers could attend remotely, which might be useful for an officer with only a minor role on a single item. Where public speaking is allowed, that could also be done through a remote link, although speakers would usually prefer to be there in person.
- 1.30 Having the ability to run hybrid, streamed meetings also opens the door to different types of meetings and functions being held at the Civic Offices. These might include citizen assemblies, consultation events and summits such as the recent Climate Change Summit which was very successfully held in the Council Chamber using the hybrid, streaming equipment.

### **1.31 Improved attendance**

- 1.32 Online meetings have led to improved member and officer participation. Previously, evening meetings occasionally struggled to achieve quoracy, this has not been the case since using hybrid and virtual technology. Virtual meetings have been especially beneficial for those with other commitments such as caring responsibilities, employment, or those with health issues as it made it easier for them to attend. Online meetings also benefit those living in rural areas or those who would otherwise have long distances to travel to attend face-to-face council meetings.
- 1.33 The ability to cut down travel time has enabled those who work to have greater access to meetings during the day. As an example, members have been able to take part in meetings which they may not have been able to without this facility due to the impact of their working day. Again, this has an impact on creating greater accessibility and thus broadening the inclusivity of those who may wish to be a councillor but are restricted due to working patterns. The greater the diversity we can achieve, the better the decisions we make will be.

### **1.34 Equality, Diversity and Inclusion**

- 1.35 By seeking to utilise the most innovative technology and by working closely with the successful supplier, we will ensure that the new solution benefits both the meeting spaces and its users, including those with disabilities. This will include working with the supplier to enable a British Sign Language (BSL) signer to be always visible on the screen/stream when in attendance at a meeting and subtitles that are available in different languages including Punjabi, Polish and the top ten languages spoken within the City. At the moment this functionality is not readily available, but the specification seeks to ensure that the successful supplier is prepared to work with us to make this a reality.
- 1.36 Care will also be taken to ensure that any new equipment works with all existing sound loops.

### **1.37 Health and Safety**

- 1.38 The safety benefits of holding hybrid or virtual meetings are considerable, given recent events and especially where meetings may be held in winter months - late at night - when both councillors and staff must then travel home, often alone.

### **1.39 Cost saving**

- 1.40 Whilst there will be an initial capital spend of approximately £115,000, we will be working closely with Finance, Commercial Services, Legal and Facilities Management to produce a pricing structure for the hire of the rooms and associated resources.

### **1.41 Supporting the 'green agenda'**

- 1.42 Virtual meetings have been beneficial in supporting the green agenda, as attendees no longer need to travel to meetings thus substantially reducing their carbon footprint. Getting the right digital equipment in place might also aid a complementary area of work that is being looked into regarding the reduction of hard copies of papers at meetings.

#### **1.43 Commercial Considerations**

- 1.44 There is existing and potential external interest in using the hybrid facilities that the Council already has in the Council Chamber. The West Midlands Combined Authority, Police and Crime Panel, and the Local Enterprise Partnership have all requested both officer and hybrid resources to manage their larger Board meetings. Very positive feedback has been received following all the meetings which has helped to raise the Council's reputation and enabled new working relationships to be formed. A separate piece of work will be undertaken with colleagues in finance, commercial services, and facilities in relation to this enhancing and expanding the commercial possibilities associated with this.

#### **1.45 Progress, options, discussion, etc.**

- 1.46 Discussions have been held with colleagues across the Council including ICT, facilities, the EDI Team, Democratic Services, Business Improvement and Procurement. Premarket engagement has been carried out with potential suppliers and colleagues from Business Improvement have undertaken some desktop research, to ensure that the specification is both realistic and forward thinking.

#### **1.47 Evaluation of alternative options**

- 1.48 Other options considered included:
- a. Option 1 – Tender for continuation of the existing webcasting solution only in the Chamber
  - b. Option 2 – Update the Council Chamber to include a new AV and Conference System
  - c. Option 3 - Procure the Full Specification
  - d. Option 4 - Procure a solution for the Chamber and Committee Room 3 (preferred option)
  - e. Option 5 – Procure a solution for the Chamber and Committee Room 5
- 1.49 Consideration was also given to splitting the contract and going out to tender separately for the audio-visual equipment (microphones and Screens) and the streaming equipment (webcasting). However, based on previous experience it is deemed essential to have one supplier providing the whole solution; this avoids complications in the event of the system developing a fault and it becoming unclear which supplier is responsible.

#### **1.50 Reasons for decision**

By installing hybrid, webcasting equipment in the Council Chamber and Committee Room 3, we are enhancing, improving and making the democratic functionality of the Council more accessible. Additionally, we are future proofing our Civic Offices, building good relationships with partner organisations and realising some commercial aspirations.

### **1.51 Financial implications**

- 1.52 The proposed webcasting development includes two associated costs. It will require the purchase and installation of further audio-visual equipment and a conference microphone system at a cost estimated to be in the region of £115,000. A previous IEDN secured £75,000 from the Corporate Provision for Future Programmes and an additional £40,000 is now being requested. This report therefore seeks approval for a virement of £40,000 from the Corporate Provision for Future Programme to the Webcasting Infrastructure Project. There will also be an increased annual service charge. A budget of £20,000 has already been set aside within Governance to meet an increased fee and this will be kept under review throughout the tender process. [SR/21062022/T]

### **1.53 Legal implications**

- 1.54 As stated above, the Flexibility Regulations expired on 6 May 2021 and were not extended due to the sunset clause in section 78(3) of the Coronavirus Act 2020. Primary legislation was required to continue the express provision of remote meetings in England.
- 1.55 Local authorities can continue to broadcast and live stream meetings to widen public access but this does not fulfil the obligation for certain meetings to be physically accessible to the public; it does, however, enable social distancing and reduces the risk of transmission. The ability to run hybrid, live streamed meetings from a number of rooms in the Civic Offices is therefore beneficial for all concerned.

An extension to the existing contract with Public-I has been agreed with both the supplier and the Council to ensure that there is continuity of service once the new contract is awarded. [SZ/20062022/P]

### **1.56 Equalities implications**

- 1.57 By seeking to utilise the most Innovative technology and by working closely with the successful supplier and the Council's EDI team we will ensure that the new solution benefits both the meeting spaces and its users, including those with disabilities as detailed above.