

Minutes of Emergency Committee

Meeting Date: Thursday, 7 May 2020, starting at 9am
Present: Councillor S Atkinson (Chairman)

Councillors:

A Brown
S Hore
A Knox

In attendance: Chief Executive, Director of Community Services, Director of Resources, Director of Economic Development and Planning and Borough Solicitor.

Also in attendance: T Austin, R Bennett, D Berryman, D Birtwhistle, S Brunskill, B Buller, J Clark, L Edge, S Fletcher, A Humphreys, G Mirfin, R Newmark, S O'Rourke, D Peat, J Schumann, R Sherras.

649 APOLOGIES

There were no apologies for absence.

650 COVID-19 – CONSTITUTIONAL AMENDMENTS

The Chief Executive submitted a report informing Committee that in consultation with the Leader and Leader of the Opposition, they had agreed that the present Covid-19 pandemic, together with requirements under the Coronavirus Act 2020 and regulations made thereunder meant that it was not advisable, reasonable or safe for the Council to continue to meet as normal. It was therefore necessary to put in place alternative decision-making processes for the Council which must be within the context of the Local Government Act 1972, the Coronavirus Act 2020 and other legislation governing local authority decision-making.

This would also include amendment or addition to Standing Orders where appropriate, approval of delegated decision-making processes and consideration of dispensation for Members with regard to their attendance at meetings due to the pandemic.

He informed Committee that on 4 April 2020 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force and would remain in effect until 7 May 2021.

The Regulations would allow for Councillors to attend and fully participate in formal meetings of the authority remotely via audio, or where practicable video link. The Regulations would also allow for electronic publication of notice of meetings and/or for the public to be able to attend remotely.

The proposed addendum to the general Standing Orders would not change any responsibilities or functions of any Councillors or meetings but would seek to

ensure that there are no barriers in the Constitution to delivering remote attendance.

It was proposed the Council waive the requirement of Section 85 of the Local Government Act 1972 where Councillors who failed to attend a meeting for a period of 6 months automatically ceased to be a Councillor in the light of the Coronavirus outbreak. It was however, noted that as and when meetings are reinstated remote attendance would count as attendance for the purposes of this requirement.

It was also proposed that the Council delegate the following decision-making powers to the Chief Executive, or in his absence, his nominated deputies, in consultation where appropriate with the Leader and the Leader of the Opposition, or in their absence, their nominated deputies:

- Power to take any decision on behalf of the Council which can lawfully be delegated to officers, subject where appropriate to the decision-maker, before taking decision, having taken appropriate steps to consult the Leader and the Leader of the Opposition or their deputies and if necessary the Chairman of the relevant Committee which would, save for the delegated power, have taken the decision.
- Power to cancel Council, committee or sub-committee meetings.

It was also proposed that the Council dispenses with the requirement to hold the annual meeting scheduled for 12 May 2020 and it be noted that the appointments made by the Annual Council on 14 May 2019, with the exception of the appointment of the Vice Chair of the Licensing Committee would continue.

Councillors G Mirfin and R Sherras were given permission to speak.

The Chairman felt it was important that democracy should where possible get back to normal and therefore suggested an additional proposal that the aforementioned decisions be kept under review and reconsidered at any time appropriate in advance of May 2021.

He also proposed that the new Vice Chairman of the Licensing Committee should be Councillor David Berryman.

It was also confirmed that any major planning applications would still be considered by the Planning and Development Committee and that should there be a virtual meeting that public participation would be made possible.

A verbal vote of the Committee Members was taken and it was:

RESOLVED: That Committee

1. approve the temporary addendum to the Council's Standing Orders in relation to remote attendance at formal meetings as attached to the report;

2. approve a waiver of the 6-month rule for Councillor attendance at meetings in the light of the Covid-19 pandemic until 7 May 2021;
3. approve delegation of decision-making powers to the Chief Executive or in his absence his nominated deputies in consultation where appropriate with the Council Leader and the Leader of the Opposition or in their absence their deputies;
4. dispense with holding the Annual Meeting of the Council in 2020 and confirm the continuation of appointments until the next Annual Meeting with the exception of the Vice Chairman of Licensing Committee where the appointment of Councillor David Berryman would be effective immediately; and
5. these decisions be kept under review and reconsidered by the Emergency Committee if the Leader and Leader of the Opposition request it at any time.

The meeting closed at 9.25am.

If you have any queries on these minutes please contact Marshal Scott (414400).