

REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee is due to meet on 24 March 2020 prior to the County Council meeting to consider a report regarding proposed temporary measures to be put in place in the event of disruption to Council meetings as a result of Coronavirus (Covid-19) as set out below. Any recommendations arising from the Committee's meeting will be circulated at the County Council meeting.

1. Coronavirus (Covid-19) contingency arrangements

1.1 The current incidence of the Covid-19 virus both nationally and internationally is beginning to cause disruption to a range of business and social activity. There may be a need for additional preventative measures to be introduced nationally to help contain or delay the spread of the virus. This includes potential advice to individuals or groups to self-isolate for periods of time, and/or for more general restrictions on travel or gatherings. It is also likely that more people will become unwell as a result of the virus.

1.2 Further spread of Covid-19 therefore has the potential to impact upon the County Council's ability to hold its normal meetings in public. This could be as a result of Members or officers being unable to attend due to illness or self-isolation, or general advice against travel or gatherings leading to a need to suspend the holding of meetings for a period of time.

1.3 This report outlines a range of proposed temporary measures which would enable the County Council's essential business to be conducted in the event of disruption or suspension of formal meetings due to Covid-19.

Executive decisions

1.4 In the event of the suspension or restriction of meetings due to Covid-19 it is proposed that the Forward Plan of decisions would be reviewed and any decisions which can be postponed are rescheduled for a later date. However, there are likely to be time-critical decisions which cannot be deferred and arrangements will be required to ensure these decisions can be taken in a timely manner.

1.4 It is legally permissible for a Lead Member to take a decision remotely and for the Leader to take any decisions which may normally be taken by Cabinet collectively. In the event of disruption due to Covid-19 it is proposed that Standing Orders in relation to Lead Member meetings be temporarily suspended to enable the members of the Executive to take decisions remotely, where the Chief Executive (or in their absence the Assistant Chief Executive) considers that the matter cannot wait.

1.5 Whilst this will not be a meeting, the current practice of publishing an agenda and publicly available report will be continue in the usual way, and Members will be able to make representations via email to the decision maker.

1.6 It is also proposed that the Leader (or in their absence the Deputy Leader) will assume responsibility for all the powers of the Cabinet in order that decisions can be taken if the Cabinet does not meet or is not quorate in the event that there is disruption to, or suspension of, formal meetings.

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Non-Executive decisions

1.7 As with Executive decisions it is proposed that, in the event of disruption to meetings, wherever possible items due for consideration by the Council's Non-Executive bodies be reviewed and items postponed and rescheduled wherever possible. However, there is potential for time-critical decisions to be required in relation to the remits of the Planning Committee, Pensions Committee and Governance Committee.

1.8 Only in circumstances where these committees are either unable to meet or are inquorate, and when the Chief Executive (or in their absence the Assistant Chief Executive) has agreed that a decision on the matter should be taken before the next scheduled meeting it is proposed that the following delegations be agreed:

- (i) In relation to the Planning Committee – to delegate the functions of the Planning Committee in so far as the law allows to the Director of Communities, Economy and Transport, in consultation with the Chair of the Committee.
- (ii) In relation to the Pensions Committee – to delegate the functions of the Pensions Committee in so far as the law allows to the Chief Operating Officer, in consultation with the Chair of the Committee.
- (iii) In relation to the Governance Committee – to delegate the functions of the Governance Committee in so far as the law allows to the Chief Executive, in consultation with Group Leaders.

1.9 Any decisions taken by officers under these delegations will be reported to the subsequent meeting of the relevant committee.

Member attendance

1.10 Covid-19 may impact on Members' ability to attend Council meetings either due to them being personally affected or due to general disruption or suspension of meetings. This may in turn result in Members becoming at risk of failing to meet attendance rules which require a minimum attendance at meetings of once every six months.

1.11 To prevent any Member being at risk due to non-attendance as a result of Covid-19 it is proposed that non-attendance due to: being diagnosed with Covid-19; self-isolating due to suspected Covid-19; self-isolating in order to reduce the risk of contracting or passing on Covid-19; or as a result of following Covid-19 related guidance from Government be considered as absence for a reason approved by the Council in relation to attendance requirements.

Conclusion

1.12 The recommendations to be considered by the Governance Committee are:

1) agree that authority be delegated to the Chief Executive (or in their absence the Assistant Chief Executive), in consultation with the Chairman, to suspend Standing Orders in relation to Lead Member meetings as set out in paragraph 1.4 above;

2) agree that where the Chief Executive (or in their absence Assistant Chief Executive) suspends standing orders as set out in the paragraph above the Leader will assume all the powers of the Cabinet as set out in paragraph 1.6 above;

3) agree the delegations to officers in relation to the functions of the Planning, Pensions and Governance Committee as set out in paragraph 1.8 above;

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4) agree that Member non-attendance related to Covid-19 be considered as an absence approved by the Council as set out in paragraph 1.11 above;

5) agree that the Assistant Chief Executive be authorised to cancel or postpone meetings, in consultation with the relevant Chair or Lead Member;

6) review these measures at the October 2020 meeting of the Council or as soon as practicable thereafter; and

7) agree to amend the Constitution accordingly.

1.13 Any recommendations the Committee wishes to make to the County Council will be circulated prior to the County Council

March 2020

KEITH GLAZIER
(Chair)