

Report to: Governance Committee

Date of meeting: 14 May 2021

By: Assistant Chief Executive

Title: Arrangements for the annual Council meeting

Purpose: To consider proposals in relation to the annual Council meeting in the context of coronavirus (Covid-19)

RECOMMENDATION: The Committee is recommended to:

Recommend the County Council to agree to suspend such Standing Orders as is necessary to be able to defer items 15-19 set out on the Council agenda and to agree to those items being considered at the July meeting of the County Council in line with Public Health advice to minimise the length of the annual meeting.

1 Background

1.1 On 4 May 2021 the Committee considered ongoing meeting arrangements in the context of Covid-19 and the expiry on 7 May 2021 of the the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (the Regulations) which expressly permitted the holding of virtual meetings during the pandemic. The Committee noted that legal action which sought to establish the legality of virtual meetings under existing legislation (the Local Government Act 1972) had not been successful. The court concluded that “once the Flexibility Regulations cease to apply, such meetings must take place at a single, specified geographical location; attending a meeting at such a location means physically going to it; and being “present” at such a meeting involves physical presence at that location”. This confirms that virtual committee and Council meetings are not permitted from 7 May 2021 unless further legislation is passed.

1.2 In March 2021, due to the uncertainty regarding future meeting requirements, Council agreed to delegate authority to the Chief Executive to determine the venue for the Annual Meeting and to make the necessary arrangements accordingly.

2 Current position

2.1 The requirement to hold physical meetings from 7 May presents considerable challenges in terms of holding these with appropriate Covid-secure measures in place in line with national Covid-19 guidance and local risk assessment. These issues most significantly affect the holding of the annual Council meeting on 25 May due to the number of participants.

2.2 Following risk assessment of the options it is anticipated that the meeting will be held in the Council Chamber at County Hall, subject to a final decision being made. As reported to the Committee on 4 May, a significant number of mitigations would be in place to reduce the Covid related risks.

2.3 On advice from Public Health, one of the mitigations proposed is to minimise the length of the meeting as far as possible to ensure that councillors and support staff are not

in the meeting room for longer than is strictly necessary. It is therefore proposed to minimise the agenda to essential or statutory items only. The agenda for the County Council meeting is dictated by Standing Orders and includes:

- 1 To elect a Chairman of the County Council
- 2 To appoint a Vice Chairman of the County Council
- 3 Minutes of the meeting held on 23 March 2021
- 4 Apologies for absence
- 5 To receive notice of the Returning Officer certifying the election of County Councillors for the various electoral divisions
- 6 Chairman's business
- 7 To appoint the Leader of the Council (and Chair of the Cabinet)
- 8 Record of delegation of Executive Functions
- 9 Report of the Governance Committee
- 10 To allocate places on the following committees to political and independent groups.
- 11 To appoint members to other Committees and Panels.
- 12 To confirm the continuation of the following bodies that have a fixed membership or to which members are appointed by the Chief Executive as the need arises.
- 13 To appoint three members to serve on the Discretionary Transport Appeal Panel
- 14 To appoint the Chairs and Vice Chairs of Committees
- 15 Questions from members of the public
- 16 Cabinet's priorities for the forthcoming year
- 17 Report of the Cabinet
- 18 Report of the Standards Committee
- 19 Questions from County Councillors
 - (a) Oral questions to Cabinet Members
 - (b) Written Questions of which notice has been given pursuant to Standing Order 44

2.4 In order to restrict the agenda to items 1 to 14 which must be considered by the Council at the annual meeting, it is proposed that the Standing Orders requiring others

matters to be considered (including 10.2, 41, 42, 43, 44, 45) at the meeting be suspended and that consideration of items 15 -19 be deferred until the Council meeting on 9 July which will take place after the proposed step 4 lockdown exit point on 21 June and by which time it is anticipated that the national review of social distancing will have concluded. Recent indications from Government are that the national lockdown exit timeline is likely to proceed as planned and that social distancing requirements are likely to be relaxed. This would make it possible to hold a Council meeting in more usual circumstances in July.

3 Conclusion and Reason for Recommendation

3.1 In order to hold a physical Annual Council meeting in line with Covid-19 guidance and Public Health advice, a range of risk mitigations will need to be in place. Minimising the time spent by councillors and support staff in the meeting room is a significant mitigation in relation to the risk of Covid transmission. The Committee is therefore recommended to recommend the County Council to agree to defer consideration of the items as set out in paragraph 2.4 above.

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