

East Herts Council Report

Council

Date of Meeting: 13 May 2020

Report by: James Ellis, Head of Legal and Democratic Services

Report title: Coronavirus – deferral of annual Council meeting

Ward(s) affected: All

Summary

That under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, the Council defer its 2020 annual meeting and continue existing arrangements and appointments.

RECOMMENDATIONS FOR COUNCIL, that:

- (a) existing appointments of the Chairman and Vice Chairman of the Council continue until the Council either convenes a deferred annual Council meeting or until annual Council in May 2021;**
- (b) the Council's committee structure and allocation of all seats and appointments for chairmen, vice chairmen and membership of committees, joint committees, sub committees and panels continue in the same manner (in accordance with the existing political balance where applicable);**
- (c) it notes that the Leader has indicated that the existing composition and constitution of the Executive, and scheme of delegation, be continued;**

(d)existing appointments to outside bodies be continued (reports from the current civic year to date being set out elsewhere on the agenda, for noting); and

(e)the programme of ordinary meetings for 2020-21, to be held as virtual or physical meetings, be confirmed, as set out at Appendix A, subject to changes if required.

1.0 Proposal(s)

1.1 That the above recommendations be approved.

2.0 Background

- 2.1 In normal circumstances the Council is obliged to hold an annual meeting before the end of May in each civic year, to deal with the decisions set out in the Constitution relating to appointments and the scheme of delegation.
- 2.2 Due to the Coronavirus crisis, new legislation has come into force which removes the need to hold the annual meeting with the aim to simplify the requirements during the crisis, so that local authorities can focus on priorities.
- 2.3 The Council has three options. First, it may hold an annual meeting remotely, using technological solutions to enable Members to participate and to enable public access. Secondly, it may cancel the annual meeting and continue existing arrangements until May 2021, the date of the next annual Council meeting. Finally, it may defer the annual meeting until such time as it chooses to hold that meeting.
- 2.4 The Leader, in consultation with all political groups on the Council, has indicated that existing appointments and the scheme of delegation would continue for the foreseeable future, but with the option of making

changes to these appointments and arrangements during the course of the civic year. The recommendations above give flexibility for the Council to hold an annual meeting later in the civic year.

3.0 Reason(s)

- 3.1 The recommendations allow for an annual meeting later in the civic year, if required, or to retain the current appointments and decision-making structures until May 2021, without the need to hold an annual Council meeting until that time. The recommendation therefore provides maximum flexibility, and supports the ability of the Council to operate in a proportionate and focussed manner during the current situation.

4.0 Options

- 4.1 To hold the meeting of Council on 13 May 2020 as an annual council meeting – this option is rejected, as the effect of continuing all appointments until later in the year means there is no need for civic matters such as the election of the Chairman and Vice Chairman of the Council to take place at present.

5.0 Risks

- 5.1 None, as legislation allows for the annual council meeting to be held virtually, deferred to later in the year, or cancelled entirely until the next scheduled annual council in May 2021. The Council's Constitution provides for flexibility to change appointments at ordinary meetings. Changes to membership of Committees, Panels and other bodies can be dealt with under delegated authority to the Monitoring Officer, in accordance with the wishes of the political group to which places have been allocated.

6.0 Implications/Consultations

- 6.1 The Leader has consulted with Group Leaders.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

No additional financial implications, as current appointments to posts which attract a Special Responsibility Allowance are recommended to continue.

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

None, other than as set out above, in that new legislation permits the continuation of civic arrangements.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Appendix A – programme of Council meetings (including

Committee and Executive meetings for information)

Contact Member

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