



## FULL COUNCIL

Wednesday, 05 May 2021

<b>Subject</b>	The future of Remote Meetings; returning to Face-to-Face Meetings
<b>Report by</b>	The Leader of the Council
<b>Supporting Officer</b>	Hilary Slater Head of Legal and Democratic Services <a href="mailto:Hilary.Slater@east Suffolk.gov.uk">Hilary.Slater@east Suffolk.gov.uk</a> 01394 444336 / 07899 004673

Is the report Open or Exempt?	OPEN
-------------------------------	------

Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	All Wards

## Purpose and high-level overview

### **Purpose of Report:**

1. To consider

A) the latest developments around remote meetings

B) the return to face-to-face meetings.

C) the most flexible, efficient decision-making methods to suit current circumstances and future scenarios

### **Options:**

The Options are set out in paragraph 3 of this Report.

### **Recommendation/s:**

That Council

1. notes and considers the current circumstances around remote meetings and a return to face-to-face meetings, as set out in paragraphs 2 and 3 of this report.
2. being mindful of the uncertainties listed in paragraph 2.8 of this report, and the need for flexibility in its decision-making, agrees to make the delegations set out in paragraphs 3.9 and 3.10 of this report

## Corporate Impact Assessment

### **Governance:**

The organisation of Council meetings, whether they be held in person, or remotely, is fundamental to the Council's decision-making processes, and to how it conducts its business. There are a number of uncertainties arising currently from the COVID restrictions, a recent court case, and how the Council will conduct its meetings/decision-making, in future. This highlights the need for flexible decision-making, in line with the Government's advice and Guidance.

### **ESC policies and strategies that directly apply to the proposal:**

Not applicable.

### **Environmental:**

There are environmental impacts in being able to hold remote meetings, generated by reduced travelling by Members, Officers and the public, together with reduced carbon emissions, fuel consumption etc. There are environmental impacts arising from the return to face-to-face meetings in terms of travel, opening up of buildings etc

### **Equalities and Diversity:**

Accessibility to the Council's meetings, whether they be held remotely or in person, are considerations which must be taken into account and for which there are statutory provisions to safeguard. Remote meetings open the Council's business to a wider audience. Also, watching remote meetings, via the YouTube channel, from a location of choice, is much more readily accessible, quicker, and easier, than having to travel to a

physical meeting, especially for many in rural communities throughout the district. Equally, some may prefer to access meetings in person, and that face-to-face contact is easier and more efficient.

**Financial:**

There have been significant financial savings in terms of transport costs and mileage claims as a result of having remote meetings. Also, from not having Council buildings open for regular use, whilst Members and Officers worked from home, and joined meetings remotely.

**Human Resources:**

There are no direct HR implications in what is proposed in this report

**ICT:**

ICT provision can be developed further, and flexibly, to take account of live streaming of Council meetings whether they be held remotely or in person.

**Legal:**

Please see the contents of the report, below.

**Risk:**

As remote meetings held under the Local Government Act 1972 cannot be held beyond 6 May 2021, the Council needs to have measures in place to ensure that its decision-making can return to face-to-face, where necessary, in an effective, COVID secure way, until such time as the current restrictions are ended. Also, that flexible provisions are in place for decision-making, should restrictions return, and face-to-face meetings are no longer possible.

<b>External Consultees:</b>	None
-----------------------------	------

## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary Priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		

P10	Organisational design and streamlining services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### How does this proposal support the priorities selected?

Primarily, this proposal supports the effective governance of the authority. However, it feeds into other elements of our Strategic Plan by enabling our communities to remain safe in the current covid restrictions. Also, it supports our digital transformation ambitions by providing digital access and participation in council meetings, and by taking advantage of technology and streamlining our governance processes. It also supports our environmental aims in reduced carbon emissions due to reduced travel by members, staff and public. The proposals to support remote meetings also contribute to being more financially sustainable due to reduced travel costs.

## Background and Justification for Recommendation

<b>1</b>	<b>Background facts</b>
1.1	Schedule 12 to the Local Government Act 1972 (the 1972 Act) makes provision relating to “meetings” of councils in England and Wales. It sets out how meetings are to be held and refers to the “place” of such meetings, to people being “present” at them, and who can “attend”. Other statutory provisions set out which meetings have to be “open to the public” or “held in public”. The accepted view was that local authority meetings under the 1972 Act had to be held in person and could not be held remotely.
1.2	In response to the coronavirus pandemic, the Government made the Coronavirus Act 2020. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 were made under s78 of that Act. These Regulations came into force in April 2020. They allowed local authorities to meet virtually, rather than Members having to be physically present in a specified location. The

	<p>Regulations included a deadline of 6 May 2021, after which remote meetings could not be held. Legislation would have to be made in Parliament to extend the 6 May 2021 deadline.</p>
1.3	<p>The Council responded to the pandemic by organising its meetings remotely. The first remote meeting was Cabinet, held on 6 May 2020. Since then, 75 meetings have been held remotely and successfully. These meetings have been broadcast live on the Council's YouTube channel. These broadcasts have attracted 8, 436 views in total, which is an average of 112 views per meeting.</p>
1.4	<p>The Government's Roadmap Out of Lockdown (the Roadmap) was published on 22 February 2021. It proposed that "organised permitted gatherings" such as indoor meetings would be permitted by 17 May 2021, subject to Covid secure guidelines and capacity rules. It anticipates that all restrictions on indoor gatherings will have been lifted by 21 June 2021, subject to certain "Steps" being met.</p>
1.5	<p>On 25th March 2021, the Local Government Minister, Luke Hall MP, wrote to local authorities, saying that</p> <ul style="list-style-type: none"> <li>A) there was no Parliamentary time for legislation to extend the 6 May deadline.</li> <li>B) good progress had been made with the vaccination programme</li> <li>C) the Roadmap had been published for lifting restrictions.</li> <li>D) there should be a significant reduction in risk for members meeting in person from 7 May 2021.</li> </ul>
1.6	<p>Mr Hall recognised that there may be concerns about holding face-to-face meetings, over the coming months. Ultimately, it was for local authorities to apply the Covid-19 guidance to ensure meetings take place safely. If so, the following should be considered.</p> <ul style="list-style-type: none"> <li>A) the Government's updated guidance on the safe use of council buildings.</li> <li>B) the use of existing powers to delegate decision making to individual Officers to minimise the number of meetings needed.</li> <li>C) the use of single Member decision-making without the need for Cabinet to meet.</li> <li>D) bringing forward the Annual Meeting.</li> <li>E) encouraging the use of remote access to minimise the need for the public to physically attend the meetings.</li> </ul> <p>He launched a consultation on the use of the current arrangements, to gather views on whether these should be made permanent, and if so, for which meetings. There were many issues to consider, and opinions varied considerably. The responses to the consultation would establish an evidence base of opinion and enable all the areas to be considered before further decisions were made. He said that the Government would consider all responses carefully before deciding to how to proceed.</p> <p>Finally, he expressed his thanks for the efforts that local authorities have made to allow remote meetings. He recognised that there had been a considerable investment of time, training, and technology to enable these meetings to take</p>

	place.
1.7	<p>Meanwhile, in the face of the deadline of the 6 May 2021, the Association of Democratic Services Officers (ADSO) and Lawyers in Local Government (LLG), along with Hertfordshire County Council (the Claimants), brought a case in the High Court. The case was brought against the Secretary of State for Housing, Communities and Local Government. Its purpose was to obtain a court declaration which would confirm the ability of councils to hold remote meetings under the 1972 Act. This was on the grounds that the 1972 Act did not define the location of the meeting as having to be a physical place.</p> <p>If the court case was successful, councils would be able to hold remote meetings after 6 May 2021. If the court case was lost, councils would not be able to hold remote meetings after 6 May 2021.</p>
1.8	The court case was heard on 21 April 2021. The Government had legal representation at the hearing, and supported the arguments being put forward in favour of remote meetings.

## 2 Current position

2.1	<p>The decision in the case was published on 28 April 2021. See <u><a href="http://www.bailii.org/ew/cases/EWHC/Admin/2021/1093.html">Hertfordshire County Council and Ors v Secretary of State for Housing, Communities and Local Government (2021) EWHC 1093 (Admin) (28 April 2021)</a></u> URL <a href="http://www.bailii.org/ew/cases/EWHC/Admin/2021/1093.html">http://www.bailii.org/ew/cases/EWHC/Admin/2021/1093.html</a></p>
2.2	<p>The Court dismissed the claim for a declaration. It said, amongst other things, that</p> <p>"... the Secretary of State was correct in November 2016 and July 2019 to say that primary legislation would be required to allow local authority "meetings" under the 1972 Act to take place remotely. In our view, 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. We recognise that there are powerful arguments in favour of permitting remote meetings. But, as the consultation documents show, there are also arguments against doing so. The decision whether to permit some or all local authority meetings to be conducted remotely, and if so, how, and subject to what safeguards, involves difficult policy choices on which there is likely to be a range of competing views. These choices have been made legislatively for Scotland by the Scottish Parliament and for Wales by the Senedd. In England, they are for Parliament, not the courts".</p>
2.3	<p>In addition, the Court noted that they had not decided whether a meeting held under the 1972 Act is "open to the public" or "held in public", if the public are permitted to join it, remotely, rather than physically.</p> <p>Having Members physically present, with the public joining remotely, would be a form of "hybrid" meeting.</p>

	<p>The Court will be hearing further arguments about hybrid meetings, and about the meaning of “meeting”, “place”, “present” and “attend” in the 1972 Act. Once it has considered the arguments, it will make its final order in the case.</p>
2.4	<p>In response to the Court’s decision, and the level of support for remote meetings, both the LLG and ADSO have expressed their disappointment about the outcome. In future, they will be “lobbying government to quickly bring forward the necessary legislation to overcome this impasse and to ensure that councils have local choice to determine the methodology by which meetings can take place. Not just during the pandemic, but for the long term, in perpetuity”.</p> <p>They encouraged councils to respond to the consultation launched by Luke Hall M.P, about remote meetings.</p>
2.5	<p>Despite the Court’s decision, there are a number of arguments in favour of remote meetings. During the last year, they have provided an effective and COVID secure way of meeting safely. They have increased democratic engagement with the public being able to hear and see the Council’s meetings, live, via its YouTube channel. Also, the public have been able to take part in meetings, remotely, where necessary, for example, at Area Planning Committees, Licensing Sub-Committee Hearings and at Council. In fact, the Council’s Annual Meeting, scheduled for 26 May 2021, has been brought forward to 5 May 2021, so that it could be held remotely before the deadline of 6 May 2021.</p>
2.6	<p>Holding meetings remotely has also provided considerable savings in time, and the costs of travel, with mileage claims for Members and Officers being significantly reduced over the last year. Undoubtedly, there will be corresponding reductions in the Council’s carbon footprint, with reduced mileage and carbon emissions. There have been costs saved by not having to open the Council’s buildings for face-to-face meetings, and there will be costs incurred once they are re-opened.</p>
2.7	<p>Equally, there are arguments in favour of face-to-face meetings. They enable Members and Officers to come together to discuss Council business in person. For some, this may be more effective and productive than meeting remotely. There is the benefit of the vaccination programme to consider and the effect of the Roadmap, with its proposed lifting of restrictions by 21 June 2021. For some, the option of returning to face-to-face meetings may be important as marking the end of the restrictions, and a return to “normality”.</p>
2.8	<p>However, some uncertainties remain. These are;</p> <ol style="list-style-type: none"> <li>1) whether Step 3 of the Roadmap will be reached by 17 May at the earliest and organised permitted gatherings will be allowed?</li> <li>2) whether all of the Steps of the Roadmap will be reached by 21 June 2021 and restrictions will be ended?</li> <li>3) what the requirements for social distancing will be and what impact this will have on the seating capacity in each of the Council’s meetings rooms?</li> </ol>

	<p>4) given the further arguments in the High Court case, whether hybrid meetings will be allowed under the 1972 Act?</p> <p>5) if hybrid meetings are not allowed under the 1972 Act, how the seating arrangements for in person meetings will need to be adjusted to take account of greater numbers in the meeting room?</p> <p>6) if, and when, the Government will make new legislation to allow remote meetings to be held under the LGA 1972?</p> <p>7) whether there will be further COVID restrictions, later in the year, which might prevent face-to-face meetings being held again?</p> <p>So, the Council will need to ensure that it has the flexibility in place to carry out its business safely, and effectively, whatever the COVID circumstances might be.</p>
2.9	<p>Some flexibility already exists. For example,</p> <p>A) some of the Council's meetings are not committees which have been given delegated authority by Council under the provisions of the 1972 Act.</p> <p>B) Leading Counsel has advised that the Council's Executive (Cabinet) and its committees are not committees of the authority for the purposes of the 1972 Act. They have been set up under the Local Government Act 2000.</p> <p>C) Leading Counsel has advised that Licensing Sub-Committee hearings to consider applications/reviews etc for licensed premises under the Licensing Act 2003 are not meetings for the purposes of the 1972 Act.</p> <p>So, if necessary, the meetings listed below could continue to be held remotely after 6 May 2021, in the absence of further legislation and despite the recent decision of the High Court: -</p> <ol style="list-style-type: none"> <li>1) Cabinet - set up under the Local Government Act 2000</li> <li>2) Environmental Task Group - set up by Cabinet, reporting to Cabinet</li> <li>3) Other Task Groups - non-decision making</li> <li>4) Community Partnerships - not committees under the 1972 Act.</li> <li>5) Licensing Sub-Committee hearings - set up under the Licensing Act 2003</li> <li>6) Cabinet Briefing - informal, not decision-making</li> </ol>
2.10	<p>However, the following meetings are committees set up for the purposes of the 1972 Act. These could not continue to meet remotely, in the light of the court's recent decision, and in the absence of further legislation. This is because they are formal, decision-making meetings of the Council which exercise authority for or on behalf of the Council;</p> <ol style="list-style-type: none"> <li>1) Full Council</li> <li>2) Appointments Committee, Audit and Governance Committee, Licensing Committee, Planning Committee North, Planning Committee South, Strategic Planning Committee, Scrutiny Committee</li> <li>3) Licensing sub-committee hearings set up to hear cases about licensing activities outside of the Licensing Act 2003, taxi licensing, for example.</li> </ol>



### 3 How to address current situation

3.1	Because of the uncertainties listed in 2.8 above, the meetings referenced in paragraph 2.9 above could continue to meet remotely after 6 May 2021.
3.2	<p>However, it is clear that in the light of the vaccine programme, the Roadmap, the letter from Luke Hall M.P, and the recent court case, the Council needs to plan for a return to face-to-face meetings.</p> <p>Guidance on the Safe Use of Council buildings (the Guidance), updated on 29 April 2021, <a href="https://www.gov.uk/government/publications/covid-19-guidance-for-the-safe-use-of-council-buildings/covid-19-guidance-for-the-safe-use-of-council-buildings">https://www.gov.uk/government/publications/covid-19-guidance-for-the-safe-use-of-council-buildings/covid-19-guidance-for-the-safe-use-of-council-buildings</a> states that; “As of April 28, the High Court has ruled that existing legislation does not permit virtual meetings. While the judgment concerns the interpretation of the Local Government Act 1972, and therefore local authorities should consider the court’s ruling for themselves, all councils will need to return to face-to-face meetings after May 6 and should continue to prepare accordingly”.</p>
3.3	<p>The Guidance emphasises that where local authority meetings take place in person, there will be a need to</p> <ol style="list-style-type: none"><li>1) follow the government’s working safely guidance.</li><li>2) carry out risk assessments to ensure physical meetings take place safely,</li><li>3) be aware of the full range of options available for decision-making, including:<ol style="list-style-type: none"><li>A) delegating decision making to key individuals such as the Head of Paid Service to minimise the number of meetings held.</li><li>B) relying on single-member decision for Cabinet decision.</li><li>C) considering the democratic implications of decision-making to ensure that local residents are appropriately represented and that there is appropriate scrutiny.</li><li>D) holding the Annual Meeting before 7 May</li><li>E) holding other physical meetings after 17 May, at which point it is anticipated that a much greater range of indoor activity can resume in line with the Roadmap.</li><li>F) continuing to provide remote access to the public (subject to the final order of the High Court in the recent case).</li></ol></li></ol>
3.4	<p>Where elected members, officers and others attend physical meetings, the Guidance says that the following steps should be taken;</p> <ol style="list-style-type: none"><li>1) non-statutory or other informal meetings should continue to be held virtually- see 2.9 and 3.1 above.</li><li>2) only participants whose attendance is absolutely necessary should physically attend meetings and should maintain social distancing (2m, or 1m with risk mitigation where 2m is not viable).</li><li>3) transmission during meetings from sharing pens, documents and other objects should be avoided.</li><li>4) hand sanitiser in meeting rooms should be provided.</li><li>5) meetings should be held in well-ventilated rooms whenever possible.</li></ol>

	<p>6) floor signage for meetings areas should be provided to help people maintain social distancing.</p> <p>7) social distancing should be maintained wherever possible. If a 2m distance is not viable then it should be 1m with risk mitigating actions including:</p> <ul style="list-style-type: none"> <li>- further increasing the frequency of hand washing and surface cleaning</li> <li>- keeping the meeting time as short as possible</li> <li>- using screens or barriers to separate people from each other</li> <li>- using back-to-back or side-to-side working (rather than face-to-face) whenever possible</li> <li>- considering whether that meeting needs to continue for the local authority to operate.</li> <li>- considering whether to move to an alternative, larger venue, for larger Committees or Full Council, for example.</li> </ul>
3.5	<p>After 6 May 2021 and before 21 June 2021, the Council has the meetings listed below in its schedule. Given the advice in the Guidance that informal, non-statutory meetings continue to be held remotely, and the advice that meetings held under legislation other than the 1972 Act may be held remotely, it is suggested that it may be possible to hold the meetings either remotely or in person, as shown in the brackets in the list.</p> <p>Due to the uncertainties listed in 2.8 above, there are some points to note.</p> <p>1) The size of the Council’s Committees ranges from 19 Members (Strategic Planning Committee) to 3 Members (Appointments Committee). With this number of voting Members and Committee Clerks in attendance, it may be possible to return to face-to-face meetings with appropriate COVID 19 mitigation measures in place. However, they would need to be hybrid meetings, with remote participation and attendance by visiting Members, Officers, and the public. This ensures a fixed number of attendees in the physical meeting. It is then easier to design a socially distanced, COVID secure seating arrangement to be put in place. The public would be able to hear and see the meeting via the YouTube broadcast.</p> <p>2) Depending on the COVID compliant capacity of each of the meeting rooms at Riverside/East Suffolk House, the necessary layout and ICT provision, a decision will have to be made as to where each of the in-person meetings can take place, either at Riverside, East Suffolk House or at a larger, off-site venue.</p> <p>3) If the High Court’s final order finds that hybrid meetings cannot be allowed, visiting Members, Officers and the public would have to be present in the room, too, and, therefore, larger, off-site venues may be required for the in-person meetings. However, if large numbers of the public wished to attend a particular meeting, we may have to limit the numbers present to ensure COVID compliance. The Guidance is clear that only those “reasonably necessary” should be present in the room, and, therefore, public participation might need to be restricted to a fixed number of seats. The live meeting could also be relayed into the other rooms e.g., the café at Riverside, and the Blyth at East Suffolk House.</p>

	<p>4) At the time of writing this report, an alternative venue to hold a Full Council meeting has not been fixed. The next Full Council meeting is on 28 July 2021. It may be that by then, all COVID restrictions will have ended, and the meeting can proceed in person. Water Lane, in Lowestoft, is an alternative, off-site venue which may be large enough to accommodate all 55 Members, Officers and the public.</p> <p>5) Bearing in mind the above 4 points, the Chief Executive Officer and the Head of Legal and Democratic Services will need to adjust the lay-out, venue, number of attendees and possibly the date of some of the meetings listed below, to take account of the changing circumstances around COVID and the Court case.</p> <p>6) Also note that the Chief Executive may cancel any meeting of the Council following consultation with the Chairman and Vice-Chairman of the Council, due to bad weather, sickness, or insufficient business to warrant the holding of the meeting.</p>
3.6	<p>The list of meetings is -</p> <p>12 May – Licensing Sub-Committee Hearing (remote)  12 May – Carlton Colville, Kessingland, Southwold and villages CP (remote)  17 May – Kesgrave, Rushmere St Andrew, Martlesham, Carlford &amp; Fynn Valley CP (remote)  18 May – Cabinet Briefing (remote)  18 May – Planning Committee North (in person)  19 May – Licensing Sub-Committee Hearing (remote)  19 May – Aldeburgh, Leiston, Saxmundham and villages CP (remote)  20 May – Scrutiny Committee (in person)  25 May – Planning Committee South (in person)</p> <p>1 June – Cabinet (remote)  7 June – Strategic Planning Committee (in person)  8 June – Planning Committee North (in person)  14 June – Beccles, Bungay, Halesworth and villages CP (remote)  15 June – Cabinet Briefing (remote)  17 June – Scrutiny Committee (in person)</p>
3.7	<p>Written advice has been given to Members recently about the use of lateral flow tests (LFTs), bearing in mind the return to in person meetings, and the use of LFTs has been encouraged.</p>
3.8	<p>One of the uncertainties listed in 2.8 above is about further COVID restriction being imposed later in the year. Of course, the Government may have made primary legislation by then, to allow for remote meetings to be held once again, under the 1972 Act. However, if face-to-face meetings could not be held due to COVID restrictions, and there was no new legislation to allow them, flexibility would be required to safeguard the Council’s decision-making for its Committees etc.</p> <p>In those circumstances, it would be wise for there to be some contingency arrangements in place.</p>
3.9	

	<p>The proposals set out in this paragraph are here as a contingency, only. They would apply only if;</p> <p>1) in person meetings cannot be held for whatever reason on or after 17 May 2021 (Steps in the Roadmap not being met, present restrictions not being lifted, or further COVID restrictions being applied, later in the year, that prevent in person meetings being held) and</p> <p>2) the Government has not made any new legislation which will allow remote meetings to be held under the 1972 Act.</p> <p>To cover these circumstances, and in line with the Guidance, Officer delegations need to be put in place to allow the Council to carry out its business.</p> <p>Therefore, should the circumstances set out in sub-paragraphs 1) and 2) above apply, the Council hereby agrees that delegated authority be given;</p> <ul style="list-style-type: none"> <li>A) to the Head of Planning and Coastal Management to make decisions which fall within the remit of the Strategic Planning Committee, or the Planning Committee North or the Planning Committee South, having consulted with the Chairs and Vice-Chairs of Planning Committee North and Planning Committee South.</li> <li>B) to the Head of Legal and Democratic Services to make decisions which fall within the remit of the Licensing Committee, having consulted with the Chair and Vice-Chair of the Licensing Committee.</li> <li>C) to the Chief Executive Officer to make decisions which fall within the remit of the Council, other Committees or Sub-Committees of the Council, in consultation with the relevant Council/Committee Chair and Vice-Chair.</li> </ul> <p>These delegated decisions would be made by the relevant Officers and evidenced by an Officer Delegated Decision Notice, which would be published on the Council's website.</p>
3.10	<p>Also, it is noted that many Councils provide powers to their Chief Executive Officer, to enable action to be taken to respond to an emergency, whatever it may be, and whenever it might occur. It was noted that during the COVID pandemic, and particularly in the first lockdown, last year, that these powers to act in an emergency were not available to the Council's Chief Executive Officer. To tie in with similar provisions which many other local authorities have, and to allow for maximum flexibility in the event of an emergency, it is proposed that a specific delegation be made to the Chief Executive Officer.</p> <p>Therefore, it is suggested that the following delegation be put in place to cover emergencies generally, of whatever nature, and arising at any time, as follows;</p> <ul style="list-style-type: none"> <li>A) the Chief Executive Officer be given delegated authority to take any action, including the incurring of expenditure, required to respond to an emergency of any nature, arising at any time, and on any matter. The Chief Executive Officer, in so acting, will be guided by the budget and policy framework, will consult with the Leader, relevant Portfolio Holder,</li> </ul>

	Monitoring Officer and Chief Finance Officer before so acting and will report, in writing as soon as practicable afterwards to the body which would otherwise have been required to give the necessary authority to act.
--	--

<b>4 Reason for recommendation</b>
------------------------------------

4.1	In the light of current circumstances and uncertainties, to develop the most flexible approach to decision-making, whilst ensuring covid security, public access, and efficiency.
-----	---

## Appendices

<b>Appendices:</b>
None.

<b>Background reference papers:</b>
None.