

# Public Document Pack

## FULL COUNCIL

18 MARCH 2020

Present: Councillors Sinden (Chair), Bacon (Vice-Chair), Battley, S Beaney, Bishop, Charman, Chowney, Cox, Davies, Fitzgerald, Forward, Levane, Roberts, Rogers, Sabetian, Webb, Louise, Lee, Patmore, K Beaney, Beaver and Foster.

### **121. APOLOGIES FOR ABSENCE**

Apologies for absence were noted for Councillors Barnett, Batsford, Berelson, Evans, O'Callaghan, Scott, Turner, Edwards, Marlow-Eastwood and Rankin.

### **122. DECLARATIONS OF INTEREST**

None.

### **123. URGENT AMENDMENT TO THE CONSTITUTION OF THE COUNCIL**

The Mayor proposed a motion to proceed as if in committee, seconded by Councillor Lee.

**RESOLVED that in order for Councillors to take advice from the Managing Director, under Rule 16(14) of council procedure the council proceed as if in committee.**

The Managing Director, Jane Hartnell, addressed the Council on Covid-19. The Managing Director informed the Council of the steps being taken to respond to the crisis, including the Council's community leadership role and support for businesses and vulnerable residents.

In response to questions from the Council the Managing Director confirmed that emergency powers would only be used when absolutely necessary. Where possible decisions would be delayed until virtual committee meetings could be facilitated and when an urgent decision is required the Managing Director would consult with the Cabinet.

The Mayor proposed a motion to return to Council mode, seconded by Councillor Lee.

**RESOLVED that the meeting return to Council mode.**

Councillor Rogers proposed an urgent amendment to the Constitution of the Council, seconded by Councillor Lee, as set out below:

"In urgency and/or emergency situations whereby Cabinet or Council and their respective Committees cannot meet to determine the Council's business, delegated authority is given to the Council's Managing Director (or nominee) in consultation with a minimum of 4 members of cabinet, one of whom to be an opposition councillor and one to be the Leader or Deputy Leader of the Council. The delegation is to cover all

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the Cabinet's and Council's powers, duties and functions not currently covered by Part 8 of the Council's constitution.

If the Managing Director's nominee is making a decision, they must also consult with the Council's Monitoring Officer and Section 151 officer."

Councillor Levane proposed the following amendment:

"Emergency circumstances would include the sorts of events covered by our Emergency Plan as well as unprecedented episodes, such as pandemics. "Urgency" would in most cases be confined to essential decision making during such emergency situations. This change to apply from 19th March 2020 for a period of no more than 12 months. Any proposed extension or reinstatement of this change must be put to Full Council with full reasons outlined."

The amendment was accepted by Councillor Rogers and Councillors voted on the substantive motion as amended.

### **RESOLVED (unanimously) that:**

**The Constitution of the Council be amended to include the following:**

**In urgency and/or emergency situations whereby Cabinet or Council and their respective Committees cannot meet to determine the Council's business, delegated authority is given to the Council's Managing Director (or nominee) in consultation with a minimum of 4 members of cabinet, one of whom to be an opposition councillor and one to be the Leader or Deputy Leader of the Council. The delegation is to cover all the Cabinet's and Council's powers, duties and functions not currently covered by Part 8 of the Council's constitution.**

**If the Managing Director's nominee is making a decision, they must also consult with the Council's Monitoring Officer and Section 151 officer.**

**Emergency circumstances would include the sorts of events covered by our Emergency Plan as well as unprecedented episodes, such as pandemics. "Urgency" would in most cases be confined to essential decision making during such emergency situations. This change to apply from 19th March 2020 for a period of no more than 12 months. Any proposed extension or reinstatement of this change must be put to Full Council with full reasons outlined.**

### **Reason:**

This is a necessary response to the Council being able to continue its business during the Covid 19 crisis.

(The Chair declared the meeting closed at. 7.15 pm)