

Urgent Non-Executive Decisions made by the Chief Executive

Purpose

- 1.1 This report asks the Council to note the urgent non-executive decisions taken by the Chief Executive, following consultation with the political group leaders, since the last meeting of Council.

Recommendation

- 2.1 To note the decisions of the Chief Executive, following consultation with the political group leaders, on the following matters:
 - Review of Licensing Policy and Cumulative Impact Policy 2020
 - Approval of the minutes of the Personnel Committee, held on 20 November 2019
 - Deferral of the Council's Annual General Meeting and adoption of Remote Meeting Procedure Rules

Reason

- 3.1 The Council Constitution requires that such matters are reported to Council.
- 3.2 In all cases, due to the ongoing Coronavirus pandemic it was not possible to safely convene a meeting of Council to bring the matters forward for determination.

Supporting information

4.2 Review of Licensing Policy and Cumulative Impact Policy 2020

The policies were due to be considered by the Licensing Committee on 19 March 2020 and were required to be published before 1 April 2020, following the completion of a consultation exercise with existing license holders, responsible authorities, trade associations, and other persons as defined by the Licensing Act 2003.

The meeting was cancelled at short notice due to emerging public health guidance relating to the Coronavirus pandemic. The Chief Executive was presented with the report as it was intended for consideration by the Licensing Committee, which included details of fifteen consultation responses; officer responses to those comments; and, a draft revised Licensing Policy.

Copies of the report and accompanying appendices remain available to view via the Democracy Portal (CMIS), by reviewing the documents for the cancelled meeting scheduled for 19 March 2020.

4.3 Approval of the minutes of the Personnel Committee, held on 20 November 2019

Minute 23/19 of the Personnel Committee held on 20 November 2019 recommended the incorporation of the Council's updated values into the Employee Code of Conduct. The Employee Code of Conduct forms part of the Council Constitution and therefore amendments require Council approval.

Owing to an administrative error, the minutes were omitted from the Council agendas of 22 January and 26 February. A Chief Executive's Urgent Decision was recommended in order to progress the matter expediently.

Copies of minute 23/19 are available via the Democracy Portal (CMIS), by reviewing the documents associated with the meeting of the Personnel Committee held on 20 November 2019.

4.4 Deferral of the Council's Annual General Meeting (AGM) and adoption of Remote Meeting Procedure Rules

Further to the provisions of the Local Authorities (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, it was recommended to defer the Council's AGM from the constitutionally prescribed date of the third and fourth Wednesday in May. In addition, under the provisions of the same regulations, it was recommended to adopt a set of Remote Meeting Procedure Rules to put in place an appropriate governance structure for meetings of the Council and its committees to be held partially or wholly remotely.

The Remote Meeting Procedure Rules were developed in consultation with colleagues in the Democratic Services, Legal Services, Planning and Licensing departments, and were based on guidance from professional bodies in those fields. It was agreed to grant delegated authority to the Director of Legal, Procurement and Democratic Services, following consultation with the Cabinet Member for Governance and Licensing, to make minor amendments to the Remote Meeting Procedure Rules as further testing of the technology facilitating remote meetings is completed; it was agreed that changes made under this delegation were reported to Council.

The Remote Meeting Procedure Rules form part of the Committee Procedure Rules in Part 4 of the Council Constitution. The Constitution is available to view in its entirety via the Democracy Portal (CMIS).

Public/stakeholder engagement

5.1 Review of Licensing Policy and Cumulative Impact Policy 2020

The four political Group Leaders were consulted between 23 and 25 March 2020. No objections to the recommendations contained within the report were received.

5.2 Approval of the minutes of the Personnel Committee, held on 20 November 2019

The four political Group Leaders were consulted between 30 April and 6 May 2020. No objections to the approval of the minutes were received.

5.3 Deferral of the Council's Annual General Meeting (AGM) and adoption of Remote Meeting Procedure Rules

The four political group leaders were consulted between 29 April and 6 May 2020. No objections were received to the revised date of the AGM.

Group Leaders requested reassurance that contingency measures would be put in place for councillors and members of the public who experienced technical difficulties accessing remote committee meetings. It was agreed to address these concerns via the proposed delegation to the Director of Legal, Procurement and Democratic Services to make minor amendments to the Remote Meeting Procedure Rules.

Other options

- 6.1 To delay the decisions until a meeting of Council could be safely convened. This was discounted on the basis that in all cases decisions were required expediently.

Furthermore, to ensure the effective conduct of the meeting, it was recommended that a set of Remote Meeting Procedure Rules were adopted prior to a remote meeting of Council being convened.

Financial and value for money issues

- 7.1 None.

Legal implications

- 8.1 Adoption of the Remote Meeting Procedure Rules has been made under the provisions of the Local Authorities (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

Other significant implications

- 9.1 None.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal		
Finance		
Service Director(s)	Emily Feenan, Director of Legal, Procurement and Democratic Services and Monitoring Officer	15 June 2020
Report sponsor	Paul Simpson, Chief Executive	15 June 2020
Other(s)		

Background papers:	None
List of appendices:	None