

Minutes of a remote **Extraordinary meeting of the Council** held via video link on **Wednesday 1 April 2020** at **7.00pm**.

A roll call was taken and the following Members were present:

Mrs K A Vincent – Chairman

Mr A D Adams	Mrs L H Hempsall	Mr G Peck
Mr S C Beadle	Ms S I Holland	Mrs S M Prutton
Mr N J Brennan	Mrs N C Karimi-Ghovanlou	Mr S Riley
Mr D J Britcher	Mr K S Kelly	Mr D Roper
Mr P E Bulman	Mr D King	Ms C E Ryman-Tubb
Ms S J Catchpole	Miss S Lawn	Mr N C Shaw
Mr S M Clancy	Dr K E Lawrence	Mr M D Snowling
Mrs B Cook	Mrs J Leggett	Mrs L A Starling
Mrs J K Copplestone	Mr K G Leggett	Mr D M Thomas
Mr A D Crotch	Mr I J Mackie	Miss J L Thomas
Mr J J Emsell	Mrs T M Mancini-Boyle	Mr S A Vincent
Mr J F Fisher	Mr I N Moncur	Mr J M Ward
Mr R R Foulger	Mr M L Murrell	Mr F Whymark
Ms R M Grattan	Ms J A Neesam	
Ms N J Harpley	Mr G K Nurden	

Also in attendance were the Managing Director, the Director of Resources, the Assistant Director Governance & Business Support (Monitoring Officer), the Assistant Director Finance (Section 151 Officer), the Governance Manager and the Committee Officer (DM).

The Chairman welcomed everyone to the meeting and explained the protocol for management of the meeting.

124 APOLOGIES FOR ABSENCE

An apology for absence was received from Mrs S C Gurney.

125 EMERGENCY POWERS – COVID – 19

The Leader (Mr S Vincent) explained that the purpose of the meeting was to put measures in place to ensure that Council business and decision making could continue in the current unprecedented emergency relating to the COVID-19 pandemic.

The report set out arrangements for the establishment of an Emergency Committee which could be convened in the event that the Council was unable

to meet in accordance with its current constitution and take on delegations of the key committees being Council, Cabinet, Planning, Licensing and Audit. The terms of reference of the Emergency Committee were set out in the report and the Leader drew attention to the proposed membership of the Committee which would comprise of the Chairman of the Cabinet (Chairman of the Committee), the Vice-Chairman of the Cabinet, the Leader of the main Opposition Group (to provide a scrutiny role), the Portfolio Holder whose responsibility includes Housing and Wellbeing and two other named Members to achieve a political balance.

The report also addressed the issue of the potential for Members to be unable to attend a meeting for six months (depending on their last attendance) and therefore recommended the suspension of the six-month rule, to be reviewed on a monthly basis and lifted at the appropriate time.

The Council was required annually to approve its programme of meetings which had now been prepared and Members were being invited to approve the programme of ordinary meetings attached to the report on the understanding that this would be reviewed regularly by the Monitoring Officer due to the current situation.

The Leader proposed, duly seconded, that the recommendations contained in the report be approved.

An amendment was proposed, duly seconded, that membership of the Emergency Committee be increased from 6 to 7 and, having regard to previous experience as a member of a county committee responsible for public protection and resilience in emergency situations, the proposer indicated he would wish to be considered for the additional place. On being put to the vote, and following a roll call, with 14 members voting for, 30 against, the amendment was lost.

(Mr Ward left the meeting at this point)

In response to questions raised, the Leader confirmed that the Emergency Committee would only be convened in the event of one of the key Committees/Council being unable to meet, including via a “remote/virtual” forum and that all meetings would be convened in accordance with the current requirement to publish the agenda five working days prior to the meeting. With regard to a concern about the “quasi judicial” nature of the role of the Licensing and Regulatory Committee, it was noted that this Committee usually consisted of 3 Members and which should not cause significant issues if it needed to meet. In the event of the Emergency Committee needing to convene to undertake the functions of this Committee, appropriate training would take place. Members noted that further guidance relating to the functioning of Planning and Licensing/Regulatory Committees was expected from Government in the near future and the arrangements would be reviewed

in the light of the guidance. It was noted that increasing use was being made of video conferencing in relation to the Magistrates' Court. The Leader also confirmed that the Managing Director, in consultation with the Leader, would continue to monitor the situation regarding the delegation of functions to the Emergency Committee and when this would no longer be necessary.

Attention was drawn to the reference to the "Council" as a "key committee" in the fourth paragraph of the Terms of Reference and the Monitoring Officer confirmed that this was a drafting anomaly and agreed to make an amendment to the wording to clarify this.

Members then voted on the three recommendations contained in the report by way of a roll call and it was

RESOLVED

1. (with 34 Members voting for, 0 against and 9 abstentions) to agree the Terms of Reference for the Emergency Committee (subject to the drafting anomaly referred to above) and to include these within the Council's Constitution attached at Appendix 1 of the signed copy of these Minutes;
2. (with 43 members voting for 0 against) to agree to suspend the six-month rule in relation to Members attending meetings of the Council and the Committees on which they serve, pursuant to Section 85 (1) of the Local Government Act 1972. This will be reviewed by the Monitoring Officer on a monthly basis;
3. (with 43 members voting for 0 against) to agree the proposed calendar of meetings for 2020/21 attached at Appendix 2 of the signed copy of these Minutes.

The meeting closed at 8:00pm