

Reference Number: 2020/CEO Emergency Powers/14

**NORTH YORKSHIRE COUNTY COUNCIL**

**DECISION RECORD**

**Re: The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020**

This record is produced in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012

**This form should be used to record:**

- **EXECUTIVE decisions (key or otherwise) taken by an individual Executive MEMBER; and**
- **EXECUTIVE decisions (key or otherwise) taken by an OFFICER (either alone or in consultation with an Executive Member)**
- **A non-Executive decision taken by an OFFICER which falls into one of the following descriptions:-**
  - (i) under a specific express authorisation; or**
  - (ii) under a general authorisation to officers to take such decisions and, the effect of the decision is to**
    - **grant a permission or licence;**
    - **affect the rights of an individual; or**
    - **award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.**

*(One form per decision)*

**The following decision has been taken: -**

After consideration of a report of the Assistant Chief Executive (Legal and Democratic Services) containing a briefing on the recently issued Government Regulations which enable local authority meetings to be held virtually and which remove the requirement for an Annual General Meeting to be held; and after consultation with Executive Members, the Chief Executive Officer agreed that:

- i. The Annual General Meeting of the Council that was scheduled for 13 May 2020 be postponed. The situation to be kept under review, depending upon the progress of the pandemic and rescheduled for either 22 July 2020 or 18 November 2020, such decision to be made by the Chief Executive Officer under his emergency delegated powers in consultation with the Executive.
- ii. All current appointments be rolled on until the Annual General Meeting is held.
- iii. The appointment process for the Chairman and Vice Chairman to be reviewed and a decision to be made at a future consultation meeting.
- iv. Subject to the successful adoption of a technological solution that enables the requirements laid out in the Regulations to be complied with, virtual meetings be introduced for the following committees (where the business either relates to the work being done by the Council in response to the Coronavirus pandemic or where a decision cannot be deferred for a compelling reason): Executive; Planning and Regulatory functions; Audit; and a sub-committee of the Pension Fund Committee.

Only the Executive would meet as scheduled. The Planning and Regulatory Functions committee would meet as required to deal with urgent planning applications, Audit would similarly only meet if required to make an urgent decision and Pension Fund Committee would form a sub-group to make decisions relating to changes in investment performance. All other formal, public committee meetings would be postponed until September 2020.

- v. That authority be delegated to the Corporate Director Strategic Resources to take all steps necessary to establish a sub-committee of the Pension Fund Committee, to make appointments to it and to determine the terms of reference of that sub-committee.

**By whom:** Richard Flinton, Chief Executive Officer, under his emergency delegated powers and in consultation with Executive Members.

**On:** 7 April 2020

*Was this an executive decision?*

YES/NO

*If an executive decision, was it also a key decision?*

YES/NO

**Please note that call-in has been exempted from this decision by the Chairman of the County Council under Overview and Scrutiny Procedure Rule 16(h).**

**Reasons for decision: -**

To remove the requirement for an Annual General Meeting to be held and to enable the implementation of necessary virtual meetings for the specified committees, where possible, during the Covid19 pandemic, to ensure democratic openness and accountability in decision making, but also taking account of the officer work involved in preparing for committee meetings and the other more important use of their time during the Covid-19 pandemic.

**Details of any alternative options considered and rejected: -**

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### Conflicts of Interest

Please record below details of any conflict of interest declared by a Member or Officer regarding the decision and any dispensation granted by the Standards Committee or Monitoring Officer in respect of that conflict.

Conflict	Dispensation?

## Background Papers

Please attach to this decision notice, for publication, the background papers that disclose any facts or matters on which this decision, or an important part of the decision, was based and which were relied on to a material extent in making the decision, but this does not include published works or those which disclose exempt or confidential information (as defined in Rule 10).

Signed  
RICHARD FLINTON, Chief Executive Officer

Publication Date: 9 April 2020

Directorate – Central Services

***Note 1 regarding Executive decisions only: This decision will come into force, and may then be implemented, on the expiry of 5 clear working days after publication, unless any 6 members of the Council object to it and call it in by notice in writing (including e-mail) to The Assistant Chief Executive (Legal and Democratic Services).***

***Note 2: non-executive and non-key executive decisions by Officers are not subject to call in.***

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To: The PA to the Assistant Chief Executive (Legal and Democratic Services) - for onward circulation to:

All Members of the Council; All Management Board; All Management Board Secretaries; All Senior Managers; All Democratic Services Officers; All Corporate Development Officers; Senior Press Officer; Communications Officer