

**NORTH YORKSHIRE COUNTY COUNCIL**

**DECISION RECORD**

**Re: Changes to Standing Orders 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: -**

That, in further implementation of the Chief Executive Officer's emergency decisions on 7 April 2020 and 13 May 2020 (see Decision Records 2020/CEO Emergency Powers/14 and 2020/CEO Emergency Powers/21) re governance matters under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (which enable local authority meetings to be held virtually and which remove the requirement for an Annual General Meeting to be held):

- a) the Council's Council Procedure Rules (its Standing Orders), in so far as they are applicable to virtual meetings, shall, with any necessary modification as referenced in a Protocol for Remote Meetings, apply to such virtual formal meetings and Council Procedure Rule 22 shall be deemed to incorporate reference to virtual meetings;
- b) the Protocol for Remote Meetings and supporting User Guides be approved; and
- c) the consequential amendments to the Council Procedure Rules in relation to the 2020 Meetings' Regulations and as set out in the note to the Assistant Chief Executive (Legal and Democratic Services) be approved.

**By whom:** Barry Khan, Assistant Chief Executive (Legal and Democratic Services) under his delegated powers to amend the Council's Constitution set out in Article 15.02(c) of the Constitution.

**On:** 15 May 2020

*Was this an executive decision?*

YES/NO

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

~~YES/NO~~

(as it is implementing the earlier key decisions of the Chief Executive Officer (2020/CEO Emergency Powers/14 and 21) under his emergency delegated powers)

***Please note that call-in does not apply to this decision.***

**Reasons for decision: -**

To further implement the Chief Executive Officer's emergency decisions on 7 April 2020 and 13 May 2020 (see Decision Records 2020/CEO Emergency Powers/14 and 2020/CEO Emergency Powers/21) re governance matters under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (which enable local authority meetings to be held virtually and which remove the requirement for an Annual General Meeting to be held during the Covid-19 pandemic).

Under the above referenced decisions, the Chief Executive Officer agreed, amongst other things, that:

- i. The Annual General Meeting of the Council that was scheduled for 13 May 2020 be postponed and rescheduled for 22 July 2020;
- ii. All current appointments be rolled on until the Annual General Meeting is held;
- iii. The current Chairman and Vice-Chairman of the Council continue in office until the Annual General Meeting on 22 July 2020.
- 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.

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.

The decisions taken by the Assistant Chief Executive (Legal and Democratic Services) on 15 May 2020 (under his delegated powers to amend the Council's Constitution set out in Article 15.02(c) of the Constitution) make consequential changes to the Council's Standing Orders

by amending the Council Procedure Rules in the Constitution and adopting the Protocol for Remote Meetings and supporting User Guides in order to implement the above emergency decisions of the Chief Executive Officer.

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

--

**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  
BARRY KHAN, Assistant Chief Executive  
(Legal and Democratic Services)

Publication Date: 18 May 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.***

**Contact for further information:** moira.beighton@northyorks.gov.uk

**Contact for copy of report considered:** moira.beighton@northyorks.gov.uk

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