

NORTH YORKSHIRE COUNTY COUNCIL

DECISION RECORD

Re: Decision making during the Coronavirus outbreak

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: -

To invoke the emergency decision making process that is identified in the Council's Constitution to allow the Chief Executive to make all appropriate decisions and to allow for appropriate consultation.

To note and endorse that the Assistant Chief Executive (Legal and Democratic Services) will review legislative changes and revised guidance to Local Government Decision making and will implement appropriate decision making processes including virtual meetings if and when the legislation allows for this and it is considered appropriate to do so.

By whom: Richard Flinton, Chief Executive Officer

On: 24 March 2020

Was this an executive decision?

YES/NO

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

YES/NO

PLEASE NOTE that this decision has been taken under the Special Urgency and Call-in Exemption procedures and as such is not open to call-in.

Reasons for decision: -

To allow appropriate decision making to take place whilst the Country is following a policy of Social Distancing in light of the Coronavirus pandemic.

The Government is constantly updating its guidance in ensuring that the Country can appropriately react to the public health threats caused by the Coronavirus pandemic. In order for the County Council to be flexible enough to make the appropriate decisions to provide services to the public, the Council needs to consider revising the operation of its Governance arrangements for the immediate future. It is necessary to put in place arrangements that will allow good decision making to continue, provide public accountability but, just as importantly, to react to changing circumstances so that the Council, the public and Councillors can follow the Government's guidance on self-isolation, household isolation and social distancing. The Government has stated that the guidance seeks to help reduce the spread of the virus and reduce the mounting pressure on the National Health Service. The public have already been asked to make a number of changes to everyday life to avoid unnecessary social contact.

The County Council therefore needs to reduce the number of public meetings and committee meetings over the next few months. The Government is considering making a number of changes to legislation and guidance which will, amongst other things, remove the requirement for annual council meetings to take place in person and allow council committee meetings to be held virtually for a temporary period.

In the circumstances, the Council will cancel the majority of physical committee meetings until government guidance is issued to allow public meetings. The Council's Constitution enables the Chief Executive "In cases of emergency to take any decision which could be taken by the Council, the Executive of a committee." The Coronavirus pandemic is considered to be an emergency and therefore it is proposed to invoke these powers to enable the reduction of public meetings to take place. Where the Chief Executive (or his delegated nominee) considers it appropriate, consultation will take place with the relevant available members and officers before the Chief Executive makes a decision.

Details of any alternative options considered and rejected: -

No other viable options at this time. The position with regard to formal virtual meetings will be considered if the legislation is enacted to allow this to take place and the Council can meet the conditions that are imposed on this.

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:

Publication Date: 24 March 2020

Richard Flinton
Chief Executive Officer

***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: barry.khan@northyorks.gov.uk

Contact for copy of report considered: julie.robinson@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