

## COUNTY COUNCIL

Minutes of a Meeting of the County Council held in the Luttrell Room County Hall, on Wednesday 19 January 2022 at 12.30 pm

**Present:** Cllr M Chilcott, Cllr P Clayton, Cllr S Coles, Cllr D Fothergill, Cllr A Govier, Cllr D Hall, Cllr J Hunt, Cllr D Huxtable, Cllr D Johnson, Cllr C Lawrence, Cllr L Leyshon, Cllr F Nicholson, Cllr C Paul, Cllr M Pullin, Cllr F Purbrick and Cllr J Woodman

**Other Members present via remote links:** Cllr M Best, Cllr N Bloomfield, Cllr A Bown, Cllr M Caswell, Cllr J Clarke, Cllr A Dance, Cllr H Davies, Cllr M Dimery, Cllr B Filmer, Cllr A Groskop, Cllr P Ham, Cllr A Kendall, Cllr M Lewis, Cllr J Lock, Cllr D Loveridge, Cllr T Munt, Cllr T Napper, Cllr G Noel, Cllr H Prior-Sankey and Cllr R Williams

### 15 **Apologies for Absence** - Agenda Item 1

Cllr G Frascini, Cllr M Healey, Cllr N Hewitt-Cooper, Cllr James Hunt, Cllr M Keating, Cllr T Lock, Cllr L Oliver, Cllr J Parham, Cllr L Redman, Cllr D Ruddle, Cllr N Taylor, Cllr G Verdon, Cllr W Wallace and Cllr J Williams

Those joining the meeting but not in the room were also recorded separately as above.

### 16 **Declarations of Interest** - Agenda Item 2

Members' written notifications of interests were affixed to the Notice Board at the back of the meeting room.

### 17 **Public Question Time** - Agenda Item 3

Notice was received of one Public Question from Mr Nigel Behan, full details can be found in Appendix A.

### 18 **Proposed Temporary Democratic and Decision Making Arrangements** - Agenda Item 4

The Monitoring Officer's report set out proposals for the Council to consider revising the democratic and decision-making arrangements. The proposals recommend a temporary change by converting all current non-executive committee meetings to advisory boards which would be held virtually and enable members and other stakeholders to participate and give a steer to officers to consider when taking formal decisions using delegated powers.

As part of the national response to the Covid-19 Pandemic Parliament gave the Secretary of State the ability to make regulations to enable councils to hold

remote meetings where all participants could participate remotely, and elected members could also vote on decisions remotely. Those regulations (The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings ((England and Wales) Regulations 2020) were used by the County Council throughout the rest of 2020 and into 2021 to hold virtual committee meetings but they ceased to have effect after 6 May 2021.

There are currently a range of options available to how the Council could proceed ahead of the next Annual General Meeting in May 2022:

- Continue to hold face to face meetings, managed to reduce Covid 19 risks as best as possible for all involved
- Continue to hold Full Council meetings face to face and all other meetings to be held remotely with officers using delegated powers to take any decisions following members giving a steer on proposed decisions
- Continue to hold Full Council meetings face to face and all other meetings to be held on a hybrid basis with managed attendance to limit numbers.

After evaluation of the options and following consultation with the Cabinet and SLT, the Monitoring Officer is recommending option 2 above to the Council.

There was support for the proposals as it had been a disappointment that the request made to Government and supported by many Local Authorities and the DCLG had not resulted in Primary Legislation to allow the temporary Measure to be adopted on a more widespread basis. Having an option to include remote access had increase participation, reduced the impact on the climate of people travelling to meetings and widened the inclusion of more Somerset residents who would not be able to physically attend meetings.

The legal position of this decision was discussed, and it was confirmed there would be no statutory challenge and the Council would have many opportunities to review the decision and revert to all face to face meetings. The timing of this decision was discussed in the light of the latest Government announcements, and it was confirmed that this was a local decision being taken in the best interest of Somerset residents in the full knowledge of changes being made for the rest of England.

Cllr David Fothergill, seconded by Cllr Bill Revans moved and the council **RESOLVED** to:

That the Council:

- Agree that all council meetings that are not executive in nature should be held virtually as 'advisory boards' until the Annual General Meeting in

May 2022, with committee members expressing a 'minded to' steer in respect of recommendations set out in officer reports.

- That as a temporary change to the Scheme of Delegation the Chief Executive, relevant Director, Head of Service or Strategic Manager be authorised to exercise delegated powers to make non-executive decisions in the light of 'minded to' steers expressed by members in the virtual 'advisory boards'.
- Agree that all non-executive meetings where it is an Administering Authority meet virtually on the same basis as those meetings set out in recommendations 1 and 2, subject to partner authorities agreeing to that approach and delegations to officers being in place.
- Ask the Leader to confirm his proposed meeting arrangements for the Cabinet. (In person)
- Agree that all members should be given a dispensation under section 85 of the Local Government Act 1972 and
- Authorises the Monitoring Officer to take forward the implementation of the recommendations above and make appropriate temporary changes to the Council's Constitution and Scheme of Delegation to allow those remote meetings (advisory boards) to function as consultative bodies and delegate decisions that would otherwise been taken by those meetings to relevant officers until the Annual General Meeting in May 2022 where the Council will then review the arrangements.

**(The meeting ended at 1.13 pm)**

**CHAIR**