

Appendix A

Public Questions

PQ1 and 2 from Nigel Behan

Q1. Why was Option “3) 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 present to a minimum and for all other participants to join remotely discarded?”

Q2. In paragraph 3.2.5 it states:

“3.2.5 Careful consideration has been given to the legal status of a “minded to’ steer and how delegated officer decisions would be made. To ensure that the Council does not unlawfully restrict any delegated authority there can be no requirement that the officer making the decision must always comply with the “minded to” view of councillors. Nevertheless it is reasonable to stipulate that an officer should only make a decision contrary to the “minded to” view of members for clear and compelling reasons and if the decision cannot reasonably be deferred until a time when it can be made by councillors”

Whilst it is understood that current arrangements are not ideal, are there any examples of the “minded to” approach in local government leading to issues/controversies and legal challenge?

Response from Cllr David Fothergill – Leader of the Council and Scott Wooldridge - Monitoring Officer

Q1. This option has not been discarded since it reflects how we have been operating meetings since June 2021 and therefore reflects the current arrangements.

Q2. I am not aware of any examples leading to issues / legal challenge.

The Council used the consultative steer approach in the early stages of the pandemic response when delegated officer decision making was in place and before virtual committee meetings operated and no issues were experienced at Somerset County Council with this method of decision making and member involvement.