

## **REPORT TO EXECUTIVE**

Date of Meeting: 7 April 2020

## **REPORT TO COUNCIL**

Date of Meeting: 21 April 2020

Report of: City Solicitor

Title: Urgent Change to the Scheme of Delegation to Officers

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Council

### **1. What is the report about?**

- 1.1. To amend the Council's Constitution to give the Chief Executive and Growth Director together with ALL members of the Strategic Management Board, delegated authority to discharge ANY function already set out in the constitution to any officer (including those to be made in consultation with a councillor) effective immediately. This shall include the power to make urgent decisions as necessary. These changes are designed to allow the council to continue to function adequately in the light of the probability that a large percentage of staff may be absent as a result of the Corona Virus pandemic.
- 1.2 To amend the constitution as set out in the recommendations below to enable the council to make speedy decisions.

### **2. Recommendations:**

- 2.1 Amend the Council's Scheme of Delegation and Financial Regulations, including those to be made in consultation with a Councillor, giving the Strategic Management Board delegated authority to discharge ANY delegated authority already set out in the Council's Scheme of Delegation, including those set out in the Council's Financial Regulations, effective immediately. This shall include the power to make URGENT decisions as necessary.
- 2.2 The City Solicitor be given delegated authority to amend the Constitution to give effect to any change in legislation brought by the Government in response to the Corona Virus pandemic. In her absence, the Corporate Manager, Democratic & Civic Support and the Litigation Solicitor may also exercise this delegated authority.
- 2.3 Council herewith grants permission to any Councillor to be absent from Council meetings for a period over 6 months provided that such absence is as a result of either a requirement to self-isolate or sickness due to the corona virus.

- 2.4 That Articles 14, 15 of the Constitution and Standing Orders 47 and 48 shall be suspended for the next 6 months, effective immediately, to allow for the Council's constitution to be amended by a simple majority of Council.
- 2.5 Standing Order 1(1) shall be amended to allow all meetings of the Council (including the AGM) and its committees to be held at any venue considered suitable by the Corporate Manager, Democratic & Civic Support in consultation with the Leader of the Council.
- 2.6 That the ability for members of the public to ask questions at council and committee meetings shall be suspended for 3 months commencing immediately.
- 2.7 The right for members of the public to present Petitions shall be suspended with immediate effect for the next 3 months.

**3. Reasons for the recommendation:**

These changes are designed to put in place contingency arrangements designed to allow the council to continue to operate in the light of the probability that a large percentage of staff and members may be absent as a result of the Corona Virus pandemic

**4. What are the resource implications including non-financial resources.**

None

**5. Section 151 Officer comments:**

There are no financial implications contained in this report.

**6. What are the legal aspects?**

None identified

**7. Monitoring Officer's comments:**

This is the Monitoring Officers report to members and therefore recommends the changes to you in order to put in place contingency arrangements as set out in paragraph 3 above.

**8. Report details:**

As detailed above in the reasons for recommendation section

**9. How does the decision contribute to the Council's Corporate Plan?**

It enables all business of the Council to be effectively and efficiently undertaken without delay.

## **10. What risks are there and how can they be reduced?**

The actions being suggested in this report mitigate and minimise the risks which could otherwise have been the case.

## **11. Equality Act 2010 (The Act)**

11.4 In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act because the report is simply extending existing delegated powers.

## **12. Carbon Footprint (Environmental) Implications:**

There are no direct carbon/environmental impacts arising from the recommendations.

## **13. Are there any other options?**

The option of the Scheme of Delegation to Officers remaining as it currently stands would leave the Council vulnerable and potentially unable to act to matters of an urgent, or emergency nature.

Baan Al-Khafaji, City Solicitor

Author: John Street, Corporate Manager, Democratic & Civic Support

## **Local Government (Access to Information) Act 1972 (as amended)**

Background papers used in compiling this report:-

- The Council's Constitution

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