

## **REPORT ON URGENT GOVERNANCE CHANGES: RESPONSE TO COVID-19 PANDEMIC**

### **1 PURPOSE OF REPORT**

- 1.1 The purpose of this report is for Council to note the amendments made to Part 3, Part B - Executive Functions of the Constitution by the Leader of the Council in response to the Covid-19 pandemic and Central Government guidance.
- 1.2 To note that under Section 9E of the Local Government Act 2000, the Leader of the Council has the power to make amendments to the delegated functions of the Executive under section 9E(2) of the Local Government Act 2000.
- 1.3 To agree to waive the requirements under section 85 of the Local Government Act 1972 for Members to attend a meeting of the Authority during a period of six months.

### **2 INTRODUCTION**

- 2.1 In accordance with the Central Government guidance on social distancing, the Leader of the Council has taken into consideration the need for Executive decision-making to continue so far as possible in the event that it may not be possible to hold quorate meetings of the Executive or until legal provision has been put in place for virtual meetings.
- 2.2 In such unprecedented times, the Council must be able to continue to make decisions to carry on the business of the Council and comply with statutory duties including any response to critical emerging legislative requirements.
- 2.3 The Leader has the power to make amendments to the delegated functions of the Executive under section 9E(2) of the Local Government Act 2000. He is able at any time to discharge any functions of the Executive himself or to delegate any such functions to another Member of the Executive.

### **3 AMENDMENTS TO PART 3 OF THE CONSTITUTION: PART B - EXECUTIVE FUNCTIONS**

#### **PORTFOLIOS AND POWERS DELEGATED TO INDIVIDUAL MEMBERS OF THE EXECUTIVE**

- 3.1 The following amendments have been made to paragraph 4.2 on page 3.25:
  - Reference to section 15(4) of the Local Government Act 2000 is removed and replaced with section 9E(2) of the Local Government Act 2000.
  - Land transactions having a value or aggregate value in excess of £250,000.

- Contracts or other non-land related matters having a value or an aggregate value of £250,000.

#### **4 VACATION OF OFFICE AS A RESULT OF FAILURE TO ATTEND MEETINGS**

- 4.1 The Local Government Act 1972, section 85 requires Members to attend at least one meeting of the Authority during a six-month period. Failure to do so will mean that the Councillor will be disqualified as a member of the Authority.
- 4.2 Given the current uncertainty of the pandemic, some Members may be restricted or unable to attend at all and therefore it would be prudent in the interim to waive this requirement.

#### **5 RISK IMPLICATIONS**

- 5.1 There are none. The delegations will enable the Council to continue its business and carry out any statutory duties as required. The measures set out in paragraphs 3 and 4 above are only temporary and in place for the duration of the Covid-19 pandemic. Once the Government has confirmed that the pandemic has been contained and that social distancing measures are no longer required the Council will review these temporary measures.

#### **6 RESOURCE IMPLICATIONS**

- 6.1 There are no direct resource implications arising from this decision. All decisions with financial implications will continue to be assessed by the Leader or relevant Portfolio Holder where appropriate to ensure they offer value for money.

#### **7 LEGAL IMPLICATIONS**

There are none. The Leader has the power to make such changes under section 9E(2) of the Local Government Act 2000 and under the Council's Constitution.

#### **8 EQUALITY AND DIVERSITY IMPLICATIONS**

- 8.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups, as defined under the Equality Act 2010.

#### **9 RECOMMENDATION**

- 9.1 The Council **NOTES:**

- the amendments to Part B of Part 3, paragraph 4.2 of the Constitution as above and the Monitoring Officer will duly amend the Constitution to reflect these amendments.

- that under Section 9E of the Local Government Act 2000, the Leader of the Council has the power to make amendments to the delegated functions of the Executive under section 9E(2) of the Local Government Act 2000.

9.2 The Council **AGREES:**

to waive the requirements under section 85 of the Local Government Act 1972 for Members to attend a meeting of the Authority during a period of six months.



Angela Law

Assistant Director, Legal & Democratic

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**Background Papers:-**

None.

For further information please contact Rebecca Hurst on:-

Phone: 01702 318074

Email: [Rebecca.hurst@rochford.gov.uk](mailto:Rebecca.hurst@rochford.gov.uk)

If you would like this report in large print, Braille or another language please contact 01702 318111.