

North Somerset Council

REPORT TO THE	AUDIT COMMITTEE
DATE OF MEETING:	7TH JULY 2020
SUBJECT OF REPORT:	EMERGENCY GOVERNANCE & DECISION MAKING ARRANGEMENTS
TOWN OR PARISH:	NONE
OFFICER/PRESENTING:	NICHOLAS BRAIN, HEAD OF LEGAL & DEMOCRATIC SERVICES
KEY DECISION:	NO

RECOMMENDATIONS:

The Audit Committee notes the emergency governance and decision making procedures and proposed Policy & Scrutiny Panel arrangements for recovery phase and beyond.

1. SUMMARY OF REPORT

This report provides the Audit Committee with details of the emergency decision making procedure and governance arrangements used during the COVID-19 response phase and proposals for policy development and scrutiny arrangements in the forthcoming period.

2. POLICY

The emergency decision making provisions are contained within the council's constitution.

3. DETAILS

- 3.1 In response to the COVID-19 pandemic a number of urgent decisions were required of the council in order to respond to events and situations as they occurred as well as to government announcements often delivered at short notice before implementation.
- 3.2 Urgent decisions can obviously arise out of situations unrelated to a pandemic, for example, flooding or other natural events or various other scenarios. For this reason the constitution makes a number of provisions for urgent decision making. These include for example decisions being taken at council committees in the absence of inclusion in an agenda published with the normal five working days notice, or decisions being taken by officers in consultation with members.
- 3.3 Members of the committee may be aware of reports of some councils taking emergency steps to delegate all decision making to an officer but this was not necessary in North Somerset Council where the usual urgency and emergency provisions proved appropriate. That standing delegation (set out in paragraph 2.2 of

the general delegations) requires consultation between key officers and members and provides:

“To take emergency action on behalf of the Council on any matter in cases of urgency or emergency with, wherever possible, prior consultation with the Chief Executive and Director of Corporate Services and the Executive Member and the Chairman of the appropriate Policy and Scrutiny Panel or Committee and subject to a report as soon as possible afterwards to the appropriate body.”

- 3.4 Members will be aware that a report was presented to the Executive at its meeting on 24th June 2020, as required by the delegation, setting out the decisions that had been taken. In addition the Chief Executive provided details of decisions taken as well as other actions implemented in updates to all councillors and the Director of Development & Environment has been issuing regular directorate bulletins to members.
- 3.5 As the government is now progressing with easements of the COVID-19 lockdown the council is also undertaking transitional and recovery work and planning for the future. Policy and Scrutiny Panels will obviously play a key role in that work, garnering and informing on community and business views and needs and advising on policy development as well as scrutinising decisions and monitoring their implementation. To assist this work enhanced governance arrangements are being implemented. The forward plans for the council and executive will include proposals for policy and scrutiny engagement. Those proposals will be considered by the Policy & Scrutiny Panel chairpersons and vice-chairpersons in recommending work plans to the panels and to form an overarching workplan for all the panels to ensure that effort is focussed, and duplication avoided. The panels will aim to be outcome oriented and will consider the working methods and activities that will drive that ambition e.g. more flexible task and finish groups and use of processes such as investigation days rather than the more constrained formal committee style meetings. It is understood that this committee's chairman will be invited to observe the work of the Policy & Scrutiny Panel Chairs and Vice-Chairs meetings and, of course, this committee may require further updates on the processed and procedures being adopted by all parts of the council.

4. CONSULTATION

The delegated decision procedure requires consultation with key persons at the time of the decision and reporting to wider member bodies thereafter.

5. FINANCIAL IMPLICATIONS

None arising directly from this report but the decisions taken and reported to Executive contained financial implications information.

6. LEGAL POWERS AND IMPLICATIONS

There are no direct legal implications from this report.

11. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

None arising directly from this report.

12. RISK MANAGEMENT

N/A.

13. EQUALITY IMPLICATIONS

N/A.

14. CORPORATE IMPLICATIONS

The report details constitution provisions and governance processes.

15. OPTIONS CONSIDERED

None.

AUTHORS

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BACKGROUND PAPERS

Council Constitution