

Full Council 11 June 2020 Dispensation for non-attendance at committee meetings

For Decision

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| Portfolio Holder: | Cllr S Flower, Leader of the Council |
| Local Councillor(s): | All |
| Executive Director: | Jonathan Mair, Corporate Director Legal & Democratic |

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Report Status: Public

Recommendation:

That all members of council receive a dispensation in relation to Section 85 of the Local Government Act for the period up to and including 6 May 2021 for the reason that not all members may be able to attend a virtual committee meeting during this pandemic period.

Reason for Recommendation:

To prevent members from being disqualified as a councillor during the Covid-19 pandemic period whilst the Council has reduced the number of committee meetings taking place.

1. Executive Summary

On 23 March 2020 Prime Minister Boris Johnson announced that lockdown measures would be introduced in the UK in an attempt to limit the spread of Covid-19. As a result of these unprecedented measures the majority of Dorset Council staff started working from home to comply with the lockdown rules and

all face to face committee meetings, including the Annual Meeting of Council were postponed.

Whilst the Council awaited new regulations to be made to enable virtual committee meetings to take place, officers in Democratic Services and ICT started work on putting in place arrangements to enable virtual meetings to take place as soon as legally possible. On 2 April 2020 the Government laid new regulations which came into force on 4 April 2020 giving councils powers to hold meetings remotely to enable critical decisions to be made during the pandemic period. The regulations are titled 'The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No. 392. The new regulations are in force until 7 May 2021.

Due to the additional resources required to put in place virtual meetings (3 democratic services officers are needed to support each meeting instead of the normal 1) and the Council's focus on supporting vulnerable residents in the community, the Leader of Council made the decision to prioritise a number of committees that would be run as virtual meetings: Cabinet, Audit & Governance Committee, 3 Area Planning Committees, Licensing Sub-committees, Resources Scrutiny Committee and School Appeal Hearings. The Annual Meeting of Council has been postponed until 3 September 2020.

2. Financial Implications

Savings will be achieved by councillors not claiming travel costs for attendance at meetings.

3. Climate implications

Reduction in carbon dioxide emissions from councillors not driving to attend committee meetings that have been postponed during the Coronavirus pandemic.

4. Other Implications

N/a

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Medium

Residual Risk: Medium

7. Equalities Impact Assessment

An EqIA has not been undertaken in respect of this decision however an impact assessment had been undertaken in respect of holding virtual committee meetings.

8. Appendices

None

9. Background Papers

Section 85 of the Local Government Act 1975

Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No. 392

10. Dispensation for non-attendance at committee meetings

- 10.1 Section 85 of the Local Government Act 1972 provides that councillors who have not attended a meeting in any 6 month period since their last committee attendance will automatically cease to be a member of the Council. This section applies automatically unless the failure to attend is approved by Full Council in advance.
- 10.2 During this pandemic period the normal schedule of Full Council, committee meetings has been temporarily suspended with a focus on prioritising key decision making through virtual meetings of Cabinet, quasi-judicial committees, Audit and Governance Committee and scrutiny via the Resources Scrutiny Committee. Attendance by a committee member at a virtual meeting does meet the requirements of Section 85 of the Local Government Act for attendance. However, a number of councillors may not have the opportunity to attend a virtual committee meeting depending on which committees they have been appointed to and whether those committees are being held. In addition the Covid-19 pandemic increases the risk that councillors may become unwell and therefore unable to attend a virtual committee meeting.
- 10.3 It is therefore considered appropriate, that during this public health crisis, an automatic dispensation is given to all councillors in respect of the 6 month non-attendance rule, up to and including 6 May 2021.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.