

**To:** Council

**On:** 25 June 2020

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**Report by:** Director of Finance and Resources

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**Heading:** Governance Arrangements until 24 September 2020

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## **1. Summary**

- 1.1 The purpose of this report is to seek the Council's approval to temporary governance arrangements being put in place over the summer recess and to approve the arrangements for the next cycle of Board meetings up to the next full Council meeting on 24 September 2020.
- 1.2 The arrangements in the report are necessary to provide a decision-making framework for the Council as it continues to respond to the Covid-19 pandemic and as it adapts to the phased removal of lockdown restrictions. These arrangements will enable the Council to respond to any changes in guidance or legislation relating to the Covid-19 emergency and to consider the impact of those changes on the Council and the services it provides.
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## **2. Recommendations**

- 2.1 Council is asked to:
- a) approve the temporary governance arrangements for summer 2020 as set out in section 4 of this report including the arrangements for the Emergencies Board to meet every two weeks and for the revised membership and remit of the Emergencies Board;
  - b) approve the arrangements for the next cycle of Council and Board meetings set out in section 5 of this report;

- c) note that the arrangements for subsequent Board cycles will be the subject of a report to Council on 24 September 2020;
  - d) agree that for the purposes of Section 35 of the Local Government (Scotland) Act 1973, where an elected member has been unable to attend a meeting of a Council or Board because it has been cancelled or attendance has been reduced due to the Council's response to the Covid-19 emergency, that will be regarded as an approved reason for not attending by the Council.
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### **3. Background**

- 3.1 The Council has put in place emergency governance arrangements to enable oversight of the Council's functions and services during the Covid-19 emergency, in circumstances where it was not possible for meetings of the Council's Boards to take place safely in Renfrewshire House.
  - 3.2 These emergency arrangements that have been in place since 20 March 2020, included weekly meetings of the Emergencies Board, held remotely by Skype, extended emergency delegations to the chief executive and the cancellation of all Council and Board meetings up to 24 June 2020.
  - 3.3 The emergency arrangements were put in place at a time when it was not possible to know the full impact of the virus and it was not known when it would be possible for Board meetings to recommence. However, to enable the position to be reviewed the Council meeting on 25 June 2020 was not cancelled.
  - 3.4 Subsequently, it was agreed at the Emergencies Board on 29 May 2020 that the meeting today should go ahead and that a report would be brought to the meeting to outline proposals for governance arrangements over the summer recess and for the next cycle of meetings up to the Council meeting on 24 September 2020.
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### **4. Arrangements for Summer 2020**

- 4.1 In normal circumstances, after the Council meeting in June, the Council would go into recess with no meetings taking place until the first Board meetings in the August/September cycle of meetings.
- 4.2 However, for this year, due to the ongoing Covid-19 pandemic and its implications for Renfrewshire, it is proposed that the Emergencies Board continues to meet during the recess. The proposal is that the meetings will be held fortnightly with the next meeting on Friday, 3 July 2020 at 3pm. The meetings will be held remotely.

- 4.3 It is also proposed that as a temporary measure the membership of the Emergencies Board is expanded to 15 members with the membership comprising 8 members from the SNP Group, 3 members from the Labour Group, 2 members from the Conservative Group, 1 member for the Independent Group and the Liberal Democratic member. The Board will continue to be chaired by Cllr McGurk. The Group Leaders are asked to confirm their representatives on the Board to the Head of Corporate Governance by 5pm on 1 July 2020.
- 4.4 In addition, to clarify the continuing role of the Board in anticipation of the return of policy board meetings and the continued delegations to the chief executive it is proposed as a temporary measure to amend the remit of the Board so that it states:
- “To oversee the activities of the Council, including the deployment of resources, in the event of any emergency, such as may be defined by the Chief Executive. During the emergency, the Board will take decisions on any matter which involves a significant change to Council policy which due to urgency cannot wait until the next meeting of the relevant Policy Board or Council and which do not fall within delegations given to any officer.”
- 4.5 The existing emergency delegations to the chief executive will continue until the commencement of the next Board cycle on 19 August 2020. This will complement the delegation which the chief executive has during the summer recess each year to deal with any operational matter.
- 4.6 The temporary measures put in place for the Emergencies Board as outlined above, will be reviewed at the Council meeting on 24 September 2020.

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## **5. Arrangements for the August/September Cycle of Meetings**

- 5.1 The dates for meetings of the Council and Boards from August 2020 to June 2021 were approved by Council on 26 September 2019. Those dates, including those during the August and September Board cycle, have remained in place as scheduled and are listed in the appendix to this report.
- 5.2 The Council therefore needs to consider whether, in light of government guidance and legislation to tackle the Covid-19 pandemic currently in force, the next cycle of meetings should take place, and if so, what format those meetings should take.
- 5.3 It is proposed that the planned meetings in August and September do take place and that the meetings take place remotely using video or audio links. The reason for the meetings taking place in this way is that although there is no specific guidance relating to formal meetings of bodies such as local authorities, there is government guidance that advises against indoor gatherings of people not from the same household.

Therefore, until the position is clarified, it is not possible to hold meetings in the Council Chamber or any of the committee rooms in Renfrewshire House or any other indoor venue.

- 5.4 It is recognised that for the meetings to take place effectively, all members of the Boards will require to have the necessary equipment to enable them to take part. Relevant training and technical support will also be made available for elected members.
- 5.5 It is also recognised that holding meetings in this way means that the public are excluded from the meetings and cannot watch proceedings as they occur. To partly address this issue, it is proposed that the meetings will be recorded and broadcast as soon as possible after the meeting has finished. Officers will also continue to investigate ways of enabling public attendance at meetings held by video/audio link and at the potential for streaming each meeting as it happens.
- 5.6 Due to the re-convening of the Policy Boards, there will be no need for the emergency delegations given to the chief executive on 20 March to continue after 18 August 2020. However, although the Policy Boards will begin to meet again from August, the governance of the Council still needs to be sufficiently flexible to respond to the rapidly changing situation during the pandemic. Accordingly, it is proposed that the Emergencies Board will continue to meet fortnightly to deal with any matters that require urgent decisions to be taken until the Council meeting on 24 September 2020.
- 5.7 Although it is not possible to predict how long the current emergency will last, it is hoped that guidance may change as the relaxation of lockdown restrictions continues through the phases of the route-map issued by the Scottish Government. Therefore, the arrangements for future Council and Board meetings will continue to be reviewed and will be the subject of a report to Council on 24 September 2020.

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## **6. Attendance at Meetings**

- 6.1 Section 35 of the Local Government (Scotland) Act 1973 provides that if a member of a local authority fails throughout a period of six consecutive months to attend any meeting of the authority, they shall, unless the failure was approved by the authority, cease to be a member of the authority. It is proposed that for the purposes of section 35, where an elected member has been unable to attend any meeting of the Council or a Board because it has been cancelled or attendance has been reduced due to the Council's response to the Covid-19 emergency, that will be regarded as an approved reason by the Council.
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## Implications of the Report

1. **Financial** – None
2. **HR & Organisational Development** - None
3. **Community/Council Planning** – None
4. **Legal** – As detailed in the report.
5. **Property/Assets** – None
6. **Information Technology** – None
7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – The proposals in the report recognise that it is not currently possible for formal council and board meetings to take place safely in Renfrewshire House.
9. **Risk** - None
10. **Privacy Impact** – None
11. **Cosla Policy Position** - None
12. **Climate Risk** - None

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## List of Background Papers –

- 1) Minute of the meeting of the Emergencies Board on 20 March 2020.
- 2) Report to the Emergencies Board on 29 May 2020 headed “Arrangements for the Council meeting on 25 June 2020.”

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**Author:** Ken Graham, Head of Corporate Governance.



August 2020						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 Public Holiday	4 recess	5 recess	6 recess	7 recess	8
9	10 recess	11 recess	12 recess	13 recess	14 recess	15
16 - 1/1	17	18 – 1pm: Communities, Housing & Planning 3pm: - Police and Fire & Rescue Scrutiny	19 – 10am: Regulatory Functions	20 - 1pm: Education & Children's Services	21	22
23 - 2/1	24 – 10am: Audit, Risk & Scrutiny	25	26 – 1pm: Infrastructure, Land & Environment	27 - 9.30am: Appeals	28	29
30 - 3/1	31 – 2pm: Petitions					
September 2020						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 – 2pm: JNC	2 – 2pm: Finance, Resources & Customer Services	3 - 10am: Regulatory Functions	4	5
6 - 4/1	7	8 – 2pm: Local Review Body	9	10	11	12
13 - 5/1	14	15	16 – 1pm: Leadership	17	18	19
20 - 6/1	21 - 10am: Audit Risk & Scrutiny	22	23	24 – 9.30 am Council	25 Public Holiday	26
27 - 7/1	28 Public Holiday	29	30			