

**REPORT TO:** East Lothian Council

**MEETING DATE:** 17 March 2020

**BY:** Depute Chief Executive (Resources & People Services)

**SUBJECT:** COVID-19 – Emergency Recess Procedures

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## **1 PURPOSE**

- 1.1 To put in place procedures for the democratic decision-making process to continue in the event that East Lothian Council committee meetings are unable to be convened as a result of the current COVID-19 outbreak.

## **2 RECOMMENDATIONS**

- 2.1 The Council is asked to:
- 2.1.1 approve the COVID-19 Emergency Recess Procedures as outlined in Sections 3.3 to 3.6 of this report
- 2.1.2 delegate to the Chief Executive, in consultation with the three Political Group Leaders, the decision to invoke the COVID-19 Emergency Recess Procedures, as and when necessary
- 2.1.3 delegate to the Chief Executive, in consultation with the three Political Group Leaders, the application of specific provisions for the approval of certain types of business, as set out in Section 3.7
- 2.1.4 note that a summary of all business carried out during the Emergency Recess will be brought to the next full Council meeting and that copies of all reports will be lodged in the Members' Library.

## **3 BACKGROUND**

- 3.1 Due to the ongoing public health concerns, and the guidance that has been issued as a result of the current COVID-19 outbreak, it is proposed that measures are put in place to allow an Emergency Recess to be invoked whereby all or any of the Council's scheduled committees from 18 March 2020 until further notice, as determined by the Chief Executive, in consultation with Political Group Leaders could be cancelled and necessary business dealt with as outlined as Section

3.3 to 3.6 of this report. It will be for the Chief Executive to determine when the Emergency Recess ends.

3.2 This is not a replacement committee of the Council or indeed Administration, but a way of making cross-party decisions regarding significant pieces of necessary business, to be supported electronically and through conversation.

3.3 It is proposed that during the Emergency Recess, the following arrangements are invoked:

In the event of an Emergency Recess required as a result of the COVID-19 outbreak, as determined by the Chief Executive in consultation with the three Political Group Leaders, the three Political Group Leaders (or their deputies), along with the relevant Cabinet Spokesperson (or their deputy), will deal in their discretion with the necessary business of the Council presented to them for consideration by the Chief Executive, or officers authorised by him/her to act on his/her behalf. For a matter to be approved, it will require the approval of the Council Leader (or their deputy) and one other Group Leader (or their deputies). This will include matters that would normally require approval of two-thirds of Councillors.

3.4 It is requested that each Political Group Leader nominates a named deputy for the purpose of approving business submitted for approval during the Emergency Recess. In the event that a Group Leader is unavailable to take decisions, and their nominated deputy is acting on their behalf, the deputy will provide the name of a further deputy who could act on their behalf if they themselves become unavailable.

3.5 If the Emergency Recess arrangements, as set out in Section 3.3, are approved, all Members will be advised of the processes that will be followed in the event of an Emergency Recess being called.

3.6 All business undertaken during the Emergency Recess will be subject to reports to the Members' Library, and a summary report will be presented to the next meeting of the Council outlining all the business undertaken.

3.7 Members are advised that there may be a need to apply special provisions to specific committees, including the Planning Committee, Local Review Body (Planning), Licensing Sub-Committee, Musselburgh Racing Associated Committee, Homelessness Appeals Sub-Committee and Employee Appeals Sub-Committee. It is proposed that delegation to approve such provisions is given to the Chief Executive, in consultation with the three Political Group Leaders. In the event that such special provisions are not put in place, business will be continued until normal service resumes. The Licensing Board and East Lothian Integration Joint Board will make their own provisions for the continuity of business.

#### **4 POLICY IMPLICATIONS**

4.1 None

#### **5 INTEGRATED IMPACT ASSESSMENT**

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy. Individual Integrated Impact Assessments will be carried out in accordance with the usual procedures.

#### **6 RESOURCE IMPLICATIONS**

6.1 Financial – None

6.2 Personnel - None

6.3 Other - None

#### **7 BACKGROUND PAPERS**

7.1 East Lothian Council Standing Orders

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