

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY
(as a result of the Council meeting on 25 March 2020 being cancelled
due to Covid-19 situation)

***PART 1 – PUBLIC DOCUMENT**

Any interest to declare/ or conflict and any dispensation granted *[if applicable]*

SERVICE DIRECTORATE: Chief Executive

1. DECISION TAKEN

In respect of the Council Agenda – 25 March 2020 – Item 2 – Resolution to Extend the 6 Month Rule – Section 85 Local Government Act 1972

- (1) That an extension of the six-month rule for Councillor Bill Davidson, on ill-health grounds, for an additional six-month period, until 9 October 2020 be approved
- (2) That the power to grant an extension, on health grounds, be delegated to the Democratic Services Manager, in consultation with Group Leaders during the coronavirus pandemic, such delegation to last for the term of the pandemic, or to cease if not renewed by Council / or under emergency powers in July 2020.

2. DECISION TAKER

The Chief Executive in consultation with the Leader of the Council

3. DATE DECISION TAKEN:

3 April 2020

4. REASON FOR DECISION

The Council meeting on 25 March 2020 was cancelled due to the Covid-19 situation.

Section 85 of the Local Government Act 1972 states that 'if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority'. Whilst the Local Government Association has been lobbying for this to be dealt with (potentially under the Coronavirus Bill 2020), at the stage of finalising the report, this has not been included.

The decision at (1) is therefore required to enable Cllr Davidson to continue to serve as a District Councillor. The decision at (2) is to cover the pandemic emergency

5. CONSULTATION WITH COMMITTEE MEMBERS

Consultation including the effect on stakeholders, partners and the public is contained within the report published with the Council agenda for the meeting on 25 March 2020.

Given the current Covid-19 situation and government advice regarding gatherings, the meeting of the Council was not possible. Therefore, the Council Members were requested to provide an indication as to how they would have voted and any comments as to guide the decision maker.

By the prescribed deadline 33 Votes were cast in favour of decision (1) with 1 abstention.
34 votes were cast in favour of decision (2).

The following Members of Council voted: Councillors Ian Albert, David Barnard, Judi Billing, John Bishop, Ruth Brown, Val Bryant, Paul Clark, Sam Collins, George Davies, Morgan Derbyshire, Faye Frost, Jean Green, Gary Grindal, Simon Harwood, Terry Hone, Keith Hoskins, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Jim McNally, Ian Moody, Michael Muir, Sue Ngwala. Sean Prendergast, Mike Rice, Adem Ruggiero-Cakir, Carol Stanier, Martin Stears-Handscomb, Claire Strong, Richard Thake, Terry Tyler, Tom Tyson and Michael Weeks.

There were no comments made by Members.

6. SUPPORTING REPORT

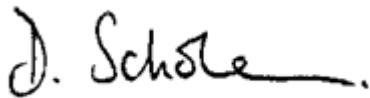
Other information relevant to the decision, such as legal, financial, risk, social value and equality implications, is contained within the report published as Item 2 within the Council agenda for the meeting on 25 March 2020 via link below:

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=136&MId=2211&Ver=4>

NOTIFICATION DATE

3 April 2020

Signature of Decision Taker

A handwritten signature in black ink, appearing to read 'J. Schole', with a horizontal line extending to the right.

Call-in does not apply to NON-EXECUTIVE DECISIONS

In respect of Executive Decisions, as per section 6.3.11(b) of the Constitution 'Call-In and Urgency', the call-in procedure does not apply when the decision being taken is urgent. For the purposes of the current Coronavirus pandemic, this decision is considered to be urgent (as normal meetings and the decision-making process has been suspended). The Chair of Council has been informed and agrees that the decision is a reasonable one in the circumstances and is to be treated as a matter of urgency.