

**ANNUAL COUNCIL
26 MAY 2021**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: APPROVE A PROGRAMME OF ORDINARY MEETINGS FOR THE COUNCIL FOR THE CIVIC YEAR 2021/22

REPORT OF THE DEMOCRATIC SERVICES MANAGER

COUNCIL PRIORITY: BE A MORE WELCOMING, INCLUSIVE AND EFFICIENT COUNCIL

1. EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to seek approval to a programme of ordinary meetings of the Council for the Civic Year 2021/22.

2. RECOMMENDATIONS

- 2.1 That the following programme of ordinary meetings of the Council be approved for the Civic Year 2021/22:

Thursday, 8 July 2021 – 7.30pm
Thursday, 23 September 2021 – 7.30pm
Thursday, 11 November 2021 – 7.30pm
Thursday, 20 January 2022 – 7.30pm
Thursday, 10 February 2022 – 7.30pm
Wednesday, 23 March 2022 - 7.30 pm

- 2.2 That the Calendar of Meetings for 2021/22, as attached as Appendix A, be approved.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To enable Members to agree a programme of ordinary meetings of the Council for 2021/22.
- 3.2 To enable Members to agree the Calendar of meetings for 2021/22.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 A number of alternative dates were considered during consultation.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 Consultation has been undertaken with the political Group Leaders.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 Standing Order 4.8.1(a)(xi) requires the Council, at its Annual meeting, to approve a programme of ordinary meetings of the Council for the ensuing Civic Year.

8. RELEVANT CONSIDERATIONS

- 8.1 Following consultation with the political Group Leaders, the following dates are recommended for ordinary meetings of the Council during the Civic Year 2020/21:

Thursday, 8 July 2021 – 7.30pm

Thursday, 23 September 2021 – 7.30pm

Thursday, 11 November 2021 – 7.30pm

Thursday, 20 January 2022 – 7.30pm

Thursday, 10 February 2022 – 7.30pm

Wednesday, 23 March 2022 - 7.30 pm

- 8.2 Should circumstances dictate that any extraordinary meetings of the Council are required to deal with time critical issues in addition to the above programme of meetings then these will be arranged as necessary.
- 8.3 Following consultation with the political Group Leaders, the Calendar of Meetings for 2021/22, as attached as Appendix A, is recommended for the Civic Year.
- 8.4 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 ('the Regulations'), which allowed Council and Committee meetings to be held virtually, expired as of 7 May 2021.
- 8.5 On 21 April 2021 Lawyers in Local Government (LLG), the Association of Democratic Services Officers and Hertfordshire County Council asked the High Court to declare that the Local Government Act 1972 empowers local authorities to hold meetings remotely, including whether press and public could also be permitted to attend remotely under the Act.
- 8.6 On 28 April 2021 judgement was handed down by the high court that "*the Secretary of State was correct in November 2016 and July 2019 to say that primary legislation would be required to allow local authority "meetings" under the 1972 Act to take place remotely. In our view, once the Flexibility Regulations cease to apply, such meetings must take place at a single, specified geographical location; attending a meeting at such a location means physically going to it; and being "present" at such a meeting involves physical presence at that location. We recognise that there are powerful arguments in favour of permitting remote meetings. But, as the consultation documents show, there are also arguments against doing so. The decision whether to permit some or all local authority meetings to be conducted remotely, and if so, how, and subject to what safeguards,*

involves difficult policy choices on which there is likely to be a range of competing views. These choices have been made legislatively for Scotland by the Scottish Parliament and for Wales by the Senedd. In England, they are for Parliament, not the courts". The result of this judgment is that Council and Committee meetings can no longer be held virtually from 7 May 2021.

9. LEGAL IMPLICATIONS

- 9.1 The terms of reference for the Annual Council include “approving a programme of ordinary meetings of the Council for the year”.
- 9.2 Provisions for calling meetings, enabling the public to be present and making documents available are contained in two principal pieces of legislation: the Local Government Act 1972, ss 100A to 100K for meetings of the full council and for non-executive committees and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 for executive meetings, in particular cabinet.
- 9.3 The Local Government Act 1972 requires members to be physically present in order for a meeting to take place.

10. FINANCIAL IMPLICATIONS

- 10.1 No financial implications arise directly from this report. A schedule of meetings forms part of the Council’s usual business arrangements.

11. RISK IMPLICATIONS

- 11.1 There are no direct risk implications arising from this report.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 There are no equalities implications in this report.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 There are no human resource implications.

16. APPENDICES

16.1 Appendix A – Calendar of Meetings 2021/22

17. CONTACT OFFICERS

Author

17.1 Hilary Dineen, Committee, Member and Scrutiny Manager
hilary.dineen@north-herts.gov.uk
01462 474353

Contributors

17.2 Melanie Stimpson, Democratic Services Manager
melanie.stimpson@north-herts.gov.uk
01462 474208

17.3 Nurainatta Katevu
Legal Regulatory Team Manager and Deputy Monitoring Officer
Nurainatta.katevu@north-herts.gov.uk
01462 474364

17. BACKGROUND PAPERS

17.1 None.