

THE VALE OF GLAMORGAN COUNCIL

REQUEST FOR THE USE OF EMERGENCY POWERS – CORONAVIRUS PANDEMIC

SUBJECT: Postponement of the 2020 Annual General Meeting of the Shared Regulatory Services Joint Committee

1. **Originating / Department / Service –**

Shared Regulatory Services

2. **Reason for Seeking Emergency Powers –**

PLEASE SPECIFY BELOW ~~and attach appropriate Committee report / minute/ memo~~ * (* delete as appropriate)

The Shared Regulatory Services Joint Working Agreement (JWA) requires that the Joint Committee holds its Annual Meeting by the 30th June each year, and that the annual report of the Head of Shared Regulatory Services is presented at this meeting (see Clause 5.1 in the excerpt from the JWA which is appended). However, The Covid19 pandemic has resulted in a number of logistical difficulties in staging the 2020 Joint Committee AGM, either as a face to face meeting, or remotely.

Following implementation of the Coronavirus Act 2020 and the Local Authority (Remote Meeting) (Wales) Regulations 2020, the current position in the Vale of Glamorgan Council as host authority for the SRS, is that quasi-judicial meetings are taking place remotely, but not transactional meetings. Decision making for those matters considered to be urgent, and in respect of which, a meeting cannot be convened, requires that Managing Director Emergency Powers are obtained and reported on the Vale of Glamorgan Council's website.

In recognition of the difficulties caused by the COVID19 pandemic, the Local Authority Remote Meeting Regulations provide that a Local Authority is not required to hold its Annual Meeting until the end of the 2020 calendar year. It is understood that like the Vale of Glamorgan Council, neither Cardiff Council nor Bridgend County Borough Council have yet held their Annual meetings, and in this context, agreement of all three Councils has been sought, and obtained, to enable the Joint Committee AGM to be postponed. This would mean that presentation of the SRS Annual Report and other agenda items would take place at the postponed meeting.

Emergency powers are now requested to formalise this position for the Vale of Glamorgan Council, and similar arrangements are likely to be made by the other participant Councils.

3. **Policy Framework and Budget** –

PLEASE INDICATE as appropriate that the matter that you are seeking the use of Emergency Powers for is a Cabinet or Council function.

Council

4. **Relevant Scrutiny Committee** –

- Healthy Living and Social Care
- Homes and Safe Communities

Excerpt from the Shared Regulatory Services Joint Working Agreement

5. Annual Joint Committee and other Reports

5.1 The Joint Committee shall receive in each year at its annual meeting which shall be held no later than 30th June the report of the Head of Regulatory Services and the Lead Financial Officer in respect of the functions delegated to the Joint Committee relating to the twelve months ending 31st March of that year and a copy thereof shall be forwarded to the Chief Executive of each Participant. The report shall include:-

- (i) a statement showing the performance of the Regulatory Service Functions and progress in achieving the Objectives and delivering the Business Plan*
- (ii) a summary revenue account and statement of capital spending including the distribution or use of any revenue surpluses and the financing of any capital expenditure*

5.2 The Joint Committee shall meet on or before the 30th September in each Financial Year to approve the Audited Statement of accounts of the Joint Committee for the previous financial year.

5.3 As to the calling of other meetings of the Joint Committee and matters to be considered then the provisions of Schedule 2 (Joint Committee Terms of Reference) shall apply

5.4 As and when required by an Overview and Scrutiny Committee or an Audit Committee of a Participant, the Chair of the Joint Committee (or in his absence the Vice Chair) shall attend a meeting of such Overview and Scrutiny Committee or Audit Committee together with the Head of Regulatory Services to account for the activities of the Joint Committee

5.5 Participants will liaise about requests from their Overview and Scrutiny Committees and Audit Committees and shall consider joint scrutiny

IMPORTANT

The following sections **must** be completed **prior** to the request being submitted to the Democratic and Scrutiny Services Section for processing.

I confirm (delete as appropriate)

(a) That there are no financial implications and the relevant Cabinet Member, Leader and / or the Deputy Leader has been consulted and is in agreement with the use of Emergency Powers

~~(b) That, in view of the financial commitments, the Head of Financial Services, the appropriate Chief Officer, the relevant Cabinet Member, Leader and / or Deputy Leader have been consulted and are in agreement with the use of the Emergency Powers and that~~

~~(c) For matters relating to the Planning Committee the Chairman of the Planning Committee has also been consulted and is in agreement with the use of Emergency Powers;~~

~~(d) For matters relating to the Licensing Committee the Chairman of the Licensing Committee has also been consulted and is in agreement with the use of Emergency Powers.~~

~~(e) For matters relating to the Welsh Church Act Estate Committee the Chairman of the Welsh Church Act Estate Committee has also been consulted and is in agreement with the use of Emergency Powers.~~

~~(f) For matters relating to policy the relevant Scrutiny Committee Chairman has been consulted and is in agreement with the use of Emergency Powers.~~

Signed: D. Holland
(Instructing Chief Officer)

Date: 19.6.2020

Please print name: Dave Holland

I hereby approve under my Emergency Powers the attached recommendation(s) on behalf of the Cabinet / Council (please delete as appropriate).

Signed: D.R. Thomas..... **Date:** 4th July 2020.....
Managing Director

NB Should the relevant portfolio Cabinet Member be unable to be consulted only the Leader and / or Deputy Leader be consulted in their absence.

N.B. Cabinet: 23rd March, 2020 Minute No. 295