



LANCASTER
CITY COUNCIL

Promoting City, Coast & Countryside

COUNCIL MEETING

Tuesday, 28 April 2020 - 6.00 p.m.

Please note – this will be a ‘remote meeting’, a link to which will be available on Lancaster City Council’s Website at least 24 hours before the meeting.

Anyone wishing to make an address or ask a question of Council should register by contacting democracy@lancaster.gov.uk with their question or speech no later than 12:00pm on Thursday 23rd April 2020.

Kieran Keane,
Chief Executive,
Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ



LANCASTER CITY COUNCIL

Promoting City, Coast & Countryside

Sir/Madam,

You are hereby summoned to attend a meeting of the Lancaster City Council to be held remotely on Tuesday, 28 April 2020 commencing at 6.00 p.m. for the following purposes:

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES**

To receive as a correct record the Minutes of the Meeting of the City Council held on 18 March 2020 (previously circulated).

3. **ITEMS OF URGENT BUSINESS**

4. **DECLARATIONS OF INTEREST**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

5. **ANNOUNCEMENTS**

To receive any announcements which may be submitted by the Mayor or Chief Executive.

6. **QUESTIONS FROM THE PUBLIC UNDER COUNCIL PROCEDURE RULE 11**

To receive questions in accordance with the provisions of Council Procedure Rules 11.1 and 11.3 which require members of the public to give at least 3 days' notice in writing of questions to a Member of Cabinet or Committee Chairman.

7. PETITIONS AND ADDRESSES

To receive any petitions and/or addresses from members of the public which have been notified to the Chief Executive in accordance with the Council's Constitution.

ITEMS DEFERRED FROM THE LAST MEETING

Members please note that the items deferred at the last meeting of Council will be further deferred to a future meeting.

8. LEADER'S REPORT (Pages 5 - 7)

To receive the Cabinet Leader's report on proceedings since the last meeting of Council (*this report was marked "to follow", and was published on 25 April 2020*).

OTHER BUSINESS

9. COMBINED AUTHORITY FOR LANCASHIRE WITH AN ELECTED MAYOR (Pages 8 - 11)

Report of the Chief Executive (*this report was marked "to follow", and was published on 25 April 2020*).

10. REMOTE MEETINGS - PROCEDURE RULES (Pages 12 - 15)

Report of the Monitoring Officer.

11. MAYOR MAKING AND THE ANNUAL COUNCIL MEETING (Pages 16 - 19)

Report of the Democratic Services Manager (*this report was marked "to follow", and was published on 23 April 2020*).

12. SIX MONTH ATTENDANCE RULE (SECTION 85 (1) OF THE LOCAL GOVERNMENT ACT 1972) (Pages 20 - 21)

Report of the Democratic Services Manager (*this report was marked "to follow", and was published on 23 April 2020*).

13. QUESTIONS UNDER COUNCIL PROCEDURE RULE 12

To receive questions in accordance with the provisions of Council Procedure Rules 12.2 and 12.4 which require a Member to give at least 3 working days' notice, in writing, of the question to the Chief Executive.



.....
Chief Executive

Town Hall,
Dalton Square,
LANCASTER,
LA1 1PJ

Published on Tuesday 20 April, 2020.



Leader's Report

28 April 2020

Report of the Leader of the Council

PURPOSE OF REPORT
To present the Leader's report to Council.
This report is public.

RECOMMENDATIONS

To receive the report of the Leader of Council.

REPORT

1.0 Cabinet

The Cabinet meeting scheduled for 17 March 2020 was not formally held due to concerns arising from the coronavirus pandemic and the inability to hold formal virtual meetings at that point. Cabinet held an informal virtual meeting on that date to consider the items that required a decision. The decisions were subsequently taken by the Leader and published as Individual Cabinet Member Decisions (ICMDs). They are available on the City Council website.

2.0 Decisions required to be taken urgently

As required by Access to Information Procedure Rule 17, Rule 15 Special Urgency of the Constitution, the Chair of Overview & Scrutiny Committee was requested to agree to an exempt report being considered at the Cabinet meeting scheduled for 17 March 2020 and agreed to waive call-in on that occasion. Further information is provided in 5.0.

3.0 Leader's Comments

We meet in extraordinary and uncertain times, but it is good that we are meeting, and that the usual rhythm of governance and scrutiny meetings is returning to our council. Although there has been a brief hiatus in formal meetings, that it not to say

that councillors have not continued to be part of governance processes of the council. Cabinet and the Cross-Party COVID working group (made up of nominees from each group and the unaligned members of the council) have met regularly through this period. Where decisions have had to be taken outside of the usual formal meetings structure, we have both tried to keep these to a minimum, and to include committee chairs and members through informal consultation.

COVID response

The Coronavirus pandemic and our nations' response has left little unchanged in our lives, both personal and professional. I'm proud of the extraordinary efforts being made by so many across the Lancaster district, and particularly the work of our officers and councillors. The response by our council has been swift, comprehensive and robust. We completely restructured our staff teams to focus on three core priorities – supporting vulnerable people, assisting local businesses and continuing to deliver our core services, and see the results in 1000s of people and local businesses supported through this crisis. We have also made partnership working a central feature of our work and are grateful for the skills and expertise of our partners from the community, voluntary and faith sectors, as well as parish councils, local businesses, health and education organisations. More than 1000 people have volunteered to be part of the pandemic response across the district, and at the moment we continue to have far more volunteers available than are needed to meet the requests for help. Although we are working hard to make sure that everyone knows they can ask, and aren't holding back, because they worry that in asking, they'll deprive someone else.

COVID Recovery

While we are still awaiting the peak in Lancashire, thoughts are increasingly turning to recovery and long-term impact on the council, on our district, our nation and the world. Perhaps the only thing that is certain about the recovery is that we cannot default back to pre-COVID 'business as usual'. We were in a climate emergency before COVID, and we remain in that climate emergency, but now we have seen how quickly things can change when there is a consensus that urgent action is needed. The challenge now is to chart a new way forward, that meets the climate emergency, helps to develop a sustainable and just local economy that serves our district and continues to build the power of our community.

Council budget

Many of you will have seen my recent letter to the Prime Minister, highlighting the need for him to honour the commitments given by his ministers at the beginning of the crisis, when they urged councils to do whatever it takes to respond to this pandemic and assured us they would financially support us. Although that letter writing campaign secured an additional £1.6billion in emergency funding, we are still awaiting advice from MHCLG as to how that money will be distributed. Lancaster City Council only received £101 034 from the first £1.6billion and had expended 150% of these funds (£150 387) by the end of March.

It is clear that the financial impacts of the pandemic mean that as a council we will have to revisit and revise our budget, and officers and cabinet members have

begun that work. The challenge at the moment is the sheer quantity of unknowns which makes financial modelling and projections extremely difficult. We neither have clear information about our income, nor our outgoings. Sound financial management of this council over many years, means we have more resilience than some other councils. At this stage, we should not panic, or rush into shutting everything down, but we will need to prudently review our plans and the financial resilience group will play an important role in that.

Before COVID we were arguing for a radical change in the way government worked with local government, how we were funded and the responsibilities that we had. That campaign must continue. The costs and risks of eroding public services, dismantling the welfare safety net and increasing inequality are particularly obvious at this time, and we cannot go back to the old normal.

4.0 Other Matters

The ICMD notice in relation to the Lancaster High Streets Heritage Action Zone is attached at the end of this agenda. The ICMD in relation to the Property Investment Proposal decision is exempt from publication by virtue of Paragraph 3 of Schedule 12A of the Local Government Act, 1972.

5.0 Key Decisions

The following Key Decisions were due to be considered by Cabinet on 17 March 2020:

- (1) Lancaster High Streets Heritage Action Zone
- (2) Property Investment Proposal – Urgent Business

The scheduled formal meeting of Cabinet on that date was not held, due to health and safety concerns in view of the coronavirus pandemic. A virtual informal Cabinet meeting was held at that time in order that the Leader could discuss the reports and recommendations with Cabinet members prior to taking a decision.

Prior to the decision not to hold the Cabinet meeting on 17 March, the Chair had agreed to an item of urgent business with regard to a Property Investment Proposal. The Chair of Overview and Scrutiny had agreed for the item to be considered under Rule 15 Special Urgency and had agreed to waive call-in on the item as a decision was required before 30 March 2020. The decision was taken by the Leader on 19 March 2020.

The following Officer Delegated (Key) Decisions were taken during this period:

- (1) Major Void Contract
- (2) Purchase of four refuse vehicles

Background Papers

Cabinet agenda 17 March 2020.

COUNCIL

Combined Authority for Lancashire with an Elected Mayor

28 April 2020

Report of the Chief Executive

PURPOSE OF REPORT
To enable Council to form an in-principle decision regarding a Combined Authority for Lancashire, with an Elected Mayor.
This report is public

RECOMMENDATION

- (1) That Council supports ongoing work at a pan-Lancashire level to develop a model for a combined authority with a mayor.**

1.0 Introduction

- 1.1. This report invites Lancaster City Council to consider whether or not it is, in favour of support pan-Lancashire work to develop of model for a combined authority for Lancashire with an elected mayor.
- 1.2. The debate on a combined authority for Lancashire has been on-going for a number of years and after seeming to stall for a number of years, has been renewed in this calendar year. The catalyst for this appearing to be the Prime Minister's comments at last year's Northern Powerhouse Summit he wanted to progress devolution in those areas that did not already have some form of devolution and that devolution was tied to having an elected mayor.
- 1.3. There are now ten combined authorities across the country, ranging from the longest established – in Greater Manchester – to recently announced merging combined authority in West Yorkshire. Each have a different number of constituent local authorities and varying levels of devolved funding and powers from Government.
- 1.4. This paper does not ask Council to take a view on forming a unitary council with neighbouring councils to either the north or the south. Conversations about closer working arrangements and the benefits of collaboration continue, particularly with South Lakeland District Council and Barrow Borough Council.

2.0 Proposal

- 2.1 The establishment of a combined authority for Lancashire is an opportunity to create a single, clear and influential voice for Lancashire. It is a mechanism to gain powers and funding from Government. A combined authority is a legally formed, locally owned

body established by national legislation. Its aim is to carry out agreed joint functions (determined by the authorities in Lancashire) and to enable collaboration and collective strategic decisions across boundaries.

2.2 Agreeing a combined authority enables a devolution deal or other agreements to take place with government across a variety of public service areas. Typically, in other places this has included greater control through:

- integrated public services (health and social care, emergency services, housing providers, one public estate, schools)
- spatial planning
- apprenticeships and adult education
- wider freedoms around concessionary travel for young people
- homelessness
- crime e.g. co-commissioning

If you would like further information about the different devolution deals, that information has been collated by the Local Government Association and can be found at <https://www.local.gov.uk/topics/devolution/devolution-online-hub/devolution-explained/devolution-register>

2.3 In the first instance, agreeing to support work on the development of a combined authority, is not taking a position on forming a unitary council either within Lancashire or looking north. However, MHCLG officials have previously advised that a 15-member combined authority is unlikely to be able to demonstrate that it is “likely to improve the exercise of statutory functions”.

2.4 In return for establishing a combined authority Lancashire could expect devolution of funding and powers common to most combined authorities, such as:

- an investment fund
- powers to raise local levies
- powers over police and fire functions
- an integrated transport body and local transport planning
- bus franchising
- strategic housing planning
- powers over land assembly and infrastructure provision
- adult education

GOVERNANCE

2.5 It is for the authorities who make up the combined authority to determine a governance structure that works most effectively in the Lancashire context. There is no uniform agreed governance structure for a combined authority. A combined authority requires the consent of all local authorities covered by the combined authority. This needs to be one whole contiguous geographical area but does not require all the local authorities within the county boundary to be part of the combined authority.

2.6 Eight of the ten existing combined authorities have a directly elected mayor. The elected mayor is the chair of their area's combined authority and is directly elected by the residents of this area. The mayor, in partnership with the combined authority, exercises the powers and functions devolved from government. The government believes the role ensures clear accountability over the powers, functions and funding that is devolved from national to local level.

DEVELOPING THE DETAILED PROPOSAL

- 2.7 The Leaders of the Lancashire local authorities are keen to gain agreement from government formally and are seeking an agreement in principle from all the councils in Lancashire to start this process. Lancashire councils are seeking to achieve this from all councils by the end of April 2020.
- 2.8 The Secretary of State for Housing, Communities and Local Government would then commence the process and identify a Whitehall team Lancashire will work with. Work has already been agreed in principle to develop an evidence base for a Greater Lancashire Plan throughout 2020 which will provide a good baseline of information on a number of themes. This may provide the basis for identifying priorities for a devolution deal but will be reviewed once the work is complete in the Autumn. During 2020 the Lancashire authorities would seek to collectively develop the detailed proposal for consideration by each council, to seek consent. If this is successful a Shadow Combined Authority would be established, although the timeline for this would be determined in 2020/21 when the work around the governance structure is completed.
- 2.9 Once this work is completed the council will consider a further report on the detailed Combined Authority proposal and the consent of full council would be required to proceed.

FINANCE

- 2.10 Approval of the annual budget for the combined authority including decisions on any levies, precepts or other demands for financial contribution from constituent authorities is subject to unanimous agreements by the constituent members. The scale of funding for Lancashire devolved from Government will be determined through the devolution deal but is likely to be significant.

LEGAL

- 2.11 The powers to establish a Combined Authority are contained within the Local Democracy, Economic Development and Construction Act 2009 and The Cities and Local Government Devolution Act 2016. A constitution for the Combined Authority will also be developed. The council's own constitution will be reviewed, and any necessary amendments will be made. A parliamentary order is needed to establish a Combined Authority.

3.0 Conclusion

- 3.1 Prior to COVID the government was strongly indicating that they wanted to see devolution and local government reform. Although we hope the collective council response to the pandemic has demonstrated to government the vital role of district councils, there is a suggestion that not all councils will survive the financial impacts of Coronavirus. So, it seems likely that discussions about devolution and local government reform will continue. Taking a position on a possible combined authority in Lancashire and participating in those discussions will allow our council to continue to explore which local government structures might best serve our residents and our region.

LEGAL IMPLICATIONS

The Legal implications are contained within the report.

FINANCIAL IMPLICATIONS

At this stage there are no significant financial implications to consider.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

DEPUTY MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Contact Officer: Debbie Chambers
Telephone: 01524 582057
E-mail: dchambers@lancaster.gov.uk

COUNCIL

Remote Meetings - Procedure Rules

28 April 2020

Report of the Monitoring Officer

PURPOSE OF REPORT
<p>This report sets out draft additional procedures for remote meetings. The requirement to make this change lies with the Monitoring Officer under his duties to monitor and review the Constitution, set out on page 11, paragraph 10 of the Constitution.</p>
<p>This report is public</p>

RECOMMENDATION

- (1) Council is asked to approve the draft procedure rules for remote meetings (appended) for inclusion in the Constitution.**

1.0 Introduction

- 1.1 The Monitoring Officer has a duty to monitor and review the Constitution and is empowered to make changes to the Constitution as set on page 11 Paragraph 10.
- 1.2 In particular, the Monitoring Officer is required to ensure that the Constitution is up-to-date to ensure that:
- a) Legislative references are updated
 - b) The Constitution reflects the Council's structures and decision-making requirements

2.0 Amendments made

- 2.1 New legislation which allows Council's to hold remote meetings (Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020) recently came into force. This has been addressed by the introduction of remote meeting procedure rules which are in line with the regulations.
- 2.2 The Monitoring Officer has drafted a set of procedure rules for remote meetings, for inclusion in the Constitution. They are appended to this report for Council to consider.

3.0 Conclusion

- 3.1 Council is asked to consider the draft procedure rules for remote meetings for inclusion in the Constitution.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None.

LEGAL IMPLICATIONS

The procedures added to the Constitution are in line with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

FINANCIAL IMPLICATIONS

None identified.

SECTION 151 OFFICER'S COMMENTS

TO BE COMPLETED BY s151 OFFICER

MONITORING OFFICER'S COMMENTS

As set out in the report

BACKGROUND PAPERS

Contact Officer: Debbie Chambers
Telephone: 01524 582057
E-mail: dchambers@lancaster.gov.uk

PROCEDURE RULES FOR THE REGULATION OF REMOTE PROCEEDINGS

PROCEDURE RULE

REMOTE MEETINGS

1. The [Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#) make provision for remote attendance at, and remote access to, council meetings held on or before 7 May 2021.
2. The regulations enable the council to hold meetings without all, or any, of the members being physically present in a room. This allows for remote meetings through electronic, digital, virtual locations, live webcast, live interactive streaming, video and telephone conferencing.
3. The 'place' at which the meeting is held may be a council building, or where the organiser of the meeting is located, or an electronic, digital or virtual location, a web address, or a conference call telephone number.
4. In order for members to be able to attend meetings of the council remotely, they need not be physically present, provided they are able to hear and be heard (and, where possible, see and be seen by) other councillors and members of the public attending remotely or in person.
5. The procedure rules in this constitution apply to remote meetings in the same way as they do for other meetings of the council except where they conflict, in which case this procedure rule takes precedence over other procedure rules in relation to the governance of remote meetings.

6. Process

- 6.1 The council facilitates remote attendance and access to its meetings through the medium of appropriate digital/virtual/conferencing technology, which enables the following to take place:
- 6.2 Contributions to be received from people using a wide variety of devices, not all of whom are on the council network.
- 6.3 Being accessible to both participants and members of the public who are not taking an active role but just observing.
- 6.4 Presentations and documents (maps, plans, etc) to be displayed and spoken to.
- 6.5 Before the meeting, any document to be referred to during the meeting should be shared with participants and published (where appropriate) in advance on the council's website, and ensure that every page and slide is numbered, wherever possible.
- 6.6 Before the meeting, all participants should be made aware of the following etiquette

- a) Join the meeting promptly to avoid unnecessary interruptions.
- b) Mute microphones when not talking.
- c) Switch off cameras when not speaking (to save bandwidth).
- d) Indicate a wish to speak by using the chat function.
- e) Only speak when invited to by the chair.
- f) Anyone speaking should state their name before making a comment.
- g) If referring to a specific page or slide, mention the page or slide number.

6.7 The chair and the clerk may:

- a) Pause (adjourn) the meeting by taking down the stream (live feed) from public viewing and then resume it when needed.
- b) Switch on each active participant's microphone when they are invited to speak and switch them off afterwards.
- c) Mute someone speaking at any time.
- d) Mute everyone speaking except themselves at any time
- e) Allocate different levels of access to people logging in (based on upon whether they are a councillor, an officer, a member of the public who has registered to speak or just an observer of the meeting).
- f) Switch some active participants and the observers off, so they are paused and have neither 'live' visual or audio feed whilst the committee deliberates in private or an officer present gives the committee advice. By taking down the live feed content from the public and just displaying a holding slide, decision makers may hold a separate meeting on Teams. The live stream can then be resumed when needed.

7. Questions by members of the public

7.1 Only written questions from the public, submitted in accordance with Procedure Rule 11 of the Council Procedure Rules, may be considered at remote meetings.

8. Voting

8.1 Named voting will be used to record votes at remote meetings.

8.2 To record a vote, the clerk will perform a roll-call of all members present and ask them to state their voting intention (For, Against or Abstain). These will then be counted and recorded. At the conclusion of the voting the chair shall announce the numbers of votes cast for, against and abstentions and announce whether the motion has been passed or lost.

9. Access to information

9.1 The requirement to ensure meetings are open to the public includes access by remote means, including video conferencing, live webcast and live interactive streaming. Where a meeting is accessible to the public through such remote means, the meeting is open to the public whether or not members of the public are able to attend the meeting in person.

9.2 Any requirements for the authority to ensure publication, posting or making available a document for inspection at offices of the council include publication on the council's website.

COUNCIL**Annual Council Meeting 2020****28 April 2020****Report of the Democratic Services Manager****PURPOSE OF REPORT**

To enable Council to make a decision whether to hold either/both of its scheduled annual meetings or not, and what form such meeting(s) should take, having regard to the information and options in this report.

This report is public

RECOMMENDATIONS

- (1) That Council makes a decision whether to hold either or both of its annual council meetings scheduled for May 2020, or not.**
- (2) If Council decides to hold either or both annual meetings, decisions are required about Mayor-making having regard to the information in this report and the options presented in paragraph 2.2; decisions are also required about the other business to be placed on the agenda for the annual meeting having regard to the options in paragraph 2.5.**

1.0 Introduction

- 1.1 For many years, Lancaster City Council has traditionally split its annual meeting into two parts, with Mayor-making followed by a celebratory meal on Friday at noon in the Ashton Hall, and the business of the annual council meeting being transacted on the following Monday at 6.30pm in the Council Chamber at Morecambe Town Hall. The dates scheduled for the meetings this year are Friday 15th and Monday 18th May. For information, the list of items to be considered at an annual meeting is appended for information.
- 1.2 As a result of the COVID-10 pandemic, the government recently introduced new regulations which lift the obligation on a local authority to have an annual meeting (Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020). In a case where a local authority decides not to hold a remote annual meeting, all appointments – including the Mayor – will stay in place until the annual meeting in 2021.

- 1.3 Alternatively, the regulations allow for annual meetings to be postponed until later in the year, when it is hoped that public meetings and gatherings will be resumed.
- 1.4 This meeting is the first Council meeting to be held remotely and it should be noted that, if Council does wish to hold either or both parts of its annual meeting in May 2020, remote meetings would be the only option at this point in time.

2.0 Options

- 2.1 There are many options that Council may wish to consider regarding the Friday meeting for Mayor-making and the Monday evening business meeting. Several are set out here:

2.2 Mayor Making - three options in particular are presented here.

- a) That a remote meeting be held to appoint the Mayor-elect to the role of Mayor and for the new Mayor to appoint his Deputy Mayor. With this option, there could be no celebratory meal in May, but this could be held when restrictions are lifted.
 - b) That no Mayor-making meeting is held in May 2020 and the current Mayor, Councillor David Whitaker, continues in the role for a further 12 months period. The Mayor-elect, Councillor Malcolm Thomas, would then be appointed in May 2021. Whilst this seems a long term of office, many months of Councillor Whitaker's engagements and activities as Mayor have been cancelled, due to COVID-19 restrictions.
 - c) That a Mayor-making meeting be postponed until November 2020, when it is hoped that meetings in person will have been resumed and it may be permissible to hold the celebratory meal following the meeting. Under this option it is proposed that Councillor Thomas would then serve as Mayor until May 2022 allowing both Councillor Whitaker and Councillor Thomas to have an 18-month (approx.) term as Mayor.
- 2.3 There is no officer-preferred option. All options proposed are lawful and achievable. The issues raised are for Members to decide, however, with option c), it is impossible to be certain that there will be no restrictions in place in November.
 - 2.4 Should the Council choose option a), then it is assumed the date and time of the remote meeting will be 12pm on 15th May 2020, as scheduled, unless Council indicates otherwise.
- ### **2.5 Other Business at Annual Council**
- 2.6 The options presented are
 - a) to have the meeting remotely and deal with all business at the meeting.
 - b) to have a remote meeting which deals with some of the business (for example, if Council wanted to set up a new committee, this can only be done at the annual meeting).
 - c) to postpone the meeting until restrictions on meetings are lifted.

- d) not to hold a meeting and for all appointments and memberships of committees to continue.

2.7 Again, there is no officer preferred option as all options are permissible and achievable. If option a) is chosen by Council, it is assumed the date and time for the meeting will be 6.30pm on Monday 18 May 2020 as scheduled, unless Council indicates otherwise.

3.0 Conclusion

3.1 Council is asked to consider the information in this report and take a decision regarding how to proceed with the scheduled annual meetings.

CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing) None.	
LEGAL IMPLICATIONS These are set out in the report.	
FINANCIAL IMPLICATIONS There are no significant financial implications as a result of this report. Any costs of all the options available can be met from existing budgets and may result in some small savings.	
OTHER RESOURCE IMPLICATIONS None.	
SECTION 151 OFFICER'S COMMENTS The s151 Officer has been consulted and has no comments.	
MONITORING OFFICER'S COMMENTS The Monitoring Officer has been consulted and has no comments.	
BACKGROUND PAPERS None	Contact Officer: Debbie Chambers Telephone: 01524 582057 E-mail: dchambers@lancaster.gov.uk Ref:

Business considered at the Annual Council Meeting (extract from the Council Procedure Rules in the Constitution)

- (a) elect a person to preside if the Mayor and Deputy Mayor of the Council are not present;
- (b) elect the Mayor of the Council;
- (c) appoint the Deputy Mayor of the Council;
- (d) approve the Minutes of the previous Ordinary meeting;
- (e) receive any announcements from the Mayor and/or Chief Executive;
- (f) elect the Leader of the Council should the post be vacant;
- (g) note the Executive Arrangements and delegation of Executive and other functions
- (h) determine the Committees and allocation of seats and substitutes to political groups in accordance with the political balance rules;
- (i) receive nominations of Councillors to serve on each Committee and outside bodies; and appoint to those Committees and outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet (as set out in **Part 2**, of this Constitution);
- (j) appoint a Chair for each Committee of Council;
- (k) appoint to the Council's Veterans Champion Role;
- (l) consider any business set out in the notice convening that meeting.

COUNCIL

Six Month Attendance Rule (Section 85 (1) of the Local Government Act 1972)

28 April 2020

Report of the Democratic Services Manager

PURPOSE OF REPORT
To enable Council to consider extending the period of absence for any Councillor who is unable to attend meetings for a six-month period, for a further three-month period, for the reasons set out in the report.
This report is public

RECOMMENDATION

- (1) That Council approves the following:

During the period when remote meetings are necessary due to COVID-19 restrictions, any Councillor who becomes unable to attend meetings of the authority for six months, will automatically have their period of absence extended for a further three months by Council. This is pursuant to Section 85 (1) of the Local Government Act 1972.

1.0 Introduction

- 1.1 Section 85 (1) of the Local Government Act 1972 requires a member of a Local Authority to attend at least one meeting of that Authority within a six month consecutive period, in order to avoid being disqualified as a Councillor. This requirement can be waived and the time limit extended if any failure to attend was due to a reason approved by the Authority, in advance of the six-month period expiring.
- 1.2 Once any councillor loses office through failure to attend for the six-month period, the disqualification cannot be overcome by the councillor subsequently resuming attendance. Nor can retrospective approval of the Council be sought for an extension.

2.0 Proposal

- 2.1 During the period when remote meetings are necessary due to COVID-19 restrictions and social distancing measures are in place, it may mean that a

Councillor – through no fault of their own, perhaps due to illness, equipment failure, internet connection problems or a mixture of all - finds themselves unable to attend a meeting for a period approaching six months. To avoid disqualification, Council is asked to pre-approve any Councillor for an automatic three-month extension of absence, immediately before they reach the six-month point. The reason for failure to attend would be recorded as circumstances arising from the COVID-19 pandemic.

- 2.2 It may not be necessary to use the provision for a three-month extension for any Councillor, should Council agree to it. However, it is considered a sensible precaution which will avoid unnecessary or unfair disqualification from office and may reassure Councillors in these special circumstances.

3.0 Conclusion

- 3.1 The Council is asked to approve the recommendation in this report. Council may, if it wishes, reduce or extend the period of extension. Three months is suggested as a guide for consideration.

CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing) None.	
LEGAL IMPLICATIONS These are set out in the report.	
FINANCIAL IMPLICATIONS There are no financial implications as a result of this report. However, by-elections are a cost to the Council and the result of disqualification is the need for a by-election.	
OTHER RESOURCE IMPLICATIONS None.	
SECTION 151 OFFICER'S COMMENTS The Section 151 Officer has been consulted and has no comments.	
MONITORING OFFICER'S COMMENTS The Monitoring Officer has been consulted and has no comments.	
BACKGROUND PAPERS None	Contact Officer: Debbie Chambers Telephone: 01524 582057 E-mail: dchambers@lancaster.gov.uk Ref: