

DATA LABEL: PUBLIC



COUNCIL EXECUTIVE

COVID-19: CALENDAR OF MEETINGS UNTIL 31 JULY 2019

REPORT BY CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To make changes to the calendar of council, committee and PDSP meetings until 31 July 2020 to take account of the risks posed by and consequences of COVID-19.

B. RECOMMENDATIONS

1. To agree the amended timetable of meetings in Appendix 1 for council and council controlled bodies for the period from the date of this meeting until 31 July 2020 to reflect the risks posed by COVID-19
2. To note that further changes may be required to meeting arrangements to respond to changes in circumstances regarding COVID-19
3. To note the procedures in place to respond to such changes in circumstances as a matter of urgency
4. To note that a timetable of meetings for the period from August 2020 to July 2021 will be reported to committee for consideration before the end of June 2020

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable; making the best use of our resources
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Local Government (Scotland) Act 1973; Standing Orders, Scheme of Administration, Scheme of Delegations to Officers
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	N/a
V	Relevance to Single Outcome Agreement	N/a
VI	Resources - (Financial, Staffing	N/a

and Property)

VII Consideration at PDSP	None
VIII Other consultations	Corporate Management Team; Legal Services; Committee Services

D. TERMS OF REPORT

1 Background

- 1.1 The council is required to agree a timetable of meetings for the council, its committees and working groups that meet according to a regular timetable. On 26 March 2019 Council Executive approved that timetable for the period until July 2020. This report sets out proposals to modify that timetable from the date of this meeting until 31 July 2020 to reflect the risks and consequences of the COVID-19 pandemic.
- 1.2 The Scheme of Administration contains rules for each of the bodies in the council's decision-making structure regarding arranging, postponing and cancelling scheduled meetings. The calendar of meetings approved each year takes those into account. Once the calendar is approved, changes can only be made by council, by Council Executive or as permitted by the Scheme of Administration. Meetings cannot be cancelled on the basis of political expediency.

2 Risks

- 2.1 The health risks associated with COVID-19 are well-publicised and advice is issued regularly by and on behalf of the UK and Scottish Governments. The advice is subject to change on a frequent basis. The risks associated with holding meetings of council, committees, PDSPs and other working groups arise from:-
- Attendance by members of the public as applicants, objectors, witnesses or committee or panel members and related social contact
 - Assembly of elected members and related social contact amongst themselves and with others
 - Gathering of officers and related social contact amongst themselves and with others
 - Officers returning to their workplace after meetings
 - Members of the public and elected members returning to their homes or places of work
 - Travel to and from meetings by those not otherwise attending the civic centre
- 2.2 Those risks have to be set against:-
- The continuation of the delivery of vital public services to West Lothian and the need to make the decisions required to do so
 - The regulatory decisions that have to be made, often within statutory deadlines and with consequences if those are missed

- The balance between decision-making by officers and decision-making by elected members
- The need to be agile and responsive in the face of constantly changing advice and circumstances

3 Proposals

3.1 It is recommended that changes are made to the calendar of meetings for the period until 31 July 2020, with immediate effect. The broad approach taken is as follows:-

- The factors set out in D2.1 and D2.2, above, have been taken into account
- Meetings would be cancelled where it is considered that there are no risks or few risks arising from delay. That applies in particular to PDSPs, LACs and some meetings of scrutiny committees such as Audit Committee and Performance Committee
- Meetings of the two main policy-making and decision-making committees would be reduced in frequency and the business to be considered there would be reduced to the minimum possible
- Meetings of regulatory committees such as Development Management Committee and Licensing Committee would be reduced in number. Decisions will be postponed where possible and the business that requires to be done compressed into fewer meetings
- Meetings of some regulatory committees such as Asset Transfer Committee would be cancelled since it is known that there is no business for them to consider in this period

3.5 A summary of the approach for each body is in Appendix 1. The dates proposed for meetings until 31 July 2020 are in the Appendix 2. Existing meeting dates would be cancelled and deleted from the calendar. Meeting times would be in accordance with the family-friendly provisions in Standing Orders.

3.6 There are provisions in Standing Orders to allow for additional or urgent meetings to be called if required. Chairs have the power to call special meetings for council and committees. PDSP meetings can be arranged by the Clerk in consultation with the Chair and Lead Officer. Regulatory committees have rules allowing additional meetings to be fixed by the Clerk in consultation with the Chair if business requires it.

4 Delegated powers

4.1 There are longstanding formal arrangements in place to define the circumstances in which officers may make decisions in carrying out the day-to-day functions of the council, and also in emergencies to deal with business that would normally be referred to committee. They are found in Standing Orders for the Regulation of Meetings and in the Scheme of Delegations to Officers.

4.2 The powers on which officers rely and will rely in dealing with COVID-19 are as follows:-

- The Scheme of Delegations gives a general delegation to Corporate Management Team members to run their directorates and service areas on a day-to-day basis. That power covers normal operations and is available during emergencies as well. They may delegate those functions to officers within their service area. There are constraints on the use of these powers. For example, they must comply with law and council policy, they are not used if there is political controversy, they will not be used to make or amend council policy
 - For the avoidance of doubt, that general delegation includes the power to do anything incidental to or which facilitates the use of more specific powers
 - Standing Order 31 gives a delegated power to the Chief Executive to deal with business that would normally be presented to committee but which cannot wait until the next scheduled committee meeting. Prior consultation with appropriate elected members is required. A written record is kept. Any such action is reported to the next available meeting of the committee concerned. That power can be delegated by the Chief Executive to other officers. That power is not normally used where there is political controversy or to make or amend policy or to incur expenditure not otherwise authorised by elected members through the budget-setting process
 - The Scheme of Delegations gives an over-arching power to the Chief Executive to take emergency action on behalf of the council, including the incurring of expenditure. The Chief Executive must report such action to the council at the earliest opportunity. that power is very seldom used
- 4.3 It is inevitable in dealing with the COVID-19 contagion that officers will have to rely more extensively than usual on delegated powers, and that in particular emergency powers will have to be used. Their use will be kept to the minimum possible and will be reported to elected members as required by Standing Orders.

5 Post-recess meetings

- 5.1 It is normal practice for the calendar of meetings for the 12 months ahead to be determined by committee in March each year. However, due to the current uncertainty the report seeking approval of that timetable has been held back and will be brought to a meeting of Council Executive before the summer recess.

E. CONCLUSION

- 1 Amending meeting arrangements until and over the summer recess will help address the risks posed by COVID-19 whilst ensuring the continued delivery of vital public services in West Lothian.

F. BACKGROUND REFERENCES

- 1 Local Government (Scotland) Act 1973
- 2 Council's Standing Orders - <http://intranet.westlothian.gov.uk/article/6941/Councils-Standing-Orders-and-Corporate-Governance>

Appendices/Attachments: 1. Approach for each decision-making body

2. Calendar of meetings, 25 March 2020 to 31 July 2020

Contact Person: James Millar, Governance Manager, Chief Executive Office, West Lothian Civic Centre, Howden Road South, Livingston, EH54 6FF, 01506 281613
james.millar@westlothian.gov.uk

Graham Hope, Chief Executive

Date of meeting: 24 March 2020

APPENDIX 1

PROPOSALS FOR AMENDING MEETING DATES

COUNCIL BODY	RECOMMENDATION
Asset Transfer Committee Three further meetings scheduled	Cancel all meetings - no cases requiring determination within the period
Asset Transfer Review Body Three further meetings scheduled	Cancel all meetings - no cases requiring determination within the period
Audit Committee Two further meetings scheduled	Cancel one, retain one on 22 June
Avoidance of Disputes Committee No meetings scheduled	No action required
Council Executive Four further meetings scheduled	Cancel two, retain two. Use 12 May and 23 June . Reduce business to the essentials only
Development Management Committee Four further meetings scheduled	Cancel three, retain one. Use 17 June . Note possibility of additional meeting where required
Employee Appeals Committee Five further meetings scheduled	Cancel all meetings and reschedule business
Education Executive Two further meetings scheduled	Cancel one and keep one. Use 23 June . Reduce business to the essentials only
Education (Quality Assurance) Committee Two further meetings scheduled	Cancel both
Full council One meeting scheduled	Cancel meeting on 12 May , no statutory business to be done
Governance & Risk Committee One further meeting scheduled	Retain for statutory business. Use 15 June
Joint Consultative Group (Non-Teaching Staff) Two further meetings scheduled	Cancel both. If required, <i>ad hoc</i> meetings can be arranged

COUNCIL BODY	RECOMMENDATION
Joint Consultative Group (Teaching Staff) One further meeting scheduled	Cancel. If required, <i>ad hoc</i> meetings can be arranged
Local Area Committees	Cancel all meetings
Licensing Committee Four further meetings scheduled	Cancel three, retain one. Use 13 May . Note possibility of additional meeting where required
Local Review Body Three further meetings scheduled	Cancel all meetings, no statutory deadlines apply
Members' Training Days One further date scheduled	Cancel
Miscellaneous Appeals Committee No meetings scheduled	No business, no meetings, no action required
Policy Development & Scrutiny Panels	Cancel all meetings. Use "virtual meetings" for reduced volume of essential business going to Council and Education Executive, circulate reports by email and collate/summarise responses.
Performance Committee Postponed meeting form 23 March and one further meeting scheduled	Cancel both
Placing in Schools Appeals Committee Ten further meetings scheduled for placing request appeals, more possible, fewer also possible	Retain all dates due to statutory duty to provide an appeal opportunity. Business to be compressed as much as possible
Senior Officer Appointment Committee No meetings scheduled	No vacancy, no business, no meetings
West Lothian Leisure Advisory Committee Two more meetings scheduled	Cancel one, retain one. Use 18 June
WL Planning Committee Three further meetings scheduled	Cancel all meetings, no business to be determined in the period.

OUTSIDE BODY	RECOMMENDATION
Community Planning Partnership Board One further meeting scheduled	Advise and arrange cancellation by CPPB
Licensing Board Five further meetings scheduled	Taking similar steps to minimise the number of meetings and use delegated powers as much as possible
St John's Hospital Stakeholder Group No further meetings scheduled	No action required
Community Safety Board One further meeting scheduled	Cancel

March 2020

March 2020							April 2020						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	24 Feb	25	26	27	28	29	1 Mar
24 - 29/2							
	2	3	4	5	6	7	8
2 - 7/3							
	9	10	11	12	13	14	15
9 - 14/3							
	16	17	18	19	20	21	22
16 - 21/3							
	23	24	25	26	27	28	29
23 - 28/3		10:00 10:30 Education Executive 11:00 11:30 Council Executive					
	30	31	1 Apr	2	3	4	5
30/3 - 4/4		11:00 11:30 Placing in Schools Appeals Committee					

April 2020

April 2020							May 2020						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
6	7	1	2	3	4	5	4	5	6	7	1	2	3
13	14	8	9	10	11	12	11	12	13	14	15	16	17
20	21	15	16	17	18	19	18	19	20	21	22	23	24
27	28	22	23	24	25	26	25	26	27	28	29	30	31

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
30 Mar - 5 Apr	30 Mar	31	1 Apr	2	3	4	5
6 - 12 Apr	6	7	8	9	10	11	12
13 - 19 Apr	13	14	15	16	17	18	19
20 - 26 Apr	20	21	22	23	24	25	26
27 Apr - 3 May	27	28	29	30	1 May	2	3
		09:30 10:00 Placing in Schools Appeals Committee					

May 2020

May 2020							June 2020						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
4	5	6	7	8	9	10	1	2	3	4	5	6	7
11	12	13	14	15	16	17	8	9	10	11	12	13	14
18	19	20	21	22	23	24	15	16	17	18	19	20	21
25	26	27	28	29	30	31	22	23	24	25	26	27	28
							29	30					

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
27 Apr - 3 May	27 Apr	28	29	30	1 May	2	3
4 - 10 May	4	5	6	7	8	9	10
11 - 17 May	11	12	13	14	15	16	17
		10:00 10:30 Council Executive	10:00 10:30 Licensing Committee	09:30 10:00 Placing in Schools Appeals Committee			
18 - 24 May	18	19	20	21	22	23	24
25 - 31 May	25	26	27	28	29	30	31
			09:30 10:00 Placing in Schools Appeals Committee	09:30 10:00 Placing in Schools Appeals Committee			

June 2020

June 2020							July 2020						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
1	2	3	4	5	6	7			1	2	3	4	5
8	9	10	11	12	13	14	6	7	8	9	10	11	12
15	16	17	18	19	20	21	13	14	15	16	17	18	19
22	23	24	25	26	27	28	20	21	22	23	24	25	26
29	30						27	28	29	30	31		

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1 - 7 Jun	1 Jun	2	3	4	5	6	7
			09:30 10:00 Placing in Schools Appeals Committee				
8 - 14 Jun	8	9	10	11	12	13	14
	09:30 10:00 Placing in Schools Appeals Committee			09:30 10:00 Placing in Schools Appeals Committee			
15 - 21 Jun	15	16	17	18	19	20	21
	09:30 10:00 Placing in Schools Appeals Committee 14:00 14:30 Governance & Risk Committee		09:30 10:00 Placing in Schools Appeals Committee 10:00 10:30 Development Management Committee	10:00 10:30 West Lothian Leisure Advisory Committee			
22 - 28 Jun	22	23	24	25	26	27	28
	14:00 14:30 Audit Committee	10:00 10:30 Education Executive 11:00 11:30 Council Executive					
29 Jun - 5 Jul	29	30	1 Jul	2	3	4	5

July 2020

July 2020							August 2020						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
		1	2	3	4	5						1	2
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30
							31						

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
29 Jun - 5 Jul	29 Jun	30	1 Jul	2	3	4	5
6 - 12 Jul	6	7	8	9	10	11	12
13 - 19 Jul	13	14	15	16	17	18	19
20 - 26 Jul	20	21	22	23	24	25	26
27 Jul - 2 Aug	27	28	29	30	31	1 Aug	2