



ABINGDON-ON-THAMES TOWN COUNCIL

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Urgency Committee Wednesday 29 September 2021 AGENDA

Date of agenda: Friday 24 September 2021

To: All Members of the Urgency Committee

Cllr Charlie Birks
Cllr Samantha Bowring
Cllr Cheryl Briggs
Cllr Andy Foulsham
Cllr Pat Lonergan

To: All Other Members for Information

Dear Member,

Your attendance is requested at a meeting of the **Urgency Committee** to be held on **Wednesday 29 September 2021 at 7pm** at the **Royse Court Offices**.

The meeting will be held in person but due to the Covid-19 pandemic the Town Council will not allow members of the public to attend in person. If you would like to view the meeting via Teams, please e-mail democratic@abingdon.gov.uk and you will be sent the relevant link on the day of the meeting.

Should any Member be unable to attend they should find a substitute and inform me at democratic@abingdon.gov.uk.

Any queries on the agenda should also be directed to me.

Yours sincerely

Nigel Warner

Nigel Warner
Town Clerk (signed electronically)

Abingdon-on-Thames Town Council Our Vision

To develop an inclusive community so that Abingdon is the place where everyone wants to live and where the wellbeing of residents is prioritised. In developing this community, the town will be one which is environmentally sustainable, vibrant, resilient and safe.

Our key objectives

1. To respond effectively and speedily to the climate emergency.
2. To develop a resilient, sustainable town which will provide a home for residents now and in the future.
3. To manage the Council's assets efficiently and effectively to meet for the needs of the community now and in the future.
4. To work with community partners to support those who are vulnerable and in need and to create opportunities to increase social inclusivity.

1 **Apologies**

To receive any apologies for absence **and nominated substitutes**.

2 **Declarations of interest**

To receive any declarations of interest from Members in relation to any items to be considered at the meeting in accordance with the Local Code of Conduct.

3 **Minutes of previous meeting**

To receive, consider and sign as a correct record the draft minutes of the meeting of the Urgency Committee of [27 July 2021](#).

4 **Urgency Committee**

To receive and consider a report from the Town Clerk on the future operation of the Town Council, as detailed below:

At the Council meeting on 28 April 2021 the Council agreed its governance arrangements to address the issues being created by the pandemic following the expiry of the regulations allowing for decisions to be made at virtual meetings. The basis of these

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arrangements was for online advisory committees to make recommendations to the Urgency Committee, meeting in person and which had delegated powers from the Council to make decisions. The Urgency Committee, consisting of five members, allowed meetings to take place safely and within the government's "rule of six."

Matters have now moved on. The government has relaxed most restrictions (including the rule of six) and whilst the Urgency Committee has met, we have still had "in-person" council meetings in June, July and September. These took place to approve the accounts (an audit requirement) and to progress the governance review, a major council matter.

Having had three council meetings, your officers consider that we should now review our governance arrangements. We believe that we should continue with the in-person council meetings, which can be managed for now in the Roysse Court offices on a quorum basis. We recommend that the Urgency Committee is now dissolved. We recommend that the (virtual) advisory committee continues until determined otherwise by the Town Council, noting that some working groups are meeting in person.

We already have a programme of meetings and an agreed Forward Plan backed up by agreed budgets. This means most matters which advisory committees consider could be considered by the next ordinary council meeting and that the urgency committee is not therefore required.

There is an argument which could be made for an urgency committee to continue on the grounds that it can be called at short notice. However if urgent decisions are required then a special council meeting can be called; a quorate council meeting consists of seven members (urgency is five) and only requires one more days' notice (notice for council is three clear days excluding Sundays, committees three clear days).

There is also potentially a governance issue which could arise if we continue with the Council/ Urgency Committee arrangement in any form. If we retain the Urgency Committee for urgent matters, the question arises as to who determines what those are and why they cannot wait for council. There will also be matters which are of such weight that they do require full council approval rather than that of five members. With regard to the latter we are exploring options to convene such meetings in a larger room to safely have allow such members who wish to attend in person, to do so.

Consequently we **recommend** to the Urgency Committee:

1. That the Committee resolves that it is dissolved and that its delegated powers revert to the full council.
2. That the undetermined recommendations referred to the Urgency Committee during September 2021 are determined by the Town Council.
3. That the Committee recommend that the current system of advisory committees remain in place and that this matter be reviewed at each ordinary meeting of the council (noting that this does not preclude a special council being called at any time to consider this or other matters).

The agenda for the Town Council meeting which follows the Urgency Committee reflects the above recommendation.

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The law allows members of the public and press to record meetings of the Council and its committees. Should you wish to record at any meeting which is open to the public it is requested that you inform the Town Clerk of your intention to film or record before the day of the meeting, by emailing democratic@abingdon.gov.uk or telephoning 01235 522642.

For information, whilst this meeting is being hosted virtually using Microsoft Teams the Council will not be recording the meeting.

Note on Governance

Context:

At the start of the pandemic government approved the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (“the 2020 Regulations”). These regulations enabled council meetings to take place online. However the Regulations expired on 6 May 2021. The government has not brought forward new legislation and a legal challenge in relation to the Local Government Act 1972, which if successful would have enabled virtual meetings to continue, failed.

The impact of the above is that from 7 May 2021 any meetings where decisions are taken – either by council or committees – are required to be in-person meetings.

The council has made representations to government regarding this matter as it considers this requirement to represent an unnecessary and avoidable risk to elected representatives and council officers. The council is keen to return to in-person meetings as soon as it is safe to do so but considers that councils should be able to take full advantage of modern technology to enable Councillors and the public to attend meetings virtually as well as in person.

Councils have responded in different ways to the new circumstances. At its meeting of 28 April 2021 the council decided to delegate all decision-making to an Urgency Committee comprising of 5 members. This committee will meet “in person” in accordance with the Local Government Act 1972. The council’s committees will continue to meet virtually as Advisory Committees in order to discuss matters but will not make decisions; all committee recommendations will be referred to the Urgency Committee.

These arrangements have been made in response to the current continuing public health emergency. The arrangements are made on a temporary basis and will be reviewed regularly.

Council resolution of 28 April 2021

The full text of the Council’s resolution is below:

- 1. Online attendance at Council meetings is no longer legal but the council considers that there remains a serious risk to health when meeting in person indoors. Consequently the Council delegates its powers to an Urgency Committee.*
- 2. Committees will meet online as advisory committees and will discuss business as usual. The recommendations and decisions will be advisory until they are ratified by the Urgency Committee, apart from the Planning, Highways and Consultations Committee, whose recommendations will be actioned immediately by the Town Clerk.*
- 3. Members of the public can continue to attend the advisory committee meetings via the joining link and apply to participate in the public participation section of the meeting.*
- 4. The decisions made by the urgency committee will be in accordance with the recommendations from the advisory committees and not changed without a material reason.*

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5. *The time and frequency of Urgency Committee will depend upon the urgency of recommendations coming up through the advisory committees. Non-members of the Committee and members of the public may view the meeting through the joining link but the provisions of the Council's public participation scheme will not apply.*
6. *The urgency committee will consist of five members. In accordance with standing orders the quorum will be three members and the provisions for substitute members will apply.*
7. *Meetings will take place subject to risk assessment and the Covid security precautions.*
8. *These arrangements will be in place until the Urgency Committee votes to change arrangements which will depend on legislation, guidance and health advice.*

Attendance at meetings

9. *With effect from 28 April 2021 any member who does not attend at least one meeting in a six-month period due to the risk to their health resulting from the Covid-19 pandemic has the requirements of Section 85 (1) of the Local Government Act 1972 waived and the time limit extended.*
10. *The matter will be reviewed by the Urgency Committee every two months and if necessary a motion extending the time limit by a further six months will be considered.*