



A meeting of the Council to be held remotely on Thursday, 30th April, 2020 at 5.00 pm

**Members of the Council are invited to attend and transact the following business:**

**1 Report on Attendance at Meetings 3 - 6**

To consider a report of the City Solicitor on attendance at meetings.

Tom Riordan CBE  
Chief Executive

Civic Hall  
Leeds  
LS1 1UR

**Note to observers of the meeting:**

To remotely observe this meeting, please click on the *‘View the Webcast’* link which will feature on the meeting’s webpage (link below) ahead of the meeting. The webcast will become available at the commencement of the meeting.

<http://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=111&Mid=9970>

Please note: this meeting may be filmed for live or subsequent broadcast via the City Council's website on the internet - at the start of the meeting the Lord Mayor will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training purposes by the Council. Generally the public gallery is not filmed. However, by entering the Council Chamber and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you have any queries regarding this, please contact the City Solicitor.

### **Third Party Recording**

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the clerk.

Use of Recordings by Third Parties– code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

**Report of City Solicitor**

**Report to Council**

**Date:** 30<sup>th</sup> April 2020

**Subject:** Attendance at meetings

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Summary**

**1. Main issues**

To seek authorisation of the Council to the absence of all Councillors from meetings of the authority from the date of this meeting for a period of 6 months in order that any Members not having the opportunity to attend a qualifying meeting prior to and during the period of the Pandemic are not at risk of inadvertent disqualification.

**2. Best Council Plan Implications** (click [here](#) for the latest version of the Best Council Plan)

Fully operational and quorate Committee, Board and Panel meetings are in line with the Council's Policies and City Priorities.

**3. Resource Implications**

There are no specific implications regarding resources and value for money arising from this report.

**Recommendations**

Council is asked to approve the absence of all Councillors from meetings of the authority from the date of this meeting for a period of 6 months and that this be reviewed in October 2020.

## **1. Purpose of this report**

To seek authorisation of the Council to the absence for all Councillors from meetings of the authority from the date of this meeting for a period of 6 months.

## **2. Background information**

As a result of the Coronavirus Crisis - Physical meetings of committees, Boards, Panels and Full Council have been cancelled until further notice which may mean in many circumstances members of Council may not be able to attend a qualifying meeting.

Section 85 (1) of the Local Government Act 1972 makes provision in relation to member attendance at meetings. It provides that if a member fails to attend qualifying meetings for a period of 6 consecutive months from the date of their last attendance, they shall cease to be a member of the authority unless, before the expiry of that period the authority has approved such non-attendance.

## **3. Main issues**

As a result of the Coronavirus Crisis - Physical meetings of committees, Boards, Panels and Full Council have been cancelled until further notice which may mean in many circumstances members of Council may not be able to attend a qualifying meeting.

On the 25<sup>th</sup> March the Coronavirus Act 2020 received Royal Assent Clause 78 introduced regulation-making powers with regard to meetings and proceedings of local authorities. These are broad powers for the Secretary to make regulations regarding:

- a) requirements to hold local authority meetings;
- b) the times at or by which, periods within which, or frequency with which, local authority meetings are to be held;
- c) the places at which local authority meetings are to be held;
- d) the manner in which persons may attend, speak at, vote in, or otherwise participate in, local authority meetings;
- e) public admission and access to local authority meetings;
- f) the places at which, and manner in which, documents relating to local authority meetings are to be open to inspection by, or otherwise available to, members of the public.

The Secretary of State has now issued Regulations and these provide some flexibilities as to how the authority might wish to conduct business. It is clear from the Regulations that attendance at a qualifying meeting via Remote access will count as a qualifying 'attendance for the purposes of 6 month rule.

However given that not all Members will have the opportunity to attend a qualifying meeting during the period of the Pandemic due to technical and other limitations this will put some Members (it is not possible to accurately predict which) at risk of inadvertent disqualification.

In order to avoid this eventuality the City Solicitor advises that in the circumstances it would be reasonable for full Council to grant a general authorisation of absence for all members from the date of this meeting and for a period of up to 6 months, with this permission being reviewed as soon as possible before the expiry of this period should normal meeting arrangements recommence.

#### **4. Corporate considerations**

#### **5. Consultation and engagement**

A group whip has suggested that the authority for absence should be extended to May 2021, having consulted with the relevant Executive Member it was felt that 6 months was appropriate and consistent with the other occasions that this type of permission had been granted by Council and that this should be reviewed in October 2020.

#### **6. Equality and diversity / cohesion and integration**

There are no specific implications regarding equality, diversity, cohesion and integration arising from this report.

#### **7. Council policies and the Best Council Plan**

Fully operational and quorate Committee, Board and Panel meetings are in line with the Council's Policies and City Priorities.

##### Climate Emergency

There are no specific implications in respect of the Climate Emergency.

#### **8. Resources, procurement and value for money**

There are no specific implications regarding resources, procurement and value for money arising from this report.

#### **9. Legal implications, access to information, and call-in**

This report is not subject to Call In, as it is a Council Function.

#### **10. Risk management**

No specific implications in respect of risk management.

#### **11. Recommendations**

Council is asked to approve the absence of all Councillors from meetings of the authority from the date of this meeting for a period of 6 months and that this be reviewed in October 2020.

## 12. Background documents<sup>1</sup>

None

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<sup>1</sup> The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.