

CYNGOR SIR CEREDIGION COUNTY COUNCIL

<u>Report to:</u>	Democratic Services Committee
<u>Date of meeting:</u>	31st May 2024
<u>Title:</u>	Addition to the Constitution - Part 4 Document D – Cabinet Procedure Rules – Emergency Decisions
<u>Purpose of the report:</u>	Update the Committee on amendment to the Constitution

Background

During the COVID-19 pandemic, the (then) Leader & Deputy Leader signed various Record of Urgent Decision Notices: [Governance Structure for decision making - Ceredigion County Council](#).

The purpose of this was in light of the national emergency and urgent situation arising as a result of COVID-19, at the time, and in order to protect the Council and the public's interests, in circumstances where the decision is deemed urgent, such that any delay would seriously prejudice the Council's or the public's interests, then, in respect of the exercise of Executive Functions as outlined in the Council's Constitution, and taking into account Section 15(4) of the Local Government Act 2000, and in the absence or unavailability of:

- (1) the Leader, or (2) the Deputy Leader, the power and responsibility of exercising such Executive functions could be delegated so as to:
 - ensure key services continue to operate;
 - ensure the Council, its residents and staff interests are protected; and
 - that the operation of non-key services be suspended as may be necessary, taking into consideration the potential implications of COVID-19.

Current situation

Following the pandemic, a proposed amendment has been drafted to the Constitution Cabinet Procedure Rules (Part 4 Document D) concerning Executive emergency planning in circumstances similar to those used during the COVID-19 pandemic.

It is considered that this will strengthen the Cabinet delegation process within the Constitution.

The Part 4 Document D initial draft was shared with the Constitution Working Group (CWG) on 6th of December 2023.

The CWG felt it needed more information and requested the amendments below: -

- 1) Consultation with Leader & Deputy leader - this took place on 7th of February 2024.
- 2) Addition of time limit: when the Leader and/or Deputy Leader are next available, or after 21 days, whichever is the earlier.

Amendments were made after the 6th of December meeting.

On 9/4/24, the CWG requested another addition: -

- 1) Add more information about civil contingencies/gold command

The proposed amended text is highlighted in yellow (Appendix 1).

This has been shared, and approved by the CWG-17/5/24

Recommendation(s):

- 1) Note the contents of the report
- 2) Make a recommendation to the Council to approve the addition of the text in Appendix 1 (highlighted in yellow)

Reasons for decision:

- Strengthen the Executive emergency decision delegation process within the Constitution.
- Ensure the Constitution is fit for purpose.

Appendices:

Appendix 1 - Part 4 Document D – Cabinet Procedure Rules

Corporate Lead Officer:

Elin Prysor, Corporate Lead Officer, Legal and Governance

Reporting Officer:

Katy Sinnott-Jones, Governance Officer

Date:

13th of May 2024