

## COUNCIL

9 SEPTEMBER 2014

### REPORT OF CHIEF EXECUTIVE

#### A.2 **MEMBERSHIP OF THE CORPORATE MANAGEMENT COMMITTEE**

I formally report that, in accordance with the wishes of the Leader of the Conservative Group, and the authority delegated to me, the following appointment has been made:

##### Corporate Management Committee

Councillor A D Coley has been appointed to serve in place of Councillor V E Guglielmi.

This item is submitted for **INFORMATION ONLY**.

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#### A.3 **APPROVAL OF NON-ATTENDANCE AT MEETINGS**

(Report prepared by Ian Ford)

##### PART 1 – KEY INFORMATION

<b>PURPOSE OF THE REPORT</b>
To approve the reason for Councillor Shearing's non-attendance at meetings of the Council if he does not attend before 25 September 2014.

<b>EXECUTIVE SUMMARY</b>
The last meeting which Councillor Shearing attended was that of the full Council on 25 March 2014. Since then, Members will be aware that Councillor Shearing has suffered a serious illness and has undergone medical procedures from which he is currently recuperating. If a Councillor does not attend any meeting of the Council (or any of its Committees or Sub-Committees) for a consecutive period of six months, Section 85 of Part V of the Local Government Act 1972 disqualifies them unless the Full Council approves the reason for non-attendance before the end of that period.  This is the last scheduled meeting of the Full Council before the six-month period expires.

<b>RECOMMENDATION(S)</b>
<b>That the Council approves Councillor Shearing's reason (namely illness) for non-attendance at meetings of the Council in the event of him not attending a meeting before 25 September 2014.</b>

#### A.4 **THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

(Report prepared by Colin Sweeney)

##### PART 1 – KEY INFORMATION

<b>PURPOSE OF REPORT</b>
To advise Council of statutory requirements placed upon it, effective from 6 August 2014, following the publication of the above regulations as these relate to allowing the press and public to film and to report, using social media (including blogging or tweeting), all of a body's public meetings.

The Regulations also require the Council to make publicly available, a “decision record” of certain decisions, which officers have taken on behalf of the Council.

## **EXECUTIVE SUMMARY**

On 6 August 2014, the Department for Communities and Local Government (DCLG) wrote, via email, to Chief Executives of all Principal Local Authorities in England, advising them that, with immediate effect, the Openness of Local Government Bodies Regulations 2014 had come into force.

From 6 August 2014, all local authorities in England are legally-bound to ensure that the press and public can exercise their new rights, detailed in the Regulations and that local authorities’ procedure rules be updated to include these rights.

With regard to the recording of such decisions, the decision-making officer must produce a written record of any decision if it would otherwise have been taken by the relevant local government body, or a committee, sub-committee of that body or a joint committee in which that body participates, but it has been delegated to an officer of that body either:

- (a) Under a specific express authorisation; or
- (b) Under a general authorisation to officers to take such decisions and, the effect of the decision is to:
  - (i) Grant a permission, or licence;
  - (ii) Affect the rights of an individual; or
  - (iii) Award a contract or incur expenditure which, in either case, materially affects that relevant local government body’s financial position.

Whilst the provisions within the Regulations are effective now, the precise wording to be applied to the Council’s Procedure Rules is to be considered by the Constitution Working Party later in September and this will form part of the overall recommendations to Cabinet on 24 October 2014 and to Council on 25 November 2014 when it is anticipated that the review of the Constitution will be approved by the full Council.

## **RECOMMENDATION**

**That the report be noted.**

**IAN DAVIDSON**  
**CHIEF EXECUTIVE**

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### BACKGROUND PAPERS LIST FOR REPORTS OF CHIEF EXECUTIVE

#### A.2 **MEMBERSHIP OF THE CORPORATE MANAGEMENT COMMITTEE**

Formal appointment dated 9 July 2014 by the Chief Executive.

#### A.3 **APPROVAL OF NON-ATTENDANCE AT MEETINGS**

None.

#### A.4 **THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

- (i) Letter dated 30 June 2014 from the Deputy Director (Democracy), DCLG
- (ii) Letter dated 6 August 2014 from the Deputy Director (Democracy), DCLG
- (iii) Statutory Instruments 2014 (No. 2095) – The Openness of Local Government Bodies Regulations 2014
- (iv) DCLG publication “Open and Accountable Local Government – A Guide for the Press and Public on Attending and Reporting Meetings of Local Government”