

<b>DECISION-MAKER:</b>	COUNCIL		
<b>SUBJECT:</b>	USE OF EMERGENCY POWERS UNDER COVID 19 AND REMOVAL OF THE AUTHORITY GRANTED AT COUNCIL ON 18 <sup>TH</sup> MARCH 2020		
<b>DATE OF DECISION:</b>	20 MAY 2020		
<b>REPORT OF:</b>	SERVICE DIRECTOR, LEGAL AND BUSINESS OPERATIONS		
<b><u>CONTACT DETAILS</u></b>			
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<b>STATEMENT OF CONFIDENTIALITY</b>	
N/A	
<b>BRIEF SUMMARY</b>	
This report details the Officer Delegated Decisions taken under Emergency procedure rules approved by Council on 18 <sup>th</sup> March, 2020.	
In order to aid delivery of Council functions during the pandemic the usual decision-making processes may become impossible or unlawful to carry out. Therefore, Council resolved to temporarily suspend all parts of the Constitution that required formal decision making by Elected Members in person to permit officers to take emergency decisions after consultation with the appropriate members of the Administration.	
<b>RECOMMENDATIONS:</b>	
(i)	To note the Officer Delegated Decisions taken under Emergency procedure rules as set out in Appendix 1
(ii)	That the decision made on 18 <sup>th</sup> March 2020 by Council to grant such powers to officers is removed
<b>REASONS FOR REPORT RECOMMENDATIONS</b>	
1.	To ensure the Council could discharge its statutory functions during the pandemic. At that stage (18 <sup>th</sup> March) it was considered inappropriate to hold full decision making meetings due to the need for social distancing. That was followed on 23 <sup>rd</sup> March by "lockdown". Subsequently new legislation was passed in early April that permits virtual decision making and it is the intention that the Council now resumes such public meetings, but virtually. The need for the emergency authority has now passed. An urgency power remains in the Scheme of Delegation should it be required.
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
2.	To continue with the emergency powers delegation. In light of the recent new law to permit virtual decision making meetings it is now considered unnecessary.

<b>DETAIL (Including consultation carried out)</b>	
3.	Council delegated to the Service Director; Legal and Business Operations and Monitoring Officer, the power to cancel any formal Council, committee or panel meeting as considered appropriate after consultation with the Leader of the Council and the Mayor (only in respect of full Council meetings). Council would use these powers following Government direction or the Director of Public Health's advice that the Council is advised not to hold public meetings.
4.	To ensure continuity and agility when dealing with the pandemic, and in the potential absence of Full Council meetings, further authority was also delegated to the Chief Executive, Executive Directors and Service Director; Legal and Business Operations, and Heads of Service in their absence, to exercise all decisions that would ordinarily be decided by Members. Decisions would only be valid after consultation with the Leader of the Council and/or the relevant Cabinet Member as appropriate.
5.	This would include suspending all financial limits and the Key Decision criteria but did not include setting new strategic policy or Council priorities which had a democratic mandate by the citizens of Southampton.
<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
6.	None
<b><u>Property/Other</u></b>	
7.	None
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
8.	S.1 Localism Act 2011 and associated legislation
<b><u>Other Legal Implications:</u></b>	
9.	None
<b>RISK MANAGEMENT IMPLICATIONS</b>	
10.	None
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
11.	None

<b>KEY DECISION?</b>	<b>No</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	All
<b><u>SUPPORTING DOCUMENTATION</u></b>	
<b>Appendices</b>	
1.	Summary of emergency decisions made by officers
2.	

**Documents In Members' Rooms**

1.		
2.		
<b>Equality Impact Assessment</b>		
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.		<b>No</b>
<b>Data Protection Impact Assessment</b>		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		<b>No</b>
<b>Other Background Documents</b>		
Other Background documents available for inspection at:		
<b>Title of Background Paper(s)</b>		<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
1.	Reports to Cabinet Members detailing the proposals	
2.		