

EXTRAORDINARY COUNCIL MEETING

MONDAY 23 MARCH 2020

1. APPOINTMENT OF EMERGENCY COMMITTEE

(Memo from Chief Executive – 23.03.20)

The Prime Minister's announcement today that the country will move to level 4 on its COVID-19 pandemic scale will seriously inhibit the ability of the Council to conduct meetings in the normal manner. It is very likely that the Council will be forced to meet in a virtual capacity via Zoom which would imperil the ability for Council to make decisions in a legally robust manner.

Whilst clause 25(a) of schedule 7 of the Local Government Act 2002 allows elected members to attend meetings via audio or audio visual link, this provision makes clear (refer clause 25(A)(4)) that participation in the meeting does not count as being present for the purpose of constituting a quorum of the Council which is defined under clause 23 of schedule 7.

In the case of the Gore District Council, a quorum consists of six members. Crucially however, should a committee be constituted, the requirement for a quorum reduces to a minimum of two members.

In light of the unprecedented nature of restrictions imposed by the Government to conquer the COVID-19 pandemic, it is recommended that the Council put in place an Emergency Committee to make crucial decisions for the Council while the level 4 pandemic alert status is in place. Like the Emergency Committee that is routinely established over the Christmas-New Year holiday break, this Committee to be established would have the power to act and an obligation report its decisions to the full Council in due course.

In the interests of maximising inclusion of all elected members, it is recommended that the Emergency Committee be comprised of the Council as a whole. Such an approach will both overcome the more onerous quorum requirements for the full Council but also maximise involvement of the Councillors and not place the Committee in jeopardy of not being able to operate should some elected members be unavailable.

RECOMMENDATION

THAT the Council establish an Emergency Committee comprising the Mayor and all Councillors to operate and make key decisions for the Council during the period in which a level 4 COVID-19 pandemic alert status is in place,

THAT the Committee be given the power to exercise all Council functions other than those that cannot be delegated pursuant to clause 32 of schedule 7 of the Local Government Act 2002,

THAT it be noted that the quorum for the Emergency Committee will be two members including the Chair, with both members being physically present at the meeting,

AND THAT the need for continuation of the Emergency Committee be reviewed when the country or Gore District Council area specifically, moves down from its level 4 alert status.