

## **APPENDIX A**

### **OLD OAK & PARK ROYAL DEVELOPMENT CORPORATION**

#### **SCHEME FOR REMOTE DECISION-MAKING**

##### **Section A: Remote decision-making by the Old Oak & Park Royal Development Corporation during the Covid-19 emergency movement restrictions**

- A. The following provisions of this Scheme shall apply for so long as the Chair considers there is a threat to public health posed by the incidence and spread of the coronavirus that makes resuming meetings of the Corporation's Board, committees and subcommittees in person undesirable.
- B. These procedures shall be kept under review by the Chair of the Board and the Chief Executive Officer in light of the existence and extent of movement restrictions imposed or recommended by the Government.

#### **Advisory Panels**

1. The members of the Corporation's Board, and of its committees and subcommittees shall separately (in addition to their membership of those bodies which continue to exist) also be members of a corresponding Advisory Panel constituted under these procedures. The Chair of each relevant body shall also chair that body's corresponding Advisory Panel. Observers to the Board, committees and subcommittees shall be observers to the relevant Advisory Panel.
2. A person who is a Substitute for any member of a committee or subcommittee may on the same basis substitute for that person on its corresponding Advisory Panel.

#### **Standing delegation to Chairs**

3. The Board delegates to:
  - the Chair of the Board, following consultation with the Board Advisory Panel;
  - the Chairs of each committee or sub-committee following consultation with their corresponding Advisory Panels,the power to exercise any function of the Corporation that the Board, committee or subcommittee (as applicable) is able to exercise on the Corporation's behalf. Any decisions made in the exercise of this delegation shall be made in accordance with the Remote Decision-Making Procedures set out in **Appendix 1** and other terms and conditions of this Scheme, but subject always to paragraph 1 (Urgent Action) of the Corporation's Scheme of Delegation.
4. If on any occasion a Chair is absent or otherwise unavailable then the following persons (in the order given) may deputise and exercise the powers referred to in paragraph 3 above in the same manner as set out there:

- the Deputy Chair (if there is one) of the Board, committee or subcommittee;
- another member of the body in question as is appointed by the Chief Executive Officer to do so;
- the Chief Executive Officer;
- any member of staff acting up into such post on a temporary or permanent basis.

### **Application of standing orders etc**

5. Every reference to the discharge of a function of the Corporation as being reserved to or otherwise requiring (however expressed) the consideration or approval of the Board, a committee or subcommittee or the Chair of such a body in the Corporation's:
  - standing orders;
  - general Scheme of Delegation and the Scheme of Planning Delegations;
  - financial regulations;
  - contracts and funding code;
  - budget and business plan; and
  - other policies, procedures and rules of whatever nature;
 shall be construed in accordance with paragraph 3 above and shall have effect subject to the Remote Decision-Making Procedures set out in **Appendix 1**.<sup>1</sup>

### **Decision Making Procedures**

6. Chairs' consultations with their corresponding Advisory Panels, and the proceedings of those Panels, shall take place entirely by remote means so that no members are required to be physically present together.
7. The delegation conferred by paragraph 3 above shall be exercised in accordance with the Remote Decision-Making Procedures set out in **Appendix 1** which shall be published on the Corporation's website. The Chief Executive Officer may, following consultation with the Chair of the Board, revise those procedures as is considered appropriate from time to time and shall publish any revision on the Corporation's website.

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<sup>1</sup> For example, the approval of a matter reserved to the Board or to the Planning Decisions Committee shall be given by the Chair of the Board following consultation with the Board Advisory Panel or by the Chair of the Planning Committee following consultation with the Planning Advisory Panel.

## Appendix 1: Remote Decision Making Procedures

*These procedures have been approved under the Corporation's Urgency Procedure – and have been consented to by the Mayor of London – and may be amended from time to time by its Chief Executive Officer.*

1. The Chief Executive Officer shall, following consultation with the Chairs, as soon as possible determine and publish on the Corporation's website a calendar ("Calendar") of indicative Advisory Panel dates which shall follow as closely as is practicable the normal cycle of meetings and business that would apply during the year. The Calendar shall be kept under review and any revisions published as soon as possible in the same way.
2. If it is impracticable for any reason to hold the proceedings of an Advisory Panel on a particular date in the published Calendar its date may be altered (brought forward or put back) and notice of the new date shall be published on the Corporation's website.
3. Advisory Panel Agendas (containing the proposed agenda, all items of intended business including reports and related appendices that are to be considered at a Advisory Panel) shall be published on the Corporation's website and copies sent to Panel Members and Observers not less than five clear working days in advance of the relevant Panel date unless the Chair considers that the business to be transacted is urgent, in which case the Agenda shall be published on the website and agendas sent as soon as practicable to do alongside a statement as to the reasons for doing so.
4. Every member of the press and public shall be entitled to access and download copies of an Advisory Panel Agenda and to follow the proceedings of a Panel by remote means (in so far as the Chief Executive or Secretary considers them to be practicable in the circumstances at the time) except to the extent –
  - a. it is likely in the opinion of the Proper Officer<sup>2</sup>, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public had copies of, or remote access to, information relating to that item of business there would be disclosure to them of "Confidential Information" or "Exempt Information" (as defined in sections 100A (3) and 100I(1) of the Local Government Act 1972, as amended); or
  - b. any technical failure prevents it.
5. The Corporation's website and every Advisory Panel Agenda shall contain details (including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers) about how members of the press and public can follow the proceedings of the Panel by remote means.
6. If a member of the public would have been entitled under the Corporation's rules governing such meetings to attend and make an oral statement to a meeting of the Board, a committee or subcommittee then the Chief Executive Officer shall approve and publish arrangements by which such a person may by pre-

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<sup>2</sup> References to the "Proper Officer" has the same definition as in the Corporation's Standing Orders.

arrangement make a written statement instead, unless the Chief Executive Officer or Secretary considers to be practicable in the circumstances at the time for that person to do so by means of a live or recorded audio or video link.

7. All decisions proposed to be taken under the delegation conferred by paragraph 3 of the Corporation's Remote Decision-Making Scheme shall be presented in the form of a report in accordance with the Corporation's normal standards and requirements for the preparation of reports that applied prior to the coming into force of these arrangements.
8. Copies of the Advisory Panel Agenda shall be sent by email in electronic form or posted for downloading on the Corporation's website as the Chief Executive Officer or Secretary considers appropriate. Unless the contrary is indicated to them all such copies will be deemed to have been received or capable of being downloaded and opened.
9. Subject to paragraphs 10 and 11 below, the Chief Executive Officer shall put in place arrangements so that the Chair and other members of an Advisory Panel are able to participate in its proceedings by remote means such that a Panel member is able at that time:
  - a. to hear, and where practicable see, be heard by, and where practicable, be seen by, the other Panel members, relevant staff of the Corporation and Observers participating in its proceedings by remote means;
  - b. to hear, and where practicable see, be heard by and, where practicable, be seen by, any members of the public participating by remote means, including in order to participate by exercising a right to speak on any item of business (where permitted); and
  - c. to be heard by and, where practicable, be seen by any other members of the public following the Panel's proceedings by remote means.
10. The press and public shall be excluded from any part of the proceedings of an Advisory Panel where there would be disclosure to them of "Confidential Information" or "Exempt Information" (as defined in sections 100A (3) and 100I(1) of the Local Government Act 1972, as amended) unless the Chair directs otherwise.
11. In the event that it is not possible for technical reasons to comply with any one or more of the requirements set out in paragraph 9 (a) to (c) above on any occasion the Chair may conduct the proceedings of the Advisory Panel by email and the procedure in paragraph 12 below shall be adapted accordingly.
12. At the time and date indicated on the Advisory Panel Agenda for the start of its proceedings (or as soon as possible thereafter) the Chair shall consult those members of the Panel who indicate to the Chair or Secretary (before or at the time and date indicated) that they are available and wish to participate in its proceedings by remote means.
  - a. Panel members may indicate their views to the Chair before the start of the Panel's proceedings by means of a telephone call or email provided the Chair accurately summarises those views to those members participating in the Panel's proceedings.

- b. The Chair or relevant staff of the Corporation may introduce each item of business and read the recommendation set out in the report.
  - c. Members of the Panel and Observers may discuss the item.
  - d. The Chair may summarise the different views expressed at the end of the discussion.
  - e. The Chair may amend a report's recommendation.
  - f. The Chair shall indicate to Panel members the Chair's decision as to whether the recommendation in the report (including as amended) is approved or not approved or is to be deferred.
  - g. Subject to the above the Chair may conduct the proceedings of the Panel as they see fit and may defer the Chair's decision on any item of business and adjourn the proceedings of the Panel (in whole or in part) to another time, provided notice of the fact is published in accordance with paragraphs 2 and 5 above.
13. The Secretary shall prepare a note of the proceedings of the Panel as soon as practicable which shall be published on the Corporation's website and which shall contain a statement as to the Chair's decisions (as above) on each of the items of business on the Panel Agenda.

## APPENDIX B

### **Urgent action under the Corporation's Scheme of Delegation**

The "Urgent action" provisions in the Corporation's Scheme of Delegation (Version 3.0, last amended 3 July 2018) are amended as follows, deleting those words crossed-out and inserting those underlined.

Type of decision	Delegation
1. Urgent action	<p><del>Other than those functions that are delegated to the Planning Committee, the</del> <u>The Board</u> delegates to the each of the <del>Chairs</del> <u>man of the Board and</u> Committees, the exercise of any function of the Board or <u>a</u> Committee of the OPDC <del>between scheduled meetings of the relevant body where</del> <u>in the Chief Executive Officer's opinion</u> the matter to be decided is urgent and it is not possible and / or practicable to <del>convene an extraordinary meeting of the relevant body</del> <u>comply with the Remote Decision Making Procedures</u>, provided that, prior to taking action, the <u>relevant Chair</u> <del>man</del> consults all <u>available</u> <u>Members of the Advisory Panel corresponding to</u> relevant body (and the GLA Observer <u>as relevant</u>) notifying them in advance of the intended action and seeking their views.</p> <p>In such circumstances and where the relevant Chair <del>man</del> is unavailable for any reason, the Board delegates to the Chief Executive Officer the exercise of any functions of the OPDC in relation to the urgent matter provided that, prior to taking action, the Chief Executive Officer shall email all <u>available</u> members of the <u>corresponding Advisory Panel</u> <del>Board Members</del> (and the GLA Observer <u>where relevant</u>) notifying them of the intended action and seeking their views within a reasonable time frame.</p> <p>Any Chairs' <del>man's</del> or Chief Executive</p>

Officer's action using this provision must be recorded in writing along with the Chairs and Advisory Panel Members consulted and their views (if any) and reported to the proceedings of the next corresponding Advisory Panel ~~ordinary meeting of the Board.~~

All staff are delegated the authority to take emergency action in case of imminent danger to life or limb, in consultation with the most senior member of staff present or available by remote means.

Reference to the Chief Executive Officer above includes any member of staff acting-up into that position on a temporary or permanent basis.

The "Remote Decision-Making Procedures" means such procedures as are approved by the Corporation from time for the taking of decisions by remote means during the Covid-19 pandemic in accordance with the Scheme for Remote Decision-Making.