

# WHEATLEY PARISH COUNCIL REPORT -1<sup>ST</sup> MARCH 2021

## ITEM 168 DELEGATED POWERS AND FACE TO FACE MEETING

### CONSIDERATIONS

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<b>Strategic Goal:</b>	Goal 4 Develop the council to enable it to deliver its functions effectively and to instill effective leadership
<b>Legislation:</b>	Local Government Act 1972 s101,
<b>Summary:</b>	To approve delegated powers that will enable the council to carry out its functions and duties during the period of restricted activity, in respect of COVID-19

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#### **Purpose/Background**

In normal circumstances the majority of council decisions have to be made by the council as a committee in public, during the Covid-19 pandemic, legislation was implemented to enable these meetings to take place virtually.

Lobbying from NALC, SLCC and other organisations within the sector continues to take place, but currently the legislation is due to end on Thursday 6<sup>th</sup> May 2021.

As the legislation stands it will be unlawful for the council to hold a virtual council or committee meeting beyond this date. Working groups are not governed in the same way and could continue.

At the same time it is most likely that some COVID-19 restrictions will remain in place and there will still be officers, councillors and members of the public that will not have received their C-19 vaccination, which may make face-to-face meetings unsafe. I have listed some considerations on this topics:

#### **Face-to-face meeting considerations**

**Venue:** Further work needed to identify whether a COVID-19 secure venue would be available. It is unlikely that the Merry Bells will re-open until June 2021.

**COVID-19 secure measures** – would need to be followed and may incur additional costs to the council (time to clean all tables and cleaning materials). Maximum numbers in main hall will be approx. 30.

**Safety of attendees** – given that not all councillors, staff or members of the public will have had their C-19 vaccination serious thoughts need to be given to their safety. As an employer the council has responsibility to minimize risk to its employees.

**Increased room hire costs for committees** –The parish office is not large enough to provide a COVID-19 secure environment for committee meetings. Further work will be required to identify whether the coffee room will be large enough. This may also be dependent on the size of the committee, but all meetings must be accessible to the public. Additional room hire costs will be likely.

## **Delegation of Powers during C-19**

A short-term solution to fill the gap between 6<sup>th</sup> May and the lifting of C-19 restrictions could be to implement an enhanced scheme of delegation.

The council already has delegated some powers to the Clerk ([Section 4 of Financial Regulations](#)) which has set thresholds for expenditure.

It also implemented a similar scheme at the outbreak of the c-19 pandemic. The scheme of delegation would be implemented. Suggested scenarios are detailed below:

*Should the holding of Council Meetings be suspended as a result of civil emergency, the implementation of government advice / restrictions on direct contact in relation to national health, or other emergency, the Clerk/Ast Clerk has delegated authority to take decisions in pursuance of the provision of ongoing Council services and business and in relation to new Council policy and functions arising from the circumstances that precipitated the suspension of Council Meetings.*

*In non-urgent situations the Clerk should action the business having sought in writing the views of the Chair and Vice Chair OR Chair, Vice Chair and Chairs of all committees with not less than 5 working days' notice. Decisions made under such delegations shall be noted at the next meeting of the council.*

*The exception to this would be the Planning Committee, in which the Assistant Clerk would seek the views of all Councillors on the Planning Committee and make a decision in conjunction with the Chair and Vice Chair of the Planning Committee.*

*In urgent situations, relevant sections of our Standing Order and Financial Regulations will be applied.*

Delegated powers cannot be applied to signing off of Annual Governance and Accountability Return, budgets, precept borrowing of money or changes in code of conduct. Should C-19 restrictions remain in place at the point in time that we need to approve our Annual Governance and Accountability return we will need to convene a meeting, with limited numbers or councillors to be quorate (5)

## **Risks**

A scheme of delegation removes the democratic process for the wider community. This could be reduced by delaying some decisions to a time when the council can convene in public and only making core decisions that are required for the council to meet its obligations and maintain its services.

## **Recommendation**

To approve the delegated powers as above and to continue to monitor the situation around face-to-face meetings, with a view to resuming these once safe to do so.