

Ludgvan Parish Council

Response to COVID-19 pandemic: Council Operating Policy and Emergency Scheme of Delegation

Adopted as policy on: 8 April 2020

Context

The parish council needs to adopt an internal plan, with the aim of business continuity where possible, in response to the current coronavirus pandemic. This document sets out some contingency plans. These plans will be subject to review as the pandemic situation changes, and will be guided by advice from government, Cornwall Council, Cornwall Association of Local Councils and the Society of Local Council Clerks.

1. Cessation or changes to normal council business

The Clerk, in consultation with the Chairman and Vice-Chairman of the parish council, shall have absolute discretion on the cessation or changes to normal council business. Any changes to normal council business will be kept under review and normal service shall resume at the Clerk's discretion, again in consultation with the Chairman and Vice-Chairman of the parish council.

2. Action required by Clerk and Councillors

Any person with symptoms of coronavirus must follow the advice of NHS111 (online advice is recommended, only phone 111 if necessary). The Clerk must be informed immediately and the person must not conduct council business in person until either a clear negative result from testing has been received, or until a quarantine period has been reached (advice on this to be taken by the person concerned from the NHS).

3. Council meetings

The Government has advised that everyone should remain in their homes unless absolutely necessary. Clarification has been given that council meetings must not be held, following the Prime Minister's announcement on 23 March 2020.

Council meetings (or committee, working group and similar meetings) will not be held until further notice.

The Annual Parish Meeting is cancelled altogether.

4. Decision making

Local authorities are required to hold meetings to make decisions. The Local Government Act 1972 requires members to be physically present in order for a meeting to take place. In these exceptional times, a lawful alternative is for decisions which would otherwise have been on the agenda for a committee or Council, to be made by an officer, for the parish council this will be the Parish Clerk. To ensure that decision making remains inclusive of elected members, the Clerk will make decisions having sought and taken into account the views of members of the council.

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 will also permit local councils to hold 'virtual' meetings which should be accessible to all serving councillors and to the press and public. This legislation comes into force on 4 April 2020 and will be implemented by the parish council as guidance is received and as governance and logistical capacity permits.

5. Decisions on planning applications

The planning applications which were due to be considered at the 8 April 2020 meeting of the parish council, will have a parish council response written by the Clerk on 8 April 2020, the response

to be submitted to the Cornwall Council planning portal and posted on the parish council website. This consultation response will take into account the views of all councillors, to be sought in advance via email. For ongoing planning consultation past this date, refer to the 'Parish Council Service Provision' section below.

6. Decisions on council services

The council will be operating only key services. The activities of the council will be under constant review and will be updated as events require.

Decisions will be made by the Clerk, in consultation with elected members.

Means of consultation:

- Written reports / decision consultation notes will be circulated to all councillors by email. Three clear days will be allowed wherever possible, to allow time for consideration and response. This form of consultation will enable a written record of councillor responses to be maintained. When responding by email, councillors are asked to 'reply all' to aid transparency and a level of information sharing and discussion.
- Virtual informal meetings may be held (ie by Skype, Microsoft Teams, or similar) if needed to facilitate discussion that otherwise would have taken place, for example, by working groups or panels.
- Meetings of the parish council held via a 'virtual' platform (eg Skype, Zoom, or similar) will be held in accordance with agreed governance arrangements, yet to be adopted.

7. Record of Delegated Decisions

A record of delegated decisions will be maintained, with a register to list the decisions taken by the Clerk as Proper Officer of the council under this Emergency Scheme of Delegation (and any subsequent revisions of the Emergency Scheme of Delegation) as a result of the Coronavirus Bill 2020 and associated Government Restrictions. The Register will be maintained in accordance with the 2014 Openness of Local Government Bodies Regulations.

The Delegated Decision Register will include

- Date of decision
- Reference number
- Who took the decision
- Financial value
- Whether a s.137 decision
- Summary details

Information which would normally be exempted under the Freedom of Information Act 2000 and the General Data Protection Regulations will not be published.

The decision register will be published on the parish council's website and regularly updated.

8. Parish Council Service Provision

9. Communications

There is no parish council office and so ordinarily councillors and the Clerk would arrange for face-to-face meetings at a suitable venue. All face-to-face meetings have been stopped during the current emergency. This provision will remain under review as circumstances change.

The Clerk continues to monitor phone calls via the office phone, and email correspondence. Postal correspondence and deliveries continue.

The parish council website will continue to be kept up to date with information on decision making and community support being the priority areas.

10. Planning

The Council are not yet legally allowed to meet virtually or electronically and make legally binding decisions. This includes formal planning application responses. The parish council will confer on a weekly basis and issue non-binding comments to all planning applications for the parish that it would otherwise have considered at a council meeting. The clerk will invite all parish councillors to give their individual responses by email, with provision for response by post for councillors without access to the internet.

The comments submitted by the Clerk on behalf of the parish council will be available to public view both on the parish council website and on the Cornwall Council planning portal.

The public are advised that they may make comments on any planning applications via the Cornwall Council planning portal.

11. Burials

Burial administration will continue. Government advice on burials will be adhered to. The Clerk will liaise with the sexton, vicar/minister/funeral celebrant, and funeral directors to ensure social distancing measures are in place.

Scattering and interment of ashes shall cease until further notice.

Post or cheque payments for funerals will not be accepted – all payments are to be made by direct payment to the parish council bank account.

Pre-purchase grave selections are not currently being offered.

12. Allotments

The allotments at Church Hill, Ludgvan, and at Long Rock, remain open at the current time, although this situation remains under review. It is noted that there has been a cabinet ministerial view that working an allotment can be considered the permitted daily exercise. This situation may change, either with a change in Government guidance, the exercising of police powers relating to travel, or by decision of the parish council.

Allotment holders are required to follow social distancing measure as per Government guidelines, and to follow advice from the National Allotments Society regarding hygiene and minimising risk on the allotment site, related to the COVID-19 pandemic.

Vacant allotments will continue to be allocated to those on the allotments waiting list, where administrative capacity permits.

Allotment inspections will not be carried out for the foreseeable future, but will be reinstated when it is considered safe and practicable to do so.

Termination of tenancies (ie for non-payment, poor upkeep, etc) is put on hold until the end of April 2020 at which time the situation will be reviewed.

Any allotment fees not already paid to the council will remain due to be paid. Such payments may only be made directly to the parish council's bank account, and not in cash or by cheque.

13. Payments due to the council

During the period of emergency measures, the parish council will accept payment only by direct payment into the parish council's bank account, and not in cash or by cheque.

14. Payments to be made by the council

Invoices for normal expenditure will be paid on a monthly basis. Every effort will be made to minimise disruption of payments.

Ludgvan Parish Council currently only has provision for payment by cheques, to be signed by two authorised councillor signatories.

Cheques will now only be issued if there is no alternative option. The parish council is committed to the health and safety of its staff and councillors and the need to maintain social distancing measures. Having considered alternatives to the Clerk visiting councillor signatories, reliant on postal deliveries and subject to other risks and delay, the council will take an emergency measure and switch to online banking as soon as is practicable, to enable online payments. This is a measure to be taken by the Clerk, having consulted with the Chairman, Vice-Chairman and all councillors. The principle will remain – that no payments will be released without the authorisation of two authorised signatories, and relevant updates will be made to Standing Orders, Financial Regulations and audit procedures.

Until online banking is implemented, only essential payments will be made by cheque, with the cheque book to be sent to two councillor signatories by post and returned to the Clerk by post.

The list of scheduled payments will be circulated by email to all councillors, along with the monthly finance reports.

All salary and associated payments shall be paid on time and in full.

15. Maintenance and repairs

Only emergency works are expected to be carried out for the foreseeable future. This situation will be reviewed as circumstances change.

16. Footpath maintenance

Only emergency works are expected to be carried out for the foreseeable future. This situation will be reviewed as circumstances change.

17. Events

All parish council events are cancelled during the coronavirus pandemic period. This will be reviewed as circumstances change. Attendance to outside bodies and events by councillors or the clerk are also cancelled during this period.

18. Local support for those self-isolating or ill

This will be a time of anxiety, loneliness and hardship for many in the local community. Information will be posted on the parish council's website to help link people with the support they may need, and for those willing to volunteer their help to do so.

It is also noted that while there is much that the parish council can do, the parish council's resources are limited, and so key services that people can be signposted to are: **Cornwall Council; NHS 111 online; Volunteer Cornwall.**