



EVESHAM TOWN COUNCIL



MEETING OF THE TOWN COUNCIL

Notice is hereby given that a **EXTRAORDINARY** meeting of the **TOWN COUNCIL** will be held in the Main Hall of the Town Hall, Evesham, at 6.30pm on **MONDAY 23 MARCH 2020** to which you are hereby summoned for the transaction of the business specified below.

Admission of the Public and Media

Members of the Public and Media are welcome to attend in accordance with the Public Bodies (Admission to Meeting) Act 1960 Section 1.

Public Participation

Public Participation is welcomed and will be in accordance with Standing Order 3(e) to 3(j) on a matter before the Council. It would be helpful if anyone wishing to participate would contact the Town Council on 01386 565700, email townclerk@eveshamtowncouncil.gov.uk, or in person, prior to the meeting.

Recording of Meetings

Under the Openness of Local Government Bodies Regulations 2014 the council's public meetings may be recorded, which includes filming, audio-recording as well as photography.

AGENDA

1. **Apologies for Absence**
2. **Declarations of pecuniary or other interest (if any)**
3. **Committee Minutes**
To receive the committee minutes and approve authorisation for recommendations where applicable:
 - (a) Finance and General Purposes Committee – 16 March 2020 (to be tabled)
4. **Scheme of Delegation and suspension of all Council and committee meetings**
Report attached
5. **Matters of urgency raised, for information only, at the discretion of the Town Mayor**
notice of which is to be given prior to the commencement of the meeting.



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EVESHAM TOWN COUNCIL

COMMITTEE: TOWN COUNCIL

DATE: 23 MARCH 2020

SUBJECT: SCHEME OF DELEGATION AND SUSPENSION OF ALL COUNCIL MEETINGS

REPORT BY: TOWN CLERK

1.0 PURPOSE OF THE REPORT

- 1.1 To advise the Council to follow the lead of other local authorities including WCC and cancel all council meetings, the Annual Town meeting of Parishioners, and committee meetings in light of the recommendations surrounding the Coronavirus outbreak.
- 1.2 To set out a scheme of delegation that allows the Council to respond and make decisions with regards to urgent matters, planning applications and traffic consultations.

2.0 RECOMMENDATION

- 2.1 It is recommended that the Council suspend all Council meetings to be reviewed monthly.
- 2.2 It is recommended that the Council agree to the proposals to delegate expenditure decisions and responses to planning applications/traffic order consultations as detailed in the report below for the duration of suspension of meetings.

3.0 BACKGROUND

- 3.1 Members will already be aware of the Coronavirus outbreak which is having a severe impact on everybody. Government advise is to avoid social contact, self isolate if you have a health condition or of a certain age. This has a massive impact on Councils who require meetings to undertake its basic functions and is unprecedented in living memory. The Finance Committee already noted an operational document that was drafted by the Clerk at its meeting on 16 March which is attached for information.
- 3.2 However, the Council is required to approve any delegation of power to respond to urgent matters that require expenditure above £3,000 and to respond to planning applications and traffic order consultations. Without this delegation, the Council will not be able to respond to planning applications which have a tight deadline, nor be able to undertake any emergency work where the cost is above £3,000, if required.

4.0 SCHEME OF DELEGATION

- 4.1 Members will be aware that there are some aspects of Town Council business affected by legislation. In particular: -
- Meetings HAVE to be held in a “place”
 - voting can only be by a show of hands of those “present”
 - Meetings have to be open to members of the public to attend

- 4.2 Therefore, unless legislation is amended, or emergency powers for local councils brought in, council business and decision making be severely affected.
- 4.3 Financial Regulations do provide for some delegation of authority to the Clerk either alone or in conjunction with the Town Mayor with expenditure permitted up to £3,000.
- 4.4 However, it is recommended that members consider and approve this additional scheme for the duration of meetings being suspended as follows: -

If a matter is deemed “urgent” and if outside scheduled committee meetings or Full Council and with the consent of the Town Mayor the matter can be considered by the use of an “Urgent Consultation Panel”. The panel will consist of the Town Mayor, Deputy Mayor and Chair of the committees and would be facilitated via email consultation from the Town Clerk and would require a majority agreement by a deadline, suggested to be the end of the next working day. All decisions would be implemented by the Clerk or, in their absence, the Finance Officer, and reported to full council at the earliest opportunity.

- 4.5 This panel along with the Town Clerk would also be responsible for reviewing the meetings and when to cease the suspension.
- 4.6 Monthly payments list to be emailed to members for questions but the Town Clerk be authorised to make payments and retrospectively approved at the first meeting that can be called (possibly July).
- 4.7 The Annual/Mayor Making and Town meetings have to be held within a certain timescale and the Clerk is awaiting advice from NALC as to whether emergency powers can be passed so that these can be held later in the year. Many Councils have cancelled their Annual Town Meeting of the Parishioners as they state it is an obligation and it is recommended that Evesham Town Council do the same.
- 4.8 It is highly likely that the Mayor Making will be postponed or if held in May, be scaled down to just include the election of the Mayor and Deputy Mayor without the ceremony and other aspects that are custom. If legislation changes it may be held using video conferencing.

5.0 RESPONDING TO PLANNING APPLICATION CONSULTATIONS AND TRAFFIC ORDER CONSULTATIONS

- 5.1 It is not known whether the planning authority will continue to process and consult on planning applications and whether WCC will do the same with traffic orders. However, if it does we at present have no means to respond to this without holding a meeting.
- 5.2 The planning authority has a 3-week target to get standard applications processed meaning that they do not give much time for consultation. It is therefore recommended that the planning committee members be permitted to respond to these applications via an email to the Town Clerk.
- 5.3 It is proposed that an electronic planning list would be sent out every 2 weeks to those on the Planning and Estates Committee, and a response would be required by the end of the next working day. If any qualifying comments were made, i.e. reasons for refusal/approval, these would be collated and sent round to the committee members as soon as practically possible for consultation on whether to include them in the formal

response. Again, a deadline would be set for the end of the next working day so the office could then submit to the planning authority.

5.4 The responses would be formally reported at the next available Town Council meeting.

6.0 OTHER TOWN COUNCIL SERVICES

6.1 Depending on availability of staff it may be necessary to:

- Accept that regular grounds maintenance, including the cemetery mowing, and planting may suffer.
- Have issues facilitating burials and ashes interments
- Accept that Lengthsman duties may not be undertaken as quickly as usual
- Office and Almonry may not open or offer a severely reduced service
- Town Hall income will reduce as hirers cancel bookings, we have already had cancellations from the regular weekly hirers
- Almonry income will reduce for the period it is closed

7.0 NALC UPDATE ON MEETINGS AND END OF YEAR

7.1 The following update has been issued by the National Association of Local Councils in response to the Covid 19 outbreak:

At a meeting yesterday (16th March 2020), Secretary of State Rt Hon Robert Jenrick MP spoke to leaders of the Local Government Sector and confirmed that Central Government: Will consider bringing forward legislation to remove the requirement for Annual Council meetings to take place in person

Will consider bringing forward legislation to allow Council committee meetings to be held virtually for a temporary period

Therefore Councils should not worry about the need to hold an Annual Council Meeting in person in May, but should investigate the possibility of doing so virtually using a provider such as Zoom or via applications such as Skype.

The second point although it looked in relation to principle councils may become available to Local Councils as well and as above the ability to hold meetings virtually should be investigated by each Council.

At the same meeting yesterday the Secretary of State also said the deadline for local government financial audits will be extended to 30 September 2020. This indicates that Councils may not need to sign off the accounts until that point. Hopefully the detail will be coming shortly.

8.0 FINANCIAL IMPLICATIONS

8.1 These are detailed in the report.

9.0 LEGAL IMPLICATIONS

9.1 If the recommendations are passed, this is in essence a temporary amendment to Standing Orders and Financial Regulations. It would enable the Council to undertake urgent expenditure. It would also enable the Council to respond to planning applications.