



# MELTON PARISH COUNCIL

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**MPC(20)36**

## **THE CORONAVIRUS EMERGENCY SITUATION AND HOW MELTON PARISH COUNCIL SHOULD RESPOND**

### **Background and summary**

The situation with coronavirus is fast-moving. Up to date information on the national situation is best obtained via both the main government and NHS websites:

<https://www.nhs.uk/conditions/coronavirus-covid-19/>

<https://www.gov.uk/government/topical-events/coronavirus-covid-19-uk-government-response>

This paper looks at:

- How Melton PC should manage risk in relation to this pandemic
- The legal framework in relation to the holding of meetings
- Year end implications
- How it should continue to operate effectively with minimum exposure to risk of staff and Members

and makes recommendations for Full Council to consider and adopt.

The main risks to the Council through individuals contracting the virus are to:

- Effective decision-making
- Continued operation of the parish office and day-to-day business activities
- Continued maintenance of the Council's assets

and these need to be mitigated by careful planning as far as possible. New projects are likely to be held up, but e.g. time limits for spending CIL monies are unlikely to be extended so decisions will still need to be made and projects progressed if the emergency lasts for a long time.

### **The legal position - holding Council and Committee meetings**

On all legal matters, NALC is seeking advice from government but no response is forthcoming. It is unlikely that in the present situation government will concern itself

with regulatory matters concerning local councils unless there is some overarching clause in the Emergency legislation bill which acts to relieve them of regulatory burdens whilst the pandemic lasts.

The general rule is that local councils must hold an annual meeting in May and at least 3 other meetings in the year. There is no legislation relating to the holding of other than Full Council meetings. A Quorum for Full Council is five Members.

### **The legal position - the Annual Parish Meeting**

Under the Local Government Act 1972, this must be held between 1 March and 1 June annually. However a footnote in the textbook *Local Council Administration* states that there is no effective method of enforcing this rule.

### **Year end implications**

No communication has yet been received from the government appointed external auditor – PKF Littlejohn - so the date required for submission this year is as yet unknown. Generally the statutory year end accounts need to be certified by me as RFO and considered and approved by Full Council by no later than the end of June with submission to the external auditor immediately thereafter. Ideally this year we would get the accounts ready for approval as early as possible after 31 March, but the internal auditor's visit is not scheduled until 8 June (insufficient resources at SALC to audit larger councils) so we cannot submit the Annual Return to Full Council until after that date. In the current circumstances the appointed internal auditor may not be available or delayed even further so the Council should have a back up plan.

### **Recommendations for discussion and agreement by Full Council**

Notwithstanding that no guidance has yet been received, in the light of the pending emergency legislation and the need to invoke social distancing, the Council is recommended to take the initiative and introduce the following measures to take effect as soon as possible. Other Councils have already suspended meetings until further notice, but in reality we need to consider a long term sustainable approach to making decisions and running the Council's operations in the likelihood that the pandemic will be with us for a long time.

Full Council is recommended to resolve as follows:

1. Where Full Council or one of its Committees is unable to meet, any key decision that needs to be made as an emergency to ensure that the Council continues to meet its obligations shall be delegated to the Clerk (or Assistant Clerk in his absence) in conjunction with the Chairman and Vice-chairmen of the Council, and / or the Chair of Committee as appropriate to the matter to be decided and whether or not it falls under the terms of reference of a Committee.
2. If the emergency lasts for a long time, then a formal means of electronic decision-making shall be developed. However it must be noted there is no statutory basis for such a decision-making framework.
3. To retain for the time being the Statutory Annual Meeting scheduled for 6 May in the Council diary but to keep the date under active review.

4. For all scheduled Committee meetings, that the Clerk and Chairs consider whether a meeting is essential and cancel if at all possible.
5. To postpone the Annual Parish Meeting due to be held on 29 April.
6. Where meetings have to be held only a quorum need attend for decisions to be taken lawfully.
7. With immediate effect all meetings should be closed to the public; public participation can be retained via invitation to comment on line or by telephone on matters on the agenda.
8. All non-urgent meetings held in the meeting room are to be cancelled until further notice; where small gatherings do need to be held then participants shall spread themselves out to avoid close contact.
9. District Councillor surgeries to be cancelled until further notice.
10. To encourage the Council's Maintenance officer to carry out activities in public spaces as far as possible at times when the public are less likely to be around e.g. early mornings.
11. In the event of the Council's Maintenance Officer being unavailable, agree to seek volunteers to keep the Playing Field / woodland clear of litter etc.
12. The office is to be closed to casual callers; deliveries to be left in the lobby.
13. From 1 April the Clerk and Assistant Clerk will work flexibly, minimising the periods on which they are both present in the office to the occasions when they need to liaise e.g. on year end work, and otherwise will aim to work on their own, in accordance with the aim of social distancing, and liaise via email, text and telephone.
14. The Clerk and the Chair / Vice-chair of FERM Committee to consider whether another option for internal audit exists that can be executed earlier than 8 June and if another suitable option presents itself then the decision to make an alternative appointment is delegated to them accordingly.

William Grosvenor

Clerk and Executive Officer to the Council

16 March 2020