

**Okehampton Town Council**  
**Full Council Meeting 26<sup>th</sup> April 2021**  
**Meeting Report**

|                 |  |
|-----------------|--|
| <b>Date:</b>    | 9 <sup>th</sup> April 2021             |
| <b>Name:</b>    | Emma James                             |
| <b>Subject:</b> | Meetings from 7 <sup>th</sup> May 2021 |

**The following notes have been provided by Cllr Yelland:**

Notes from DALC Decision Making from 7<sup>th</sup> May with Cara Stobart

Remote meeting regs were covered under s78 of the Coronavirus Act 2020 and expire on 7<sup>th</sup> May 2021. All parties are lobbying government, MP's & Civil Servants, however, there has been a consistent message that there are no plans to change this.

A claim has been submitted to the High Court by Hertfordshire County Council v SoS MHCLG seeking a definition of "place" to include virtual. NALC will be representing the views of parish/town councils. Anticipated date of hearing is 12<sup>th</sup> April.

With the roadmap for exiting lockdown, as OTC has its own premises, we could meet f2f from 7<sup>th</sup> May, however, it would be better to wait until 17<sup>th</sup> May when indoor venues can open at 50% capacity. The rule of 6 won't apply for council meetings and vaccine passports will not be applicable to village halls. Parish Councils can offer remote attendance for members of the public.

From 21<sup>st</sup> June, all legal limits around social contact are anticipated to be removed with the return to the old normal for council meetings.

With regard to the Annual Governance and Accountability Return – it has to be completed and published by 1<sup>st</sup> July. DALC recommend approving at a remote meeting prior to 7<sup>th</sup> May, however, this can't be done until the auditor's report is received.

In terms of meeting schedules, the advice from DALC is to do as much as possible prior to 7<sup>th</sup> May remotely. Hold meetings in late April/early May to limit the risk of cllr disqualification for breaching the 6 month rule. Postpone non-urgent business and delay starting new projects that will require a lot of decisions.

Legally, councils only need to meet 3 times per year plus the Annual meeting (para8 sch12 LGA 1972). The council itself can determine when its year runs.

Options for Decision Making post 7<sup>th</sup> May

Council meetings – pros

1. Fully democratic
2. Open and transparent
3. Enables public participation

#### Council meetings – cons

1. Period with no meetings
2. Some business delayed
3. Risk of meetings being inquorate
4. Reduced public participation in the short term

#### Delegation to officers – pros

1. Urgent/important decisions can be made
2. Council business continuity

#### Delegation to officers – cons

1. Not democratic
2. Not transparent
3. Potential stress/pressure on officers
4. Risk of absences

#### FAQ

1. Q - What about Cllrs/staff who are vulnerable/have underlying health conditions that don't allow for covid vaccination?  
A - We all need to learn to live with Covid. From 7<sup>th</sup> May shielding rule will have ended. Covid secure measures need to be in place supported by a risk assessment e.g. social distancing; mask wearing if less than 1metre apart; hand sanitiser.
2. Q - What if meeting room not big enough?  
A - Look at an alternative space. Para 10 sch 12 of LGA 1972 allows for meetings outside of parish boundary
3. Q - Can we meet outside?  
A - Yes – however, consider practicalities. E.g. disruption from members of the public going about their business in the public space
4. Q - What if staff member refuse to attend work?  
A - Council needs to be consulting their staff now and take all reasonable steps to identify and mitigate risks. If a staff member disagrees that it is safe to come back to work, then the council is in dispute territory and needs to seek advice from DALC. Don't pursue disciplinary action unless it is the very last straw. Need to address staff member's concerns.
5. Q - Can staff members attend meetings remotely?  
A - The statutory requirements for f2f meetings apply to councillors only. Staff; public; upper tier councillors can all attend remotely. Caveat – clerk needs to hear and be heard plus the clerk would be the responsible person for ensuring the physical space is covid compliant in terms of setting up and managing, so clerk does really need to be present for the meeting.
6. Q - How can we facilitate remote public attendance?  
A - Need microphones; camera; screen; broadband with a decent bandwidth plus someone to operate it. If live stream goes down, then proceedings will need to adjourn until back online.
7. Q - Will DALC provide a template scheme of delegation?  
A - No. Each council is different and each one needs to decide for itself what it will delegate
8. Q - Can we hold an informal meeting with a consensus for the Clerk to take forward that can be ratified at a later date?  
A - No. Any council meeting that has an agenda needs to be open to the public; quorate; and run properly
9. Q - What about t&f groups; wkg gps?  
A - Yes, they can continue remotely as not decision making

10. Q - Can decisions be delegated to the Chairman or 2 cllrs (thinking specifically relating to planning)?

A - No. Decisions can only be delegated to the Clerk. This can include “in consultation with”. An option would be to convene a smaller committee than usual – say 3 members. This would need to be agreed at the Annual Meeting. (OTC has this covered as we have the emergency committee)

11. Q - Will the council be open to an age discrimination claim by those who haven't been offered a vaccination due to their age – by staff; cllrs or members of the public?

A - Possibly, however, as long as the council could evidence that they have a robust risk

Cllr Yelland's notes refer to completion of the Annual Governance and Accountability Return (AGAR) which must be done by resolution of full Council after the internal auditors visit and report has been received, and before the end of June. The internal auditors visit is scheduled for 20<sup>th</sup> May.

DALC recommends that face-to-face meetings are not held until after 17<sup>th</sup> May when (hopefully) the next step in the roadmap is reached and indoor venues can open at 50% capacity. The recently revised schedule of meetings which brought forward Mayor Choosing is as follows:

|                             |                               |
|-----------------------------|-------------------------------|
| 26 April                    | <b>Full Council</b>           |
| 5 May (12noon)<br>Wednesday | Mayor Choosing/Annual Meeting |
| 10 May                      | Planning Committee            |

**At the meeting of full Council in March the following action was resolved:**

**Delegations** – On the proposition of Cllr Goffey, seconded Cllr Ireland, it was **RESOLVED** to approve the delegations as set out in the previously circulated report.

**Microphone System** – On the proposition of Cllr Yelland, seconded Cllr Goffey it was **RESOLVED** to purchase the system recommended by the Emergency Committee at a cost of approximately £2,000.

**Recommendations**

It is recommended that:

- a) the full Planning Committee meeting is brought forward to Tuesday 5<sup>th</sup> May at 7pm, Monday 4<sup>th</sup> being a bank holiday, so that it can be held virtually
- b) that no face-to-face meetings are held until at least 17<sup>th</sup> May, with the exception of full Council, if necessary, in order to approve the AGAR prior to the end of June.