

## ELDON PARISH COUNCIL

23<sup>RD</sup> MARCH 2020

### PARISH COUNCIL BUSINESS DURING CORONAVIRUS PANDEMIC

#### REPORT OF CLERK

#### INTRODUCTION

All Parish and Town Councils operate within a Statutory framework. Some of the key elements/requirements are:

- The Council must determine a budget and set a precept each year. This was done in January.
- A meeting for the Electors of the Parish must be convened each year between 1st March and 1st June (in the past this has preceded the Annual Meeting of the Parish Council held on the last Tuesday in May)
- An Annual Meeting of the Parish Council must be held in May each year - in Eldon this is usually held on the last Tuesday in May. This meeting deals with the appointment/election of the Chairman and Vice-Chairman, appointment of committees, representation on outside bodies and dates for meetings in the coming municipal year.
- The annual accounts need to be approved and the Annual Governance and Annual Return (AGAR) completed which deals with the running of the Council and its accounts. In our case, as a Council with a smaller budget, the AGAR is signed by the Chairman, Clerk (as responsible financial officer) and the Council's Internal Auditor. It must also be published on the Parish Council's website and public notice given. After the completion of accounts at the close of the financial year (31 March), they must be certified by the Council's responsible financial officer (RFO), considered and approved by full Council by **no later than 29 June**, and published by **30 September**. If a planned full Council meeting is not able to approve the accounts e.g. the meeting is not quorate due to Councillor absence, then an extraordinary Council meeting can be called at a later date as long as it is within this timeframe. It is suggested by NALC that If Councils are concerned about potential delays they may wish to consider approving the AGAR as early as possible, for example, at an April meeting rather than waiting for the May/June meetings. NALC and SAAA have discussed and agreed to keep an eye on the situation. SAAA will keep in close contact with auditors as well.

#### CARRYING OUT BUSINESS DURING THE CORONAVIRUS PANDEMIC

It is suggested that it may be prudent, in the light of the Coronavirus pandemic and the restrictions it may place upon society in the coming months, to ensure that the Council can continue to act, respond to issues and carry out its statutory functions, even if meetings cannot be held.

It is possible for a Council to delegate decision making to an officer of the Council, i.e. the Clerk or the responsible financial officer (RFO) under the provisions of Section 101 of the Local Government Act 1972.

Advice from CDALC is that Councils should consider delegation to the Clerk. Delegation should be broad, empowering the Clerk/RFO to do anything expedient and necessary to ensure the continuous business of the Council, and to deal with mandatory undertakings in order to prevent the authority from incurring liability during the period that the delegation is applicable.

If wished, Councils can decide that the officer will consult with the Chairman and/or Vice-Chairman in the decision making but Councils must acknowledge that it is the officer that is the decision maker. This is because a Councillor cannot make a unilateral decision for the Council but the Clerk can – if granted delegated responsibility by the Council.

CDALC is still awaiting advice from the National Association of Councils on any arrangements that may be put in place in relation to the Annual Meeting for Electors and the Annual Meeting of the Parish Council. Given that the VE75 celebrations on 8th, 9th and 10th May are currently expected to occur during the period when the Coronavirus outbreak is nearing its peak, guidance is also being sought about whether any such events should go ahead.

One of the issues also being considered is whether Councils can work remotely using video conferencing, phone or Skype, although current Statute does not allow this. Other events which the Parish Council needs to consider include the Annual Village Fete and the Annual Garden Competition in July.

## **RECOMMENDATIONS**

It is **RECOMMENDED** that:

1. The Council empowers the Clerk/RFO to do anything expedient and necessary to ensure the continuous business of the Council, and to deal with mandatory undertakings in order to prevent the authority from incurring liability during the period that the delegation is applicable.
2. The proposed VE75 celebrations on 8th May for which the Parish Council has received funding from The National Lottery be postponed. There are two possible options for a rearranged event - Saturday 15th August will see the 75th anniversary of VJ (Victory in Japan) day. Alternatively, an event could be held on Saturday 7th November before Remembrance Sunday. However, these dates will need to be reviewed as the pandemic progresses, in the light of Government advice, and it may be that the postponement may need to be even longer. The Clerk will need to seek the views of the National Lottery about the grant in these circumstances.
3. The next scheduled meeting of the Parish Council on 31st March 2020 be cancelled.
4. The Annual Village Fete in July be postponed with a view to re-arranging the event in either August or September. This would be dependent on (a) Government advice in relation to how the pandemic develops and public gatherings, and (b) being able to re-arrange entertainment provision with our usual providers.
5. A decision on the garden competition judging take place at the end of July. If there are continuing restrictions linked to the Coronavirus pandemic this could be moved back to August or cancelled until next year.
6. The Council await the advice from NALC in relation to (a) the requirement for an annual Parish Meeting for Electors, (b) the Annual Parish Council Meeting and (c) the conclusion of the annual accounts, completion of the AGAR and advertising of the same.
7. The Parish Council attempts to finalise the accounts and AGAR as soon as possible after financial year end.

**Tom Bolton**  
**Clerk to the Council**