

## HEREFORD CITY COUNCIL

### GOVERNANCE AND PROCEDURES COMMITTEE 20<sup>th</sup> March 2020

#### MINUTES OF MEETING

**Present:** The Right Worshipful the Mayor Councillor Kath Hey, Councillors Andrews, Boulter, Kenyon, Stevens and Tillett.

**Attending:** Steve Kerry Town Clerk, Tracy Morriss Deputy Town Clerk

In the absence of the Chair, the Vice Chair Councillor Stevens reiterated the fire evacuation procedures for the Council Chamber.

#### **GP2019/20.92 APOLOGIES FOR ABSENCE**

The Clerk reported apologies from Councillors Dykes, Hunt, Powell, Wilcox and Williams.

#### **GP2019/20.93 APPOINTMENT OF SUBSTITUTES**

The Clerk reported that Councillor Kenyon was substituting for Councillor Williams, and Councillor Tillett was substituting for Councillor Powell. The Chair thanked the members who had agreed to act as substitutes and confirmed that the meeting was being held in the Council Chamber to allow for members to follow government advice on social distancing.

#### **GP2019/20.94 DELEGATION OF AUTHORITY DURING THE COVID 19 OUTBREAK**

The Clerk reported that the government is moving quickly from the containment phase to the delay phase. This means that measures will soon be introduced to effectively “lock down” many aspects of public life. This will include encouraging home working and discouraging, or possibly prohibiting under emergency legislation public meetings and gatherings. This will make conventional council and committee meetings impossible and will also require the postponement of key civic events in May. The situation is changing rapidly and has even changed since the report members have before them was written.

A parish council has three means by which it can make a decision. These are: resolution by Council, resolution by a committee of at least three members acting under terms of reference or delegated decision by an officer. There is no provision in law for delegated decision making by a single member, nor is there any possibility of a cabinet model in a parish council. The proposals before members are to enable urgent and routine business to carry on under delegated authority. In order to preserve democratic accountability it is proposed that the Clerk will use delegated authority to make decisions when he has canvassed the opinions of members either of council or committee as appropriate and will reflect the majority view in any delegated decisions that are made. A full record of members’ comments and voting on these decisions will be kept in order to verify this process.

As far as possible complex items will be deferred until such time as council and committees can meet. For example, it is not envisaged to attempt to deal with large grant applications in this way as there is so much paperwork that would need to be circulated. The government have not yet made announcements of changes to

legislation but it is widely expected that the May items such as Mayor-making and Annual Parish Meeting may be postponed. There has been no announcement yet of any variation to dates for approving annual accounts, but again this is widely anticipated.

In answers to members' questions the following observations were made. This has taken a lot of thought and been carefully considered as something which complies with current law, rather than anticipating any temporary changes to legislation. It enables all members to participate in decision making without the need for physical meetings and the consequent risk of infection.

Members queried the ongoing operation at the Town Hall. At present, it is thought that the Town Hal will stay open for registrars of elections and births deaths and marriages. The Coroner is also remaining here. The vast majority of visitors to reception are for Herefordshire Council services and for as long as the building is open to the public the front desk will be manned by City Council staff. Other staff will be encouraged to work from home and any necessary meetings with the public will be by appointment. Members considered having a member of staff on a rota to answer queries and meeting people but no amendment to the proposal on this point was suggested. Additional laptops are being purchased or borrowed to enable home working. It was reiterated that there is no legal provision for online or virtual meetings. If the government introduces this it can be considered, but it is not currently a legal option.

After the conclusion of members' remarks and questions, the Chair read out each of the recommendations and it was unanimously

**RESOLVED**

**That the Committee agrees that in the situation prevailing with the Covid 19 outbreak, Council Standing orders will be waived to give delegated authority to the Clerk to act on behalf of the Council as Proper Officer on matters which would otherwise require a committee mandate.**

**That this waiver includes the expenditure limits in financial regulations, save that no grants will be agreed above £3,000 without the approval of a full council meeting.**

**That the Committee reviews the need to maintain this position on 5<sup>th</sup> May by email consultation unless the government advice has been changed to remove any call for meetings to be minimised by then.**

**Signed .....**

**Date .....**