



Goostrey Parish Council

The Village Hall

Goostrey

Cheshire

CW4 8PE

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Thursday 30th December 2021

AN EXTRAORDINARY MEETING OF THE PARISH COUNCIL

WILL BE HELD ON

THURSDAY 6th JANUARY at 7.30PM IN THE VILLAGE HALL, MAIN HALL

To be conducted in accordance with the agenda below.

S Jones

Sharon Jones, Clerk to the Parish Council.

Residents are encouraged to attend, and members of the Press are welcomed. Seating will be socially distanced, the windows will be open, hand sanitizer available and attendees are welcome to wear a face covering.

The Press and Public may not speak when the Council is in session unless invited to do so by the Chairman.

Public Forum 7.30 – 7.45pm. - Public comments will be taken before the Meeting commences but are restricted to 15 minutes unless the Chairman allows otherwise.

AGENDA

- 01.22.1. Declaration of Interests:** To receive and minute any Declarations of Interests.
- 2. Apologies for absence:** To receive Apologies for unavoidable absence.
- 3. Emergency Scheme of Delegation** - To approve an Emergency Scheme of Delegation to the Clerk which will operate between Parish Council Meetings. This scheme of delegation is being put in place in anticipation of the tightening of Government Restrictions in relation to COVID-19 (or other emergency situation) which may stop Parish Councils Meeting face to face. For reasons of health and safety of Councillors, employees, and the public the Council proposes to adopt the scheme between meetings and to allow meetings to take place if it is safe to do so. This means that a standing item will be added to each Parish Council Meeting Agenda, to continue the scheme of delegation to the Clerk until the next meeting.
- 4. Minor items and items for the next agenda.**
- 5. Date of Next Meeting – Tuesday 25th January 2022**

ITEM 01.22.03– Emergency Scheme of Delegation - To approve an Emergency Scheme of Delegation to the Clerk which will operate between Parish Council Meetings. This scheme of delegation is being put in place in anticipation of the tightening of Government Restrictions in relation to COVID-19 (or other emergency situation) which may stop Parish Councils Meeting face to face. For reasons of health and safety of Councillors, employees, and the public the Council proposes to adopt the scheme between meetings and to allow meetings to take place if it is safe to do so. This means that a standing item will be added to each Parish Council Meeting Agenda, to continue the scheme of delegation to the Clerk until the next meeting.

1.0 BACKGROUND

Meetings indoors may not be possible due to Government Restrictions, after Christmas 2021 and it is likely that any guidelines in place at that time would not allow the flexibility required to hold a Parish Council meeting giving access to the public effectively unless hybrid meetings are used which require the councillors to be present, but members of the public can attend virtually.

It may not be possible or practical to hold hybrid meetings as specialist equipment is needed to facilitate such a meeting.

The Council needs to consider how it will operate if the Government Restrictions are tightened after Christmas 2021.

Lawful decisions can only be made by Full Council or in accordance with section 101 of the Local Government Act 1972, which allows for the majority of functions to be delegated to a committee, sub-committee, or officer. It is not lawful for councillors to exercise a function on behalf the council outside a lawfully duly convened council, committee, or sub-committee meeting.

To facilitate the lawful and efficient operation and continuation of council function during this period, it is recommended that council approves a temporary delegation of authority to the Parish Clerk. This will lawfully give the Clerk the power to make decisions which would otherwise be taken by council or committee.

2.0 MOTION TO ADOPT SCHEME OF DELEGATION

The Parish Councils resolves that until the next Parish Council Meeting, unless:

- a. The government advises that virtual meetings can resume, or
- b. Government restrictions are eased sufficiently for meetings to take place safely, and
- c. The majority of councillors and the Clerk are satisfied it is safe to meet in Person in the Village Hall (this also takes into account the safety of members of the public).

The Clerk be authorised to exercise any function that would normally be exercised by Full Council or a committee excepting any which statute prescribes may only be exercised by Full Council.

That this authority be subject to the following conditions:

- i. No decision shall be made which would constitute a permanent change in established policy
- ii. No decision shall be taken prior to the Clerk having sought counsel from the Chairman or Vice-Chairman and the relevant committee's Chairman and/or Vice-Chairman
- iii. Should the Clerk or the Chairman or Vice-Chairman or the relevant committee Chairman or Vice-Chairman consider it appropriate, the Clerk shall prepare a report on a proposed decision and circulate it to all members of a committee or the council by email and no decision shall be taken prior to all members having indicated their view or one calendar week having passed. Alternatively, a virtual meeting will be arranged to discuss the matter.
- iv. A record of all decisions made under this authority shall be kept and reported to all members by email weekly and to the first relevant meeting
- v. Where authority is already delegated through Standing Orders, Financial Regulations, existing policy or previous resolution, any conditions attached thereto shall continue to have effect.

The current schedule of meetings of the Parish Council and committee meetings will only continue if criteria a-c (above) are met. If they are not met, the Council and committee meetings will be replaced with working group meetings as follows. Working Group meetings will be held virtually and all decisions made at the meetings will be made under delegate authority to the Clerk. Members of the public and press will be able to attend the virtual meetings.

Other meetings will be arranged as necessary

3.0 CONNECTED MATTERS

The council is still required to make certain decision at a Full Council meeting. If such decisions arise an Extraordinary Meeting of full council will be arranged with the prime objective of make the decision required, observing Government COVID-19 guidelines in place at that time. Members of the public will be admitted to the meeting.

1 - Local Government Act 1972 Schedule 12 7(2)

Motion: The Parish Council resolves to adopt the scheme of delegation until the next meeting of the full council.