

Measures agreed as a result of COVID-19 outbreak

Document Prepared by

The Clerk, Chair and Vice Chair, with authority given by Councillors via email week commencing 23rd March 2020.

Summary:

Due to the extent of the COVID-19 outbreak and subsequent government advice, the ability for the Council to function as normal has now been removed. The Government has advised that everyone should stop non-essential contact with others, non-essential travel and such associated activity. The situation is fast-moving and is set to escalate.

This document details how the Parish Council will operate during the suspension of Council activities, and has been drawn up by the Clerk, Chair and Vice Chair and given approval by Councillors remotely in the week commencing 23rd March 2020.

The activities of the Council will be under constant review and may be updated as the need arises.

For advice on the pandemic, please refer to Central Government and NHS official sources below:

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

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

Implementation date

The changes detailed in this notice apply with immediate effect until further notice, unless stated otherwise. The plans will be under constant review and may change.

Meetings

All Council meetings, Committee meetings, working groups, appointments, events and attendance at training shall be cancelled up until at least the last week in May – to be reviewed and subject to change (authority given to Clerk, Chair and Vice Chair to decide). The Annual Parish Meeting shall be cancelled altogether. The Government is being lobbied to change the law to allow legal decision-making to be made at video conferencing style meetings. Currently, however, only physical meetings and a show of hands is the legally accepted way to make decisions.

Planning

The Council is not yet legally allowed to meet virtually or electronically and make legally binding decisions. This includes formal planning application responses. As per Appendix A, the Council will confer, however, on a twice-monthly basis and issue non-binding comments to all planning applications put before it. These comments will be made available to public view both on the Parish Council website <http://www.landewednackparishcouncil.org.uk/> and on the Cornwall Council planning portal (<http://planning.cornwall.gov.uk/onlineapplications/>). The public are advised that they may make comments on any planning applications they wish on the planning portal. Cornwall Councillor Carolyn Rule may also be contacted to share your comments: (<https://democracy.cornwall.gov.uk/mqUserInfo.aspx?UID=2184>).

Public Toilets

The Public Toilets at The Green will remain closed until further notice.

Finance

The Clerk shall handle incoming invoices and payments for normal expenditure, or otherwise previously authorised expenditure, or emergencies shall be made monthly and authorised retrospectively at the next legal Council meeting (whenever that may occur).

Communications

The Clerk shall operate remotely as normal, with the best form of contact remaining by email. Councillors will confer by email and phone. The website shall be maintained as normal.

The Recreation Ground Play Area

The Council shall adhere to government advice as it evolves. As such, the play area was closed on 24th March.

Audit

Current rules state that The Clerk will have to meet with the Auditor for a day, likely in late May. This is essential and unavoidable. Having said this, the Government has extended the audit deadlines until 30 September which allows for some flexibility.

Annual Council meeting

The current legal position is that it must take place in May, however the Government may make an emergency change to the law. This is being closely monitored.

All other admin and clerical functions

Where possible will be performed remotely as normal practice.

Local support for those self-isolating or ill

This may be a time of anxiety, loneliness and hardship for some members of the community. An organic community support network has been formed online called Covid-19 Mutual Aid Lizard Peninsula. The Facebook Group has been created, and will be administered, by members of the community. The aim of the group is to co-ordinate and assist local people in relation to the developing situation with COVID-19. A link to the group can be found here: <https://www.facebook.com/groups/547565559202460/>

Cornwall Council has information for local residents here:

<https://www.cornwall.gov.uk/health-and-social-care/public-health-cornwall/information-about-coronavirus-covid-19/>

Communities are coming together in these difficult times. Volunteer Cornwall are coordinating a 'Flu Friends' effort. If you are isolating and need help you can register or if you are well and able and can volunteer you can register as a volunteer. Please go to their website to find out more information and what you can do. <https://www.volunteercornwall.org.uk/>

Heather Singleton, Parish Clerk

Appendix A – Planning response measures during suspension of Council activities - COVID-19 Outbreak

Following advice received from Cornwall Council's Acting Democratic Team Leader (Regulatory), along with previous advice received from Cornwall Association of Local Councils (CALC), the Parish Council will now follow the below process regarding consultation and responses to planning applications received after the Full Council meeting of 12th March 2020.

- On the first and third Monday the Clerk will create a list entitled 'Planning Applications List for Comment, Week Commencing [DATE]' (the contents would usually form part of the Council agenda.) This list will contain live applications for consultee comment and will be circulated by email. The list will be published on the Parish Council website instead of an agenda.
- Members of the Council will have until 09:00 on Friday of the same week to respond to the Clerk by email with their comments on each application.
- Member's responses must be concise and follow the format as below – selecting one of these four options:
 1. Support.
 2. Support but subject to conditions A, B, C (must be concise and specific).
 3. Object on specific material grounds quoting relevant policies if applicable (must be concise and specific).
 4. No comment.
- The Clerk will collate all responses received then produce a list entitled 'Planning Application Comments, Week Commencing [DATE]' (the contents would usually form part of the planning minutes).

The following statement will be added to each application collective comment:

“Due to the restrictions placed on the Council as a result of the pandemic Coronavirus, this response represents the opinion of members of Landewednack Parish Council identified through a consultation process, but does not constitute a formal consultee response because the outcome was not reached at a physical meeting at which the public could be present and where Councillors can legally vote.”

The list will be published on the Parish Council website instead of the minutes.

- The Clerk will submit these responses on Cornwall Council's online planning portal stating the number of votes received i.e. “X” number of Councillors who objected for these reasons.
- Each collective response will be concluded by the following statement:

“This response represents the opinion of members of the Council, but cannot legally constitute a consultee response as the outcome was not reached at a physical meeting at which the public could be present. Therefore a “5-day protocol” email should not be issued to the Council as it cannot legally respond.”

For clarification please see Appendix B and C for examples of a response under this new, temporary procedure.

This procedure is under constant review and is subject to change if there is a change in law allowing Parish Councils to formally meet 'virtually' or electronically and make legal decisions, or otherwise other relevant advice is forthcoming.

Appendix B – Example of a response under the new, temporary procedure.

Due to the restrictions placed on the Council as a result of the pandemic Coronavirus, this response represents the opinion of members of Landewednack Parish Council identified through a consultation process, but does not constitute a formal consultee response because the outcome was not reached at a physical meeting at which the public could be present and where Councillors can legally vote.

Comments received were as follows:

6x Support (MAJORITY)

1x Support with the following conditions: splays are widened to ensure safe access and egress.

2x Object. The following grounds were cited: development in the open countryside; dangerous access and egress on to the highway; no proven need for the development.

This response represents the opinion of members of the Council but cannot legally constitute a consultee response as the outcome was not reached at a physical meeting at which the public could be present. Therefore a “5-day protocol” email should not be issued to the Council as it cannot legally respond.

Appendix C – Example of a response under the new, temporary procedure.

Due to the restrictions placed on the Council as a result of the pandemic Coronavirus, this response represents the opinion of members of Landewednack Parish Council identified through a consultation process, but does not constitute a formal consultee response because the outcome was not reached at a physical meeting at which the public could be present and where Councillors can legally vote.

Comments received were as follows:

5x Object (MAJORITY). The following grounds were cited: Contrary to Local Plan Policy X. Out of keeping with the local area. Loss of public views in the AONB.

2x Support.

2x No comment.

This response represents the opinion of members of the Council but cannot legally constitute a consultee response as the outcome was not reached at a physical meeting at which the public could be present. Therefore a “5-day protocol” email should not be issued to the Council as it cannot legally respond