

To All Members of Selborne Parish Council

You are hereby summoned to attend a Meeting of Selborne Parish Council to be held remotely on Wednesday 21<sup>st</sup> April 2021 at 7.30pm, using the Zoom video conferencing platform, for the purpose of transacting the following business.

*J. Ives*

Locum Clerk, 15<sup>th</sup> April 2021



### Joining Instructions

Click on link to join meeting: <https://us02web.zoom.us/j/84628989421>

Dial in to meeting: 0203 901 7895

Meeting ID: 846 2898 9421

## AGENDA

1. **APOLOGIES FOR ABSENCE:** To receive and note apologies for absence
2. **CHAIRMAN'S ANNOUNCEMENTS**
3. **DECLARATIONS OF INTEREST**

*Councillors are reminded of their responsibility to declare any disclosable pecuniary interest which they have in any item on the agenda no later than when that item is reached. Unless dispensation has been granted, you may not participate in any discussion of, or vote on, or discharge and function related to any matter in which you have a pecuniary interest as defined by the Localism Act 2011. You must withdraw from the room/meeting when the meeting discusses and votes on the matter.*
4. **APPROVAL OF MINUTES:** To receive and approve the minutes of the Parish Council Meeting held on 24<sup>th</sup> March 2021
5. **PUBLIC QUESTIONS:** To adjourn the meeting for 15 minutes to allow public questions. Members of the public are invited to speak for up to 3 minutes each
6. **FINANCIAL REPORT:**
  - a) To receive a Financial Report from the Clerk
  - b) To note all payments and receipts since the 24<sup>th</sup> March 2021 and to approve payment schedule for current payments
7. **MINUTES OF PLANNING COMMITTEE MEETINGS:** To agree that the current Chair of the Planning Committee signs all committee meeting minutes for 2020/21 (these were not signed due to the Covid-19 pandemic)
8. **CIL NEIGHBOURHOOD PORTION:** To consider whether to receive £3,980.47 from the SDNPA or ask SDNPA to hold the fund on behalf of the Council
9. **COUNCIL MISSION STATEMENT & OBJECTIVES:** To consider a mission statement and key objectives for the Council for 2021/22
10. **ACTION LIST:** To note outstanding actions from previous meetings
11. **SDNPA PLANNING RESPONSES:** To review a decision made in August 2020 (minute ref: 20.65) to write to Tim Slaney, SDNPA, to discuss disparity between EHDC and SDNPA on planning decisions.
12. **CONSIDER OPTIONS FOR A RETURN TO FACE TO FACE MEETINGS POST 7<sup>TH</sup> MAY:**
  - a) Consider meeting arrangements post 7<sup>th</sup> May
  - b) Consider a scheme of delegation, if required, until a date when face to face meetings can resume safely
13. **NEWTON VALENCE ESTATE PLAN:** To consider further recommendations from the working group regarding footpaths

- 14. PLANNING APPLICATIONS:** To consider and agree a response to the following planning application:
- SDNP/21/01380/HOUS Hanger Croft, Gracious Street, Selborne GU34 3JB**                      **Comments by 28/04/21**  
Remove and replace existing timber cladding and interlocking roof tiles and replace with timber cladding and plain roof tiles to match existing dwelling and enlarging existing entrance
- SDNP/20/04118/FUL The Queen’s Hotel, High Street, Selborne**                      **Comments by 13/04/21**  
To consider a response to additional documentation provided                      **(extension to 22/04/21)**
- 15. PARKING AT GILBERT WHITE’S:** To consider a recommendation from the Planning Committee to write to Gilbert White’s regarding parking charges
- 16. PARKING IN SELBORNE HIGH STREET:** To discuss and agree any actions with regards to cars parking on High Street pavements
- 17. PARISH LITTER PICK:** To hear a report from the working group and agree any actions
- 18. VEHICLE ACTIVATED SIGN FAULT:** To consider whether to retain the existing VAS in view of the questions raised over data accuracy
- 19. VILLAGE GATEWAYS:** To consider and agree next steps in providing village gateways for Blackmoor, Oakhanger and Selborne
- 20. REPORTS FROM COUNCIL REPRESENTATIVES ON WORKING GROUPS/OUTSIDE BODIES:** To hear reports from councillors on working groups and outside bodies
- 21. DISTRICT COUNCILLOR REPORT:** To receive a report on matters affecting the Parish
- 22. DATE OF NEXT MEETING:** The next meeting is the Annual Meeting scheduled for Wednesday 5<sup>th</sup> May 2021. The next Planning Committee meeting date is to be agreed.

## **Appendix 1: Financial Report**

### **Bank Balances as at 31<sup>st</sup> March 2021**

Current Account	£ 5,814.53
Deposit Account	£67,520.22
<b>Total at bank</b>	<b>£73,334.75</b>

### **Receipts since last meeting**

Allotment rents	£ 150.00
<b>Total receipts</b>	<b>£ 150.00</b>

### **Bank Transfers**

Deposit to Current	£ 5,000.00
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### **Earmarked Reserves**

Traffic Projects	£11,000.00
Play Equipment	£10,000.00
CIL	£ 3,980.47
Village Projects	£ 3,000.00
<b>Total EMR</b>	<b>£27,980.47</b>

**Total General Reserves £45,354.28**

### **Bank Reconciliations**

The bank reconciliations will be sent out and verified by a councillor prior to the meeting.

## **Appendix 2: Payment Schedule**

The payment schedule will be sent out prior to the meeting.

### **Appendix 3: Council Mission Statement & Objectives**

The previous Staffing Committee during 2020 had put forward a mission statement and objectives as part of the Clerk's appraisal but these have never been adopted by Council.

Council should now decide whether they wish to formally adopt this mission statement and objectives, or whether they wish to consider any additions/amendments.

#### **Council Mission:**

Improve the environment of the whole parish and spend our precept wisely

#### **Council Objectives:**

1. Reduce the impact of traffic on the parish
2. Improve and maintain the appearance of the parish
3. Support our Parishioners with involvement with public bodies such as SDNPA/EHDC/HCC/Highways

#### Appendix 4: Action List

Date	Minute ref	Action	Who	Outcome
Oct-19	19.134	Research & formulate ideas for new playground equipment at Selborne Rec	S Bennett, L Roberts, N Palmer, H Carter	03/21 Agreed to consult with residents
Nov-19	19.145	Contact HCC to request repair and reinstatement of two sets of railings at bottom of footpath from Goslings Croft to the B3006 near School	N Palmer	15/05 emailed Ian Janes for advice 15/05 Ian Janes has passed to relevant team for action
Nov-19	19.147	Carry out repairs to historical map at The Old Vicarage	L Roberts	20/01 LR will give quote to Clerk
Nov-19	19.154	Re-arrange members training with Ian Davison	Clerk	
Feb-20	98.227	Arrange repairs to allotment fencing	Clerk	14/05 review after lockdown ended
Jul-20	20.34	Add all councillors to the bank mandate	Clerk	04/21 not all councillors yet set up, needs action
Jul-20	20.38	Obtain quotes for playground repairs	Clerk	
Jul-20	20.39	Speak to volunteers regarding ongoing playground inspections & investigate formal training/costs	Clerk	
Jul-20	20.42	Write to HCC & EA requesting site visit to look at flooding issues in Gracious Street		01/02 Clerk chased meeting date
Jul-20	20.45	Review allotment agreement in March 2021 to follow standard agreement	Clerk	03/21 carry forward
Aug-20	20.65	Write to Tim Slaney re planning responses	M Palmer	Agenda item April 2021
Oct-20	20.123	Working party to look at Plestor grass protection and parking	D Ashcroft, H Carter, L Roberts	
Nov-20	20.144	Speak to internal auditor re planning training/feedback/voting	Clerk	04/21 needs to be reviewed by Council
Nov-20	20.154	Set up list of community groups	Clerk & C McMeekan	04/21 request in village magazines
Dec-20	20.185	Publish VAS data on Facebook, website once unit accuracy checked	Clerk	03/21 data agreed to be published
Jan-21	20.202	MOP questions to TWG for responses	Clerk/TWG	04/21 completed
Mar-21	20.243	Purchase new defib cabinets for Blackmoor and Oakhanger	Clerk	04/21 completed
Mar-21	20.245	Purchase new noticeboard for Selborne High Street	Clerk	04/21 ordered
Mar-21	20.247	Write to resident regarding damaged bollard & grass verge on the Plestor	Clerk	

## **Appendix 5: SDNPA Planning**

The following was agreed at the August 2020 Council meeting. Councillors have since expressed the view that they wish to review this decision.

### **Minute ref: 20.65**

The Council agreed to write to Tim Slaney, SDNPA, to take him up on the offer he made to councillors previously attending the Local Plan workshop, to discuss with him personally any concerns they have over planning issues, such as any disparity between their Council's planning responses and decisions made by EHDC on behalf of the National Park Authority.

## **Appendix 6: Preparing for the return of face to face meetings**

The regulations that currently allow local authorities to hold meetings remotely until 6th May 2021 will not be extended by the Government, and so face-to-face meetings will need to resume from 7th May.

The Association of Democratic Services Officers (ADSO), Lawyers in Local Government (LLG) and Hertfordshire County Council have lodged a legal challenge in the High Court that seeks a continuation of local authority remote meetings beyond the 7th May 2021. The date for this challenge to be heard in the courts is likely to be 21<sup>st</sup> April, and the outcome not guaranteed and so the Council needs to consider how it wishes to move forward.

There is also still much uncertainty around how legislation or COVID-19 risks and restrictions may change over the coming weeks and months.

NALC's position remains that all local councils should continue to meet remotely while the regulations are in force. The guidance in Annex 1 has been written to help local councils prepare for remote council meetings being unlawful from 7<sup>th</sup> May 2021.

The Council has several options available to it:

### **1. Continue to meet virtually**

Although, technically not permitted, this route is being suggested by some other Councils. Although the risk of legal challenge is low, decisions could be challenged in the courts as ultra-vires.

The 1960 Admission to Meetings Act and the Local Government Act 1972 are understandably silent on the matter of online meetings. In the most recent correspondence from Government they have advised that public attendance at Council meetings should continue to happen online for the time being where possible. In other words, online openness to the public is neither prohibited nor enabled by the 1960 or 1972 Acts.

There is existing case law that says that "a valid meeting normally consist of people who can both see and hear each other" (Byng v London Life Association (1989) 1 All ER 560) and back in March 2012 the government acknowledged this in their advice to charities about attendance at meetings.

<https://www.gov.uk/government/publications/charities-and-meetings-cc48/charities-and-meetings#the-definition-and-forms-of-a-meeting>

### **2. Temporary Scheme of Delegation to the Clerk**

This would be backed up by the meetings plan as usual. This would mean that Committee and Full Council meetings could go ahead virtually on an informal basis and, instead of making decisions, would recommend decisions to the Clerk, who would then enact those recommendations under a temporary delegation scheme. The scheme would remain in place until Councillors decided that a return to face-to-face meetings was safe, or that the delegation should cease for any other reason.

The Annual Meeting is scheduled for 5<sup>th</sup> May and this will be held remotely.

The only other item that is in the forward plan that cannot be delegated to the Clerk is the signing off of the Annual Governance and Audit statements. This needs to be done by 30th June but, providing the internal audit is completed on 30<sup>th</sup> April as planned, this could be signed off at the Annual Meeting.

### **3. Hold face-to-face meetings**

This would be in line with the advice from NALC, as detailed in Annex 1.

The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021 includes an exception (exception 3) that a gathering is allowed where it is necessary for certain purposes which include "for work purposes or the provision of voluntary or charitable services." Members/officers attending a meeting would fall under this. Additionally, in the letter dated 25 March 2021, from Luke Hall MP recommendations are given on how to hold safe Council meetings, which infers that it would be legal to hold them.



However, provision should be made to enable to public to view the meeting (for example by live streaming on Facebook) and currently I do not know if we are technically able to do this.

The holding of face-to-face meetings could pose a reputational risk to the Council if public perception is that these should not be held until restrictions are lifted.

The Council will also need to take into account the fears and concerns of both Councillors and the Clerk over returning to face-to-face meetings whilst restrictions are still in place. Particularly those who are unvaccinated, have been shielding, or have other health concerns.

### **Recommendation**

That Full Council discusses the options and agrees a way forward.

### **Annex 1 – NALC advice**

To help local councils prepare for this possibility some advice and suggestions are below:

- Consider what council business can be conducted before May so that the council can dedicate time to those issues in remote meetings. The more discussion and decisions you can conduct in remote meetings means the council can aim to hold fewer and shorter face to face meetings after May.
- This may require more meeting time than is currently planned, so the council should look at the meeting schedule in the run-up to May and see if more time or more meetings are required. Where possible, consider holding the annual council meeting and the parish meeting while the current Regulations permit for them to be held remotely.
- Consider when the council does need to meet face to face, and whether meetings can be delayed to later in the year when the potential COVID-19 risk may be further reduced.
- The council might consider holding a remote meeting as late as possible in April so that councillors who are unable to attend face-to-face meetings will have as much time as possible before disqualification by virtue of s.85 of the Local Government Act 1972 becomes an issue.
- It may help the council's business continuity to implement (or review) a scheme of delegation. This would allow the clerk to make certain decisions for the council, which would be especially important if the council were unable to hold meetings due to COVID-19 risks. In reviewing/adopting a scheme of delegation the council should ensure there is clarity around which decisions are delegated and which are not, for how long the scheme of delegation is in place, and when the scheme of the delegation will end or be reviewed.

From May 2021, as face-to-face council meetings resume there will still be the risk to attendees of Covid-19 exposure. Councils should conduct a risk assessment in advance of a face to face meeting which should give consideration to what the council can do to reduce risk to councillors, staff and public including:

- Providing hand sanitiser to those entering the meeting room and making sure hand sanitiser is readily available in the room itself
- Staggering arrival and exit times for staff, councillors and members of the public
- Putting a one way system in place (additional security staff will be needed)
- Placing seating at least 2-metres apart
- Ensuring everyone wears face masks
- Holding paperless meetings
- The sharing of papers should be discouraged and people should be asked to take the papers etc with them at the end of the meeting to minimise how many people handle them
- Arranging seating so people are not facing each other directly
- Choosing a venue with good ventilation, including opening windows and doors where
- Choosing a large enough venue to allow distancing – this may mean choosing a different venue to what the council used before
- The council (or venue owner/operator) will need to identify the venue's maximum capacity in their risk assessment, taking into account the need for social distancing. Consider how the council will ensure this capacity is not exceeded and how it will manage the situation if more people wish to attend than capacity allows. For example, could meetings be live-streamed or could members of the public submit questions via email?
- If the venue has an NHS QR code to support test and trace then all attendees should register using that app, for those without access to the app they should register attendance in line with the venue's test and trace

procedure. NB all venues in hospitality, the tourism and leisure industry, close contact services, community centres and village halls must have a **test and trace procedure**

- Venues must conform with the government guidance for **multi-purpose community facilities** and for **council buildings**.
- The council must understand and ensure it is acting in compliance with the latest government **safer workplaces guidance**

The Clerk will carry out a full risk assessment if and when needed, the above is to demonstrate the complexities of holding a face-to-face meeting to Councillors and is not intended to be discussed in detail at this point.

Managing staff:

- Councils should consult with the Clerk (ask for and consider their views to try and reach an agreement) about returning to work as part of their preparations for face to face meetings.
- The council must make the workplace (including council meetings) as safe as possible for staff, this includes undertaking a risk assessment, taking reasonable steps to reduce risks identified in the risk assessment, and ensure it is acting in compliance with the latest Government **safer workplaces guidance**
- ACAS have produced useful **guidance for employers and employees** related to Covid-19, including advice on how to support staff to **return to the workplace** and how to manage situations where staff may be worried or not wish to return.

Government advice is available here: <https://www.gov.uk/government/publications/covid-19-guidance-for-the-safe-use-of-council-buildings>

## **Appendix 7: Temporary Scheme of Delegation**

1. Section 101 of the Local Government Act 1972 provides:
  - That a Council may delegate its powers (except those incapable of delegation) to a committee or an officer.
  - A Committee may delegate its powers to an officer.
2. Any delegation to a Committee or the Proper Officer shall be exercised in compliance with the Council's Standing Orders, any other policies or conditions imposed by the Council and within the law.
3. In an emergency the Proper Officer is empowered to carry out any function of the Council
4. Where officers are contemplating any action under delegated powers, which is likely to have a significant impact in a particular area, they should also consult the Members, and must ensure that they obtain appropriate legal, financial and other specialist advice before action is taken.

### **Delegation to the Clerk**

As a temporary measure, to allow for effective decision making whilst Covid-19 restrictions and considerations are in place, the Clerk may be empowered to take any and all decisions recommend to them by the relevant Committee or Full Council. This includes:

- a) placing orders for any items already agreed by the Council by resolution
- b) responding to planning applications having consulted with Councillors
- c) making payments, including salary payments, for anything already agreed by the Council by resolution and in line with the limits set out in Financial Regulations
- d) arrange for the emergency repair of any council owned assets in consultation with Councillors

This empowerment does not affect the delegations already in place via Standing Orders or Financial Regulations.

The Clerk may not take additional decisions that would normally be taken by a Committee or Full Council unless that Committee or Full Council has met in a meeting suitably convened under the requirements of the Local Government Act 1972, and made available to the public to view (where not covered by confidentiality) and expressly agreed for that decision to be enacted via this temporary delegation.

The delegation scheme will automatically end when the Council returns to face to face meetings.

### **Full Council matters**

The following items are reserved for Full Council decision only and cannot be delegated to an Officer.

- To appoint the Chairman and Vice-Chairman in May each year
- To sign off the Governance Statement by 30 June each year
- To set the Precept
- To appoint a Clerk
- To make byelaws
- To borrow money
- To consider any matter required by law to be considered by Council

## **Appendix 8: Newton Valence Estate Plan**

The working group have reported that they have responded to the survey but would also like to recommend the letter below is sent to the owners of Newton Valence Estate as follows:

*The SDNPA has requested that Selborne Parish Council (SPC) takes part in a short consultation regarding the process for the NV WEP. It is understood that the SDNPA are consulting on all areas near WEP's to aid the process for the future. Accordingly, SPC have responded direct to the SDNPA on the consultation.*

*On looking again at the WEP, SPC would like to raise some issues with you. In section 7.3 you state that "in Selborne, the WEP has been discussed with a member of the Selborne Parish Council and in Newton Valence a draft copy of the WEP has been given to the Newton Valence Parish Council." Could you kindly tell us who that member was, what was discussed, and why SPC was not given the opportunity to discuss the WEP, or given a copy of it, as was NVPC. Please can you also help with some of the footpath issues in our parish. In point 9 - Action Plan, Community Engagement, you state that you will "create links with existing footpaths and offer new access for local people/visitors."*

*As you are aware, Selborne residents have for many years walked along the perimeter of the of the field called Goslings. This is no longer possible because the fencing has been set so close to the woodland and hedges, so this route is denied to them. Selborne Parish council wrote to the NV Estate in September 2019 requesting that they leave a gap around the field boundary so that older residents of Goslings Croft could have access to a short flat walk. This was refused even though residents had been using this path for over forty years.*

*Residents have also walked in a straight line along the designated footpath by Goslings field, and instead of turning right down the Rifle Range footpath, have carried straight on up the hedge line of Grindstones before turning right onto Norton Farm's land. That forms a circular route. That path has recently been obstructed by a heavy tree trunk placed across it. Although SPC appreciates that this is not a designated footpath, it is an important circular route that links with other paths. The path crosses two other landowners' properties who have clearly accommodated local walkers over the last forty years by erecting gates and encouraging the walkers to adhere to the path. Could you please therefore consider that this be made into a permissive footpath.*

*Selborne Parish Council looks forward to hearing from you.*