

CASTLE SOWERBY PARISH COUNCIL

Clerk: Rachael Kelly, 29 Greystoke Park Avenue, Penrith, Cumbria, CA11 9DB. Tel: 01768 863900;
parishclerk@castlesowerby.org.uk; www.castlesowerby.org.uk

Minutes of Castle Sowerby Parish Council held virtually at 7.30pm on Thursday 23 July 2020

Parish councillors present: Richard Little (Chairman), Philippa Groves, Stephen Crowsley,
& Sid Ashbridge,

01/2020	Virtual Meetings It was resolved to adopt supplementary Standing Orders to meet the statutory requirements for the holding of remote meetings, and this lasts until 07.05.2021 or the repeal of legislation whichever is earlier																
02/2020	Apologies Cllr Helen Kerry Cllr John Bell Cllr Gerald Bainbridge Cllr Michael Strong Cllr Gerald Bainbridge Cllr Jonathan Stalker																
03/2020	Minutes of last Castle Sowerby Parish Council meeting The Chairman was authorised to sign the minutes of 16 January 2020 as a true and accurate record																
04/2020	Declarations of Interest/requests for dispensation None																
05/2020	Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960) None																
06/2020	Public Participation None																
07/2020	County & District Council Report Cllr Tom Wentworth-Waites sent a report advising that CCC is covid focused. Supporting communities, shielding, establishing where help was needed, using the Eden hub, providing a lot of support. Now focusing on recovery and opening businesses safely, opening the town centers. The parking issues in Penrith have been resolved. Tom advised that th initial signage and how to plans were advertised were not suitable. The agreed Newton Rigg closure is being discussed, MP Neil Hudson is talking to government about the issue, and hopes a sustainable plan is being put forwards. Cllr Kevin Beaty did not attend the meeting.																
08/2020	Planning Planning applications received from EDC for consultation: <table border="1"> <thead> <tr> <th>Application No.</th> <th>Description</th> <th>Location</th> <th>Comments</th> </tr> </thead> <tbody> <tr> <td>20/0271</td> <td>Erection of aluminum greenhouse</td> <td>Thistlewood Tower, Dalston</td> <td>No comments</td> </tr> <tr> <td>20/0371</td> <td>Manure store for organic manures</td> <td>Newsham Farm, Hutton Roof</td> <td>Support</td> </tr> <tr> <td>20/0369</td> <td>Sheep housing</td> <td>Newsham Farm, Hutton Roof</td> <td>Support</td> </tr> </tbody> </table>	Application No.	Description	Location	Comments	20/0271	Erection of aluminum greenhouse	Thistlewood Tower, Dalston	No comments	20/0371	Manure store for organic manures	Newsham Farm, Hutton Roof	Support	20/0369	Sheep housing	Newsham Farm, Hutton Roof	Support
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09/2020	May 2020 Schedule The schedule for May 2020, which followed the HCID policy, and allowed CSPPC to continue business until a virtual meeting was held was ratified.																
10/2020	Highways None																
11/2020	Financial Matters The accounts to date were noted																

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The income was noted:

Date	PAYEE	Budget line	Value
21/04/2020	HMRC	VAT	£ 3.59
24/04/2020	EDC	Precept & CTRS	£ 2503.00
29/06/2020	ENWL	Wayleave	£ 9.47
		Total	£ 2516.06

The below payments were authorised:

Date	PAYEE	Budget line	Value
16/07/2020	R Kelly	Clerks Salary	£ 119.87
16/07/2020	HMRC	Clerks Salary	£ 30.00
16/07/2020	R Kelly	Expenses	£ 41.04
		Total	£ 190.91

The Chairman was authorised to sign the Exemption Certificate, Annual Governance Statement and the accounting statements, and the comments of the internal auditor were noted

12/2020 **Date of next meeting** – the next meeting is scheduled for 17 September 2020

The meeting was closed at 19.50

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Supplementary Standing Orders

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 allow local councils to hold remote meetings. The regulations give automatic authority to hold remote meetings and amend standing orders as required.

These regulations remain in force until 7 May 2021 or earlier if repealed and require a number of temporary changes to Standing Orders.

The Coronavirus restrictions mean there are no physical meetings at present. As restrictions are lifted it is possible that the council may wish to return to physical meetings.

General

This Protocol and Procedures note should be read in conjunction with the Council's standing orders.

The Regulations made under s78 of Coronavirus Act 2020 apply and where there is a conflict between these and any other adopted standing orders or legislation, these Remote Meetings Procedures take precedence in relation to any remote meeting.

All meetings of the council must be open and accessible to the public with adequate provision for access to the papers for the meeting. The new legislation simply expands on how the council may meet to include virtual meetings and varies the requirements for an annual meeting.

The meeting may be recorded for the purpose of minute taking and the recording will be disposed of within 24 hours.

1) Annual Meeting

- a) The requirement to hold an Annual Meeting of the Council is to be disregarded and prior to 7 May 2021 may only take place:
 - i) where called by the Chair or
 - ii) following a resolution calling for an annual meeting being passed at an ordinary or extra ordinary meeting of the Council.
- b) If the Council chooses to continue without an Annual Meeting, the appointments made in May 2019 will continue until the Annual Meeting in May 2021.
- c) These regulations do not cover Annual Parish/electors meetings which maybe called by the council or by electors. The NALC/SLCC advice is that social distancing principles remain in place and that you should not call the annual electors meeting at this time.

2) Access to Information

- a) Where a document is required to be 'open to inspection' this shall include published on the website of the council.
- b) Where a document is required to be published and made available at the council's offices, this shall include published on the website of the council.
- c) Where there is a requirement to publish information including public notices, agendas, minutes, background papers and written reports, this shall include published on the

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website of the council.

- d) Draft minutes of remote meetings should be made available on the council's website within a reasonable time, especially as the number/time/date of meetings may vary.
- e) The delegated decisions register should also be kept up to date on the website in between meetings for transparency.

3) Remote Access to Meetings

- a) The definition of meeting within the Council's standing orders is amended so that:
 - i) 'place' includes where a meeting is held, or to be held in more than one place including electronic, digital, or virtual locations such as internet locations, web addresses or conference call telephone numbers. Details of how to join the meeting will be included on the agenda.
 - ii) 'open to the public' includes access to the meeting by remote means including video conferencing and interactive streaming or conference call telephone numbers
 - iii) where a meeting is accessible to the public through remote means, the meeting is open to the public whether or not members of the public are able to attend the meeting in person.
- b) If the Council becomes aware that its technology has failed, and the meeting is no longer accessible to the public, the meeting shall be adjourned.
- c) If public access cannot be restored within a reasonable period, the remaining business shall be deferred to a future meeting.
- d) The regulations do not amend any of the legal requirements for the calling of meetings including the days of notice required for holding a meeting of the council or its committees.

4) Councillors in Remote Attendance

- a) A councillor in remote attendance is present and counted for the purposes of the quorum when they can:
 - i) hear and where practicable see other members of the council
 - ii) hear and where practicable see members of the public wishing to participate during the public session of the meeting or as invited by the Chairman
- b) A councillor in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance at 4 a) are not met.
- c) Subject to 4 b) the Chairman may if appropriate
 - i) adjourn the meeting to permit conditions for remote attendance to be re-established
 - ii) count the number of councillors in attendance for the purpose of the quorum
- d) The summons can be issued to all members of the council by email, and will include:
 - i) Links to the agenda and associated documents for the meeting or
 - ii) Email versions of documents necessary for the meeting
 - iii) Details of how to join the meeting & how to phone into the meeting if necessary.

5) Remote attendance by members of the public

- a) A member of the public is in remote attendance when they can:
 - i) hear and where practicable see and so be heard and where practicable be seen by members of the council at the meeting

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- ii) hear and where practicable see and so be heard and where practicable be seen by other members of the public attending the meeting including those wishing to speak during the public session or as invited by the Chairman
- b) A member of the public in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance at 5 a) are not met.
- c) An IT failure which prevents public access to the meeting renders the whole of the meeting incapable of proceeding.
- d) An IT failure which prevents a member of the public from addressing the council during public participation (subject to (f) below) will not invalidate the meeting.
- e) Subject to 5 b) the Chairman may if appropriate
 - i) adjourn the meeting to permit conditions for remote attendance to be re-established
 - ii) vary the order of the agenda or complete the remaining business of the meeting in the absence of the member of the public in remote attendance.
- f) The Council will only allow written questions under the public participation section of the agenda, these must be received from Registered Electors of the parish in advance of the meeting (received by any set deadline which shall be published with the agenda).
- g) Questions from persons not listed on the register of the electors for the parish will only be considered at the Chairpersons discretion.

6) Remote Voting

Unless a recorded vote is demanded in line with the current Standing Orders, the Chair will take the vote by:

- a) Visual confirmation of the meeting that there is agreement or
- b) a roll call and the number of votes for or against the motion or amendment or abstaining will be recorded.

7) Code of Conduct /Declarations of Interest– councillors excluded from the meeting

Where a councillor is required to leave the room as a requirement of the Council's code of conduct, or as a result of a declaration of interest, the means of remote attendance and access will be severed whilst any discussion or vote takes place.

A clear minute will be made of the member leaving and re-joining the meeting.

It must be clear to the public that the member has 'left' the meeting and then re-joined.

8) Exclusion of the press and public

Where the council has resolved to exclude the press and public from any part of the meeting, due to the confidentiality of the business to be discussed then:

- a) The means of remote attendance and access to the meeting by members of the press and public will be severed
- b) Each councillor present shall declare that there are no other persons present who are not entitled to be (hearing or seeing), and/or recording the meeting.

Suggested resolution for the adoption of the supplementary standing orders:

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To resolve to adopt supplementary Standing Orders to meet the statutory requirements for the holding of remote meetings, and this lasts until 7th May 2021 or the repeal of the legislation whichever is the earlier.

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Guidance & Notes regarding Virtual Meetings.

Briefing – Virtual Meetings

The legal framework for local council meetings requires that all council meetings are open to the public and that unless confidential, that the public can watch the debate and see the decisions made for their area.

To manage the impact of social distancing, councils were unable to meet physically i.e. all members and the public in one physical place. Wherever possible councils moved to adopt a scheme of delegation to the Clerk to allow decisions to be taken during the emergency. The purpose of the delegation was to protect the council whilst the law did not allow decisions to be taken outside of properly convened physical meetings.

The legislation has now been changed and local councils are now expected to meet regularly using technology rather than relying on the delegation in lieu of holding meetings during the Covid19 pandemic.

The HCID Policy and delegated powers are still active, but the following points should be considered:

- a) Many councillors have found themselves in the protected categories and even if there is a swift return to physical meetings are unlikely to be able attend. Remote meetings will allow these councillors to continue play an active part in the work of the council.
- b) The law still allows 2 councillors to demand a council meeting and this request would have to be fulfilled now that a remote meeting is possible.
- c) The legislation permitting remote attendance by members and members of the public remains in place until May 2021. The council will be required to offer remote access to meetings even when it decides to return to physical meetings as its first choice.
- d) The council can choose to reduce the number of meetings whilst there is little or no business to transact and rely on a scheme of delegation between meetings.
- e) If the council decides to rely solely on a scheme of delegation instead of meeting it may be challenged or criticised as there is now a statutory mechanism for holding remote meetings.

Attendance at meetings and the six month rule

Attending remote meetings, getting to grips with the technology or debate on the phone will be challenging. The council will have to start meeting in this new format at some point as there are still some statutory functions which have to be done 'in public'. The government does not believe that councils should avoid meeting to accommodate a reluctance to use the new technology and the following points may be helpful:

- a) Every councillor is part of the decision-making process which takes place at meetings. The council should consider how to 'ease' into remote meetings and support members and clerks who are struggling with the concept.
- b) A member of the council is deemed to present at any meeting of the council where they can be heard and ideally seen i.e. phone or video link with/without a camera.
- c) Councillors have signed a declaration of office to attend meetings of the council as and when required. Councillors unwilling to attend meetings in the new format will

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be counted as absent from the meeting and will lose their seat after six calendar months unless the council grants an extension to their apologies for a significant reason. We are being advised that choosing not to attend because of the remote format is not a suitable reason.

Guidance for Meetings Being Prepared

Your normal council meeting follows a long established order of debate, where councillors and members of the public are very familiar with the format. Whilst the outline remains the same, virtual meetings held over the internet create some different issues and it will take time for everyone to cope with the new style.

It is important to try out the technology and learn how to work with virtual participation, the varying internet connection and the mixed media of webcams and phones. Just because everyone can access a meeting does not mean that they will be able to participate in the same way as before and like many things practice will help build confidence.

Much of the council's normal activity will have changed or stopped completely this gives you the chance to have shorter more effective meetings. A clear purpose for the meeting with a sound agenda will help build confidence in the new technology.

At the beginning of the meeting

Whilst the format of the agenda may be familiar, a virtual meeting requires the Chairman to carry out some extra checks at the start of the meeting. These include:

- a) to confirm that all those present are able to hear the proceedings.
- b) To take a roll call of members present at the meeting
- c) To confirm the quorum for the meeting based on those members attending remotely.

The Chairman can then outline how he will run the meeting including the protocols for wishing to speak, voting, and viewing documents before starting to work through the agenda.

During the meeting

All of the normal rules of debate apply as laid out in the Standing Orders including the number of times a member can speak, the length of any contribution, declarations of interest, the rules for voting and controlling disruptive behaviour.

It is important that the Chairman and Clerk have established how they will communicate during the meeting as it is no longer possible to communicate quietly!

Most IT has a method for adding comments during discussions, however, this chat facility will be disabled for the duration of the meeting.

The software will have a mute button which can be used to limit public comment outside of the public session. Participants should be reminded to mute themselves to avoid background noise from their home environments but will need to be reminded to unmute in order to speak.

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IT issues

Unlike a physical meeting, a remote meeting requires the public to be able to see and/or hear the whole of the meeting. In the event of an apparent failure of the video or telephone conferencing connection, the meeting may need to be temporarily stopped. The Chair can then establish:

- a) If the failure prevents the meeting from being open to the public
- b) if the meeting is still quorate or the failure reduces the number of members present and eligible to vote
- c) the meeting should be adjourned for up to 5 minutes to determine whether the connection can be quickly re-established or a suitable alternative can be used.

In the event of a connection failure the remote member(s) will be deemed to have left the meeting at the point of failure. If the connection is re-established the remote member(s) will be deemed to have returned to the meeting at the point of re-connection.

Rules of A Virtual Meeting for all attendees to the meeting.

(To be displayed within the invitation, waiting room (if available) and agenda)

It is important that members and parishioners are made aware of the following at the beginning of each virtual meeting, by joining the meeting you are agreeing to the below guidelines:

- a) The meeting may be recorded for the purpose of minute taking and will be disposed of within 24 hours.
- b) To have their microphones on mute.
- c) To adhere to the Councils Code of Conduct, General Standing Orders and virtual standing orders (to be agreed as the first item of business at the first virtual meeting)
- d) Only unmute when you have been invited in to speak.
- e) Speak clearly and look into the camera.
- f) Turn phones to silent.
- g) Be aware of time lags and allow time for participants to respond.
- h) Introduce themselves when raising a point.
- i) Respond to the Chair when their name is called.
- j) Be aware of your background (what others can see behind you when you are on screen i.e valuables, photos, sounds)

NALC has published the below guide to holding virtual meetings.



holding-remote-meetings-12may (1).pdf