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Briefing Note
Full Council Monday 26th April 2021
Returning to Face-To-Face Meetings

The letter from the minister of State for Regional Growth and Local Government has been circulated to Cllrs, a further copy is attached to this briefing note, confirming that the Government will not be extending the regulations to permit remote meetings, this means from the 7th May 2021 Council meetings, including Committee meetings but excluding Working Party Meetings, will return to face-to-face.

The Parish Council's Annual Parish Council Meeting has been moved to 7pm on Tuesday 4th May 2021 which means this can continue as a remote meeting. As it stands at the moment the May Committee meetings will need to be face-to-face.

Face-to-face meetings are required to comply with COVID-Secure and social distancing regulations and be open to the public. The Beechfield Centre can accommodate 10 people socially distanced, therefore, Committee meetings, subject to public attendance, could be held in the Beechfield Centre, but Full Council meetings will have to be held elsewhere, we are currently pursuing the capacity and availability of the Fremington Parish Hall to facilitate meetings.

A court case is being pursued by the National Association of Local Councils (NALC) and the Association of Democratic Services Officers (ADSO) that the existing regulations permit remote meetings, however, a decision is not expected on this until the end of April at the earliest, (I understand the court case is scheduled for 21st April 2021).

The Parish Council needs to consider how it will protect and ensure the safety of Cllrs, members of the public and staff in attending meetings from the 7th May 2021, especially those that are vulnerable or shielding.

Some of the options available and being considered by other Councils are listed below for your consideration:

1. Delegate decisions to the Executive Officer – this would mean that Council and Committee meetings do not have to be legally convened and can be held remotely, Cllrs could debate and advise the officer of decisions in the same way you would at meetings, but all decisions would be made under delegated authority and then could not be challenged as unlawful.
2. Only Cllrs must be physically present at Council meetings, therefore the public and Officer(s) can attend via a remote link the cost of the equipment to facilitate is currently being pursued, this would reduce the number of people present and therefore the risk.
3. If the weather is dry, then meetings could be held outside, but this is obviously weather dependant and not reliable, it does not facilitate a secure platform for confidential matters.
4. Continue with remote meetings on the pretence that it is a pandemic, and the Council is protecting the health and safety of its members, staff and members

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of the public, several other town and parish councils are taking the stance that so many will continue with remote meetings it is unlikely that decisions will be

challenged in a court of law and if they are the courts will not have time to deal with all of the cases – this is not a way forward that I would recommend and if the Council is inclined to proceed then I would suggest you ensure you consider all of the implications and build a strong evidence base for the decision.

Please note – whichever format the Council decides to proceed with the Annual Governance and Accountability Return cannot be delegated and must be agreed at a Council meeting, therefore, a physical Full Council meeting will have to be held in June to agree the AGAR ahead of the submission deadline (this can be remote if the result of the court case is favourable).

I would not suggest making a decision at the April Meeting but instead asking questions and considering the options available ready to make a decision on the way forward at the May 2021 meeting.

V Woodhouse
April 2021



Ministry of Housing,
Communities &
Local Government

Council Leaders
Principal Councils in England

Luke Hall MP

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25 March 2021

Dear Colleague,

LOCAL AUTHORITY MEETINGS

It is just over a year to the day since the Prime Minister asked us all to stay at home, and local authorities across England have risen magnificently to the challenges of this period. There has been a dramatic shift in your day-to-day operations, alongside new difficulties and demands, and I commend the efforts of all councillors and officers in supporting your communities and ensuring vital business continues during these unprecedented times.

As you will be aware, The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 do not apply to meetings on or after 7 May 2021.

Extending the regulations to meetings beyond May 7 would require primary legislation. The Government has considered the case for legislation very carefully, including the significant impact it would have on the Government's legislative programme which is already under severe pressure in these unprecedented times. We are also mindful of the excellent progress that has been made on our vaccination programme and the announcement of the Government's roadmap for lifting Covid-19 restrictions. Given this context, the Government has concluded that it is not possible to bring forward emergency legislation on this issue at this time.

As outlined in the Government's Spring 2021 Covid-19 Response, our aim is for everyone aged 50 and over and people with underlying health conditions to have been offered a first dose of the Covid-19 vaccine by 15 April, and a second dose by mid-July. While local authorities have been able to hold meetings in person at any time during the pandemic with appropriate measures in place, the successful rollout of the vaccine and the reduction in cases of Covid-19 should result in a significant reduction in risk for local authority members meeting in person from May 7, as reflected in the Government's plan to ease Covid-19 restrictions over the coming months.

I recognise there may be concerns about holding face-to-face meetings. Ultimately it is for local authorities to apply the Covid-19 guidance to ensure meetings take place safely, but we have updated our guidance on the safe use of council buildings to highlight ways in which you can, if necessary, minimise the risk of face-to-face meetings, and we will work with

sector representative bodies to ensure that local authorities understand the guidance and are aware of the full range of options available to them.

You can find the updated guidance here: www.gov.uk/government/publications/covid-19-guidance-for-the-safe-use-of-council-buildings/covid-19-guidance-for-the-safe-use-of-council-buildings.

These options would include use of your existing powers to delegate decision making to key individuals such as the Head of Paid Service, as these could be used these to minimise the number of meetings you need to hold if deemed necessary. Additionally, some of you will be able to rely on single member decision making without the need for cabinet meetings if your constitution allows.

While I appreciate that a greater number of authorities will be subject to elections this year due to the postponement of the 2020 elections, those councils who are not subject to elections could also consider conducting their annual meetings prior to 7 May, and therefore do so remotely while the express provision in current regulations apply. As you will know, councils who are subject to elections are statutorily required to hold their annual meeting within 21 days of the elections. The Government's roadmap proposes that organised indoor meetings (e.g. performances, conferences) are permitted from 17 May, subject to Covid secure guidelines and capacity rules. On this basis, councils should consider the extent to which their annual meetings (and any other meetings) can operate on the same basis as other local institutions in their area, taking into account their individual circumstances and requirements.

If your council is concerned about holding physical meetings you may want to consider resuming these after 17 May, at which point it is anticipated that a much greater range of indoor activity can resume in line with the Roadmap, such as allowing up to 1,000 people to attend performances or sporting events in indoor venues, or up to half-capacity (whichever is lower).

Finally, while you do have a legal obligation to ensure that the members of the public can access most of your meetings, I would encourage you to continue to provide remote access to minimise the need for the public to attend meetings physically until at least 21 June, at which point it is anticipated that all restrictions on indoor gatherings will have been lifted in line with the Roadmap. However, it is for individual local authorities to satisfy themselves that they have met the requirements for public access.

I am grateful for the efforts that local authorities have made to allow remote meetings in their area and recognise that there has been a considerable investment of time, training and technology to enable these meetings to take place, and I am aware that some authorities, though by no means all, have made calls for the Government to make express provision for remote meetings beyond the scope of the pandemic. I am today launching a call for evidence on the use of current arrangements and to gather views on the question of whether there should be permanent arrangements and if so, for which meetings. There are many issues to consider and opinions on the detailed questions vary considerably. This will establish a clearer evidence base of opinion and enable all the areas to be considered before further decisions are made. The Government will consider all responses carefully before deciding to how to proceed on this issue.

I am copying this letter to the Mayor of London, the chairs of the Local Government Association and the National Association of Local Councils, as well as the Home Secretary and the Secretary of State for the Environment, Food and Rural Affairs in respect of other authorities covered by the current meetings regulations, including fire and rescue authorities, police and crime panels, national park authorities, the Broads Authority, and conservation boards.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'L Hall', written in a cursive style.

LUKE HALL MP

Cc. Rt Hon Priti Patel MP, Home Secretary
Rt. Hon. George Eustice MP, Environment Secretary
Sadiq Khan, Mayor of London
Cllr. James Jamieson, LGA Chairman
Cllr. Sue Baxter, NALC Chairman