

Local Authority Remote Meeting.

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 only applied meetings prior to 7 May 2021. Extending the regulations to meetings beyond May 7 would have required primary Legislation.

The Government considered the case for legislation very carefully and concluded that it was not possible to bring forward emergency legislation on this issue at that time. The Minister for Regional Growth and Local Government, wrote to council leaders on March 25 to make them aware of this. At that time, litigation was pending arising from an application by Hertfordshire County Council, the Association of Democratic Service Officers, and Lawyers in Local Government, seeking a High Court declaration on whether the Local Government Act 1972 could be interpreted to include remote meetings.

The Secretary of State supported the claim and agreed there was a case to be heard as the Local Government Act was passed by Parliament in a different age of technology. However, the High Court judgement handed down on 27 April 2021 was that the Local Government Act 1972 specifies that council meetings must take place in person at a single, specified, geographical location and being “present” at such a meeting involves physical presence at that location

The Secretary of State wrote again to all leaders of principal councils in England on 28 April 2021 to advise that all authorities should study the court’s judgment for themselves to understand how it applies to their circumstances and make their preparations for the return of physical meetings after 6 May. This letter can be viewed here:

<https://www.gov.uk/government/publications/covid-19-remote-meetings-high-court-judgment-letter-to-council-leaders>

The Government recognises local authorities may continue to have 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. That is why the Government published an updated guidance to highlight ways in which councils can, if necessary, minimise the need for, or risks of, face-to-face meetings. The guidance can be found here:

www.gov.uk/government/publications/covid-19-guidance-for-the-safe-use-of-councilbuildings/covid-19-guidance-for-the-safe-use-of-council-buildings.

A call for evidence was launched on 25 March to gather views and inform a longer-term decision about whether to make express provision for local authorities to meet remotely on a permanent basis. The call for evidence closed on 17 June. The Department is now reviewing the responses to the consultation and the Government will respond in due course.