



TOWN COUNCIL MEETINGS AFTER 7 MAY

TOWN COUNCIL MEETING

REPORT 33/21

12 APRIL 2021

The purpose of this Report is to discuss and determine the holding of Meetings of the Town Council after 7 May.

No. DETAILS

1) BACKGROUND

- a) The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on 4 April and apply until 7 May 2021.
- b) In particular the Regulations allow Town and Parish Council Meetings to be held virtually from 4 April 2020 to 7 May 2021 provided the conditions set out in the Regulations are complied with.
- c) Regulation 5(2) provides that a member in remote attendance attends the meeting at any time if the member is able at that time:
 - o to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance,
 - o to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and
 - o to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

2) AFTER 7 MAY

- a) In a letter of 25 March the Minister of State for Regional Growth and Local Government Luke Hall informed Council leaders that the government will not be extending the Regulations beyond 7 May.
- b) Both the National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLCC) are supporting the action by Hertfordshire County Council, Lawyers in Local Government and Association of Democratic Services Officers in the High Court to argue for the extension of the powers to hold virtual meetings beyond 7 May in which a decision is expected before the end of April.
- c) The related extensive discussion on the SLCC's Members' Forum includes the argument that as the Local Government Act 1972 and its relevant successors do not prohibit virtual meetings there is no clear reason to accept that continuing to hold them would be illegal.
- d) The only circumstances in which the legality/illegality of virtual meetings held after 7 May could be established would be a challenge in the courts by Judicial Review.
- e) In these circumstances other contributors to the Forum have presented the case for amending Standing Orders to permit them.

3) FACE-TO-FACE MEETINGS

- a) A decision to return to in-person meetings does not remove the responsibility of the Town Council under current Covid-19 regulations to provide a safe environment for elected Members, Officers and members of the public and the government has updated its guidance on achieving that.
- b) The requirement to maintain 2m social distancing precludes the use of the Green Room for Town Council meetings and the availability of other venues large enough to allow social distancing is being explored.
- c) Maintaining social distancing would be possible for meetings of the Town Council's Planning Committee but the Working Groups can continue to meeting virtually as no decision-making

is involved apart from under delegated powers.

- d) The guidance indicates that the requirement for public access to Town Council meetings can be met by on-line arrangements including live-streaming.
- e) Step 4 of the current Road Map, due at present to be implemented on 21 June, could make possible another adjustment to the Town Council's meeting arrangements with its proposed removal of all social distancing requirements.
- f) The meetings affected in the interim are the Town Council Meetings of 17 May (Annual Meeting followed by the monthly business meeting), the Town Council Meeting of 10 June and any meetings of the Planning Committee.
- g) The Annual Parish Meeting, as it does not normally involve decision-making, could still be held virtually.

4) RECOMMENDATION

The Town Council is recommended to:

- i) determine the arrangements for the Town Council meetings of 17 May and 10 June;
 - ii) agree the arrangements for any meetings of its Planning Committee.
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