



Ministry of Housing,
Communities &
Local Government

Rt Hon Sir Edward Leigh MP
House of Commons
London
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Dear Sir Edward,

Thank you for your letter of 31 March on the subject of local authority meetings. I apologise for the delay in responding to you on this matter.

I wrote to all MPs and leaders of principal councils in England on 25 March advising that after careful consideration of the case for primary legislation to extend The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, the Government concluded it was not possible to bring forward emergency legislation on this issue at that time. 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. This confirms that as the regulations which allowed local authorities to meet remotely during the Covid-19 pandemic do not apply to meetings after 6 May 2021 local authorities should be preparing for the return of face-to-face meetings.

I 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 on the gov.uk website.

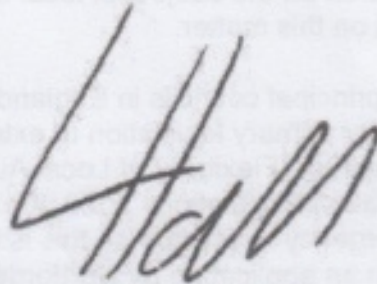
I recognise there may continue to be concerns about holding face-to-face meetings. Meetings where local authorities deem that in-person attendance is not required should continue to be held virtually. For example, this would include non-statutory or other informal meetings. Ultimately, it is for local authorities to apply the Covid-19 guidance to ensure meetings take place safely. The Government has published updated guidance, which can be viewed on the gov.uk website, to highlight ways in which councils can, if necessary, minimise the need for, or risks of, face-to-face meetings.

I am also encouraged by the continued success of the vaccination programme and the progress through each of the steps of the Government's Roadmap. As a much greater range of indoor activities resumed from 17 May, local authorities should consider the extent to

which meetings can operate on the same basis as other local institutions in their area, taking into account their individual circumstances and requirements.

I am grateful for the efforts local authorities made to enable essential business to continue via remote meetings during the pandemic and recognise that considerable investment of time, training and technology enabled these meetings to take place. The Government launched a call for evidence on 25 March to gather the views and inform a longer-term decision about whether to make express provision for local authorities to meet remotely on a permanent basis, which can be found on the gov.uk website. The Government will consider all responses carefully before deciding how to proceed on this issue in the longer term, and any future legislation would be subject to Parliamentary time. In the meantime, I encourage all councils and interested parties to share their experiences through the call for evidence which runs until 17 June.

Yours ever,



LUKE HALL MP