

Meetings Format

Background

The Government introduced emergency legislation, The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 in April 2020 which enabled meetings to be held virtually instead of face-to-face, in one location, accessible to the public. The Regulations expire on 06 May 2021 with the effect that meetings should revert to being held face-to-face, in one place, accessible to the public. However, the National Association of Local Councils (NALC) is seeking a court review of the decision which is expected to be determined before the end of April. It is hoped that a clear, safe, logistically deployable way forward is determined by the Courts for Town and Parish Councils.

This document has been primarily prepared to brief Council as to the dilemmas faced in the sector, whilst identifying the logistical challenges faced by the Town Council.

Bingham Town Council

Our Annual Town Council meeting is scheduled to take place after the Regulations expire on Tuesday 11 May 2021.

The Town Council should not meet face-to-face, in one place on Tuesday 11 May 2021 as it would be in breach of the Government's lockdown restrictions.

The Town Council is advised to change the date of the Annual Town Council meeting which can be held anytime up to and including 01 June 2021.

Potential Options

- a) To bring the date forward to before Thursday 06 May 2021 and continue with virtual meetings
- b) To move the date out beyond Monday 17 May 2021 to take account of the expected easing of lockdown restrictions and further information regarding social distancing to return to face-to-face meetings
- c) To consider a delegated model in the immediate term
- d) To consider a hybrid meeting model in the immediate term
- e) To continue meeting virtually in the immediate term

Option Considerations

- a) Moving the date forward to on or before Thursday 06 May 2021 so that the Town Council can continue to meet virtually is not viable as there is insufficient resource to prepare for the Annual Town Council meeting and the availability of Councillors has not been established.
- b) Moving the meeting date out beyond Monday 17 May 2021 to meet face-to-face seems the obvious choice however it is not quite as straightforward as it appears. Government guidance for 17 May 2021 is anticipated to allow indoor hospitality so advice is expected to be relatable to Town Council meetings.

However, account needs to be made for Councillors and Officers who may not feel safe returning to face-to-face meetings as they may not have received their vaccinations or they may not feel confident in returning to a face-to-face format. The public must continue to have access to meetings. The level of access has not been stated as to whether that means in person or virtually or both.

Any indoor venue for face-to-face meetings would need to be assessed to mitigate the risk to health and safety for Councillors, Officers and potentially members of the public. The Council Chamber at the Old Court House is too small and offers little layout flexibility so should be ruled out. The potential use of the hall at the Methodist Centre is being explored.

- c) The Town Council could look to a hybrid model whereby in the immediate term they continue to meet virtually but they delegate the decision to the Town Clerk as the Proper Officer. The Town Council or Committee would make a recommendation or provide a steer to the Town Clerk who would be given the delegated power to make the decision. It is worth noting that most decisions but not all decisions can be delegated to the Town Clerk.
- d) Should there be capacity limitations at the Methodist Centre, in theory the Methodist Centre could still offer a partial option whereby only those Councillors and Officers who are willing to meet face to face (whilst observing social distancing) and other Councillors and Officers join virtually. However, there is a concern about this mixed approach as to whether Councillors attending virtually would be deemed to be members of the public.
- e) To continue meeting virtually and making decisions as a Council. There is risk that a member of the public or a lobby group could pursue a judicial review of the decisions Council(s) make following the lapse of the Regulations allowing virtual meetings.

Other Potential Considerations

1. How to accommodate access to the public to enable 2-way communication
2. Capturing the meeting so that it can be posted to the website if Councillors, Officers and members of the public are in multiple locations

Requested Decisions

The requested decisions are essentially identifying the least-worst options should a clear, safe, logistically deployable way forward not be found.

1. To set a new date for the Annual Town Council meeting after the 17 May 2021
2. To determine the meetings format
3. To make a budget provision to record/stream meetings to facilitate openness and transparency