



Ministry of Housing,
Communities &
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**Ministry of Housing, Communities and Local
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District Councils Network
National Association of Local Councils
Society of Local Council Clerks

12 August 2020

Dear Colleague,

I thought it would be timely to write to you to record my thanks to all in local government for how you have responded so magnificently to the challenge of ensuring vital council business continues by conducting your council meetings remotely during these unprecedented times. I would also like to advise you of an important amendment to the remote meetings regulations that came into force on 1 August 2020 enabling Mayoral Development Corporations, Transport for London, Urban Development Corporations and Parish Meetings to also benefit fully from the ability to meet remotely as they have now been added to the list of defined local authorities in the regulations.

The original **Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020**, which came into force on 4 April 2020 and remain in force until 7 May 2021, enable all types of local authority meetings to be held remotely, including allowing remote access by members of the public. These Regulations also removed the requirement for the annual meeting this year.

It is widely acknowledged that these Regulations have helped local authorities to redeploy resources to deal with the pandemic and continue to make business critical decisions in a democratic way whilst protecting the health and safety of their members, officers and the public. There are, though a couple of issues that we have been approached about by several councils which I now would like to address.

First, on the question of hybrid meetings, the Regulations enable all meetings to be held remotely, and do not preclude either physical meetings or a hybrid form of meeting where these can be held in accordance with public health regulations and guidance. As you will be aware the Government recently amended the Health Protection Regulations to allow indoor gatherings of not more than 30 persons to take place in places which are not private dwellings, such as council buildings from 4 July. We have also now published [guidance on the safe use of council buildings](#). This guidance applies to all users of council buildings including visitors attending meetings or inspecting documents in council buildings. It is for the local authority to decide what is appropriate in their specific circumstances.

We continue to recommend that where meetings can take place digitally, without the need for face-to-face contact, they should do so. Where council buildings need to be used for physical meetings, these meetings must be managed within the social distancing guidance and principles set out above.

Secondly, with regards to the six-month attendance rule, remote attendance by members counts for the purposes of the six-month rule on attendance, and for allowances. Section 85 of the Local

Government Act 1972 is extremely permissive with regard to which meetings of the authority count for the six- month suspension rule. Attendance at any meeting of the authority is sufficient, along with any meeting of any committee, sub-committee, joint committee, joint board or meeting in which the member acts as a representative of the authority. Local authorities may grant an exemption for failure to attend a meeting for any reason they see fit prior to the expiry of the six-month period.

On 1 August **The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Amendment Regulations 2020** came into force. Section 22 of the Business and Planning Act 2020 which received Royal Assent on Wednesday 22 July 2020 has enabled the making of these amendment regulations under section 78 of the Coronavirus Act 2020 to include Mayoral Development Corporations, Transport for London, Urban Development Corporations and Parish Meetings.

These amendment regulations correct the earlier omission of these bodies which was an accidental oversight due to the pace at which the 2020 Act was drafted. As a consequence the above named bodies can now also hold meetings remotely including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming; allow remote public and press access and provide for associated documents for meetings to be accessed through remote means and website access.

The Government is especially grateful to the Local Government Association, National Association of Local Councils, Society of Local Council Clerks and the Public and Regulatory Law Team of the GLA for engaging with us so constructively and at pace on the development of these amendment regulations.

Principal Authorities will want to take particular note with respect to Parish Meetings where this amendment now enables those bodies to meet remotely for the purposes of agreeing draft accounts, the deadline for the closure of draft accounts having been extended to 31 August and the publication of final, audited accounts to 30 November by the [Accounts and Audit \(Coronavirus\) \(Amendment\) Regulations 2020](#).

Yours ever,

A handwritten signature in black ink that reads "Simon Clarke". The signature is written in a cursive style and is positioned above a horizontal line.

SIMON CLARKE MP