



# Meeting update

30<sup>th</sup> April 2021

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[www.lalc.co.uk](http://www.lalc.co.uk)

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In common with [NALC](#), all other county associations, the [SLCC](#) and many other organisations, we are disappointed at the High Court [judgement](#) on remote meetings.

[Letter](#) from Luke Hall MP, MHCLG 29<sup>th</sup> April

We appreciate that your council may be unsure of how to proceed so we have some practical options here that you could consider.

We will continue to provide updates as new information is available.

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## Call for evidence

Whatever else you do, and whatever your opinion, we urge everyone very strongly to respond to the MHCLG [call for evidence](#). Closing date 17<sup>th</sup> June.



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## Remote meetings

You may hold remote meetings on Tuesday 4<sup>th</sup>, Wednesday 5<sup>th</sup> or Thursday 6<sup>th</sup> May before the legislation expires. Many of our councils will have already published the agenda for these meetings. You may still hold a meeting on Thursday 6<sup>th</sup> May as long as the agenda and summons are published before the end of today, 30<sup>th</sup> April. This will allow you three clear days notice including Saturday but not Sunday or Bank Holiday Monday. Meetings can be held during the daytime.

## Safety concerns for physical meetings

The first point of call should be the [Government Guidance](#) for the safe use of council buildings which gives guidance on matters procedural, such as the delegation of decisions to officers. It has been updated and is kept under review. Individual councils will have to decide what they do in practice based on their particular needs while also having reference to the requirements of transparency and democratic accountability.

For any meeting that involves people coming together in any situation, you must carry out a risk assessment and make sure the location is COVID safe.

Venues may require track and trace recording and you need to decide how you will record attendance. Room etiquette may insist on one-way systems and use of masks while moving. You will require hand sanitiser and anything else identified on your risk assessment. You may need to direct additional people to attend with specific roles as stewards and support for the meeting.

You may request but you cannot insist that participants have a lateral flow test before a meeting.

## Meet outside

You have this choice up to and after 17<sup>th</sup> May. This option may be weather dependent. However, if you have a suitable location, this may work for your council.

## Meet inside

You should consider the following options after 17<sup>th</sup> May, depending on the availability of buildings and suitable rooms.

- Your usual venue for meetings.
- Other community buildings within your parish.
- A different venue within your parish. This may include licensed premises as long as they are not serving alcohol.
- A venue outside your parish.

If you use a physical venue, you must make it accessible for employees, members of council and members of the public. You cannot turn away anyone who wishes to observe the meeting.



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## Hybrid meetings

- Officers and members meet face to face in a suitable venue.
- Members must meet face to face. Officers may attend remotely.

For each of these two options, the venue will need broadband and may require an additional member of staff to manage the technical aspects. Members of the public may observe remotely but must be allowed to attend physically if they wish to.

## Venues outside your parish

This opens up a far wider pool of suitable venues for you to consider. There may be further to travel and a cost to your council. However, this may give a location that allows you to hold your meeting and may also give better broadband for remote access.

- **Requests to towns and parishes.**

This is likely to apply more to our towns but may also include some parishes which have access to suitable buildings. Are you able to make your venues available to other parishes in your area? If you are able to help, please contact the parishes near you or ask us to do it on your behalf.

- **Request to district and county councils**

We're hoping to contact our principal councils including City of Lincoln Council to ask if venues including council offices, leisure centres and similar could be made available. Please use your contacts, including district and county councillors, to ask on behalf of your own council and the rest of our sector. Let us know who you have asked and any response.

- **Neighbouring councils**

For those of you near county boundaries, please make a similar request to neighbouring unitary, county or district councils. Again, please use your contacts to help and let us know how you get on.

## Time-sensitive decisions

You could decide to pare your meetings to the bone and do only the absolute minimum for the next two months. Your agenda could be cut very short so that you spend the smallest amount of time together inside or outside. It is less likely that members of the public would want to attend such a short meeting. If you decide to go down this route, you need to make sure that your scheme of delegation allows your clerk to carry on council business until you are able to meet again.

- **What has to be done before the end of May?** Only the election of the chairman. Everything else can be put off till later.
- **What has to be done before the end of June?** Completion of the AGAR. This cannot be done by email and must involve a meeting.



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## **Annual Parish Meeting - called by the chairman of the parish council**

If you've not already held this remotely, our advice is to postpone until as soon after 21st June as you can. This falls outside the permitted timeframe but is less likely to be challenged.

## **Parish meeting with no council**

You still need to complete the AGAR before end of June. The chairman and clerk could use a public building with residents (including other councillors) attending remotely or physically.

## **Other considerations**

We have previously given advice from Chris Moses about staff returning to work- [e-news 20<sup>th</sup> April](#). We recognise your councillors and/or officers may not be confident or ready to resume face to face meetings. Members can send apologies and reasons for not attending but you need to consider that your meeting may not be quorate. If this is the case, the meeting may not go ahead and must be rescheduled.

If you haven't yet renewed your Zoom subscription, this is still available through LALC. Please let us know if you want to do this.

## **Areas where your council may be open to challenge**

We have noted statements by various councils expressing their views. We also note that some councils have decided that they will not meet under any circumstances at the moment. We must point out that decisions like this may fall outside the law, may be open to challenge and are against our advice.

If your council chooses to hold a remote meeting after 6<sup>th</sup> May, decisions will not be lawful and may be open to challenge.

- We advise that you do not hold remote meetings after 6<sup>th</sup> May when the legislation expires. Zoom, Teams and similar can be used for other gatherings within council including working groups but not for legally convened council meetings.

If your council chooses not to or is not able to meet in May, you will have to postpone the Annual Meeting of Parish Council. This will be outside the legal framework and could be open to challenge.

- We advise that you make every effort to find a way to meet legally in May.

If your council chooses not to or is not able to meet in June, you will need to contact pkf Littlejohn and take the consequences for not completing the AGAR in time.

- We advise that you make every effort to find a way to meet legally in June.