

Message from Eriswell Parish Clerk 04 May 2020

ERISWELL PARISH COUNCIL MEETINGS 2020 Meetings of the Parish Council during the COVID-19 Emergency

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 2020 Regulations") came in to force on 4 April. Broadly speaking, the 2020 Regulations enable local councils to hold remote meetings (including by video and telephone conferencing) for a specified period until May next year. They also remove the requirement to hold an annual meeting. The 2020 Regulations apply to local council meetings, committee and sub-committee meetings in England. Separate legislation is anticipated for Wales.

The COVID-19/ Coronavirus pandemic and the unprecedented in peacetime Government measures in response to the crisis (e.g. prohibitions on gatherings, social distancing, self-isolation and shielding of those deemed to be the most vulnerable) have meant that the requirement for local authorities to hold public meetings in person with all members present in one place cannot be met. The statutory requirements for meetings are mainly contained in the Local Government Act 1972 ("the 1972 Act") and the Public Bodies (Admission to Meetings) Act 1960 ("the 1960 Act").

In recognition of the problem of holding and attending meetings, and further to the lobbying of the National Association of Local Councils (NALC) and others, the Government included s.78 in the Coronavirus Act 2020. This section gave the Secretary of State the power to make Regulations to make provisions for the holding of meetings. The 2020 Regulations set out those provisions.

Regulation 5 – this permits the holding of remote meetings. The effect of the Regulation is that persons attending a local council meeting do not need to be in the same place. "Place" means more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers (Regulation 5 (1)). To attend a meeting remotely a member in remote attendance must meet specified conditions (see below).

Regulation 5 (6) also enables local councils to make standing orders to specify (i) how voting will be carried out, (ii) how members and the public can access documents and (iii) how remote access of the press and public by electronic means will take place.

Regulation 6 – confirms that being present at a local council meeting includes being present through remote attendance. The Regulation also disapplies paragraph 7 of Schedule 12 to the 1972 Act.

Regulation 13 – s.1 (4) (a) of the 1960 Act has been amended so that public notice of the time and place of the meeting is deemed to be given if published on the relevant principal authority's website. The Parish Council is aware of NALC's advice that a council's decision making is unlikely to be challenged if it only places the notice on its own website and in light of the government's social distancing guidelines, agendas will only be posted on this website.

The Parish Council will therefore be conducting its meetings virtually through remote attendance using the Zoom platform. Details of the meetings to take place along with information as to how to gain access to the meetings will be placed under page entitled "Agendas and Minutes" on this website.

The Parish Council meeting scheduled for May 26th, 2020 will be held by electronic means. Members of the public can email the clerk should they wish to take part under public participation.

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