



CORNWALL ASSOCIATION OF LOCAL COUNCILS

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Serving the parish and town councils of Cornwall

February 5th, 2021

CALC BRIEFING 18 – PLANNING FOR A RETURN TO PHYSICAL MEETINGS

Current lockdown restrictions prevent physical meetings of local councils at this time; individuals are asked to stay home unless absolutely necessary. The Coronavirus Act 2020 and the Virtual Meetings Regulations 2020 will come to an end on May 7th, 2021 and the ability to hold virtual meetings will cease. The CALC continues to lobby Government to extend the facility to ensure that the option to meet virtually is retained, however, it is now time to consider what a return to physical meetings might mean for your members, staff and community.

NALC has published its latest guidance which can be accessed from their website [Preparing for the possible return of face-face meetings](#).

Returning to physical meetings

If there is no extension to the virtual meeting regulations, then the council will have to return to meeting physically after May 7th, 2021. As the regulations only varied the place where the meeting could be held, the loss of the virtual option will require local council meetings to be held face to face and open to the public, with all members of the council, the clerk and officers and public accommodated in a safe space. The meetings must be held under the Covid 19 principles of hands, face, space and any Covid restrictions in place for social distancing etc.

The Council will be required to meet a number of national Covid measures including :

- Ensuring that a QR code is in place to meet the national requirement to have a [test and trace procedure](#) in place.
- That venues conform to the national guidance [on multi-purpose community facilities](#) and the [use of council buildings](#)
- As an employer the council must also ensure that it has proper measures in place for staff [working safely during coronavirus](#)

The Council should undertake a risk assessment in advance to plan whether its existing venue is available, able to accommodate all councillors, staff and members of the public. Where the existing venue cannot accommodate the meeting successfully, you may need to find an alternative venue – which could be outside of the parish.

ACRE has published a useful guide to [Safer Community Centres](#) which you may also find helpful.

Making the best use of remaining virtual meeting opportunities

In planning for the future, the council may feel that some of the following points would be helpful in making the most of the remaining virtual meetings.

- Consider what council business can be conducted before May so that the council can dedicate time to those issues in remote meetings. The more discussion and decisions you can conduct in remote meetings means the council can aim to hold fewer and shorter face to face meetings after May.
- This may require more meeting time than is currently planned, so the council should look at the meeting schedule in the run-up to May and see if more time or more meetings are required. Where possible, consider holding the annual council meeting and the parish meeting while the current Regulations permit for them to be held remotely (see also NALC's Legal Briefing L01-20).
- Consider when the council does need to meet face to face, and whether meetings can be delayed to later in the year when the potential COVID-19 risk may be further reduced.
- The council might consider holding a remote meeting as late as possible in April so that councillors who are unable to attend face-to-face meetings will have as much time as possible before disqualification by virtue of s.85 of the Local Government Act 1972 becomes an issue.

Scheme of Delegation

At the start of the first lockdown in 2021, the CALC published guidance on implementing a Scheme of Delegation to the Clerk for business continuity. We recommend that this scheme is reviewed by the Council before May.

This would make sure that the clerk is able to make certain decisions for the council , which would be especially important if the council were unable to hold meetings due to COVID-19 risks. In reviewing/adopting a scheme of delegation the council should ensure there is clarity around which decisions are delegated and which are not, for how long the scheme of delegation is in place, and when the scheme of the delegation will end or be reviewed.

Annual Council meetings

The annual meeting must be held within 14 days of the fourth day after the elections. This means that you should start to plan for how a council can meet physically within this timescale even if this is just to cover the election of Chair/Mayor, Vice Chair/Deputy Mayor. We are pressing NALC for further guidance but assuming that the virtual option is not available the new council will have to prepare to meet in some format before May 24th.

Lobbying of MPs

The CALC will continue to press for the retention of the ability to meet virtually. We are aware that many are looking forward to the day when a little normality returns, and we can greet and work alongside each other rather than waving through a lens. However, we believe that it is vital that the option is retained so that local councils can protect their members, staff and community and still deliver local decisions on services. I hope you are able to write to your local MP to lobby for the extension of the Virtual Meeting regulations.

We will continue to keep you updated on the future of virtual meetings but in the meantime if you have any questions please do not hesitate to contact me.