



COUNCIL

Date: 31 January 2021

Title: Meeting format post 1 February 2022

Purpose of the Report:

To consider the format of meetings/decision making from 1 February 2022 in the context of the Covid pandemic.

Contact Officer:

Sarah Sandiford, Deputy Town Clerk

Corporate Objective/s	n/a	
Implications:		
Financial	No	
Human Resources	No	
Operational/Service delivery	Yes	To ensure the council can operate effectively.
Procedural/Legal	Yes	Decision making in accordance with Local Government Act 1972
Risk/Health and Safety	No	
Environmental Aims	No	

1 RECOMMENDATION/S

Should Council be minded, the proposals are:

- 1.1 To endorse a return to face to face meetings as per the agreed Calendar of Meetings with effect from 1 February 2022 to allow for decision making in accordance with LGA 1972, with any public health guidance relating to the Covid-19 pandemic to be taken into account (e.g. mitigation measures).
- 1.2 That as set out in Standing Order 15 (c) (vii), should conditions change and it be deemed not possible to hold a face to face meeting, decisions to be delegated to the Town Clerk with email approval from elected Members.

2 BACKGROUND

- 2.1 Following the sunset clause of the temporary legislation introduced in 2020 as a result of the Covid-19 pandemic permitting councils to hold remote meetings until 6 May 2021, it has been necessary for elected Members to be physically present at decision making meetings (in accordance with the Local Government Act 1972).
- 2.2 Face to face meetings were re-introduced from June 2021 with mitigation measures in accordance with public health guidance, including increased ventilation, distancing where possible and restricted attendance numbers.
- 2.3 In 2021, the Council formalised ongoing contingency measures to allow for delegated decision making in the event of it not being possible or not deemed necessary to hold a face to face meeting, with revised Standing Order 15 approved by Council on 4 May 2021.
- 2.4 Since introducing this mechanism, a number of decisions from all committees and Council have been successfully delegated with email approval from Members, all of which are later formally reported back to Committee/Council and minuted accordingly. This mechanism will always be used only with the agreement of elected Members, with the priority remaining for decision making in a public forum at a formal meeting as set out in law.
- 2.5 In December 2021, acknowledging the very high number of Covid cases as a result of the Omicron variant and the Government guidance to work from home where possible, it was agreed to cancel formal meetings until 26 January 2022. Instead, informal remote sessions would be held with decisions made thereafter in accordance with S.O. 15 (c) (vii).
- 2.6 It was recognised that the Council meeting scheduled for 31 January 2022 would need to proceed in person as the setting of the precept was not a matter which could legally be delegated.

3 UPDATE

- 3.1 As of 19 January 2022, the Government has announced that in view of reducing Covid cases, “plan B” restrictions are to be removed with effect from 26 January 2022, with advice to work from home dropped with immediate effect. It is also anticipated that self-isolation requirements when testing positive for Covid may end from March 2022.
- 3.2 Despite ongoing lobbying from sector bodies, there is no prospect of the introduction of legislation to allow councils to meet remotely in the near future. The legal position is clear; councils must make decisions as set out in LGA 1972 and whilst employees may attend meetings virtually, elected Members must be physically present in one location.

- 3.3 In view of the above, it is proposed that meetings should resume in accordance with normal procedures with effect from 1 February 2022. Any recommended mitigation measures will be taken into account as appropriate.
- 3.4 Meetings of a maximum size of 16 participants at the table (subject to any public health guidance) are anticipated to resume in the Council Chamber at the White House, with any larger meetings anticipated to be held in another Town Council owned facility, most likely Astral Park due to its internet connectivity.
- 3.5 The investment in technology in the Council Chamber means that, despite the limitations of current legislation, hybrid meetings can take place with non-committee members, officers and third parties able to join meetings remotely.
- 3.6 Should the situation change in future, the Council may revert to the delegated decision making procedure as set out in Standing Orders in order to ensure that Council operations can continue – the only exceptions being matters which cannot legally be delegated and which will always necessitate the holding of a physical meeting until such time as legislation allows otherwise.

End.