

MPC Advice Note

From
Sarah Mason 2 July 2020
County Executive Officer
Cornwall Association of Local Councils

Subject Holding public meetings in real life

1.0 Following Government announcements last week about the opening of community buildings, we have received a number of questions regarding the return to physical meetings. Whilst we understand the desire of many to return to the normal face to face round table meetings, all of the government guidance continues to stress the need for social distancing and social responsibility and leadership in remaining alert to the purpose behind the restrictions.

1.2 There are a number of senior legal advisory bodies to the sector including the National Association of Local Councils, the Society of Local Council Clerks, Lawyers in Local Government and the Association of Democratic Services Officers. All are agreed on the interpretation of the legislation in place at the moment and NALC/SLCC have issued the following statement for the benefit of parish and town councils :

1.3 Following the Government announcement of further easing of lockdown restrictions from 4th July, NALC and SLCC strongly advise local councils to continue to meet remotely, without the need for face to face contact. Government rules still state that we should all work from home if we can. Local councils have the powers to hold public meetings remotely by using video or telephone conferencing technology until May 2021 and so most councils will have no need to meet in person. Furthermore, local councils have the duty to allow the public to observe council meetings without placing restrictions on the number attending, which many council meeting venues will not be able to accommodate in a safe way at this time.

1.4 However, where a local council does have an identified need to hold a physical meeting, as they are unable to conduct council business in any other way, they can consider doing so from 4th July. These meetings must be managed within the social distancing and 'safer workplaces' guidance produced by Government, which includes the requirement to conduct a risk assessment to determine if it is feasible and safe to hold a physical meeting. It is important that this risk assessment is carried out, and any identified actions to reduce risk to attendees are implemented before any face to face meetings resume. Councils must keep documentation of this risk assessment and the reasons why the council has taken the decision to return to face to face meetings.

2.0 Local councils must be able to follow the [Government's 'safer workplaces' guidance](#) before deciding to return to in-person meetings. This includes conducting a risk assessment and considering what precautions can be taken to manage risks. The council should consider:

- Providing hand sanitiser to those entering the meeting room
- Staggering arrival times for staff, councillors and members of the public
- Ensuring seating is placed at least 2m apart
- Asking people to wear face masks
- Holding paperless meetings
- If papers are provided, people should be discouraged from sharing with others to minimise how many people handle the papers
- Arranging seating so people are not facing each other directly

- Choosing a venue with good air flow, including opening windows and doors where possible

2.1 I have spoken to many who feel isolated for the traditional method of working within the community, but we completely agree with the legal opinion that although the slight easing of restrictions may encourage your council to consider holding a physical meeting, it is neither essential or safe at this time. We cannot recommend the need to invite members of the council, your staff and your community to attend physical meetings of your council either outside or indoors at this time which could put them at risk on contracting Covid-19.

We would therefore ask for your patience and wait a little longer.

Kind regards,