



# Brixham Town Council

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**Town Clerk: Mrs Tracy Hallett**

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<b>Report Type</b>	Public	<b>Meeting</b>	Evaluation
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<b>Report Title</b>	Resumption of In-Person Meetings Protocol		

## Purpose of Report

To consider the best course of action for facilitating in-person meetings, adhering to ongoing COVID-19 measures and reducing the risk of transmission.

## Background

As you will be aware, The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 do not apply to meetings on or after 7 May 2021. This legislation was brought into force by the Government on 4<sup>th</sup> April 2020, following the outbreak of the Covid-19 pandemic.

From April 2020, Brixham Town Council met remotely and from October 2020 commenced some committee meetings with a full remote meeting schedule of all its committees commencing January 2021.

## 7<sup>th</sup> May 2021

From 7 May 2021, the regulations permitting remote meetings will cease. The provision of an end date is known as a 'sunset clause'. This means that **all Council meetings** (Full Council and Committees) must meet **in-person** there on in.

This does not affect Task and Finish Groups which can continue to meet remotely.

Whilst national organisations such as the SLCC, NALC and county bodies such as DALC and others have lobbied the Government stressing the urgency and importance of having these regulations extended, the Government advised on 25<sup>th</sup> March that they do not intend to extend the legislation. Therefore, the Council must prepare for a return to face-to-face meetings.

## **Poll**

The Town Clerk recently carried out a poll to establish who would be prepared to meet face to face and when.

Question: I am happy to attend face to face Council meetings from 7<sup>th</sup> May 2021

Results:

Yes	4
No	0
I will only attend once I have had both my vaccines	3

In addition to this one Councillor has advised that they will return to face to face meetings when family can go into their house vice versa.

Three Councillors did not respond to the poll.

Based on the results, it was clear that Council meetings would only just be quorate and the Clerk made the decision, following a discussion with the Vice Chairperson, to change the Annual meeting from 20<sup>th</sup> May to 5<sup>th</sup> May to ensure that it could be held remotely enabling the majority of Councillors to attend.

## **In-Person Meetings Protocol**

The resumption of in-person meetings, is likely to be a stressful time both for Councillors and Officers alike, and therefore all should be mindful to be respectful and compassionate to one another given that everyone's situation may be different. In addition, the Council will need to be mindful that Officers who clerk meetings may not have had their first vaccination by 7<sup>th</sup> May.

In accordance to the Local Government Act 1972 (Sch 12, S8) local councils must meet four times a year, including the Annual Meeting. Therefore, it is considered that the Council has the following options it may wish to consider when operating in-person meetings from 7 May.

These are:

### **Option A**

All meetings of the Council resume in-person and in compliance with the In-Person Meeting Protocol, detailed in annex one.

### **Option B**

Full Council meets monthly with all other standing committees meeting bi-monthly – business usually conducted at the omitted meetings to be considered at the monthly Full Council meeting, reducing the number of times members meet in person, and reducing the risk of transmission of the virus further.

### **Option C**

All standing committees of the Council are suspended; non-urgent items of business be deferred, and Full Council meets monthly with an earlier start time to accommodate additional urgent business that would have ordinarily been considered at the standing committees (it is commonplace in some Councils to operate a full council meeting only; so not out of the ordinary).

## **Implications**

Whilst the Government included a sunset clause within the remote meetings regulations, they did not legislate to remove the '**six-month rule**' which immediately disqualifies a councillor from holding office if they fail to attend a meeting of the council, or one at which they represent the council, for 6 consecutive months.

Some councillors may have fallen into the age or clinically vulnerable categories and were required to shield. However, from 1<sup>st</sup> April 2021, the Government have advised that these categories are no longer required to shield.

In respect of options B or C being pursued, the council has adopted a **Scheme of Delegation** delegating some decisions the Clerk to make decisions on behalf of the Council which will ensure the Council continues to operate. All decisions taken by way of delegated decision would be reported at the next meeting of the Council / Committee.

## **Risk Mitigation**

Brixham Town Council has a legal responsibility to protect officers, elected members and others from risk to their health and safety, including the risk of COVID-19 and identify control measures to manage that risk. Where elected members, officers and others attend physical meetings, the Council must maintain social distancing wherever possible.

Whilst Councillors can choose on whether or not they wish to attend meetings, Officers cannot, as long as the Council has ensured risk mitigation actions. The actions are listed on page 5 of this report.

## **Members of the Public Attendance**

Luke Hall MP, Minister of State for Regional Growth and Local Government has advised that he recognises there may be concerns about holding face-to-face meetings. Ultimately it is for local authorities to apply the Covid-19 guidance to ensure meetings take place safely, but they have updated their guidance on the safe use of council buildings to highlight ways in which we can, if necessary, minimise the risk of face-to-face meetings.

They further advise that Councils should not hold face to face meetings until 17<sup>th</sup> May.

## **Remote Meetings**

Local authorities have legal obligations to ensure that members of the public have access to their meetings. For physical meetings, the letter from Luke Hall MP overturns the Governments 'Rule 6' in respect of Council meetings. However, is actively encourage local authorities to continue to provide remote access until at least 21 June, at which point it is anticipated that all restrictions on indoor gatherings will have been lifted in line with the Roadmap.

It should be noted that Councillors have a legal obligation to attend face to face meetings. Councillors who are not physically in attendance may view meetings remotely, but cannot participate once the Council meeting has commenced.

In addition, the Council's Task and Finish Groups and meetings with outside bodies / stakeholders can continue to be held remotely. It is considered that the time saved by not travelling to meetings as well as the fuel and parking expenses will see the need to continue with the Zoom subscription for a further 12 months. This also an environmental saving.

## **Annual Parish Meeting**

According to the Local Government Act 1972 (Sch 12, S14), the Annual Parish Meeting must be held between 1<sup>st</sup> March and 1<sup>st</sup> June each year. Where there is a Town / Parish Council, it usually falls on their responsibility to call the meeting. However, the Local Government Act 1972 (Sch 12, S15) states that a parish meeting may be convened by:

- the chairman of the parish council, or
- any two parish councillors for the parish, or
- where there is no parish council, the chairman of the parish meeting or any person representing the parish on the district council, or
- any six local government electors for the parish

The Parish Meeting would have been held on 25<sup>th</sup> March this year. However, following a conversation with the Chairperson and Vice Chairperson, it was agreed that it would not be appropriate to hold a meeting this year. This decision has been made based on:

- the safety and welfare of those that may wish to attend
- holding a parish meeting virtually would be difficult and possibly impractical

However, the Council might be minded to consider how the Annual Parish Meeting could be improved to enable the meeting to take place in future years with a broader number of attendees.

## **Recommendations**

It is hoped this document will assist Members in determining the best course of action for facilitating in-person meetings in adherence to on-going Covid-19 secure measures, and the Council's wish to reduce the risk of transmission of the virus as much as possible.

It is recommended that:

- 1) based on the number of Councillors who have confirmed they are prepared to attend face to face meetings, the Council proceeds with option C of this report and only holds Full Council meetings. This should be considered as a temporary option between 7<sup>th</sup> May and 21<sup>st</sup> June.
- 2) only Councillors and Officers should attend meetings with meetings being streamed on Zoom for members of the public.
- 3) the Council review this protocol as soon as practically possible following the Government's announcement on their Step 4 of the roadmap in June.
- 4) the Council renews its Zoom subscription to ensure that non-essential meetings ie Task and Finish groups, can continue to meet remotely.
- 5) the Council extends the emergency scheme of delegation to 21<sup>st</sup> June to ensure that the Council can continue to operate during this temporary period.

## **Annex One**

### **In-Person Meeting Protocol**

The following protocols have been implemented for any in-person meetings of the Council during the COVID-19 pandemic. These protocols are subject to revision as restrictions and guidance evolves from the following organisations:

- Public Health
- Government Legislation

#### **Risk Mitigation**

Brixham Town Council has a legal responsibility to protect officers, elected members and others from risk to their health and safety, including the risk of COVID-19 and identify control measures to manage that risk. Where elected members, officers and others attend physical meetings, the Council must maintain social distancing wherever possible.

Brixham Town Council update its meeting risk assessment to ensure the following mitigating actions are carried out:

- Participants should maintain 2m distance between each other as much as possible and seating will be arranged to facilitate.
- Meetings will be held in the Scala Hall or Function Room depending on number of people attending. Microphones and amplified speaker will be used.
- The meeting room will be well-ventilated and it is therefore recommended that Officers and Councillors ensure they dress appropriate to the weather.
- All participants to avoid transmission during meetings ie avoid sharing pens, documents and other objects.
- Hand sanitiser must be available to participants and its use encouraged.
- All attendees will be asked to register their attendance either by using the NHS app or by completing a registration form.
- Face coverings must be worn at all times with the exception of when a person is speaking or if they are exempt.
- It is suggested that Officers and Councillors who have not had their first vaccine should consider wearing face shields in addition to their face coverings.
- Before an in-person meeting, all frequently touched surfaces will be cleaned.