

CORFE MULLEN TOWN COUNCIL

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Michael Tomlinson MP
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Miss Nicola Gray
Town Clerk
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10 May 2021

Dear Mr Tomlinson

RE ENDING OF VIRTUAL MEETING ARRANGMENTS FOR LOCAL COUNCILS

As you will very much be aware, most if not all Local Councils have been meeting via platforms online, such as Zoom or Teams, during the Covid-19 pandemic. This method of meeting to carry out Council business has overall, been successful and productive. Corfe Mullen Town Council has embraced technology and has continued to provide services, support the local community and carry out its legal duties without incident or complaint. As have the majority of Town and Parish Councils across the UK.

Your colleague, Luke Hall MP, Minister of State (Housing, Communities and Local Government), wrote a letter to all local councils in April advising them of the need to return to face to face meetings as the emergency regulations put in place in 2020 would cease at midnight on 6 May 2021. The reasons for not extending the legislation were not given, only to say that it would require parliamentary time to change the primary legislation. Furthermore, the letter went on to provide "helpful" advice as to how to proceed under the Covid-19 guidance.

The matter was then taken to Court by The Association of Democratic Services Officers, Lawyers in Local Government and Hertfordshire CC, where it was rightly judged to be a parliamentary matter to amend the legislation and, whilst being supportive to the issue, the court made it clear that as the Scottish and Welsh governments had been able to make the necessary changes to facilitate local governments ability to continue working in a modern world, the English government were somewhat lacking in this respect. They further noted the ironic position of having made such a judgement via an internet meeting of court regarding the prevention of local councils from carrying out their business online.

The essence of Luke Hall's letter was condescending at best and did not show any understanding of the first tier of local government, not to mention the lack of consideration for a council's duty of care to its employees or councillors, and certainly ignored the obligation during a pandemic to protect the public.

The situation for which local councils now find themselves in is beyond farcical and Corfe Mullen Town Council would like to raise the following points with you and ask that you take these considerations to your fellow MP colleagues as a matter of urgency and respect for your local government colleagues.

- 1) The point made by Luke Hall in respect of the need to change primary legislation is weak at best. Government is making legal changes all the time at very short notice and this

is a minor amendment to existing 50-year-old legislation which needs bringing up to date. It simply requires the definition of “place” or “present” to be reconsidered to include online platforms.

- 2) Councils have been carrying out their business for more than twelve months by way of online meetings, and this has benefitted those who have disabilities by enabling them to be active in their local council. Those who have hearing issues are able to better hear the debate online when sat in a room on their own than sat in a room with lots of background noise. Those who are carers, housebound or have young children can switch on their PC knowing they are still in the same property as those they are caring for should an emergency arise. These are all groups who would, in the past, be put off taking any interest in their local council as a councillor or member of the public, and to have given them the opportunity to take part but now take that opportunity away, is tantamount to breaching equality legislation as the government have taken away a facility which enables, resulting in disabling people from taking part in normal society.
- 3) The Government itself declared a climate emergency in 2019, as have most local authorities across England. Most Town and Parish Councils are in rural areas with little or no public transport, and so most councillors and members of staff must drive to the meetings fortnightly or monthly. For Corfe Mullen Town Council this potentially could see 16 vehicles making unnecessary journeys, not to mention any members of the public who may attend by vehicle also, when the very same meeting could be held online with far less environmental impact. When this position is multiplied across England, it is a vast impact to the climate which need not be the case.
- 4) The lack of understanding that not all local councils have their own buildings to meet in and how those meeting logistics take place is astounding. Buildings will be restricted in use because of numbers allowed under Covid-19 regulations and this in turn impacts the legalities around admission rules which local councils must abide by. Members of the public cannot be legally turned away under The Public Bodies (Admission to Meetings) Act 1960, and so councils who now consider returning to face-to-face meetings have the dilemma of whether to breach Covid-19 regulations on numbers (that is if the management of the premises being used allows) or risking legal action for refusing admission because there are too many people attending. To livestream for public to view is all well and good, but the legislation does not allow for anyone taking part to do so remotely. Therefore, if a member of public wishes to speak in the public session, they must be present in the room. It could be said that public attendance is generally low for Town and Parish Council meetings, however, the very fact that holding online meetings has increased interest and attendance, could indicate that the public will be attending in person if that is the only way to engage.
- 5) In addition to the issue of numbers, Luke Hall stated that it is the Government’s aim to have everyone aged 50 and over to have received a first jab by 15 April 2021, and those with underlying health conditions to have received both by July 2021, implying that it will be perfectly safe for those groups to meet face to face with no impact. What an uninformed and discriminatory comment to include in a letter, the assumption being that all those involved in local councils are of a certain demographic, and that all are medically able to have the vaccination, which ignores the cohort of individuals who are unable to have the vaccination as they are immunocompromised. Councillors are of all ages and ability, as are staff who must also attend meetings. The Government’s own scientific advisors are warning that the vaccination alone is not enough to prevent anyone catching Covid-19 and, as has been so beautifully demonstrated at this week’s G7 summit, it only takes one person (3 in the case of the G7 Meeting) for someone to bring Covid-19 into an arena without their knowledge. To expect meetings to take place in the community when the Government have yet to figure out how to manage the ongoing impact of Covid-19 so that everyone can live as normally yet safely as possible, is beyond irresponsible. In addition, Government scientific advisors have indicated a

possible surge of cases in the summer as society opens, and therefore surely insisting that local councils meet face to face and risk being responsible for spreading the virus amongst its local community is wholly irresponsible and negligent to the electorate.

- 6) Luke Hall's suggestion to impose a Scheme of Delegation to paid head of service, although solves a temporary problem in avoiding the need to hold meetings, essentially removes the democratic process for which local councillors are elected. It should be used with caution, temporarily and for essential decision making only. It does not in anyway replace the need to hold meetings and, if anything, hinders the business of council.

As you can see, there are several reasons why, by not changing the legislation, the Government have let down both local councils and the societies and communities they serve. The lack of understanding of the first tier of government should be addressed in order that the decisions of Government are made with as least negative impact as possible on those who serve their local community with passion and pride. Please be clear that the vision of a "Vicar of Dibley" set up is most definitely not how Town and Parish Councils are run. Corfe Mullen Town Council has a budget of almost £½m and provides a range of services to its local community, as do many other Town and Parish Councils across Britain.

It is 2021 and multi-million-pound deals are struck, court judgements are delivered and medical assessments for life or death take place across the world via the internet every day. To prevent local councils from carrying out business via that very same method should they choose and rendering them to the dark ages of decision making is nothing short of vexatious by Government.

It is a disgraceful position to have left local councils in, but moreover, it is even more disgraceful to witness such serious discrimination towards individuals who are now being shut out of their local community by the negligence of the government to deal with this matter in a timely fashion.

Considering this, Corfe Mullen Town Council should like to hear your views and hope that you are in support of changing the legislation to enable local councils to return to a combination of meeting online and face to face when they choose to do so and where it works for those individual council circumstances.

Yours sincerely



Nicola Gray
Town Clerk and RFO
On behalf of
Corfe Mullen Town Council