

## **The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020**

### **UK Statutory Instruments 2020 No. 392 PART 1(General)**

#### **Citation, commencement, extent, and application**

1. These Regulations may be cited as the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and come into force on 4th April 2020.
- 2.— (1) These Regulations extend to England and Wales.  
(2) Parts 1 and 4 of these Regulations apply to England and Wales.  
(3) Parts 2 and 3 of these Regulations apply to England only.  
(4) These Regulations apply to local authority meetings and police and crime panel meetings that are required to be held, **or held, before 7th May 2021.**

#### **Interpretation**

3. In these Regulations—

“the 1972 Act” means the Local Government Act 1972(1);

“local authority” means—

- (a) a county council;
- (b) a district council;
- (g) a parish council;

“local authority meeting” means a meeting of—

- (a) a local authority;
- (b) an executive of a local authority (within the meaning of Part 1A of the Local Government Act 2000)(10);
- (c) a joint committee of two or more authorities;
- (d) a committee or sub-committee of anything within paragraphs (a) to (c);

“remote access” is to be construed in accordance with regulation 5(6)(c);

“remote attendance” is to be construed in accordance with regulation 5(2) and (3).

### **UK Statutory Instruments 2020 No. 392 PART 2 (Remote Attendance)** **Regulation 4**

#### **Meetings of local authorities**

- 4.— (1) In respect of a reference in any enactment to a meeting of a local authority, that authority may, as they may determine—

**(a) hold such meetings and at such hour and on such days; and**

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**(b) alter the frequency, move or cancel such meetings,**

without requirement for further notice.

(2) Where an appointment would otherwise be made or require to be made at an annual meeting of a local authority, such appointment continues until the next annual meeting of the authority or until such time as that authority may determine.

5.— (1) A reference in any enactment to a meeting of a local authority is not limited to a meeting of persons all of whom, or any of whom, are present in the same place and any reference to a “place” where a meeting is held, or to be held, includes reference to more than one place including **electronic, digital or virtual locations** such as internet locations, web addresses or conference call telephone numbers.

(2) For the purposes of any such enactment, a member of a local authority (a “member in remote attendance”) attends the meeting at any time if all of the conditions in subsection (3) are satisfied.

(3) Those conditions are that the member in remote attendance is able at that time—

**(a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance,**

**(b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and**

**(c) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.**

(4) In this regulation any reference to a member, or a member of the public, attending a meeting includes that person attending by remote access.

(5) The provision made in this regulation applies notwithstanding any prohibition or other restriction contained in the standing orders or any other rules of the authority governing the meeting and any such prohibition or restriction has no effect.

(6) A local authority may make other standing orders and any other rules of the authority governing the meeting about remote attendance at meetings of that authority, which may include provision for—

**(a) voting;**

**(b) member and public access to documents; and**

**(c) remote access of public and press to a local authority meeting to enable them to attend or participate in that meeting by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming.**

**UK Statutory Instruments 2020 No. 392 PART 3 (Modification of meeting and public access requirements)**

**Frequency of local authority meetings**

6. Schedule 12 to the 1972 Act (meetings and proceedings of local authorities) applies as follows—

- (a) any reference to being “present” at a meeting includes being present through remote attendance;
- (b) any reference to a “place” where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers;
- (c) paragraphs 1 and 7 are disapplied;
- (d) paragraph 2 is to be read as if—
  - (i) in subparagraph (1), for “in addition to the annual meeting, such other”, there were substituted “such”;
  - (ii) in subparagraph (2), “other” were omitted;
- (e) paragraph 4(1A)(a) is to be read as if after “at the council’s offices” there were inserted “or on the council’s website”.

Sections 7-12 not applicable to Town and Parish Councils

**Public and press access**

13. Section 1 of the Public Bodies (Admission to Meetings) Act 1960(9) (admission of public to meetings of local authorities and other bodies) applies as follows—

- (a) subsection (4)(a) is to be read as if, after “(or, if the body has no offices, then in some central and conspicuous place in the area with which it is concerned)” there were inserted “or publishing on the website of the body or, for a parish council, on the website of the principal council within the meaning of the Local Government Act 1972”;
- (b) after subsection (9), there were inserted—
  - (9A) In this Act, references (however expressed) to—
    - (a) a meeting being “open to the public” include **access to the meeting through remote means** including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person;
    - (b) being “present” at a meeting include access through remote means mentioned in paragraph (a) above.”.

14. Section 9G of the Local Government Act 2000(10) applies as if after subsection (6) there were inserted—

- (7) In this section, references to a meeting being “open to the public” include access to the meeting through remote means including (but not limited to) video conferencing, live webcast, and live

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interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person.”.

**15.** Part VA of the 1972 Act(**11**)(access to meetings and documents of certain authorities, committees and sub-committees) applies as if, after section 100K (interpretation and application of Part VA) there were inserted—

**“100L.** Supplemental provision on public access to meetings and documents

In this Part references (however expressed) to—

- (a) a meeting being “open to the public” include access through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person;
- (b) being “present” at a meeting include access through remote means mentioned in paragraph (a) above;
- (c) a document being “open to inspection” includes being published on the website of the council;
- (d) the publication, posting or making available of a document at offices of the council include publication on the website of the council.”.

**16.—(1)** The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012(**12**) has effect as set out in the following paragraphs.

(2) Regulation 2 (interpretation) has effect as if after the definition of “newspaper”, there were inserted—

““open to the public” includes access through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person;”.

(3) Regulation 3 (meetings of local authority executives and their committees to be held in public), has effect as if after “held in public”, there were inserted “or open to the public”.

(4) The provisions to which this paragraph applies may be complied with by publishing that notice, agenda, report, or document on that authority’s website.

(5) The provisions to which paragraph (4) applies are—

- (a) regulation 5(2) (procedures prior to private meetings);
- (b) regulation 5(4);
- (c) regulation 5(7);
- (d) regulation 6(1) (procedures prior to public meetings);
- (e) regulation 7(1) (access to agenda and connected reports for public meetings);
- (f) regulation 9(2) (publicity in connection with key decisions);

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- (g) regulation 10(1)(b) (general exception);
- (h) regulation 10(3);
- (i) regulation 11(2) (cases of special urgency);
- (j) regulation 14(1) (inspection of documents following executive decisions); and
- (k) regulation 15 (inspection of background papers).

(6) The following provisions are disapplied—

- (a) regulation 14(2);
- (b) regulation 21(1)(c) (inspection and supply of documents); and
- (c) regulation 21(2).

**17.** A local authority may comply with regulation 8 of the Openness of Local Government Bodies Regulations 2014(**13**) (decisions and background papers to be made available to the public) by making the written record and any background papers available for inspection through any or all of the following means—

- (a) publishing the record and any background papers on the authority's website; or
- (b) by such other means that the authority considers appropriate.

**Signed by authority of the Secretary of State for Housing, Communities and Local Government**

***Christopher Pincher***  
**Minister of State**

**Ministry of Housing, Communities and Local Government**

**1st April 2020**