

Rt Hon Jacob Rees-Mogg MP
Lord President of the Council and
Leader of the House of Commons
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Councillor Emily Smith
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19 March 2021

Dear Mr Rees-Mogg,

Extending provisions to enable council meetings to be held remotely

We are writing to you today to call for the provision for council meetings to continue remotely, to be extended beyond 6 May 2021, for the safe and effective conduct of council business, in line with the Prime Minister's Roadmap out of the national restrictions amid the pandemic.

We would urge the Government not to make the mistake of conflating the desire for Parliament to return to in-person meetings with the appropriate arrangements in local government. Councils are different beasts to Parliament – our councillors act on a near voluntary basis, as they receive only a modest allowance, and some are clinically extremely vulnerable. Remote meetings have also enabled us to save time, cost and car journeys and we would like these benefits to continue.

As we carefully try to come out of the pandemic, please let us decide how to best mix in-person and remote meetings locally. District councils are democratically elected and locally accountable bodies, and we should have the flexibility to determine how, when and where to use this flexibility to benefit local communities. We fully understand that many meetings are best held in person – in many instances there can be no substitute for the face to face contact we have all missed. But our council meets for many reasons, taking decisions across a wide variety of issues, and in many of these cases a meeting can be held just as satisfactorily online.

In the short term, if these powers are lost after 6 May, we will be in the impossible position of not being able to hold meetings remotely, but also having to restrict the numbers of councillors that attend in-person meetings to adhere to social distancing requirements. Whatever our ambition, it is not realistic for councils to find alternative local venues that can host a whole council meeting of 38 councillors, officers and members of the public in ways that adhere to current requirements. Our usual meeting venue is not currently available to us as it is being used as a community testing facility.

Local government is supportive of the Prime Minister's Roadmap to move our communities out of restrictions. The roadmap makes clear that gatherings of over 30 people outdoors will remain illegal until at least 21 June. Families and friends will continue to miss funerals and weddings, and so we do not see how it is credible that we simultaneously hold lengthy gatherings of well over 30 people indoors to carry out council business easily conducted remotely until further restrictions are lifted. Paragraph 3.4 of the Government's own guidance on "Working safely during coronavirus (COVID-19)" makes clear the arrangements that businesses should make, the first step being to avoid in-person meetings.

The Government's roadmap rightly seeks to protect all of us and especially the vulnerable in our communities. Some of our councillors are clinically extremely vulnerable and will not be able to return to in-person meetings before the requirements for social distancing are lifted. If the provisions are not extended, it will be the case that many democratically elected councillors will be disenfranchised, and communities will effectively lose representation on the local issues at a key point in our local health and economic recovery. Indeed, remote meetings have facilitated local democracy, making it more accessible to different groups in our communities, making it more accessible to different groups in our communities, and we want to keep that flexibility about how we hold our meetings in future, not just during the pandemic.

It has been said that there is not sufficient time to bring in alternative arrangements before the May deadline. However we consider that the Secretary of State for the Ministry of Housing, Communities and Local Government (MHCLG) has the power under section 16 of the Local Government Act 1999 to modify the Local Government Act 1972 to allow these arrangements to continue, without the need for primary legislation - although this route would not cover parish councils. Alternatively, a deregulation order could be considered under section 1 of the Deregulation and Contracting Out Act 1994, even though there is now limited time for consultation.

We would encourage you to work with the Secretary of State the Rt Hon Robert Jenrick MP to enable district councils like ourselves to have choice about how we organise our meetings, so that we can use our local knowledge, and local judgment, to conduct our business effectively for the benefit of local communities.

Yours sincerely



Councillor Emily Smith
Leader of the Council

cc:

Robert Jenrick MP, Secretary of State for Housing, Communities & Local Government,
Layla Moran, Member of Parliament for Oxford West & Abingdon
David Johnston, Member of Parliament for Wantage