



Department for Levelling Up,
Housing & Communities

Cllr Emily Smith
Vale of White Horse District Council
135 Eastern Avenue
Milton
Abingdon
Oxfordshire
OX14 4SB

Kemi Badenoch MP
*Minister of State for Equalities and Levelling Up
Communities*

**Department for Levelling up, Housing and
Communities**
Fry Building
2 Marsham Street
London
SW1P 4DF

Email: kemi.badenoch@communities.gov.uk

www.gov.uk/dluhc

Our Ref:12200397

15 November 2021

Dear Cllr Smith,

Thank you for your letter dated 17 August, to the Rt Hon Robert Jenrick MP, about local authority and hybrid meetings. I appreciate how important this matter is to you and I am grateful to you for contacting my department with your concerns. I apologise for the delay in responding to this matter.

Whilst I appreciate your concerns, regulations made under Section 78 of the Coronavirus Act 2020 [The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#) only applied to meetings between 4 April 2020 and 7 May 2021. These regulations were time limited by the clause on the face of the Coronavirus Act 2020 at Section 78 (3) which states that the regulations only apply to meetings required to be held, or held, before 7 May 2021.

Since 7 May 2021, local authorities have been required to return to physical meetings. A position clarified in a High Court judgment, handed down on 28 April 2021, confirmed the interpretation that the Local Government Act 1972 specifies that council meetings must take place in person at a single, specified geographical location and being “present” involves physical presence at that location. You may find it useful to refer to the judgement, which can be found [here](#). The subsequent judgement of 4 May 2021 on the issue of public access can be found [here](#).

Prior to the expiry of the remote meetings regulations, the Government recognised that councils were keen to retain the flexibility to choose to meet remotely or in hybrid form as and when circumstances dictate. A Call for Evidence on the use of remote meetings was launched on 25 March 2021 and ran until 17 June 2021 to inform consideration of possible permanent provisions. Any permanent provision would require primary legislation and depend upon available Parliamentary time. The results of the Call for Evidence are under review and the Government will respond in due course.

Yours sincerely,

KEMI BADENOCH MP