

## Government Consultation on Virtual Meetings: Questions

The government would like to gather evidence about the use of the arrangements that make express provision for local authorities to meet remotely or in hybrid format during the coronavirus pandemic, including the arrangements that existed for Scottish Authorities prior to the pandemic.

Q1. Generally speaking, how well do you feel the current remote meetings arrangements work?

- **Very Well**
- Well
- Neither well nor poorly
- Poorly
- Very Poorly
- Unsure

The arrangements have enabled Caldbeck Parish Council to carry on business as usual, pretty much without interruption. It had hoped to hold its first virtual meeting on 23 March 2020 and was pushing CALC for the green light. In the event the first formal virtual Parish Council meeting was held on 6 April 2020 following Government approval for the arrangements. The Parish Council had held informal virtual meetings to become familiar with the technology and the associated working practices and culture of virtual meetings. Despite the limited broadband coverage in rural Cumbria, particularly for some attendees, virtual meetings have been successful. The Parish Council has held its full programme of meetings, including the Annual Parish Meeting/Annual Meeting of the Parish Council in May 2020. It held the Annual meetings on 6 May 2021 to take advantage of the last opportunity to hold virtual meetings whilst the Government considers the merits of extending powers to councils to hold virtual meetings.

The arrangements have enabled members of the public to attend and there has probably been a marginal increase in members of the public attending, albeit attendance is still pretty low. At the last virtual meeting attendance was good - all Parish Councillors together with nine members of the public.

While the powers in section 78 of the Coronavirus Act were brought in specifically to help local authorities in England, Wales and Northern Ireland deal with the challenges of holding meetings during the coronavirus pandemic, the government would also like to hear from interested parties about the pros and cons of making permanent express provision, in whole or in part, for local authorities in England.

Q2. Generally speaking, do you think local authorities in England should have the express ability to hold at least some meetings remotely on a permanent basis?

- **Yes**
- No
- Unsure

Caldbeck Parish Council would welcome the flexibility to hold virtual meetings or to allow virtual attendance for those who for whatever reason are not able to attend. With evening meetings and poor winters, attendance at a virtual meeting may be higher than if meetings are held in the Parish Hall.

Beyond having express provision to avoid face-to-face meetings during the coronavirus pandemic, we are aware of feedback from local authorities about additional benefits of being able to hold remote meetings including, but not limited to, the environmental and cost benefits of reduced travel, increased participation from local residents, and the potential to attract more diverse local authority members. We are keen to obtain representative views on the benefits of remote meetings and would particularly welcome any quantitative evidence to support these views.

Q3. What do you think are some of the benefits of the remote meetings arrangements?  
Please select all that apply.

- **More accessible for local authority members**
- **Reduction in travel time for councillors**
- **Meetings more easily accessed by local residents**
- **Greater transparency for local authority meetings**
- **Documents (e.g. minutes, agendas, supporting papers) are more accessible to local residents and others online**
- Easier to chair meetings in an orderly fashion
- A virtual format promotes greater equality in speaking time during meetings
- I do not think there are any benefits to remote meetings
- Other (please specify)

Caldbeck Parish Council recognises the above benefits. County and District Councillors have been able to join the virtual meetings and attend more than one meeting in an evening. Overall attendance for Parish Councillors and members of the public has been a little higher than when the Parish Council has met in the Parish Hall.

The Parish Council has developed its website and has made supporting papers more readily available. That was already under way but virtual meetings have acted as a spur to improve documentation for meetings.

In their representations to us, many local authorities have referenced the cost savings they have achieved through implementing remote meetings, particularly regarding a reduction in travel expenses and accommodation costs.

For example, one upper tier authority has reported that running meetings remotely has enabled them to save in the order of £6,000 per month through reduced travel expenses. We would be interested to receive more quantitative data about the cost savings that have been achieved, including any estimates of the comparative cost of running a remote meeting versus a face-to-face meeting.

Q4. (For local authorities only) Have you seen a reduction in costs since implementing remote meetings in your authority?

- **Yes**
- No
- Unsure

Caldbeck Parish Council is a small parish - c£20,000 receipts/payments a year. Virtual meetings have resulted in modest savings - room hire and Clerk's travel costs totalling some £150 in 2020-21.

Some local authorities have also made reference to the difficulty that some members have had with the remote meeting format, particularly in relation to the difficulties in managing

misconduct, the challenges of working with unfamiliar software, and technological issues caused by a poor internet connection. We are keen to obtain representative views on the disadvantages of remote meetings and would particularly welcome any quantitative evidence to support these views.

Q5. What do you think are some of the disadvantages of the remote meetings arrangements, and do you have any suggestions for how they could be mitigated/overcome? Please select all that apply.

- **It is harder for members to talk to one another informally**
- **Meetings are less accessible for local authority members or local residents who have a poor-quality internet connection**
- **Meetings are less accessible for local authority members or local residents who are unfamiliar with video conferencing/technology**
- There is less opportunity for local residents to speak or ask questions
- Some find it more difficult to read documents online than in a physical format
- Debate is restricted by the remote format
- It is more difficult to provide effective opposition or scrutiny in a remote format
- It is more difficult to chair meetings in an orderly fashion
- Virtual meetings can be more easily dominated by individual speakers
- It might enable democratically elected members to live and perform their duties outside their local area on a permanent basis, therefore detaching them from the communities they serve
- It may create too substantial a division between the way national democracy (e.g. in the House of Commons) and local democracy is conducted
- I do not think there are any disadvantages to remote meetings
- Other (please specify)

Whilst it is harder for informal discussion and it is more difficult to sense the direction of discussion and how consensus might be achieved, these should not be overstated. With increased familiarity of the process, meetings have been largely successful and business properly progressed.

There can be connection issues, particularly in parts of rural Cumbria, and unfamiliarity with virtual arrangements but again these should not be overstated.

The government considers that there are also many advantages of holding meetings face-to-face. For example, physical meetings provide numerous opportunities for local authority members to speak with one another informally and build alliances, as well as to encounter local residents in the flesh and listen to their concerns in person.

Additionally, some members have referenced the vast improvement in the quality of debate when there is a lively atmosphere and they are able to make full use of their oratory skills to persuade and influence others. Some may consider remote meetings stifling and that physical meetings are essential to effective democracy and scrutiny.

Q6. What do you think are some of the main advantages of holding face-to-face meetings, as opposed to remote meetings?

Whilst physical meetings offer undoubted opportunities for informal discussion and it is easier picking up the flow of a physical meeting and how the debate might be concluded, Caldbeck Parish Council believes that virtual meetings do provide an effective forum for

progressing business and that discussion can be persuasive, leading to robust conclusions.

If express provision for remote meetings were made permanent, it might be preferable for the government to constrain the meetings or circumstances in which remote meetings can be held to ensure that effective democracy and scrutiny can still take place.

There are some occasions, for example, where a remote meeting format may be seen as more appropriate, such as for smaller sub-committees, meetings convened at short notice, or for meetings where attendees are drawn from a large geographical area i.e. for some joint committees, combined authorities and large rural authorities. On the other hand, there are occasions where a remote meeting format may be viewed as less appropriate, for example larger meetings involving Full Council or an authority's Annual Meeting.

Q7. If permanent arrangements were to be made for local authorities in England, for which meetings do you think they should have the option to hold remote meetings?

- For all meetings
- For most meetings with a few exceptions (please specify)
- Only for some meetings (please specify)
- **I think local councils should be able to decide for themselves which meetings they should have the option to meet remotely**
- I do not think local authorities should have the option to hold remote meetings for any meetings
- Unsure

Caldbeck Parish Council believes that councils should have the powers to hold virtual meetings when they wish in light of their assessment of what best meets local needs and circumstances.

Q8. If permanent arrangements were to be made for local authorities in England, in which circumstances do you think local authorities should have the option to hold remote meetings?

- In any circumstances
- Only in extenuating circumstances where a meeting cannot be held face-to-face or some members would be unable to attend (e.g. severe weather events, coronavirus restrictions)
- **I think local authorities should be able to decide for themselves which circumstances they should have the option to meet remotely**
- I do not think local authorities should have the option to hold remote meetings under any circumstances
- Other (please specify)
- Unsure

Caldbeck Parish Council believes it should set out the circumstances in which it would choose to meet virtually so that parishioners are given opportunity to see and question those arrangements.

While local authorities have risen magnificently to the challenge of ensuring vital council business continues by conducting meetings remotely during these unprecedented times, there may be concerns that, if the arrangements were to be made permanent, a situation could arise where remote meetings arrangements were used by a ruling party to avoid effective scrutiny or abuse the power in some other way.

Q9. Would you have any concerns if local authorities in England were given the power to decide for themselves which meetings, and in what circumstances, they have the option to hold remote meetings?

- Yes
- **No**
- Unsure

Virtual meetings would still be properly publicised with agendas published and arrangements made for public attendance and participation. Caldbeck Parish Council would emphasise that parish councils are non political with no cabinet/opposition/scrutiny and that accountability is to parishioners through formal meetings, publication of agendas, papers and regular news bulletins, consultations, and providing a responsive service etc.

Q10. If yes, do you have any suggestions for how your concerns could be mitigated/overcome?

N/A

In deciding whether and how remote meetings arrangements may be made permanent for local authorities in England, the government needs to ensure that it has due regard to the Public Sector Equality Duty. In particular, the government would need to avoid unlawfully discriminating (either directly or indirectly) against individuals with a protected characteristic, and also consider whether the arrangements advance equality of opportunity or help to foster good relations between those who share a protected characteristic and those who do not.

Many local authorities have spoken of the potential benefits that remote meetings could have for members or potential members with disabilities or young families. However, there are also those for whom remote meetings could pose additional difficulties, for example those with hearing or visual impairments or those more likely to struggle with the technology.

We are keen to consider views on these aspects of remote meetings and would particularly welcome any quantitative evidence to support views provided.

Q11. In your view, would making express provision for English local authorities to meet remotely particularly benefit or disadvantage any individuals with protected characteristics e.g. those with disabilities or caring responsibilities?

- Yes
- No
- **Unsure**

For some people virtual meetings offer an opportunity to attend which otherwise they would be denied, for example some health conditions and when needing to isolate. Other people may have difficulty with accessing virtual meetings and dealing with the arrangements.

But what has not been covered in the consultation is whether arrangements can be put in place to allow virtual attendance at a physical meeting. For Caldbeck Parish Council, that too would be a very welcome development and would enable those prevented from attending physically to attend and participate virtually.

The consultation referred to 'hybrid' arrangements which the Parish Council assumes means enabling virtual attendance at a physical meeting. But this is not followed up in the questions.

In April 2021 the High Court ruled that "once the Flexibility Regulations cease to apply, such meetings must take place at a single, specified geographical location; attending a meeting at such a location means physically going to it; and being 'present' at such a meeting involves physical presence at that location."

This seems to deny councils the opportunities provided by IT for participation by those unable to attend physically. The Parish Council understands Parliament has allowed virtual attendance by witnesses for Select Committees for a number of years. Opening up meetings for councils to allow virtual attendance would seem to be a relatively simple step.

On 11 May 2021 CALC advised that where parish councils have concluded that they have no safe way of holding physical meetings in time to meet legal obligations, then: "It is unlikely that a person will be so severely disadvantaged by a decision to meet virtually that the courts would grant consent to start judicial review proceedings against the council. **But no absolute guarantee of this can be given.** A Council should therefore decide where the balance will be and come to the least-worst decision."

CALC assumes that most parish councils would be able to hold physical meetings. But there is a clear suggestion that parish councils could contemplate holding virtual meetings and accept the (very low) risk of a court granting consent to start judicial review proceedings.

The Parish Council considers the Government should act urgently to remove the risk of judicial review. The Government should give parish councils the powers to hold virtual meetings and to provide arrangements for hybrid meetings. Doing so would strengthen local democracy by encouraging participation in parish council meetings for those unable to attend physical meetings and give councils flexibility to hold virtual meetings where circumstances make physical meetings particularly challenging to attend (such as adverse weather).