



Department for Levelling Up,
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Dear Mr Bungard,

Thank you for your letter dated 8 July, to the Rt Hon Robert Jenrick MP, about local authority and hybrid meetings. I apologise for the delay in responding to this matter.

Whilst I appreciate your concerns, the 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.

The former Secretary of State supported an appeal to the High Court by Hertfordshire County Council, the Association of Democratic Service Officers, and Lawyers in Local Government, seeking a High Court declaration on whether the Local Government Act 1972 could be interpreted to include remote meetings. He agreed there was a case to be heard as the Local Government Act was passed by Parliament in a different age of technology. However, the High Court judgement handed down on 28 April 2021 was that the Local Government Act 1972 specifies that council meetings must take place in person at a single, specified, geographical location and being “present” at such a meeting involves physical presence at that location. Since 7 May 2021 local authorities have been required to return to physical meetings. 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