



Ministry of Housing,
Communities &
Local Government

Monday 6 April 2020

Chief Executives
Principal Councils in England

Dear Chief Executive,

I am writing to update you on emergency legislation that we are making to support local authorities in the vital work you are doing to respond to the Coronavirus pandemic whilst ensuring essential business and services continue.

We have in the last week made two sets of regulations under the Coronavirus Act 2020. The first set enables all local authority meetings before 7 May 2021 to be held remotely and removes the requirement for the annual meeting this year. The second set postpones until 6 May 2021 local by-elections and other polls, either scheduled or which would otherwise arise before that date. I am annexing a note explaining these regulations. I would be grateful if you could, as appropriate, ensure that parish and town councils in your area are aware of these.

The regulations aim to give local authorities greater flexibility to redeploy their resources to focus on meeting the many new challenges they face in responding to the pandemic whilst maintaining critical front-line services. The regulations on meetings will enable essential decision-making to continue whilst upholding democratic principles and enabling all to comply with the public health guidance. The elections regulations also ensure that unnecessary risks to voters, the officers who run polling stations and counts, and campaigners are avoided.

On behalf of the MHCLG team who have worked to make these regulations, I would like to thank you and your colleagues who have contributed to their development – the regulations are undoubtedly more comprehensive and workable as a result of your input.

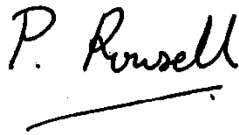
In making these regulations we have been engaging with our counterparts in the Devolved Administrations who will be putting in place analogous arrangements in their countries where required. As with the whole approach to responding to the pandemic the Government is seeking to follow a four nation approach.

Paul Rowsell CBE
Head of the Governance Reform and Democracy Unit
Ministry of Housing, Communities and Local Government
2nd Floor North East Corner Fry Building
2 Marsham Street, London SW1P 4DF

Email paul.rowsell@communities.gov.uk
Telephone 0303 444 2568

Further sets of regulations are intended to be made in the coming weeks including MHCLG regulations to relax the date for the completion and publication of annual accounts, and regulations by the Cabinet Office to make further election-related provisions.

Yours sincerely,

A handwritten signature in black ink that reads "P. Rowse". The signature is written in a cursive style and is underlined with a single horizontal stroke.

P ROWSELL

Paul Rowse CBE
Head of the Governance Reform and Democracy Unit
Ministry of Housing, Communities and Local Government
2nd Floor North East Corner Fry Building
2 Marsham Street, London SW1P 4DF

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ANNEX

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

These regulations enable all local authority meetings to be held remotely, including allowing remote access by members of the public, and they remove the requirement for the annual meeting this year.

The regulations are drafted very broadly, applying to different types of local authorities, and to different categories of meetings including annual meetings, cabinet and committee meetings.

Local authorities can decide not to hold the legally prescribed annual meeting. Where meetings are held, local authorities have the flexibility to hold them at any time of day and on any day, to alter how frequently they are held and to move or cancel them without further notice. Where a local authority does not hold an annual meeting, current appointments will continue until the next annual meeting of the authority or when the local authority determines.

Meetings may be held remotely including via telephone conferencing, video conferencing, live webchat and live streaming. Remote attendance by members counts for other purposes such as the six month rule on attendance, and for allowances. Members of the public and press may also access meetings remotely rather than in person.

The regulations are not prescriptive about how local authorities may facilitate remote meetings or related matters such as voting and access to documents by members and the public. Different solutions will be appropriate in different localities and local authorities may make appropriate standing orders.

The regulations also enable Police and Crime Panels in England and Wales to take place remotely, allowing Police and Crime Panels to continue undertaking their statutory duties.

The regulations came into force on 4 April 2020 and apply to meetings taking place before 7 May 2021. We are able to legislate to bring forward this date if medical and scientific advice leads to the relaxation of social distancing rules.

You can find the regulations and supporting documents here on the legislation.gov website <http://www.legislation.gov.uk/ukSI/2020/392/contents/made>

The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020

The **Coronavirus Act 2020** postponed the scheduled local and mayoral elections and Police and Crime Commissioner elections due to take place on 7 May 2020 until 6 May 2021.

The regulations postpone to 6 May 2021 other polls, either scheduled or which would otherwise arise before that date, including local authority, mayoral and Greater London Authority by-elections, polls and referendums in England and by-elections for Police and Crime Commissioners in England and Wales.

Local and mayoral by-elections include to any county, district or London Borough Council, parish council, for a local authority directly elected mayor, a combined authority mayor, and for the Greater London Authority the Mayor of London or constituency member of the Greater London Assembly.

Other polls include local advisory polls, referendums on a local authority change of governance and neighbourhood planning referendums.

The regulations make other changes as a consequence of the postponement of polls. For example, to extend the period for collation of signatures on a governance referendum petition and to preserve the transitional election cycles set out in legislation following a local government electoral review or reorganisation of local government, such as in Buckinghamshire and Northamptonshire. Further regulations are to be made relating to the governance arrangements of the new Buckinghamshire Council and the shadow Northamptonshire authorities.

The regulations provide legal certainty for Returning Officers and ensure that they cannot be held criminally liable for any actions or omissions in relation to a poll that is scheduled to be held but not held. The regulations act retrospectively to cover polls that were required to be held, but were not held, in the period after 15 March 2020.

The regulations come into force on 7 April 2020 and apply to polls than would otherwise be scheduled between 15 March 2020 and 5 May 2021. We are able to legislate to bring forward this later date if medical and scientific advice leads to the relaxation of social distancing rules.

A further set of regulations on election-related matters will be made by the Cabinet Office.

You can find the regulations and supporting documents here on the legislation.gov website: <http://www.legislation.gov.uk/ukxi/2020/395/contents/made>

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