

Open consultation

Local authority remote meetings: call for evidence

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Scope of the consultation

Topic of this consultation: This call for evidence seeks views on the use of the current arrangements which have provided express provision for local authorities to hold meetings remotely or in a hybrid format during the coronavirus pandemic.

Scope of this consultation: This call for evidence seeks to understand the experience of local authorities in the whole of the UK regarding remote meetings. This includes authorities in England, Wales, Northern Ireland and Scotland.

Scottish authorities had express provision to meet remotely prior to the pandemic, and this call for evidence seeks to understand their experience of remote meetings since their arrangements came into force.

For England, Wales and Northern Ireland, this call for evidence refers to the [Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#) (and the equivalent regulations for Wales and Northern Ireland) under powers granted by section 78 of the Coronavirus Act 2020. The regulations come into force on 4 April 2020 and apply to meetings taking place before 7 May 2021.

In respect of these regulations, ‘local authority’ means:

- a county council
- a district council
- a London borough council
- the Common Council of the City of London
- the Greater London Authority
- the Council of the Isles of Scilly
- a parish council
- a joint board continued in being by virtue of section 263(1) of the 1972 Act
- a port health authority constituted under section 2 of the Public Health (Control of Disease) Act 1984
- an authority established under section 10 of the Local Government Act 1985
- a joint authority established under Part 4 of the Local Government Act 1985
- a joint committee constituted to be a local planning authority under section 29 of the Planning and Compulsory Purchase Act 2004
- a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009
- a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies, or created by an order under section 4A of that Act
- a National Park authority established under section 63 of the Environment Act 1995
- the Broads Authority established by section 1 of the Norfolk and Suffolk Broads Act 1988
- a conservation board established under section 86 of the Countryside and Rights of Way Act 2000
- a Mayoral development corporation established under section 198 of the Localism Act 2011
- an urban development corporation established under section 135 of the Local Government, Planning and Land Act 1980
- a parish meeting constituted under section 13 of the Local Government Act 1972
- Transport for London
- Police and crime panels

Geographical scope: This call for evidence seeks to understand the experience of local authorities in the whole of the UK regarding remote meetings. This includes authorities in England, Wales, Northern Ireland and Scotland.

Section 78 of the Coronavirus Act applies to local authorities in England, Wales and Northern Ireland only. After it came into force, each of these administrations used the powers within section 78 to introduce regulations to make express provision for their local authorities to meet remotely before 7 May.

The Welsh Government has since passed the Local Government and Elections (Wales) Act 2021 which comes into force on 1 May and makes express provision for Welsh local authorities to meet remotely.

Scottish local authorities had express provision to meet remotely prior to the pandemic.

If any changes to legislation are made as a result of this call for evidence, they would apply to England only.

Impact assessment: If any policy changes are made following this call for evidence they will be subject to appropriate assessment. No impact assessment has been conducted at this time.

Basic Information

Body/bodies responsible for the consultation: The Local Government Stewardship Division in the Ministry of Housing, Communities and Local Government is responsible for conducting this call for evidence.

Duration: This call for evidence will last for 12 weeks from 25 March 2021.

Enquiries: For any enquiries about this call for evidence please contact: Megan.McKibbin@communities.gov.uk.

How to respond: You can only respond to this call for evidence through our online consultation platform, [Citizen Space](#).

Purpose of this call for evidence

The government would like to gather evidence about the use of the current arrangements for local authorities to meet remotely or in hybrid format, as set out in the [Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#) (and the equivalent regulations for Wales and Northern Ireland) under powers granted by section 78 of the Coronavirus Act 2020.

These regulations came into force on 4 April 2020 and apply to meetings taking place before 7 May 2021. Local authorities in Scotland had express provision to meet remotely prior to the pandemic, and we are also interested to understand their experience of remote meetings since their arrangements came into force.

The powers in section 78 of the Coronavirus Act 2020 were brought in specifically to make express provision for local authorities in England, Wales and Northern Ireland to deal with the challenges of holding physical meetings during the coronavirus pandemic. They have helped local authorities to redeploy resources to deal with the pandemic and ensure that essential business continues whilst protecting the health and safety of their members, officers and the public.

We are aware that experience of remote meetings has been varied, and that while the experience of managing and participating in remote meetings has grown considerably during

the period since the remote meetings regulations came into force, there have been examples of the difficulties this format has posed for some authorities.

We have received representations from individual local authorities and sector representative organisations making the case for permanent express provision for remote meetings. The government would like to hear from interested parties about the pros and cons of making such arrangements permanent in England and the use of the arrangements to date.

We are particularly interested to receive any quantitative data that can be included to substantiate the responses you make.

Terminology

Throughout this call for evidence the phrases ‘remote meetings’ and ‘remote meetings arrangements’ will be used interchangeably to refer to the express provisions for local authorities to meet remotely or in hybrid format, as set out in the [Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#) (and the equivalent regulations for Wales and Northern Ireland) under powers granted by section 78 of the Coronavirus Act 2020.

As Scottish authorities had express provision to meet remotely prior to the pandemic, ‘remote meetings’ and ‘remote meetings arrangements’ refers to the equivalent Scottish legislation.

The regulations make express provisions for local authorities to hold meetings remotely, for example through typical digital conference software (e.g. Zoom, Skype, Teams) or telephone conference calls. However, they do not require them to be held remotely or even in a single format. This means, for example, that local authorities can hold ‘hybrid’ meetings (where some members attend virtually and other members attend in person) and they are also still able to hold fully ‘in-person’ physical meetings.

You can therefore assume that any reference to ‘remote meetings’ or ‘remote meetings arrangements’ also refers to hybrid meetings.

The term ‘member’ will be used to refer to any elected local authority members covered by the regulations above (and the equivalent legislation for Wales, Northern Ireland and Scotland). This includes councillors, directly elected mayors, and police and crime commissioners, and any other relevant local authority members as defined by the legislation.

Background

While local authorities in Scotland had express provision to meet remotely prior to the coronavirus pandemic, there was no express provision for remote meetings for local authorities in England, Wales and Northern Ireland. In 2017, the government consulted on [proposals to allow joint committees and combined authorities to hold meetings by video conference](#), given the long distances that individual councillors often need to travel in order to attend these meetings.

The government concluded that, with appropriate safeguards to maintain town hall transparency, there are clear benefits to giving local authorities operating joint committees and combined authorities the ability to hold formal meetings by video conference.

These safeguards included not extending the provisions to cover other types of councils, and that remote access should only be permissible from sites suitable for holding a meeting with public access (i.e. from a town hall, not from private dwellings), as there was a risk of undermining visible democratic scrutiny and public debate. However, the government also noted views that remote meetings would also benefit other councils, particularly large rural authorities, and committed to further engage with the sector to understand these views.

Since regulations came into force following the introduction of the Coronavirus Act 2020, express provision was made for local authorities in England, Wales and Northern Ireland to hold meetings before 7 May 2021 remotely (such as through digital conferencing software or telephone conference) so that they can protect their members and comply with public health guidance.

As local authorities have now had extensive experience of conducting remote meetings over the past year, this call for evidence is an opportunity to understand these experiences and inform a decision about whether to make these arrangements permanent. Any permanent change would require primary legislation, and such passage would depend on agreement of Parliament and the timetabling and pressures of Parliamentary business.

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

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.

Response – Very Well

Whilst the remote meeting provisions were brought into effect by force of circumstances, the ability for Councillors to meet remotely has allowed for decision making to continue without interruption since May 2020. We have seen an increased attendance at meetings by Councillors. For example, 70% of Councillors attended 90-100% of Boards/ Committees etc of which they were a member during the municipal year 2020/21, the equivalent percentage figure for the municipal year 2019/20 was 31%. There has also been an increased level of interest/ attendance by local residents during 2020/21 compared to previous years. Prior to the pandemic attendance by local residents was largely at regulatory committees e.g. Planning, Licensing and at other meetings where a particularly high profile or controversial issue was being considered. Since the introduction of remote meetings in May 2020 we have seen a widespread interest in a great number of Council meetings (whether attending to speak or watching the meeting via YouTube), which has resulted in a positive impact on the transparency of our decision making processes.

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

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.

Response – Yes.

Local Authorities should be given the flexibility to hold remote meetings, including any hybrid meeting arrangement that is appropriate to their local needs. It should be a matter for each local authority to decide which meetings (if any) it wishes to hold remotely. Allowing the *flexibility* to hold remote meetings does not compel any individual local authority to do so if they consider it inappropriate in their local area, but it will allow those that do to make local choices for their area.

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)

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.

Response – we consider that the following are advantages

- 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
- Easier to chair meetings in an orderly fashion

Other – contribution to reduction in carbon emissions through reduction in hard copy agendas and emissions associated with travelling to/ from meetings. Based upon a sample meeting of the Council's Area 2 Planning Committee in 2019 (at which 19 Councillors and 3 Members of staff were present, travelling a total of 202 miles to/ from the meeting), we estimate that, assuming average cars of unknown fuel type the emissions directly associated with the travel to the meeting would be 55.7 kg/CO₂e. The WTT (Well To Tank) emissions (Scope 3 emissions associated with extraction, refining and transportation of the raw fuels) would be 14.4 kg/CO₂e giving 70.1 kg/CO₂e in total.

Authorities already provide access to online copies of documents, so we do not consider this to be advantage of remote meetings, albeit it is an essential element of any remote meeting arrangement.

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

- Yes
- No
- Unsure

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.

Response – Yes

We have seen a reduction in costs since implementing remote meetings in May 2020. For the financial year 2019/20, the costs incurred by Borough Council in connection with face to face meetings i.e. print costs for agendas, travel claims and room hire/ associated costs were over £9000 higher than the comparable costs for 2020/21 (£9334.84 compared to £181.41).

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)

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.

Response – we consider that the following are potential disadvantages of remote meetings

- 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
- Some find it more difficult to read documents online than in a physical format

The remote meeting technology in use by the Council allows for participants to join via a number of different devices e.g. laptop/ phone/ tablet, so poor quality internet connection is not necessarily a bar to participation e.g. a participant may join by telephone. Furthermore,

the Council has adopted protocols to ensure that the meeting can be adjourned if participants lose internet connection, so this has not been a significant issue since the remote meeting provisions were introduced.

However, allowing local authorities the flexibility to hold remote meetings would also allow hybrid meetings to be facilitated, so all of the above potential disadvantages could be overcome.

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

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.

Response – the main advantage of face to face meetings is the ability for face to face human interaction. However, allowing local authorities the flexibility to hold remote meetings would also allow hybrid meetings to be facilitated, so this potential disadvantage could be overcome.

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 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

Response – For all meetings. There is no particular reason to allow only for certain types of remote meetings. It should be for individual local authorities to decide for themselves which meetings should meet remotely, as authorities do not have identical governance arrangements.

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

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.

Response – Local authorities should be able to decide for themselves which circumstances they should have the option to meet remotely.

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

Response – No. It should be a matter of local discretion.

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

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.

Response – n/a

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

Response – Yes. Allowing local authorities the flexibility to meet remotely is more likely to benefit individuals with protected characteristics e.g. disabilities and those with young families or caring responsibilities. The LGA National Census of Local Authority Councillors Census 2018 found that 16% of Councillors had a long-term health problem or disability which limited their daily activities, and 36% had a responsibility as a carer, most commonly looking after a child.

About this consultation

This call for evidence document and call for evidence process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this call for evidence, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the UK General Data Protection Regulation, and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included below.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this call for evidence has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).

Personal data

The following is to explain your rights and give you the information you are be entitled to under the Data Protection Act 2018.

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the call for evidence.

1. The identity of the data controller and contact details of our Data Protection Officer.

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at dataprotection@communities.gov.uk.

2. Why we are collecting your personal data.

Your personal data is being collected as an essential part of the call for evidence process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

3. Our legal basis for processing your personal data.

The Data Protection Act 2018 states that, as a government department, MHCLG may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a call for evidence.

3. With whom we will be sharing your personal data.

We use a third-party platform, Citizen Space, to collect consultation responses. In the first instance, your personal data will be stored on their secure UK-based servers.

4. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for two years from the closure of the call for evidence.

5. Your rights, e.g. access, rectification, erasure.

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have all or some of your data deleted or corrected

d. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

6. Your personal data will not be sent overseas.

7. Your personal data will not be used for any automated decision making.

8. Your personal data will be stored on a secure government IT system.

Your data will be transferred to our secure government IT system as soon as possible after the consultation has closed, and it will be stored there for the standard two years of retention before it is deleted.

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