

Wales Fire and Rescue Service

Circular



Llywodraeth Cymru
Welsh Government

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Title:	Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020
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Issued by:	Natalie Spiller Fire Services Branch
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Addressed to:	Please forward to:
Chief Fire Officers FRA Chairs	FRA Clerks

Summary
The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 make temporary provision in relation to local authority meetings (which includes Fire and Rescue Authority meetings), and for public and press access to these meetings during the COVID -19 pandemic. This circular outlines the implications of the regulations on the Fire and Rescue Authorities in Wales.

For further information contact:	
Natalie Spiller Fire Services Branch Welsh Government Rhydycar Merthyr Tydfil CF48 1UZ	Direct Line: 0300 062 8487 E-mail: Natalie.spiller@gov.wales Website: https://gov.wales/fire-rescue

Introduction

1. The measures employed to combat COVID-19 include social distancing, the avoidance of non-essential travel and the requirement to work from home where possible. Existing legislation governing Local Authorities (for the purposes of the Regulations this also includes Fire and Rescue Authorities) set strict requirements on how meetings are to be conducted i.e to meet in person in specified offices, to make many meetings open to the public and to enable the public to inspect documents related to the meetings. This runs counter to the measures introduced to help combat COVID-19.
2. The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 have therefore been made under section 78 of the Coronavirus Act 2020. The new regulations seek to address the issues outlined above by providing flexibility to enable local authorities / Fire and Rescue Authorities (FRAs) to operate safely, effectively and lawfully, while retaining the principles of openness and accountability to the public. For example, the regulations enable meetings to be conducted on the basis of full or partial remote attendance; they also allow electronic publishing of certain documents. In all cases, the Regulations are permissive: they allow FRAs to conduct business differently if they wish or need to, but they do not require this to happen. The Regulations will automatically expire on the 1 May 2021 unless revoked sooner.

How the Regulations apply to Fire and Rescue Authorities

Remote Attendance

3. Part 2, Regulation 5 has removed the requirement for members to be physically present at meetings. Members are now able to participate in meetings on the basis of full or partial remote attendance, so long as individual members are able to speak to, and be heard by other participants (whether or not the facility or equipment also enables those persons to see each other). The Regulations also overrules all other enactments, such as Standing Orders, to automatically allow remote attendance at future meetings.

Date and time of meetings

4. Part 3, Regulation 9 dis-applies all requirements (under statute or the FRA's constitution) for meetings to be held on or before a certain date. For instance, constitutions typically provide for FRAs to hold AGMs in June. The Regulations provide flexibility for the Fire and Rescue Authorities to hold such meetings on any date before 1 May 2021 as they feel appropriate.

Other appointments and elections required to take place at meetings.

5. Part 3, Regulation 14 provides that any person elected or appointed to an office prior to the Regulations coming in to force continues to hold that office until and

unless a successor is appointed. Therefore, the current FRA Chairs and Vice-Chairs would continue to hold office until an AGM is held to re-elect them or elect a successor. Equally, all FRA members will continue to hold that office until their local authorities meet to reappoint them or to appoint others in their place.

Notices and summonses

6. Part 3, Regulations 17 and 18 of the regulations provide that notice and details of all meetings held on or before the 1 May 2021 should be made electronically on the FRAs website. This replaces the requirement for a notice to be posted at FRA premises.

Access to meetings of certain local authorities and related documents

7. Part 4, Regulation 20 removes the requirement for meetings to be open to the public and to provide facilities for documents to be inspected in person at FRA premises. Instead, the regulations provide that key documentation such as agendas, papers and the outcomes of meetings should be made available electronically, and on the FRAs website. This will ensure that the public are kept informed of proceedings and decisions that are being made. Provisions in Part 4 (other than regulation 23) ceases to have effect at the end of 30 April 2021.
8. Should you have any queries, please contact us at fire@gov.wales.

Natalie Spiller
Fire Services Branch
Welsh Government