

# Wales Fire and Rescue Service

## Circular



Llywodraeth Cymru  
Welsh Government

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Status:	For Action
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Title:	<b>Local Government and Elections (Wales) Bill</b>
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Issued by:
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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 made 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. The Local Government and Elections (Wales) Bill will be amended to make some of these flexibilities once the emergency regulations expire in May 2021. This circular outlines the implications of the Bill for Fire and Rescue Authorities in Wales.

### For further information contact:

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## **Introduction**

1. The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 introduced flexibility in relation to attendance at meetings, broadcasting and access to meetings and documents during the Covid-19 pandemic. Circular W-FRSC(2020) 06 provided more details of this.
2. In light of the benefits experienced from operating remotely during the pandemic, the Welsh Government has tabled amendments to the Local and Government and Elections (Wales) Bill to make permanent provision in respect of remote attendance and related matters. If these amendments and the Bill are approved by the Senedd, remote attendance at meetings will remain possible once the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 expire on 1 May 2021.

## **How the Bill applies to Fire and Rescue Authorities**

### **Attendance at meetings**

3. Amendments to section 48 of the Bill will require FRAs to make and publish arrangements to ensure that meetings can be held on a fully, or partially, virtual basis. The arrangements must ensure that meetings can take place by means which enable persons who are not in the same place to attend meetings. As a minimum, facilities or other equipment must enable all participants in a meeting to speak to and be heard by each other. For meetings that are required to be broadcast under section 47 of the Bill, all participants in a meeting must also be able to see and be seen by each other. However, section 47 does not at present apply to FRAs. Therefore, the Bill provides that FRA meetings can take place remotely via an audio connection only (eg a phone conference). However, that does not prevent FRAs from using video connections if they wish.

### **Broadcasting**

4. Section 47 of the Bill removes the requirement for all council meetings to be broadcast live. It replaces this with the requirement for only 'full council meetings' to be broadcast from the date that the provision is planned to come in to force, May 2022. As noted above, section 47 does not apply directly to FRAs. However, it includes a power for the Welsh Ministers to make regulations in due course stipulating other meetings which are required to be broadcast. That could include FRA meetings; however we have no current plans to require this.

### **Access to meetings and documents**

5. Amendments will be made to Schedule 4 of the Local Government Act 1972 to make permanent some of the provisions introduced under The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020, and complement the changes introduced under section 48 of the Bill in respect of attendance at meetings. However, the law in this area is complex and it is not possible to make all the necessary changes on the face of the Bill. Accordingly, the revised provisions also provide Welsh Ministers with the power to make regulations to amend, modify, repeal or revoke any enactment in respect of requirements concerning the conduct, notification and

documentation of meetings. Schedule 4 as amended would provide for the following:-

**Notices of meetings** - Hard copy notices of meetings will no longer be required. Instead, FRAs will be required to provide electronic notice (at least 3 clear days) of a meeting, and if held remotely must provide details of the time of the meeting and how to access it. In addition, documents and copies of the agenda should also be made available electronically, on an FRA's website. Please note that the revised provisions retain the right for members of the public and press to attend meetings in person, subject of course to any public health regulations in place.

**Access to, and publication of documents** – In order to ensure that the public are kept informed of proceedings and decisions that are being made, minutes, papers and the outcomes of meetings should be made available electronically, on an FRA's website. To comply with the new provisions documents must remain accessible for 6 years from the date of the meeting. The requirement to make documents available for inspection at FRA Headquarters has been removed, unless the proper officer considers that it is not reasonably practicable to publish a document electronically. This is only likely to be the case for very large documents such as plans or maps. In addition, FRAs must also put in place facilities for members of the public to view documents should they be unable to access the documents electronically. Those could include supplying hard copies by post.

**The issuing of summons to members to attend meetings.**

Paragraph 18 provides that notice and details of all meetings held must be sent to members electronically and may be authenticated by the relevant proper officer in such manner as they consider appropriate. If a member so requests, the summons can be sent to or left at a postal address as specified by the member.

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