

# **Lancashire Combined Fire Authority**

## **Remote/Virtual Meetings Protocol and Procedure**

### **Information**

#### Legislation

To support the Coronavirus Act 2020 (the Act); principally section 78, the Statutory Instrument 2020 no. 392 - Local Government, England Police, England and Wales. "The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (the Regulations)" has made provision for the conduct of meetings held before 7 May 2021 and for public and press access to these meetings.

The Regulations enable (S4) the Authority to determine to alter the frequency, move or cancel meetings without the requirement for further notice. There is no requirement to hold an annual meeting and any appointments made at an annual meeting (due 2020) can continue until the next annual meeting (2021) unless the Authority determines otherwise.

The Regulations also enable (S5) meeting delegates not to be present in the same 'place' therefore, to be present through remote attendance which includes digital or virtual locations (such as internet locations, web addresses or conference call telephone numbers).

For a Member to be marked in attendance at a meeting they must be able to:

- (a) Hear, and where practicable see, and be so heard, and where practicable, be seen by the other members in attendance;
- (b) Hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- (c) Be so heard, and where practicable, be seen by any other members of the public attending the meeting.

In summary, Members must be able to at least hear and be heard. There needs to be the facility to enable public speaking rights (as required) and the public have to be able to at least have a live audio stream (preferably a video stream).

S15 a) enables public and press access to meetings and documents including (but not limited to) video conferencing, live webcast and live interactive streaming and where a meeting is accessible to the public through such means the meeting is classed as 'open' whether or not members of the public are able to attend.

S15c) and d) enables access to documents held at 'offices' for inspection and publication to include publication on the website.

Remote access for public and press to attend or participate by electronic means includes by telephone conference, video conference, live webcasts, and live interactive streaming.

### Constitutional, Procedural and Contractual Standing Orders

The Standing Orders are in the main unaffected. Agendas and any background documents will be published in accordance with statutory provisions and will be publicly available on relevant committee pages of the Authority's website:

<https://cfa.lancsfirerescue.org.uk/uuCoverPage.aspx?bcr=1>

The effect the Regulations will have on the Constitutional Standing Orders is as follows:

S2.2 – The next AGM will be June 2021 (or until such time that the Authority may determine);

S2.3 – The Chairman can determine the Authority's meetings for 2021/22 (which would normally be agreed at the AGM);

S2.5 - Refers to venues being fixed by the Clerk in consultation with the CFA Chairman or of a particular Committee; this now also includes electronic, digital or virtual locations.

S6.13 – provides that voting is by a show of hands. Any virtual functionality must be able to accommodate this or a different provision agreed.

### **Remote Access to Meetings**

Members can participate remotely in meetings observed by the public by joining a 'Teams' video conference facilitated by Lancashire Fire & Rescue Service. If this is not possible, attendance may be facilitated in person in line with Covid 19 social distancing measures.

Remote access for members of the public will be provided by live streaming the meeting via YouTube.

If the Chairman of the meeting is aware that a technical failure has rendered the meeting inaccessible then the Chairman should adjourn the meeting immediately and if access cannot be restored within 30 minutes then the remaining business must be considered at a subsequent meeting either at the next scheduled date or at a date fixed at the time by the Chairman.

### **Meeting Management**

Constitutional, procedural and contractual standing orders will apply

1. All Members and Officers participating in a virtual meeting must be able to be heard (and ideally seen) by all other Members and Officers in attendance (and by members of the public who have a right to speak). At the outset of the meeting all attendees should confirm their name, in what capacity they are attending the meeting and that they can hear (and see) all participants.

**This will be facilitated by the Chairman and a Democratic Services Officer will record attendance.**

2. In the event of one or more Members experiencing connection failure to the meeting **the Chairman should determine if the meeting is quorate** and can continue (while connection problems are resolved) or, if it is not quorate the meeting should be adjourned for a short and agreed amount of time to allow for the fault(s) to be rectified.

Please note, the quorum for Fire Authority Committee meetings is:

- A Committee of 10 Members (Planning, Performance and Resources) requires a quorum of 4 Members;
  - A Committee of 7 Members (Audit and Appeals) requires a quorum of 3 Members.
  - The Full Authority requires a quorum of 9 Members which includes at least one Member from each Home Authority.
3. If a Member experiences connection failure that cannot be rectified but the meeting remains quorate then the business of the meeting can continue to be transacted but **the Member will have been deemed to have left the meeting**. To avoid further disruption and/or delay to the meeting this may mean that the Member is not granted permission to re-join the meeting.
  4. If a Member experiences intermittent connection failure which cannot be rectified **they will not be able to vote** as they may not have heard all the relevant information to make an informed decision. If this is the case the onus is on the Member to confirm their difficulty to the Chairman and accept where possible that they will not be able to vote.
  5. Any member of the public may raise a question for the Chairman to consider in advance of the meeting. Questions must be submitted no later than 3 working days before the Committee is live streamed via YouTube.
  6. Should the meeting proceed to items which are not public interest items or are private items under Part 2 (with reference to the exhaustive list set out in Schedule 12A Part 1 of the Local Government Act 1972) the right of access to the meeting by members of the Public will be ceased.

## **Meetings Procedures**

1. Support personnel
  - a) Meeting Clerk - to provide constitutional and procedural advice, to note attendance and to take the minutes of the meeting;
  - b) Meeting Facilitator - to provide assistance to the Chairman to administer Member interaction and to control the technology for remote access by members of the public.
2. If Members wish to speak on a particular item, it would be helpful if they could indicate this to the Chairman and the Meeting Clerk in advance if at all possible.

3. If a Member declares a pecuniary or non-pecuniary interest that would require them to normally leave the room; they must also leave the remote meeting. The Meeting Facilitator will then invite them (via link, email or telephone call) to return to the meeting as appropriate.
4. Members are asked to mute the microphone and turn off the video function at all times unless permission to speak has been granted by the Chairman of the meeting.
5. In line with usual practice, it is the Chairman's responsibility to control the meeting and determine the rules of debate.
6. Voting will be carried out by a roll call.

Diane Brooks  
Principal Member Services Officer  
June 2020