

The Fire Authority Annual General Meeting

Report of the Chair of the Fire Authority

To raise any questions or concerns please contact Eric Carter, Chair of Shropshire and Wrekin Fire and Rescue Authority, on 01952 814741.

1 Purpose of Report

In June each year the Fire Authority holds its Annual General Meeting (AGM). This meeting is part of the Combined Fire Authority Constitution and in accordance with the Constitution, the Authority is required to appoint a Chair, Vice-Chair, Members to serve on its Committees and to allocate seats on the Committees in accordance with the political proportionality rules, and to reflect the overall political composition of the Authority. The report is presented to promote a debate as to whether the AGM should run as per the programmed workplan or should be deferred until a later date.

2 Recommendations

The Authority is asked to consider and decide whether the Annual General Meeting business for 2020 should continue in June or should be deferred to October 2020.

3 Background

The Covid-19 Pandemic has seen a challenge to the Fire Authority to sustain its governance and decision-making processes whilst maintaining the social distancing and National Lockdown guidance from Central Government.

The Local Government Act 1972 requires each authority to hold an annual general meeting. Legislation introduced on 7 April 2020 provides authorities with powers to hold meetings remotely and a letter from the Fire Minister, James Brokenshire MP, dated 23 April 2020 has highlighted that the Home Office and the Ministry of Housing, Communities and Local Government (MHCLG) have made provision for the removal of the requirement for fire and rescue authorities to hold Annual Meetings.

This new legislation allows for an AGM to be deferred until a date to be decided by the authority, providing that it does not extend beyond the usual date for an AGM in 2021.

The same legislation has also allowed Local Authorities to postpone their AGMs, and both Shropshire and Telford and Wrekin have deferred their respective AGMs until next year.

Government have also deferred the Police and Crime Commissioner (PCC) local elections until 2021. The purpose of this is to provide continuity and stability in a period of national crisis.

4 The Current Position

After an initial period of uncertainty regarding the protocols and legal requirements of governance the Service has created the infrastructure to enable Members to hold virtual Authority meetings in a way that meets statutory obligations.

This required significant training for Members with chairs of committees needing to develop new skills and, as yet, the efficiency and effectiveness of the virtual governance has to be fully tested and reviewed.

The legislation has clarified that decisions made in a virtual meeting are “as good as” decisions made in a normal meeting providing that a democratic process is followed and that the procedure was as fair and transparent as possible.

If there were a legal challenge, it is considered that the Authority will be able to defend its approach and processes.

The Fire Authority AGM is scheduled for 24 June 2020 and the question posed to Members is whether the AGM should continue, or whether it should be deferred to a later date?

The Group Leaders of the Fire Authority have discussed the merits and challenges posed by deferment of the AGM. They agreed that in this period of uncertainty, and with the backdrop of holding meetings in a virtual format, it would seem sensible to maintain consistency of chairing and operating in the current structure. The risk is that if there were a change-around of Members in key roles, this could cause greater confusion to an already challenging period of governance. However, Members have also stated openly how important it is for democratic process to be followed so any decision to defer an AGM can only be made by the full Fire Authority.

The Group Leaders all supported a proposal to the full Fire Authority to consider the deferment of the AGM for at least 6 months, with the AGM business to be moved to the Fire Authority meeting that it scheduled for 14 October 2020.

5 Recommendations

Given the position both nationally and locally, it is recommended that the Fire Authority Members discuss the proposal as to whether to continue or defer the AGM and advise Officers on how to proceed.

6 Financial Implications

There are no financial implications arising from this report

7 Legal Comment

As per detail in the Report, advice has been sought from the Deputy Monitoring Officer as to the legality of virtual meetings.

8 Equality Impact Assessment

An Equality Impact Assessment is not required for this report

9 Appendices

There are no appendices attached to this report.

10 Background Papers

There are no background papers associated with this report.