

SLOUGH BOROUGH COUNCIL

REPORT TO: Annual Council **DATE:** 21st May 2020

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WARD(S): All

PART I **FOR DECISION**

COVID-19 DECISIONS

1 **Purpose of Report**

The purpose of this Report is to inform Council of the time line of major events since 23 March 2020 when the national “lockdown” was announced and of the significant decisions taken by officers since that date, and to seek ratification of those decisions.

2 **Recommendation(s)/Proposed Action**

The Council is requested to ratify the significant decisions taken by officers since the “lockdown” came into force, as set out in Appendix A.

3. **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

The decisions taken by officers and set out in this Report have sought to support, as far as reasonably practicable at the present time, the objectives of the [Slough Joint Wellbeing Strategy](#) (SJWS) and the Five Year Plan

3a. **Slough Joint Wellbeing Strategy Priorities –**

The decisions set out in this Report have been taken with the over arching objective of protecting public health and the well being of residents and ensuring that the Council is able to achieve this objective lawfully, and as effectively as possible, in the prevailing circumstances. The recommendations contained in this report seek to ensure that the Council are able to continue to try to meet this objective and thereby be in a position to continue to address the priorities of the SJWS and the JSNA appropriately.

3b **Five Year Plan Outcomes**

The recommendations contained in this Report, namely the noting and ratification of the significant decisions taken by officers by Council at the first available opportunity, will enable the Council to be in a position to be able to go forwards to try and continue to meet the following objectives of the Five Year Plan.

- *Our children and young people will have the best start in life and opportunities to give them positive lives.*
- *Our people will become healthier and will manage their own health, care and support needs.*

- *Slough will be an attractive place where people choose to live, work and visit.*
- *Our residents will have access to good quality homes.*
- *Slough will attract, retain and grow businesses and investment to provide jobs and opportunities for our residents*

4 **Other Implications**

(a) Financial

The significant decisions taken by officers and set out in this Report will inevitably have financial implications for the Council. These are being reported to the Council contemporaneously with this Report in the financial report on the Medium Term Financial Strategy for consideration at the same meeting.

Risk Management

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
That the Council note and ratify the significant decisions taken by officers since the “lockdown” came into force.	Failure by Members to note and ratify these actions and decisions increases the risk of challenge and disruption. Ratification provides the opportunity for the Council to build upon the good results already achieved and to move forward strongly by building upon these results with greater engagement across the Council	The significant decisions and actions have been taken in accordance with governance arrangements put into place in consultation with the Council’s statutory officers and in accordance with all applicable guidance issued by and best practice recommended by all relevant bodies.	Likelihood – Very Low – 2 Legal/ Regulatory – Critical - 3 Score: 6	Increasing return to usual decision making structures and processes as circumstances permit.

(b) Human Rights Act and Other Legal Implications

The decisions taken by officers pursuant to the statutory regulations enacted by the Government to deal with the Coronavirus pandemic could potentially be challenged under the Human Rights Act 1998 as being a breach of article 11, relating to the freedom of assembly and association, and Article 1 of the First Protocol, relating to the right to peaceful enjoyment of

possessions. It is considered, however, that risks of successful challenge are low as, in the latter case, derogations are permitted to control use of property in the general interest and, in the former case, for the protection of public health.

Under the Council's Constitution, the Chief Executive has delegated power to act in case of emergency and urgency authority to exercise all council side functions. Additionally, under the constitution, all matters not specifically reserved are deemed to be within the delegated authority of the Chief Executive and Directors for all purposes which fall within their directorate of budget area or area of responsibility to which they may be nominated from time to time

The Council may ratify any decisions of officers falling within their functions.

(c) Financial Implications

There are financial implications for the Council arising from the need to deal with the pandemic. These are being reported to the Council contemporaneously with this Report by way of a separate report for consideration at the same meeting of the Cabinet.

(d) Equalities Impact Assessment

All the significant decisions set out in this Report were taken, having regard, so far as was practicable in the circumstances, to the public sector equality duties and the protected characteristics set out in the Equality Act 2010.

(e) Workforce

The decisions taken by officers which have affected the workforce are set out in the appendix to this report.

(f) Property

The restrictions imposed by the Coronavirus Act 2020 on the ability of the Council as a landowner to take action to enforce payments of rents will have had an effect on the Council's asset management position. Any long term effects on the Council's property portfolio and asset management strategy will need to be evaluated in due course.

(g) Carbon Emissions and Energy Costs

The Council have not at present carried out any systematic analysis of the effect on carbon emissions and energy costs of the decisions taken by officers since the "lockdown" took effect. It is considered that it is self-evident, however, that the restrictions on travel and the reduction in the use and occupation of Council premises and other council activities means that it is unlikely that there was an increase in emissions and energy costs during this period.

5 **Supporting Information**

- 5.1 On 16 March 2020 the Prime Minister advised everyone in the UK against non-essential travel and contact with others and suggested people avoid pubs, clubs and theatres and work from home if possible.
- 5.2 On 20 March 2020 the Prime Minister ordered all pubs, bars, cafes, restaurants, and gyms to close and the Chancellor of the Exchequer announced that the taxpayer would meet 80% of the wages of employees temporarily sent home by firms hit by the crisis.
- 5.3 On 21 March 2020, The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020 come into force requiring the closure of, and restrictions on, specified businesses.
- 5.4 On 23 March 2020 the Prime Minister announced a national lockdown restricting movement and assembly, requiring people to stay at home save for specified purposes. There was an announcement of police powers to follow to allow for enforcing of “social distancing”. Vulnerable people likely to require hospital treatment were asked to “shield” themselves.
- 5.5 On 25 March 2020 the Coronavirus Act 2020 is passed granting the Government, and other public authorities unprecedented powers to enable them to deal with the pandemic, including powers to secure food supply chains, close educational establishments and make further regulations to deal with specific issues. The Act postponed the local authority and Police & Crime Commissioner elections scheduled for Thursday 7 May, to 2021, and extended the term of office of Councillors due for election, to 2021. It also gave power for regulations to be made for dealing with the need for bye elections to be held. It also modified large parts of the Care Act 2014 to give local authorities flexibility to deal with social care duties during the pandemic.
- 5.6 On 26 March 2020 the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 came into force granting powers allowing for the enforcement of the “lockdown”.
- 5.7 On 26 March 2020, Officers adopted a Covid-19 strategy for dealing with the effects of the pandemic in the town.
- 5.8 On 4 April 2020 the Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panels Meetings)(England and Wales) Regulations 2020 came into force giving local authorities powers to be able to hold meetings capable of being attended by Members from remote locations so as not to breach social distancing requirements.
- 5.9 On 16 April 2020. The “lockdown” was extended by a further 3 weeks.
- 5.10 On 24 April 2020 the School Admissions (England)(Coronavirus)(Appeals Arrangements) (Amendments) Regulations 2020 came into force permitting appeals against school admissions decisions to be conducted by remote attendance.
- 5.11 On 30 April 2020 the Prime Minister announced that the UK are “past the peak”.
- 5.12 On 10 May 2020, the Prime Minister announced plans for a measured easing of the “lockdown”.

6 **Comments of Other Committees**

This Report is due to be considered by Cabinet at its meeting on 18 May 2020, with a recommendation that Cabinet ratify the decisions of officers as set out in the appendix to this report.

7 **Conclusion**

This report brings the Council up to date with major events since the national “lockdown” came into force on 23 March 2020 and informs the Council of the significant decisions taken by officers since that date. The noting and ratification of those decisions by the Council at the first available opportunity will enable the Council to continue to seek to meet its duties to protect public health and to serve the well being of those who live, work and visit its area.

8 **Appendices Attached**

Appendix A - Table of Significant Decisions

9 **Background Papers**

The Coronavirus Act 2020

The Health Protection (Coronavirus, Business Closures) (England) Regulations 2020

The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020

The Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panels Meetings)(England and Wales) Regulations 2020

The School Admissions (England) (Coronavirus) (Appeals Arrangements) (Amendments) Regulations 2020