

SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** 14 September 2020

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WARD(S): All

PORTFOLIO: Councillor Sabia Akram – Portfolio Holder for Governance & Customer Services

PART I NON-KEY DECISION

COVID-19 DECISIONS UPDATE

1 **Purpose of Report**

The purpose of this Report is to inform Cabinet of the time line of the major events since the last Report to the Cabinet on this subject on 13 July 2020, of the further significant decisions taken by officers since that date, with particular reference to the significant decision relating to the use of new statutory powers to prevent the spread and incidence of coronavirus locally, and to seek ratification of those decisions.

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

The Cabinet are asked to note this Report, particularly paragraph 5.2, and to ratify the significant decisions taken by officers since the previous meeting of the Cabinet, as set out in the Appendices 1 and 2 to this Report.

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 further significant decisions taken by officers, by Cabinet, 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

Any financial implications of significant decisions taken by officers in connection with the need to deal with the consequences of the Covid-19 pandemic are monitored weekly by a special finance group and will be reported to cabinet as part of the usual financial reports to cabinet.

Risk Management

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
That the Cabinet 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

Any decisions taken by officers pursuant to the statutory regulations enacted by the Government to deal with the Coronavirus pandemic, to enforce business closures and restrict assembly, 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 of Article 1 of the First Protocol to that convention, 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 to exercise all council 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 or budget area, or area of responsibility to which they may be nominated from time to time

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

(c) 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.

(d) Workforce

The decisions taken by officers which have affected the Workforce are set out in the schedule to this Report.

(e) 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 evaluated and reported to the cabinet as part of the Council's normal financial reporting to the cabinet.

(f) 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 Time Line of Events

- 5.1.1 On 30 June 2020 the Prime Minister announced a “new deal” for the UK comprising of a £5bn post-coronavirus recovery plan of home building and improvements to infrastructure. It was also announced that rented motorised scooters would be allowed on UK roads from 4 July to ease pressure on public transport.
- 5.1.2 On 1 July 2020 12,000 job losses in the retail and aviation industries due to the effects of the pandemic were announced.
- 5.1.3 On 2 July the owner of Café Rouge and Bella Italia went into administration with a loss of 1,900 jobs and Airbus announced the loss of 2,730 jobs at two factories in the UK. The ONS Weekly survey estimated new infections were occurring at the rate of 25,000, a slight increase from the previous week, and blood samples indicated that 6% of the population had antibodies.
- 5.1.4 On 3 July 2020 the Government announced a list of 59 countries to which English quarantine rules would not apply, including Greece, France, Belgium and Spain but not including Portugal and the USA. Scotland, Wales and Northern Ireland continued to apply their quarantine rules to all arrivals from outside the UK. Also emergency regulations were rushed through to permit the imposition of a local lockdown in Leicester from 4 July.
- 5.1.5 On 4 July a study reported that the rates of new infections were no longer declining. The UK held a minute’s silence in memory of those who had died of covid-19.
- 5.1.6 On 5 July 2020 the UK staged a national round of applause to celebrate the 72nd anniversary of the founding of the NHS.
- 5.1.7 On 6 July 2020 the government announced a £111m scheme to provide 30,000 extra trainee places to counter growing concern over rising unemployment. Pret a Manger closed 30 outlets with a loss of 1,000 jobs. BBC’s Panorama programme estimated an increase in cancer deaths of between 7,000 and 35,000 extra deaths due to delayed diagnosis and treatment because of the pandemic.
- 5.1.8 On 7 July 2020 figures released indicated 22% of persons tested for Covid-19 had no symptoms on the day of the test.
- 5.1.9 On 8 July 2020 the Chancellor announced a £30bn spending package to mitigate the impact of the pandemic including temporary reduction in VAT for hospitality businesses, temporary rise in Stamp Duty threshold, payment to employers of £1,000 for each person brought back from furlough and a scheme to help young people into employment.
- 5.1.10 On 9 July 2020 Boots and John Lewis announced closures of outlets resulting in the loss of 4,000 and 1,000 jobs respectively. The Institute of Fiscal Studies warned of the necessity for tax rises to pay off the costs of the government’s measures to tackle the pandemic.

- 5.1.11 On 10 July 2020 quarantine rules were relaxed for arrivals into the UK from 75 countries and territories. The wearing of face masks in shops become mandatory in Scotland.
- 5.1.12 On 11 July 2020 outdoor swimming pools and water parks were allowed to re-open.
- 5.1.13 On 13 July 2020 nail bars and salons, tanning booths and salons, spas and beauty salons, massage parlours, tattoo parlours and body skin piercing services were allowed to re-open.
- 5.1.14 On 14 July 2020 compulsory wearing of masks in shops from 24 July was announced. Figures for economic recovery of 1.8% in May, compared to previous month, were announced.
- 5.1.15 On 18 July 2020 local authorities were given powers to take local action to curb the spread of the pandemic.
- 5.1.16 On 20 July 2020 Oxford university announced positive signs for the efficacy of the vaccine it was developing. Marks and Spencer announced 950 job losses.
- 5.1.17 On 21 July the Chancellor announced a 3.1%, over-inflation, pay rise for 900,000 public sector workers, including doctors and teachers, to recognise the importance of their roles in the pandemic.
- 5.1.18 On 23 July 2020 Dyson announced the loss of 600 jobs in the UK.
- 5.1.19 On 24 July 2020 ONS announced retail spending increased to almost pre-lockdown levels in June, rising by 13.9 % compared to May. Face coverings in shops and most other enclosed places became compulsory.
- 5.1.20 On 25 July re-imposition of quarantine requirements for people returning from Spain was announced following a rise in cases there.
- 5.1.21 On 29 July the National Trust announced plans for 1,200 redundancies.
- 5.1.22 On 30 July 2020 the self-isolation period for people testing positive or showing signs of infection was increased from 7 to 10 days. Restrictions were placed on people in Greater Manchester, parts of East Lancashire and Yorkshire limiting indoor contact to people from the same household. ONS statistics indicate UK had highest number of excess deaths in period between end of February and mid-June and second-highest peak of deaths, behind Spain.
- 5.1.23 On 31 July 2020 opening of bowling alleys and casinos was postponed to 15 August and the relaxation permitting holding of weddings receptions for up to 30 guests was also moved to that date. Trials of spectator sports events was paused and compulsory use of face coverings in cinemas and places of worship from 8 August was announced.
- 5.1.24 On 1 August 2020 changes in the Furlough Scheme came into force requiring employers with furloughed employees to pay National Insurance

and Pension contributions until the end of the scheme in October. Shielding in England and Scotland was paused.

- 5.1.25 On 3 August 2020 the month long “Eat Out to Help Out” scheme began.
- 5.1.26 On 6 August 2020 quarantine requirements were imposed on people arriving from Belgium, the Bahamas and Andorra. It was announced that the 2020 London Marathon in October would now be an “elites only” event.
- 5.1.27 On 7 August 2020 it was announced that the “R” number in the UK rose to between 0.8 and 1.00 from the previous week but was believed to be higher than 1.0 in London, The South West and the North west.
- 5.1.28 On 8 August the daily confirmed figure of new infections rose above 1,000 for the first time since June. Not clear whether this was due to increased testing or rise in infections.
- 5.1.29 On 11 August 2020 ONS announced number of people in work fell by 220,000 between April and June, the highest fall in a decade.
- 5.1.30 On 12 August 2020 figures showed UK Economy shrank by 20.4% between April and June compared to the previous quarter, making it the largest slump on record and pushing the UK into recession for the first time in 11 years.
- 5.1.31 On 13 August 2020 France and The Netherlands were added to the quarantine list.
- 5.1.32 On 17 August 2020 3 million self employed people whose trade was affected by the pandemic became entitled to a second grant of £6,750.
- 5.1.33 On 19 August 2020 UK refused to make face coverings in work places compulsory after such rules were introduced in France.
- 5.1.34 On 20 August 2020 quarantine rules relating to Portugal were lifted but imposed with regard to Croatia, Austria and Trinidad & Tobago.
- 5.1.35 On 21 August 2020 booking of driving tests resumed in England but website crashed due to demand.
- 5.1.36 On 23 August 2020 the Chief Medical Officer announced that children were more likely to be harmed from not returning to school than from contracting Covid-19.
- 5.1.37 On 24 August Tesco announced creation of 16,000 new jobs following exceptional growth in online business during lockdown.
- 5.1.38 On 25 August 2020 Nottingham University researchers identified the person who they believe was the first to contract the virus through transmission in the UK. She tested positive on 21 February 2020. Virgin Atlantic secured backing of £1.2 bn from its creditors to enable operations for at least 18 months saving 6,500 jobs. Treasury figures showed the “Eat Out to Help Out” scheme had been used 64 million times in the first three weeks of August.

5.1.39 On 26 August 2020 a BBC survey of the biggest employers identified 50 who said they had no immediate plans to ask all their staff to return to the office.

5.2 **The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No.3) Regulations 2020**

5.2.1 At 12.01 a.m. on Saturday 18 July 2020 The Health Protection (Coronavirus, Restrictions) (England) (Amendment) (No.3) Regulations 2020 came into effect.

5.2.2 These regulations are colloquially referred to as the “local lockdown” regulations and considered, as such, to be the regulations which give local authorities powers to impose local lockdowns. This is not strictly correct. What these regulations do precisely is to give local authorities power to issue directions with regard to premises, events and public outdoor spaces in order to seek to curb the incidence and the spread of the coronavirus.

5.2.3 It is a prerequisite to the exercise of the powers given to them by these regulations for local authorities to be satisfied that the giving by them of a directions responds to a serious and imminent threat to public health, that the direction is necessary for the purposes of preventing, protecting against, controlling, or providing a public health response to the incidence or spread of infection by coronavirus in its area and that any prohibitions, requirements or restrictions imposed by the direction are a proportionate means of achieving that purpose.

5.2.4 Under these regulations local authorities must also have regard to any advice given by its Director of Public Health when determining whether to give or revoke any direction.

5.2.5 The Local authority is obliged at least every seven days to review whether the conditions for making the direction still prevail and to revoke or amend the direction made as necessary.

5.2.6 The regulations contain provisions requiring the authority to give notice in writing to persons directly affected by the making of a direction, to publicise the direction and to inform the Secretary of State and any neighbouring authority of the making of any direction.

5.2.7 Persons affected by any direction made by the Council have rights of appeal to the magistrates courts.

5.2.8 The regulations empower authorities to impose penalties on persons for failing to comply with any direction made by the authority and to prosecute any offenders and to otherwise enforce the direction in co-operation with the police.

5.2.9 The regulations will expire on 17 January 2021.

5.2.10. Due to the need for the Council to be prepared to make immediate use of these powers in case any incidents arose which required a public health response, the Director for Adults and Communities, on 18 August 2020, after consultation with the Leader of the Council, the Lead Members for Health and Wellbeing, Planning and Regulation and Inclusive Growth and Skills and

with the Leader of the Opposition and the Chair of the Overview and Scrutiny Decision, made a Significant Officer Decision setting out the Council's policy under these regulations. This Significant Officer is appended to this report at Appendix 2.

6 **Comments of Other Committees**

A further report on this subject, in the same terms, will also be submitted to full Council at their next meeting.

This Report may also be considered by the Overview & Scrutiny Committee at a future meeting of that Committee.

7 **Conclusion**

This Report brings The Cabinet up to date with major events since the last report to the cabinet on this subject on 13 July 2020 and informs the Cabinet of the significant decisions taken by officers since that date. The noting and ratification of those decisions by the Cabinet, 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 (if any)**

Appendix 1 - Table of significant decisions

Appendix 2 – Significant Officer Decision relating to The Health Protection (Coronavirus, Restrictions)(England)(Amendment)(No.3.)Regulations 2020

9 **Background Papers**

The Coronavirus Act 2020

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

The Health Protection (Coronavirus, Restrictions) (England)Regulations 2020 and regulations amending the same.

The Health Protection (Coronavirus, Restrictions)(England) (Amendment)(No.3) Regulations 2020