

SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet

DATE: 18th October 2021

SUBJECT: Covid-19 Decisions Update

CHIEF OFFICER: Executive Director, Corporate Operations

CONTACT OFFICER: Nick Pontone, Senior Democratic Services Officer
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WARD(S): All

PORTFOLIO: Councillor Carter – Portfolio Holder for Customer Services & Corporate Support

KEY DECISION: NO

EXEMPT: NO

DECISION SUBJECT TO CALL IN: YES

APPENDICES: Appendix A – Table of significant decisions

1 Summary and Recommendations

- 1.1 The purpose of this Report is to inform Cabinet of the further significant decisions taken by officers.
- 2 This report seeks Cabinet ratification of significant decisions at the first available opportunity and 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.

Recommendations:

The Cabinet is requested to resolve:

- (a) That the report be noted; and
- (b) That the Significant Decisions taken by Silver as set out in Appendix A be ratified.

Reason for Recommendation:

To seek ratification by Cabinet of significant decisions taken by officers insofar as they relate to Executive functions.

2. Report

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.

Options considered

Option 1 – Ratify all the decisions set out in Appendix A.

Option 2 – Do not ratify the decisions and consider an alternative course of action for one or more decisions, noting they have been taken under delegated authority.

Option 1 is recommended.

Background

2.1.1 Slough Joint Wellbeing Strategy Priorities

The decisions set out in this Report have been taken with the overarching objective of protecting public health and the wellbeing 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 is 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.

2.2 Five Year Plan Outcomes

The recommendations contained in this Report, namely the noting and ratification by Cabinet of the further significant decisions taken by officers, at the first available opportunity, will enable the Council to be in a position to be able to go forward 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*

2.3 Governance

This report sets out the Significant Decisions taken by Officers in response to the coronavirus pandemic. Robust governance arrangements were put in place in March 2020 to manage SBCs response, which is led by a GOLD and SILVER command structure. GOLD/SILVER meetings have been held jointly since March. This is summarised as follows:

- **GOLD** – Chief Executive and Silver Lead from CMT on rotation
Overall responsibility for SBC strategy and response, primary liaison with partners and leads on external communications. Lead Members are consulted where appropriate on decisions in their portfolio.
- **SILVER** – led by a member of CMT on rotation, includes CMT, Public Health, Communications and Operations Room Management. TVP and CCG attend. Responsibility for tactical implementation of GOLD Strategy, escalates strategic decisions to GOLD, refers issues for resolution to task groups.
- **Task Groups** – usually led by an Executive Director or senior Officer
Manages operational matters and escalate issues to Silver
Task groups established include Finance, Human Resources and Business Continuity, Community Hub, IT, Children, Adults, Safer Public Spaces, Testing, PPE, Recovery, Local Outbreak Management Plan Cell and Workplace Safety Group. Some task groups stood down and ready to be reactivated if operationally required.
- **Operations Room** – led by Associate Director
Seeks to coordinate activity in a single team; logs enquiries, actions and decisions and supports Silver.

2.4 Timeline

A summary of the key events and phases is summarised as follows:

- 5th March – first death in UK from Covid-19 is confirmed.
- 12th March – SBC GOLD/SILVER response group meets. SILVER met daily between 23rd March to 24th April and at least weekly since. It currently meets twice a week.
- 23rd March – Prime Minister announces UK-wide partial “lockdown”.
- 26th March – Health Protection (Coronavirus Restrictions) (England) Regulations 2020 (‘lockdown regulations’) come into force.
- 13th May – National ‘Lockdown’ restriction start to be eased and this process continues through June and July. It is not until 25th July that indoor gyms and swimming pools are able to reopen.
- 1st July – local restrictions introduced in Leicester.
- 18th July – Health Protection (Coronavirus Restrictions) (England) (No 3) Regulations come into force giving local authorities in England new powers to close shops and outdoor public spaces in order to control Covid.
- 1st August 2020 – Shielding programme is paused.
- August / September 2020 – local restrictions across England start to be tightened, particularly in the North West and Yorkshire.

- 24th September 2020 – pubs and restaurants ordered to close by 10pm and ‘Rule of 6’ applies.
- 14th October 2020 – new Covid tiers come into force. Slough is placed in Tier 1 – medium level alert.
- 24th October 2020 – Slough moves into Tier 2 – high level alert, which introduced a ban on household mixing.
- 5th November 2020 – Prime Minister announces a new national ‘lockdown’ until 2nd December.
- 26th November 2020 – new Tier system is introduced in England to come into force on 2nd December. Slough will enter Tier 3 – very high alert which means pubs and restaurants remain closed following national ‘lockdown’ and household mixing remains banned.
- 19th December 2020 – Government revises Tier system with a new Level 4 Tier – Stay at Home with restrictions similar to those during the national ‘lockdown’ in November. The Government decides to put Slough into this highest Tier.
- 4th January 2021 – Prime Minister announces new national ‘lockdown’ for England.
- 22nd February 2021 – Government publishes a “roadmap” to gradually ease restrictions over the coming months, starting with the full reopening of schools to all pupils from 8th March 2021.
- 8th March 2021 – Step 1 of the Government’s “roadmap” begins with schools recommencing face-to-face learning for all pupils.
- 29th March 2021 – ‘Stay at Home’ rule ends. Restrictions on social contact begin to be relaxed outdoors.
- 12th April 2021 – Step 2 of the Government’s “roadmap” begins which includes the reopening of non-essential retail and outdoor hospitality.
- 17th May 2021 – Step 3 of the Government’s “roadmap” begins which includes the reopening of indoor hospitality, entertainment and events (with capacity limits), travel corridors and domestic overnight stays.
- 19th July – Step 4 of the “roadmap” due to begin which is likely to remove the remaining legal restrictions.

2.5 Comments of Other Committees

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

3. Implications of the Recommendation

3.1 Financial implications

3.1.1 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.

3.2 Legal implications

3.2.1 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.

3.3 Risk management implications

3.3.1

| 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 | 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. |

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| | engagement across the Council | | | |
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3.4 Environmental implications

3.4.1 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.

3.5 Equality implications

3.5.1 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.

3.6 Procurement implications

3.6.1 Procurement issues have been considered by Officers in relation to each decision and procurement processes would need to be followed where they apply.

3.7 Workforce implications

3.7.1 The decisions taken by Officers which have affected the workforce are set out in the schedule to this Report.

3.8 Property implications

3.8.1 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.

4. **Background Papers**

None.