



<b>Full Council</b>	<b>Tuesday, 24 March 2020</b>	<b>Matter for Information and Decision</b>
---------------------	-----------------------------------	--

**Report Title:** **Contingency Planning: Coronavirus (COVID-19)**

**Report Author(s):** **David Gill (Head of Law & Democracy / Monitoring Officer)**

<b>Purpose of Report:</b>	To outline contingency plans required to ensure effective provision of Council services and functions during the current COVID-19 pandemic.
<b>Report Summary:</b>	Such plans are required to be in place should the predictions made by the Government's Scientific and Health Advisors come to fruition.
<b>Recommendation(s):</b>	<p><b>(i) That Council approves recommendations A, B, C, D, E and G (as set out at paragraph 4 of this report); and</b></p> <p><b>(ii) That Council notes recommendations F and H and the remainder of the content of the report and appendices.</b></p>
<b>Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):</b>	<p>Anne Court (Chief Executive / Head of Paid Service) (0116) 257 2602 <a href="mailto:anne.court1@oadby-wigston.gov.uk">anne.court1@oadby-wigston.gov.uk</a></p> <p>David Gill (Head of Law &amp; Democracy / Monitoring Officer) (0116) 257 2626 <a href="mailto:david.gill@oadby-wigston.gov.uk">david.gill@oadby-wigston.gov.uk</a></p>
<b>Corporate Objectives:</b>	Providing Excellent Services (CO3)
<b>Vision and Values:</b>	<p>"A Stronger Borough Together" (Vision)</p> <p>Accountability (V1)</p> <p>Respect (V2)</p> <p>Teamwork (V3)</p> <p>Innovation (V4)</p> <p>Customer Focus (V5)</p>
<b>Report Implications:-</b>	
Legal:	The implications are as set out throughout the report.
Financial:	There are no implications directly arising from this report.
Corporate Risk Management:	<p>Reputation Damage (CR4)</p> <p>Effective Utilisation of Assets / Buildings (CR5)</p> <p>Regulatory Governance (CR6)</p> <p>Failure to Respond to a Significant Incident (CR7)</p>
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable
Human Rights:	There are no implications directly arising from this report.
Health and Safety:	The implications are as set out throughout the report.
<b>Statutory Officers' Comments:-</b>	

Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	As the author, the report is satisfactory.
<b>Consultees:</b>	<ul style="list-style-type: none"> <li>• Anne Court (Chief Executive / Head of Paid Service) (SLT)</li> <li>• Stephen Hinds (Deputy Chief Executive) (SLT)</li> <li>• Clive Mason (Chief Finance Officer / Section 151 Officer) (SLT)</li> <li>• David Gill (Head of Law &amp; Democracy / Monitoring Officer) (SLT)</li> <li>• Adrian Thorpe (Head of Build Environment) (SLT)</li> <li>• Philippa Fisher (Head of Customer Service &amp; Transformation) (SLT)</li> <li>• Avril Lennox MBE (Head of Community &amp; Wellbeing) (SLT)</li> <li>• Councillor John W Boyce (Leader of the Council)</li> </ul>
<b>Background Papers:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Coronavirus (COVID-19): UK Government Response (Online)</a></li> <li>• <a href="#">Coronavirus (COVID-19): NHS Advice (Online)</a></li> </ul>
<b>Appendices:</b>	<ol style="list-style-type: none"> <li>1. Joint Statement from Association of Democratic Services Officers (ADSO) and Lawyers in Local Government (LLG) - LA Decision Making and Democracy in Light of Coronavirus (March 2020)</li> <li>2. Schedule of Council &amp; Allied Meetings Until the End of June 2020</li> </ol>

## 1. Background

- 1.1. Members will all be too well aware of the current Coronavirus (COVID-19) pandemic that is afflicting countries across the globe.
- 1.2. Contingency plans are required to be in place should the predictions made by the Government's Scientific and Health Advisors come to fruition.
- 1.3. The purpose of this report is outline to Members the steps that have been agreed between the Senior Leadership Team (SLT) and the Leader of the Council (the Leader) to ensure that the Council can continue to function effectively.
- 1.4. The aim of the measures are:
  - (a) To protect Members;
  - (b) To protect Officers;
  - (c) To ensure that the Council can perform its core functions with the minimum of disruption to the public; and
  - (d) To create capacity to respond appropriately as the crisis intensifies.
- 1.5. The SLT has been meeting at least once a week to consider the latest Government and Scientific advice and the overarching response to the crisis is being managed by the Local Resilience Forum. As the crisis develops, and the impacts become more apparent and measurable, SLT will move to daily meetings.
- 1.6. To-date SLT and the Leader have agreed the following actions subject to Members' approval.

## 2. Immediate Plans

- 2.1. With immediate effect, Members and Officers are strongly advised to avoid any non-urgent meetings (both internal and external) and are encouraged to utilise e-mail, telephone, skype etc. Members are also advised to avoid casual attendance at the Council Offices and Customer Services Centre wherever possible.

- 2.2. All civic functions undertaken by the Mayor and Deputy Mayor are suspended forthwith.
- 2.3. Subject to Members' approval the Mayor Making Dinner on 12 May will be cancelled

### **3. Medium Term Plans**

- 3.1. On 16 March, the Government announced the following measures were to be adopted in an attempt to suppress the pandemic:
  - (a) It recommended that all social interaction and non-essential contact be avoided (i.e. pubs, clubs, bars and theatres etc.);
  - (b) It recommended that where a member of a household displays the initial symptoms of the virus then the whole household should self-isolate for at least 14 days;
  - (c) It is advised that over 60's avoid social interaction and non-essential contact
  - (d) It is strongly advised that all those with a pre-existing underlying health condition self isolate; and
  - (e) It is strongly advised that all those over the age of 70 self isolate for a period of 12 weeks with effect from 21/22 of March.
- 3.2. It is considered likely that if the above steps are not effective in suppressing the virus, then Government advice may become mandatory with an enforced 'lock-down' on social interaction. This would result in the Council restricting its services to core services only whilst also responding to the pandemic.
- 3.3. If the predictions are correct that at least 60% of the population may at some point suffer from the virus, there is likely to be a severe impact on staffing levels and the ability to provide those services and responses.
- 3.4. Assuming the worst case scenario, the Council will need to make arrangements in order that it can function effectively.
- 3.5. A second-tier Council operating a committee system, as this Council does, is likely to be faced with considerable difficulties in ensuring that it is 'business as usual' particularly around transacting business of a substantive nature (i.e. business that requires a formal vote as there is no provision within the legislation to allow virtual meetings as votes must be carried by 'a majority of those present').
- 3.6. Under the current governance arrangements, it is not possible to delegate individual decision-making powers to Members (i.e. Committee Chairs) unlike a Cabinet system, which allows for individual decision-making by Portfolio Holders. Therefore in order to ensure 'business as usual', it is necessary to delegate decision-making authority to Officers in the absence of the ability to call Committee and Council meetings. The current position differs to the position where a committee has already made a decision in principle and delegates its implementation to the Chair and Officers because there is no decision in principle to action.
- 3.7. The delegated powers will only be exercised following consultation (by email, telephone, skype etc. (i.e. a virtual meeting)) with the appropriate Chairs, Members and Officers, but ultimately the decision will be that of the relevant decision-making Officer.
- 3.8. In light of the above, the legislative framework and the Guidance issued by Lawyers in Local Government and the Association of Democratic Services Officers (as set out at **Appendix 1**), a series of measures are proposed as set out below that would allow the Council to continue to function.

#### 4. Recommendation(s)

- A. That Council delegates to the Leader of the Council and the Chief Executive authority to determine how the Council is to function in the immediate and medium term.
- B. In the event that either the Leader of the Council or the Chief Executive becomes indisposed, then the following order of precedence will apply:

<b>Members (In Descending Order)</b>	<b>Officers (In Descending Order)</b>
The Leader of the Council	Chief Executive / Head of Paid Service
The Deputy Leader of the Council	Deputy Chief Executive
Chair of PFD (or Vice Chair)	Chief Finance Officer / Section 151 Officer
Chair of Service Delivery (or Vice Chair)	Head of Law & Democracy / Monitoring Officer
The Mayor (or Deputy Mayor)	Head of Built Environment

- C. All non-essential meeting of working groups, forums and either directly-facilitated outside and partnerships bodies etc. will be cancelled with immediate effect. In the event that the Government decides to close all schools, then all youth work will stop.
- D. All powers currently reserved to Full Council and Committees are to be delegated to the Chief Executive in so far as the law allows.
- E. The delegated powers are only to be exercised following consultation (by e-mail, telephone, skype etc. (i.e. a virtual meeting) with the appropriate Chairs, Members and Officers and where it is necessary to comply with a statutory function or requirement or because of a business or exceptional need. Attached at **Appendix 2** is an up-to-date list of scheduled Council and Allied meetings and the impact that the above proposals will have on them.
- F. The VE Day celebrations and the St Wistan's Day Market will be cancelled/postponed.
- G. In the event that the crisis moves to a statutory 'lock-down' situation, or should the period of self-isolation for people over 70 years of age be extended, there may be Members who are affected by six-month meeting attendance rule under section 85(1) of the Local Government Act 1972 leading to them to automatically losing their seats. It is therefore proposed that Council approves a general dispensation to all Members so that if the crisis continues longer than currently anticipated, then all Members are protected against the said six-month rule.
- H. The above proposals will be kept under constant review by the Leader of the Council and the Chief Executive and will remain in place until such time that the Government and scientific and health advice is that the crisis is over.

#### 5. Further Considerations

- 5.1. Officers are currently considering the impact of Government advice on the Annual General Meeting (AGM) due to be held on 12 May 2020 and will provide an update on that matter as soon as further information is received.
- 5.2. On 16 March 2020, the Secretary of State for Housing, Communities and Local Government confirmed that he was considering:
- (a) bringing forward legislation to remove the requirement for annual council meetings to take place in person; and
  - (b) bringing forward legislation to allow council committee meetings to be held virtually for a temporary period.

- 5.3. However, in the event that any proposed legislative changes are not enacted before the requirement to hold the meeting, the current modelling indicates that the meeting will fall within the 'peak period' for transmission of the virus.
- 5.4. Members may therefore want to give early consideration to restricting attendance to the quorate number of Members, to ensure the meeting is lawfully convened and to the transaction only of essential business i.e. election of the Mayor and Deputy Mayor, the appointment of Officer Holders, Council Bodies and Memberships, the Schedule of Council & Allied Meetings and the for the municipal year 2020/21.
- 5.5. As regards the Scheme of Members' Allowances, it has been proposed and agreed by the members of the Independent Remuneration Panel (IRP) that the current 2019/20 Scheme is carried over without any amendment.

## **6. Postscript**

- 6.1. Members will be aware that this is a rapidly-developing situation and that Government advice is frequently changing. Members will be provided with a full verbal update on the contingency planning at the Full Council meeting itself on Tuesday, 24 March and all relevant information will be shared with Members on an ad-hoc basis through email etc.