

## REPORT TO EMERGENCY COMMITTEE

18 March 2020

<b>Subject:</b>	<b>Emergency Planning to respond to Covid-19</b>
<b>Director:</b>	<b>David Stevens - Chief Executive Surjit Tour - Director of Law and Governance and Monitoring Officer</b>
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s):</b>	Suky Suthi-Nagra suky_suthinagra@sandwell.gov.uk

### **DECISION RECOMMENDATIONS**

**That :**

- Meetings of Ordinary and Annual Council scheduled to be held on 7 April 2020 and 19 May 2020 respectively be cancelled;
- the Chief Executive and the Director of Law and Governance and Monitoring Officer be authorised to agree a date for the annual meeting of the Council upon receipt of additional guidance and legislation from Government;
- the attached programme of committee meetings 2020/21 as set out in Appendix 1 be approved;
- the Chief Executive, or his nominee(s) in his absence or unavailability, be authorised to put into effect any legislative changes that enable remote or electronic attendance and participation in meetings;
- the Scheme of Delegation to Officers (Council function), as set out in Appendix 2 be approved so as to:-
  - enable the Chief Executive, or his nominee(s) in his absence or unavailability, in consultation with the Chair of the Emergency Committee, or in their absence, the Vice Chair of the Emergency Committee, to act in cases of emergency or special urgency with all urgent decisions

taken being reported to the next ordinary meeting of Council;

- authorise the Section 151 Officer (Chief Finance Officer), or his nominee(s) in his absence or unavailability, in consultation with the Chair of the Emergency Committee, or in their absence, the Vice Chair of the Emergency Committee, to agree the use of reserves and repurposing of budgets;
- where an urgent decision is required and where a meeting of the Committee cannot be convened remotely, enable the relevant Director, in consultation with Planning Committee members to determine any decisions relating to planning applications and matters until such time that it is deemed appropriate by the Chief Executive to convene a Planning Committee meeting;
- where an urgent decision is required and where a meeting of the Committee cannot be convened remotely, enable the relevant Director, in consultation with Licensing Committee members to determine any decisions relating to licensing applications (such as liquor and taxi licence applications) until such time that it is deemed appropriate by the Chief Executive to convene a Licensing Panel/Committee meeting;
- any necessary changes be made to the Council's Financial Regulations and Procurement and Contract Procedure Rules to enable the authority to continue to procure services as necessary as set out in Appendix 3;
- the requirements of Section 85 of the Local Government Act 1972 be waived, and an extension of the six month rule be approved for the following members, with effect from 18 March 2020, expiring at the Annual Meeting of Council on a date to be determined;

Councillor Costigan  
Councillor L Horton  
Councillor Lewis  
Councillor Sandars;  
Councillor P M Hughes

- a further meeting of the Emergency Committee be arranged in June 2020 to consider any further dispensations to the 6 month rule in the event that all public meetings are being suspended, including a meeting of the council. If this is not possible, then the Chief Executive in consultation with the Director of Law and Governance & Monitoring Officer be authorised to determine any application for a dispensation that is made in respect of an Elected Member.

## **1 PURPOSE OF THE REPORT**

- 8.1 To seek approval to put in place any necessary measures to deal with the Covid-19 outbreak. The outbreak is expected to result in huge demands on the Council, which may require services to be modified, or resources and finance reallocated.

A quick response to requests for resources may in some instances prove critical to relieving suffering and speeding the return to 'normality'. In such situations, the normal decision-making processes and procedures may need to be expedited.

## **2 IMPLICATIONS FOR VISION 2030**

- 3 The Council is committed to maintaining its emergency planning function which contributes to the Sandwell Corporate Plan by working in partnership and supporting agencies responsible for responding to major emergencies and by seeking to identify and plan for hazards and risks that threaten the creation (or perception) of a Safer Sandwell.

## **4 BACKGROUND AND MAIN CONSIDERATIONS**

- 4.1 The current novel coronavirus (COVID-19) outbreak, which began in December 2019, presents a significant challenge for the entire world.
- 4.2 Coronaviruses are a family of viruses common across the world in animals and humans; certain types cause illnesses in people. For example, some coronaviruses cause the common cold; others cause diseases which are much more severe such as Middle East Respiratory Syndrome (MERS) and Severe Acute Respiratory Syndrome (SARS), both of which often lead to pneumonia.
- 4.3 COVID-19 is the illness seen in people infected with a new strain of coronavirus not previously seen in humans. On 30 January 2020, the World Health Organisation (WHO) declared the outbreak of COVID-19 a "Public Health Emergency of International Concern" (PHEIC).
- 4.5 As it is a new virus, the lack of immunity in the population (and the absence yet of an effective vaccine) means that COVID-19 has the potential to spread extensively. People in the UK are now being urged to take unprecedented measures to curb the spread of coronavirus and protect themselves, their families and others.

4.5 Work is in hand to contain and manage the spread of the virus. This includes extensive guidance provided to individuals returning from areas where there are cases being reported, mitigating measures to prevent infections including the encouragement of self-isolation as the primary means to contain the spread of the disease. In light of this challenge, the Council needs to be in a position to expedite decision making and allocate resources as necessary to continue to operate and provide key services.

## 5 THE CURRENT POSITION

5.5 On 13 March 2020, the Government made a decision to cancel all local, Mayoral and Police and Crime Commissioner elections that were scheduled to be held on 7 May 2020 in order to minimise the potential impact of Covid-19. Legislation affecting this and several other operational matters is expected in the coming days and weeks, including potentially, mechanisms for remote electronic attendance and participation in meetings by Councillors.

5.6 As a result, consideration now needs to be given to putting in place emergency measures so that the Council is still able to operate, with the flexibility of making decisions during a period where non-essential travel and social distancing is being implemented across the UK.

5.7 It is therefore proposed that:-

- Meetings of Ordinary and Annual Council scheduled to be held on 7 April 2020 and 19 May 2020 respectively be cancelled;
- the Chief Executive and the Director of Law and Governance and Monitoring Officer be authorised to agree a date for the annual meeting of the Council upon receipt of additional guidance and legislation from Government;
- the attached programme of committee meetings 2020/21 as set out in Appendix 1 be approved;
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- authorise the Section 151 Officer (Chief Finance Officer), or his nominee(s) in his absence or unavailability, in consultation with the Chair of the Emergency Committee, or in their absence, the Vice Chair of the Emergency Committee, to agree the use of reserves and repurposing of budgets;
- where an urgent decision is required and where a meeting of the Committee cannot be convened remotely, enable the relevant Director, in consultation with Planning Committee members to determine any decisions relating to planning applications and matters until such time that it is deemed appropriate by the Chief Executive to convene a Planning Committee meeting;
- where an urgent decision is required and where a meeting of the Committee cannot be convened remotely, enable the relevant Director, in consultation with Licensing Committee members to determine any decisions relating to licensing applications (such as liquor and taxi licence applications) until such time that it is deemed appropriate by the Chief Executive to convene a Licensing Panel/Committee meeting;
- any necessary changes be made to the Council's Financial Regulations and Procurement and Contract Procedure Rules to enable the authority to continue to procure services as necessary as set out in Appendix 3;
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## **6 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)**

- 6.5 A co-ordinated multi-agency response will be required to minimise wider societal impact that could arise from a significant outbreak. An effective response also requires the active participation of a well-informed public and all service providers.

## **7 ALTERNATIVE OPTIONS**

- 7.1 Not being able to react in an emergency may have a detrimental impact on and rebuilding social, economic and environmental life.

## **8 STRATEGIC RESOURCE IMPLICATIONS**

- 8.5 There are no direct resource implications, however, the recommendations allow for a change to the procedures currently followed to authorise 'above normal' resource allocation/expenditure where needed.

## **9 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 9.1 The proposals are in line with the remit of the Emergency Committee to:-
- convene on the request of the District Emergency Co-ordinator;
  - approve requests for funding above and beyond normal (allocated budget) expenditure;
  - provide guidance on issues of national significance;
  - assist in briefing Council Members;
- 9.2 In the event of no elections this year, the annual meeting of the Council needs to be set up in either March, April or May. The Government is anticipated to create new legislation to extend this and provide more flexibility around the date of annual council. The term of office for those members who would have been up for election will continue into May 2021.
- 9.3 Existing legislation requires the Council not to disadvantage any member in respect of their statutory minimum attendance at meetings in a situation where meetings are cancelled. For this purpose, the Committee must consider the grant or an extension of any dispensation to those members who due to illness or other extenuating circumstances have been and are unlikely to be able to attend meetings.

## **10 EQUALITY IMPACT ASSESSMENT**

- 10.1 There are no direct issues or implications relating equality.

## **11. DATA PROTECTION IMPACT ASSESSMENT**

11.1 There are no direct issues or implications relating specifically to data protection.

## **12. CRIME AND DISORDER AND RISK ASSESSMENT**

12.1 The occurrence of a serious incident or major emergency has the potential to act as a catalyst for a breakdown in public order and a rise in crime. Providing resources to assist in securing areas where public possessions or company assets are exposed and vulnerable may not always be a viable option. In such situations realising normality, as quickly as possible, aids the reduction of crime and assists in the return to order. Emergency planning forms an important part in both response and recovery phases of incident management.

## **13. SUSTAINABILITY OF PROPOSALS**

13. As sustainability concerns itself with the social, economic and environmental well-being of Sandwell and its residents, and disasters impact on all three aspects is varying degrees. Emergency planning is an effective tool in limiting adverse effects and rebuilding social, economic and environmental life.

## **14. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)**

13.1 The proposals will ensure that the Council is still able to respond and make decisions in the event of further disruption as a result of Covid-19.

## **15. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND**

15.1 The proposals have no direct implication on Council managed property or land.

## **16. BACKGROUND PAPERS**

None

## **17. APPENDICES:**

Appendix 1 – Committee Programme 2020/21

Appendix 2 – Scheme of Delegation to Officers

Appendix 3 - Financial Regulations and Procurement and Contract  
Procedure Rules

**Surjit Tour**

**Director of Law and Governance and Monitoring Officer**