

Decision Pathway – Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 01 September 2020

TITLE	Covid-19 Emergency Decision Making		
Ward(s)	All		
Author: Michael Pilcher	Job title: Chief Accountant		
Cabinet lead: Craig Cheney	Executive Director lead: Mike Jackson		
Proposal origin: <i>BCC Staff</i>			
Decision maker: Cabinet Member Decision forum: <i>Cabinet</i>			
Purpose of Report: In March 2020 the Council declared a major incident and implemented its Gold Command arrangements to respond to the COVID19 emergency and as such the Council needed to take decisions on the basis of a Command, Control and Co-ordination basis. Temporary emergency delegated authority was given to the Head of Paid service and the Director of Finance in consultation with the Mayor and the Deputy Mayor, Cabinet Member for Finance, Governance and Performance, to take urgent decisions where required in response to the pandemic. The incident response has now been formally stood down and the report signifies the withdrawal of those emergency decision making arrangements and provides an update on any final decisions taken under that delegated authority. It also sets out the basis on which delegated decision making arrangements will ensure successful management of local outbreaks should the need arise in the future.			
Evidence Base: Context: As a result of the exceptional circumstances facing the Council and the whole of the Country in the light of the COVID-19 Pandemic the Council moved to Command and Control arrangements streamlining the decision-making processes in order to respond quickly and effectively to situations as they arose, mitigate the impact of the emergency and to create the conditions needed for an eventual recovery to a new norm. In order to facilitate this additional delegated authority was given on 28 April 2020 to the Head of Paid service and the Director of Finance in consultation with the Mayor and the Deputy Mayor, Cabinet Member for Finance, Governance and Performance, to make any urgent decision relating to the emergency response which involves new policy or a change to existing policy and to make any necessary technical adjustments or adjustments to the budgets upon receipt of Government funding in response to the COVID 19 pandemic; with transfers to and or from reserves as appropriate. As part of the delegations reports must be produced to the relevant forum explaining the decision, the reasons for it and why the decision was treated as a matter of urgency. The major incident, which was declared by the Avon and Somerset Local Resilience Forum and the Council in March 2020 in response to the Covid-19 crisis, has been stood down due to falling infection and mortality rates and this report proposes the cessation of the temporary emergency arrangements that were introduced as outlined above.			

Details of decisions taken under delegated authority have been reported periodically to the relevant forums and final decisions taken in the subsequent period are set out below and where detailed in appendices to this report.

- Leisure Services (£0.500m)
Temporary variations to the contract which will enable the Council's Leisure service provider some flexibility in maintaining facilities through and after COVID-19 and meeting contractual obligations to October 2020 (see Appendix A(i)).
- The government announced a Local Authority Emergency Assistance Grant for Food and Essential Supplies of £63 million and the Council's allocation from this fund is £0.608 million. The proposal for the distribution to support people who are struggling to afford food and other essentials due to COVID-19 are outlined in Appendix A (ii).
- Business Support Grants
 - Small business grant fund and Retail, Hospitality and Leisure grant fund (SB&RHGF) - from the uplifted allocation to the Council to support eligible businesses to £94.560 million, the total value of grants paid to 7,328 eligible businesses as at week ending 16 August 2020 is £93.119 million.
 - COVID-19 Business Support Grants – Discretionary Fund (LADGF) £4.728 million- Bristol has received 1,191 applications and 908 businesses have been awarded grants to the value of £2.493 million via two Cohorts of applications. Cohort one Tranches 1-4 £1.420 million (as previously reported in the Period 2 monitoring report) and Cohort one tranches 5-6 £0.280 million and Cohort two – tranches 1 – 4, £0.793 million. To optimise the volume of eligible businesses within the region supported by the award values were reduced and as outlined in the policy proportional top ups to awards in cohort one and two will be applied from the additional funding available at the end of this process.
 - Both of the funds above will be formally closed by government 28th August 2020 and the associated Officer Executive Decision can be found by using the following [Link](#).
 - Business support costs – new burdens allocation of £0.170 million has been awarded by BEIS to the Council to meet the additional delivery costs associated with the SB&RHGF; a further new burdens assessment will take place to determine the costs associated with the LADGF and funding to follow in due course.
- Provision of emergency hotel Accommodation
 - To implement additional payments to cover the cost of extending the contracts with the hotels in conjunction with the development of a robust move-on programme that will limit the numbers of people returning to the streets and recognise the opportunity the 'Everybody In' programme provides to eradicating rough sleeping in the city.

Procurement - The temporary Coronavirus (Covid-19) procurement and contracts protocol will also cease and the Council's own Procurement Rules will be reinstated. The details of COVID19 Supplier Relief Requests throughout this emergency period are attached at Appendix A (iii).

Supplier Payments - To assist suppliers with cash flow, all invoices were paid on immediate payment terms. The emergency terms will end and standard terms in line with contractual supplier arrangements will be resumed.

Debt Management - The ban on face-to-face bailiff collection and protections from eviction for people in the private rented sector will come to an end on 23 August and thereafter the Council will continue with its ethical approach to debt collection.

Future Arrangements

As a result of the UK wide measures introduced there are early signs the virus has been slowed – but it has not been eradicated and therefore the threat from coronavirus remains and successful management of local outbreaks will be critical and empowerment of local decision-makers to act at the earliest stage for local incidents, and ensure swift support is readily accessible where needed.

Roles and levels of decision making responsibility are outlined in Bristol Local Outbreak Management Plan and the Council's scheme of delegation for finance gives delegated authority to Head of Paid Service and / or Section 151 officer in consultation with Mayor or Deputy Mayor for Finance, Governance and Performance to make emergency payments up to £2m where funding is available, however budget provision has not been made as per the policy and budget framework and the payment cannot be covered within the relevant service's existing budget.

There is also provision in the Mayors scheme of delegations for Executive Directors in conjunction with the Chief Executive to take very urgent key decisions within their area if the Mayor or a Cabinet Member is unable to do so, in consultation with the Monitoring Officer, the Chief Finance Officer, the Mayor, the relevant Cabinet Member and the relevant scrutiny chair. Any decision taken under this exemption must be reported to all members immediately and be subject of a formal report to the Mayor at the next meeting of Cabinet and of the relevant scrutiny committee.

Cabinet Member / Officer Recommendations:

That Cabinet,

Approve:

- The incorporation of £0.608m Local Authority Emergency Assistance Grant for Food and Essential Supplies into the Council's budget.
- The incorporation of £0.170m Business Support Grant – New Burdens Funding into the Council's budget.
- The cessation of the temporary emergency delegations to the Head of Paid Service and the Director of Finance agreed by Cabinet on 28 April.

Note:

- The reversal of temporary protocols and practices in relation to procurement, supplier payments and debt management as set out in the report
- The decisions taken under emergency / urgent payments:
 - Reopening of Leisure facilities in Bristol - £0.500m - Appendix A (i)
 - LA Emergency Assistance Grant for Food and Essential Supplies - Appendix A (ii)
 - Small Business Grant Discretionary Fund Cohort 2 - Officer Executive decision for Payment Tranche 1 – 6 – totalling £1.073m
 - COVID19 Supplier Relief Requests – Appendix A (iii)
 - Provision of emergency hotel Accommodation – Appendix A (iv)

Corporate Strategy alignment: This report seeks to update Cabinet on the decision making taken through emergency delegated authority in response to the Covid-19 pandemic. At the heart of the Council's response is ensuring the services that support those most in need are prioritised acting in line with priorities of empowering and caring and supports citizens wellbeing

The pandemic impacts on all areas from health and care to the local economy and the Council aims to ensure its decisions are aligned to fair and inclusive commitments by understanding and supporting the social and economic impact on all different groups.

The report also updates on initial financial impact and steps the Council may need to take to address acting in line with our organisational priority to 'Be responsible financial managers'.

City Benefits: Cross priority report that covers whole of Council's business.

Consultation Details: No Consultation has taken place

Background Documents:

<https://democracy.bristol.gov.uk/documents/s48504/Emergency%20Response%20-%20Cabinet%20Report%20v6.pdf>

Revenue Cost	£0.778m	Source of Revenue Funding	New - Emergency Assistance grant allocation and Business Support New Burden Funding
Capital Cost	£0	Source of Capital Funding	n/a
One off cost <input checked="" type="checkbox"/> Ongoing cost <input type="checkbox"/>		Saving Proposal <input type="checkbox"/>	Income generation proposal <input type="checkbox"/>

Required information to be completed by Financial/Legal/ICT/ HR partners:

1. Finance Advice: The financial implications arising from this decision are included in the body of the report.

Finance Business Partner: Michael Pilcher, Chief Accountant 20/08/2020

2. Legal Advice: The Major incident that was declared in respect of COVID 19 has been formally stood down, on that basis, the exercise of emergency delegated powers is no longer required and it is in line with good governance that these are now formally revoked.

The recommendations in this report are in line with the Council's scheme of delegations

Legal Team Leader: Nancy Rollason, Head of Legal Services 20/08/2020

3. Implications on IT: No anticipated impact on IT Services

IT Team Leader: Simon Oliver, Director of Digital Transformation 20/08/2020

4. HR Advice: There are no HR implications as a direct result of the recommendations in report. There were substantial HR implications as part of the response to the Covid-19 pandemic which was managed through HR, the incident management team, and CLB Gold.

On stand down of the incident the on-going HR implications will be managed within normal HR processes and the Council's Scheme of Delegations for HR matters. There is regular communication (and where necessary consultation) with staff, managers and trade unions on any HR implications of decisions taken in recovery.

HR Partner: James Brereton (People & Culture Manager), 20th August 2020

EDM Sign-off	Mike Jackson	20/08/2020
Cabinet Member sign-off	Craig Cheney	20/08/2020
For Key Decisions - Mayor's Office sign-off	Mayor's Office	20/08/2020

Appendix A – Further essential background / detail on the proposal.

YES

Decisions taken under emergency / urgent payments

- Appendix A (i) - Decision 006 – Reopening of Leisure facilities in Bristol
- Appendix A (ii) - LA Emergency Assistance Grant for Food and Essential Supplies
- Appendix A(iii) - COVID19 Supplier Relief Requests
- Appendix A (iv) – Decision 007 - Provision of emergency hotel Accommodation

Appendix B – Details of consultation carried out - internal and external	NO
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	NO
Appendix E – Equalities screening / impact assessment of proposal	NO
Appendix F – Eco-impact screening/ impact assessment of proposal	NO
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Exempt Information	NO
Appendix J – HR advice	NO
Appendix K – ICT	NO
Appendix L – Procurement	NO