



BRAUNSTONE TOWN COUNCIL

www.braunstonetowncouncil.org.uk

Darren Tilley – Executive Officer & Town Clerk

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1st December 2020

To: Councillor Nick Brown (Chair), Councillor Amanda Hack (Vice-Chair) and Councillors Anthea Ambrose, Shabbir Aslam, Leanne Lee, Sam Maxwell, Phil Moitt, Tracey Shepherd, Satindra Sangha, Darshan Singh and Robert Waterton.

Dear Councillor

You are summoned to attend an **EXTRAORDINARY** meeting of the **POLICY & RESOURCES COMMITTEE** to be held by Zoom Video Conferencing (details below) on **Wednesday, 9th December 2020** commencing at **7.00pm**, for the transaction of the business as set out below.

This meeting is being undertaken using video and web conferencing software as permitted under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

Join Zoom Meeting

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Meeting ID: 910 4816 0063

Passcode: 664091

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Alternatively, Town Councillors can attend the meeting at Braunstone Civic Centre, for example if they do not have access to Zoom/the internet or where they need to do so to effectively undertake their duties/responsibilities.

If any Town Councillor wishes to attend in person, please contact the Town Clerk's Office on 0116 289 9270 or executiveofficer@braunstonetowncouncil.org.uk no later than Monday 7th December 2020.

Yours sincerely,



Executive Officer & Town Clerk

AGENDA

1. **Apologies**
To receive apologies for absence.
2. **Disclosures of Interest**
To receive disclosures of Interest in respect of items on this agenda:
 - a) Disclosable Pecuniary Interests,
 - b) Other Interests (Non-Pecuniary).
3. **Public Participation**
Members of the public may make representations, give evidence or answer questions in respect of any item of business included on the agenda. At the discretion of the Chairperson the meeting may be adjourned to give members of the public present an opportunity to raise other matters of public interest.
4. **Covid-19 Restrictions and Response**
To receive an update on the Council's response to the restrictions; to consider the framework for responding to the local alert levels; and to consider appropriate delegations to the Executive Officer & Town Clerk to manage the Council's services in response to Covid-19 and associated restrictions over the winter period (**Enclosed**).
5. **Appointment of Third-Party Investigator to report on handling of internal disputes**
RECOMMENDED: - That in view of the special / confidential nature of the business to be transacted, it is recommended that the press/public be excluded and they be instructed to withdraw (Standing Orders 3.5 and 3.7 apply). Reason for exception – Personal Information.

To consider appointing a third-party investigator to review and report on the Council's handling of internal disputes and to report and make recommendations where appropriate (**Enclosed for Councillors**).

6. **Staffing and Job Retention**

***RECOMMENDED:** - That in view of the special / confidential nature of the business to be transacted, it is recommended that the press/public be excluded and they be instructed to withdraw (Standing Orders 3.5 and 3.7 apply). Reason for exception – Personal Information.*

To set out the approach to retaining Community Centres staff over the winter period, given the loss of income and disruption to the service due to Covid-19 restrictions (**Enclosed for Councillors**).

Next Scheduled Meeting: Thursday 14th January 2021.



NOTE:

*CRIME & DISORDER ACT 1998 (SECTION 17) – The Council has an obligation to consider Crime and Disorder implications of all its activities and to do all that it can to prevent Crime and Disorder in its area.
EQUALITIES ACT 2010*

Braunstone Town Council has a duty in carrying out its functions to have due regard to:-

- eliminate unlawful discrimination, harassment and victimisation;*
- advance equality of opportunity between different groups; and;*
- foster good relations between different groups*

To ensure that no person receives less favourable treatment on the basis of race, disability, sex, gender re-assignment, sexual orientation, age, religion or belief, marriage or civil partnership, pregnancy or maternity.

BRAUNSTONE TOWN COUNCIL
EXTRAORDINARY POLICY & RESOURCES COMMITTEE
9th DECEMBER 2020

Item 4 – Covid-19 Restrictions and Response

Purpose

To receive an update on the Council's response to the restrictions; to consider the framework for responding to the local alert levels; and to consider appropriate delegations to the Executive Officer & Town Clerk to manage the Council's services in response to Covid-19 and associated restrictions over the winter period.

Background

Between 17th March 2020 and 31st August 2020, the Council operated under its Business Continuity Plan, convening the Incident Response Leadership Team and utilising the urgency delegated authority provisions in the Council's Scheme of Delegation to Officers, due to the spread of Covid-19 and the associated response.

In accordance with the Business Continuity Plan and Scheme of Delegation, full reports were provided to Policy & Resources Committee during that period, which included actions and decisions taken.

In accordance with the Council's Business Continuity Plan, to enable consideration of the options available for ongoing management of the Covid-19 incident and restoring the Council's Services, including determining a recovery plan, on 30th April 2020 Policy & Resources Committee agreed a framework for responding to Government Advice on Covid-19 in relation to the delivery of the Council's services.

This document was used, along with Government Guidance to develop outline plans, detailed plans and risk assessments for the reopening of those Council Services, which had been closed due to the restrictions.

Since the end of the Business Continuity Incident Period, the Government has introduced additional regulations and restrictions in September and October, including the introduction of the Local Alert Tiers. In addition, a second national lockdown was implemented between 5th November and 2nd December.

Local Alert Levels – Impact on Council Services

On Monday 23rd November, the Government announced changes to the rules applying in each of the local alert tiers, which would be in place from 2nd December; as a result the Management Team updated the Town Council's Local Covid-19 Alert Levels in respect of the Council's services, which is attached at Appendix 1.

On Thursday 26th November it was announced that at the end of the National

Restrictions, Leicester & Leicestershire would be entering tier 3, very high alert. The impact upon the Council's services is set out on the third page of Appendix 1. The main changes from the October version of the document (which was submitted to Council on 12th November 2020) is that in tier 3, very high alert, the Town Council is looking to provide a ring & collect service at the Library and the Civic Centre will be available for support groups.

The alert levels are expected to be reviewed on 16th December.

Managing Services during the Winter Period

The Management Team is keen to clearly set out how the Town Council would respond to changes in the Covid-19 situation and changes in the alert level (based on the known guidance and regulations at the time) to provide certainty and a swift response.

On 24th November 2020, the Management Team also took the decision that if the national lockdown was extended or Braunstone Town entered tier 3, that the Civic Centre would not take hires (except for the exceptions set out at Appendix 1), or provide for members of the public to attend Council & Committee meetings in person, until 4th January 2021. This will be kept under review in December depending on the restrictions (nationally and locally) and the Covid-19 risk of infection. Where a decision is made to re-open to the public before Christmas then this will be communicated.

During the Business Continuity Incident Response period earlier in the year, the Council fully developed plans and guidance for operating its services within the restrictions and regulations at the time. A framework was agreed to account for amendments in the approach should there be changes or further restrictions imposed.

Since 1st September 2020, the Council has been operating its services, taking into account the implications of Covid-19, under the normal business and constitutional processes. However, the change during the autumn from lifting restrictions and opening up to introducing new restrictions and closing services in a relative short period of time, means that targeted delegated powers are needed to continue to operate under normal arrangements effectively and avoid, as much as possible, activating the Business Continuity – Incident Response Procedures and the Urgency Delegated Powers arrangements.

The proposed Covid-19 Delegations to the Executive Officer & Town Clerk are attached at Appendix 2 and it is recommended these be in place for a fixed term until 31st March 2021. This gives the opportunity to report to Policy & Resources Committee on 25th February 2021 on their usage and effectiveness and to take stock of the direction of travel and determine whether any fixed term extension of the arrangements (in current or amended form) is required beyond 31st March 2021.

If at any time in the future Covid-19 again presents a significant impact on the Council's services and operations, then in accordance with Section 5 of the Business

Continuity Plan, the Executive Officer & Town Clerk has responsibility for assessing an incident, as guided by the examples in section 4 of the plan and/or by the emergency services or other appropriate statutory body, and determining whether there is a significant impact upon the Council's Services. In these circumstances, the Executive Officer & Town Clerk has authority to "declare an incident" and re-activate the provisions of the Business Continuity Plan. However, the Business Continuity Plan envisages that arrangements are put in place to deal with ongoing incidents and to that extent it is expected to be used as a last resort.

Recommendations

1. That the *Impact of Covid-19 Local Tiers on Council Services*, attached as Appendix 1 of the report, be approved;
2. that delegated authority be given to the Executive Officer & Town Clerk, in consultation with the Leader and Deputy Leader of the Council, to amend the approved *Impact of Covid-19 Local Tiers on Council Services* in response to the changing Covid-19 situation;
3. that the approach taken by the Management Team on 24th November 2020 that the Civic Centre not take hires (except for the exceptions set out at Appendix 1), or provide for members of the public to attend Council & Committee meetings in person until 4th January 2021, subject to review following the national review on 16th December 2020, be endorsed;
4. that the *Covid-19 Delegations to the Executive Officer & Town Clerk*, attached as Appendix 2 of the report, be approved on a fixed term until 31st March 2021; and
5. that the *Covid-19 Delegations to the Executive Officer & Town Clerk* be reviewed by Policy & Resources Committee, scheduled for 25th February 2021.

Reasons

1. To provide clarity for residents, customers, users, Councillors and staff on the impact of the tiers on the provision of the Council's services and to ensure that a framework would be in place to respond avoiding undue delays.
2. To recognise that the Covid-19 situation presented uncertainty and there was a need to keep the position under review, including responding to changes in legislation and National and Local Government guidance.
3. To provide clarity to residents, customers and users regarding the availability of the Council's services and to recognise the importance of reducing social contact in the run up to Christmas.
4. To provide flexibility to respond to the ongoing and evolving Covid-19 situation and recovery, providing an open and transparent approach for this to be achieved under the Council's existing governance arrangements and structures.
5. To determine whether the delegations were fit for purpose and if the fixed term period should be extended.

BRAUNSTONE TOWN COUNCIL
IMPACT OF COVID-19 LOCAL TIERS ON COUNCIL SERVICES

LOCAL COVID-19 ALERT LEVEL	IMPACT ON COUNCIL SERVICES
<p>TIER 1 – MEDIUM ALERT</p> <ul style="list-style-type: none"> • socialising limited to groups of 6, indoors or outdoors (other than where a legal exemption applies), • venues can operate, in a COVID-secure manner, • pubs/bars ensure customers only consume food and drink while seated, and must close between 11pm and 5am and stop taking orders at 10pm. • childcare and nurseries remain open • places of worship remain open • weddings and funerals can go ahead with restrictions on numbers of attendees • exercise classes and organised sport can continue to take place outdoors, or indoors, subject to rule of 6 unless under 18 or for those with disabilities • places of worship remain open 	<p>Services Open:</p> <ul style="list-style-type: none"> • Customer Services / Civic Centre Reception • Library • Pop Up Care and Kingsway Surgery at Thorpe Astley, • Civic Community Lounge open until 10pm • Members of the public can attend Council / Committee meetings • Permitted Facilities Hires: <ul style="list-style-type: none"> ○ training, meetings and seminars hosted by a business/employer/organisation ○ provision of voluntary or charitable services ○ Wedding Receptions and Funeral Wakes limited to 15 and must be seated ○ registered childcare, education or training ○ supervised activities provided for children, including wraparound care, youth groups and playgroups, ○ Community Groups / Individual hires limited to 6 people ○ Private Hires allowed up to 6 people. ○ Exercise classes, organised sport and physical activity/training for under-18s, ○ organised team sports for disabled people, ○ exercise classes and organised sport for adults can take place outdoors, or indoors subject to rule of 6 ○ support groups of up to 15 participants – formally organised groups to provide mutual aid, therapy or support ○ acts of worship <p>Services Closed:</p> <ul style="list-style-type: none"> • No hires for public events, i.e. where attendance is open to the public.

LOCAL COVID-19 ALERT LEVEL	IMPACT ON COUNCIL SERVICES
<p>TIER 2 – HIGH ALERT</p> <p>On top of restrictions in alert level 1 - medium:</p> <ul style="list-style-type: none"> • not socialise with anybody outside of your household or support bubble in any indoor setting, • businesses and venues can continue to operate, in a COVID-secure manner • pubs/bars must close unless operating as a restaurant. Alcohol can only be served with meals • childcare and nurseries remain open • weddings and funerals can go ahead with restrictions on the number of attendees • exercise classes and organised sport can continue to take place outdoors. Permitted indoors for youth or disability sport • places of worship remain open 	<p>Services Open:</p> <ul style="list-style-type: none"> • Customer Services / Civic Centre Reception • Library • Pop Up Care and Kingsway Surgery at Thorpe Astley, • Members of the public can attend Council / Committee meetings • Facilities Hires restricted to: <ul style="list-style-type: none"> ○ Counselling, Citizens Advice and essential services, e.g. NHS Blood Donors able to operate. ○ support groups of up to 15 participants – formally organised groups to provide mutual aid, therapy or any other form of support ○ training, meetings and seminars hosted by a business/employer/organisation ○ provision of voluntary or charitable services, e.g. foodbank ○ Wedding Receptions and Funeral Wakes limited to 15 and must be seated ○ registered childcare, education or training ○ supervised activities provided for children, including wraparound care, youth groups and playgroups, ○ exercise classes and organised sport can continue to take place outdoors, or indoors, subject to rule of 6 ○ exercise classes, organised sport and physical activity/training for under-18s, ○ organised team sports for disabled people, ○ support groups of up to 15 participants – formally organised groups to provide mutual aid, therapy or support ○ acts of worship <p>Services Closed:</p> <ul style="list-style-type: none"> • Civic Community Lounge • No hires for public events, i.e. where attendance is open to the public.

LOCAL COVID-19 ALERT LEVEL	IMPACT ON COUNCIL SERVICES
<p>TIER 3 – VERY HIGH ALERT</p> <p>On top of restrictions in alert levels 1 & 2, this means:</p> <ul style="list-style-type: none"> • not socialise with anybody you do not live with, or have formed a support bubble with, in any indoor setting • pubs and bars must close • childcare and nurseries remain open • places of worship remain open, but household mixing is not permitted • weddings and funerals can go ahead with restrictions on the number of attendees. However, wedding receptions are not allowed • exercise classes and organised sport can continue to take place outdoors. These will only be permitted indoors for youth or disability sport • closing indoor entertainment venues and tourist attractions 	<p>Services Open:</p> <ul style="list-style-type: none"> • Essential services: Pop Up Care, Kingsway Surgery, Foodbank and NHS Blood Donors able to operate; • Civic Centre hires for support groups of up to 15 participants – formally organised groups to provide mutual aid, therapy or support; • Customer Services available by phone, email and web enquiries (Receptions at Facilities closed to the public); and • Library providing a ring and collect service for Library books. <p>SERVICES CLOSED:</p> <ul style="list-style-type: none"> • Library (except for ring & collect) • Civic Centre (except for essential services such as the Foodbank and Blood Donors and support groups) • Civic Community Lounge • Thorpe Astley Community Centre (except for Pop up Care and Kingsway Surgery) <p><i>Notes:</i></p> <ul style="list-style-type: none"> • <i>Staff should work from home where able and as much as possible; however are able to attend their workplace:</i> <ul style="list-style-type: none"> ○ <i>to collect, drop off work, do printing, copying and filing;</i> ○ <i>to undertake Enquiries and associated administration work such as dealing with Centre Hire refunds and the Library ring & collect service;</i> ○ <i>to clean and maintenance of buildings;</i> ○ <i>to maintain the Council's parks and grounds;</i> • <i>Members of the public could only attend Council and Committee meetings by telephone or video link via Zoom. Councillors would be able to attend the meeting at the Civic Centre for a specific reason or if they couldn't attend via Zoom.</i>

26th November 2020.

**COVID-19 DELEGATIONS TO THE EXECUTIVE OFFICER & TOWN CLERK
UNTIL 31st MARCH 2021**

The following delegated authority is given to the Executive Officer & Town Clerk until 31st March 2021:

Covid-19 Policy Approach

To provide for options and flexibilities for the ongoing management of the Council's response to Covid-19 and restoring the Council's Services, including determining and implementing the necessary recovery plans.

1. In consultation with the Leader and Deputy Leader of the Council to develop, amend and implement the following plans in response to the changing Covid-19 situation:
 - (a) the assessment of the *Impact on Council Services* and the *Impact of Covid-19 Local Tiers on Council Services* in response to changes in legislation and National and Local Government guidance,
 - (b) Phased Reopening of Services, and
 - (c) Recovery Plans, Actions and Post-Recovery Plans.

Community Centres & Sports Facilities

Multi-use community facilities present multiple conflicts of use and users, especially in pinch points (e.g. toilets, corridors, foyer, entrance/exit) and during Covid-19 it is important to ensure social distancing and capacity is regulated to give users confidence that the facilities are Covid-19 Secure.

2. In consultation with the Leader & Deputy Leader of the Council to make changes to the applied Social Distancing rules in the Town Council's buildings providing comprehensive procedures and risk assessments are undertaken with appropriate mitigating measures.
3. To amend Covid-19 Secure Room Capacity, in response to changes in legislation and national and local government guidance.

To enable the situation to be kept under review, taking into account experience and operations alongside updated Covid-19 Secure Guidance and Regulations.

4. In consultation with the Leader & Deputy Leader of the Council to make further amendments to the Council's Community Centres and Sports Facilities terms and conditions of hire, specific Covid-19 Terms & Conditions of hire, prices and charges, including deposits and bonds, as considered necessary in response to the impact of Covid-19 and associated restrictions, changes in Covid-19 Secure Guidance and Regulations, and to facilitate business recovery.

Community Response & Foodbank

To provide flexibility to ensure that the scheme remained responsive to changes in circumstances and demand as well as continuing to be fit for purpose.

5. In consultation with the Leader and Deputy Leader of the Council and Chair and Vice-Chair of Community Development Committee, to refocus the aims and objectives of the Community Response, modify the roles and duties, and provide additional support and resources, where this is required to respond to identified need and changes in circumstances and regulations.

To ensure that the Council remained responsive to changes in circumstances and demand and supported the Community Food Bank to meet the needs of the community in the short to medium term.

6. In consultation with the Chair of Community Development Committee, to make modifications to the Council's support arrangements to the Community Food Bank, including in the event that additional funding is provided to help with food and essential supplies for residents in need.

Services Provided by Partners

To support the sustainability of the Thorpe Astley Early Years/Preschool provider.

7. Not to charge Pop Up Care Clubs Ltd for any period of closure resulting from the impact of Covid-19 and associated advice and restrictions, including a decision made by the provider.
8. In consultation with the Leader & Deputy Leader of the Council, to agree temporary revisions to charges and payments made by Pop Up Care Clubs Ltd during any period of opening.

To assist the long term sustainability of the Bar/Café service and operator and to provide for flexibility during any recovery period.

9. To defer contract payments under the Bar/Café Operator Contract during any closure of the Bar & Café Service and to extend the end date of the current contract with JAAAK Ltd by the number of days the service remained closed due to Covid-19 restrictions.
10. In consultation with the Leader & Deputy Leader of the Council to determine any request made by the current Bar/Café Operator to terminate the current contract due to the impact of Covid-19 and associated restrictions, including whether to waive any penalty, outstanding balances and any restrictions on the contractor reapplying for future contracts.

To assist with community health services in response to Covid-19.

11. To provide facilities to the NHS Clinical Commissioning Group, Partnership Trust and local GP Practices to assist with health initiatives the response to and prevention of Covid-19; for example, use as a vaccination venue.

Staff Employment Matters

The Council had lost a significant amount of income, due to the closure of its Facilities in response to the Covid-19 Incident; implementing Furlough Leave and amending contracts assisted the Council with its cash flow and therefore provided more time for recovery of income and a greater chance of avoiding the need to make staff redundant, terminate or not extend contracts, or reduce hours.

12. To implement a Furlough Leave Scheme for Community Centres staff, including:
 - (a) staff with less than 2 years' Local Government continuous service being dealt with as required by Employment Law and suspending any additional provisions provided for in the Council's staffing policies; and
 - (b) where an affected member of staff refuses and/or does not consent to being placed on Furlough Leave or to their contract being amended, or withdraws consent at any time, then in consultation with the Leader and Deputy Leader of the Council:
 - i. to undertake a redundancy consultation where the member of staff has over two year's continuous Local Government service;
 - ii. following any redundancy consultation, to consider the merits and determine whether to make the member of staff redundant;
 - iii. to give notice to terminate contracts, including fixed term contracts, where the member of staff has less than two year's continuous Local Government service;
 - iv. to determine not to extend fixed term contract amendments, where the member of staff has more than two year's continuous Local Government service; and
 - v. to determine and agree the notice period, final salary (including redundancy payment), deductions and arrangements in respect of annual leave and accumulated/deficit hours; and
 - (c) to rotate the staff between working, furlough leave, part working/part furlough leave or redeployed to support the Covid-19 Community Response or to provide cover.