

BRIGHTON & HOVE CITY COUNCIL

**POLICY & RESOURCES URGENCY SUB-COMMITTEE
(VIRTUAL MEETING)**

10.00am 31 MARCH 2020

HOVE TOWN HALL

MINUTES

Present: Councillors Platts, Gibson and Miller

PART ONE

Chair's Communications

Prior to the start of the meeting, the Chair welcomed everyone to the first virtual Urgency P&R meeting. She noted that meeting itself has been called as a matter of urgency to deal with the three items listed on the agenda.

She stated that to assist the members of the public, press and councillors who are interested in the items on the agenda and to endeavour to maintain our openness and transparency for the democratic process the meeting is also being webcast.

However, this is the first time that the system has been used to broadcast a virtual meeting and there may be unforeseen technical difficulties that prevent it from working effectively.

I want to repeat our thanks all council staff across the departments who are working flat out and around the clock to deliver vital services to our residents in difficult circumstances. We are working hard to keep fundamental and critical services running; protecting our most vulnerable residents.

That is why, as a council we are doing everything we can to keep democracy running as smoothly as possible, to keep key services across the city up and running, and to work with partner organisations and residents across the Brighton & Hove to contain the spread of the COVID-19 virus.

The impact of Coronavirus is outside of our normal experience. That's why it has been hard for everyone to quickly come to terms with the concepts of social distancing and self-isolation.

When I was elected Leader of Brighton and Hove City Council a year ago, I never would have imagined asking people not to come to our City, asking the police to be at the barriers at Brighton station to turn people away; asking our own business to close and our residents to

stay indoors – all on the first sunny weekend we have had in what feels like months! I know that this has been really hard, but we saw a marked difference between our seafront two weekends ago and last weekend. I want to thank everyone who heeded our call and shared our message, especially our local media.

It is only by staying at home, we can keep ourselves and one another safe and give our NHS a fighting chance of saving people's lives.

Thank you to the army of volunteers who are delivering food and medicines to volunteers and to all the essential workers who have to keep going through such difficult times.

I have been saddened to hear a few stories of scammers and some unscrupulous businesses who have put up prices on goods in short supply like hand gel. This is capitalism at its worst and I want to be quite clear – if anyone sends me evidence of any business in this City that has sought to increase its profits on scarce goods, then I will be asking for the financial support from Government to be withheld.

If people are worried about scammers or is unsure about a volunteer, please contact the police or your local Councillor who can help to check their identity.

On a positive note – we have seen mutual aid groups set up, huge neighbourhood support on social media and many local food outlets have converted to takeaway and delivery overnight. We are seeing increased use of local shops who are providing all sorts of food including freshly baked bread and healthy veg boxes with vegetables that are not wrapped in plastic. I hope that people will continue to support these local shops and businesses long after the Coronavirus outbreak is over.

The Council already provides critical services to local businesses many of whom are now feeling economically fragile. We know that industries like hospitality are particularly feeling the impact of the latest measures, and we are supporting these businesses and others, and the council is working hard to ensure small businesses benefit as soon as possible from a package of measures announced by the government to support small businesses through the period of disruption caused by COVID-19.

Small business will be able to access grant funding of £10,000 if they have been in receipt of Small Business Rate Relief; and, grant funding of £25,000 for retail, hospitality and leisure businesses where the property has a rateable value of between £15,000 and £51,000.

There is no need to apply for the grant as the council will be writing to all eligible businesses in the next few days and will be sending payments out from early April.

Information about other support for business measures is available on the Gov.UK website and we have produced some helpful FAQ's available on our own council Coronavirus (Covid 19) help and advice pages.

Small businesses are a vital part of our local economy and we will continue to provide what support we can and look forward to working together with business to help rejuvenate the local economy once the pandemic is over.

These next few weeks are a time for reflection – with use of local shops up and carbon emissions down, now is the time to think about the permanent positive changes we might want to make to our way of life in the City.

Thank you.

1 PROCEDURAL MATTERS

(a) Declarations of Substitutes

- 1.1 Councillors Gibson and Miller declared that they were attending the meeting as substitutes for Councillors Mac Cafferty and Bell respectively.

(b) Declarations of Interest

- 1.2 There were no declarations of interests in matters listed on the agenda.

(c) Exclusion of Press and Public

- 1.3 The Sub-Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.
- 1.4 **RESOLVED:** That the press and public not be excluded from the meeting during consideration of the items contained in the agenda.

2 ROYAL PAVILION AND MUSEUMS - EXTENDING THE TRANSITION INTO TRUST

- 2.1 The Executive Director for Economy, Environment & Culture introduced the report which detailed the proposed extension of the transfer of the Royal Pavilion & Museums (RPM) to a Trust in view of the impact of the coronavirus pandemic. The actions taken to counter the spread of virus had resulted in the closure of the RPM on the 18th March for the foreseeable future and the Trust had requested the delay until the future situation was clearer.
- 2.2 The Committee noted the information and asked for clarification in regard to:
- (i) Funding made available by the Government
 - (ii) Grant funding that may be available from the Arts Council;
 - (iii) Whether consideration had been given for the use of Furlough for staff affected;
 - (iv) Would the RPM be in a position to transfer on the 1st October; and
 - (v) Whether a further report would be brought to committee should an additional extension to the transfer period be required.
- 2.3 The Executive Director for Economy, Environment & Culture confirmed that where grant funding was made available an application to the Arts Council would be submitted. He stated that more information in relation to the application of Furlough was awaited, although it was not clear if it would be applicable to local authorities. However, where staff had capacity it was intended that they could volunteer to work in other areas to help maintain essential services. If it appeared likely that a further extension until April 2021 was required a report would be brought to the Policy & Resources Committee in July and in the meantime, updates could be taken to the Leaders Group.

- 2.4 The Acting Chief Finance Officer noted that whilst it appeared that Furlough could be used by public bodies, detailed guidance was awaited, although the indications given in the government guidance to date were that it was not intended that local authorities should make significant use of this.
- 2.5 The Executive Director for Economy, Environment & Culture confirmed that the RPM had been in a position to transfer to Trust status from the 1st April and wished to thank the staff and Trustees for reaching that position. He was confident therefore that should it be possible, it would be ready to transfer on the 1st October 2020.
- 2.6 The Chair then put the recommendations to the vote which were carried unanimously and noted that they would be enacted by the Executive Director.
- 2.7 **RESOLVED:**
- (1) That it be noted that the impact of the coronavirus (Covid-19) pandemic has resulted in the closure of the Royal Pavilion & Museums until further notice;
 - (2) That the transition period for the Royal Pavilion & Museums to move into Trust from 1st April 2020 be extended to the 1st October 2020, a period of six months;
 - (3) That in accordance with the decision of Policy & Resources Committee on 19th March 2020, it be noted that the decisions above will be given effect to by the Executive Director for Economy, Environment & Culture; and
 - (4) That it be noted that a further extension of the move to Trust to 1st April 2021 may be necessary if coronavirus (Covid-19) continues to constrain the visitor economy to the extent that cultural assets are unable to reopen by 1st October 2020.

3 COVID-19 DESIGNATION OF OFFICERS FOR ENFORCEMENT PURPOSES

- 3.1 The Executive Lead Officer for Strategy, Governance & Law introduced the report which detailed the proposed designation of officers for the purposes of enforcement of the provisions regarding closure of certain business premises during the coronavirus crisis in accordance with the provisions of the Health Protection (Coronavirus Restrictions) (England) Regulations 2020. He also drew Members' attention to a revised appendix 1 to the report which had been circulated and updated online.
- 3.2 The Sub-Committee noted the information and expressed their thanks to the staff across the council for their actions and support during the challenging period. The Sub-Committee also expressed a wish for any enforcement actions taken in light of the current restrictions not being adhered to be publicised as widely as possible.
- 3.3 The Chair then put the recommendations to the vote which were carried unanimously.
- 3.4 **RESOLVED:**
- (1) That the designation of the officers listed in paragraph 3.5 of the report for the purpose of the enforcement of the Health Protection (Coronavirus, Restrictions)

(England) Regulations 2020 to the extent permitted by those Regulations and recommend its implementation by the relevant Chief Officers be agreed; and

- (2) That, it be noted that in accordance with the powers delegated to officers by Policy & Resources Committee on 19th March, the above will be given effect to by the Executive Director for Housing, Neighbourhoods & Communities and other relevant Chief Officers.

4 COVID19 - FINANCIAL RESPONSE AND IMPLICATIONS FOR THE COUNCIL

- 4.1 The Acting Chief Finance Officer introduced the report which set out the key financial issues arising from the national funding initiatives alongside the direct financial impact of the pandemic on the council's resources and financial position. He noted that it was a fast-moving environment and whilst every effort was made to keep Members as up to date as possible, new announcements were being made on a daily basis and the full implications could take time to interpret and act on. He also noted that spending decisions were having to be made on a daily basis.
- 4.2 The Acting Chief Finance Officer recognised that residents and local businesses were being directly affected by the situation and where possible the council was taking action to support them. However, it also meant that there was a likelihood of the council's own financial position falling into financial deficit and therefore, further direct support would be required from the Government. He also noted that there was a need to ensure that wherever possible duplication of support from the government and the council to local businesses and organisations was avoided and as such there would be a need for businesses and organisations to adopt an open book approach when working with the council.
- 4.3 The Sub-Committee welcomed the report and raised questions in relation to:
- (i) How access to the Hardship Fund would be communicated taking into account those who were digitally excluded;
 - (ii) Which capital schemes were likely to be affected and put on hold and what that meant for projects such as Valley Gardens, the Corn Exchange and Madeira Terraces for example;
 - (iii) Whether a report could be brought to Policy & Resources in July rather than leaving new capital projects on hold until further notice;
 - (iv) How the purchase of PPE (Personal Protective Equipment) would be monitored and then distributed;
 - (v) The cost of providing additional care home beds and transfer of patients;
 - (vi) The impact of any loss of rental income for the HRA;
 - (vii) The potential to provide additional loan funding to the East Sussex Credit Union;
 - (viii) Whether the council had received the Adult Social Care funding announced by the Government;
 - (ix) The position of Freedom Leisure;
 - (x) How will relevant voluntary and community organisations be identified and supported;
 - (xi) How will vulnerable people e.g. those suffering domestic violence which had seen an increase because of the social restrictions be supported;
 - (xii) Why were agency workers being used by City Clean rather than taking on staff;

- (xiii) Were casual staff able to do other work for the council where needed; and
- (xiv) Will there be an opportunity to utilise volunteers to support council services?

- 4.4 The Chair noted that a number of the issues raised did not relate directly to the report and suggested that written answers should be provided and that these could be made available as supporting information to the minutes. However, where officers could provide information to the points raised it would be helpful for them to respond.
- 4.5 The Acting Chief Finance Officer stated that he would ensure officers looked at how those in need who were digitally excluded could be contacted to offer support. In regard to capital schemes, he noted that where savings would be generated, i.e. schemes were self-funding, such as the Street Lighting Programme these schemes should continue. However, projects such as the Sustainable & Climate Reduction Investment Fund (SCRIF) which was reliant on increased parking revenues would need to be paused, as would part of the Madeira Terraces scheme where part of the scheme was based on funding being generated from the purchase of and rental of commercial properties. With regard to Madeira Terraces in particular, the economic position was likely to change as a result of the crisis and a further report would need to be brought to committee in due course. It was proposed to bring a report to the Policy & Resources Committee in July to update Members on the situation and seek guidance on various projects/programmes affected by the pause.
- 4.6 The Acting Chief Finance Officer stated that where council tenants went into difficulty with rents, it was likely that they would then receive Housing Benefits or Universal Credit which would cover the loss of rent and thereby not directly affect the HRA income. However, the question of bad debt was one factor that may increase and could have some impact. He also noted that the Economy & Events Cell was looking at how the East Sussex Credit Union could be supported and used to help people and advised that casual staff who could not work in their normal workplace have been invited to work in other areas as part of the deployment process.
- 4.7 The Executive Director for Economy, Environment & Culture stated that a procurement process would be followed in regard to the purchase of PPE and associated items. In relation to City Clean, he stated that the service was experiencing a shortage of staff across areas and the use of agency staff enabled these gaps to be covered quickly with experienced workers. It was usual practice to use agency staff in the service and worked well. However, other staff who cannot perform their current role were also being invited to work in City Clean.
- 4.8 The Chief Executive stated that a number of officer groups, known as Cells, had been established to deal with specific matters and subjects and these would have responsibility for managing projects such the purchase of PPE and transfer of patients that were being discharged. He also noted that the council was working with a range of community organisations to identify vulnerable people and to put mechanisms of support in place for them.
- 4.9 The Chief Executive confirmed that managers had been asked to identify where staff could be asked to work in other areas to support services and anyone wishing to volunteer could contact their local councillor or look at the council's website.

- 4.10 The Acting Chief Finance Officer confirmed that the council had received £8m funding on the 27th March from the Emergency Response Fund, primarily to support Health and Adult Social Care, but also other areas such as homelessness. He stated that Freedom Leisure was in a similar position to other businesses and would be likely to lose substantial income. However, any support provided by the council should not duplicate any direct government support that was provided to the company.
- 4.11 The Chair stated that she had been involved in open discussions with the Secretary of State and repeated assurances had been given that the government would provide support to local authorities. She also noted that it had been suggested to amend recommendation 2.3 so that a report came to committee in July and proposed that it be accepted.
- 4.12 The amendment was agreed unanimously, and the Chair then put the recommendations as amended to the vote which were approved unanimously.
- 4.13 **RESOLVED:**
- (1) That the use and allocation of the Hardship Fund and Emergency Response Fund as set out in paragraphs 4.2 to 4.4 and 4.10 of the report be approved;
 - (2) That the progress regarding the application of Business Rate reliefs and distribution of government Business Rate grants be noted;
 - (3) That it be agreed to pause new General Fund Capital Programme schemes as defined in paragraph 5.14 of the report until a further report is brought to the Policy & Resources Committee in July;
 - (4) That the expenditure incurred to date using Officer Urgency Powers set out in Section 5 of the report be noted;
 - (5) That the progress and approach to meeting the requirements of the Cabinet Officer Procurement Policy Note as set out in Section 5 of the report be noted;
 - (6) That it be noted that the Executive Director of Economy, Environment & Culture, in consultation with the Chief Finance Officer and Executive Director of Housing, Neighbourhoods and Communities, will take all steps necessary to develop a process for identifying and supporting commercial tenants in council-owned properties who present in financial difficulty and bring a report to Members where necessary or use Officer urgency powers where more appropriate;
 - (7) That the work being undertaken to understand the risks and issues and potential support required for the city's events and arts sector be noted;
 - (8) That the proposed payment of Casual Staff and the extension of full pay sickness absence cover as set out in paragraphs 5.26 and 5.28 of the report be agreed;
 - (9) That it be agreed that any exceptional costs arising from the crisis that have been incurred using appropriate governance routes, including officer urgency powers, that are over and above available government emergency response funding will be

a call on the council's working balance and, if this is insufficient, other earmarked reserves; and

- (10) That it be noted that in accordance with the powers delegated to officers by Policy & Resources Committee on 19th March, the above will be given effect to by the relevant Officers.

The meeting concluded at 11.25am

Signed

Chair

Dated this

day of