

**URGENT ITEM** - By reason of the special circumstances of the changing picture of public health advice concerning by the spread of the Delta variant of Covid-19, the Chair of the Committee is of the opinion that this item should be considered at the meeting as a matter of urgency.



## **POLICY AND RESOURCES COMMITTEE**

WEDNESDAY 30<sup>TH</sup> JUNE 2021

<b>REPORT TITLE:</b>	<b>COVID SAFE OPERATIONS &amp; FACILITIES</b>
<b>REPORT OF:</b>	<b>CHIEF EXECUTIVE</b>

### **REPORT SUMMARY**

It is expected that the roadmap of lifting coronavirus restrictions will continue as planned and that the legal requirements on non-opening of venues to the public will come to an end. This is in the context of a rapidly changing and worsening of case numbers as the Delta variant of Covid-19 spreads.

In addition to compliance with likely changing Government and public health guidance, additional requirements are likely to be placed upon the Council in terms of deployment of resources to respond to public health events, business continuity and commerciality that will have a direct and immediate effect on the operation of Council venues and facilities.

Support is therefore sought in relation to continued communication of public health advice and to speedy decision making in response to any such requirements.

This is not a key decision.

### **RECOMMENDATION/S**

1. That the Committee endorse authority for the Chief Executive or a Director to suspend, vary or cease operation of a Council venue or facilities as a response to Coronavirus related events, including compliance with Government and public health advice, prioritisation of resource availability and economic impact.
2. That this decision be subject to review and an update report be submitted to the Committee's meeting of 1<sup>st</sup> December 2021 at the latest, failing which the decision shall cease to be of effect.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 It is expected that the roadmap of lifting coronavirus restrictions will continue as planned and that the legal requirements on non-opening of venues to the public will come to an end. This is in the context of a changing public health environment and, whilst there is the risk that the Step 3 stage may be extended further, it is more likely that the end of coronavirus restrictions will be accompanied by hardened guidance and a requirement on the authority to address issues on a case-by-case basis.
- 1.2 This therefore presents some issues for the authority, particularly in view of the rapidly increasing numbers of cases within the Borough and surrounding authorities, and the City Region being identified as Enhanced Support area.
- 1.3 This issue has therefore been brought to the Committee to address the re-opening of services and facilities. And request the Committee's support in officers taking individual decisions in relation to venues based upon the following generic criteria.
  - A. Covid-19 Guidance Compliance (health and safety);
  - B. Ability to function and resource availability (business continuity); and/or
  - C. Financial considerations (investment and commerciality).

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 Relying on delegated authority under the Constitution.
  - Whilst this power exists in principle, it would likely be that the officer concerned would wish to bring any major event to a committee for permission, introducing delay. Alternatively, any such event would be without warning. A purpose of bringing a report in this manner, therefore, is to communicate the possibilities and variances that may be required in response to rapidly changing events. This will not prevent reports being brought for ratification or information as matters unfold.

### **3.0 BACKGROUND INFORMATION**

#### **3.1 Public Health Update**

- 3.1.1 At the time of report writing Wirral's COVID rates are still increasing and our latest (unvalidated) 7-day rate now puts us at 213 per 100,000, which represents approx. 690 cases per week. The majority of our educational settings have now had at least 1 case. Numbers are low and manageable for most schools, but around some of our local schools have now had 10 or more cases. Whilst our educational settings are still bearing the brunt of wider community transmission/spread, it is clear that there is more transmission happening within schools than with the previous variant with seven school outbreaks over the last two weeks. We currently have around 2,700 pupils who are self-isolating at home due to being identified by schools as being a close contact of a case. This also applies to approximately 230 staff from educational settings.
- 3.1.2 A further oral update will be provided at the meeting.

## 3.2 Roadmap

- 3.2.1 COVID-19 is both a workplace hazard and a hazard for the public in a community venue. The associated risks should be managed in the same way as other workplace hazards. This includes completing a suitable and sufficient assessment of the risks of COVID-19 in the workplace and identifying control measures to manage that risk. These measures include undertaking regular risk assessments, cleaning regimes, social distancing, face coverings, ventilation requirements, test and trace processes and arrangements for managing a case of COVID-19. In addition, broader preventative approaches are also recommended; including working from home where possible, reducing face to face meetings, communicating to staff and training them on safety measures and monitoring impact to ensure that the controls continue to protect customers and workers. This guidance considers employees, agency workers, contractors and other people including Elected Members. HM Government has currently advised employees to work from home wherever possible until a review of social distancing measures is completed nationally.
- 3.2.2 The Secretary of State for Health confirmed in a statement to Parliament on 28<sup>th</sup> June that *"looking at the data and testing it to the limit ...while we decided not to bring forward Step 4 [of the Roadmap], we see no reason to go beyond 19<sup>th</sup> July"*, after which the Government hopes to be able to remove all legal limits on social contact. The Secretary of State went on to say that *"no date we choose comes with zero risk for Covid. We know we simply cannot eliminate it, we have to learn to live with it"* and it is understood that revised Guidance will come forth for operation of venues post 19<sup>th</sup> July.
- 3.2.3 Wirral as part of the Liverpool City Region is currently identified as an area requiring an Enhanced Support Package at medium or high risk of intervention and means having a detailed, nationally agreed plan in place with additional government support.
- 3.2.4 To date, all services in operation have been subject to remobilisation processes, this includes consideration of the measures set out above and infection prevention control guidance. Infection prevention control guidance may alter as part of Step 4, but it will not disappear and must continue to be considered in risk assessments for operations and settings. A separate report will be brought to the Committee in due course, setting out a potential framework for remobilisation of services and public venues.
- 3.2.5 HM Government has advised that a series of roadmap reviews will address social distancing and other non-pharmaceutical interventions such as face coverings in settings. It is noted that the national roadmap is not sensitive to local data and, therefore, any local risk assessment and public information communications need to consider the local position, including incidence and mortality rates, hospitals admissions, vaccination coverage and variants of concern. Measures to reduce risk will need to respond quickly to local data, which could include full and partial service and facility closures.
- 3.2.6 Whilst the vaccination programme appears to be suppressing the pressures on acute health services, enduring infections will continue which will require an ongoing

prevention and management response both locally and nationally. Consequently, considerable societal disruption arising from compliance with revised Government guidance and responses to local outbreaks will continue, which will include business continuity and service/school and business closures. This will present different challenges for the Council and it will have to flex the local approach to live with COVID-19 continuing to operate in a way that responds to COVID-19 as an endemic respiratory infection.

### **3.3 Response to potential scenarios**

3.3.1 The Council, in association with colleagues across the NHS, Public Health England and Cheshire and Merseyside, will need to continue to assess the relevant guidance and directional reviews as they emerge from HM Government and associated bodies such as the Health & Safety Executive. Operations and facilities may therefore be unable to operate under normal, pre-Covid, operating arrangements from 19<sup>th</sup> July as new guidance and legislation will lead to temporary changes or longer-term re-design in order to operate. Operational officers may, therefore, also require time to assess what steps are required to implement advice before being able to assess the viability of remobilising certain facilities.

3.3.2 Individual outbreaks, requirements for self-isolation and so forth may place as yet unknown requirements and pressures upon the Council and its staff.

3.3.3 This report therefore seeks the Committee's support in the Chief Executive or a Director taking individual decisions in relation to venues but based upon the following generic criteria.

#### **3.3.4 A. Covid Guidance compliance (health and safety)**

The primary question is whether a venue can operate whilst wholly complying with Government (PHE) Guidance in relation to Coronavirus? As the local authority, if the answer to this question is 'no', then the venue should not open. Allied to this are considerations of the duty of care to residents, visitors and staff.

#### **3.3.5 B. Ability to function (business continuity)**

Disruption caused by the closure of schools, self-isolation, redeployment and other factors will affect the ability of the Council to run a venue. There will be occasion when the Council will need to prioritise the deployment of staff and resources and will have to choose not to open a facility to the public for these reasons.

#### **3.3.6 C. Financial considerations (commerciality)**

There are some venues that will require significant cost to prepare to open. The risk of that being wasted costs may be too high to invest those monies until such time as the Council is assured that the Coronavirus restrictions will be lifted. This may impact on the run-up time and result in delayed opening.

More likely is that there may be venues or facilities that would be technically able to open and function in a manner compliant with the Govt Guidance, but to do so would

be likely to mean that the costs involved are prohibitive and it is considered uneconomic to fully open or run them.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 The cost of remobilising services, facilities, and venues as a result of COVID-19 has been met by the most appropriate funding mechanism including Covid tranche funding or via the capital works programme.
- 4.2 There may be venues or facilities that would be technically able to open and function in a manner compliant with the Government Guidance, but to do so would be likely to mean that the costs involved are prohibitive and it is considered uneconomic to fully open or run them.
- 4.3 Any decisions to close a service or to operate at a reduced capacity to support infection control will impact on services that have historically operated at high footfall or commercial services, such as Leisure Services, for which income modelling will be impacted. This should be factored into future income and budget setting considerations and in the context of the achievement of existing budget savings proposals.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 Covid Regulations remain in force at the time of writing this report.
- 5.2 The Council holds distinct duties in relation to health and safety to its staff and visitors.
- 5.3 In the event of an infection outbreak in a business, facility or venue, the Public Health Act (Control of Diseases) Act 1984 provides the Authority with substantive powers to seek the closure of a business, facility or venue. These principles would be applied by the Director of Public Health in approaching the Council's own facilities or venues subject to an outbreak.

#### **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

- 6.1 This report sets out an approach to operating services safely. The safety of our staff, partners, residents, and customers is the Council's priority. Implications for staff include potential for deployment to other facilities and/or support to the ongoing Covid response. The implications relating to assets and facilities are addressed in the body of the report.

#### **7.0 RELEVANT RISKS**

- 7.1 The resilience of services is linked to staff availability. Increases in isolation and/or staff availability due to school closures could impact on service delivery resulting temporary service closure or changes to operating arrangements.

## **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 As an outcome of this report, steps will be taken through the Council's communication channels to continue to advise the public in relation to public health and to advise of the possible consequences of an outbreak of coronavirus.
- 8.2 It is also noted that the perception and expectations of residents may be aligned to messaging from HM Government and not sensitive to local conditions. Wirral Council and its Elected Members have provided bespoke communication, advice, and support to our communities throughout the pandemic by considering local context. This approach should continue ensuring we keep our residents and service users safe.

## **9.0 EQUALITY IMPLICATIONS**

- 9.1 Several services are operating differently due to Coronavirus; equality impact assessments are in development for such services to identify and address accessibility and delivery issues.

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 None arising directly from this report.

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## **APPENDICES**

**BACKGROUND PAPERS**  
N/A

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>