



## **COUNCIL – 6TH OCTOBER 2020**

**SUBJECT: DECISIONS TAKEN BY THE CHIEF EXECUTIVE DURING THE PANDEMIC**

**REPORT BY: CHIEF EXECUTIVE**

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### **1. PURPOSE OF REPORT**

1.1 This report is for information purposes only and lists the decisions taken by the Chief Executive under her delegated powers in the lockdown.

### **2. SUMMARY**

2.1 On 23<sup>rd</sup> March 2020, the UK Government introduced a period of national lockdown which restricted the free movement of the public and sought to shield and protect the most vulnerable in our community.

2.2 With the movements of staff and elected members severely restricted, elected members were unable to meet to make decisions. The council's constitution enables the Chief Executive to take decisions where meetings of the council and cabinet are impractical.

2.3 The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 were passed by Welsh Government on 22<sup>nd</sup> April 2020 and made a number of changes to existing local government legislation that allowed the return of political decision-making through councils meeting remotely.

2.4 This report lists the decisions taken by the Chief Executive during lockdown.

### **3. RECOMMENDATIONS**

3.1 Council is asked to note the decisions taken by the Chief Executive during lockdown.

### **4. REASONS FOR THE RECOMMENDATIONS**

4.1 To make members aware of the decisions taken by the Chief Executive during lockdown.

## 5. THE REPORT

### 5.1 Delegated decision making

The Chief Executive has delegated decision making powers in Part 3 of the Constitution as follows:-

#### **5. GENERAL DELEGATIONS OF POWERS: COUNCIL & EXECUTIVE POWERS**

		<b>POWER DELEGATED TO</b>
(b)	<i>Determination of any urgent matter in the purview of the Council, the Cabinet or any committee of these where it is impractical to convene a meeting of that body to consider the matter.</i>	<i>Chief Executive or in his/her absence any Director</i>

During the period 24<sup>th</sup> March to 17<sup>th</sup> June 2020, the Chief Executive has taken the following urgent decisions under these delegated powers. The decisions were posted on the Council's intranet for members' information. The decisions are as follows: -

- 24/03/2020 -In consultation with the Leader and Cabinet to set aside £602,969 underspend and secure Welsh Government income to support the multi-year Ed Tech (Hwb) programme.
- 30/03/2020 – In consultation with the Leader and Cabinet, to authorise the Head of Public Protection, Community & Leisure Services under the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 to sanction officers within the division to carry out associated duties under the regulations.
- 16/04/2020 – Following consultation with the Leader and Cabinet, to release the bond payment of £100K to Transcend and repayment of the bond through 18 monthly payments commencing January 2021.
- 07/05/2020 - In consultation with the Leader and Cabinet, to adopt the WG Retail, Leisure and Hospitality Rate Relief Scheme which allows for a 100% reduction in the rates payable for eligible businesses in the 2020/21 financial year.
- 01/06/2020 - In consultation with the Leader and Cabinet, to set up a contact tracing hub for Caerphilly to support the Public Health Wales “Track, Trace, Protect” national scheme.
- 05/06/2020 - In consultation with the Leader and Cabinet to approve the use of £185k from the Education and Corporate Services Retained Underspend Reserve as a contribution to upgrade two ATP pitches to 3G surfaces at YGG Cwm Rhymini (Gelli Haf Site) and Lewis School, Pengam.
- 17/06/2020 - In consultation with the Leader and Cabinet, and acting s.151 officer to install temporary infrastructure in town centres to assist social distancing, funded from useable reserves.

- 17/06/2020 - In consultation with the Leader and Cabinet, and acting s.151 officer to temporarily suspend car park charges until 31<sup>st</sup> December 2020, as part of the Covid economy recovery plan.

5.2 Since the June, members have been able to meet remotely under the regulations referred to in paragraph 2.3 above. Planning committee first met on 17<sup>th</sup> June, followed by cabinet on 24<sup>th</sup> June, the annual meeting of council on 3<sup>rd</sup> September, Licensing on 7<sup>th</sup> September and the Housing and Regeneration Scrutiny Committee on 17<sup>th</sup> September.

## 6. ASSUMPTIONS

- 6.1 All elected members will have access to IT devices and connections to be able to participate in committee meetings at the point at which those meetings take place.
- 6.2 All elected members will have the skills and capabilities to utilise the remote meeting software, Microsoft Teams.

## 7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 Caerphilly County Borough Council Constitution.

## 8. WELL-BEING OF FUTURE GENERATIONS

8.1 The Well-Being of Future Generation (Wales) Act 2015 is about improving the social, economic, environmental and cultural wellbeing of Wales. It requires public bodies to think more about the long-term, working with people and communities, looking to prevent problems and take a more joined up approach. This will create a Wales that we all want to live in, now and in the future. The Act puts in place seven well-being goals:

- A prosperous Wales.
- A resilient Wales.
- A healthier Wales.
- A more equal Wales.
- A Wales of cohesive communities.
- A Wales of vibrant culture and thriving Welsh Language.
- A globally responsible Wales.

8.2 The Act sets out the sustainable development principle against which all public bodies in Wales should assess their decision-making. The aim of the legislation is to ensure the wellbeing of future generations through maximising the contribution public bodies make towards the well-being goals. In using the sustainable development principle, it is incumbent that the authority considers the whole of the population it serves and considers the effect of its actions on future generations. The principle, also known as the five ways of working is assessed below:

- **Long Term** – While the Local Authorities (Coronavirus) (Meetings) (Wales) regulations indicate Members can participate remotely in meetings up until May 2021, it is highly likely that use of remote participation technology up until that time will mean it is retained over the longer term.

- **Prevention** – The sooner the Council returns to member led decision-making the stronger the decision-making processes will become.
- **Integration** – The Council would wish to return to making strategic decisions about key policy areas as soon as is practically possible. The introduction of remote attendance technology across the Council will enable decision-making to happen while complying with social distancing guidance.
- **Collaboration** – The Council is working in partnership to introduce this new technology with Welsh Government, other Local Authorities through the WLGA as well as key private sector technology providers.
- **Involvement** – As the technology is refined and embedded into decision-making practices, remote attendance holds the potential to not only reengage elected members into the decision-making process but also a much wider set of stakeholders and experts.

## 9. EQUALITIES IMPLICATIONS

9.1 None

## 10. FINANCIAL IMPLICATIONS

10.1 It is anticipated that the cost of providing members with the necessary IT equipment to participate in remote decision-making meetings will not exceed £50k. In the first instance the actual costs incurred will be claimed against the Welsh Government (WG) Covid grant funding.

10.2 If the costs are not deemed as eligible expenditure from the WG grant then it is proposed that they be funded from the Member Services Reserve, which currently has a balance of £202k.

## 11. PERSONNEL IMPLICATIONS

11.1 None.

## 12. CONSULTATIONS

12.1 This report has been sent to the Consultees listed below and all comments received are reflected in this report.

## 13. STATUTORY POWER

13.1 Local Authorities (Coronavirus) (Meetings) (Wales) regulations 2020.

Author: Christina Harray, Chief Executive

Consultees:

Cllr P. Marsden, Leader  
 Cllr C. Gordon, Cabinet Member for Corporate Services  
 Cllr C Mann, Leader, Plaid Group

Cllr G Simmonds, Leader, Independent Group  
Cllr J. Pritchard, Chair - Policy and Resources Scrutiny Committee  
Cllr G. Kirby, Vice Chair – Policy and Resources Scrutiny Committee  
Dave Street, Corporate Director – Social Services and Housing  
Richard Edmunds, Corporate Director – Education and Corporate Services  
Mark S. Williams, Interim Corporate Director – Communities  
Stephen Harris, Head of Finance Services & S151 Officer  
Robert Tranter, Head of Legal Services and Monitoring Officer