

## **CABINET – 9TH JULY 2020**

### **Report of the Chief Executive**

#### **ITEM 10     URGENT DECISIONS TAKEN DURING COVID-19 PANDEMIC**

##### Purpose of Report

This is a report on the action taken by the Chief Executive, and/or Strategic Directors and Heads of Service, which were made under urgency provisions due to the COVID-19 pandemic.

##### Action Requested

To note the action taken by the Chief Executive, and/or Strategic Directors and Heads of Service, which were made under urgency provisions due to the COVID-19 pandemic.

##### Policy Justification and Previous Decisions

Under section 8.3 of the constitution which relates to the delegation of Executive functions there is provision for the Chief Executive, Strategic Directors and Heads of Service to take such action as is required in the case of an emergency or urgency subject to:

- (i) consultation with the Leader (or, in the Leader's absence, the Deputy Leaders);
- (ii) consultation with the Chief Executive and relevant Strategic Directors in each case; and
- (iii) report on the action taken being made to a future meeting of the Cabinet, as appropriate

The decisions taken by the Chief Executive and/or Strategic Directors and Heads of Service being reported to this meeting of Cabinet are:

- DD061 - Loughborough BID Levy waiver
- DD065 - Community Impact Fund
- DD082 – Charnwood Discretionary Grants Fund
- DD089 – Free Car Parking

The decisions can be found in the Annex to this report.

The decision relating to the exempt Leisure Centre contract, DD072 has already been reported to the Cabinet meeting held on 4<sup>th</sup> June 2020.

##### Implementation Timetable including Future Decisions

As detailed within the reports attached as an Annex.

## Report Implications

As detailed within the reports attached as an Annex.

Background Papers: None

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## Annex

Reports of the decisions taken by the Chief Executive and/or Strategic Directors and Heads of Service

## Decision under Delegated Powers

### Officer Requesting Decision

Head of Leisure and Culture

### Officer Making the Decision

Chief Executive

### Recommendation

That the levy collection fee of £19,500 for the Loughborough Business Improvement Bid (BID) be waived with effect from 1<sup>st</sup> April 2020 until 31<sup>st</sup> March 2021.

### Reason

To take action in relation to a matter which would otherwise have been submitted to Cabinet.

### Authority for Decision

**Delegation of Executive functions** - (Section 8.3 of the Constitution states that the Chief Executive, Strategic Directors and Heads of Service can take such action as is required in the case of an emergency or urgency subject to:

- (i) consultation with the Leader (or, in the Leader's absence, the Deputy Leaders);
- (ii) consultation with the Chief Executive and relevant Strategic Directors in each case; and
- (iii) a report on the action taken being made to the next meeting of the Cabinet.

### Decision and Date



3<sup>rd</sup> April 2020

## **Background**

Business Improvement Districts (BIDS) are business led partnerships which are created through a ballot process to deliver additional services to local businesses.

The Loughborough BID (also known as Love Loughborough) was set up in 2011. The BID is a defined area in which a levy is charged on all business rate payers in addition to the business rates bill. This levy is used to develop projects which will benefit businesses in the local area.

Charnwood Borough Council manages the billing and the collection of the levy and holds the levy in a ring-fenced revenue account on behalf of the BID body.

In view of the COVID-19 pandemic and the economic impact on businesses it is recognised that the BID is unlikely to generate sufficient monies in the medium term and therefore it is appropriate that the Council as the billing authority waives the levy payment from 1st April 2020 until 31st March 2021.

## **Financial Implications**

The cost of the BID levy collection is £19,500, bills are issued to businesses in the BID area on behalf of the BID in April and August.

The total cost of waiving this fee for the next 12 months is £19,500.

## **Consultation with Leader**

The Leader, Councillor Morgan was consulted and stated, "I confirm that I'm happy with the proposal".

## **Consultation with Chief Executive and relevant Strategic Directors**

Consultation has been effectively concluded via the Council's COVID-19 organisational response to the pandemic. The Chief Executive and all Directors have concluded that the recommendations of this report are both necessary and urgent.

## **Risk Management**

There are no specific risks associated with this decision. In reality the risks around this decision relate to not making the funding available.

Key Decision:	No
<i>Date included on Forward Plan</i>	N/A
Background Papers:	None

## Decision under Delegated Powers

### Officer Requesting Decision

Julie Robinson - Head of Neighbourhood Services

### Officer Making the Decision

Rob Mitchell – Chief Executive

### Recommendation

That 50% of the Member Grants Scheme be top sliced and added to the Community Impact Fund which has been set up provide emergency support to community work during the Covid-19 pandemic in 2020/21.

### Reason

As the Council is focussing on providing essential services at this time due to the Coronavirus pandemic, officers are time limited and would not be able to run the Member Grants Scheme in its usual way. The Council wishes to add the funding to the Community Impact Fund which is providing emergency support to the community in response to the Coronavirus pandemic and as such will provide benefit to the community.

Actions to be taken would routinely be submitted to Full Council, a Committee, Sub-Committee or the Cabinet, but in view of recent social distancing measures requested by Central Government, Council meetings have been suspended and emergency procedures implemented (Sections 8.2 and 8.3 of the Constitution) by which such decisions can be made. All decisions will be recorded, published and at later point reported to Full Council or the Cabinet as appropriate.

### Authority for Decision

**Delegation of Executive functions** - Section 8.3 of the Constitution states that the Chief Executive, Strategic Directors and Heads of Service can take such action as is required in the case of an emergency or urgency subject to:

- (i) consultation with the Leader (or, in the Leader's absence, the Deputy Leaders);
- (ii) consultation with the Chief Executive and relevant Strategic Directors in each case; and
- (iii) a report on the action taken being made to the next meeting of the Cabinet.

## **Decision and Date**



Approved 14<sup>th</sup> April 2020

## **Background**

The Member Grants Scheme was approved by Cabinet at its meeting on 12th April 2018 (minute reference 116). The Grants Scheme enabled Councillors to provide grants to a wide variety of community and voluntary organisations within Charnwood to further the Council's aims and actively assist the community to enjoy a better quality of life.

Each Borough Councillor was allocated an annual budget of £1,000 which could be used to support projects that bring benefits to their ward. The decision on how to allocate their grants budget was the responsibility of each individual Councillor. The usual process to follow was for a Community Association to complete an application form and send to the Grants Team to check the eligibility of the organisation and review the application for completeness before sending the application by e-mail to the relevant councillor/s. If the application was successful, the organisation would be notified of the outcome within a maximum of 28 days and the decision would be published online on the Council's website.

As the Council is operating under emergency procedures due to the Coronavirus pandemic and staff are either home working, redeployed to support the community or unwell, the available resource to continue with the usual application process is being directed towards emergency community support coordinated by Charnwood Community Action, in partnership with John Storer Charnwood and other voluntary sector organisations in the borough. This campaign is helping to support, advise and guide and co-ordinate groups and people who are volunteering to help others in the borough during the coronavirus pandemic using the Community Impact Fund.

## **Comments from HR**

N/A in this case.

## **Financial Implications**

The Member grants scheme has a budget of £52,000 in 2020/21 (50/50 revenue/capital) and the recommendation is that 50% of funds are re-directed to the Community Impact fund. £26,000 is therefore to be vired from C304 D0854 to G120 D1093.

Virement agreed with S151 officer.

### **Consultation with Leader (or deputy appointed)**

The Leader, Councillor Morgan has been consulted and confirmed that he was content with the approach.

In addition on this matter, the Leader of the Labour Group, Councillor Miah was consulted and he agreed with the approach.

### **Consultation with Chief Executive and relevant Strategic Director(s)**

Consultation has been effectively concluded via the Council's COVID-19 organisational response to the pandemic. The Chief Executive and all Directors have concluded that the recommendations of this report are both necessary and urgent.

### **Risk Management**

*List risks in table below or state that 'No specific risks have been identified with this report'.*

Risk Identified	Likelihood	Impact	Risk Management Actions Planned
Additional cost to the Council	High	Low	The government will ensure that local authorities are funded for the new requirements as quickly as possible, in line with the New Burdens doctrine.

Key Decision: No

Background Papers: None

## Decision under Delegated Powers

### Officer Making the Decision

Strategic Director of Corporate Services

### Recommendation

That the policy for the operation of the Charnwood Discretionary Grant Fund be approved as set out at Appendix A

### Reason

To take action in relation to a matter which would otherwise have been submitted to Cabinet.

### Authority for Decision

**Delegation of Executive functions** - (Section 8.3 of the Constitution states that the Chief Executive, Strategic Directors and Heads of Service can take such action as is required in the case of an emergency or urgency subject to:

- (i) consultation with the Leader (or, in the Leader's absence, the Deputy Leaders);
- (ii) consultation with the Chief Executive and relevant Strategic Directors in each case; and
- (iii) a report on the action taken being made to the next meeting of the Cabinet.

### Decision and Date



3 June 2020

## **Background**

In response to the Coronavirus, on 11 March 2020 the Government announced support for small businesses, and businesses in the retail, hospitality and leisure sectors, delivered through the Small Business Grant Fund and the Retail, Leisure and Hospitality Grant Fund. The Council expects to be able to support around 2,850 rate-paying businesses, charities and other organisations in the Borough from these funds. These original schemes remain open for any eligible ratepayers that have not yet claimed.

On 1 May 2020, the Government announced the **Local Authority Discretionary Grants Fund (DGF)**, and subsequently published guidance for local authorities. Subsequent iterations of the guidance plus a set of 'FAQ's' were issued in week commencing 24 May 2020.

The Council's policy in respect of the Charnwood DGF is set out at Appendix A, and approved by dint of this decision.

## **Financial Implications**

The cost of the DGF grants are fully funded by government; the Council has been allocated a fixed amount of £1.6m.

The government note that the Council will receive new burdens funding to cover the costs of administering the fund; however, in general, DGF administration will be covered out of existing budgets.

## **Consultation with Leader and Deputy Leader**

Following an informal briefing, a fair draft of this policy was used to consult with the Leader and Deputy Leader who both confirmed that this could be used as the basis for the final policy. (There are no material differences between the consultation draft and final version as set out at Appendix A.)

## **Consultation with Chief Executive and relevant Strategic Directors**

Consultation has been effectively concluded via the Council's COVID-19 organisational response to the pandemic. The Chief Executive and all Directors have concluded that the recommendations of this report are both necessary and urgent.

## **Risk Management**

There are unavoidable inherent risks within the DGF around the prioritisation of different business sectors and the rationing of grant payments (hence it is inevitable that there will be disappointed applicants) but there are no specific risks associated with this decision.

Key Decision: Yes

Date included on Forward Plan

26 May 2020

Background Papers:

None

Appendix A

Charnwood DGF policy

## APPENDIX A

# **CHARNWOOD BOROUGH COUNCIL** **DISCRETIONARY BUSINESS GRANTS FUND POLICY**

**NOTE: APPLICATIONS MUST BE RECEIVED BY 0800 MONDAY 22 JUNE 2020**

### **1. Background to business grants**

In response to the Coronavirus, on 11 March 2020 the Government announced support for small businesses, and businesses in the retail, hospitality and leisure sectors, delivered through the Small Business Grant Fund and the Retail, Leisure and Hospitality Grant Fund. The Council expects to be able to support around 2,850 rate-paying businesses, charities and other organisations in the Borough from these funds. These original schemes remain open for any eligible ratepayers that have not yet claimed.

On 1 May 2020, the Government announced the **Local Authority Discretionary Grants Fund**, and subsequently published guidance for local authorities. The ensuing paragraphs sets out the local policy relating to this grants fund in respect of Charnwood Borough Council.

### **2. The Local Authority Discretionary Grants Fund**

On 1 May 2020, the Government announced the Local Authority Discretionary Grants Fund as set out below.

<https://www.gov.uk/government/news/top-up-to-local-business-grant-funds-scheme>

On 13 May 2020, the Government published the first version of the guidance for local authorities. This confirmed that the additional fund is aimed at small businesses and charities who were not eligible for the Small Business Grant Fund or the Retail, Leisure and Hospitality Fund. The extant version of the government guidance can be accessed using the following link.

<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-business-support-grant-funding>

The fund for Charnwood is being managed by Charnwood Borough Council (the Council), which is responsible for delivering grants to eligible businesses and charities. The Council must follow the guidance set by the Government. The Council has authority to make these payments under Section 1 of the Localism Act 2011.

The Government intends that this grant scheme widens access to support to businesses who are struggling to survive due to the Corona virus shutdown but are unable to access other grant funding. Local authorities are asked to make payments as quickly as possible to support struggling businesses. The Council anticipates that payments will be made in the latter part of June. Potential applicants are asked to note that:

- The Government and the Council encourages businesses to take advantage of other Government support schemes where applicable. Grants under this scheme will be subject to tax in line with the applicant's tax arrangements. For businesses, the Government advises this is only where there is an overall profit once this award is included.
- Grants awarded under this discretionary scheme will not generally affect the Council's business ratings list or any rates charges payable by the recipient.
- Notwithstanding this, any applicant who should be in fact be added to the rates list will be, which may result in a rates bill. This may also result in a grant being claimable from the Small Business Grant Fund or the Retail, Leisure and Hospitality Grant Fund, rather than this discretionary fund. Such grants are of fixed value of £10,000 or £25,000 and are likely to be higher than a discretionary grant.

### **3. Total funding available**

The Government has set each council's funding allocation as 5% of the expected spending on the original Small Business Grant Fund and the Retail, Leisure and Hospitality Grant Fund funding envelope. The Council's allocation is £1.65 million and for the purposes of administering the Discretionary Grants Fund ('DGF') it is assumed that this is a fixed sum.

The limits to the funding available for the DGF require local authorities to prioritise which types of businesses will receive funding which the Government states will be at the local authority's discretion.

### **4. Who may benefit from the Charnwood Borough Council DGF?**

As set out by the Government discretionary grants are primarily and predominantly aimed at:

- Small and micro businesses, as defined in Section 33 Part 2 of the Small Business, Enterprise and Employment Act 2015 and the Companies Act 2006. (*see definitions table at the end of the section*)
- Businesses with relatively high ongoing fixed property-related costs
- Businesses which can demonstrate that they have suffered a significant fall in income due to the COVID-19 crisis
- Businesses which occupy property, or part of a property, with a rateable value or annual rent or annual mortgage payments below £51,000.

In the Charnwood local scheme consideration will also be given to applications in exceptional circumstances where the rateable value is over

£51,000. Applications will therefore be accepted for evaluation where the rateable value or annual rent is up to £100,000.

#### 4.1 National priorities

The Council will prioritise the following types of businesses for grants, as requested nationally by the Government:

- **Small businesses in shared offices or other flexible workspaces.** Examples could include units in industrial parks, science parks and incubators *which do not have their own individual business rates assessment and rates bill*. However, businesses operated from residential property (with the exception of Bed & Breakfast establishments as below) will not be eligible for a grant.
- **Regular market traders with fixed building costs**, such as rent, *who do not have their own business rates assessment*. Generally, this is considered to mean traders with fixed units rather than those who rent stalls by the day, as is the case for markets in Charnwood; however, the Council wishes to recognise its regular traders and allow them to participate in the DGF.
- **Bed & Breakfast establishments which pay Council Tax** instead of business rates (rated premises being eligible under the Small Business Grant Fund and the Retail, Leisure and Hospitality Grant Fund). The Council does not wish to prioritise rooms and premises available through Airbnb and similar channels, and such businesses will not be eligible for a grant under the Council's DGF.
- **Charity properties in receipt of charitable business rates relief** which would otherwise have been eligible for Small Business Rates Relief or Rural Rate Relief. Essentially, this is for charitable premises with a rateable value of £15,000 or below, which were not eligible for the Retail, Leisure and Hospitality Grant Fund. The Council does not wish to prioritise schools, colleges or similar educational establishments and these will not be eligible for a grant under the Council's DGF (although charities catering for pre-school children *will* be eligible).

#### 4.2 Local additional priorities

Having addressed the national priorities the Council wishes to use any residual funding to support businesses that:

- Maintain and support employment in Charnwood
- Make a direct contribution to the communities of Charnwood through the provision of health, welfare or community support services
- Have relatively high on-going fixed property costs

- Can demonstrate that they have suffered a significant fall in income due to the COVID-19 crisis
- Independent locally owned businesses with a longstanding commitment to Charnwood

### **Definitions – small and micro businesses**

To be a **small business**, under the Companies Act 2006, a business must satisfy two or more of the following requirements in a year:

- Turnover: Not more than £10.2 million
- Balance sheet total: Not more than £5.1 million
- Number of employees: a headcount of staff of less than 50

To be a **micro business**, under the Companies Act 2006, a business must satisfy two or more of the following requirements:

- Turnover: Not more than £632,000
- Balance sheet total: Not more than £316,000
- Number of employees: a headcount of staff of not more than 10

<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-business-support-grant-funding>

## **5. EXCLUSIONS: Who CANNOT benefit from the discretionary scheme?**

This grant funding is for businesses that are **not eligible** for other support schemes.

Such grant / support schemes as prescribed by the Government include but are not limited to:

- Small Business Grant Fund
- Retail, Hospitality and Leisure Grant

*Both of these are still open for claims to the Council from eligible ratepayers.*

Also:

- The Fisheries Response Fund
- Domestic Seafood Supply Scheme
- The Zoos Support Fund
- The Dairy Hardship Fund

*All of the above four are administered nationally and are not expected to have significant impact in Charnwood.*

The Government has also prescribed that:

- Businesses that were not trading on 11 March 2020 are not eligible for this scheme.
- Companies in administration, are insolvent or where a striking-off notice has been made are not eligible for funding.
- For the avoidance of doubt, businesses who have applied for the Coronavirus Job Retention Scheme may apply for the Council's DGF.
- Similarly, recipients of the Self Employed Income Support Scheme may also apply for the Council's DGF

## **6. Application process and timescale**

The Government recognises that local authorities will need to run some form of application process as the potential beneficiaries may not be known directly by the local authorities.

Summarising the previous sections, applications are invited from businesses and charitable organisations, not previously in receipt of a Small Business Grant, or a Retail, Hospitality and Leisure Grant that meet the following general criteria:

### *Size of business*

- Businesses that fall within the definitions of a small or micro business, as set out in Companies Act 2006
- Charities that would also fall within the definitions of a small or micro business, as set out in Companies Act 2006

### *Property occupation*

- Businesses that occupy property that has a rateable value, or annual rental, of a maximum value of £100,000 (although the Council will make awards only in exceptional circumstances for those businesses which occupy a property with a rateable value or annual rental of above £51,000).
- Charities that occupy property that has a rateable value, or annual rental, of a maximum value of £51,000.

Or

- Regular traders on Charnwood markets who had an account with the Council on 11 March 2020 (who will not have to demonstrate any property occupation)

The Council invites applications via its website.

Any applicant who is unable to apply via the website should contact the customer services team for advice.

Applications can be made online at any time up to 0800 on Monday 22 June 2020. **Potential applicants should assume that this window will not be extended**, although the Council reserves the right to do so.

The Council's website will set out the information required from applicants, which will be the minimum reasonably required to establish eligibility and enable a fair and equitable assessment of grant entitlement. Applicants will be asked to evidence or demonstrate the following:

- Compliance with the scheme eligibility requirements
- Ongoing fixed property-related costs
- Identification of the business and the person making the application
- Evidence of trading at 11 March 2020
- Evidence that the bank account into which any grant will be paid properly relates to the business, charity, etc.

Depending on the status of the applicant applicants may also be asked to demonstrate:

- A significant fall in income due to the COVID-19 crisis
- Number of jobs directly supported by the business or charity
- Any claimed contribution to the communities of Charnwood through the provision of health, welfare or community support services

The Council will individually assess and validate applications as they are received and may request further information and validation. The pre-payment checks will include confirming eligibility and that by accepting payments the would-be recipients confirm they are in compliance with State Aid rules. The Council's website will require applicants to confirm acceptance of various compliance statements.

The Council will undertake written post-payment assurance around compliance, in particular, State Aid.

Once the application window has closed, the Council will conclude the assessment process, determine the successful applicants and the level of funding to be awarded. Payments will start as soon as possible. Further detail is given in section 7.

#### *Appealing against grant award decisions*

There will be no automatic right of appeal against a decision not to award a grant, or against the value of any grant. However, the Council may at its discretion reconsider any refusal or grant value if there is clear evidence that a significantly wrong decision may have been made.

## 7. Allocation of Charnwood Borough Council DGF

The Government's DGF guidance note allows the Council to award grants of £25,000, £10,000 or 'up to £10,000'. However, as the funding available to the Council is fixed and the demand is unknown, the value of grants cannot be determined until the application window has closed and all applications have been assessed.

As a guide, the Council intends that the available funding of £1.65 million will be distributed as follows:

CATEGORY	ALLOCATION
Small businesses in shared offices or other flexible workspaces	Maximum £500,000
Regular market traders	Maximum £20,000
Bed & Breakfast establishments which pay Council Tax	Maximum £50,000
Charity properties in receipt of charitable business rates relief	Maximum £250,000
Contingency (5%)	£80,000
Local Priorities	Residual Balance

Within each of the above categories the Council envisages awarding grants as follows:

### *Small businesses in shared offices or other flexible workspaces*

Qualifying businesses demonstrating annual rental costs of £15,000 or below will be awarded a grant of £10,000, in line with small businesses qualifying for a grant from the Small Business Grant fund.

Please note that the definition of shared offices excludes businesses which trade from personal residences for the purposes of the Council's DGF.

Where an award of £10,000 to each qualifying business would result in the category allocation of £500,000 being exceeded the actual grant awarded to qualifying businesses will be restricted on a pro rata basis.

For businesses where the annual rental cost exceeds £15,000, but is below £100,000 their application will be considered alongside other businesses within the Local Priority Category.

### *Regular market traders*

Regular market traders – defined as those who held a credit account with us at 11 March 2020 – will be awarded a grant equivalent to two months average monthly stall rentals, using the period 1 January 2020 to 31 March 2020 as the baseline for this calculation.

Amounts owing by traders at 30 April 2020 against invoices issued up to 31 March 2020 will be deducted from the grant payment.

Where the award to each qualifying trader would result in the category allocation of £20,000 being exceeded the actual grant awarded to qualifying traders will be restricted on a pro rata basis.

#### *Bed & Breakfast establishments which pay Council Tax*

Qualifying Bed & Breakfast establishments which pay Council Tax (excluding Airbnb and similar) will be awarded grants as follows based on their most recent full year of trading, as set out in their most recent financial statements or income tax return, as follows:

- |   |               |
|---|---------------|
| • Turnover above £10,000 but below £50,000  | award £2,500  |
| • Turnover above £50,000 but below £100,000 | award £5,000  |
| • Turnover above £100,000                   | award £10,000 |

Where the award to each qualifying business would result in the category allocation of £50,000 being exceeded, the actual grant awarded to qualifying businesses will be restricted on a pro rata basis.

#### *Charity properties in receipt of charitable business rates relief*

Qualifying charities will receive a standard award of £5,000.

Certain charities may be eligible for an enhanced award of up to £10,000 if they can demonstrate that they have a significant local dimension (ie. they are predominantly locally based) and contribute to the communities of Charnwood through the provision of health, welfare or community support services.

Awards will be restricted to one per individual charity.

Where the award to each qualifying charity would result in the category allocation of £250,000 being exceeded, the actual grant awarded to qualifying charities will be restricted on a pro rata basis.

#### *Local priorities*

As described in Section 4, above, any residual grant funding will be awarded to qualifying businesses demonstrating some or all of the characteristics listed below.

- Maintain and support employment in Charnwood
- Make a direct contribution to the communities of Charnwood through the provision of health, welfare or community support services
- Have relatively high on-going fixed property costs
- Can demonstrate that they have suffered a significant fall in income due to the COVID-19 crisis
- Independent locally owned businesses with a commitment to Charnwood

In assessing applications the Council will also take into account the ability of businesses to introduce home working to mitigate the impact of COVID-19; generally the Council considers that professional service or clerically based businesses would be able to operate near normally by the introduction of home working.

The Council will award grants based on the number of qualifying businesses applying, the extent to which each meets the above criteria and the total of residual funding available to make the allocation.

#### *Contingency funding*

The Council will review the use of the contingency as more experience of the discretionary scheme is gained.

It should be noted that the Council reserves the right to vary allocations in the light of the results of the application process and generally exercise discretion in the award of grants.

### **8. Managing the risk of fraud**

The Council and the Government will not accept deliberate manipulation and fraud. Any business or person caught falsifying their records to gain a grant award will face prosecution and any funding issued will be subject to clawback, as may any grants paid in error.

The Government's grants management and counter fraud functions will provide local authorities with access to 'Spotlight', a digital assurance tool. This tool will also assist the Council with pre and post payments assurance, including identification of high-risk payments. There will also be joint working across councils and government departments in preventing fraud.

### **9. Policy review**

This policy has been written in line with Government guidance. It will be subject to dynamic review as circumstances dictate and in line with future clarifications and changes that may be announced by the Government.

*Strategic Director of Corporate Services*

*Charnwood Borough Council*

*2 June 2020*

## Decision under Delegated Powers

### To continue to offer free parking in the town centre car parks on a short-term basis

#### Officers Requesting Decision

Alan Twells – Head of Regulatory Services

#### Officer Making Decision

Chief Executive – Rob Mitchell

#### Recommendation

1. That all Council Town centre car parks remain free to support local businesses and the economy as part of the COVID 19 recovery process.
2. To review town centre car park charges after mid-June 2020 and monthly thereafter.

The financial implications to the Council's budget from the loss of income will be monitored and reviewed on a regular basis by the Senior Leadership Team (SLT).

#### Reason

The recommendation is for free parking to be continued during the current COVID 19 restrictions in place and the subsequent easing of restrictions up to at least the end of June 2020. It will then be reviewed on a regular basis to extend as deemed necessary by the Senior Leadership Team.

The main reasons are as follows

1. To support the access to free parking for parking for NHS and relevant Key Workers.
2. To encourage shoppers and town centre visitors back into Loughborough
3. To support the re-vitalisation of local shops and businesses
4. To continue to mitigate the risks against spreading the virus by reducing staff, contractor and customer interactions especially at the pay stations.
5. To demonstrate the Councils support to the local economy and avoid any negative perceptions of the Council

The Council recognise that town centre shops and businesses will need a lot of support once lockdown measures are eased. Many businesses will be struggling or may even fail following several months of closure and no income. The government has also recognised the long-term implications of the pandemic. Hence, they have given District Councils funding to support businesses and to kick-start the economy. Charnwood has received £1.7 million from the government to support businesses. Part of this funding will off-set the significant loss of income to the Councils overall budget.

#### Authority for the decision

The Head of Paid Services is delegated under the Council's Constitution, Section 8, Scheme of Delegation to Officers, Page 8 – 4 to 8 – 5

"9. To authorise urgent expenditure.

10. To deal with emergency issues or those that are urgent, including authority to make temporary changes to management arrangements for a period of up to 3 months and generally to give effect to anything that is required to be done in those circumstances that are not otherwise provided for in the delegation arrangements.”

Additionally, the Head of regulatory Services under The Council’s Constitution, section 8, Scheme of Delegation to Officers Page: 8-27, Street Management, bullet point 7:

*“To use car parking promotions as an operational tool to encourage users to park in Council town centre car parks when it is considered beneficial to the town and the Council.”*

A COVID 19 response report will be going to Cabinet to confirm this Decision.

### **Decision and Date**



*Approved 18<sup>th</sup> June 2020*

### **Background**

The Government introduced national restrictions on working and movement on the 23<sup>rd</sup> March 2020. Following the government’s ‘stay at home’ announcements, the Council implemented working restrictions for staff, services and all non-essential travel. Throughout the lockdown period the number of drivers using the car park has fallen dramatically as local shops and businesses closed and visitors have stopped coming into town.

The car parks remained open in the town centre, but the Senior Leadership Team made a decision, through the Business Continuity Group, to introduce free parking from Friday 27<sup>th</sup> March 2020. The decision to introduce free parking was to support the Country’s COVID 19 response and provide free access to NHS staff and Key Workers, and it reduced the contamination risk between the public, contractors and staff. Car Parking numbers during this period had significantly reduced.

Not only does parking income provide important financial support to other Council support services, but it also helps with the turnover of visitors and, therefore, supports the vitality of the town centre and local businesses. Free parking was initially a temporary measure based on operational practicalities and safety. Parking charges will *still* need to be re-introduced once the lockdown is eased and as the virus is controlled.

An options paper – “The re-introduction of parking charges to Town centre car parks” was presented to the Senior Leadership Team on 6<sup>th</sup> May 2020. The following options were presented:

1. All car parking remains free – this is how car parks are currently being operated during the Government ‘lockdown’ period.
2. Re-introduce all car park tariff fees – i.e. a full return to normal operation
3. A 2 hours free tariff. That is an interim concession as part of a phased return to normal operation. (This option does have significant operational issues to implement)

4. A 60p per day tariff charged all week as an alternative concession leading to a phased return to full tariff fees.

SLT have recommended option 1 for the short to medium term with a further review of this in mid June 2020. This was based on the continued support for NHS staff, Key Workers, Staff returning to work, visitors and shoppers returning to Loughborough.

### Comments from HR

HR Adviser: Anna Cairns (19/5/20)

There are no significant impacts on staffing to consider.

### Financial Implications

The main income codes are listed below showing income for 2019/2020:

Subjective code	Text	2019/20 Amount	Per Month
J0502	Car Park Charges	*£850k	£71k
J0505	Staff Car parking Charges	£5.5k	£460 (from wages only)
J0581	Season tickets	£11k	£920
J0584	Parking Penalty	£29k	£2.4k
		<b>£896k</b>	<b>£75k</b>

*\*Including Browns Lane Leisure Centre car park*

*Note that while the term "loss of income" is used. This is in the context of parking income which is only one budget line used to support all Council Services. The term is used in context of the whole Council's budget.*

The approximate loss of income per month based on last year is approximately £75k from all car park income codes and approximately £225k up to the end of June 2020

However, this loss of income has been partially off-set by the Government support funding.

Loss of income will be monitored in Agresso budgets for car parks.

### Risk Management

The financial implications are identified above. There is a risk that the longer the free parking goes on the greater the financial implications and greater the expectation from the Town Centre and members of public.

Free parking means a loss of income from the Council's budget of £75k per month so £225k for the first quarter up to the end of June 2020. This loss of income is to be off set by the central government funding. If the free parking is extended to December 2020, the loss of parking income will be approximately £650k.

The free charging has been recommended to support the re-start of the town centre economy and ensure its mid to long term vitality. The risk of not having free parking is that Council's parking policy will be perceived to be a contributing factor to the success or otherwise of the town centre economy.

Another risk is the public perception of re-introducing parking charges. There may be a public backlash once parking charges are implemented. Publicity and PR will be essential during the free parking period and leading up to the re-introduction of charges. A positive message that this is to support local businesses.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Loss of parking income to the Council for 1 <sup>st</sup> Quarter of 20/21	3	3	9	Off set by Government funding contribution
Failure to support the town centre economic recovery through offering free parking	3	2	6	Offer free parking with dates for the temporary support period
Failure to communicate the re-introduction of fees after a temporary period will lead to negative publicity	3	2	6	Publicity campaign throughout the free period and leading up to the re-introduction of charges

Key Decision:

Yes / No

Background Papers:

- Minutes from SLT meeting – 6<sup>th</sup> May 2020
- Options Paper: The re-introduction of parking charges to Town Centre car parks