

# TONBRIDGE & MALLING BOROUGH COUNCIL

## CABINET

19 May 2020

### Report of the Management Team

#### Part 1- Public

#### Executive Non Key Decisions

### 1 RESPONDING TO THE CORONAVIRUS EMERGENCY

#### Executive Summary

This report gives a strategic overview of the council's response to the national emergency, the impacts on service delivery, the introduction of priority initiatives, and financial impacts. The report also sets out a framework for the development of a future recovery plan. Cabinet is invited to endorse the response to date.

#### 1.1 Strategic Context

- 1.1.1 In accordance with the Civil Contingences Act 2004 there is a declared state of emergency at national and local level in response to the coronavirus pandemic.
- 1.1.2 The Act requires local public services to form Local Resilience Forums. In Kent it is known as the Kent Resilience Forum (KRF), which is formed by the emergency responders and specific supporting agencies and is required to plan for emergencies. The Borough Council is an active member of the KRF.
- 1.1.3 A Gold-Silver-Bronze command structure is used to establish a hierarchical framework for the command and control of emergencies and disasters. Officers of the Borough Council will therefore participate in Gold (Strategic Planning) and Silver (Tactical Planning) command briefings throughout the emergency e.g. by participation in the strategic meetings (known as SCGs) and tactical meetings (known as TCGs).
- 1.1.4 In response to the coronavirus pandemic, all partners in the Kent Resilience Forum are now operating the above "command and control" structure to provide the county wide strategic oversight, and co-ordinate the tactical response. As a council we are active participants in this response, and deploy staff to the daily meetings on the SCG and TCG. We are also active participants in a number of themed "cells" focussing on specific activities. As Members would expect, we are also actively involved in a wide range of conference calls with the Ministry for Housing, Communities and Local Government and other agencies/ forums involved in responding to the pandemic. Notwithstanding this formal structure the Borough Council is designated as a Category 1 Responder under the Act and we have a

statutory responsibility to initiate our own response to the declared emergency. This paper will focus on the Borough Council's own response and activities.

## **1.2 Managing our response**

- 1.2.1 As the global and national pandemic picture began to evolve, Management Team gave early consideration to what steps we should plan for, both in respect of the continued delivery of our services and any actions we may need to take in response to the pandemic.
- 1.2.2 The previous decisions Members have made in relation to the digital strategy, including the investment in more agile working solutions for staff through the replacement of PC's with laptops, meant we were well placed to ensure that staff were testing their remote working capabilities in the weeks prior to any restrictions on public movement being imposed. Management Team distanced into 2 units, to minimise risk of loss of all Directors to illness or isolation at the same time. We also started to ask staff to work from home in advance of any formal restrictions on movement and association.
- 1.2.3 On 26 March 2020, the Government imposed restrictions on the country, which were intended to prevent and protect against the spread of infection of the coronavirus. It is not the purpose of this report to reiterate the contents of the regulations nor the Coronavirus Act 2020 as all Members will be well aware of the broader picture. Members will however be interested to understand the management arrangements for our own ongoing response.
- 1.2.4 To manage our response we initiated daily "Business Continuity" (BC) virtual meetings, with an extended management team to include key staff leading on a number of themes relating to our own service delivery and to initiate our response to requests from the government and the KRF.
- 1.2.5 The key themes that formed the daily agenda for the BC meeting are as follows
- Situation Update
  - Staff
  - Members and democratic process
  - TMBC services (including financial position)
  - Business Sector
  - Community issues
  - Communications
- 1.2.6 It is not the intention that this report should set out every activity and action, but it may be helpful to set out some key issues under each of the themes above. A

number of these points along with the ongoing implications will feature in reports to various Advisory Boards and Committees over the coming months, and there will be the opportunity at that time for more detailed Member debate.

### **1.3 Staffing Theme**

- 1.3.1 Our staff are our most valuable asset. As alluded to above, our immediate position was that wherever possible, all staff must work from home, only attending the offices if absolutely essential. Over 90% of our staff were equipped to work fully remotely from home, with access to all IT systems and telephony. Whilst this meant that an early decision was taken to close our front of house at both Kings Hill and Tonbridge Castle, this was compatible with the guidance to all to “stay at home and stay safe”. We were able to operate a full telephony and online service to residents and businesses.
- 1.3.2 Once again the staff have without exception responded in a flexible and committed way, adapting to either new ways of working from home, playing their turn in rotas to go into the office to manage for example incoming / outgoing post, or by embracing temporary redeployment into different roles to support the community hub. Our strategy of a default position of working from home, has kept our staff safe, maintaining service delivery, and showing leadership in following both the public health messaging and other restrictions on movement.

### **1.4 Members and democratic process**

- 1.4.1 The Leader, Deputy Leader and Cabinet Member with responsibility for emergency planning, have been integral to the Council’s response to the emergency, with virtual meetings at least weekly with the Chief Executive and Deputy Chief Executive.
- 1.4.2 As part of our planning for “Brexit”, Members approved emergency decision making provisions within the Constitution. This has ensured that decision making has continued during the pandemic with consequential Decision Notices being published in order to ensure transparency. Where appropriate, decisions have also continued to be made at officer level under delegated authority.
- 1.4.3 Members have been advised previously of the changes introduced by the government in order to enable virtual meetings to take place in local government for the period up to 7 May 2021. In response to the changes, the Council has taken steps to implement virtual meetings locally by way of Microsoft Teams, in accordance with our agreed Digital strategy. It is expected that meetings of Council, Cabinet and other Boards and Committees will now be held virtually using this technology.

### **1.5 Community Issues**

- 1.5.1 Community Hub – In line with Government guidance, the Council has established a Community Hub to support residents, particularly those on the NHS extremely

vulnerable “shielded” list and also others who may be considered vulnerable and in need of additional support. The Hub includes the following strands:

- 1.5.2 Support with essential food supplies. For those on the shielded list, a weekly Government parcel is delivered, however, the Council provides a food box if for some reason there is a problem with this delivery. Reasons might include a missed delivery, a registration difficulty or a delay between someone registering for the Government service and the time the parcel is likely to arrive. In addition, the Council will provide food parcels to anyone on this list who has a special dietary requirement (as the weekly food parcel from Government is a standard pack and does not cater for any special or medically restricted diets). Aside from all those included on the shielded list, the Council will provide a food parcel to vulnerable residents who contact the Hub and are in need of urgent emergency food. Deliveries have been undertaken by TMBC employees from a variety of services and include: Civil Enforcement Officers, Park Rangers, Environmental Health Officers and Technical Service teams.
- 1.5.3 Telephone contact to residents on the shielded list. Contact is made with all residents included on the NHS shielded list (to date this is around 3,000 people, but the list is updated and added to on a daily basis). Checks are made to confirm that they have support in place from either family, friends or neighbours and that they have adequate food supplies and any medication that is required. The Community Hub telephone number is provided, to allow them to make contact if they need any additional ongoing support. This work has been undertaken by TMBC employees across a variety of services, including; Elections, Executive Services, Community Safety, Customer Services and Leisure teams. Where residents require support appropriate action is taken including onward signposting to local community support networks such as Parish Council support and community volunteers. This ensures practical local support that can be sustained for as long as required.
- 1.5.4 Telephone befriending service. The Community Hub offers telephone befriending to anyone struggling with social isolation and loneliness during the period of lockdown or for those shielded or in self-isolation. This has been undertaken predominantly by the TMBC One You Health team. Members of this team have been ideally placed to offer emotional support, talking to people who often have complex health needs. Guidance and signposting to other services (such as mental health support, debt advice etc.) is offered, along with a regular friendly chat. The team have also become aware of an increasing number of safeguarding issues, which have been followed up with referrals to KCC Social Services, or support from the Community Safety Unit.
- 1.5.5 In terms of council tax, the government announced that it will give (up to) £150 help towards Council Tax if a working age taxpayer gets help through Council Tax Reduction, being a credit directly to the recipient’s council tax account. A fund of some £867k was provided to the council by the government for this. Under Emergency powers, Cabinet and the Chairman of Overview and Scrutiny Committee agreed a policy. Staff have also been assisting any taxpayer who is

finding it difficult to make council tax instalments to re-profile their payments, and also signposting to other forms of potential assistance.

## **1.6 Business Sector**

1.6.1 The overall support given by the council to local businesses to date has covered a number of key strands:

- a) Covid-19 Helpline: In partnership with Kent County Council and the other Kent Districts and Boroughs, a local Covid-19 Helpline was set up to give local businesses much needed guidance during the crisis and to explain the Government's Business Support Package. The helpline, run by the Kent & Medway Growth Hub, has been very well used - with 384 Tonbridge and Malling businesses using the service between 25 March and 24 April 2020. It will continue to run until at least 30 June 2020. Whilst business enquiries into the council have been extremely high, having the ability to signpost to this service has been very useful.
- b) Communicating directly with Business: this includes a number of strands, such as a dedicated Covid-19 business page on the TMBC (which is regularly being updated by the Economic Regeneration Team and has had over 2,500 visits since late March 2020), social media activity, and 3 Covid-19 e-bulletins to 600 of our local businesses.
- c) Rate Relief: Facilitating the 12-month Business Rates Holiday for all businesses in the Retail, Hospitality and Leisure sector (as defined by Government) and the Nursery Relief, which has been led by the Revenues Team.
- d) The delivery of Small Business Grants and Retail, Hospitality and Leisure Grants to eligible businesses in the Borough: following the receipt of £18.7m from Central Government, the Revenues Team, with the support of the Economic Regeneration Team, have been tracking down eligible businesses, getting them to provide necessary details in order to process the grant funding, undertaking checks to verify the claims and getting the grants to businesses as expediently as possible. This has been a considerable undertaking, and has involved getting messaging out via the website, social media, and e-newsletters as well as using extensive internet searches to track down contact details of individuals and businesses in order to contact them directly and encourage them to apply. It is no mean feat that c.80% of the grant money had been handed to eligible businesses as of 11 May 2020. Work is ongoing to continually track down eligible businesses that have yet to apply.

1.6.2 The Borough Council has also started initial work on preparing for the recently announced discretionary top-up grant funding which is aimed at small businesses (fewer than 50 employees) that missed out on the existing grant offer. Both guidance and funding are still to be received from Government, but it currently looks like this funding is to be steered towards businesses in shared space, regular

market traders, small charity property (that would meet the criteria for Small Business Rate Relief) and Bed & Breakfast establishments. There has already been a high level of interest in this scheme from local businesses.

## **1.7 TMBC Services**

- 1.7.1 Executive services – All staff have worked on direct response to the emergency either in respect of the Community Hub, led by the Scrutiny and Partnerships Manager, or in supporting our business community, led by the Economic Regeneration Manager. These areas of work are referenced elsewhere in this report. There are however implications arising from these priorities. The timetable for the Climate Change Strategy will need to be revisited, as will the content of the Borough Economic Regeneration Strategy and Action Plan which was adopted in 2019. Both will be the subject of reports to future Advisory Boards or Committees.
- 1.7.2 Central Services – staff have been involved in the Community Hub, both by providing the first point of contact for resident queries via Customer Services and by supporting the telephone contact to residents on the shielded list. Staff in Licensing Services and in Property Services have been managing requests for deferral of payments and other economic impacts of the pandemic. Other staff/teams in Central Services e.g. Human Resources, Media & Communications have been directly involved in the day to day Business Continuity issues created by the pandemic and in ensuring key messages are communicated both internally and externally.
- 1.7.3 Finance and IT Services – alongside existing ‘peak’ workload at the start of a new financial year, staff from across Service have worked to apply new rate reliefs to relevant business rate accounts; identify, validate, award and pay business support grants; manage the hardship funds for working age council tax payers in receipt of council tax support and manage requests for re-profiling of payments; assist and signpost claimants affected by furlough or other work related arrangements; prepare and collate financial data and contribute to work within Kent regarding financial impacts and cash-flow issues; and throughout providing, facilitating and developing digital and IT solutions to assist residents, businesses, staff and the Council generally. Although not a COVID 19 issue in itself, Members will also be aware of the UK Power networks substation issue which caused power outage on 5 and 6 April. This was a complex issue which tested our IT Disaster Recovery plans alongside the demands of the emergency, but overall staff coped extremely well and systems were back up and running quickly. It is intended to report in greater detail on some of these aspects to a meeting of the Finance, Innovation and Property Advisory Board in July.
- 1.7.4 Planning – the service has not seen a decrease in levels of applications and as such have been engaging with applicants about extensions of time and application detail whilst planning committees have been suspended. Public consultation processes on applications have remained as previously as there has been no relaxation to these requirements, albeit that there were some delays between

validation of applications and consultation periods at the outset of the 'lockdown' period due to fundamental adjustments to operational processes. Paper based consultation materials for Parish Councils have been suspended. In addition to development management activity, work on the Local Plan has continued with a large amount of engagement with PINS around new dates for examination hearings in line with PINS revised timetables nationally.

- 1.7.5 Housing – the service has seen a large increase in approaches and applications and is following MHCLG guidance on challenging the needs of households to move in the current circumstances, whilst working hard to address housing need in cases such as domestic violence, severe overcrowding and rough sleeping, which has been a particular focus for MHCLG and Public Health England during the crisis. At the time of writing, there are over 100 households currently accommodated in Temporary Accommodation by TMBC and this has significant resource implications.
- 1.7.6 Environmental Health – officers have been involved in the Community Hub in a number of ways, including leading on social isolation issues via the One You team and specialist food requirements and food parcel deliveries via the Food and Safety team, who are also responding to food and drink businesses not adhering to guidelines. The service has seen a marked increase in complaints about garden bonfires and is responding to these safely. Following DEFRA guidance, our air quality monitoring work has also been able to continue whilst observing social distancing.
- 1.7.7 Leisure Services - the provision and maintenance of public open spaces has continued and has been essential in allowing residents to undertake daily exercise. On site facilities such as ball courts, tennis courts and play areas have been closed due to their enclosed nature. The main car parks serving the Country Parks have been closed.
- 1.7.8 Tonbridge Cemetery and grounds remain open and are being operated in accordance with government and industry guidance. Maintenance of the site and funerals have continued throughout the lockdown period. Use of the chapel for services has been suspended due to its size and the inability to adhere to social distancing rules.
- 1.7.9 The lockdown has had the greatest impact on the operation of the leisure centres and golf course, with the closure of these facilities. The Trust are taking measures to minimise the financial impact including the majority of its staff being furloughed. The Council is in close liaison with the Trust and has provided an advanced payment under PPN - 2/20 (Procurement Policy Note) to assist with immediate cash flow issues. On a more positive note the capital works at Larkfield Leisure Centre are continuing, and planned works to the roof replacement at Tonbridge Swimming Pool have been brought forward.
- 1.7.10 Waste Services - Urbaser has continued to deliver priority kerbside collection services. This has proven to be a significant challenge due to staff shortages and

increased volumes of waste being presented. In accordance with government and industry guidance, prioritisation has been given to the collection of residual (Black Bin) waste, clinical waste and mixed dry recycling. The collection of garden waste and the household bulky collection service were temporarily suspended and were reinstated in early May with support from KCC. KCC's Household Waste Recycling Sites have also been closed.

- 1.7.11 Technical Services - the Head of Technical Services and the Emergency Support Officer have been fully engaged with the Business Continuity response to the virus.
- 1.7.12 Parking enforcement stopped on 24th March and charges in car parks were temporarily suspended on the 26th March.
- 1.7.13 A number of capital projects have continued including the replacement of the sewage treatment plant at Haysden Country Park.

## **1.8 Communications**

- 1.8.1 Our priority has been to ensure that our communication to residents, businesses and the media are clear, consistent and aligned with messages from government, public health bodies and the Kent Resilience Forum. From mid-March, it was agreed with the management team that all outbound messaging relating to the outbreak, including social media, news and website updates would be co-ordinated by the Communications team.
- 1.8.2 The decision was made early in the pandemic to create three key webpages to help residents navigate to the information they may need.
  - A central coronavirus landing page, attracting approximately 6,000 visitors, providing rolling updates on changes to services with links to more detail on specialist pages elsewhere on the site
  - A community hub page outlining the help available and additional sources of help, mental health and financial advice
  - A business page setting out the support available and a portal for grant applications
- 1.8.3 Social media has been the primary outlet for getting information out quickly to people during what has been a fast-moving situation. Around 100 coronavirus-related posts have been published across a range of topics, including changes to services, health advice, the community hub, business grants and government messaging. We also issued two updates from the Leader to residents via email and social media. Since March, our coronavirus posts have received more than 1,000 likes, prompted 370 comments and been shared more than 1,300 times by our followers.

- 1.8.4 The public reaction has generally been positive, albeit with some criticism of issues around waste services, notably the suspension of garden waste collections, and the closure of country park car parks. Supportive coverage highlighting the work of the community hub has also been achieved on TV, online and in print media.
- 1.8.5 Greater central control of social media and website updates, which would normally be published by individual departments, has worked well and enabled the flow of information to be delivered in a clear and consistent way. This more co-ordinated approach to public messaging will undoubtedly offer useful insights for the recovery and re-orientation phases to come as well as the longer term digital agenda.

## **1.9 The way forward**

- 1.9.1 At the time of writing, it is unclear as to how long the emergency arrangements will continue, but it is right and proper for us to plan for the next phase(s), once restrictions begin to be relaxed. None of us know how the national guidance will evolve, but our strategy of following the national and public health messaging, must be the bedrock of our future thinking in managing a potentially phased transitional period. At the time of writing, further headline announcements from the government were made on 10/05/2020. These announcements identified a phased approach to cautious relaxation of restrictions, but the detailed guidance had not been published at the time of going to print. A further update on the initial response to any announcements will be provided at the meeting.
- 1.9.2 We do need to start to plan for “recovery”, but will need to do this not only within the national framework, but also at a county level. In accordance with the Civil Contingencies Act 2004, the County Council has a statutory responsibility to establish the recovery framework. These plans are evolving and it is proposed that there will be a number of work strands, in which we and other partners are actively participating in.
- 1.9.3 This Council, working within this broader context needs to develop, our own strategy to both our own activity, but more broadly in relation to our own communities and economies.
- 1.9.4 Nobody can predict how long “recovery” may take. Nor should we assume that the world, our locality, or our Council can or should return to exactly the same “business as usual”. It is more likely that there will be a “new normal”, and we need to take this opportunity to position ourselves to manage this transition.
- 1.9.5 It is too early for us to be able to write a detailed plan, but we do need to be giving serious consideration to a wide range of issues. In order to provide a framework for this, Members may wish to consider the development of a 1 year Addendum to the Corporate Strategy to cover the forthcoming year. Furthermore it is proposed that this work be underpinned by three themes

- **Review**- how did we respond to the pandemic emergency, and what have we learnt from this
- **Re-orientation** – how might we re-position the Council’s finances and operations to be fit for purpose in the “new normal”
- **Recovery** – how to work with others to encourage recovery in our communities and economy, in adapting to both the transition period and into the “new normal”

1.9.6 Given the uncertainties, it is proposed that this Addendum be time limited for 1 year, to allow Members to “take stock” at that time in the light of the national and local conditions.

## 1.10 Legal Implications

1.10.1 The Civil Contingencies Act 2004 sets out the legislative framework for civil protection. It imposes statutory responsibilities on those organisations with a role to play in preparing for and responding to emergencies. Local Authorities are a Category 1 responder under the Act, which means that the Borough Council is subject to the full set of civil protection duties.

1.10.2 The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 prohibit anyone leaving the place where they live without reasonable excuse, ban public gatherings of more than 2 people and require the closure of certain businesses to protect against the risks to public health arising from coronavirus.

1.10.3 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 make provision to enable local authorities to hold meetings remotely e.g. by telephone conferencing, video conferencing, live webcast, and modify existing legislative provisions to remove the requirement for local authorities to hold annual meetings.

## 1.11 Financial and Value for Money Considerations

1.11.1 Updates have been provided by the Director of Finance & Transformation to all Members by email on financial matters throughout this emergency.

1.11.2 Two tranches of ‘emergency’ funding has been provided by the government. The first tranche received was just over £40k. The Secretary of State announced a second tranche of funding for local government as a whole on 18 April, and on 28 April, we heard that TMBC was to receive an allocation of £1.316m from this second tranche.

1.11.3 It is important to note that financial implications can be categorised into 3 different areas:

- 1) New costs that arise simply as a result of the emergency (e.g. setting up and operation of community hub facilities)
- 2) Expansion of some service costs that were not budgeted at the 'new' level due to the emergency (e.g. increase in temporary accommodation need)
- 3) Loss of income that would otherwise have been received by the Council in 'normal' times (e.g. car parking, other fees and charges, investment income, council tax receipts)

1.11.4 Of course predicting what the impact of this pandemic might be for TMBC is a tough call because it all depends on how long restrictions will last for and how quick or slow the recovery will be. However, Members will know that we have attempted to estimate what this might be if only to inform the funding discussions; and have worked with other Kent councils in doing so.

1.11.5 The indicative 'ballpark' figures we arrived at which were reported to government through the monitoring process, are:

Shortfall in income estimated to be £700,000 in April 2020; and between £3m and £5m for the year to 31 March 2021. Key areas of loss:

- Council tax receipts
- Business rates
- Fees and charges
- Rental income
- Investment income

Increased spend estimated to be £50,000 for the month of April 2020, with key additional costs being the Community Hub operations and increased homeless spend. Future increased spending is likely to be in region of £350,000 for the year.

1.11.6 As mentioned above, it is important to understand that these figures are best guesses and these will undoubtedly change.

1.11.7 In accordance with the Cabinet Office's 'Procurement Policy Note (PPN) - Supplier relief due to COVID-19' all contracting authorities are required to put in place the most appropriate payment measures to support supplier cash-flow. The Leisure Trust, which manages all the Council's major leisure facilities, approached the Council with regard to cash-flow and in the spirit of the PNN under emergency powers it was agreed to pay in advance a sum of £300,000 to the Trust in lieu of payments that will be due during the course of the year. These (currently unquantified) payments relate to loss of income claims, utility cost sharing arrangements and/or increased pension costs in accordance with the Management Agreement. A reconciliation will of course be done throughout the year.

- 1.11.8 More financial information will be provided to the next meeting of the Cabinet in June, the Finance, Innovation and Property Advisory Board in July, and also the Audit Committee in July in relation to Treasury management.
- 1.11.9 Budgets will need to be reassessed as we move forward to ensure that we can manage our cash-flow and overall resources.
- 1.11.10 Members are advised that the Management Team has imposed an ***‘essential spend only’*** policy in order to preserve resources, and we **welcome Cabinet’s endorsement of this principle in the weeks and months ahead as we get to grips with the impacts.** At this stage we do not believe we need to consider a formal ‘emergency’ revision of the Council’s Budget as set, but obviously this needs to be kept under review.
- 1.11.11 Unless there are further significant tranches of funding provided by the government which meet the expected shortfalls as set out above (which seems unlikely), Members should expect to see significant balances wiped from our reserves. **This will necessitate a complete review of our Medium Term Financial Strategy and our Savings and Transformation Strategy.** We will be starting to consider this in the coming weeks and will report to Members in due course, although we think it is safe to say that the funding gap will increase along with the savings targets.
- 1.11.12 The “new normal” is likely to require a complete review of our budget in any event as we adapt to delivering the priority services in different ways.

## 1.12 Risk Assessment

- 1.12.1 The biggest risk is to “do nothing”. We do need to learn from experience, re-orientate our thinking and develop a strategy that allows the council to position itself in the transition period to a “new normal” and provide sustainable services for our communities.
- 1.12.2 Members should also note the financial risks as outlined in paragraph 1.11 above.

## 1.13 Equality Impact Assessment

- 1.13.1 None directly arising from this paper.

## 1.14 Policy Considerations

- 1.14.1 In developing our proposed 1 year strategy, we will need to be mindful of all aspects of council policy considerations within the context of national and regional framework.
- 1.14.2 Communications
- 1.14.3 Customer Contact
- 1.14.4 Human Resources

1.14.5 Community

1.14.6 Business Continuity/Resilience

**1.15 Recommendations**

1.15.1 That the overview of the Council's response to the coronavirus emergency be NOTED

1.15.2 That for the time being, until the overall impact can be better assessed, Cabinet ENDORSE the principle of an '*essential spend only*' policy in relation to the Council's budget as imposed by Management Team;

1.15.3 As referenced at various points above, NOTE that future reports will be submitted to the relevant Advisory Boards and Committees including in relation to Climate Change Strategy, Economic Development Strategy, Medium Term Financial Strategy and the Savings & Transformation Strategy.

1.15.4 That the preparation of a one year Addendum to the Corporate Strategy be AGREED, and reported to a future Cabinet Meeting.

Background papers:

contact: Julie Beilby

Nil

Management Team