

## London Borough of Hammersmith & Fulham

**Report to:** Leader's Decision

**Date:** 02/09/2020

**Subject:** COVID-19 Response – Continuation of Delegated Powers

**Report of:** David Abbott, Head of Governance

**Responsible Director:** Rhian Davies, Director of Resources

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### Summary

This report seeks approval to continue with both the COVID-19 outbreak delegated powers to the Chief Executive and the succession plan for the Leadership of the Council up to the 1<sup>st</sup> of April 2021.

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### Recommendations

1. That the Chief Executive, or any person acting in that role, continue to have the delegated power to approve expenditure and budget of up to £2m (Revenue or Capital).
  2. That the Leader of the Council approves the succession plan for the Leadership of the Council as attached at Appendix 1.
  3. That recommendations 1 and 2 be subject to review by the Leader by the 1<sup>st</sup> of April 2021.
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**Wards Affected:** All

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### H&F Priorities

<b>Our Priorities</b>	<b>Summary of how this report aligns to the H&amp;F Priorities</b>
Creating a compassionate council	The recommendations will enable an effective response to the COVID-19 outbreak, ensuring critical services are delivered for the health, safety and general welfare of the residents of the borough.

## **Financial Impact**

The need to ensure critical services can be delivered for the health, safety and general welfare of the residents of the borough in response to the coronavirus (COVID-19) pandemic is resulting in the Council facing additional financial pressures.

Whilst some government funding has been made available through un-ringfenced Covid-19 grant, a compensation scheme for lost fees and charges income and other specific grants (such as Infection Control grants), the current arrangements are not expected to fully fund the costs incurred and lost income suffered as a result of the pandemic. There is continued uncertainty nationally regarding how these financial pressures will eventually be funded although the government has provided no indication that further grant funds will be made available to local authorities. The financial impact of any decisions made by the Chief Executive under recommendation one will be identified as part of that decision.

The Council is recording all additional spend decisions and will monitor lost income to claim and make full use of any government funding.

Should government funding be insufficient then costs will fall to be met:

- from savings in other council budgets
- use of any remaining contingency sums
- by use of reserves and balances.

This potential impact on the Council's future financial resilience will continue to be monitored and will inform future financial planning.

## **Legal Implications**

This sets out the Council's rationale for its business continuity planning in response to the COVID-19 outbreak and as such demonstrates its compliance with its duties under the Civil Contingencies Act 2004. Where relevant, plans will take into account the provisions of the Coronavirus Act 2020.

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### **Contact Officers:**

Name: David Abbott  
Position: Head of Governance  
Telephone: 07776 672877  
Email: [david.abbott@lbhf.gov.uk](mailto:david.abbott@lbhf.gov.uk)

Name: Emily Hill  
Position: Director of Finance  
Telephone: 020 8753 3145  
Email: [Emily.Hill@lbhf.gov.uk](mailto:Emily.Hill@lbhf.gov.uk)

Name: Rhian Davies  
Position: Director of Resources  
Telephone: 07827 663794  
Email: [rhian.davies@lbhf.gov.uk](mailto:rhian.davies@lbhf.gov.uk)

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## Background Papers Used in Preparing This Report

[The H&F Constitution](#)

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## Proposals and Analysis of Options

1. The Leader on the 3<sup>rd</sup> of April 2020, made the following decisions subject to review by the 1<sup>st</sup> of September 2020:
  - a) That the Chief Executive, or any person acting in that role, be given the power to approve expenditure of up to £2m (Revenue or Capital).
  - b) That the Leader of the Council approves the succession plan for the Leadership of the Council as attached at Appendix 1.
2. Between the 3<sup>rd</sup> of April and the 31<sup>st</sup> of August four decisions, listed below, were taken by the Chief Executive to ensure critical services are delivered for the health, safety and general welfare of the residents of the borough.

Decisions taken by Chief Executive	Date	Cost	Reason for decision
1. Support to providers of social care	May 2020	£738,642	To provide funds to social care providers
2. Removal of the existing hot water boiler and installation of a new 250 – 300kw plate/buffer heat exchanger	August 2020	£40,000	To ensure that there was enough hot water to help prevent the spread of infection in the school.
3. Refurbishment of Block C (Shed Outbuilding) at Brackenbury Primary School, Dalling Road, London W6 0BA	August 2020	£165,000	To bring back disused area in school to enable social distancing when pupils return to school.
4. Approval to commit and draw down Section 106 receipts to fund economic development activity for financial year 2020/21	June 2020	£1.63m	The crisis expedited the need and approach proposed. The Council will be moving into a transition phase of the crisis – as the lockdown unwinds.

3. The first three decision reports were approved by the Chief Executive as there was no existing budget provision. The fourth decision was taken by the Chief Executive because it was above the SLT Director revenue threshold of £1.5m.
4. Good governance and transparency were observed when these decisions were taken. All decisions made as a result of these additional delegated powers were published and circulated to Cabinet for information. Public notice was given for the key decisions and call-in was observed. Only the 'Support to providers of social care' report was taken urgently and the Chair of the relevant Policy and Accountability Committee was notified.

### **Reasons for Decision**

5. The Council must be able to act quickly, efficiently and proactively during the COVID-19 outbreak to ensure critical services are delivered for the health, safety and general welfare of the residents of the borough.

### **Equality Implications**

6. Residents (and staff) deemed 'vulnerable' to COVID-19 will include those with certain protected characteristics under the Equality Act 2010. However, there are no anticipated negative equality implications for groups with protected characteristics as a result of this report.

*Implications verified by: Fawad Bhatti, Policy & Strategy Officer, Public Services Reform, tel. 07500 103617*

### **Risk Management Implications**

7. The Council is acting at pace to a rapidly changing situation. Extraordinary measures are required to ensure that the Council continues to protect the safety of residents in accordance with duties falling under the Civil Contingencies Act. Proposals are made in support of the Council's stated aims to ensure Business Continuity, Health and Safety, critical functions and internal control during the crisis for a period to be reviewed by the Leader of the Council in 6 months. Direct costs associated with the Council's response to COVID-19 are being recorded by the Finance and Governance Department.

*Implications verified by: Michael Sloniowski, Risk Manager, tel. 0208 753 2587*

### **List of Appendices:**

Appendix 1 – Council Leadership – Line of Succession

## **Appendix 1**

### **Council Leadership – Line of Succession**

The order of succession will be:

1. Leader of the Council
2. Deputy Leader of the Council
3. Cabinet Member for the Economy
4. Cabinet Member for Health and Adult Social Care

If the Leader of the Council is absent or unable to act, the Deputy Leader would become acting Leader of the Council and the Cabinet Member for the Economy would become the acting Deputy Leader.

If both the Leader and Deputy Leader of the Council are absent or unable to act, the Cabinet Member for the Economy would become acting Leader of the Council and the Cabinet Member for Health and Adult Social Care would become the acting Deputy Leader.

This arrangement is subject to review by the 1<sup>st</sup> of April 2021.