



EXECUTIVE BOARD DECISION

REPORT OF:	Leader
LEAD OFFICERS:	Chief Executive
DATE:	11 June 2020

PORTFOLIO/S AFFECTED:	All
WARD/S AFFECTED:	All
KEY DECISION:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

SUBJECT: Update on Decisions Taken under Emergency Powers in relation to the Council's initial response to the Covid-19 Pandemic

1. EXECUTIVE SUMMARY

To advise Executive Board of urgent decisions taken and published by the Chief Executive under her emergency powers in managing the Council's initial emergency response to the current Covid-19 pandemic.

2. RECOMMENDATIONS

That the Executive Board:

Notes the decisions taken by the Chief Executive under emergency powers in relation to the Covid-19 pandemic

- i) Decision of 3rd April in respect of securing emergency strategic food supplies through the Lancashire LRF
- ii) Decision of 24th April in respect of securing strategic supplies of PPE through the Lancashire LRF
- iii) Decisions of 7th May in respect of food and other essential supplies to be distributed through the Blackburn with Darwen Food Hub

3. BACKGROUND

The Chief Executive (who also undertakes the statutory Head of Paid Service role), in accordance with the Blackburn with Darwen Constitution Section 16, has delegated powers under the Officer Scheme of Delegation "To take any action, including incurring expenditure, in connection with an emergency or disaster in a district".

In addition, all local authority Chief Executive officers are responsible for ensuring their local authority complies with the Civil Contingencies Act 2004 and that the local authority continues to perform its statutory functions. In relation to the current situation, the Council must also have regard to Article 2 of the EHCR, as the ultimate aim of expenditure is to protect individual's right to life.

The Coronavirus pandemic also required the implementation of the Lancashire Local Resilience Forum (LRF) Strategic Gold Command structure and reporting through to Central Government under the Civil

contingencies Act 2004 to coordinate the multi-agency response across Lancashire, including Blackburn with Darwen, with the primary aim to protect life.

As part of the urgent action required to plan for the continuation of essential social care and other support to the most vulnerable across Lancashire-wide communities, particularly for those who were required to 'shield' and/or self-isolate in accordance with government guidance, it was agreed that the three Upper Tier Councils with social care responsibilities urgently access and store a strategic food supply for essential food parcels; these being Lancashire County Council, Blackpool Council and Blackburn with Darwen Borough Council on behalf of the LRF (Published 3rd April 2020).

As part of the urgent action required to deliver essential services, including social care and other support to the most vulnerable across our communities, it was agreed that the three Upper Tier Councils with social care responsibilities, being BwD, Blackpool and Lancashire County Councils, urgently and collectively, through the LRF, sourced and secured sufficient supplies of PPE for frontline staff and for the commissioned and independent care sector in our local authority areas (Published 24th April 2020).

Early in the response to the pandemic, the Ministry for Housing, Communities and Local Government (MHCLG) required all local authorities to set up community support hubs for the most vulnerable residents which included the provision of food and essential supplies to those who were in most need, including those shielding or self-isolating with no other means of support. In support of this, the Council made urgent arrangements with suppliers in order to secure volume supply of ambient food for the Blackburn with Darwen Help Hub (Published 7th May 2020).

4. KEY ISSUES & RISKS

Decisions were taken to protect life and provide support to essential key workers and extremely vulnerable people in the borough. It is anticipated that emergency government funding will be available to cover the additional costs of emergency supplies and essential PPE.

5. POLICY IMPLICATIONS

There are no policy implications arising from this report.

6. FINANCIAL IMPLICATIONS

Funding for the purchases of essential food and PPE supplies is expected to be covered by the additional funding from central government made available to Councils to deal with the impact of the Covid-19 pandemic.

7. LEGAL IMPLICATIONS

As referenced in the report the Chief Executive (who also undertakes the statutory Head of Paid Service role) has delegated powers under the Officer Scheme of Delegation "To take any action, including incurring expenditure, in connection with an emergency or disaster in a district". In addition, all local authority chief executive officers are responsible for ensuring their local authority complies with the Civil Contingencies Act 2004 and that the local authority continues to perform its functions. In relation to the current situation, the Council must also have regard to Article 2 of the EHCR, as the ultimate aim of expenditure is to protect individual's right to life.

Contracts have been awarded pursuant to a negotiated procedure without prior publication, as permitted by Regulation 32 (2c) of the Public Contracts Regulations 2015.

8. RESOURCE IMPLICATIONS

Resources have been redeployed across the Council to key priority areas including the Help Hub.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

The Lancashire Resilience Forum and the Chief Executive Officers of Blackpool and Lancashire County Councils were consulted and agreed to the actions in respect of strategic food reserves and PPE.

The Leader of the Council was also consulted and advised of the actions to be taken ahead of the decisions being made by the Chief Executive.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1
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CONTACT OFFICER:	Denise Park, Chief Executive
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DATE:	2 June 2020
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BACKGROUND PAPER:	Officer decisions published, 3 rd April, 24 th April, 7 th May 2020
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