

<p>CITY OF WOLVERHAMPTON COUNCIL</p>	<h1 style="margin: 0;">Special Urgency Decision</h1>
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<b>Report title</b>	Reopening High Streets Safely Fund	
<b>Decision Maker</b>	Special Urgency Decision	
<b>Cabinet member with lead responsibility</b>	Councillor Ian Brookfield Leader of the Council	
<b>Wards affected</b>	All Wards	
<b>Accountable Director</b>	Ross Cook, Director of City Environment	
<b>Originating service</b>	City Environment	
<b>Accountable employee</b>	Crissie Rushton	Visitor Economy Manager
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**Recommendation(s) for action or decision:**

That the Leader of the Council, two cabinet members, and the Chair and Vice Chair Scrutiny Board formally authorise the following decisions under the special urgency provisions as detailed in the Council’s Constitution namely paragraphs 6.10 and 6.11 of article 6 authorises the following decisions under the special urgency provisions:

1. Approve the Council entering into a grant agreement between the Cities and Local Growth Unit (CLGU) for the Reopening of the High Streets Safely Fund together with any ancillary documents necessary for the Council to receive the funds.
2. Approve the creation of a supplementary budget of £234,488 fully funded by Cities and Local Growth Unit (CLGU) grant provided by the European Regional Development Fund and expenditure in line with the grant terms and conditions.

This is agreed by the following:

Leader of the Council .....

Cabinet member for Resources .....

Cabinet member.....

Chair of Scrutiny Board.....

Vice-Chair of Scrutiny Board.....

Dated – 10.06.2020

## 1.0 Purpose

- 1.1 The Government set out their recovery plans in a May 2020 “OUR PLAN TO REBUILD: The UK Government’s COVID-19 recovery strategy” outlining their phased return to normal services following the COVID-19 pandemic. Included within that were details to open non-essential retail when and where it is safe to do so, and subject to those retailers being able to follow the new COVID-19 Secure guidelines. The intention is for this to happen in phases from 1 June. All other sectors that are currently closed, including hospitality and personal care, are not able to re-open at this point because the risk of transmission in these environments is higher. The opening of such sectors is likely to take place in phases from 4 July onwards.
- 1.2 It has been agreed that non-essential retail within Wolverhampton will reopen week commencing 15 June 2020, this decision will allow the preparation work to be undertaken to ensure a safe opening.

## 2.0 Background

- 2.1 On the 23 March, Government set out details to close non-essential businesses and venues across the country in order to reduce social contact.
- 2.2 On 29 May, Government announced a share of £50m of additional funding to support the safe reopening of high streets and other commercial areas. The money will allow local authorities in England to put in place additional measures to establish a safe trading environment for businesses and customers, particularly in high streets. These measures can be extended until March 2021.
- 2.3 The funding will be administered through a funding agreement between the City of Wolverhampton Council and Cities and Local Growth Unit (CLGU).
- 2.4 The Fund is aimed to support four main strands:
  - A. Support to develop an action plan for how the local authority may begin to safely open their local economies:

- All local authorities are encouraged to engage businesses, business organisations, and other relevant stakeholders when considering how to use this award.
- B. Communications and public information activity to ensure that reopening of local economies can be managed successfully and safely:
- There is a requirement to meet the publicity requirements outlined by the ERDF.
  - There is scope to pay the salaries of staff or consultants to develop this work, but it is important that the local authority can evidence that this is additional activity beyond what was already underway prior to the grant being received.
- C. Business-facing awareness raising activities to ensure that reopening of local economies can be managed successfully and safely:
- Campaigns should be focused on supporting SMEs,
  - Communication should include how to make temporary adjustments to business premises and good practice for social distancing,
- D. Temporary public realm changes to ensure that reopening of local economies can be managed successfully and safely:
- To ensure that public spaces that are next to businesses are as safe as possible, temporary changes will need to be made to the physical environment.
  - Funding can be used on safety measures, improve their attractiveness and ensure consistency of approach across individual and multiple public spaces including high streets,
  - The costs associated with administering this grant will also be eligible for reimbursement up to 4% of the total grant value.

## 2.5 Eligibility

For costs to be eligible to this project, local authorities will need to ensure that they can:

- A. Evidence how these costs are over and above any that they might otherwise incur.
- B. Evidence project documentation throughout the entire project lifecycle.
- C. Ensure ERDF branding requirements are followed throughout.
- D. Ensure procurement rules are followed in line with Public Procurement Regulations.
- E. Ensure State Aid is managed in accordance with State Aid Law.
- F. Evidence any additional reporting of outcomes and outputs as required.

## 3.0 Approach to be taken by The City of Wolverhampton Council

- 3.1 The action plan for the use of the Fund includes:
- A. Additional staffing resource to provide capacity to support the businesses, public realm and communications activity.
  - B. Physical infrastructure such as directional barriers for pedestrians.
  - C. Road closures and associated traffic management.
  - D. Physical adaptations to road layouts, bus stops, taxi ranks, parking bays, street furniture.
  - E. Hostile Vehicle Mitigation infrastructure.
  - F. Signage, tape and markings to encourage social distancing and direction of movement.
  - G. Monitoring and evaluating footfall, cycling, dwell time.

#### 4.0 Reasons for Special Urgency

- 4.1 In the light of the current situation involving Covid-19 the Council has, as a result of the Government's decision on restriction of movement, taken the decision to cancel all physical meetings until at least **15 June 2020**. In the intervening period it will use the Council's urgent action powers for any decisions that must be taken. These powers are to be used sparingly and the guiding principles for any decisions are:

Only those decisions that have to be made (i.e. as a result of Covid-19 or related matters, including support of businesses in this difficult time or as a result of an immovable deadline) will be made.

The decisions will be made or endorsed (where the decisions have to be made very urgently) using the Urgent Action powers.

The decisions will be made available on a regular basis to Councillors through the daily update to Councillors and in any event through a weekly roundup of the decisions made through the relevant pages on the Council's website so that the Public can access them.

The relevant powers under the Constitution are:

*Council Decision*

#### *6.10 Urgent Decisions outside the Budget or Policy Framework*

*An urgent decision which is contrary to the Policy Framework or budget adopted by the Council may be taken by the Cabinet if the Chair of the Scrutiny Board agrees that the decision is urgent. If no such Chair is available (or willing) then the Mayor or in his/her absence the Deputy Mayor may agree that it is urgent before a decision is taken.*

### 6.11 Cabinet Decision

*Where an urgent decision on a matter delegated to the Cabinet is required but it is not feasible to arrange a meeting of the Cabinet, the appropriate Director, in conjunction with the Head of Paid Service is authorised to take the appropriate urgent action provided that the action shall have first been discussed with and approved in writing by the Leader (or in the Leader's absence, the Deputy Leader) and two other Cabinet Members and the Chair and Vice-Chair of the Scrutiny Board or their nominees.*

**These proposed decisions fall into the criteria for urgent decisions set out above.**

## 5.0 Reasons for decision

- 5.1 To create a supplementary budget fully funded through Government grant to implement measures to protect the public within OUR urban spaces. This will inevitably increase consumer confidence and ensure that the city centre can become vibrant whilst keeping people safe.

## 6.0 Evaluation of alternative options

- 6.1 There is an expectation by government that as the temporary statutory restrictions are lifted and urban spaces become busier, owners and operators of public spaces should implement interventions within their public spaces to keep people safe. This is highlighted in the government guidance; 'The Coronavirus Safer Public Spaces Guidance Urban Centres and Green Spaces'. Failure to implement any interventions would increase the potential risk of infection within the City and result in reduced consumer confidence, with members of the public choosing to shop in areas where controls are in place and where they feel the risk of infection is better managed.

## 7.0 Financial implications

- 7.1 Approval is sought to create a supplementary budget of £234,488 fully funded by Cities and Local Growth Unit (CLGU) grant provided by the European Regional Development Fund. Expenditure in line with the grant terms and conditions will be monitored as part of the Council's quarterly monitoring and reporting processes.
- 7.2 A grant funding agreement will be put in place between the Council and the Cities and Local Growth Unit. Budgets created will align to the grant terms and conditions in respect of any required capital revenue split. It is however anticipated most costs associated with re-opening the high street safely will be revenue expenditure, eligible spend up to the value of the grant will be claimed back from CLGU in arrears.

[HM/05062020/H]

## 8.0 Monitored in line with grant conditions

[CWC/0000000/WW]

## 9.0 Legal implications

- 9.1 The guidance issued by the Ministry of Housing Communities and Local Government indicates that the Council will be required to enter into a grant agreement in order to receive the grant funding referred to in this report.
- 9.2 The guidance issued also states that agreements will be tailored to individual local authorities but will be based on their standard grant agreement. The Council will be expected to ensure that all funds provided under the grant agreement will be used in accordance with state aid requirements, procurement rules and any other relevant legislation. Further legal advice will be required on the final form of the grant agreement.
- 9.3 The Council will need to comply with the terms of the grant agreement in order to receive the funding and may be subject to clawback if it does not comply with the terms.

[Legal Code: TS/04062020/Q]

[CWC/0000000/WV]

## 10.0 Covid Implications

- 10.1 This funding has been provided in order to reopen high streets safely during the pandemic.

## 11.0 Schedule of background papers

- 11.1 A list of any preceding reports or documents that have relevance to the subject matter, including date, title and, where appropriate, audience (e.g. Cabinet (Resources) Panel) or issuer (e.g. Department for Communities and Local Government). NB: this is not a list of appendices.
- 11.2 Do not use file references as this will enable the public full access to every piece of paper on the file or the file will need to be vetted prior to public inspection.