

## AGENDA FOR

### COVID 19 – EMERGENCY POWERS GROUP

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**To: All Members of Covid 19 Emergency Powers Group**

**Councillors** : R Caserta, P Cropper, J Mason, E O'Brien,  
M Powell, A Simpson and T Tariq

Dear Member/Colleague

#### **COVID 19 - Emergency Powers Group**

You are invited to attend a meeting of the COVID 19 - Emergency Powers Group which will be held as follows:-

<b>Date:</b>	Monday, 23 November 2020
<b>Place:</b>	
<b>Time:</b>	5.30 pm
<b>Briefing Facilities:</b>	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
<b>Notes:</b>	

## **AGENDA**

- 1 WELFARE AND FOOD HARDSHIP** *(Pages 3 - 14)*
- 2 ADDITIONAL RESTRICTIONS GRANT (ARG)** *(Pages 15 - 20)*
- 3 LOCAL RESTRICTION SUPPORT GRANTS** *(Pages 21 - 26)*
- 4 WINTER GRANT SCHEME** *(Pages 27 - 32)*
- 5 COVID MARSHALS** *(Pages 33 - 40)*
- 6 APPROVAL FOR 23RD NOVEMBER EPG** *(Pages 41 - 42)*



<b>Classification</b>	<b>Item No.</b>
<b>Open / Closed</b>	

<b>Meeting:</b>	<b>EMERGENCY POWERS GROUP</b>
<b>Meeting date:</b>	<b>23 November 2020</b>
<b>Title of report:</b>	<b>Welfare and Food Hardship</b>
<b>Report by:</b>	<b>Councillor Eamon O'Brien, Leader of the Council</b>
<b>Decision Type:</b>	<b>Key Decision</b>
<b>Ward(s) to which report relates</b>	<b>All</b>

## **1 Executive Summary**

- 1.1 In response to the Covid pandemic both the Government and the Council has taken steps to provide additional financial support to residents and businesses suffering financial hardship across the borough. In addition to this, the Government has recently announced further support for food hardship and this report sets out proposals on how the funding is to be utilised.
  
- 1.2 Demand for welfare support is likely to change as the Covid situation continues and there are potential trigger points such as when the furlough arrangements end. There are known vulnerable groups but new ones are emerging as the pandemic impacts even wider on our businesses and on our employment levels. Some people are therefore finding themselves in a hardship and welfare situation for the first time and considering how we provide support and the mechanisms for support needs to be taken into account.

- 1.3 Allocation of funding between the various schemes may therefore need to flex should the pattern for demand be different to that anticipated and this will be kept under review.
- 1.4 The role of community groups and our partners in welfare and food hardship needs to be considered and it is felt that some form of consultation would be beneficial in developing a final offer within the borough. This report therefore sets out an outline approach and draft criteria that will be subject to consultation with our partners and the submitted for final approval.
- 1.5 The decision is urgent to respond to the increased demand for welfare support across the borough.

## 2 Recommendations

### 2.1 Cabinet is asked to:

- **Approve the extension of the additional criteria to the welfare scheme that was agreed June and that this be continued until the end of March 2021;**
- **Approve an allocation of £140,000 to support a food poverty offer across the borough;**
- **Note the intention to work with partners to develop a fundraising opportunity to support a wider food offer to vulnerable people in the community;**
- **Approve the allocation of £89,549 to the Council's welfare scheme and that the criteria for the scheme be extended to cover those suffering financial hardship as a result of Covid self-isolation requirements and who are ineligible for the national and discretionary schemes;**
- **Note that consultation with the voluntary and community sectors be undertaken to help shape and influence the final criteria;**
- **Note the availability of new systems to support a more effective payments mechanism for some residents and that these are being introduced and can be funded from existing monies.**

## 3 Background

### DEFRA Grant

- 3.1 The Government has announced an emergency fund of £63 million to be distributed to local authorities in England to help those who are struggling to afford food and other essentials due to COVID-19. The funding is a one-off contribution for the 2020-21 financial year and is made under Section 31 of the Local Government Act 2003.

- 3.2 The funding allocation model distributes funds to local authorities on the basis of population weighted by a proxy measure of need, the Index of Multiple Deprivation (IMD) for the authority area. The allocation for Bury Metropolitan Borough Council under this model is £229,549.
- 3.3 The grant criteria states that Local Authorities should:
- *use discretion on how to identify and support those most in need;*
  - *use the funding to meet immediate need and help those who are struggling to afford food and essentials due to COVID-19*
  - *use the funding for existing schemes and other support which deliver the same outcomes and where the need is greatest*
  - *work together with other local authorities to provide support and ensure the funding meets its objectives*
- 3.4 When deciding how to help people, we should consider:
- *using cash or vouchers where practical - this may reduce pressure on your local partners*
  - *advising and providing information to people to help them access longer term support they might need, such as benefits - you should decide which approach is suitable in your community*

### **Current Offer**

- 3.5 In Bury, there are a number of welfare, hardship and assistance schemes already in operation. Decisions have been made throughout recent months in order to respond to the emerging crisis and the issues that were presenting at that time amongst our most vulnerable residents. As a result, some of the existing schemes have been extended and enhanced in response to the Covid situation including the allocation of additional funding to the Council's welfare scheme.
- 3.6 An expansion of the welfare scheme criteria was also previously agreed to provide support to help eligible claimants meet costs including travel to work, purchase of white goods and set up costs relating to a new home (for those moving from temporary accommodation) and also any equipment needed to enable them to work in a more agile way and retain employment. The revised criteria for the welfare scheme was approved until the end of November and approval is sought for this to be extended for the remainder of the financial year.
- 3.7 Additional funding to the Council's hardship fund which has enabled funding allocations to foodbanks across the borough to be made have also been put in place. A summary of these is attached at Appendix A.
- 3.8 Monitoring of the various schemes is in place and suggests there is still sufficient funding available within the schemes and this has provided an opportunity to consider how best the Defra grant can be utilised. In the last

two weeks however, demand has increased significantly particularly since the launch of the self-isolation scheme and the proposed approach takes account of emerging need, the profile of which is changing as the impact of the Covid pandemic continues.

- 3.9 In developing the current offer, it has been established that there are simple technologies used by other councils (including those in GM) that would offer a more accessible and dignified offer to our residents. The way in which our residents receive support as therefore been considered and is reflected in the proposed approach.
- 3.10 The role of the voluntary and community sector in supporting vulnerable people is recognised and it is proposed that prior to the final determination of the scheme, that the views of the sector be obtained through consultation.
- 3.11 A primary focus on the Council is to support residents to be financially independent in the longer term and to reduce reliance on short term support. The Council introduced an enhanced offer with the Citizen's Advice Bureau to work alongside the community hubs and the Benefits Service to support residents in managing their finances including maximising the benefits they are entitled to. This offer also includes helping residents complete on-line applications for benefits.
- 3.12 Demand for support has increased significantly following the launch of the government's self-isolation scheme. Early analysis of data shows that there is a high percentage of claimants who are not eligible for the scheme, a significant factor being that not all are in receipt of benefits. In these cases, further work is being carried out with to look at alternative options for support including the welfare scheme which is creating additional pressure on the fund.
- 3.13 At the same time, the benefits team are also working to establish whether benefits are claimable and also whether support from the Council's offer with the Citizen's Advice Bureau. This approach maximises the entitlement for benefits and provides financial advice and support.
- 3.14 Uptake of the CAB offer has been lower than expected and has been lower than pre-Covid although this is starting to increase. Possible reasons for reduced uptake are lack of face to face meeting opportunities as a result of Covid and also the fact that debt enforcement (including eviction notices) cease during Covid. Historically these have been triggers for people seeking help. The views of the CAB, voluntary and community groups will be sought as part of the consultation to identify possible barriers and solutions that will increase the uptake of the advice.

## **4 DEFRA proposal**

4.1 It is proposed that the Defra monies be targeted to support:

- Food poverty
- Hardship including to those who are affected by self-isolation requirements

## **Food Related Schemes**

4.2 The Council has offered a food offer to vulnerable children over the Summer holidays and is continuing to do so over the October half term. A continuation of the food offer to cover the Christmas and February half term holidays is proposed. Various offers have been made available including Fit and Fed, and the offer will be tailored to reflect feedback and feedback from key partners.

4.3 Food vouchers are already used by the Council to support those who require crisis and welfare support. The scheme has been extended to include residents who are working but are still suffering from food hardship.

4.4 Evidence to date suggests that residents requesting support with food hardship want the choice of fresh food rather than a standard food box. In recognition of this it is proposed that the food voucher scheme be extended to provide options of:

- Vouchers that can be used at food stalls at Bury market
- Vouchers for local supermarket
- Electronic vouchers that are cashable through the Payzone system

4.5 Foodbanks across the borough have received support over recent months and this is still a feature of the existing welfare scheme. It is however recognised that foodbanks may benefit from other types of support include storage space. Engagement with foodbanks will be undertaken to establish whether there is any additional non-financial support that could be provided.

4.6 It is proposed that £140k be set aside for a food offer. The full details of the scheme will be developed in conjunction with partners.

4.7 In addition to this, the option of working with partners to establish a community funding approach will be developed. Local Councils in other parts of Greater Manchester have adopted a similar approach and this has proven to be successful so far. It is envisaged that the funds raised will support the proposed food offer and will enable further development and potential enhancements dependent upon the availability of funding.

## **Hardship as a result of Self-Isolation due to Covid**

4.8 In recognition of the rise in infection rates and the need for some residents to self-isolate it is proposed that the remaining funding be added to the welfare scheme and that the criteria be extended to cover those who are ineligible for

the national and discretionary schemes but are suffering financial hardship as a result of self-isolation. This includes parents of school age children who may not be able to go to work should their child be in a cohort of children sent home from school due to Covid. There are likely to be other cohorts both existing and emerging as a result of Covid and the views of the voluntary and community sectors in identifying these would be useful in determining the criteria.

- 4.9 It is proposed that the remaining funding, £89,549, be made available to support the development of a discretionary scheme.

## 5 Systems and Processes

- 5.1 Advances in technology mean that there are new opportunities for 'paying' vouchers and making credit, i.e. for fuel, available in a more accessible way. Not only is this quick and efficient but, for some claimants, it can remove the stigma of using vouchers particularly for those residents who may have found themselves in a hardship/crisis situation for the first time. The opportunity to introduce new systems including Payzone and Paypoint are being explored and it is proposed that the costs will be met from the existing welfare funds that have been made available.

## 6 Consultation

- 6.1 The proposed approach is based on evidence and information collated from a number of council services that support vulnerable people and those in need of benefit advice and welfare support. It is recognised that the Voluntary and Community sectors across the borough work with the same cohort of residents and will have valuable insight that may help shape and develop the proposals further. It is proposed that a short consultation exercise be undertaken with the networks already established and that final proposals come forward for approval.

## 7 Recommendations:

### 7.1 Cabinet is asked to:

- **Approve the extension of the additional criteria to the welfare scheme that was agreed June and that this be continued until the end of March 2021;**
- **Approve an allocation of £140,000 to support a food poverty offer across the borough;**
- **Note the intention to work with partners to develop a fundraising opportunity to support a wider food offer to vulnerable people in the community;**
- **Approve the allocation of £89,549 to the Council's welfare scheme and that the criteria for the scheme be extended to cover those suffering financial hardship as a result of Covid self-isolation**



**requirements and who are ineligible for the national and discretionary schemes;**

- **Note that consultation with the voluntary and community sectors be undertaken to help shape and influence the final criteria;**
- **Note the availability of new systems to support a more effective payments mechanism for some residents and that these are being introduced and can be funded from existing monies.**

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## Community impact

There are no community impacts arising from this report.

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## Equality Impact and considerations:

24. *Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

*A public authority must, in the exercise of its functions, have due regard to the need to -*

- (a) *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

25. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*
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## Assessment of Risk:

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
The scheme is a national one and must be implemented as per national guidelines. If the scheme is not implemented, the council would not be complying with national guidance and eligible residents in Bury would lose out on financial	Implementation of the scheme as per the report.

support. Failure to implement the scheme may also mean that some residents that have been asked to self-isolate don't do so due to financial pressures. This could impact adversely on the R rate within the Bury area.	
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## **Consultation:**

The Bury Food Aid network will be consulted as part of the consultation process for the final details of the schemes and of the enhanced criteria for the Council's welfare scheme.

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## **Legal Implications:**

The proposals are in line with the Council's response to the current Covid situation. They do not give rise to any legal implications, but clarity around the eligibility criteria for certain elements will be required. The risks noted in the report must be addressed and a failure to do so could lead to legal challenge, financial and reputational risk.

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## **Financial Implications:**

The proposals outlined in the report will maximise the use of the grant funding available. There is the potential that demand for support will exceed the level of funding available and the situation will need to be carefully monitored as the impact of the pandemic continues. The opportunity to further extend a food offer, in conjunction with key partners, may be possible through additional fundraising opportunities that can be created across the borough.

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## **Report Author and Contact Details:**

**Lisa Kitto**  
**Interim Director of Financial Transformation**

**Background papers:**

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning
MHCLG	Ministry for Housing, Communities and Local Government

## Briefing Note

### Welfare Support in response to Covid Pandemic

#### Background

The Covid pandemic has placed significant pressure on individuals and businesses across the Borough. To respond to those, Bury Council has put in place some specific support for those most in need. Some of this support has been funded from grant provided by the government but for which councils were given some discretion on how it could be used and other support has been funded by reallocating existing Council funding to reflect new and emerging priorities.

This report sets out the specific funding that has been made available to individuals. In total more than £400k has been targeted to the most vulnerable individuals in the borough with support ranging from immediate crisis support to longer term financial sustainability through benefit maximisation and support for those returning to work including those identified as 'working poverty'.

#### Detail

The main sources of support for individuals since the Covid pandemic started includes:

- Hardship Funding
- Welfare Support
- Support for Foodbanks

#### Hardship Funding

Additional funding made available through a national allocation from the government was allocated as follows:

- **Crisis Payments (£50k)**

These payments are made to those residents who are facing a crisis situation and seek assistance from the council through its hardship fund. Additional funding was made available to support the increased number of requests that were being received as a result of Covid.

- **Council Tax Discretionary Fund (£50k)**

The number of claimants for the council's discretionary fund has increased however the current criteria does not enable those suffering from short term financial hardship to benefit from the fund. In recognition of the fact that some residents would be faced with short term income loss, the scheme criteria. The level of benefit is £150 which is equivalent to the government support made available to working age claimants eligible for the council tax support scheme.

- **Discretionary Housing Payments (£50k)**

This is to support the increase in demand for discretionary housing payments which is on top of the £440k DWP funding available. Local Authorities are permitted to top up the fund and no changes to the current scheme were needed.

- **Resettlement Cases (£50k)**

An increase in resettlement cases was anticipated once restrictions on evictions were lifted. In recognition of this, additional funding was added to the welfare budget to support the purchase of essential household equipment such as white goods, curtains, carpets and also temporary storage costs. This required a change in the current welfare scheme.

- **Working Poverty (£85k)**

Access to £150 one-off payments/grants was added to the scheme to support those households that are working but still experiencing poverty. The current welfare scheme does not provide support for those in this situation and the welfare scheme was extended to reflect this requirement. The scheme was also extended to include support travel costs and one-off home working set up costs for those returning to work. Of the funding made available, £35k was allocated from an underspend on members discretionary grants.

- **Citizens Advice Offer (£100k)**

A new service level agreement was agreed with the Citizen's Advice Bureau to provide support to those in financial difficulty and to also support residents in accessing and maximising all of the benefits to which they are entitled with the view of ensuring longer term financial sustainability and less reliance on short term finding.

- **Foodbanks (£22k)**

Funding of £22k has been made available to support local foodbanks across the borough. This was made from the existing hardship fund.

## **CONCLUSION**

Significant levels of funding has been targeted to the most vulnerable individuals across the borough. Demand for support is increasing and the number of residents eligible for benefits has increased significantly and is likely to continue to do so as the Covid pandemic continues. A further spike once the furlough scheme ends is anticipated. The situation will be kept under review to sure that the schemes are able to support the demand and where this is not possible, additional measures may need to be considered.

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<b>URGENT DECISION FORM</b>
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**TO BE UPLOADED ON TO THE INTERNET BY DEMOCRATIC SERVICES**

<b>Date:</b> 23-11-2020	<b>Ref No:</b>								
<b>Type of Decision:</b>									
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<b>Cabinet Decision</b>	x								
<b>Key</b>	x								
<b>Council Decision</b>									
<b>Non-Key</b>									
<b>Subject matter:</b>									
<b>Additional Restrictions Grant (ARG)</b>									
<b>Reason for Urgency:</b>									
<p>The Government announced a series of measures to support those businesses who had been operating under Tier 2 and Tier 3 restrictions and then further packages as the country went into a second national lockdown.</p> <p>This includes a £60m Additional Restrictions Grant (ARG) that was a payment from Government made to Greater Manchester under a national formula. Whilst there is some ongoing debate about the top-slicing of this fund, to provide some programmes at a metropolitan level, we are working on the assumption that the majority of funds will be 'pass-ported' to individual Local Authorities. This will give Bury a share of c£4m to allocate over this financial year and next.</p> <p>Bury's local scheme is currently being designed and a local approach agreed to deliver the support within the funding envelope.</p> <p>The scheme is being designed to comply with national guidance and will support businesses in the borough as they deal with the impact of COVID-19.</p> <p>It is therefore imperative that any additional funding that may be available is agreed and paid out as quickly as possible. The urgency process is needed in order that this can be achieved.</p>									
<b>Freedom of Information Status: Confidential</b>									
<b>Equality Impact Assessment</b>									
<p>[Does this decision change policy, procedure or working practice or negatively impact on a group of people?  <b>If yes</b> – complete EIA and summarise issues identified and recommendations – forward EIA to Corporate HR]</p>									
<b>Decision taken:</b>									

<b>Decision taken by:</b>	<b>Signature:</b>	<b>Date:</b>
Chief/Senior Officer/Cabinet Chair		
<b><i>After consultation with:</i></b>		
Cabinet Member (if a Key Decision) or Chair or Lead Member (as appropriate)		
If it is a Key Decision, the Chair of Scrutiny Committee to agree that the decision cannot be deferred		
Opposition Leader or nominated spokesperson (Council Decision) or  Leader or Majority Group Member on Overview and Scrutiny Committee (if a Key Decision) to agree that the decision cannot be deferred		
Leader of second largest Opposition Group (if a Key/Council Decision) to agree that the decision cannot be deferred		

## **1. Background**

- 1.1 The Government announced a series of measures to support those businesses who had been operating under Tier 2 and Tier 3 restrictions and then further packages as the country went into a second national lockdown.
- 1.2 This includes a £60m Additional Restrictions Grant (ARG) that was a payment from Government made to Greater Manchester under a national formula. Whilst there is some ongoing debate about the top-slicing of this fund, to provide some programmes at a metropolitan level, we are working on the assumption that the majority of funds will be 'pass-ported' to individual Local Authorities. This will give Bury a share of c£4m to allocate over this financial year and next.
- 1.3 This paper details how the Council will progress the deployment of ARG, which is proposed to be controlled locally with a degree of local prioritisation and determination.
- 1.4 There is a separate paper going to EPG which describes how Bury will support the administration of the Local Restrictions Support Grants (LRSB). The level of demand for this grant is unknown and it is possible that this will outstrip the grant allocation. Therefore, it is proposed that a nominated amount of the ARG will be set aside to support the LRSB - on the basis that those applications would come to the ARG.

## **2 Proposed Approach**

- 2.1 It is proposed that the Council should prioritise the ARG to those businesses that have been forced to close and also those businesses that have been impacted by the closure of these businesses.
- 2.2 It is considered that the first tranche of resources should therefore be targeted towards the following businesses:



- Bury and Radcliffe market traders;
- Companies within the events sector;
- Companies in the retail, hospitality and leisure sectors - who are legally required to close, occupy a rateable premise, but do not pay rates;
- Companies whose main service is supplying businesses legally required to close in the retail, hospitality and leisure sector; and
- Childcare organisations within commercial settings.

- 2.3 Bury Market is seen as being particularly vulnerable to the national lockdown. This is because it is reliant on coach trips that have largely stopped and an older age demographic who have a heightened concern over infection. It is imperative that the market is in a position to survive the lockdown, so that a viable market can be maintained once restrictions are lifted. Market traders that are still trading but are able to demonstrate a drop in income will be eligible to apply for the ARG. The market supports the footfall which has helped to maintain the competitiveness of Bury town centre and we cannot afford to lose it.
- 2.4 Whilst many businesses have seen negative impacts from the lockdowns, it is the case that those businesses who service and trade primarily with businesses forced to close, such as pubs, bars and restaurants will also face significant challenges. Supporting these businesses during the current restrictions will help them survive until the point they can return to a more normalised trading pattern.
- 2.5 Bury has a noticeable cluster of companies operating within the hospitality and events sector, employing local people. These sectors have been particularly impacted at a national and local level and cannot envisage a return to pre Covid business activity until this crisis is under control. The Government identifies these sectors should be supported.
- 2.6 Childcare providers are a vital part of the Borough's economic infrastructure. If our network of providers starts to fall, the ability of large portions of the workforce being able to return to work will be compromised, which in turn, increases the general challenges around economic recovery.
- 2.7 When applying the previous Discretionary Grant Fund, priority was given to those businesses that occupied rateable premises but were not directly responsible for paying business rates. There are a number of such businesses across the Borough and they would not qualify for LRSF support. As such, it is proposed to support those businesses that are legally required to close, who occupy a rateable premise, or part of a rateable premise but do not pay business rates directly. This does not extend to businesses renting part of a room, for instance, a chair within a salon.

## **3 Proposed Payment Model**

- 3.1 It is vital that we maintain a payment system which is demonstrably equitable. For this reason we are proposing to 'mirror' the systems of payment that have been made through the national LRSF programme.

This would see the eligible businesses being awarded a payment on a 28-day cycle which is graded on a scale based on the rateable value of the business premises. This would see the payments scaled down if and when Greater Manchester re-enters either a Tier 3 or Tier 2 lockdown.

<b>Rates Payable/equivalent rent paid</b>	<b>ARG Payment</b>	<b>Tier 3 payment</b>
Under £15k pa	£1,334	£677
£15k to £50k	£2,000	£1,000
£51k and above	£3,000	£1,500

- 3.2 For clarity, payments would be backdated to the 5<sup>th</sup> November (the commencement of the national lockdown).
- 3.3 For daily licence traders on the Markets (who don't have a rateable value) we propose to pay one month's rent with the exception of those traders who have committed to the Market for over 10 years.
- 3.4 It is proposed that we initially operate this support scheme for a period of 84 days (equivalent to 3 payment batches but with a review in the New Year).

#### 4 Financial Implications (estimated)

<b>Sector</b>	<b>RV/annual rent</b>	<b>ARG (84 Days)</b>	<b>LRSB (post Lockdown)</b>
<b>Market Traders with a licence</b>	Annual Rates below 15K	£85,710	£44,005
	Annual Rates Above £15K	£128,000	£8,000
<b>Daily Licence Traders</b>	1-month rent > 15K	£16,000	£8,000
	1-month <15k	£62,698	£31,819
<b>Daily Licence Traders</b>	Annual rent above 15K	£16,000	£8,000
<b>Organisations serving/supply chain the R, H &amp; L sector</b>	Unknown – (estimated at 100 organisations)	200,000	100,000
<b>Organisations in R, H &amp; L sector, closed but, not directly responsible for BR</b>	Unknown - (estimated at 100 organisations)	200,000	100,000
<b>Events Sector</b>	Based on 20 organisations as per application for previous grant	£40,000	20,000
<b>Childcare Settings in commercial premises</b>	Based on 200 organisations as per application for previous grant	£400,000	£200,000
<b>Potential shortfall in LRSB</b>		£800,000	
<b>Estimated Total</b>		<b>£1,948,408</b>	<b>£519,824</b>

- 4.1 The figures presented above are estimations. Some of the figures are based on the volume of previous applications received through the Discretionary Grant.
- 4.2 The number of organisations who may apply under the retail, hospitality and leisure sector cannot be quantified. An estimate of 200 applications is presented here but this will be reviewed as we move through the restriction tiers.

- 4.3 The Council will reserve the right to vary the terms of the scheme, at any time and without notice, should it be necessary to do so.
- 4.4 Explicit guidance will be published which will give further clarity to applicants.
- 4.5 An online form will be available to collate the evidence required and company information. Support will be available for any organisations that cannot navigate or access the online application form.
- 4.6 The risk of not deploying support effectively and at pace can have a negative impact on the local economy, in terms of business closures, redundancies and a reduction in business rates and council tax revenue now and in the future. This support will contribute to safeguarding local jobs and maintain some spend in the local economy.

### **5. Legal Implications**

- 5.1 The proposals are in line with the Council's ongoing response to the current Covid situation. They do not give rise to any legal implications, but clarity around the eligibility criteria for certain elements will be required. The potential for a funding gap will need to be monitored.

### **6. Financial Implications:**

- 6.1 The proposals outlined in the report will maximise the use of the grant funding available. There is the potential that demand for support will exceed the level of funding available and the situation will need to be carefully monitored as the impact of the pandemic continues.

### **7. Recommendations**

- 7.1 Members of the EPG agree that a decision to approve the above measures should not be deferred until the next Cabinet meeting given the urgency of distributing financial aid to businesses which have been impacted by Covid.

**Paul Lakin**  
**Director of Regeneration**

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<b>URGENT DECISION FORM</b>
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<b>Cabinet Decision</b>	<b>Council Decision</b>		
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X			
<b>Subject matter:</b>			
Local Restriction Support Grants			
<b>Reason for Urgency:</b>			
The grant has been made available to the Council to support businesses. Any delay in approval of the grants will delay payments being made to businesses affected by Covid.			
<b>Freedom of Information Status</b>			
<b>Equality Impact Assessment</b>			
<p>[Does this decision change policy, procedure or working practice or negatively impact on a group of people? <b>If yes</b> – complete EIA and summarise issues identified and recommendations – forward EIA to Corporate HR]</p>			
<b>Decision taken:</b>			
<ul style="list-style-type: none"> <li>• Approve the acceptance of the grants as set out in the report and approve the payment arrangements to businesses.</li> <li>• Approve that any shortfall in the Local Restrictions Grant (Open) be met from the Additional Restrictions Grant</li> </ul>			
<b>Decision taken by:</b>	<b>Signature:</b>	<b>Date:</b>	
Chief/Senior Officer/Cabinet Chair			
<b>After consultation with:</b>			

Cabinet Member (if a Key Decision) or Chair or Lead Member (as appropriate)		
If it is a Key Decision, the Chair of Scrutiny Committee to agree that the decision cannot be deferred		
Opposition Leader or nominated spokesperson (Council Decision) or  Leader or Majority Group Member on Overview and Scrutiny Committee (if a Key Decision) to agree that the decision cannot be deferred		
Leader of second largest Opposition Group (if a Key/Council Decision) to agree that the decision cannot be deferred		

**1 Introduction**

- 1.1 The government has made available a number of grants to support businesses affected by Covid-19. Some of the grants are nationally mandated, have separate funding allocations and must be paid out on the basis of the agreed qualifying criteria set by the government. These are called the Local Restrictions Support Grants (LRSg). The LRSgs were initially split between ‘closed’ and ‘open’, the definition of which simply means those business that have been forced to close as a result of the restriction and those that have been able to stay open but have been significantly impacted financially.
- 1.2 The LRSgs cover the periods in Tier 2 and Tier 3 and through an added Addendum category the current National Lockdown period. Tier 2 funding is essentially backdated to the 5<sup>th</sup> August in recognition of the fact that businesses in the region have been affected significantly as a result of the Local Restrictions imposed at that time. Tier 3 is an enhanced payment for those businesses further impacted by the increased restrictions from 23<sup>rd</sup> October, principally covering “wet” pubs.
- 1.3 In addition to these, the government has made an award to the Greater Manchester Combined Authority for an Additional Restrictions Grant (ARG). This grant is available for Local Authorities to determine a discretionary scheme that best supports their businesses. Details of the ARG are set out in a separate report.

**2 BACKGROUND**

**Local Restriction Support Grants (LRSg)**

- 2.1 A total of 4 LRSgs have been announced, each with their own criteria and funding allocations.

**1) Local Restrictions Support Grant (Open)**

- 2.2 This grant has been made available to Local authorities in High (Tier 2) in any period from 5<sup>th</sup> August to 4<sup>th</sup> November. Bury has been awarded £1.618m. The scheme is

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available to affected businesses in the hospitality, accommodation and leisure businesses.

- 2.3 This funding allows each Local Authority to run a discretionary grant scheme to support those businesses impacted by the LCAL High restrictions and which have a liability to pay Business Rates direct to the Authority. This scheme will be subject to a simple application process.
- 2.4 Government has announced the following funding tiers as a guide for Local Authorities and say they would anticipate that Local Authorities provide grant funding under the following tiers, unless there is a local economic need to deviate:
- Grants of £934 per 28-day period for businesses occupying hereditaments with a rateable value of exactly £15,000 or under on the date of the commencement of the local restrictions.
  - Grants of £1,400 per 28-day period for businesses occupying hereditaments with a rateable value over £15,000 and less than £51,000 on the date of the commencement of the local restrictions.
  - Grants of £2,100 per 28-day period for businesses occupying hereditaments with a rateable value of exactly £51,000 or above on the date of the commencement of the local restrictions.
- 2.5 This funding is equivalent to 70% of the grants provided to legally closed businesses in LCAL Very High areas via LRSG (Closed) and to closed businesses when national restrictions apply via LRSG (Closed) Addendum. The funding has been set by the Department for Business Energy and Industrial Strategy (BEIS) using information from the Valuation Office Agency (VOA) and not by information provided by the Authority.
- 2.6 The funding also includes an amount of 5% to be used for businesses affected but that do not pay Business Rates such as Bury Market stall holders.
- 2.7 The funding provided does not cover all businesses who have a rateable value and so pay Business Rates. This has been queried with BEIS by the Council and across AGMA and on a National basis by other Authority's. BEIS have made it clear that no further funding will be made available and any shortfall should be managed locally options available could be by either adapting the amount paid per business, reducing the number of eligible businesses or by using the Additional Restrictions Grant (ARG)

### **2) Local Restrictions Support Grant (Closed)**

- 2.8 This is a mandatory grant and we are awaiting confirmation of the allocation for Bury. This grant has been made available to Local Authorities for any time they have been in LCAL Very High (Tier 3). For Bury the period affected is 23 October to 5 November. The Authority provided estimated numbers of Businesses affected and funding was then set by BEIS to allow that payments be made to all eligible businesses. Initial allocations will be provided by BEIS and any additional funding required to pay this grant will be provided by BEIS over the coming weeks.
- 2.9 Payments are to be made as follows:
- 3) Businesses occupying hereditaments appearing on the local rating list with a rateable value of exactly £15,000 or under, on the date of the commencement of the local restrictions, will receive a payment of £667 per 14-day qualifying restriction period.
  - 4) Businesses occupying hereditaments appearing on the local rating list with a rateable value over £15,000 and less than £51,000 on the date of the commencement of the local restrictions will receive a payment of £1,000 per 14-day qualifying restriction period.

- 5) Businesses occupying hereditaments appearing on the local rating list with a rateable value of exactly £51,000 or above on the commencement date of the local restrictions, will receive £1,500 per 14-day qualifying restriction period.

### **3) Local Restrictions Support Grant (Closed) Addendum**

2.10 This is a mandatory grant and the allocation for Bury is £3.013m. It is available for businesses that have a rateable value and covers the national lockdown period of Thursday 5 November to Wednesday 2 December. One payment to cover the four-week period will be paid to each eligible business. The grant amounts are fixed. Businesses with more than one qualifying property will receive more than one grant. The rate of payment for eligible businesses is:

- For properties with a rateable value of £15k or under, grants to be £1,334 per four weeks;
- For properties with a rateable value of over £15k and below £51k, grants to be £2,000 per four weeks;
- For properties with a rateable value of £51k or over, grants to be £3,000 per four weeks.

2.11 If the £3.013m is insufficient to meet the amount needed, top-up payments will be made by Central Government so each Local Authority has the funding it needs.

### **4) Local Restriction Support Grant (Sector)**

2.12 This grant has been provided to support those businesses that were required to close in March and which have never been able to re-open (for example nightclubs). Grants of up to £3,000 for every four week period that they have to remain closed. There is however no back-dating of the scheme, it began 1st November 2020. Bury does not have any qualifying businesses as the one nightclub reopened as a wine bar

## **3 ACCESSING THE GRANTS**

- 3.1 The Council has launched its website that includes an application form for LRSGs. The communications team are also promoting the grants through various communications channels and communication strategies to make sure that businesses are aware of what is available and how to apply.
- 3.2 It is important to note that the required changes to the business rates computer system that would enable a faster and more efficient processing route cannot be made for approximately 4 weeks and therefore a more manual processes will be needed. This is a system issue that affects all councils and is not unique to Bury.
- 3.3 Processes have been drafted and will incorporate the necessary checks to make sure payments are only made to eligible business and that the chances of any fraud are minimised.

## **4 PAYMENT PROPOSALS**

### **Local Restrictions Support Grant (Sector)**

4.1 We do not believe we have any in Bury but if any are identified we will make a pro-rata payment under LRSG (sector) for the period 1/11/20 to 4/11/2020 until businesses become eligible for the LRSG (closed) addendum for the 5/11/20 to 2/12/20 and if national lockdown ends a new payment under LRSG (Sector) from the 3/12/20



## **Local Restrictions Support Grant (Closed) Addendum**

- 4.2 A single payment to cover the period of 28 days, 5/11/20 to 2/12/20, will be made to all businesses, who are responsible for paying Business Rates and forced to close under the National scheme. This payment will be paid as soon as possible after receipt of the application form. Payments will continue if National lockdown continues; otherwise payments will continue to be made under the tier Bury goes into after national lockdown ends - LRSG (Closed) or LRSG (Open) after the appropriate qualifying period

## **Local Restrictions Support Grant (Closed)**

- 4.3 A single (apportioned) payment to cover the 13 days period 23/10/20 to 4/11/20 will be made to businesses, who are responsible for paying Business Rates and forced to close due to tier 3 restrictions in AGMA from the 23<sup>rd</sup> October 2020. Should National lockdown end payments will continue to be made under the tier Bury goes into after national lockdown ends - LRSG (Closed) or LRSG (Open) after the appropriate qualifying period.

## **Local Restrictions Support Grant (Open)**

- 4.4 A backdated payment will be made to the 5<sup>th</sup> August 2020 for all businesses, who are responsible for paying Business Rates, who may have been severely affected by the local restrictions put in place by the Government under Tier 2. The impacted businesses have been identified by the Government and funding provided by way of a grant. A payment will be made without the need for the Business to prove they have been severely affected.
- 4.5 In the event that the value of payments made exceeds the funding available it is proposed that the shortfall be met from the Additional Restrictions Grant. This approach will enable the Council to make these payments with immediate effect and will avoid further administrative burden of issuing grants separately. The alternative options would be to assess all claims received and reduce the payments made. This approach will add significant delays to the process and the proposed approach is in line with that recommended by BEIS.
- 4.6 Current estimates suggest that the Tier 2 funding is between £600k and £750k under the amount required. We are unable to provide a more accurate estimate, at this time, because the scheme provides for businesses working within certain sectors – this is not data held within the business rates system. The estimate has been prepared by examining property descriptions and business names to best determine those fitting within hospitality, hotel, bed & breakfast and leisure businesses.

## **Financial implications**

The government has provide grants to cover the payments to be made. For the schemes that are not covered by top up arrangements, he shortfall with be met from the Additional Restrictions Grant (ARG).

## **Legal implications**

The proposals are in line with the Council's ongoing response to the current Covid situation and allocations of financial support. They do not give rise to any legal implications, but clarity around any of the eligibility criteria for certain elements will be required. The risks noted in the report must be addressed and a failure to do so could lead to legal challenge, financial and reputational risk. In addition the financial risk around areas of uncertainty on allocation of funding needs to be monitored.

## **Associated Risks**

The risks of not proceeding on his basis will mean that businesses affected by Covid do not receive grant funding in a timely manner.

## **Conclusion**

To:

- Approve the acceptance of the grants as set out in the report and approve the payment arrangements to businesses.
- Approve that any shortfall in the Local Restrictions Grant (Open) be met from the Additional Restrictions Grant

Lisa Kitto  
Interim Director of Financial Transformation  
20 November 2020

<b>URGENT DECISION FORM</b>
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**TO BE UPLOADED ON TO THE INTERNET BY DEMOCRATIC SERVICES**

<b>Date:</b> 23 November 2020	<b>Ref No:</b>	
<b>Type of Decision:</b>		
<b>Cabinet Decision</b>	<input type="checkbox"/>	<b>Council Decision</b>
<b>Key</b>	X	<b>Non-Key</b>
<b>Subject matter:</b>		
Winter Grant Scheme		
<b>Reason for Urgency:</b>		
The grant has been made available to the Council in response to the Covid pandemic. Approval is required so that the grant can be utilised.		
<b>Freedom of Information Status</b>		
<b>Equality Impact Assessment</b>	No	
<b>Decision taken:</b>		
Approve the utilisation of the Winter Grant as set out in the report and note the funding made available to Bury.		
<b>Decision taken by:</b>	<b>Signature:</b>	<b>Date:</b>
Chief/Senior Officer/Cabinet Chair		
<b>After consultation with:</b>		
Cabinet Member (if a Key Decision) or Chair or Lead Member (as appropriate)		
If it is a Key Decision, the Chair of Scrutiny Committee to agree that the decision cannot be deferred		

<p>Opposition Leader or nominated spokesperson (Council Decision) or  Leader or Majority Group Member on Overview and Scrutiny Committee (if a Key Decision) to agree that the decision cannot be deferred</p>		
<p>Leader of second largest Opposition Group (if a Key/Council Decision) to agree that the decision cannot be deferred</p>		

**1 Introduction**

- 1.1 The government has announced that a £170 million COVID Winter Grant Scheme will be made available in early December 2020 to support those most in need across England with the cost of food, energy (heating, cooking, lighting), water bills (including sewerage) and other essentials. For Bury a total of £619,418 has been made available.
- 1.2 The aim of the grant is to give vulnerable households peace of mind in the run up to Christmas and over the Winter months during the pandemic by helping those who need it to have food on the table and other essentials, so every child will be warm and well-fed this winter. This report sets out the proposals for Bury in utilising the funding.

**2 Background**

- 2.1 The objective of the COVID Winter Grant Scheme is to provide support to vulnerable households and families with children particularly affected by the pandemic throughout the winter period where alternative sources of assistance may be unavailable.
- 2.2 The grant guidance sets out the required collaboration between DWP, Authorities, including their delivery partners, such as District Councils and charitable organisations, etc., to successfully meet the policy intentions within the agreed framework. It also provides any constraints that we need to work within and the distribution of funding and reporting arrangements.
- 2.3 The guidance states 'Authorities have the local ties and knowledge, making them best placed to identify and help those children, families and individuals most in need. It is important to stress that this covers a wide range of vulnerable households including children of pre-school age too. Targeting this money effectively will ease the burden faced by a wide range of vulnerable households across the country worrying about paying the next utility bill or the next food shop due to the pandemic'.
- 2.4 Rather than focus on one specific vulnerable group Authorities have been asked to try and use the wide range of data and sources of information at their disposal to identify and provide support to a broad cross section of vulnerable households in their area. Authorities have access to a variety of different benefit information through DWP's Searchlight portal which provides information on individual citizen's entitlement to (and confirms receipt of) DWP welfare benefits. However, support is not restricted to vulnerable households in receipt of benefits. Therefore, Authorities should try, where possible, to use other sources of information to identify vulnerable households, such as, social workers, troubled families' advisors, and utility company vulnerable household lists.

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- 2.5 When administering this scheme, Local Authorities are encouraged to adopt the following principles:
- use discretion on how to identify and support those most in need
  - use the funding from December 2020 up to the end of March 2021 to meet immediate needs and help those who are struggling to afford food and utility bills (heating, cooking, lighting) and water for household purposes (including drinking, washing, cooking, central heating, sewerage and sanitary purposes), or other related essentials. This includes payments made, or committed to, by the Authorities or any person acting on behalf of the Authority, from 01 December 2020 to 31 March 2021. For example, this would allow food vouchers issued before the end of the funding period to be redeemed in April 2021
  - work together with District Councils including, where necessary and appropriate, other local services, such as social and care workers to help identify and support households within the scope of the scheme.
- 2.6 When deciding how to help people, Local Authorities are asked to consider:
- how to provide support to vulnerable households, in other words, paying into bank accounts, use of cash and vouchers
  - any risks associated with these payment methods

### **Working with other organisations**

- 2.7 Authorities are required to develop a 'local eligibility framework and approach' to enable them to distribute grant funding that best supports vulnerable families and individuals. The focus is on the provision of food, energy, water and/or associated financial support to vulnerable households with children (see the definition of a vulnerable household under paragraph 25 below) over the winter period. A proportion of funding (up to 20%) is also available for vulnerable households without children (including individuals) so that no vulnerable household is excluded.

### **Establishing eligibility**

- 2.8 Authorities have the flexibility within the scheme to identify which vulnerable households are in most need of support and apply their own discretion when identifying eligibility. Authorities can request applications for support or can proactively identify households who may benefit, or can take a mixture of the two approaches. There is no requirement for Authorities to undertake a means test or conduct a benefit check unless this specifically forms part of the Authority's local eligibility criteria. In accordance with their general legal duties, Authorities must have a clear rationale or documented policy/framework outlining their approach including how they are defining eligibility and how households access the scheme.
- 2.9 Awards must be based on the following framework:
- at least 80% of the total funding will be ring-fenced to support households with children, with up to 20% of the total funding to other households experiencing, or at risk of experiencing, poverty during the pandemic. This may include households not currently in receipt of DWP welfare benefits.
  - at least 80% of the total funding will be ring-fenced to provide support with food, energy and water bills for household purposes (including drinking, washing, cooking, central heating, and sanitary purposes) and sewerage, or other essentials. Within this condition there is flexibility about the proportion of support allocated to food and to bills.

- up to 20% of the total funding can be used to provide support with other essentials clearly linked to the scheme conditions (including sanitary products, warm clothing, soap, blankets; boiler service/repair; purchase of equipment including fridges, freezers, ovens, etc.), in recognition that a range of costs may arise which directly affect a household's ability to afford or access food, energy and water.
- the scheme is not intended to cover payment of rent or other housing costs because these are not directly related to food or utility bills and other benefits and support is available to cover these costs. Nor is it intended to be used for the provision of general advice on managing debt and/or financial hardship.

2.10 It is important that Authorities develop overall policies appropriate for their areas, and proportionate procedures, for the allocation of the grant monies by reference to the above criteria.

### **Funding overlap**

2.11 Authorities are asked to consider the household circumstances when making a decision to spend this grant. Households may be receiving other forms of support and this should be taken into account to avoid duplicating provision where possible. However, families receiving other forms of assistance are not excluded from receiving support through this grant. For example, a household may:

- have additional wider needs in terms of food
- need support with provision for cooking, lighting, heating and/or water (including sewerage)
- require other essential supplies

## **3 Administering the Scheme**

3.1 The scheme will be administered by the Council's Revenues and Benefits Service and will operate in line with the government criteria. In line with expectations the scheme will be used to fund a free school meal entitlement to eligible children for the school holidays that fall within the current financial year. The service will work as part of the Council's internal Anti Poverty Strategy Group as well as the external Bury Community Support Network Group to identify the cohort of individuals. This group is a key partner and is already working with the Council on issues of food welfare.

### **Financial implications**

The cost of the proposal will be met from the grant funding that has been made available.

### **Legal implications**

The proposals are in line with the Council's ongoing response to the current Covid situation. The legal implications are referenced in the report in terms of the Council ensuring it is complying with relevant statutory, but clarity around the eligibility criteria for certain elements will be required. Legal and Data Protection Officer advice and support will be required in relation to processing personal data to enable lawful administration of scheme.

### **Associated Risks**

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There are no associated risk from the proposal. Not making arrangement for the utilisation of the group would mean that support needed by the most vulnerable families in the borough would not be received.

### **Conclusion**

#### **To:**

**Approve the utilisation of the Winter Grant as set out in the report and note the funding made available to Bury.**

Lisa Kitto  
Interim Director of Financial Transformation  
20 November 2020

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**OFFICER DELEGATION SCHEME  
RECORD OF DECISION**

**TO BE UPLOADED TO THE INTERNET BY DEMOCRATIC SERVICES**

<b>Date:</b> 23 November 2020	<b>Ref No:</b>
<b>Responsible Officer:</b> Angela Lomax, Head of Public Protection	
<b>Type of Decision (please refer to MO Guidance):</b>	
<b>Key</b> <input type="checkbox"/>	<b>Non-Key</b> <input checked="" type="checkbox"/>
<b>Freedom of Information Status:</b> <i>(can the report go in the public domain)</i>	
<b>Title/Subject matter:</b> COVID Marshals	
<b>Budget/Strategy/Policy/Compliance:</b>	
(i) Is the decision within an Approved Budget?	Yes
(ii) Is the decision in conflict with the council's policies, strategies or relevant service plans?	No
(iii) Does the decision amend existing or raise new policy issues?	No
(iv) Is the decision significant and/or does it meet the £100,000 threshold for recording?	Yes; £103,897 has been awarded to Bury from the government through grant funding to support Local Authorities in the current Covid pandemic.
<b>Equality Impact Assessment</b> [Does this decision change policy, procedure or working practice or negatively impact on a group of people? <b>If yes</b> – complete EIA and summarise issues identified and recommendations – forward EIA to Corporate HR]	No

**Summary:**

The government has made available additional grant funding to Local Authorities to support Covid Marshals in light of the continuing Covid pandemic. For Bury, an allocation of £103,897 has been received. A decision is needed on how the funding will be utilised, so that the service delivery can be implemented.

**Wards affected:** All Wards

**Consultations:** N/A

**Scrutiny & Review Committee Interest:** N/A

**Options considered:** The guidance details eligible activities including supporting additional staffing costs, training and overtime costs and admin costs as to provide staff in public areas business support or support individuals. Additional use of the funding can include awareness raising provision of information educational campaigns and targeted sector information as well as additional staffing costs. In addition, associated with enforcement of COVID-19 regulations or guidance including training and overtime for enforcement activity including issuing of FPN PN and criminal proceedings can be included.

The guidance states that 'COVID-19 secure marshals may be appointed in a variety of ways, for example they may be existing council staff, recruited staff (fixed term) or agency staff. It is anticipated that they will be paid staff. Any planned use of volunteers should consider whether the roles and responsibilities are appropriate for volunteers, and they should do so in collaboration with the local voluntary and community sector (VCS). The government guidance of what should be considered in and out of scope is detailed in Appendix 1.

**Decision**

To approve the utilisation of the Covid Marshal fund of £103,897 on the basis set out in the report.

<b>Decision made by:</b>	<b>Signature:</b>	<b>Date:</b>
Director or Chief/Senior Officer		
<b>Members Consulted [see note 1 below]</b>		
Cabinet Member		
Lead Member		
Opposition Spokesperson		

## **1. Background**

- 1.1 On 22 September the Prime Minister announced that £60 million was to be made available across the police and local authorities for compliance and enforcement activities.
- 1.2 Of this £60 million, £30 million is being allocated to all district and unitary authorities including metropolitan borough and London borough councils in England to spend on COVID-19 related compliance and enforcement activities.
- 1.3 This funding is ring-fenced for compliance and enforcement and Bury has been allocated £103,897. This report sets out the proposals on how the funding is to be utilised.

## **2. Detail**

- 2.1 Guidance published on the 8 October 2020 sets out the types of eligible compliance and enforcement activity which local authorities can choose to use the funding for, with flexibility over how the funding is used, provided it is for the purposes of compliance and enforcement. The guidance encourages consideration of COVID-19 secure Marshals, or equivalents, to support compliance.

### **Role of Covid Marshals**

- 2.2 The role of COVID-19 secure marshals or equivalents is not to enforce COVID-19 regulations, or have any enforcement powers, which should remain the remit of the police and designated local authority compliance and enforcement officers. COVID-19 secure marshals or equivalents should instead engage, explain and encourage best practice and government guidance.
- 2.4 COVID-19 secure marshals or equivalents should engage, explain and encourage best practice and national COVID-19 secure guidance by:
  - Promoting social distancing and encouraging public compliance with COVID-19 public health measures
  - Educating and explaining COVID-19 Secure guidelines in the public realm and for business premises
  - Identifying and supporting businesses and premises not following guidelines, escalating as appropriate

### **Other Eligible Activities for use of the Funding**

- 2.5 The guidance details eligible activities including supporting additional staffing costs, training and overtime costs and admin costs as to provide staff in public areas business support or support individuals. Additional use of the funding can include awareness raising provision of information educational campaigns and targeted sector information as well as additional staffing costs. In addition, associated with enforcement of COVID-19 regulations or guidance including training and overtime for enforcement activity including issuing of FPN PN and criminal proceedings can be included.

- 2.6 The guidance states that 'COVID-19 secure marshals may be appointed in a variety of ways, for example they may be existing council staff, recruited staff (fixed term) or agency staff. It is anticipated that they will be paid staff. Any planned use of volunteers should consider whether the roles and responsibilities are appropriate for volunteers, and they should do so in collaboration with the local voluntary and community sector (VCS). The government guidance of what should be considered in and out of scope is detailed in Appendix 1.

### Implementation Considerations

- 2.7 The guidance also states that 'Local Authorities should seek to engage with local businesses to understand how marshals or equivalents could best support them. Businesses and venues will need to follow relevant legislation and guidance on managing the risks from COVID-19, and some may employ staff to ensure guidelines are followed on premises. Marshals should work with businesses, in the first instance, to agree an approach to engaging with the public on their premises'. For Bury, this will mean engaging with Millgate and The Rock in Bury as well as the Market and the town centre recovery boards.
- 2.8 We will be looking to fill the posts outlined in the table in 3.1 using existing security staff if possible, who have a good knowledge of the borough. Their roles would then be backfilled on a temporary basis.

### Reporting and Metrics

- 2.9 The local authority Section 151 Officer will be required to certify that any expenditure using this grant was used for the purposes of compliance and enforcement activity. The government has also stated that a light touch qualitative, and where possible quantitative, report to provide detail of the activity funded using this grant and impact on compliance on COVID-19 secure regulations/guidance in Bury will be requested from all local authorities in receipt of funding. This will be issued at the 3-month interval following allocation of funding.

## 3 Proposals

- 3.1 The proposed approach for utilising the funding is set out in the table:

Description	Period	Anticipated Cost (£)
2 Officer Team Daytime	November – March	31,280
2 officer Team Evenings	November – March	24,480
2 Officer Team Day Time	December	6,800
2 Officer Team Evenings	December	4,840
Honoraria and Overtime	November - March	9,000
Part Time Admin Support Officer		5,000
Body Cameras		10,000
PPE Mobile Phones		2,400
Vehicle Hire and Fuel Costs		2,900
Facemasks for distribution to public		1,600
Promotion and Information Costs		5,000
<b>TOTAL COST</b>		<b>103,300</b>

**4. Financial Implications**

- 4.1 The cost of the proposals can be met from the government grant funding being made available.

**5. Legal Implications**

- 5.1 The Council is a Category 1 responder under the Civil Contingencies Act and as such is at the core of the response to meet the COVID-19 emergency. It is subject to a full set of civil protection duties including putting in place emergency plans, business continuity and public information arrangements, all in cooperation with other local responders, as well as duties and powers in relation to public service provision and enforcement. The provision of funding for marshals and the Council's proposals for use of that funding, is part of its response.

**6. Associated Risks**

- 6.1 The introduction of COVID-19 secure marshals will help address non-compliance with COVID-19 regulations and therefore assist in reducing the spread of COVID-19 and the associated risk this represents.

**7. Conclusion**

- 7.1 The government has made funding available and the proposals are compliant with the grant criteria.

### **Suggested scope**

COVID-19 secure marshals or may be appointed in a variety of ways, for example they may be existing council staff, recruited staff (fixed term) or agency staff. It is anticipated that they will be paid staff. If local authorities plan to use volunteers, they should consider whether the roles and responsibilities are appropriate for volunteers, and they should do so in collaboration with the local voluntary and community sector (VCS).

A COVID-19 secure marshal or equivalent may be eligible for a DBS check depending on the type of responsibilities and duties they will be expected to carry out. Local authorities should check [eligibility for a DBS check](#), or by contacting the Disclosure and Barring Service directly.

The role of COVID-19 Secure Marshals or equivalents is not to enforce COVID-19 regulations, or have any enforcement powers, which should remain the remit of the police and designated local authority compliance and enforcement officers.

### **Type 1 COVID-19 secure marshals or equivalents**

Type 1 COVID-19 secure marshals or equivalents may be considered suitable for the following types of activity:

- signposting members of the public and businesses to government guidance
- cleaning touch points
- directing pedestrians and managing pedestrian one-way systems
- guiding pedestrians through exit and entry points
- checking and promoting visibility of COVID-19 Secure messaging
- handing out face coverings and hand sanitiser

It is anticipated that staff deployed to undertake these activities will be more suited to support the day-time economy on high streets, urban centres and other high footfall areas such as tourist hotspots.

### **Type 2 COVID-19 secure marshals or equivalents**

In addition to the activity considered suitable for type 1 staff, responsibilities for type 2 staff may also include:

- working with local businesses on queue management in the public realm, for example, advising on one-way systems and social distancing in queues
- facilitating to help prevent mixing between groups in night-time economy areas
- encouraging social distancing in busy night-life areas
- reminding members of the public to wear a face covering where required in relation to business premises
- supporting councils' compliance and enforcement function through visiting businesses to check compliance with COVID-19 secure measures through observation, escalating to local authority compliance and enforcement officers as appropriate

Local authorities who have deployed COVID-19 secure marshals or equivalents for these types of role have used, amongst others, private security operatives given their experience and training, such as individuals licensed by the SIA (Security Industry Authority).

When designing their schemes, local authorities may wish to consider whether individuals previously engaged in SIA-licensed roles may be suitable/ available for COVID-19 secure marshal (or equivalent) roles. However, an active SIA licence should not be considered a condition of undertaking COVID-19 secure marshal roles and responsibilities, as outlined above. In framing roles and responsibilities, local authorities should consider the Private Security Industry Act 2001.

It is also important to note that the role of COVID-19 secure marshals or equivalents is not to enforce COVID-19 Secure regulations, or have any enforcement powers, which should remain the remit of the police and designated local authority compliance and enforcement officers.

### **Training**

To ensure COVID-19 secure marshals or equivalents are able to carry out their roles and responsibilities safely and successfully, they should undergo a training programme provided by the local authority. Whilst COVID-19 secure marshals are likely to carry out differing duties across local authorities and authorities are encouraged to scope roles in collaboration with local stakeholders, all local authorities should consider providing COVID-19 secure marshals with training on:

- regulations in force to stop the spread of coronavirus – this may include local restrictions for some areas
- COVID-19 secure guidance: Safer public places
- COVID-19 secure guidance: Working safely during coronavirus
  - restaurants, pubs, bars and takeaway services
  - shops and branches
  - the visitor economy
  - close contact services
  - wedding receptions and celebrations
- cleaning in non-healthcare settings outside the home
- travelling safely
- de-escalation techniques

COVID-19 secure marshals or equivalents should be aware of both COVID-19 secure regulations, but also COVID-19 secure guidelines.

Local authorities may choose to provide COVID-19 secure marshals or equivalents with additional training, such as first aid and fire safety, and also consider the need to update training as COVID-19 secure regulations and guidance evolve.

Both type 1 and type 2 COVID-19 secure marshals or equivalents should understand protocols for escalating situations including which matters are to be escalated to the police and local authority compliance and enforcement officers.

Local authorities should ensure COVID-19 secure marshals or equivalents are covered by any insurance, as appropriate.

## **Administrative support**

To support COVID-19 secure marshal or equivalent schemes, there may be some administrative overheads. Examples of overheads from existing COVID-19 secure marshal or equivalent schemes include:

- training – as set out above
- communications and engagement – to the public and local community (including local businesses and emergency services such as the police) on the role of COVID-19 secure marshals
- materials - such as personal protective equipment (PPE), hi-vis jackets and radio systems

## **Activity out of scope**

The role of COVID-19 secure marshals or equivalents such as wardens, stewards and ambassadors is not to enforce COVID-19 regulations, or have any enforcement powers, which should remain the remit of the police and designated local authority compliance and enforcement officers. COVID-19 secure marshals or equivalents should engage, explain and encourage best practice and national COVID-19 secure guidance.

COVID-19 secure marshals or equivalents should not:

- enforce social distancing regulations
- issue fixed penalty notices to those breaking COVID-19 regulations
- engage physically with members of the public or attempt to restrain anybody
- take decisions about allowing entry to a venue/ premises/ site



**Approval for reports to be  
considered at EPG**



<b>Date: 23 November 2020</b>	<b>Covid 19 Emergency Powers Group</b>	
<b>Subject:</b> <ul style="list-style-type: none"> <li>• Welfare and Food Hardship</li> <li>• Additional Restrictions Grant (ARG)</li> <li>• Local Restriction Support Grants</li> <li>• Winter Grant Scheme</li> <li>• COVID Marshals</li> </ul>		
<b>Reason for EPG</b>  The grants have been made available to the Council in response to the Covid pandemic. Approval is required so that the grants can be utilised.		
<b>23/11/20 EPG approved after consultation with:</b>		
Chief/Senior Officer	Geoff Little, Chief Executive	23/11/20
Leader	Councillor O Brien	23/11/20
Nominated Opposition or Majority Group Member on Overview and Scrutiny Committee or Opposition Spokesperson	Councillor N Jones	23/11/20
Leader of second largest Opposition Group	Councillor M Powell	23/11/20

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