

## **Report to Leader of the Council**

**Subject:** Change to Council Services due to Tier 3 COVID-19 Restrictions

**Date:** 29 October 2020

**Author:** Chief Executive

### **Wards Affected**

All

### **Purpose**

To update the Leader as to the changes necessary to Council services as a result of Gedling Borough's move to Tier 3 – Very High Risk status from 30<sup>th</sup> October 2020.

To seek authorisation from the Leader to close the Bonington Theatre bar, and the bar at the Richard Herrod Centre from 30 October 2020 in accordance with the Health Protection (Coronavirus, Local Covid-19 Alert Level)(Very High)(England) Regulations 2020/1105 (“the Regulations”).

To seek approval of the reduction in service in Community Centres and Leisure Centres in accordance with the Regulations and additional local restrictions agreed by local leaders and government for Nottinghamshire (“additional local restrictions”).

To seek approval to close the indoor Café area at Café 1899 and move to a takeaway service from the premises, from 30<sup>th</sup> October 2020 in line with additional local restrictions and guidance.

### **Key Decision**

This is a key decision as it is likely to have a significant impact on residents living in two or more wards of the Borough.

<b>Recommendation(s)</b>
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<b>THAT the Leader of the Council:</b>
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| <b>1) Authorises the temporary closure, until further notice of the Richard Herrod Centre Bar and the Bonington Theatre Bar from 30 October</b> |
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**2020.**

- 2) Authorises the temporary closure, until further notice of the indoor café area at Café 1899 from 30<sup>th</sup> October 2020, with takeaway services continuing to be provided from the hatch at the premises.**
- 3) Delegates authority to the Director responsible for Leisure Services and Parks and Street Care to authorise any operational measures or decisions necessary to facilitate the temporary closure of the facilities at the Richard Herrod Centre, the Bonington Theatre Bar and Café 1899.**
- 4) Authorises, from 30<sup>th</sup> October 2020, the cessation, until further notice, of indoor group exercise classes at Council Leisure Centres, in line with additional local restrictions and government guidance.**
- 5) Delegates authority to the Director responsible for Leisure Services to authorise any operational measure necessary to facilitate the cancelling of group exercise classes at Council Leisure Centres, in line with additional local restrictions and government guidance.**
- 6) Delegates authority to the Director responsible for Community Relations to make any operational decisions necessary to ensure the use of Community Centres is in accordance with the Regulations, additional local restrictions and government guidance, as detailed in this report.**

## **1 Background**

- 1.1 From 30 October 2020, Gedling Borough will be categorised as a “very high risk area” for the purposes of the Regulations and will fall under the Tier 3 very high risk category. This is following the government’s decision in recent weeks to effectively categorise different areas of the country into different risk brackets, dependant on a number of factors including infection rates, and hospital admission rates. The aim of this categorisation is to try and contain and reduce infection rates within certain areas. Nottinghamshire County was categorised as a Tier 2 High risk area on 14<sup>th</sup> October 2020. Although at this point infection rates, particularly in the City were one of the highest in the country, there was sufficient capacity in terms of hospital admission to limit restrictions to Tier 2. Since this categorisation, infection rates have continued to rise and the situation has now been reassessed in consultation with Nottinghamshire authorities resulting in the move to Tier 3 from 30 October 2020 of the whole of Nottinghamshire including Gedling Borough.

1.2 Following numerous meetings with government officials, local leaders within Nottinghamshire have agreed that the County should move into Tier 3 restrictions which will include national and additional local restrictions.

The Tier 3 national restrictions are:

- People **must not** meet socially with friends and family indoors in any setting unless they are part of their household or support bubble. This includes private homes and indoors in hospitality venues, such as pubs.
- People **must not** meet with people outside of their household or support bubble in a private garden or in most outdoor public venues.
- People **can** continue to see friends and family in groups of six or less that they don't live with (or have formed a support bubble with) in certain outdoor public spaces, such as a park or public garden.
- All pubs and bars must close unless they are serving substantial meals, such as a main lunchtime or evening meal. They can only serve alcohol as part of a meal. Pubs, bars and restaurants must still close between 10pm and 5am.
- Wedding receptions will not be permitted, but people can get married with a maximum of 15 people at the ceremony (check with the venue for additional restrictions).
- Avoid travelling outside the Very High alert area or entering a Very High alert level area, other than for work, education or for caring responsibilities, or to travel through as part of a longer journey.
- Avoid staying overnight in another part of the UK.

As well as the national Tier 3 restrictions, Council Leaders have agreed the following additional local restrictions to cover Nottinghamshire:

- All hospitality venues (cafes, restaurants, pubs, bars and social clubs) can only remain open to offer substantial meals, or must move to operate a delivery and takeaway service only. Alcohol can only be served with a substantial meal.
- The use of shared smoking equipment (such as but not limited to shisha) in hospitality venues will be prohibited.
- Betting shops, car boot sales and auction houses (with the exception of Livestock and agricultural equipment sales) must close.
- Alcohol sales must be prohibited after 9pm where alcohol is purchased to consume off premises, for example shops. Alcohol can continue to be purchased in hospitality venues where accompanying a substantial meal, up until 10pm.

- Indoor entertainment and tourism venues must close, except for ice-skating rinks, cinemas, concert halls, and theatres. Hotels and other accommodation can stay open.
- Outdoor entertainment and tourism venues can remain open, with the exception of their indoor attractions (such as animal attractions or landmarks).
- Saunas and steam rooms must close.
- Leisure and sporting facilities (such as leisure centres, gyms, fitness and dance studios, swimming pools and sports courts) can remain open. It is strongly advised that indoor group exercise classes (including dance and fitness classes) should not take place.
- Personal care settings such as tattoo parlours, tanning and nail salons, and piercing services must close. Hairdressers and barber salons can remain open but cannot perform services that are otherwise closed. It is advised that personal care services do not take place in private homes.
- Public buildings such as town and parish halls, community centres and libraries can remain open to run activities such as childcare and support groups. Public buildings should not host events for private hire, such as birthday parties or other social activities.

- 1.3 The Regulations do not currently extend to incorporate the additional local restrictions as law, however the national restrictions are largely incorporated into the legislation. As the Regulations are regularly updated and amended, it is expected that the additional local restrictions will soon become part of the Regulations.
- 1.4 In terms of business impacts, the Regulations and additional local restrictions do require certain businesses to close, or to operate differently. This has an impact on the operation of certain Council run facilities. Leisure centres can remain open in the Borough, as can the Bonington Theatre itself, however, all hospitality venues such as bars and cafes which do not offer a substantial meal must close. At present the bars at the Richard Herrod Centre and the Bonington Theatre bar do not offer a substantial meal and will therefore be required to close. This position will be monitored and opportunities to offer substantial meals from these premises will be explored either through Council provision or through an external provider.
- 1.5 In relation to Leisure Centres, whilst they are able to remain open, the additional local restrictions require steam rooms and saunas to close. This means the steam room and sauna at Carlton Forum Leisure Centre Health Suite, are required to close. These facilities have however not re-opened since Leisure Centres were closed in March 2020, no

operational change is therefore required and the facilities should remain closed.

- 1.6 Indoor group exercise classes are permitted in Tier 3 under the Regulations however it is strongly advised by government, and as part of the additional local restrictions that indoor exercise classes should not take place. Following the government guidance, all group exercise classes such as Spinning and Pilates should be cancelled until the guidance changes. As the gym facilities and swimming pools will remain open DNA membership fees will continue to be collected, however, as each membership is used for different purposes suspensions will be offered if members request these.
- 1.7 Public buildings such as Community Centres can remain open provided they are being used for specific purposes such as, the provision of childcare or being used by vulnerable groups but cannot be used for private hire for example for parties. In terms of Council run facilities this impacts on the use of Community Centres and other spaces previously available for hire such as rooms at leisure centres. These spaces can still be used for exempt purposes.
- 1.8 Due to reduced footfall inside Café 1899, since reopening in June, the Café has offered a reduced menu. The reduced menu is not considered to be a “substantial meal”. As the Café are not currently offering a substantial meal the Café is required to close in accordance with additional local restrictions. Takeaway sales can continue to be provided through the hatch area at the Café, however it is not considered financially viable to offer substantial meals within the premises due to a lack of demand.
- 1.7 The temporary closure of the bars, Café and reduced services in leisure centres and Community Centres are required by law and/or additional local restrictions, and as such, authorisation for their closure, where appropriate, is sought along with delegations where necessary to ensure continued operations are in accordance with Regulations, additional local restrictions and guidance.

## **2 Proposal**

- 2.1 It is proposed, in line with the Regulations, additional local restrictions and government guidance that the Bonington Theatre and Richard Herrod Centre bars, close from 30 October 2020. The Regulations will be reviewed on a 28 day basis, and as soon as restrictions are lifted, these facilities will be able to reopen.
- 2.2 It is proposed, in line with additional local restrictions that the indoor café area of Cafe 1899 be closed from 30<sup>th</sup> October 2020, and takeaway

services operated from the hatch at the premises, again, these measures will be kept under review in line with changing restrictions.

- 2.3 It is proposed that a delegation is given to the Director responsible for Leisure Services and Parks and Street Care to make any operational decisions necessary to ensure the closure of the Richard Herrod Centre bar, the Bonington Theatre bar and Café 1899 indoor café area, in line with Regulations.
- 2.4 It is proposed that from 30<sup>th</sup> October 2020, indoor exercise classes cease at Council Leisure Centres, in order to comply with additional local restrictions and government guidance, these will be subject to review as guidance/Regulations change.
- 2.5 It is proposed that a delegation is given to the Director responsible for Leisure Services to ensure that all operational decisions and measures can be taken to undertake necessary withdrawal of facilities to comply with the Regulations, additional local restrictions and government guidance.
- 2.6 It is proposed that a delegation is given to the Director responsible for Community Relations to make any operational decisions necessary to ensure the use of Community Centres complies with local restrictions and the Regulations, including determining whether any use of Community Centres is for a permitted “exempt purpose”.

### **3 Alternative Options**

- 3.1 There is no alternative to closure of the bar facilities as to remain open would be contrary to the Regulations and could result in enforcement action being taken against the Council. The decision could be taken to close down leisure centres and the Bonington Theatre entirely, however this is not considered necessary at this time and would be going beyond the restrictions imposed by the Regulations and additional local restrictions.
- 3.2 Café 1899 could remain open and switch to serving “substantial meals”, however, given the lack of demand and footfall at the Café since its reopening in June, it is not considered to be commercially sound to do this. The move to the takeaway service only, will have little impact on the sale of food to customers, given that current footfall is low.
- 3.3 Indoor exercise classes, are permitted to continue under the Regulations at the current time, however, strong advice from government is that they do not continue. Given the high levels of infection rates of Covid-19 in Gedling currently, it is considered necessary to cease such activities to reduce the risk of infection.

- 3.4 Various delegations are sought to ensure that operationally facilities can close or continue to operate in line with Regulations, additional local restrictions and government guidance. It is considered necessary to do this so as not to overburden the Executive with operational decisions.
- 3.5 Community Centres could be closed entirely, however, they are potentially a valuable space for communities where used for exempt purposes, as such, provided they are operated in a Covid secure way, they can remain open for certain uses.

#### **4 Financial Implications**

- 4.1 The closure of the Bars at Richard Herrod and the Bonington Theatre will result in additional loss of income to that already incurred over both sites as a result of the Covid-19 related closures in March 2020.
- 4.2 At Quarter 1 monitoring, approved budget adjustments were made to both facilities to account for the impact of the closures in March. The budget for Richard Herrod bar income reduced by £85,600 to £60,800 and the Theatre bar by £16,000 to £5,700.
- 4.3 Another round of closure will further impact on the ability to meet these revised budget, the resulting loss of income is estimated at c£6,700 at Richard Herrod and £700 at the Theatre, for each month the facilities would be closed.
- 4.4 The closure of the community centres would result in additional losses of income of £3400 per month, this would be reduced if exempt groups continued throughout the Tier 3 restrictions by £400 to £3000.
- 4.5 The cancelling of exercise classes could potentially result in a loss of between £15,000 and £20,000 per month in lost membership fees.
- 4.6 The financial impact of a move to provide takeaway services only at Café 1899 is negligible, as food will still be sold and current footfall in the café is low. Café 1899 is run by Nottingham City Council under a service concession contract which operates on a profit share bases with Gedling Borough Council. As refreshments can still be purchased from the premises, the reduction in income is expected to be minimal.

#### **5 Legal Implications**

- 5.1 The government has through the Regulations imposed requirements to close certain business premises. Non- compliance with the Regulations could result in enforcement action being taken against the Council. The additional local restrictions are not yet part of the Regulations, however it

is suspected that they will become so in due course and compliance will be required.

## **6 Equalities Implications**

- 6.1 The closure of the bars, cessation of indoor exercise classes and move to a takeaway service at café 1899 may have a positive impact on those within protected characteristics that are at higher risk from Covid-19 such as those with a disability or from the BAME community, by limiting the ability to come into contact with others within these venues. The cancelling of certain activities however such as indoor exercise classes, may have a negative impact on those within the protected characteristic of disability as such activities offer improvement to health and wellbeing.

## **7 Carbon Reduction/Sustainability Implications**

- 7.1 There are no carbon reduction or sustainability implications arising from this report.

## **8 Appendices**

- 8.1 None

## **9 Background Papers**

- 9.1 None

## **10 Reasons for Recommendations**

- 10.1 To ensure compliance with the Regulations, local restrictions and government guidance in relation to Covid-19 Tier 3.
- 10.2 To ensure that any closure, or other necessary measures are undertaken in a way that is safe and to ensure any operational decisions can be taken quickly without overburdening the Executive.