

Report to Leader of the Council

Subject: Change to Council Services due to National Lockdown

Date: 4 November 2020

Author: Chief Executive

Wards Affected

All

Purpose

To update the Leader as to the changes necessary to Council services as a result of the Health Protection (Coronavirus, Restriction) (England) (No4) Regulations 2020, which are expected to come into force at 12:01 5th November 2020 (the Regulations).

To seek authorisation from the Leader to close various facilities as required by the Regulations and as detailed in this report.

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.

Recommendation(s)

THAT the Leader of the Council:

- 1) Authorises the temporary closure, of the Bonington Theatre from 5th November 2020.**
- 2) Authorises the temporary closure, of the Council's Leisure Centres from 5th November 2020, save for the use of any centres for school activities as detailed in the report.**
- 3) Authorises the temporary closure of all outdoor gyms in Council parks and open spaces from 5th November 2020.**
- 4) Authorises, the temporary closure of tennis courts at Conway Road and Oakdale Road from 5th November 2020.**

- 5) **Delegates authority to the Director responsible for Arnold Market to agree any necessary restrictions on the operation of Arnold Market to ensure compliance with the Regulations, as detailed in this report.**
- 6) **Delegates authority to the relevant Director in consultation with the Leader of the Council to reopen the facilities closed as a result of the Regulations, once permitted by further regulation.**
- 7) **Delegates authority to the Director responsible for Leisure Services to take all necessary operational decisions and measures to facilitate the closure of Leisure facilities.**

1 Background

- 1.1 On 31st October 2020 the prime minister announced there would be a further national lockdown in England commencing on 5th November 2020 to try and curb the spread of Covid-19. This has been followed by the publication of draft regulations which are expected to come into force from midnight on 4th November 2020 which require the closure of a number of business premises and withdrawal of services, including the closures of non- essential retail premises such as clothing shops, all restaurants and pubs (save for takeaway services), hairdressers, beauty parlours, cinemas, theatres and leisure centres. There are also additional restrictions placed on individuals nationally, as separate households will no longer be able to mix indoors or outdoors, with the exception that one individual can meet another individual of a different household (who is not part of their support bubble) outdoors in a public place (not private garden). It is initially envisaged that this “second lockdown” will be in place for a month, then reviewed.
- 1.2 In terms of impact on Council services, the Regulations require the closure of certain premises including theatres and cinemas, which means that the Bonington Theatre will need to close to comply with the Regulations.
- 1.3 Closure of the Council's leisure Centres is also necessary to comply with the Regulations, however leisure centres are able to remain open to provide services for educational purposes such as school swimming. As both Carlton Forum, Redhill and Calverton Leisure Centres are joint use sites with schools, it is likely that some activities will continue in those centres with a skeleton staff operating. This will enable continued health and wellbeing support to educational establishments.
- 1.4 The closure of outdoor gym facilities provided at Killisick Rec, King George V Playing Fields Arnold, Muirfield Road recreation ground,

Burton Road Jubilee Park, Honeywood Estate and Bestwood Country Park is required in accordance with the Regulations. Also required to close are outdoor sports facilities including tennis centres at Conway Recreation Ground and Oakdale Road Recreation ground. The Regulations do not require the closure of play parks or ball parks, so outdoor activity is still available at the Council's parks.

- 1.4 Whilst the Regulations require outdoor markets to close, there are exceptions to this rule, in that outdoor markets can remain open if they are selling food and other permitted retail such as pet supplies and gardening supplies. Arnold Market would therefore be able to remain operational, however certain stalls may not be able to operate if they do not comply with the Regulations.
- 1.5 Council buildings such as the Civic Centre can remain open, as such the Civic Centre will remain open for appointments as is currently the case. Also, whilst Community Centres remain open, this is only for specific exempt activities, and delegation has already been provided to the relevant Director to enable decisions on the use of Community centres to be made.
- 1.6 For clarity, Café 1899 was closed following the imposition of Tier 3 restrictions on 30th October 2020 but operates a takeaway service from the hatch at the premises. This service is still permitted under the Regulations.

2 Proposal

- 2.1 It is proposed, in line with the Regulations, that the Bonington Theatre close from 5th November 2020. The closure will be reviewed once the Regulations are reviewed.
- 2.2 It is proposed, in line with the Regulations that the Council's Leisure Centres, are closed from 5th November 2020, save for where required to be open for educational purposes.
- 2.3 It is proposed, in accordance with the Regulations, that outdoor gyms at Council parks and open spaces, and tennis centres at Oakdale Road Recreation ground and Conway Road Recreation Ground be closed from 5th November 2020. In practical terms this will require the gyms to be taped off as they cannot be removed from site. Outdoor play facilities such as ball parks and public toilets will remain open.
- 2.4 It is proposed that Arnold Market remains open, but that a delegation is given to the Director responsible for the market to determine which stalls can continue to operate in line with the Regulations.

- 2.5 It is proposed that a delegation is given to the relevant Director responsible for Leisure Services, and Parks and Street Care in consultation with the Leader of the Council, to authorise the reopening of the facilities closed as detailed in this report once permitted by Regulation to do so. This will ensure there is no delay to the reopening of facilities when it is lawful to do so.
- 2.6 It is proposed that a delegation is given to the Director responsible for Leisure Services to take any necessary operational and measures and decisions to ensure Leisure centres can close including consideration of any membership refunds if necessary.

3 Alternative Options

- 3.1 There is no alternative to closure of these facilities as to keep them open would be contrary to the Regulations, (save where certain exceptions apply) and may lead to enforcement action being taken against the Council. Leisure Centres can continue to provide facilities in respect of education, for example school swimming lessons, however this is not viable. As would require premises to remain open for only very limited demand.
- 3.2 The decision could be taken to close Arnold Market, however this would be going beyond the requirements of the Regulations and is disproportionate provided the stalls operating are regulated to ensure compliance with the Regulations.

4 Financial Implications

- 4.1 The closure of the Leisure Centres and The Bonnington Theatre will result in additional loss of income to that already incurred as a result of the Covid-19 related closures in March 2020.
- 4.2 Budget adjustments have been made to account for the impact of the closures in March. Budgets for Leisure Centres have reduced by £1,669,200 to £1,240,600 and the Theatre by £60,500 to £129,700.
- 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 an average of £170,000 for each month the facilities would be closed. Up to £127,000 of this lost income may be eligible to claim from the Governments Income Compensation Scheme. The Council will consider the furlough scheme where appropriate in those areas subject to closure or restriction where staffing implications result.

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.

6 Equalities Implications

6.1 The closure of these facilities 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 facilities.

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.

Statutory Officer approval

Approved by Chief Financial Officer

Date: **4 November 2020**

Approved by Deputy Monitoring Officer

Date: **4 November 2020**