

CABINET

5 April 2022

COVID 19 UPDATE & CESSATION OF EMERGENCY POWERS

Report of the Leader of the Council

Strategic Aim:	All	
Key Decision: No	Forward Plan Reference: FP/170322	
Exempt Information	No	
Cabinet Member(s) Responsible:	Councillor Oliver Hemsley, Leader of the Council and Portfolio Holder for Policy, Strategy, Partnerships, Economy, and Infrastructure.	
Contact Officer(s):	Marie Rosenthal, Interim Deputy Director for Corporate Governance (Monitoring Officer)	mrosenthal@rutland.gov.uk
Ward Councillors	All	

RECOMMENDATIONS

That Cabinet:

1. Agrees to cease the use of emergency powers delegated to the Chief Executive in May 2020 in relation to the Covid 19 Pandemic.
2. Notes the need to keep the situation under review and report back should future outbreak management require it.

1 PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to recommend ceasing the use of the Civil Emergency delegated powers agreed on 9 April 2020.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 During the Covid 19 pandemic in 2020/21 and 2021/22, the Government introduced regulations and legislation to protect public health, and support individuals, businesses, and public services. These included new responsibilities for local authorities in enforcing public lockdowns and domestic restrictions imposing a legal duty on individuals who test positive and certain close contacts to self-isolate. These

laws were formally repealed by the Government on 24 February 2022 and have now been replaced by new Guidance.

- 2.2 On 9 April 2020, during the initial stages of the Covid 19 Pandemic and the introduction of these legislative restrictions, Cabinet agreed the use of the Council's Civil Emergency delegated powers as set out in the Council's Scheme of Delegation and including emergency financial powers under the Financial Procedure Rules.
- 2.3 A Decision-Making Log was created for the use of the emergency powers (and other delegated powers that were deployed during the crisis). This Log was created to record the decisions that had been made, who was consulted in relation to each decision and the powers that they have been made under. A redacted version of the Log is published on the Council's website. <https://www.rutland.gov.uk/my-council/decision-making-and-council-meetings/covid-19-executive-officer-delegated-decisions-log/>
- 2.4 During the emergency period, other business as usual decisions were made through Cabinet and eventually Council and Committee using the virtual meeting regulations.
- 2.5 Now that the Government has repealed the emergency legislation and Covid 19 infection rates have decreased, there is no operational need to continue the delegated officer emergency arrangements.
- 2.6 The situation will continue to be monitored and if infection rates rise in the County this will be the subject of a further report.

3 CONSULTATION

- 3.1 Group Leaders have been consulted on this proposal to cease emergency powers and agree.

4 ALTERNATIVE OPTIONS

- 4.1 The emergency delegation could remain in force, but this is not necessary.

5 FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial implications arising from this report.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 These are contained in the Report.

7 DATA PROTECTION IMPLICATIONS

- 7.1 None arising from this Report.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 An Equality Impact Questionnaire is not required for this report.

9 COMMUNITY SAFETY IMPLICATIONS

- 9.1 There are no community safety implications arising from this report.

10 HEALTH AND WELLBEING IMPLICATIONS

10.1 There are no health and wellbeing implications arising from this report.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

11.1 Now that the Government has repealed the emergency legislation and Covid 19 infection rates have decreased, there is no operational need to continue the delegated officer emergency arrangements.

12 BACKGROUND PAPERS – NONE

13 APPENDICES – NONE

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