

ANGUS COUNCIL

COUNCIL – 12 AUGUST 2020

EMERGENCY DELEGATED POWERS – ACTIONS TAKEN IN RESPONSE TO COVID-19 PANDEMIC

REPORT BY JACKIE BUCHANAN – DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT

This report informs members of the further actions taken by the Chief Executive and Directors in response to the COVID-19 pandemic using their delegated powers.

1. RECOMMENDATION(S)

It is recommended that the Council notes the actions taken by the Chief Executive and Directors in response to the COVID-19 pandemic using their delegated powers, as detailed in the Appendices to this report.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- Safe, secure, vibrant and sustainable communities

3. BACKGROUND

Paragraph 5 of the Council's Scheme of Delegation gives the Chief Executive the following delegated power:

“in an emergency, to initiate action under any statutory procedure related to a function of the Council, subject to a report being made to the appropriate Committee at the first opportunity on any item for which Committee approval would normally be necessary”.

Report No 122/20 advised Special Council on 3 April 2020 of the actions approved by the Chief Executive using this delegated power in response to the COVID-19 pandemic. Reports 121/20, 123/20, 124/20 and 126/20, also agreed at Special Council on 3 April 2020, gave additional delegated powers to the Chief Executive and Directors.

Reference is made to Report No 132/20 to the Special Arrangements Committee on 28 April 2020 which provided details of actions approved by the Chief Executive and Directors using these emergency delegated powers. Reference is also made to Report No 176/20 to the Special Arrangements Committee on 23 June 2020 which approved the extension to officer delegation for the Director of Infrastructure and provided details of actions approved by the Director of Infrastructure using these emergency delegated powers, as well as an action approved by the Chief Executive.

This report provides an update on further actions approved by the Chief Executive and Directors using these emergency delegated powers.

4. CURRENT POSITION

Since Report Nos 132/20 and 176/20 were presented to the Special Arrangements Committee, a number of further actions have been taken by the Chief Executive and the Directors using these emergency delegated powers and, where there is a requirement to report these actions to the next available committee, these are detailed below and also in the separate Appendices to this report. An internal audit has also highlighted that two approvals (in relation to the Hardship Fund and a Street Trader's Licence) have not yet been reported to Council or Committee and these are now included in this report.

Appendix	Subject	Date of Approval	Description
1	Parental Employability Support Fund ("PESF") 2020-21	17 June 2020	Approval to sign and accept the terms of a time-limited grant offer from Scottish Government for the Parental Employability Support Fund ("PESF") 2020-21. (Please note that this was approved by the Depute Chief Executive using the Chief Executive's Delegated Power whilst the Chief Executive was on annual leave.)
2	"No One Left Behind" 2020/21 Programme	15 June 2020	Approval to sign and accept the terms of a time-limited grant offer from Scottish Government for the No One Left Behind 2020/21 Programme (Please note that this was approved by the Depute Chief Executive using the Chief Executive's Delegated Power whilst the Chief Executive was on annual leave.)
3	Caravan Site Licence	15 June 2020	Approval of an application for amendment to a Caravan Site Licence in terms of the Caravan Sites and Development Act 1960. This application would normally be considered at the Civic licensing Committee.
4	Suspension of Charges for Public Toilets	22 July 2020	Approval to temporarily suspend charges for the use of attended public conveniences to remove an identified health and safety risk presented by the handling of cash.
5	Hardship Fund for the Self-Employed	30 April 2020	Approval of a procedure for how the Hardship Fund for the Self-Employed would be administered and distributed, together with approval to distribute these funds.
6	Street Trader's Licence	30 April 2020	Approval to defer an application for a Street Trader's licence received on 30 January 2020 until it can be considered by the Civic Licensing Committee.

5. PROPOSALS

It is proposed that Council notes the use of these emergency delegated powers.

6. FINANCIAL IMPLICATIONS

The actions taken will have financial implications for the Council to varying degrees. Some may have no financial implications. Financial implications that have been identified are detailed in the respective Appendices.

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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List of Appendices:

Appendix 1 - Parental Employability Support Fund (“PESF”) 2020-21
Appendix 2 - “No One Left Behind” 2020/21 Programme
Appendix 3 - Caravan Site Licence
Appendix 4 - Suspension of Charges for Public Toilets
Appendix 5 - Hardship Fund for the Self-Employed
Appendix 6 - Street Trader’s Licence