

**REQUEST FOR EXERCISE OF EMERGENCY POWERS
BY THE CHIEF EXECUTIVE
TEMPORARY SUSPENSION OF CHARGES – PUBLIC TOILETS**

Particularly during the Covid-19 pandemic, you may need to take action including spending money in ways you have not required to do before. It is very important that before you do this, you ensure that you have the requisite authority.

Initially you should check the Scheme of Delegation to Officers contained within [Standing Orders](#) and the [Financial Regulations](#) for authority. Failing which, the Chief Executive and the Directors have been granted additional powers to act in an emergency which may be used see [Interim Scheme of Delegation](#). If you need any assistance in determining which powers are relevant please contact Alison Watson, Service Leader - Legal (WatsonA1@angus.gov.uk).

If it proves necessary to use any of the emergency powers in the Interim Scheme of Delegation please complete the request form below and send it to the Chief Executive or the relevant Director. **Please note - the proposed action must not be taken until approval of the Chief Executive or the requisite Director is given.**

<u>Background</u>	Please provide background information explaining why the action is required and the emergency nature of the situation.	Public conveniences were closed at the start of lockdown in accordance with government guidance to help prevent the spread of covid 19. There is now growing public pressure to reopen these facilities, particularly as town centres start to get back to near normality with the reopening of shops and the hospitality sector. Having no public toilets presents equalities issues and could prevent the elderly or those with particular medical conditions from accessing our town centres.
<u>Proposal</u>	Please detail what action is required and how it is to be resourced (if any additional resource is required).	Temporary suspension of charges for the use of attended public conveniences to remove an identified health and safety risk presented by the handling of cash.
<u>Statutory Procedure</u>	Provide details of the applicable statutory procedure related to a function of the Council (Please note Legal Services can assist with this.)	The provision of public conveniences is not a statutory requirement, however, access to facilities is widely seen as an equalities issue. The specific aspect of risks associated with cash handling during a pandemic would be covered under the Health and Safety at Work etc Act 1974.

<u>Risks</u>	Please detail any areas of risk and any mitigation being put in place.	There is a risk that if cash handling was not removed then the TUs may not agree to staff being deployed to allow the toilets to open.
<u>Financial Implications</u>	Please provide details of any financial implications or confirm if there are none.	Loss of income from entry fee being suspended. This would be dependant on how long the suspension was in place, but is estimated at approx. £1000 per month. This can be absorbed within the Environmental Services revenue budget.
<u>Consultation</u>	Please confirm what consultation has been undertaken and confirm the outcome of this.	Consultation with elected members who are in agreement. Approved at silver group.

It is proposed that the Chief Executive agrees to the use of their emergency Delegated Power number 1 (see below) to initiate the action as detailed above.

1. Chief Executive a) Subject to existing officer delegations already in place, and only where there is urgency and a decision cannot wait until the next meeting of the Council or the relevant Committee or Sub-Committee, to take or arrange to be taken such action as is required in accordance with the Council's statutory powers, including the incurring of expenditure: i. to maintain, reduce or increase statutory services; ii. to support the emergency services and other organisations involved in the immediate response; iii. to provide support services for the community and others affected by the COVID -19 pandemic; iv. to enable the community to recover and return to normality as quickly as possible; and/or v. to provide aid to other local authorities; subject in all instances to a report being made to Council or the appropriate Committee or Sub-Committee at the first opportunity on any item for which Council or Committee or Sub-Committee approval would normally be necessary.

All completed forms to be forwarded to Elaine Whittet, Executive Support

Approved by the Chief Executive



Signed

22 July 2020

Name Margo Williamson

Please note - the action must not be taken until Chief Executive/Director approval is given.

Submitted to Committee for Information

Date 12 August 2020 - Special Angus Council