

# Cabinet

## Supplemental Agenda

**Date: Thursday 17 December 2020**

### Agenda - Part I

**17. Any Other Urgent Business (Pages 3 - 6)**

Which cannot otherwise be dealt with.

*Note: In accordance with the Local Government (Access to Information) Act 1985, the following agenda item has been admitted late to the agenda by virtue of the special circumstances and urgency detailed below:-*

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
17. Byron Hall Covid-19 Vaccination Site	The report was not available at the time the Cabinet agenda was published. Members of the Cabinet Committee are requested to consider this item, as a matter of urgency, in order to give authority to enter into the appropriate legal documentation permitting a partner entity of the NHS to occupy Byron Hall for the purposes of providing a vaccination against Covid-19 to residents of Harrow and key workers.

**[The deadline for receipt of public and councillor questions is 12pm, 17 December 2020. Questions should be sent to [publicquestions@harrow.gov.uk](mailto:publicquestions@harrow.gov.uk). No person may submit more than one question].**

### Exclusion of Press and Public

To resolve that the press and public be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of confidential information in breach of an obligation of confidence, or of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972:

Agenda Item No	Title	Description of Exempt Information
18	Byron Hall Covid-19 Vaccination Site – Appendix I	<p>Information relating to the financial or business affairs of any particular person (including the authority holding that information);</p> <p>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p>

## Agenda - Part II

### 18. **Byron Hall Covid-19 Vaccination Site** (Pages 7 - 16)

Appendix to the report of the Corporate Director, Community.

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**Report for: Cabinet**

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<b>Date of Meeting:</b>	17 December 2020
<b>Subject:</b>	Byron Hall Covid-19 Vaccination Site
<b>Key Decision:</b>	No
<b>Responsible Officer:</b>	Paul Walker – Corporate Director, Community
<b>Portfolio Holder:</b>	Councillor Keith Ferry - Deputy Leader and Portfolio Holder for Regeneration, Planning and Employment
<b>Exempt:</b>	Yes - the appendix to this report is not for publication by virtue of paragraphs 3 and 5 of Part 1 of Schedule 12 A of the Local Government Act 1972 as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
<b>Decision subject to Call-in:</b>	No
<b>Wards affected:</b>	All
<b>Enclosures:</b>	Appendix I

**Section 1 – Summary and Recommendations**

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This report sets out the intention to grant a licence of Byron Hall to a contractual partner entity of the NHS to provide treatment of the disease known as (a) coronavirus disease (COVID19), (b) the virus known as severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) and/or (c) any subsequent or similar strain or mutation of COVID-19 and/or SARSCoV-2.

**Recommendations:**

Cabinet is requested to:

1. Note the proposed terms of the licence at Appendix I;
2. Delegate authority to the Corporate Director, Community, following consultation with the Deputy Leader and Portfolio Holder for Regeneration, Planning and Employment, to approve the final terms of the transaction and enter into the legal documentation.

**Reason: (for recommendations)**

To progress the treatment of Covid-19 for residents of Harrow and key workers.

## **Section 2 – Report**

### **Introductory paragraph**

The Council has been approached by a partner entity of the NHS who is contractually obliged to deliver certain treatments for Covid-19 on the NHS' behalf, with a view to providing a Covid-19 vaccine to local residents and key workers. The local PCN/ PCCG will also be referring patients to the location.

A licence will be granted allowing the partner entity into occupation of Byron Hall and erect a vaccination site to supply the vaccine to local residents and key workers. The proposed terms of the licence are set out in the draft licence appended to this report.

It is envisaged the licence period will be for an initial 12 months, but this can be extended by agreement.

Byron Hall has been chosen because it is of sufficient size to allow delivery of vaccines at scale, has the ability to offer separate access and exit, and has sufficient accessible car parking.

### **Options considered**

The following options have been considered:

1. Enter into the licence

## 2. Do nothing

Option 1 is recommended. If Option 2, this would potentially delay treatment being made available to local residents and key workers.

### **Risk Management Implications**

The risk is included in a Directorate Risk Register ~~Yes~~/No

A separate risk register is in place ~~Yes~~/No

The key risks are:

- a) the partner entity does not pay the agreed rent (inclusive of business rates) causing a loss to the Council
- b) the premises are damaged during the period of the licence at a cost to the Council
- c) H&S is breached during the period of the licence for which the Council is liable

These risks are mitigated as the proposed licence permits either party to terminate where the other party is in material breach of its obligations, the premises is insured by the Council to cover damage and the license clearly states that the partner entity is responsible for H&S during the period in question.

### **Procurement Implications**

There are no procurement implications for this report.

### **Legal Implications**

Section 123 of the Local Government Act 1972 permits principal councils to dispose of land held them in any manner they wish, subject to certain statutory criteria. Those statutory criteria do not apply in this matter as the Council is only granting a short-term licence. Accordingly, the Council is freely able to grant the licence.

### **Financial Implications**

Byron Hall is situated within the Harrow Leisure Centre site, which is currently managed by a third-party leisure operator from whom the Council receives a fixed management fee. Considering this existing arrangement, an appropriate level of rent (inclusive of business rates) has been agreed with the partner entity.

### **Council Priorities**

1. **Improving the environment and addressing climate change**

2. Tackling poverty and inequality
3. Building homes and infrastructure
4. Addressing health and social care inequality
5. Thriving economy

### **Section 3 - Statutory Officer Clearance**

**Statutory Officer: Dawn Calvert**

Signed /by the Chief Financial Officer

**Date: 15 December 2020**

**Statutory Officer: Matthew Dineen**

Signed on behalf of the Monitoring Officer

**Date: 15 December 2020**

**Statutory Officer: n/a**

Signed on behalf of/by the Head of Procurement

**Statutory Officer: Paul Walker**

Signed by the Corporate Director

**Date: 14 December 2020**

**Statutory Officer: Susan Dixon**

Signed by the Head of Internal Audit

**Date: 15 December 2020**

### **Section 4 - Contact Details and Background Papers**

**Contact:** Julian Wain, Interim Director of Regeneration

[julian.wain@harrow.gov.uk](mailto:julian.wain@harrow.gov.uk)

**Background Papers:** None

**Call-in waived by the Chair of Overview and Scrutiny Committee - YES**

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