

Forward Plan reference number: Not applicable

Report title: Coronavirus Outbreak – Temporary Closure of Country Parks	
Report to: Councillor Simon Walsh- Cabinet Member for Environment and Climate Change Action Councillor Finch ; Leader of the Council and Cabinet Member for Finance	
Report author: Samantha Kennedy – Director, Environment & Climate Action	
Date: 23 March 2020	For: Decision
Enquiries to: Samantha Kennedy – Director, Environment & Climate Action Email: samantha.kennedy@essex.gov.uk	
County Divisions affected: All Essex	

1. Purpose of Report

- 1.1 The Coronavirus outbreak is a major public health emergency. The Government's current advice is for the population of the United Kingdom to practice social distancing by minimising contact with other people and for people to work at home if possible, to reduce social contact.
- 1.2 On 22 March the Executive Director, Place and Public Health temporarily closed all country parks as an emergency response to the number of visitors being experienced on that day which was such as to threaten the spread of the virus. This report asks the Cabinet Member to extend the temporary closure of all country parks, in order to assist with the implementation of the Government's advice and to protect the health of staff.
- 1.3 This report asks the Cabinet Member to consider a delay to planned maintenance work.

2. Recommendations

Cabinet Member for Environment and Climate Action:

- 2.1 The country parks which are managed by Essex County Council, including Belhus Park which straddles the border with Thurrock, should remain closed for a period of three months.
- 2.2 That planned maintenance work should be suspended for a period three months with immediate effect.
- 2.3 It is recommended capital maintenance for 2020/21 be delayed until such time that the Country Parks are re-opened.
- 2.4 That the Executive Director, Place and Public Health be authorised to extend the closure to cover other green spaces including woodlands and other areas

where currently the public are allowed access, if he considers it necessary to improve public health and reduce the risk of the spread of coronavirus

- 2.5 That the Executive Director, Place and Public Health be authorised to extend the initial three month closure for a period of one month on three occasions if he considers it is necessary to improve public health and reduce the risk of the spread of coronavirus and to reopen visitor centres, cafes and shops, and reinstate parking charges as soon as he considers that closure is no longer necessary.
- 2.6 All current explorer passes have their period of validity extended by the length of the time the parks are closed.

Leader of the Council agrees:

- 2.5 Sp ending the Government determination of emergency funding, a drawdown of £783,000 from the General Balances to fund the anticipated loss in income as a result of the suspension for 3 months and further drawdowns of £431,000 per month for the next 3 months if monthly extensions are considered necessary.

3. Summary of issue

- 3.1 The United Kingdom is having to respond to the coronavirus outbreak. As of Monday 16 March the Government advised residents to practice social distancing.
- 3.2 On 19 March 2020 the Coronavirus Bill was introduced into Parliament. That includes extensive powers to enforce social distancing and to ban events and gatherings. Most organisations have closed workplaces and places where people congregate. Schools closed with effect from 20 March 2020.
- 3.3 Under section 2B of the National Health Service Act 2006 the Council is under a legal duty to take such steps as it considers appropriate for improving the health of the people in its area.
- 3.4 Against this context the Council must consider the country parks service. Country parks are places where people congregate and many of them have attractions such as pol. Government advice is specifically that people should not be going out socially. We also must consider the impact on the health and safety of staff.
- 3.5 With regards to planned maintenance work, employing contractors to work on site will increase social contact. Government advice is to maintain social distancing. We also must consider the impact on health and safety of staff.

Impact of closure

- 3.6 Since people are being advised to avoid unnecessary social contact and work from home if necessary, many people will not want to visit the country parks. Likewise, contractors will also need to maintain social distancing for their staff. We need to help Essex residents to comply with the guidance and maintain isolation.
- 3.7 Closing the country parks will mean that communities are temporarily deprived of a resource, but it is a resource which at the moment could contribute to the spreading of the virus and worsening the health of Essex residents. Important work to maintain the quality of country parks facilities will be delayed but again, continuing with this work now could contribute to the spreading of the virus.
- 3.8 Although it is not currently considered necessary, it may become necessary to further restrict access to other public green space such as woodland and ex-landfill sites owned by the council for the same reason. These spaces are more lightly used
- 3.9 It should be stressed that this is a temporary measure as a short term response to the outbreak. Any restrictions to green space and public rights of way brought forward would be removed as quickly as possible. Country Parks, including cafes, shops and parking charges will reopen/ resume as quickly as possible. We also plan to offer Explorer Pass (season ticket) holders an extension to their pass, based on the amount of time that the parks are closed
- 3.10 The centres have suspended their season staff recruitment to mitigate cost exposure. There are five Operations Managers and three Park Managers who are office based who will work remotely, where possible. There are 29 other permanent operational staff some of whom may be available for redeployment. There are also 5 staff on ECC 'as and when' contracts and 26 staff on contingency contracts via Matrix, who may also be available for redeployment.
- 3.11 Belhus Country Park straddles the Essex and Thurrock border and is managed by ECC though partly owned by ECC. We have consulted Thurrock BC who have said that they would prefer that it remains open as this is inconsistent with parks run by Thurrock. However closure is consistent with ECC's parks.

4. Options

- 4.1 **Re-open country parks following temporary suspension by the Executive Director** : If we do this then, as the number of cases of coronavirus continue to increase, there is an increasing risk that the virus will be spread in Country Parks which may adversely affect our staff. If our staff become sick then the Council may struggle to keep the actual parks open. We may also limit use of Country Parks to the most economically challenged residents at a time when alternative leisure and activity options will be severely limited
- 4.2 **(Recommended) Continue temporary closure of country parks**: If we do this the community will be deprived of an additional set of services at Country

Parks and this may increase in social isolation. In the context of this virus, on this occasion the social distancing is precisely what is advised by the Government

5. Issues for consideration

6.1 Financial implications

6.1.1 Country Parks has an annual net revenue budget of £53,000 (2020/21), made up of:

2020/21 Budget	£'000
Expenditure	
Staff	£1,844
Other	£1,358
Total Expenditure	£3,202
Income	
Core Activities	(£3,133)
Grants	(£122)
Total Income	(£3,255)
Total Controllable Budget	(£53)

5.1.2 The key financial risks in the event of closure of the country parks to both income and expenditure will be as follows:

- Income (3 months impact)
 - c.£300,000 of income generated from car parking will be forgone.
 - c.£30,000 of income from cafes will be forgone.
 - c.£350,000 of income from annual subscriptions and site organised events will be forgone.
 - Seasonality is a key factor in income generation for the County Parks, with 80% of revenue anticipated in the first 7 months of the financial year.
- Grant Funding
 - There has been no clear steer given by the awarding body at the current time as to what their intention is with regards to continuation of funding for this year or how the funding allocation for future years may be impacted, so it is assumed that the grant funding will remain. (£122,00 per annum)
- Expenditure
 - No Seasonal/casual staff will be recruited for the country parks as appropriate. The budgeted cost saving is calculated at £64,000 per

annum. These would normally only be required in the peak summer months.

- Maintenance on site could be delayed protecting the health and safety of the staff and contractors. (£280,000 per annum). It is anticipated that any maintenance delayed, will be carried out once the parks are re-opened within the 2020/21 financial year, and therefore there is no financial saving reflected.

5.1.4 Should the Country Parks be closed for 12 months the net deficit would increase to £3.069m.

5.1.5 Assuming that 80% of the activity takes place between April and November the financial impact of closing the facilities for a three month period is a net deficit to the MTRS of £783,000 and the impact per month for the next three months is £1.293m.

5.1.6 A capital budget of £474,000 was allocated for maintenance work on Country Parks for this year. Contractors have not yet been appointed. **There is c.£474,000 in the capital programme which will be delayed as we expect to be unable to get contractors on site. It is recommended that this be deferred into the 2021/22 financial year.**

5.1.7 It is proposed that the revenue pressure of £783,000 will be funded from the General Balance pending the Government determination of emergency funding.

6.2 Legal implications

6.2.1 As set out above the Council has a duty to take appropriate steps to improve the health of Essex residents.

6.2.2 Country Parks are provided under the Countryside Act 1968. The Council may or may not own the land and some country parks are crossed by public rights of way which ECC cannot close without a statutory order, thus people will retain access to some parts of the park. The closure of the Country parks will have the legal effect of saying that people may not use ECC land.

6.2.3 Use of parks is not prevented by the restrictions announced by the Prime Minister on 23 March 2020, provided social distancing is maintained. Playgrounds, however are to be required to be closed.

6.3 Equality and Diversity implications

6.3.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

6.3.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

6.3.3 Closure of country parks would be unlikely to have a disproportionate impact on any group. Although playgrounds appeal to younger people they are closed by public health regulations at present. However, in the current emergency.

6.4 Staffing Issues

6.4.1 Across the Country Parks operations, there are 32 employees on ECC full time/ part time / annualised or fixed term contracts; 5 staff on ECC 'as and when' contracts and 26 staff on contingency contracts via Matrix.

6.4.2 From an initial review of the data and working patterns across the workforce it is likely we will need to pay individuals who have confirmed / planned hours (for example on a rota), whether they are able to work or not. However, where workers have no regular pattern of work and had no confirmation of hours planned, there could be a saving in terms of pay.

6. List of appendices

None

7. List of Background papers

None

I approve the above recommendations relating to my portfolio as set out above for the reasons set out in the report.	Date
Councillor Simon Walsh, Cabinet Member for Environment & Climate Change Action	25.03.20

I approve the above recommendations relating to my portfolio as set out above for the reasons set out in the report.	
Cllr David Finch, Leader and Cabinet Member for Finance	25.03.20

In consultation with:

Role	Date
Mark Carroll, Executive Director for Place and Public Health	25.03.20
Executive Director for Finance and Technology (S151 Officer)	25.03.20
Nicole Wood	
Director, Legal and Assurance (Monitoring Officer)	25.03.20
Paul Turner	

Exemption from call in

I agree that it is in the best interests of the Council for this decision to be implemented urgently and therefore this decision is not subject to call in (paragraph 20.15(xix) of the constitution applies).

Councillor Mike Mackrory – Chairman of the Corporate Policy and Scrutiny Committee

Date: 25.03.20