

From: Clair Bell, Cabinet Member for Adult Social Care and Public Health

Barbara Cooper – Corporate Director for Growth, Environment and Transport

Andrew Scott-Clark - Director of Public Health

To: Health Reform and Public Health Cabinet Committee
20 November 2020

Subject: Decision 20/00105 – Issuing Direction under Health Protection (Coronavirus, Restrictions) (England) (No.3) Regulations 2020 – Hop Farm, Paddock Wood

Classification: Unrestricted

Past Pathway of Paper: Cabinet Member Decision

Future Pathway of Paper: N/A

Electoral Divisions: Malling Rural East and Maidstone Rural East

Summary: Decision 20/00105 – Issuing Direction under Health Protection (Coronavirus, Restrictions) (England) (No.3) Regulations 2020 – Hop Farm, Paddock Wood was taken via Statutory Urgency procedures, with immediate implementation, on Friday 23 October 2020. It was therefore not possible to allow for Cabinet Committee consideration prior to the decision being taken.

Recommendation:

The Health Reform and Public Health Cabinet Committee is asked to NOTE;

- a. the reason why 20/00105 – Issuing Direction under Health Protection (Coronavirus, Restrictions) (England) (No.3) Regulations 2020 – Hop Farm, Paddock Wood was taken without prior Cabinet Committee consideration; and
- b. that consideration of the decision is scheduled for the meeting of the Scrutiny Committee on 27 November.

1. Introduction

- 1.1 This paper reports that Decision 20/00105 was taken without Cabinet Committee consideration. As per section 12.35 of the Constitution, the reason for a Cabinet Member decision having been taken without prior consideration by the relevant Cabinet Committee must be reported to the next meeting of that Committee.

2. Reason why decision 20/00105 was taken between Cabinet Committee Meetings

- 2.1 The decision to issue a local lockdown Direction under the Health Protection (Coronavirus, Restrictions) (England) (No.3) Regulations 2020, via the KCC urgent decision route, was necessary to implement a public health response with immediate effect. The decision was required to prohibit events due to take place from 23 October to 1 November 2020. There was therefore no facility to seek Cabinet Committee consideration prior to the immediate implementation required to deliver an appropriate Public Health response.

3. Conclusions

- 3.1 Full details of the decision, including the formal direction which was issued on 23 October and subsequently revoked via delegated Officer decision, are available online at <https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2412>
- 3.2 The Scrutiny Committee will receive an update on the decision for discussion and consideration by Members, as part of the agreed process for managing local lockdown decisions.

4. Recommendation

The Health Reform and Public Health Cabinet Committee is asked to **note**;

a. the reason why 20/00105 – Issuing Direction under Health Protection (Coronavirus, Restrictions) (England) (No.3) Regulations 2020 – Hop Farm, Paddock Wood was taken without prior Cabinet Committee consideration; and

b. that consideration of the decision is scheduled for the meeting of the Scrutiny Committee on 27 November.

5. Background Documents

Decision 20/00105:

- Record of Decision
- Direction (ROD Appendix 1)
- Decision Report
- PH Risk Assessment
- DPH confirmation of advice

Officer decision to Revoke Direction

- Officer ROD

6. Contact details

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