Leicester Lockdown

The Regulatory Experience of a City in Lockdown.

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Overview

- Leicester Our Great City and the National Lockdown
- Ensuring a Bedrock of Regulatory Compliance.
- Re-Opening the City – Sticking to Our Core Principles
- Local Lockdown – 29th June 2020
- Scaling Up - Business Engagement
- The Need to React To Challenges - Health Protection (Coronavirus, Restrictions) (England) (No.3) Regulations 2020
- Lessons Learned
- Conclusion and Close
Leicester Our Great City
Leicester and National Lockdown
Leicester’s COVID-19 Journey so far...

COVID-19 positive tests for Leicester residents by week

Source: Public Health England

Leicester City Council
Between 23rd March and 29th June Leicester City Council’s regulatory services approach has been to provide COVID-19 Secure advice and to respond to intelligence and reports to deal with businesses that should’ve been closed.

Work activity through the Council’s Regulatory Services Team included:

- 116 interventions that led to 4 prohibition notices being served against business that should’ve been closed at that time.

The team also dealt with social distancing at work concerns of which they dealt with 178 concerns with 9 referrals to the Health and Safety Executive.
Ensuring a Bedrock of Regulatory Compliance: 23\textsuperscript{rd} March – 29\textsuperscript{th} June 2020

- In addition to this the team also developed a package of support for businesses focussing on key non-pharmaceutical interventions (NPIs):
  - Cleaning, handwashing and hygiene procedures
  - Allowing staff to work from home.
  - Taking all reasonable steps to ensure a 2m distance in the workplace.
  - Where people cannot be 2m apart, ensuring everything practicable has been done to manage transmission risk.
  - The support around this has also included promoting the need for a COVID-19 risk assessment where the results are shared with the people who work at the premises and also advice and guidance that was developed for things like queue management.
  - As part of the “bedrock work” that has taken place electronic business packs were sent out to 1,800 businesses.
Re-Opening the City…City Re-Opening Plan June 2020

Crisis and Pre-Recovery
Lockdown
Essential Retail Stayed Only
Parks Stayed Open – COVID Marshals Used since April
4 Es (Engage, Explain, Encourage, Enforce)

Recovery
• Transport – Pop Up Cycle Lanes
• Clean and Safe – Enhanced Cleansing, opened up HWRCs
• Open for Business – Published key advice for businesses
• Places to Go and Things to See – Libraries etc remained closed but a phased re-opening planned for when safe to open.

Transformation
• Keeping the streets clean
• Capitalising on ICT improvements,
• Virtual Service Offers in Leisure and Library Services to Continue
City Re-Opening Plan – Core Principles

- Profiling with the public the need to always consider the threat of Covid-19 in managing daily life.

- Ensuring Covid-19 mitigation steps run through all arrangements for planning the “reopening” of the city centre and the city’s neighbourhoods.

- Ensuring all appropriate routes for communicating key messages are utilised.

- Ensuring wherever possible decisions are informed through an intelligence led/data informed approach that makes the most of transformation opportunities.

- Ensuring challenges are addressed in partnership and that plans are adjusted in accordance with Government and public health guidance.

- Ensuring good governance is in place reporting to the City Mayor and Executive Leads which includes appropriate scrutiny by the council’s Scrutiny Commissions.
A City Ready to Re-Open and Then....
Leicester Lockdown 29th June 2020

- 3,624 Covid-19 cases have been confirmed in Leicester since the start of the epidemic up to 29th June. Of these, 1,018 cases were reported to the two weeks before 29th June.

- The spike was reported as accounting for 10% of the country's entire coronavirus cases at that time.

- The restrictions that came included the city’s bars, restaurants and hairdressers not opening on 4th July as planned, and shops that were allowed to open on 15th June had to close again from 30th June.

- A PHE led Incident Management Team was launched with a range of incident cells including Testing, Epi, Communications and a Business Engagement Cell.
The Original Leicester Lockdown Area – The Country’s First Lockdown Area
From 29th June Leicester’s Business Engagement strategy was scaled up with intensity covering 3 key objectives:

1. Supporting key messages about testing and self-isolation
2. COVID-19 Secure checks at high risk/priority sites
3. Enforcement where that was required

The Cell consisted of officers across Regulatory Services (Public Safety, Food Safety, Trading Standards and Licensing Enforcement) along with the Police and the Regional Public Health Convenor.

The HSE participated in some of the Business Engagement Cell meetings.

Modus Operandi – Engage, Explain, Encourage and Enforce
Scaling Up – Business Engagement

The work programme was designed as an intelligence led inspection, education, reassurance and if necessary, enforcement programme.

Regulatory Responsibility

- Businesses that the local authority regulates such as shops, offices, takeaways, restaurants etc and

- Premises the Health and Safety Executive regulates such as factories, and manufacturers.
The Work Programme

• Briefed Staff and the Unions

• **Planned (Safe) and comprehensive visits** – Triaged and prioritised against risk (High, Medium, Low). A focus on the north east but work also city wide.

• **Reports fed back by 6pm each day.** A 7 day a week programme.

• “Work at pace” to the “battle rhythm” of the overall programme.

• **Risk informed by a range of factors** – Public Health data, compliance history, site knowledge, sector knowledge etc).

• Communications and link into the Testing Cell.

• **Daily updates from and to the IMT** – Intelligence Led

• **Outbreak management** – Responding to outbreaks

• **Reacting to reports made/ surveillance and new lines of enquiry**
What wasn’t in the Programme….

• Sky News reported on 13\textsuperscript{th} July: “A spike in COVID-19 cases in Leicester that led to the first local lockdown has drawn attention to the city and claims of widespread exploitation.”

• More headlines and media attention. We thought we were busy before…

• Conflicts – The need for testing had to be prioritised in the programme alongside multi-agency visits to textile factories.
Scaling Up – Business Engagement Outputs

- 1,628 COVID-19 Secure Check Visits
- All high priority sites visited.
- 52 HSE regulated premises provided with a COVID-19 Public Health check
- 57 LFRS Licensing Visits to Hotels, Cinemas, Theatres, Betting Shops)
- Remote Interventions: 184 in the North East and 702 remote trading status checks carried out by the food Safety Team

- Number of businesses asked to close during lockdown that opened and should not have done.

- Number of Prohibition Notices – 12

- Reactive enquiries – 938

- Update on number of Mailshots - 12 email shots to a combined total of 8,487 businesses (some will have received multiple mailshots)

- In addition to the visits general business C19 Vinyl/RA deliveries – 841 premises (city wide)
Overall What We Found

• The early bedrock work paid dividends for business compliance during the main local lockdown.
• Overall good levels of compliance.
• Work to reaffirm, remind and support was vital.
• Not everyone was compliant.
• In some instance the 3 Es failed and enforcement was required – prohibitions notices, use of new directions etc.
• Capacity of partners (HSE) meant the burden of inspections/visits fell on the local authority (and continues to).
• Incredible support from the City Mayor, Councillors, LCC staff and key partners such as LFRS and the police.

• Some key challenges
  - The headlines relating to the textile industry.
  - “Eat Out to Help Out” Scheme.
  - The relentless and intense nature of the proactive work with the need to react a constant feature.
The Need to React to Challenges

Leicester Mercury 18th August 2020: Warning that restaurants could be shut down after 'unacceptable' scenes on London Road in Leicester
A Perfect Storm…. 

- Leicester just stepping out of lockdown and hospitality allowed to reopen/public allowed out.
- London Road has a high density of Food establishments
- The “Eat Out to Help Out Scheme” – Operating on Monday’s, Tuesdays and Wednesdays throughout August- a huge draw for people.
- Restaurants didn’t typically operate booking systems
- Customers typically didn’t need to book
- Nice summer evenings

All added up to a significant Public Health issue
The Need to Use New Powers

“Eat out to Help Out”
What the papers said…..

“Leicester City Council announced it would use emergency Covid-19 powers to deal with large groups queuing without socially distancing to get into fast-food restaurants.”

The conditions that had to be met in terms of the use of the powers were: -

• the direction responds to a serious and imminent threat to public health in the local authority’s area.

• the direction is necessary to prevent, protect against, control or provide a public health response to the incidence or spread of infection in the local authority’s area of coronavirus.

• the prohibitions, requirements or restrictions imposed by the direction are a proportionate means of achieving that purpose.
Timelines, Process and What Happened

• “Eat Out to Help Out” Launches 3rd August 2020.

• Tuesday 11th August received an image from previous evening of queues on London Road.

• Evening of Tuesday 11th August officers visited the area to assess.

• Huge queues outside 6 Restaurants.

• No social distancing observed - people generally gathering.

• Warning Letters sent to the 6 restaurants of concern.

• The rest of the week and weekend working up the directions – Reg 6 Public Outdoor Places Direction and Reg 4 Premises Direction.

• IMT/CM Briefed in the days leading up to and on 17/08/2020
Timelines, Process and What Happened

• Business Engagement Cell Meeting with DPH and Police on 17/08/2020
  – Decision Evidence template – Director of Neighbourhood and Environmental Services decision maker
  – Equality Impact assessment

• Notifications to premises and public issued Monday 17/08/2020 along with press, website and social media coms.

• Letter to all Food establishments with seating in the defined area to advise of action and make clear they had a role to play.

• Directions served – came into effect at 5.30pm,

• Premises required booking system, managing entry and exit, manage deliveries and queueing.

• Public direction required no queueing unless ten minutes before booking and application of 2metre social distancing.
Timelines, Process and What Happened

• Support organised - 6 FST Officers, 7 Showsec (reduced to 5 later) and 2 Police (increased to 5 later) – 5pm to 10pm.

• Evening of the 17th showed some improvement

• View was that we would still work with businesses (learning and adapting). Improvement but 3 businesses still causing concern

• Some now had booking systems, some telling people to come back later, some had someone to manage the queue, some turning people away.

• Customer expectation – still turning up without bookings – further comms.

• Showsec working with businesses to organise customers legitimately waiting.
Timelines, Process and What Happened

Tuesday 18th August 2020

• Review meeting

• Decision to
  – further engage with 3 businesses of most concern - threat to prohibit.
  – Serve additional directions on 2 further premises
    (Note- need to provide evidence to IMT/CM and seek approval)

• Advance Notification to prohibit served on 3. Directions drafted. Directions held back pending evidence of improvement

• Advance notifications and Directions served on 2

• Repeat surveillance – huge improvement across all and customer behaviour.
Timelines, Process and What Happened

• Support continued for duration of the “Eat Out to Help Out” Scheme including B/H Monday.

• Control Room included for B/H and support from 12.00 to 10.00.

• Sustained improvement in business compliance.

• Some issues regarding group bookings, table spacing etc dealt with during and following.

• Customer expectation managed.

• 7 Day Review of Directions – need to keep in place until the “Eat Out to Help Out” Scheme ended.
Business Engagement Lessons Learned

- Leicester City Council was able to conduct a substantial number of COVID-19 visits in a short space of time. All high priority local authority premises within the epi-centre / hot zone within the first two weeks from 29\textsuperscript{th} June.

- Whilst the HSE has conducted visits in Leicester they were unable to direct visits in accordance with the requirements of the Public Health England Incident Management Team that was introduced. LCC was able to visit the premises that the HSE were not able to do but the requirement impacted on the Council’s capacity.

- Leicestershire Fire and Rescue Service has proved to be a very valuable additional resource/partner to support COVID-19 Secure/Public Health visits in Leicester.

- Important to engage early with businesses and the public on COVID-19 related issues ensuring that issues are explained and appropriate action is encouraged before enforcement is utilised.
Business Engagement Lessons Learned

• Where businesses were found to be open that should not have been, appropriate action was used, including the use of prohibition notices where required.

• It was really important to have in place good partnership infrastructure which enabled joined up considerations (across public health, police, Regulatory Services, Legal Services and adjoining LA) of the 3 conditions that needed to be met to use the new legislation appropriately.

• The regulations and in particular the guidance changed a number of times in Leicester leading to not only enforcement issues but public confusion as well.

• Visits to businesses (including HSE enforced ones) were a good way to identify employee numbers for mass testing as part of a city wide testing programme.
Business Engagement Lessons Learned

• Downloadable leaflets would have helped LA’s give clear and consistent guidance and not have to create leaflets. This would also ensure enforcement was easier.

Use of the “The Health Protection (Coronavirus, Restrictions) (England) No.3) Regulations

• The use of the directions enabled warnings to businesses who had, had unmanaged queues to move to meaningful enforcement relatively quickly

• It was important to get good media coverage – including using the local newspaper, social media, internet/Council website and TV (BBC and ITV).

• It was important that the directions were supported by additional resources – the Council supplied Regulatory Services staff and event security staff and worked alongside the police in order to support the public and businesses in adhering to the directions.
Business Engagement Lessons Learned

Use of the “The Health Protection (Coronavirus, Restrictions) (England) No.3) Regulations

• There was an initial assumption that premises could be immediately closed but the reality was the penalty was an FPN.

• The use of FPNs against the public standing in queues was considered challenging given this course of action may have caused widespread concern for a number of reasons.

• It was important for the London Road scenario to use the premises directions and the outdoor public places directions together. Both were required to achieve the outcome being sought.

• The use of the directions was effective in achieving behavioural change (alongside good communications work).
Business Engagement Lessons Learned

• The need to review within 7 days was seen as important – it is however, important to ensure sufficient senior officer cover to enable appropriate reviews to take place.

• The need to provide a notification (of the Direction) on businesses after they had been warned in writing previously and then allowing further time for them was seen as a frustration to Regulatory Services staff who felt a threshold had already been met and the previous warnings was sufficient notification.

• The templates were seen as difficult to use and required adapting.
Conclusion

Data
- 29th June 140/100,000 7 day +ve test numbers
- 18th July 76/100,000 7 day +ve test numbers - and falling
- 29th Aug 26/100,000 7 day +ve test numbers – rising since!!

Robust Strategy
- Hugely beneficial Business Engagement Strategy in terms of proactive and reactive work alongside the work of other IMT cells.

Going Forward
- The Sustain Plan is to continue the proactive work across the sectors (hospitality, beauty etc) – this has happened with the re-opening of the Night Time Economy.
- Subsume the programme as part of the day job.
- Continue with proactive communications
- Use COVID-Marshals for key events even though Christmas as we know it is cancelled!
- Look after the team and each other – keep everyone safe.
Close

• Thank you for Listening

• Any Questions?