

MP's Update to Covid-19 Cross Sector Group as at April 14th

Action 11: Pension Credit & PIP prospective easements? **COMPLETE**

Caroline Ansell MP and Alan Bruzon Citizens Advice spoke on Thursday 9th April re. benefit easements in general which had been very much welcomed and specifically around potential access challenges in a time of lockdown for pension credit and PIP. There is no immediate concern for individuals as the current system is holding and the CAB is still working effectively and providing support. The situation is dynamic so there may be further easements but the potential future improvements to the system they discussed such as trusted person/use of email correspondence will be relayed to the DWP by Caroline when Alan has looked at a number of individual cases to strengthen a representation.

ACTION 12: Commercial tenancies – can renters can miss more than 1 month of rent in the next 3 months under the protections of the Coronavirus Bill? **COMPLETE**

Further related details are listed below and on the wider question, Caroline Ansell spoke to the Department for Business Energy Industrial Strategy on Thursday to confirm the position. Essentially this provision is not a rent free period, nor is it a payment holiday. It is only a safeguard against eviction for nonpayment. Tenants could miss more than 1 payment in the three month window and still be protected from eviction on those grounds but tenants are still responsible for eventual payment of all contractual sums and, the landlord can still take other collection and enforcement action and tenants can still be evicted for other breaches of lease. Each commercial tenancy and tenant-landlord relationship and legal contract will be different and where businesses are facing difficulties on a local level with commercial tenancies, they are best advised to seek specific legal advice on their tenancy.

Further details:

- The following are not within the protection of section 82: a licence to occupy (unless it is in reality a lease, despite being described as a licence); a tenancy at will; tenancies that are expressly excluded from Part 2 of the 1954 Act, such as farm business tenancies and tenancies not exceeding 6 months.
- Rent is defined widely in section 82(12) to include 'any sum a tenant is liable to pay under a relevant business tenancy'. This means that a landlord may not forfeit during the relevant period for non-payment of main rent, insurance contributions, service charges and any other payments due under the lease.
- While the government is clearly keen to encourage collaboration rather than litigation between landlords and tenants, even during the protected period, a hard-pressed landlord will still be legally allowed to: take payment from a rent deposit; add interest to the debt in accordance with the interest provisions in the lease; sue

the tenant and/or any guarantor for the debt; exercise Commercial Rent Arrears Recovery; serve a statutory demand and institute the relevant insolvency process

- Section 82(11) confirms that any failure to pay rent during the relevant period shall be 'disregarded' if the landlord seeks to oppose renewal on the grounds of 'persistent delay in paying rent'

Action 12 Cont.'d 'Chamber's list of issues' COMPLETE

Question: What support is available for businesses who are not on the rateable value register, for example, all the small units in the Enterprise Shopping Centre in Eastbourne and any commercial property where rates are paid by the landlord and included in the commercial rent to the tenant. ONGOING

Caroline Ansell has raised this issue through parliamentary channels and it is with the Treasury and BEIS. As with BID funding, it is a national picture and MPs cross the country have similarly raised. She will continue to lobby. David Tutt is likewise raising across all his channels. They will continue to work together and lobby on this. Caroline has signposted The Enterprise Centre to Locate East Sussex as a possible source of local grants.

Question: Can "furloughed" staff do any work from home or are they not allowed to work at all? Some staff should be furloughed because their business income has gone but they still want to maintain contact with their customers for the future. Is this within the rules? COMPLETE

Furloughed staff can undertake training and voluntary work. Furloughed Directors need to perform statutory duties but not engage in activities which provide services or generate income. There are some flexibilities: you can stop and start furlough to marry up with project work deadlines for example. Employees with caring responsibilities can now also be furloughed.

Question: Care homes and homeless shelters are struggling to buy provisions because of the restrictions supermarkets are putting on food items. Is there any way around this? Many cannot make bulk purchases as they do not have space to store large items or the funds to buy in bulk. COMPLETE

Care homes, businesses regardless of size and now with a minimum order of just £100 can now register with Booker in Hammonds Drive. Immediate access via personal registration, two pieces of ID. Care homes also included in priority list so can collect between 7.30 & 11 a.m. Caroline Ansell's office has signposted those care homes who have contacted her office to this new provision.

Question: Are homeless shelter workers recognised as key workers and able to leave the home to care for this vulnerable cohort? YES

Question: PPE see new Action 49

Question: BID see new Action 14

Action 14: Financial support for Business Improvement Districts (BIDs) ONGOING

Information on the Eastbourne BID has been provided by Stephen Holt to the Chamber and to Caroline Ansell's office. Caroline Ansell MP has made representations on behalf of our local BID through parliamentary channels and it is with BEIS & Treasury; MPs across the Country have similarly lobbied as this is a national challenge. Specific financial support for BIDs has not been announced. Caroline will continue to raise.

Action 17: Britannia Hotels (The Cavendish Hotel, Eastbourne) and JD Wetherspoon COMPLETE

The conduct of these two companies was raised by a representative of the business community who understood that they had laid off large numbers of local people from their workforces, in response to the pandemic, rather than furloughing them and raised by another on the call, that Britannia's live-in staff at The Cavendish had been made homeless.

The Cavendish Hotel reported that they will be taking advantage of the Government's furlough scheme and that **all its local workforce have either been furloughed or are still working. It adds that it has no live-in staff in Eastbourne.** This was confirmed by the Group HR Manager for Britannia Hotels.

JD Wetherspoon reported that they will also be taking advantage of the Government's furlough scheme and **all its local workforce have either been furloughed, are still working, or have left.** Tim Martin's office confirmed this also. Of 92 weekly employees, across the London & County and 75 at the Cornfield Garage, they report that 88 are on furlough, 1 is on maternity leave, 2 are on sick leave, and 1 chose to leave.

In the course of the meeting of the 8th April, when doubts over the veracity of these position statements were again raised, Caroline Ansell pledged to look at any individual cases forwarded to her office that contradicted these assertions.

Action 34: Bank & mortgage behaviour Loan to value downgrades.

Raised as a concern of wider, national principle by Caroline Ansell through parliamentary channels. Any individual cases to be invited to contact Caroline's Office.

Action 47 EDIT

Caroline Ansell to organise a visit to Eastbourne by the Tourism Minister Nigel Huddleston. This is to meet key partners, visit key places, discuss recovery and future plans and campaigns.

Action 49: PPE Edit ONGOING

On PPE, Caroline Ansell advised that the new system, Clipper, would be disseminating PPE supplies but that following the example of other areas, we could speed up receipt by the hundreds of individual settings in Eastbourne by essentially delivering 'the last mile.' So, one main central delivery to a PPE hub like the Welcome building and then a fleet of local vehicles to dispatch from there. Ian Fitzpatrick to exchange ideas/contacts with Caroline. To discuss offline

*Update 10 April - Caroline has raised localised delivery scheme with ESCC CEO and has the offer of a potential hub and co-ordinator

Resp. Caroline Ansell/Ian Fitzpatrick

Ana Corney to send details of a PPE provider facebook group to Caroline **COMPLETE**

Action 50: CE highlighted the Issues she is still receiving from Chamber Members

Insurance Claims: ONGOING

Post cross-sector meeting of 8th April, Caroline Ansell has conferred with Christina Ewbank and on issues with insurance, Caroline to relay to Treasury local disappointment over very delayed responses by Lloyds' and Caroline to write to Hiscocks on behalf of a Eastbourne business whose claim was rejected. Sub group to continue to work together.

Resp. Insurance sub group

Support for dividend-related loss of income ONGOING

Action 57: Maternity Leave

An employee returning from maternity leave should be allowed to return as planned and on the established terms and conditions and be furloughed from there.

Action 58: Dental Care in Eastbourne ONGOING

Dental care – engage further with dental practices - ascertain need/waiting times/pubic transport ahead of representation to chief dental officer to establish emergency dental care in Eastbourne.

Resp Caroline Ansell