



## Emergency Officer Decision Record

### 1. Subject and details of the matter (to include reasons for the decision)

There exists in North East Lincolnshire (and nationally) circumstances that may warrant exercise of powers and decision making outside usual parameters (Coronavirus/COVID-19).

S138 Local Government Act 1972 permits that where such circumstances exist so as to affect the whole or part of their area or all or some of its inhabitants a Council may:

- (a) incur such expenditure as they consider necessary in taking action themselves (either alone or jointly with any other person or body and either in their area or elsewhere in or outside the United Kingdom) which is calculated to avert, alleviate or eradicate in their area or among its inhabitants the effects or potential effects of the event; and
- (b) make grants or loans to other persons or bodies on conditions determined by the council in respect of any such action taken by those persons or bodies.

This decision is made in the above circumstances.

### 2. Is it a Key Decision as defined in the Constitution?

Potentially as the decision could impact on all wards

### 3. Details of Decision

1. Transfer of £100,000 from the Community Response budget to the Local Taxation and Benefits budget to allow an increase response to a rising demand for support as a result of people being impacted by issues arising from Covid 19.

**4. Is it an Urgent Decision? If yes, specify the reasons for urgency. Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.**

Yes, the number of requests for support coming in to Local Taxation and Benefits continues to rise on a daily basis, there is currently not enough funding in the Local Taxation and Benefits budget to meet current demand.

**5. Anticipated outcome(s)**

Increased level of support to individuals and families finding it difficult to meet the costs of council tax.

**6. Details of any alternative options considered and rejected by the officer when making the decision**

The fund could remain with the community response to deal with future hardship issues arising from the end of furlough and the reintroduction of shielding but is felt that without the support via Local Taxation and Benefits, the future issues could be worse than predicted and may require crisis support which could require additional council and other partner support.

**7. Background documents considered**

None.

**8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons**

No.

**9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)**

None

**10. Monitoring Officer Comments (Monitoring Officer or Deputy Monitoring Officer)**

All directors have the power to determine and exercise, having regard to prevailing Council policy, the operational requirements of their functions and to manage the human and material resources available for their functions.

Constitutionally where there is an urgent need or where there is a recess in meetings the Chief Executive and all Directors shall be empowered on behalf of and in the

name of the Council to deal with matters of urgency or routine business normally requiring a Cabinet or Committee decision which may arise between the meetings of Cabinet / Committees or during any period when the Cabinet / Committees are in recess; provided that

(i) there is no conflict with the Budget and Policy Framework

(ii) If a Key Decision is involved, the matter is contained in the Forward Plan (or the general exception or special urgency provisions are satisfied); and

(iii) In respect of any matter falling within the terms of reference of a Committee the Officer shall first consult with the Chairman or, in his/her absence, the Deputy Chairman; and a report of the decision taken shall be submitted to the next ordinary meeting of the Committee; or in the case of all Executive matters the Officer shall first consult with the Chief Executive, relevant Portfolio Holder(s) and a report of the decision taken shall be submitted to the next ordinary meeting of the Cabinet.

(iv) The Monitoring Officer and Section 151 Officer are consulted in respect of the proposed decision.

The Chief Executive has directed that all such decisions shall be taken in consultation with the Leader of the Council and Portfolio holder for Finance and Resources.

#### **11. Section 151 Officer Comments (Deputy S151 Officer or nominee)**

The request is for the utilisation of grant received on specific support to council taxpayers that are struggling to meet the costs of council tax.

#### **12. Human Resource Comments (Head of People and Culture or nominee)**

There are no direct HR implications

#### **13. Public Health Comments (Director of Public Health or nominee)**

The proposal has the potential to relieve financial pressures on financially vulnerable people which has clear public health benefits. It also potentially relieves some financial pressures that might make it difficult for people to self isolate in the event they become symptomatic with COVID or are identified as a contact. As such it supports COVID prevention and outbreak management principles.

#### **14. Risk Assessment (in accordance with the Report Writing Guide)**

There is a risk that the additional resource will not meet demand and that individuals and families may require crisis support.

We have an opportunity through the funding to give individuals and families a bit of time to sort out their reduced finances which could prevent them from falling in to crisis and requiring additional support across a range of services.

<p><b>15. Decision Maker(s):</b></p> <p><i>In in the absence of the named Director or Delegatee a confirmatory email which is annexed to this record</i></p>	<p>Name: Robert G Walsh</p> <p>Title: Joint Chief Executive Officer</p> <p>Signed: Approved via email</p> <p>Dated: 2<sup>nd</sup> October 2020</p>
<p><b>16. Consultation carried out with Portfolio Holder(s):</b></p>	<p>Name: Councillor Philip Jackson</p> <p>Title: Leader of the Council</p> <p>Signed: Approved via email</p> <p>Dated: 29<sup>th</sup> September 2020</p> <p>Name: Councillor Stan Shreeve</p> <p>Title: Portfolio Holder for Finance and Resources</p> <p>Signed: Approved via email</p> <p>Dated: 29<sup>th</sup> September 2020</p>
<p><b>17. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor</b></p> <p><i>In in the absence of the named Member has secured a confirmatory email which is annexed to this record</i></p>	<p>Name: Councillor Paul Silvester</p> <p>Title: Chair of the Communities Scrutiny Panel</p> <p>Signed: Approved via email</p> <p>Dated: 25<sup>th</sup> September 2020</p>

In the event of absence or incapacity of the relevant Portfolio Holder the Director has consulted with the following (tick one box) and has secured either a signature above or a confirmatory email which is annexed to this record.

Name	Tick
Leader (Cllr Jackson)	
Deputy Leader and Portfolio Holder for Regeneration, Skills and Housing (Cllr Fenty)	
Portfolio Holder for Finance and Resources (Cllr Shreeve)	
Portfolio Holder for Environment and Transport (Cllr S Swinburn)	
Portfolio Holder for Health, Wellbeing and Adult Social Care (Cllr Cracknell)	
Portfolio Holder for Tourism, Heritage and Culture (Cllr Procter)	
Portfolio Holder for Children, Education and Young People (Cllr Lindley)	
Portfolio Holder for Safer and Stronger Communities (Cllr Shepherd)	

### NOTE

Upon the expiration of the circumstances outlined above (or sooner if appropriate) this Emergency Officer Decision Record shall be referred to the Communities Scrutiny Panel to note.

## APPENDIX 1 – Email Approval

From: Rob Walsh (NELC) <Rob.Walsh@Nelincs.gov.uk>

Sent: 02 October 2020 08:17

To: Simon Jones (Chief Legal and Monitoring Officer) (NELC)  
<Simon.Jones1@Nelincs.gov.uk>

Subject: RE: Emergency Officer Decision COVID Transfer £100k from Community Response Fund to LT&B>

Approved.

From: Cllr Philip Jackson (NELC) <philip.jackson@nelincs.gov.uk>

Sent: 29 September 2020 19:56

To: Cllr Stanley Shreeve (NELC) <Stanley.Shreeve@Nelincs.gov.uk>; Rob Walsh (NELC) <Rob.Walsh@Nelincs.gov.uk>

Cc: Simon Jones (Chief Legal and Monitoring Officer) (NELC)  
<Simon.Jones1@Nelincs.gov.uk>

Subject: RE: Emergency Officer Decision COVID Transfer £100k from Community Response Fund to LT&B>

I'm content with this decision too.

Philip

From: Cllr Stanley Shreeve (NELC) <Stanley.Shreeve@Nelincs.gov.uk>

Sent: 29 September 2020 16:43

To: Rob Walsh (NELC) <Rob.Walsh@Nelincs.gov.uk>; Cllr Philip Jackson (NELC)  
<philip.jackson@nelincs.gov.uk>

Cc: Simon Jones (Chief Legal and Monitoring Officer) (NELC)  
<Simon.Jones1@Nelincs.gov.uk>

Subject: Re: Emergency Officer Decision COVID Transfer £100k from Community  
Response Fund to LT&B>

Rob

I am content with this decision

Stan

Get Outlook for iOS

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From: Simon Jones (Chief Legal and Monitoring Officer) (NELC)  
<Simon.Jones1@Nelincs.gov.uk>

Sent: 25 September 2020 15:23

To: Rob Walsh (NELC) <Rob.Walsh@Nelincs.gov.uk>

Cc: Sue Turner (NELC) <Sue.Turner@Nelincs.gov.uk>

Subject: Emergency Officer Decision COVID Transfer £100k from Community  
Response Fund to LT&B>

Importance: High

Rob.

I have this afternoon received confirmation from the Communities Scrutiny Chair, Cllr  
Silvester, as to his consent to the attached decisions. Below.

You are now able to brief Leader and Portfolio Holder for Finance and Resources in  
accordance with the emergency framework of governance implemented as a result  
of the COVID-19 emergency.

Confirmatory emails from yourself and Members are sufficient in that scheme to evidence the decision.

Upon completion the decisions and supporting email threads will be subject to publication.

Regards,

Simon.

Simon D Jones,

Chief Legal and Monitoring Officer

North East Lincolnshire Council

Municipal Offices, Town Hall Square, Grimsby, DN31 1HU | DX13536 Grimsby 1|

Telephone number (01472) 324004 | [simon.jones1@Nelincs.gov.uk](mailto:simon.jones1@Nelincs.gov.uk)

The content of this email and any attachments is deemed confidential and intended for the proper recipient(s) only.

Further, such content may be subject to legal professional privilege.

Third Parties: No liability is accepted nor should be inferred, nor any reliance placed on the content by third parties.

In the event of delivery in error please immediately notify the sender and delete.

Stay alert. Control the virus. Save lives.

From: PAUL SILVESTER

Sent: 25 September 2020 15:18

To: Simon Jones (Chief Legal and Monitoring Officer) (NELC)  
<[Simon.Jones1@Nelincs.gov.uk](mailto:Simon.Jones1@Nelincs.gov.uk)>



Subject: Re: Emergency Officer Decision Notice 100k transfer to LTB HR done gb

Good afternoon Simon

As Chair of the Communities Scrutiny panel i have read the Emergency Decision Record and my response is as follows:

1. Transfer of funds from Community Response Budget to Local Taxation and Benefits budget. - Consent

Kind regards

Councillor Paul Silvester