



## Emergency Officer Decision Record

### 1. Subject and details of the matter

#### Grants for Closed Businesses (Local Restriction Grant)

In response to the ongoing COVID19 pandemic, the Government has announced there will be further grant support for local businesses. The Local Council is responsible for making these payments to businesses.

The Government has provided funding so that grants worth up to £3,000 per month can be distributed to business premises forced to close.

Businesses required to close in England due to restrictions will be eligible for the following:

- For properties with a rateable value of £15k or under, grants to be £1,334 per four weeks;
- For properties with a rateable value of between £15k-£51k grants to be £2,000 per four weeks;
- For properties with a rateable value of £51k or over grants to be £3,000 per four weeks.

The Council has been allocated an initial sum of £2,814,966 to support businesses.

NB. An additional allocation of £3,191,260 has also been received to enable the Council to support businesses over the coming months more broadly, who are a key part of the local economy. This will be the subject of a separate ODR.

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

Yes, the decision is likely to result in substantial public interest with significant economic impact. The funding will by its nature impact on the budget and policy framework agreed at Council.

### 3. Details of Decision

To agree the administration and processing of the Support Grant and inclusion of the necessary budgets in funding and grant payments to facilitate the payments to

eligible businesses and to authorise Director for Economy and Growth in consultation with the Director for Resources and Governance to implement.

**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 support grant needs to be distributed promptly and as soon as the necessary assurance checks have been completed. This will be facilitated through a simple online data collection exercise.

**5. Anticipated outcome(s)**

The payment to all eligible business the relevant grants will help local businesses to deal with the financial impacts of the enforced closure.

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

Not implementing the scheme is not an option as this is a National policy

**7. Background documents considered**

NELC Financial Procedure Rules.

<https://intranet.nelincs.gov.uk/wp-content/uploads/2016/11/Financial-Regulations-and-Procedure-Rules.pdf>

Government guidance

<https://www.gov.uk/government/publications/local-restrictions-support-grants-lrsg-and-additional-restrictions-grant-arg-guidance-for-local-authorities>

**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)**

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, subject to several caveats.

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.

The grant relief described above from Central Government comes with a degree of conditionality which officers are cognisant of and will ensure compliance. Further there will be returns and monitoring exercises carried out for assurance purposes.

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

S138 of the Local Government Act 1972 permits the Council to 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 to alleviate the potential effects of the Covid-19 virus within the local community.

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

There are no direct HR implications contained within this ODR

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

There are no direct public health implications arising from this ODR

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

The allocation of the Support Grant will be in accordance with Government Guidelines. It will be necessary to undertake post event verification and all minimum data local authorities will need to have available will be gathered in a format that can be shared with central government, in order to complete effective post award assurance on grants.

<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</p> <p>Signed: Approved by email</p> <p>Dated: 18<sup>th</sup> November 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: 18<sup>th</sup> November 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: 18<sup>th</sup> November 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 Communities Scrutiny Panel</p> <p>Signed: Approve via email</p> <p>Dated: 17<sup>th</sup> November 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: 18 November 2020 16:02  
To: Simon Jones (Chief Legal and Monitoring Officer) (NELC)  
<Simon.Jones1@Nelincs.gov.uk>  
Subject: FW: PLEASE READ AND RESPOND FW: 19. Emergency ODR - Local  
Restriction Grant

Simon,

My agreement also confirmed.

Thanks.

Rob

From: Cllr Stanley Shreeve (NELC) <Stanley.Shreeve@Nelincs.gov.uk>  
Sent: 18 November 2020 15:54  
To: Cllr Philip Jackson (NELC) <philip.jackson@nelincs.gov.uk>; Rob Walsh (NELC)  
<Rob.Walsh@Nelincs.gov.uk>  
Subject: Re: PLEASE READ AND RESPOND FW: 19. Emergency ODR - Local  
Restriction Grant

Consent

Stan

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From: Cllr Philip Jackson (NELC) <philip.jackson@nelincs.gov.uk>  
Sent: Wednesday, November 18, 2020 3:50:26 PM  
To: Rob Walsh (NELC) <Rob.Walsh@Nelincs.gov.uk>; Cllr Stanley Shreeve (NELC)  
<Stanley.Shreeve@Nelincs.gov.uk>  
Subject: RE: PLEASE READ AND RESPOND FW: 19. Emergency ODR - Local  
Restriction Grant

Hi Rob

As Leader of the Council, I consent.

Kind regards

Councillor Philip Jackson  
Leader of North East Lincolnshire Council

Municipal Offices, Town Hall Square, Grimsby, DN31 1HU  
Email: Philip.jackson@nelincs.gov.uk  
Office: 01472 325905  
Alternative: 01472 823740

From: Rob Walsh (NELC) <Rob.Walsh@Nelincs.gov.uk>  
Sent: 18 November 2020 15:44  
To: Cllr Philip Jackson (NELC) <philip.jackson@nelincs.gov.uk>; Cllr Stanley Shreeve (NELC) <Stanley.Shreeve@Nelincs.gov.uk>  
Subject: PLEASE READ AND RESPOND FW: 19. Emergency ODR - Local Restriction Grant

Dear both,

For your urgent approval please in the established manner.

Thanks.

Rob

From: Cllr Paul Silvester (NELC) <Paul.Silvester@nelincs.gov.uk>  
Sent: 17 November 2020 20:59  
To: Simon Jones (Chief Legal and Monitoring Officer) (NELC) <Simon.Jones1@Nelincs.gov.uk>  
Subject: RE: Emergency ODR - Local Restriction Grant

Good evening Simon

In my role as Chair of the community scrutiny Panel I have read the Emergency Decision Notice and my response is as follows:

1. Local Restriction Grant - Consent

Kind regards

Councillor Paul Silvester

From: Simon Jones (Chief Legal and Monitoring Officer) (NELC) <Simon.Jones1@Nelincs.gov.uk>  
Sent: 17 November 2020 20:41  
To: Cllr Paul Silvester (NELC) <Paul.Silvester@nelincs.gov.uk>  
Cc: PAUL SILVESTER <paul.silvester@btconnect.com>  
Subject: Emergency ODR - Local Restriction Grant

Good evening Councillor.

To address the COVID-19 crisis, the Council has invoked emergency powers and put in place an emergency framework of governance.

This provides for the Chief Executive to be a decision maker in consultation with Leader and PFH for Finance and Resources.

Such decisions are captured on an Emergency Officer Decision Record.

Some records will relate to a single decision, others will contain a schedule of decisions.

In the main they are key decisions, usually the remit of Cabinet, but due to urgency cannot be entered onto the Forward Plan nor the usual 28 day notice given.

There are "special urgency" provisions in the Constitution whereby emergency decisions can be made, as long as the Chair of the appropriate Scrutiny Panel consents. This is a conscious consent.

Emergencies and civil contingencies are the remit of the Communities Scrutiny Panel.

As a matter of course, once the emergency dissipates and business can return to normal, ALL emergency decisions will be referred to your panel for noting.

As a result of social distancing and isolation, wet signatures cannot be obtained.

Therefore there will be reliance on an exchange of emails to evidence your consent.

You may note that as we move to a period of stabilisation and recovery, monitoring comments will also appear from the Director of Public Health or his deputies.

This email and your response will be subject to publication in the interests of transparency.

On behalf of the Chief Executive I therefore seek your consent to the following (attached) decisions.

1. Local Restriction Grant (You may recall authorising a similar decision recently. This decision now relates to businesses forced to close under current COVID restrictions as set out in the attached).

I would suggest that in your response to simply state:

1. Consent/Don't consent;  
.....etc with the appropriate option.

I look forward to hearing from you as soon as possible.

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)