



## Emergency Officer Decision Record

### 1. Subject and details of the matter

#### **Grants for Businesses (Assisted 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 Council has received an allocation of £4,608,666 under the Assisted Restrictions Grant (ARG) scheme. Allocations are also being received to support those businesses mandated to close by government.

The ARG is a discretionary fund which Government expect a large proportion will be used to administer discretionary grants to businesses, but it can also be used for wider business support activities. This funding is a one-off lump sum payment (received in November 2020, with a top-up payment in January 2021) to be used for any additional Covid-19 business support in financial years 20/21 and 21/22.

This grant is ringfenced for business support only, but the Council can determine how much funding to provide to businesses, and exactly which businesses to target. The Council is encouraged by Government to develop a discretionary grant scheme to help those businesses which, while not legally forced to close, are nonetheless severely impacted by restrictions put in place.

Approval was given in November to support those businesses who were forced to close but not in the rating system, and supply chain businesses who are directly impacted by the closure of businesses they would normally supply. To date, we have made 861 payments totalling £1,574,523 to assist these businesses, leaving a balance of £3,034,143.

We are now under pressure (both by businesses locally, and government who) to open-up a scheme to other businesses who, whilst not forced to close and therefore not eligible for the mandatory grants, are severely affected by Covid-19 restrictions.

We intend to run this in the same way as those already supported, using the government suggestion of payments calculated as 70% of the amount closed businesses receive.

Businesses would self-declare that they have had a drop of at least 30% in income in comparison to the same period the previous year and will be asked to provide evidence in the form of bank statements to support this.

In addition to regular payments, closed businesses have received one-off government Top-ups of between £4,000 and £9,000 depending on their rateable value. We anticipate making top-ups to those most affected but may choose not to publish these amounts on the website to allow some flexibility. We would expect the majority of payments to be as follows:

- a. Businesses with a RV of £15k or below will receive a one-off top-up payment of £1,000 in addition to a payment of £934 per 14-day period in national lockdown.
- b. Businesses with a RV of £15k-£51k will receive a one-off top-up payment of £1,500 in addition to a payment of £1,400 per 14-day period in national lockdown.
- c. Businesses with a RV of above £51k will receive a one-off top-up payment of £2,000 in addition to a payment of £2,100 per 14-day period in national lockdown.

We estimate no more than 300 eligible businesses to apply, and this would have a cost implication of £1.5m, leaving a balance of approximately £1.5m

We will not be preventing businesses who are not in the rating system from applying, but they will have to evidence fixed business-related costs to qualify.

We would expect to make one payment to cover the period 6th Jan – 17th Feb in line with the current schemes and will reassess the situation at that point.

An application form, guidance and comms are being drawn up and it is hoped applications can open 1<sup>st</sup>/2<sup>nd</sup> February, with an initial 2-week window for applications when the scheme will be reassessed.

In addition, the LoyaltyLocal scheme continues to go from strength to strength, and a virtual high street platform will be going live next week. The intention was to launch this in December 2020, but due to another lockdown it was agreed that retailers would be focussing on maximising sales opportunities in their shops during December, so we have been on a February launch with a media campaign.

The remainder of the ARG allocation, ringfenced to business support only, can be utilised through additional schemes and incentives as required until March 2022.

## **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.

**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 of the grants will help local businesses to deal with the financial impacts of the ongoing Covid-19 pandemic.

**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)**

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)**

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: Rob Walsh</p> <p>Title: Joint Chief Executive</p> <p>Signed: Agreed via email</p> <p>Dated: 2<sup>nd</sup> February 2021</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: agreed via email</p> <p>Dated: 2<sup>nd</sup> February 2021</p> <p>Name: Councillor Stan Shreeve</p> <p>Title: Deputy Leader and Portfolio Holder for Finance, Resources and Governance</p> <p>Signed: agreed via email</p> <p>Dated: 2<sup>nd</sup> February 2021</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: agreed via email</p> <p>Dated: 1<sup>st</sup> February 2021</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 February 2021 14:08  
To: Simon Jones (Chief Legal and Monitoring Officer) (NELC)  
<Simon.Jones1@Nelincs.gov.uk>  
Subject: FW: PLEASE READ AND RESPOND FW: Emergency ODRs Assisted  
Restrictions Grant and ASC Provider sustainability  
Importance: High

Simon,

We all consent.

Rob

From: Cllr Philip Jackson (NELC) <philip.jackson@nelincs.gov.uk>  
Sent: 02 February 2021 14:00  
To: Cllr Stanley Shreeve (NELC) <Stanley.Shreeve@Nelincs.gov.uk>; Rob Walsh  
(NELC) <Rob.Walsh@Nelincs.gov.uk>  
Subject: RE: PLEASE READ AND RESPOND FW: Emergency ODRs Assisted  
Restrictions Grant and ASC Provider sustainability  
Importance: High

I consent too.

Philip Jackson

From: Cllr Stanley Shreeve (NELC) <Stanley.Shreeve@Nelincs.gov.uk>  
Sent: 02 February 2021 13:31  
To: Rob Walsh (NELC) <Rob.Walsh@Nelincs.gov.uk>; Cllr Philip Jackson (NELC)  
<philip.jackson@nelincs.gov.uk>  
Subject: Re: PLEASE READ AND RESPOND FW: Emergency ODRs Assisted  
Restrictions Grant and ASC Provider sustainability

Consent

Cllr Stan Shreeve

Get Outlook for iOS

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From: PAUL SILVESTER  
Sent: 01 February 2021 17:53  
To: Simon Jones (Chief Legal and Monitoring Officer) (NELC)  
<Simon.Jones1@Nelincs.gov.uk>

Subject: Re: Emergency ODRs Assisted Restrictions Grant and ASC Provider sustainability

Good evening Simon

As Chair of the communities Scrutiny panel, I have read and considered the two Emergency ODRs and my response is as follows:

1. Assisted Restriction Grant – dissemination of further funding; - Consent
2. ASC Provider Sustainability – Update and rationale for final quarter's approach. - Consent

Kind regards

Councillor Paul Silvester

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From: Simon Jones (Chief Legal and Monitoring Officer) (NELC)  
<Simon.Jones1@Nelincs.gov.uk>  
Sent: 01 February 2021 17:28  
To: Cllr Paul Silvester (NELC) <Paul.Silvester@nelincs.gov.uk>  
Cc: PAUL SILVESTER  
Subject: Emergency ODRs Assisted Restrictions Grant and ASC Provider sustainability

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, Resources and Assets.

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. Assisted Restriction Grant – dissemination of further funding;
2. ASC Provider Sustainability – Update and rationale for final quarter's approach.

I would suggest that in your response to simply state:

1. Consent/Don't consent;
2. 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,  
Assistant Director Law, Governance and Assets  
(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)