



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 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 was encouraged by Government to develop a discretionary grant scheme to help those businesses not benefitting through the mandated schemes.

Businesses not in the rating system, plus those still allowed to operate but severely affected have benefitted from grants through the ARG scheme, with a total of 1,531 grants paid out, totalling £2,675,911. This leaves a balance of £1,882,755 with only a handful of applications still to process.

Earlier this month, Government published the roadmap to reopening, and at the same time announced a further Restart Grant. This is a mandatory grant for ratepaying businesses, and the amount received is determined by the sector a business falls into and their rateable value.

An additional ARG top-up will be allocated to Local Authorities, calculated by the number of businesses rather than per head of population, to assist with discretionary restart grants. However, this can only be claimed if the total amount of existing ARG funding is defrayed or contracted by June 2021.

Our intention had been to utilise the remainder of the ARG grant, circa £1.3m after discretionary grants had been paid, to create business start-up and business growth schemes, however, we feel there is a reputational risk to not making our best efforts to defray the balance of funds and claim the new grant funding, even if it is a lesser amount than we would have retained. Therefore, our recommendation is to support those businesses who are not able to restart as quickly as others through additional top-up grants.

The below table shows the amount and number of mandated grants we expect to pay, plus recommendations for the remaining ARG.

Mandated grants	Strand 1 – non-essential retail	Strand 2 - personal care, hospitality, Leisure	Estimated number	Estimated value
RV over £51k	£6,000	£18,000	66	£972,000
RV over £15-£51k	£4,000	£12,000	176	£1,464,000
RV £15k or under	£2,667	£8,000	1013	£5,890,805
	ARG Top-up payment	ARG Top-up payment	Estimated number	Estimated value
Rated local restaurants, pubs, hotels and large indoor leisure facilities (not nationals)		£8,500	149	£1,266,500
Travel agent (listed as Strand 1 non-essential retail, suggest top-up to 70% Scheme 2 payment)		£2,993 - £6,600	10	£36,665
Non-rated retail establishments	£2,000		22	£44,000
Rated animal boarding establishments (not eligible under any strand - same as Strand 1)		£2,667	5	£13,335
Non rated café's, indoor leisure and travel agents	£2,000		55	£110,000
Most affected rated supply chain businesses (mostly food suppliers), restart grant equalling 50% of strand 2 value	£4,000 - £9,000		19	£92,000
		Total grant support	260	£1,562,500

Wider business support schemes (Contracted before June 2021)

Subscription to Taste Lincolnshire - a promotional tool for				£30,000
One year contract extension to efactor Start-Up advisor				£42,980

Start up academy support (48 businesses) - Business Hive membership and incubation space for one year			48	£24,480
Digital voucher fund, minimum £1,000, max £5,000 for new technology such as e-commerce, contactless payment systems, website development			30	£100,000
		Total wider business support	98	£197,460
		TOTAL	358	£1,759,960

The above will utilise all but £125,000 of the remaining ARG which can be used for any late applications, and to top-up the digital voucher fund.

Once we have claimed the ARG top-up allocation, we intend to utilise this through wider business support schemes which will assist businesses to create jobs through capital expenditure with the intention of defraying the balance by 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>15. Decision Maker(s):</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: Approved via email</p> <p>Dated: 7th April 2021</p>
<p>16. Consultation carried out with Portfolio Holder(s):</p>	<p>Name: Councillor Philip Jackson</p> <p>Title: Leader of the Council</p> <p>Signed: Approved via email</p> <p>Dated: 7th April 2021</p> <p>Name: Councillor Stan Shreeve</p> <p>Title: Deputy Leader and Portfolio Holder for Finance, Resources and Assets</p> <p>Signed: Approved via email</p> <p>Dated: 7th April 2021</p>
<p>17. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor</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: 7th April 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: 07 April 2021 12:09
To: Simon Jones (Chief Legal and Monitoring Officer) (NELC) <Simon.Jones1@Nelincs.gov.uk>; Sue Turner (NELC) <Sue.Turner@Nelincs.gov.uk>
Subject: RE: URGENT: 24. Emergency ODR - ARG 29.03.21 (002)

agreed

From: Cllr Stanley Shreeve (NELC) <Stanley.Shreeve@Nelincs.gov.uk>
Sent: 07 April 2021 10:34
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>; Sue Turner (NELC) <Sue.Turner@Nelincs.gov.uk>
Subject: RE: URGENT: 24. Emergency ODR - ARG 29.03.21 (002)

Rob,

Duly signed and attached

Cllr Stan Shreeve
Deputy Leader and Portfolio Holder for Finance, Resources and Assets
Ward Councillor for Humberston and New Waltham
North East Lincolnshire Council
Email: stanley.shreeve@nelincs.gov.uk
Tel: 07702 343340

From: Cllr Philip Jackson (NELC) <philip.jackson@nelincs.gov.uk>
Sent: 07 April 2021 10:24
To: Rob Walsh (NELC) <Rob.Walsh@Nelincs.gov.uk>; Cllr Stanley Shreeve (NELC) <Stanley.Shreeve@Nelincs.gov.uk>
Cc: Simon Jones (Chief Legal and Monitoring Officer) (NELC) <Simon.Jones1@Nelincs.gov.uk>; Sue Turner (NELC) <Sue.Turner@Nelincs.gov.uk>
Subject: RE: URGENT: 24. Emergency ODR - ARG 29.03.21 (002)

I am content to approve this.

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: PAUL SILVESTER
Sent: 07 April 2021 09:43
To: Simon Jones (Chief Legal and Monitoring Officer) (NELC)
<Simon.Jones1@Nelincs.gov.uk>
Subject: Re: URGENT: 24. Emergency ODR - ARG 29.03.21 (002)

Good Morning Simon

Having read the Emergency ODR in my role as Chair of Communities Scrutiny Panel my decision is as follows:

1. Assisted Restrictions Grant Funding. - Consent

Kind regards

Cllr Paul Silvester

From: Simon Jones (Chief Legal and Monitoring Officer) (NELC)
<Simon.Jones1@Nelincs.gov.uk>
Sent: 07 April 2021 09:39
To: Cllr Paul Silvester (NELC) <Paul.Silvester@nelincs.gov.uk>
Cc: PAUL SILVESTER
Subject: URGENT: 24. Emergency ODR - ARG 29.03.21 (002)

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 Restrictions Grant Funding.

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,

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|