



Emergency Officer Decision Record

1. Subject and details of the matter

Omicron Hospitality and Leisure Grant (OHLG) and Omicron Additional Restrictions Grant (ARG)

In addition to mandated grants distributed to local businesses through the Local Restrictions Support Grant and subsequent grant schemes, North East Lincolnshire Council has supported business through the discretionary Additional Restrictions Grant (ARG), defraying £5.4m through grant payments and additional business support measures.

There is a small balance of c£95,000 from the funds approved at Cabinet on 8th August 2021 for wider support measures which we anticipate will be committed prior to the deadline of 31st March for activities which support business growth.

On 21st December 2021, Government announced the Omicron Hospitality and Leisure Grant (OHLG), a new one-off business grant of up to £6,000 to support eligible businesses within the Hospitality, Leisure and Accommodation sectors in recognition of potential trading challenges brought about by the Omicron variant.

In addition, a further allocation of Additional Restrictions Grant was released to support those who fall outside of the eligibility criteria for the OHLG. Of this, North East Lincolnshire Council has been awarded £203,000.

Our recommendation is to prioritise support to those businesses directly linked to the hospitality and leisure industry. For example, those businesses in the above categories who are not business ratepayers, and supply chain businesses who provide goods to the Hospitality and Leisure industry who have suffered reduced trade due to cancellations, or through staff sickness/isolation. Grant amounts awarded would be between £1,000 and £6,000 depending on business size.

Intelligence held from previous phases of grant support indicates that this allocation will be adequate to support the above businesses. We do not anticipate being able to support other sectors such as personal care or retail, and these are not identified by Government as requiring further support.

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

That the Executive Director for Environment, Economy and Resources be authorised 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, we are required by Government to Launch an application process as soon as possible, to have made decisions on grant allocations and defrayed the funding before 31st March 2022.

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

Emergency ODR 13th November 2020

Emergency ODR 29th January 2021

Emergency ODR 31st March 2021

Special Emergency Cabinet 8th August 2021

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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.

The Council is in a state of emergency response.

As such urgent decisions are permitted under the Constitution 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.

The above approach is consistent with other decisions taken of a similar nature.

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

A grant has been received from BEIS which fully covers the payments to eligible businesses. The administration costs associated with the processing of payments will be covered through an additional burden allocation.

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: Chief Executive</p> <p>Signed: Approved via email</p> <p>Dated: 17th January 2022</p>
<p>16. Consultation carried out with Portfolio Holder(s):</p>	<p>Name: Cllr Philip Jackson</p> <p>Title: Leader of the Council</p> <p>Signed: Approved via email</p> <p>Dated: 17th January 2022</p> <p>Name: Cllr Stan Shreeve</p> <p>Title: Deputy Leader and Portfolio Holder for Finance, Resources and Assets</p> <p>Signed: Approved via email</p> <p>Dated: 17th January 2022</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 Communities Scrutiny Panel</p> <p>Signed: Approved via email</p> <p>Dated: 17th January 2022</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: 17 January 2022 17:29
To: Simon Jones (Chief Legal and Monitoring Officer) (NELC)
<Simon.Jones1@Nelincs.gov.uk>
Subject: Re: >>PLEASE READ AND RESPOND<< Emergency Decisions

Simon

I support the proposed course of action as detailed in the decision record.

Regards

Rob

Rob Walsh
Chief Executive

From: Cllr Philip Jackson (NELC) <philip.jackson@nelincs.gov.uk>
Sent: 17 January 2022 16:13
To: Simon Jones (Chief Legal and Monitoring Officer) (NELC)
<Simon.Jones1@Nelincs.gov.uk>; Cllr Stanley Shreeve (NELC)
<Stanley.Shreeve@Nelincs.gov.uk>
Cc: Rob Walsh (NELC) <Rob.Walsh@Nelincs.gov.uk>
Subject: RE: >>PLEASE READ AND RESPOND<< Emergency Decisions

Hello Simon

I support an emergency decision.

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: Cllr Stanley Shreeve (NELC) <Stanley.Shreeve@Nelincs.gov.uk>
Sent: 17 January 2022 14:52

To: Simon Jones (Chief Legal and Monitoring Officer) (NELC)
<Simon.Jones1@Nelincs.gov.uk>; Cllr Philip Jackson (NELC)
<philip.jackson@nelincs.gov.uk>
Cc: Rob Walsh (NELC) <Rob.Walsh@Nelincs.gov.uk>
Subject: Re: >>PLEASE READ AND RESPOND<< Emergency Decisions

Simon

I am content that an Emergency ODR is appropriate in this case and support.

Cllr Stan Shreeve

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From: PAUL SILVESTER
Sent: 17 January 2022 14:37
To: Simon Jones (Chief Legal and Monitoring Officer) (NELC)
<Simon.Jones1@Nelincs.gov.uk>; Cllr Paul Silvester (NELC)
<Paul.Silvester@nelincs.gov.uk>
Subject: Re: >>PLEASE READ AND RESPOND<< Emergency Decisions

Good afternoon Simon

I have read the Emergency Officer Decision Record and in my role as Chair of the Communities Scrutiny Panel I respond as follows

Assisted Restrictions Grant Hospitality/Leisure businesses. - Consent

Kind regards

Cllr Paul Silvester

From: Simon Jones (Chief Legal and Monitoring Officer) (NELC)
<Simon.Jones1@Nelincs.gov.uk>
Sent: 17 January 2022 14:30
To: Cllr Paul Silvester (NELC) <Paul.Silvester@nelincs.gov.uk>
Subject: >>PLEASE READ AND RESPOND<< Emergency Decisions

Councillor.

To address the COVID-19/Omicron 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 Hospitality/Leisure businesses.

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

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Telephone number (01472) 324004 | simon.jones1@Nelincs.gov.uk