

ACTION TAKEN BY THE CHIEF EXECUTIVE ON THE GROUNDS OF URGENCY

Committee: Council

Date: 15 July 2021

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[W41]

1.0 **ISSUE**

1.1 To note the action taken by the Chief Executive on the grounds of urgency.

2.0 **RECOMMENDATION**

2.1 That the action taken by the Chief Executive on grounds of urgency be noted.

3.0 **BACKGROUND**

(a) Additional Restrictions Grant – Round 4

3.1 The Additional Restrictions Grant is a discretionary funding scheme for local authorities to support businesses in their local economies during periods of lockdown relating to the COVID-19 pandemic. This grant is in addition to the Local Restrictions Support Grant funding for businesses with a business rates account that are forced to closed.

3.2 The Council has been awarded £2,594,853. The payment is for the 2020/2021 and 2021/2022 financial years. Once we exit national lockdown the Council will not receive additional funding if we re-enter national or local restrictions.

3.3 The eligibility criteria and priority groups are detailed in the proposed scheme, which is attached at Appendix 1 for your information.

3.4 The decision on the grounds of urgency will enable the Council to implement the Scheme and benefit those eligible businesses as soon as possible. The East Cambridgeshire Additional Restrictions Grant will go live from Monday 17th May 2021 and the Council will be required to complete weekly returns to the Department of Business, Energy and Industrial Strategy.

3.5 Under the Constitution, the Chief Executive is required to consult with the Leader of the Council prior to delegated decisions being made and subsequently inform the Chairman of Council and Leaders of the other Political Groups on the Council.

(b) Meetings after 6 May 2021

3.6 On 29 April 2021, Council (Agenda Item 16) approved arrangements for continuing meetings remotely with the actual decision being taken by the Chief

Executive/relevant officer, in consultation with Council/relevant committee (“Option 1”). The Council resolution of 29 April 2021 made provision for these arrangements to be reviewed by September 2021, or earlier on the advice of the Monitoring Officer.

- 3.7 A further Supplemental judgment was handed down by the High Court on 4 May 2021, which in essence stated that when meetings are held that are open to the public or held in public then the public must have physical access to the meeting and therefore meetings should be held in person.
- 3.8 Following receipt of the Supplemental judgment, the Monitoring Officer has sought the further advice of Counsel as to whether the Supplemental judgment altered the previous advice given. Counsel has advised that it does and the Council would be at considerable risk from Judicial Review proceedings if meetings were held in accordance with Option 1.
- 3.9 The Monitoring Officer has advised that, going forward after 6 May 2021, all Council/Committee meetings should be held in person with the public being able to physically access the meetings. I attach the Briefing Note from the Monitoring Officer for ease of reference.
- 3.10 The decision on the grounds of urgency will enable the Council to return to in person meetings.

(c) Additional Restrictions Grant – Round 5

- 3.11 The Additional Restrictions Grant is a discretionary funding scheme for local authorities to support businesses in their local economies during periods of lockdown relating to the COVID-19 pandemic. This grant is in addition to the Local Restrictions Support Grant and Restart Grant funding for businesses with a business rates account that are forced to closed.
- 3.12 In response to the 4-week pause at Step 3 of the roadmap, Government has made the changes to the Additional Restrictions Grant (ARG) guidance to increase flexibility around both business eligibility, and the operation and delivery of the ARG scheme.
- 3.13 On 3 March 2021, the Government announced that a further £425 million would be made available for Local Authorities, through a conditional top-up to the Additional Restrictions Grant. To receive the second top-up of ARG, Local Authorities have until 30 July 2021 to meet all necessary conditions and prove that they have spent or made a validated attempt to spend 100% of their first two ARG allocations combined.
- 3.14 However, if the Council can demonstrate 100% spend by 8 July 2021, it will receive the top-up funding by 30 July 2021, enabling much needed grant funding to reach local businesses sooner.

- 3.15 East Cambridgeshire District Council has received ARG funds totalling £2,594,853. To date, £2,115,500 (82%) has been paid or allocated to local business, leaving £479,353 remaining.
- 3.16 East Cambridgeshire's ARG top-up allocation is £707,466.
- 3.17 The eligibility criteria and priority groups are detailed in the proposed scheme, which is attached at Appendix 2 for your information.
- 3.18 The decision on the grounds of urgency will enable the Council to implement the scheme and benefit those eligible businesses as soon as possible. The East Cambridgeshire Additional Restrictions Grant will go live from Friday 2 July 2021 and the Council will be required to complete weekly returns to the Department of Business, Energy and Industrial Strategy.

4.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

- 4.1 There are no additional financial implications.
- 4.2 Equality Impact Assessment (INRA) not required for the purposes of this report.

5.0 APPENDICES

Appendix 1 – ARG Round 4 Eligibility Criteria
 Appendix 2 – ARG Round 5 Eligibility Criteria

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Urgent Action Memos dated: 11 & 20 May and 2 July 2021	Room 103 The Grange Ely	John Hill Chief Executive (01353) 665555 john.hill@eastcambs.gov.uk