

Record of individual Cabinet member decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Councillor Leigh Rawlins, Cabinet Member for Finance
Key decision?	<p>Yes</p> <p>Acceptance of the receipt will not commit the council to any other additional unbudgeted expenditure over and above the £4,103,040 received.</p> <p>Call-in will be requested to be waived by Scrutiny Committee chairman due to Government requiring the grants to open</p>
Date of decision (same as date form signed)	20 January 2021
Name and job title of officer requesting the decision	Melanie Smans, Economic Development & Active Communities Manager
Officer contact details	<p>Tel: 07801 203542</p> <p>Email: melanie.smans@southandvale.gov.uk</p>
Decision	<ol style="list-style-type: none"> To approve the South Oxfordshire District Council Additional Restrictions Grant (ARG) scheme Round 2. To delegate the authority to award grants to the interim Head of Development and Regeneration, in consultation with the interim Head of Finance
Reasons for decision	<p>On 31 October 2020, the Government announced the introduction of additional support for Local Authorities under national and Local Covid Alert Level 3 restriction. This support will take the form of the Additional Restrictions Grant (ARG) scheme in Financial Year 2020-2021 and can be used across Financial Years 20/21 and 21/22. The South Oxfordshire District Council received a one-off, lump sum of £2,841,140. Refer to the ICMD decision dated 13 November 2020 for the details of Round 1 of the ARG and how the funding was allocated: a maximum of £2,500,000 was available for Round 1; the remaining £341,140 was reserved for the council to support businesses with covid recovery in other ways during 2020/21 and 2021/22.</p> <p>On 14 January 2020, the Government announced a top-up sum of £1,261,900. This additional sum has been provided to allow Local Authorities to support businesses during the national lockdown period - 5 January to 15 February 2021.</p>

	<p>To date, £686,000 has been distributed during the first round of the ARG.</p> <p>It is proposed that the ARG Round 2 will be same as Round 1:</p> <ul style="list-style-type: none"> • Open to all businesses in the district who are impacted by the national lockdown and are not eligible for the LRSG (Closed) Addendum 5 January onwards and Closed Business Lockdown Payment grants. • Grants issued on a first-come, first serve basis. • Eligible businesses will receive a £3,000 grant for this 42-day period <p>Applications open by 22 January 2021 and close 31 March 2021 (as per para 27 of the <i>Support Package for January Lockdown From 5 January 2021 onwards Guidance for Local Authorities (January 2021)</i>)</p>
<p>Alternative options rejected</p>	<p><i>Providing the same grant level as Round 1.</i></p> <p>In Round 1, a £2,000 grant was given. This equates to £500 per week and was consistent with the grant levels of the Local Restrictions Support Grant (Closed). Providing a £3,000 grant for this 6-week lockdown is consistent with Round 1 and will ensure enough local businesses receive meaningful support during the national lockdown. A higher amount risks decreasing the number of businesses who could be supported. Based on the £3,061,900 ARG funding remaining, a total of 1020 businesses could receive a £3,000 grant.</p>
<p>Legal implications</p>	<p>Grant recipients will be required to sign and return an online letter of acceptance including the terms on which the council is offering the grant funding and the requisite State Aid declaration before the funds are released to minimise risk of funds being provided in error or as a result of fraud</p>
<p>Financial implications</p>	<p>Fraud checks can be completed as part of the New Bank Account Verification and Validation Service for Sole Traders/Individuals that the national anti-fraud network is rolling out, as well as Spotlight system. The Guidance (November 2020) recommends a Fraud Risk Assessment is undertaken. The Department for Business, Energy & Industrial Strategy will provide risk assessment templates tailored to the relevant fund.</p> <p>The application form declaration, privacy notice and acceptance letter will be GDPR compliant and advise that their details will be verified with credit referencing agencies to confirm account validity and identity.</p> <p>There will be no financial implications for the council as Clause 21 of the Guidance states 'we are committed to meeting the New Burdens costs to Local authorities for this scheme. A New Burdens Assessment will be completed, and funding then provided to authorities'</p>

	If the district is subject to further national or tier 3 lockdowns, the current guidance is that the council will not receive any further funding for discretionary grants.			
Other implications	There is a reputational risk should the council not open the grant scheme as soon as practical and make grant payments thereafter. The Government is demanding Local Authorities distribute funding as soon as possible and is publishing league tables to coerce quick payments.			
Background papers considered	Department for Business, Energy & Industrial Strategy Additional Restrictions Grant Guidance for Local Authorities (November 2020)			
	Department for Business, Energy & Industrial Strategy Business Support Package for January Lockdown From 5 January 2021 onwards Guidance for Local Authorities (January 2021)			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	Nil			
List consultees		Name	Outcome	Date
	Ward councillors	NA		
	Legal	Pat Connell	Support	19/01/21
	Finance	Kathy Merritt	Support	15/01/2021
		Paul Howden	Support	14/01/2021
	Human resources	NA		
	Sustainability	NA		
	Diversity and equality	Lynne Mitchell	Support	14/01/2021
	Communications	Andy Roberts	Support	14/01/2021
	Senior Management Team	All	Support – minor edits	18/01/2021
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?	Yes via email on 19 January 2021			
Has this been discussed by Cabinet members?	Yes – Cllr Leigh Rawlins.			
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	Signature ____ Councillor Leigh Rawlins _____ Date ____ 20 January 2021 _____			

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.

For Democratic Services office use only		
Form received	Date: 21 January 2021	Time: 10:55
Date published to all councillors	Date: 21 January 2021	
Call-in deadline	Not applicable as call-in waived by Scrutiny Committee Chair	

Guidance notes

1. This form must be completed by the lead officer who becomes the contact officer. The lead officer is responsible for ensuring that the necessary internal consultees have signed it off, including the chief executive. The lead officer must then seek the Cabinet portfolio holder's agreement and signature.
2. Once satisfied with the decision, the Cabinet portfolio holder must hand-sign and date the form and return it to the lead officer who should send it to Democratic Services immediately to allow the call-in period to commence.
Tel. 01235 422520 or extension 2520.
Email: democratic.services@southandvale.gov.uk
3. Democratic Services will then publish the decision to the website (unless it is confidential) and send it to all councillors to commence the call-in period (five clear working days) if it is a 'key' decision (see the definition of a 'key' decision below). A key decision cannot be implemented until the call-in period expires. The call-in procedure can be found in the council's constitution, part 4, under the Scrutiny Committee procedure rules.
4. Before implementing a key decision, the lead officer is responsible for checking with Democratic Services that the decision has not been called in.
5. If a key decision has been called in, Democratic Services will notify the lead officer and decision-maker. This call-in puts the decision on hold.
6. Democratic Services will liaise with the Scrutiny Committee chairman over the date of the call-in debate. The Cabinet portfolio holder will be requested to attend the Scrutiny Committee meeting to answer the committee's questions.
7. The Scrutiny Committee may:
 - refer the decision back to the Cabinet portfolio holder for reconsideration or
 - refer the matter to Council with an alternative set of proposals (where the final decision rests with full Council) or
 - accept the Cabinet portfolio holder's decision, in which case it can be implemented immediately.

Key decisions: assessing whether a decision should be classified as 'key'

The South Oxfordshire and Vale of White Horse District Councils' Constitutions now have the same definition of a key decision:

A key decision is a decision of the Cabinet, an individual Cabinet member, or an officer acting under delegated powers, which is likely:

- (a) to incur expenditure, make savings or to receive income of more than £75,000;**

- (b) to award a revenue or capital grant of over £25,000; or**
- (c) to agree an action that, in the view of the chief executive or relevant head of service, would be significant in terms of its effects on communities living or working in an area comprising more than one ward in the area of the council.**

Key decisions are subject to the scrutiny call-in procedure; non-key decisions are not and can be implemented immediately.

In assessing whether a decision should be classified as 'key', you should consider:

- (a) Will the expenditure, savings or income total more than £75,000 across all financial years?
- (b) Will the grant award to one person or organisation be more than £25,000 across all financial years?
- (c) Does the decision impact on more than one district council ward? And if so, is the impact significant? If residents or property affected by the decision is in one ward but is close to the border of an adjacent ward, it may have a significant impact on that second ward, e.g. through additional traffic, noise, light pollution, odour. Examples of significant impacts on two or more wards are:
 - Decisions to spend Didcot Garden Town funds (significant impact on more than one ward)
 - Changes to the household waste collection policy (affects all households in the district)
 - Reviewing a housing strategy (could have a significant impact on residents in many wards)
 - Adopting a supplementary planning document for a redevelopment site (could significantly affect more than one ward) or a new design guide (affects all wards)
 - Decisions to build new or improve existing leisure facilities (used by residents of more than one ward)

The overriding principle is that before 'key' decisions are made, they must be published in the Cabinet Work Programme for 28 calendar days. Classifying a decision as non-key when it should be a key decision could expose the decision to challenge and delay its implementation.