

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?	Yes Call-in will be requested to be waived by Scrutiny Committee chairman due to Government requiring the grants to open
Date of decision (same as date form signed)	6 May 2021
Name and job title of officer requesting the decision	Melanie Smans, Economic Development & Active Communities Manager
Officer contact details	Tel: 07801 203542 Email: melanie.smans@southandvale.gov.uk
Decision	<ol style="list-style-type: none"> To approve the South Oxfordshire District Council Additional Restrictions Grant (ARG) scheme Round 3. 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 restrictions. This support is in the form of the Additional Restrictions Grant (ARG) scheme which began in financial year 2020/21 and can be used across 2020/21 and 2021/22. Please refer to the ICMD decision dated 13 November 2020 for details of the council's ARG Round 1 and the ICMD decision dated 20 January 2021 for details of Round 2.</p> <p>To date, over £3.2 million of the total £4,103,040 ARG grant funding has been distributed to more than 1,200 grant recipients during rounds 1 and 2 of the ARG.</p> <p>It is proposed that ARG Round 3 will offer a remobilisation grant not in excess of previous award amounts to all ARG Round 2 grant recipients. The grant will help the local businesses ineligible for the mandatory Restart Grant with their remobilisation costs as the economy reopens as per the Government's Roadmap out of Lockdown. Grant</p>

	recipients will be sent an acceptance letter that must be signed and returned before payment is made.
Alternative options rejected	<i>Not offering a remobilisation grant.</i> The Government's Roadmap sees restrictions lift and different parts of the economy reopening at different times from 8 March until 21 June 2021. To support the remobilisation of non-essential retail, hospitality, accommodation, leisure, personal care and gym businesses, the government introduced the mandatory Restart Grant, based on the rateable value of properties. The council's ARG Round 2 was open from 25 January to 31 March 2021 and was all businesses in the district ineligible for mandatory grants could apply. Opening a new grant round is highly likely to attract applications from the same businesses and requiring them to complete another application form will delay payments reaching them in their time of need. The most appropriate option is to offer a remobilisation grant to the Round 2 recipients so they can receive funding in a timely manner.
Legal implications	Grant recipients will be required to sign and return a GDPR compliant 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
Financial implications	All grant recipients have passed fraud and audit checks in Round 2. There will be no financial implications for the council. The grant payments are fully funded by government, and grant payments will not exceed the government funding provided. Clause 21 of the government 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'
Other implications	There is a reputational risk should the council not open Round 3 as soon as practical and make grant payments thereafter. Other Oxfordshire Local Authorities will be opening ARG grant rounds in May/June 2021. The Government is demanding Local Authorities distribute funding as soon as possible and is publishing league tables to encourage quick payments.
Background papers considered	Department for Business, Energy & Industrial Strategy <i>Additional Restrictions Grant Guidance for Local Authorities (updated 22 March 2021 to include £425m top-up from 1 April 2021)</i> Department for Business, Energy & Industrial Strategy <i>COVID-19 Business Grants Frequently Asked Questions (FAQs): March 2021</i>

	Cabinet Office, <i>COVID-19 Response - Spring 2021: Roadmap out of Lockdown</i>			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	Nil			
List consultees		Name	Outcome	Date
	Ward councillors	NA		
	Legal	TBC		
	Finance	Kathy Merritt	Agreed	29/04/2021
		Paul Howden	Agree	29/4/2021
	Human resources	NA		
	Sustainability	NA		
	Diversity and equality	Lynne Mitchell	Agree	29/4/2021
	Communications	Gavin Walton	Agree	29/4/2021
Senior Management Team	All	Minor edits	05/05/2021	
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?	Yes via email on 06/05/2021			
Has this been discussed by Cabinet members?	No			
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	Signature ____ Councillor Leigh Rawlins Date _____ 6 May 2021 _____			

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

For Democratic Services office use only		
Form received	Date: 6 May 2021	Time: 13:45
Date published to all councillors	Date: 6 May 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.