

COUNCIL

26 JANUARY 2021

REPORT OF LEADER OF THE COUNCIL

A.1 EXECUTIVE DECISION(S) TAKEN AS A MATTER OF URGENCY

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To notify Members of recent Executive Decision(s) taken in the circumstances set out in the Council's Constitution in:-

- (a) Rule 15 of the Access to Information Procedure Rules (Special Urgency); and/or
- (b) Rule 18(i) of the Overview and Scrutiny Procedure Rules (Call-in and Urgency); and/or
- (c) Rule 6(b) of the Budget and Policy Framework Procedure Rules.

EXECUTIVE SUMMARY

In accordance with the requirements of Rule 16.2 of the Access to Information Procedure Rules and/or Rule 18(i) of the Overview and Scrutiny Procedure Rules and/or Rule 6(b) of the Budget and Policy Framework Procedure Rules, this report notifies Members of recent Executive Decision(s) taken in the circumstances set out in Rule 15 of the Access to Information Procedure Rules and/or Rule 18(i) of the Overview and Scrutiny Procedure Rules.

RECOMMENDATION

That the contents of the report be noted.

PART 2 – SUPPORTING INFORMATION

BACKGROUND

The "Special Urgency" procedure in Rule 15 of the Access to Information Procedure Rules provides that where a key decision cannot be reasonably deferred to allow the procedure in Rule 14 (General Exception) of those procedure rules to be followed, it may still be taken with the agreement of the Chairman of the relevant overview and scrutiny committee, or failing him/her, the Chairman or Vice-Chairman of the Council.

Rule 18(i) of the Overview and Scrutiny Procedure Rules provides that the "call-in" procedure will not apply to a decision if the Chairman, or failing him/her the Vice-Chairman, of the relevant overview and scrutiny committee agrees both that the decision is reasonable in all its circumstances and that any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.

DECISION(S) TAKEN AS A MATTER OF URGENCY

Transfer of funds from Additional Restrictions Grant to Business Adaptations Grant

On 28 November 2021, the Interim Corporate Director (Project Delivery) (Lee Heley), in conjunction with the Corporate Finance & Governance Portfolio Holder (Councillor G V Guglielmi), and in view of the urgency of the issue concerned, in accordance with Rule 18(i) of the Overview and Scrutiny Procedure Rules, sought and subsequently obtained the Chairman of the Resources and Services Overview and Scrutiny Committee's (Councillor M E Stephenson) consent that the Corporate Finance & Governance Portfolio Holder's decision relating to the transfer of the remaining funds from the Additional Restrictions Grant to the Business Adaptations Grant be exempt from the Council's call-in procedure.

The Corporate Finance & Governance Portfolio Holder's decision was as follows:-

"To transfer up to £511,000 from the Additional Restrictions Grant (ARG) to support the Business Adaptations Grant (BAG) scheme: the amount transferred should cover the shortfall in the BAG scheme between existing funding and eligible grant applications received before the BAG scheme ends, capped at £511,000."

It was felt that any delay likely to be caused by the usual key decision and call-in processes would have seriously prejudiced the Council's and the public's interest for the following reasons:-

"The Council needed to be able to pay money out to local businesses who successfully applied for grants as quickly as possible, and to meet the Government's expectation of making all payments under the Business Adaptations Grant scheme by the end of December 2021, with our published application deadline of 15 December."

The demand from local businesses for the Business Adaptations Grant (BAG) scheme outstrips existing funding. The unspent funds from the Additional Restrictions Grant (ARG) must return to Government at the end of March 2021, offering very limited time to develop alternative proposals.

The alternative course of action would be to end the Business Adaptations Scheme early as the current funding is used up. The Council would likely then need to return ARG funding to Government unspent, and disappoint local firms who fit the BAG grant criteria."

BACKGROUND PAPERS

Transfer of Funds from ARG scheme to the Business Adaptations Grant scheme

Letter dated 28 November 2021 from the Corporate Governance & Finance Portfolio Holder, to the Chairman of the Resources and Services Overview and Scrutiny Committee.

Reply dated 30 November 2021 from the Chairman of the Resources and Services Overview and Scrutiny Committee signifying his consent to allow the decision to be exempt from call-in.

APPENDICES

None.