



ADUR & WORTHING  
COUNCILS

Joint Strategic Committee  
8 February 2022

Key Decision: No

Ward(s) Affected: N/A

**Chief Executive's use of Urgency Powers during the Covid-19 Pandemic**

**Report by the Chief Executive**

**Executive Summary**

**1. Purpose**

- 1.1 The latest wave of Coronavirus (Omicron) necessitated the Government taking urgent action in the pre-christmas period. In late December, the Council was informed of a new business grant scheme targeted at those businesses who were most severely affected by this new variant.
- 1.2 To ensure the swift distribution of funds, the Chief Executive has been called upon to use her urgency powers to approve a budget virement and this report advises Members of the Executive of the executive decision made, and asks for their endorsement to those decisions.

**2. Recommendations**

- 2.1 The Joint Strategic Committee is recommended to note the content of the report and endorse the decision made by the Chief Executive.
- 2.2 The Joint Strategic Committee is asked to delegate to the Chief Financial Officer the ability to adjust the budget for any future fully funded government covid relief schemes.

### **3.0 Context**

- 3.1 In March 2020 a global pandemic was declared as a result of Covid-19. The Councils were faced with unprecedented times and have been required to swiftly respond to the emergency for the health, safety and wellbeing of their communities and economies. Over the couple of years the Councils have administered a number of initiatives targeted to support the business community.
- 3.2 On 21 December 2021, the Chancellor of the Exchequer, the Rt Hon Rishi Sunak MP, announced a further £1 billion in support for businesses most impacted by Omicron across the UK.
- 3.3 The details of the new business grant scheme was released in early January and the Council was informed of the funding allocations on the 12th January 2022, too late for consideration at the January meeting of the Committee.
- 3.4 The Council has approved a Scheme of Delegations to Officers and within it have included the authority to the Chief Executive to make decisions on behalf of the Executives and the Councils in an emergency situation such as this one.
- 3.5 Given the need to act swiftly, the Chief Executive has made an Executive decision in recent weeks relying on these urgency provisions consulting with the Leaders of the Councils as required by the constitution. The Scheme of Delegations provides that the use of these powers should be reported to the Council, or the Executive, as appropriate, as soon as practicable.

### **4.0 Issues for consideration**

#### **4.1 Government Funding for Business Grants**

- 4.1.1 The Councils have been notified of funding for the new Omicron business grant scheme:

	Adur £	Worthing £
Additional restrictions grant	99,414	163,641
Omicron grants	366,021	696,033
Total	<u>465,435</u>	<u>859,674</u>

4.1.2 Under our financial regulations, a budget virement should be approved prior to any expenditure being incurred. The level of spend is such that normally the Joint Strategic Committee would have approved the budget virement. However, given the need to distribute the funds as quickly as possible, the Chief Executive was asked to approve the virement using her urgency powers.

4.1.4 The Councils have been successful in quickly distributing the Omicron grants highlighted in 4.1.1 with the first payments being issued on 24th January 2022. As of 28th January 2022, 157 local businesses have been issued a grant, a total of £540,027 has been distributed thus far:

	No of business paid	Amount £
Adur	40	£140,006
Worthing	117	£400,021

4.1.5 As of 17th January, the Councils also opened the application process for the Additional Restrictions Grant, meaning both grants were 'live' in under 4 weeks of the announcements from Government. The deadline for both grants is 28th February 2022.

## **5.0 Engagement and Communication**

In making executive decisions under urgency powers delegated to her by the Council, the Chief Executive consulted with the Leader of each Council, as well as the Council's Statutory Officers.

## **6.0 Financial Implications**

6.1 The grants awarded to the business community are fully funded by the resources provided by BEIS.

6.2 Under our financial regulations, a budget virement should be approved prior to any expenditure being incurred. The level of spend is such that normally the Joint Strategic Committee would approve the budget virement.

## **7.0 Legal Implications**

7.1 Paragraph 2.1.2 of the Officer Scheme of Delegations provides the Chief Executive with the authority to "take urgent action on behalf of the Councils".

Urgent means a "matter of pressing importance requiring swift action given the gravity of the situation, to prevent damage (or further damage) to life, limb, infrastructure or the financial integrity of the Councils".

7.2 In taking such urgent action the Chief Executive is obliged to consult with the relevant Leader.

## **Background Papers**

- Adur District Council and Worthing Borough Council Scheme of Delegations to Officers
- Adur District Council and Worthing Borough Council Financial Regulations

## **Officer Contact Details:-**

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## **Sustainability & Risk Assessment**

### **1. Economic**

- The grant programme will support our local businesses and have a positive impact on the local economy.

### **2. Social**

#### **2.1 Social Value**

- Supporting our local businesses will protect local employment opportunities and have a positive impact on our communities.

#### **2.2 Equality Issues**

- Issue considered, no specific matters to report

#### **2.3 Community Safety Issues (Section 17)**

- Issue considered, no specific matters to report

#### **2.4 Human Rights Issues**

- Issue considered, no specific matters to report

### **3. Environmental**

- Issue considered, no specific matters to report

### **4. Governance**

- The report outlines our compliance with the Council's governance arrangements.