



**RECORD OF DECISION TAKEN UNDER DELEGATED
AUTHORITY
(Not a Key Decision)**

Date of Decision: 27 November 2020

**Executive Decision or 'Other Decision' to be
published?:**

Yes

TITLE: West Lancashire Borough Council – Additional Restrictions Grant Scheme.

DECISION:

That the West Lancashire Borough Council – Additional Restrictions Grant Policy (as detailed at the Appendix) be approved and the Corporate Director of Transformation and Resources be given authority to administer applications and payments under the Scheme.

AUTHORITY:

Constitution 4.2: Proper Officer Provisions and Scheme of Delegation to Chief Officers
Issue Date 04.11.19

4.21 To take any action on behalf of the Council, following consultation with the Leader and relevant Portfolio Holder or the Chairman of the appropriate committee, in cases of urgency requiring immediate decisions, and where it would be unreasonable or impractical to convene a meeting.

REASONS FOR DECISION

As set out below

1.0 BACKGROUND

1.1 In response to the COVID-19 pandemic, on 31 October 2020, the Government announced a further package of financial assistance to enable local authorities to support businesses in their local area that had been placed under Local COVID Alert Level Very High (LCAL3) or national restrictions.

1.2 National and local restrictions are legally binding restrictions imposed where the Secretary of State for Health and Social Care requires the closure of businesses under regulations made using powers in Part 2A of the Public Health (Control of Disease) Act 1984 in response to the threat posed by coronavirus and commonly as part of a wider set of measures.

- 1.3 West Lancashire moved into LCAL3 on 17 October 2020 and became subject to increased localised restrictions. This meant all pubs and bars within the borough had to close from that date, unless they are serving substantial meals. In addition, from 19 October 2020 the adult gaming industry, casinos, bingo halls, bookmakers, betting shops, and soft play areas had to close and car boot sales were not permitted.
- 1.4 National restrictions were imposed on 5 November 2020 and meant as well as businesses required to close under LCAL3 certain other businesses were mandated to close by Government. These included non-essential retail, leisure, personal care, sports facilities and hospitality businesses.
- 1.5 The Additional Restrictions Grant (ARG) is a discretionary scheme which in part, is aimed to provide additional funding to local authorities to support businesses which have been severely impacted by the LCAL3 and national lockdown restrictions but do not qualify for other local or national restriction grant support.
- 1.6 It is for Local Authorities to develop the ARG scheme, however Government guidance states priority is given to:
- Businesses while not legally forced to close are nonetheless severely impacted by LCAL3 and national restrictions, for example, businesses which supply the retail, hospitality, and leisure sectors, or businesses in the events sector.
 - Businesses forced to close as a result of LCAL3 or national restrictions and do not have a rateable value, for example, market traders or businesses in shared spaces.
- 1.7 This support will take the form of a funding scheme in Financial Year 2020- 2021 and can be used across Financial Years 20/21 and 21/22.
- 1.8 The Council intends to use this funding primarily for discretionary grants, but can also use this funding for wider business support activities. As this is a discretionary grant scheme, it will be for the Council to determine how best to split the funding between grant schemes and other business support activities.

2.0 CONSIDERATIONS

- 2.1 Government guidance dated 3 November 2020 and Government FAQ's dated 9, 16, 23 November 2020 set out the criteria which the Government advises the Council should consider in administering the ARG.
- 2.2 To be eligible to apply for a grant under the ARG scheme a business (including self employed and sole-traders who run their business) must meet all of the following criteria:
- Have been mandated to close as a result of LCAL3 or national restrictions but do not have a rateable value **or** are able to demonstrate they are not legally forced to close but have been severely impacted due to LCAL3 or national restrictions, for example, businesses which are in hospitality, accommodation, retail, leisure, travel and events sectors which have been allowed to remain open and also businesses that supply products or services

to these sectors.

- Trading on the day before LCAL3 (16 October 2020) or national restrictions (4 November 2020) were introduced
- Located and trading within West Lancashire
- Not eligible for any Local Restriction Support Grants.

2.3 The level of grant paid under the ARG scheme will depend on the rateable value or fixed annual property costs of the eligible business and whether it has been mandated to close or able to remain open.

2.4 Eligible business will receive payments of up to £3,000 for each 14 or 28-day qualifying restriction period that it is severely impacted by LCAL3 or national restrictions are in place.

2.5 If an eligible business does not have premises with a rateable value and its fixed annual property costs are less than £3,000 or they cannot be specifically identifiable to the business, a one off lump sum grant of £500 will be awarded, subject to the Councils discretion. Regular market traders will also receive a one off lump sum grant of £500, again subject to the Councils discretion.

2.6 Businesses which are part of a non-franchised national chain will not be eligible for a grant.

2.7 The aim is to open the scheme application process on 27 November or 30 November at the latest.

2.8 The next scheduled meeting of Cabinet is 12 January. The Council wishes to support eligible businesses as a matter of urgency. It is not reasonable to delay the introduction of the ARG Scheme until then and is not reasonable or practicable to convene a special Cabinet meeting. In any event, this decision has been taken in consultation with the Leader and relevant Portfolio Holder as referred to below.

3.0 ALTERNATIVE OPTIONS CONSIDERED (IF ANY):

3.1 An alternative option would be to award larger one off lump sum grants to eligible businesses. However, there is uncertainty over how long local and national restrictions will continue to severely impact businesses. For that reason this was discounted and a scheme that aimed to mirror the Local Restrictions Support Grants with smaller grant payments that could continue rolling for a longer period was favoured.

4.0 FINANCIAL AND RESOURCE IMPLICATIONS

4.1 Under the ARG scheme Local Authorities will receive a one-off lump sum payment amounting to £20 per head in each eligible Local Authority when LCAL3 or widespread national restrictions are imposed.

4.2 Due to West Lancashire entering LCAL3 prior to national restrictions being imposed the Council already accessed an additional enhanced business support

settlement from Government and this settlement amount (£2,286,120) now forms part of the ARG fund.

4.3 The Council will be responsible for delivering the funding and this support will take the form of a funding scheme in Financial Year 2020- 2021 and can be used across Financial Years 20/21 and 21/22.

4.4 The agreed officer allocation will be regularly reviewed during the operation of the scheme.

4.5 The Council will receive New Burdens funding from Government to account for the costs of administering the ARG scheme.

5.0 SUSTAINABILITY IMPLICATIONS

5.1 There are no significant sustainability impacts associated with this decision.

6.0 EQUALITY IMPACT ASSESSMENT

6.1 This decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders, therefore no Equality Impact Assessment is required.

7.0 BACKGROUND DOCUMENTS (For executive decisions and 'Other Decisions that require publishing)

7.1 The following background documents (as defined in the 2012 and 2014 Regulations) have been relied on to a material extent in making this Decision:

None

8.0 HEALTH AND WELLBEING IMPLICATIONS

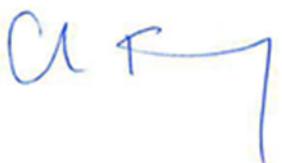
8.1 There are no health and wellbeing implications arising from this report.

9.0 FOR FURTHER INFORMATION PLEASE CONTACT:

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Directorate & Service: Transformation and Resources – Corporate Services –
Legal and Democratic Services
Telephone No: 01695 585025

DATE OF DECISION: 27 November 2020

Decision Taker: Corporate Director of Transformation and Resources – Chris Twomey



Signature: _____

In Consultation with:

Head of Finance - James Pierce

Signature: via e-mail

Council Leader - Councillor Ian Moran

Signature: via e-mail

Portfolio Holder for Resources & Transformation – Councillor Adam Yates

Signature: via e-mail

NOTES

(Executive Decisions)

- 1. ANY CONFLICT OF INTEREST DECLARED BY THE PORTFOLIO HOLDER (Only required where decisions taken in consultation with):**

(Executive Decisions)

- 2. IF CONFLICT OF INTEREST EXISTS, DETAILS OF DISPENSATION GRANTED BY THE HEAD OF THE PAID SERVICE:**

(‘Other Decisions’)

- 3. THE NAMES OF ANY COUNCILLOR WHO HAS DECLARED A CONFLICT OF INTEREST IN RELATION TO THE DECISION**

Appendices

Appendix - West Lancashire Borough Council – Additional Restrictions Grant Policy