

## NOTICE

Reasons for Urgency – KEY DECISION

BRAINTREE DISTRICT COUNCIL (“the Council”)

### **The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“the Regulations”)**

The Council intends to hold a public meeting of the Cabinet on 23<sup>rd</sup> November 2020 at 7:15pm, at which a Part 1 urgent item will be considered in respect of the new Business Support Schemes: Additional Restrictions Grant (“the Grant”).

In particular the consideration of the distribution of the Grant within the Braintree District against the agreed criteria to support local businesses during the Covid-19 pandemic, and to retain 10% of the Grant pending a future decision by Cabinet on its allocation. In addition there will be a recommendation that the Council agree to distribute any future government funding related to the Covid-19 pandemic received from Essex County Council.

1. This meeting is deemed to be a relevant “decision-making body” under the Regulations.
2. In these Regulations a “key decision” means an executive decision, which is likely:
  - (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority’s budget for the service or function to which the decision relates; or
  - (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.
3. Under Regulation 9, the Council is required to give notice of its intention to make a Key Decision, at least 28 clear days before the date of this meeting and publish this on its website.
4. Where publication of the intention to make a Key Decision under Regulation 9 is impracticable, then under Regulation 11 that decision may only be made where the decision maker has obtained the agreement of the Chairman of the Performance Management Board that the making of the decision is urgent and cannot be reasonably deferred. This agreement was obtained on 17<sup>th</sup> November 2020.
5. As soon as reasonably practicable after receipt of the Chairman of the Performance Management Boards agreement under point 4 above, the Council must publish a notice setting out the reasons why compliance with Regulation 9 is impracticable.

## STATEMENT OF REASONS

On 31<sup>st</sup> October 2020 the Government announced a second national lockdown. As a result of the lockdown pubs, restaurants, gyms and non-essential shops were required to close until 2<sup>nd</sup> December 2020.

The result of the lockdown has significantly impacted the whole retail and hospitality industry.

At that time the Government announced that there would be additional support to businesses, in particular the Additional Restrictions Grants. Guidance on the Grant as issued by the Secretary of State for Business, Energy and Industrial Strategy to Local Authorities.

The Council has been working with North Essex Authorities since that announcement to establish whether there is an opportunity to work collaboratively to support Businesses within Essex. Those discussions are ongoing, however, the Council is keen to ensure that the grant is distributed as soon as possible and therefore it is necessary to take the decision now so that the support can be provided at the earliest opportunity, whilst retaining a proportion for further consideration of a collaborative approach.

The guidance has only recently been made available to the Council, and this has now allowed for early engagement with the Councils partners on a collaborative approach. Accordingly it is not possible to meet the requirements for notification to the forward plan. This item cannot be delayed to the next meeting of Cabinet as this will significantly delay the distribution of the Grant.

Signed: Kim Cole

Head of Governance and Monitoring Officer

Proper Officer of the Council

18<sup>th</sup> November 2020