

Agenda

Emergency Committee

Members of the Emergency Committee:

Mr J Fuller
(Chairman)

Mr C Brown

Mr M Edney

Mr R Elliott

Mr K Kiddie

Mrs K Mason Billig

Date

Friday 24 April 2020

Time

10.00 am

Place

To be hosted remotely at:
South Norfolk House
Cygnet Court
Long Stratton
Norwich
NR15 2XE

PUBLIC ATTENDANCE

Please note that in light of Government guidance, the Council currently has restricted public access to the Council Offices. Should members of the public wish to observe this meeting remotely, or speak on an agenda item, they can do so by emailing a request to democracy@s-norfolk.gov.uk, no later than 5.00pm on Tuesday 21 April 2020.

Contact

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Cygnet Court
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Website: www.south-norfolk.gov.uk

If you have any special requirements in order to attend this meeting,
please let us know in advance

Large print version can be made available

Agenda

- 1. To report apologies for absence**
- 2. To Receive Declarations of Interest from Members** (please see guidance – page 3)
- 3. To confirm the minutes of the meeting of the Emergency Committee, held on Wednesday 1 April 2020** (attached -page 5)
- 4. Governance Arrangements – COVID-19** (report attached – page 8)
- 5. Financial Implications of COVID-19** (report attached – page 14)

DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:

1. affect yours, or your spouse / partner's financial position?
2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

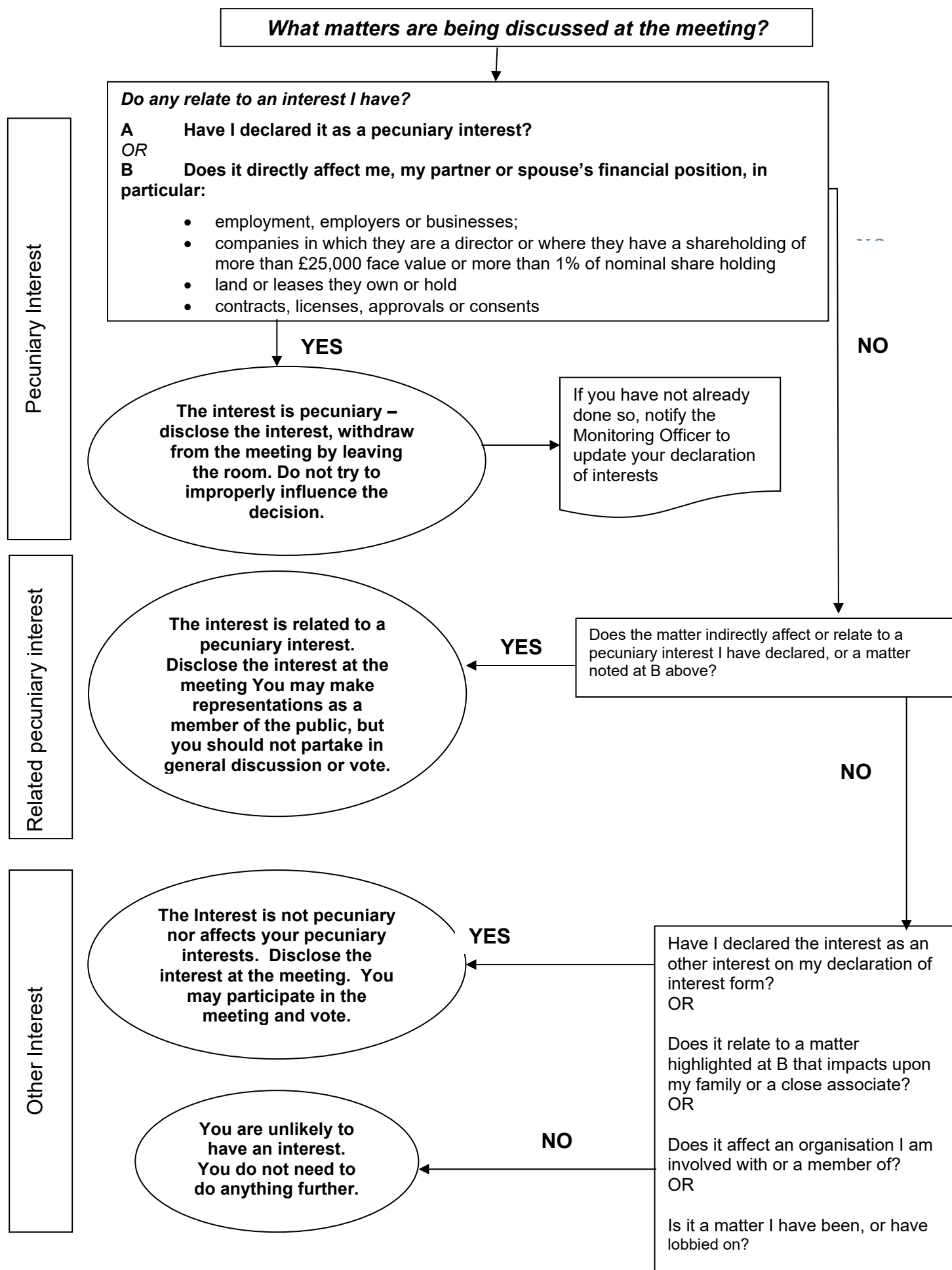
If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.

Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF. PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





EMERGENCY COMMITTEE

Minutes of a remote meeting of the Emergency Committee of South Norfolk Council held on Wednesday 1 April 2020 at 10.00am.

Committee Members Present: Councillors: J Fuller (Chairman), C Brown, M Edney, R Elliott, K Kiddie and K Mason Billig

Other Members in Attendance: Councillors: Y Bendle, D Bills, V Clifford-Jackson, B Duffin, J Easter, L Glover, J Halls, C Hudson, K Hurn, W Kemp, J Knight, T Laidlaw, N Legg, L Neal, S Nuri, J Rowe, R Savage, A Thomas and V Thomson

Officers in Attendance: The Managing Director (T Holden) and the Assistant Director of Governance & Business Support (E Hodds)

1 EMERGENCY POWERS COVID-19

Members considered the report of the Assistant Director Governance and Business Support (Monitoring Officer), which sought approval to make amendments to the Terms of Reference for the Emergency Committee, and also to suspend the six-month rule in relation to Members attending meetings of the Council and the Committees on which they serve.

The Chairman explained that due to the current situation with COVID-19, the Managing Director, had, in line with the current Terms of Reference of the Emergency Committee, decided to convene the Committee.

The Assistant Director Governance and Business Support presented her report, referring to the amended Terms of Reference, outlined at Appendix A. She explained that the proposed amendments would ensure that the Committee would be stood down at the decision of the Managing Director, once normal business was able to resume. The amendments also reflected the required succession arrangements should certain members and/or officers be unable to conduct their roles.

Members noted that a further recommendation of the report was to suspend the six-month rule in relation to Members attending meetings of the Council and the Committees on which they served. This would allow for those members who might not be able to attend meetings, physically or remotely, due to illness. The Assistant Director assured members that this would be reviewed on a monthly basis.

During discussion, members suggested that paragraph 16.5 of the Terms of Reference, required amendment, to allow for forms of voting, other than a show of hands. Officers agreed to add "that voting be conducted in line with legislation in force at the time"

With regard to the role of the Scrutiny Committee, members noted that it would be appropriate, after the COVID-19 impact had reduced, for the Committee to then consider any lessons learnt. However, the Managing Director and the Monitoring Officer would be providing the necessary scrutiny of any decisions made by the Emergency Committee.

In response to a query regarding public access to the meeting, the Assistant Director explained that unfortunately the Council was not in a position to be able to live stream meetings at the current time. However, this was being explored further to see if this could be accommodated for future meetings. An audio recording was being made of the current meeting and would be placed on the website for public access. It was also noted that the press had been contacted and invited to join the meeting remotely but had declined to attend on this occasion.

In terms of regulatory committees, the Assistant Director explained that it was anticipated that Licensing would quieten down, with little or no demand for hearings, although a surge in applications was expected as restrictions were lifted. It was hoped that the Development Management Committee would continue to meet, albeit remotely, due to the important impact planning had on the local economy. Officers were awaiting Government guidance and relevant regulations, to advise on such matters.

In response to a question regarding the role of Cabinet members, the Assistant Director explained that although the Emergency Committee could take on the role of the Cabinet, the roles and responsibilities of portfolio holders would not change.

The Managing Director then outlined the current arrangements in place to tackle the emergency across the District. He was pleased to report that the Local Resilience Forum (LRF), was working well, as were the delivery groups that sat beneath it. District Councils were providing a high level of support to the LRF, which was working on four main workstreams:

- Community Resilience, to provide food, medicines and support to individuals
- Excess Deaths, looking at anticipated death rates and the implications of that
- Cyber, looking to ensure that appropriate security was maintained, and
- Health and Social Care, to provide professional help and care into peoples' homes.

He further explained that food for the vulnerable had arrived in the County and would soon be distributed to district councils for delivery. Members noted that this food was for distribution to those vulnerable people identified by the Government. As it currently stood, if the Council was to identify vulnerable people not on the list, any assistance of food would need to be met through the individual's own finances or borne by the local authority.

Voting was then carried out by way of a roll call, and it was unanimously

- RESOLVED:**
1. To agree the Terms of Reference for the Emergency Committee, subject to minor changes;
 2. To agree to suspend the six-month rule in relation to Members attending meetings of the Council and the Committees on which they serve, pursuant to Section 85 (1) of the Local Government Act 1972. This will be reviewed by the Monitoring Officer on a monthly basis.

The meeting concluded at 10.24 am.

Chairman

GOVERNANCE ARRANGEMENTS – COVID-19

Report Author(s): Emma Hodds
Assistant Director Governance & Business Support –
Monitoring Officer
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Portfolio: Leader, External Affairs and Policy

Ward(s) Affected: All

Purpose of the Report:

This report sets out the proposed governance arrangements for the Council during the COVID19 pandemic.

This report proposes the arrangements for the delegations afforded to Cabinet, Full Council, Development Management Committee and Licensing Committees and the rationale for the steps being recommended.

The report also sets out the required interim changes to the Standing Orders of the Council.

Recommendations:

1. Committee to agree that the Emergency Committee takes on the powers of Cabinet and Full Council during the COVID19 pandemic. The Managing Director will determine when the arrangements are reverted.
2. Committee to agree to the interim arrangement for the Development Management Committee during the COVID19 pandemic, as outlined in paragraphs 3.5 – 3.8. The Managing Director will determine when the arrangement are reverted.

3. Committee to agree that the arrangement for the Licensing Committees remains as per the Constitution.
4. Committee to agree to the Monitoring Officer producing additional Standing Orders relating to virtual meetings during the COVID19 pandemic. The Managing Director will determine when the arrangements are reverted.

1 SUMMARY

- 1.1 This report sets out the proposed governance arrangements for the Council during the COVID19 pandemic.

This report proposes the arrangements for the delegations afforded to Cabinet, Full Council, Development Management Committee and Licensing Committees and the rationale for the steps being recommended.

The report also sets out the required interim changes to the Standing Orders of the Council.

2 BACKGROUND

- 2.1 At the meeting on the 1 April 2020 the Emergency Committee was formally convened, and the first item of business was to ensure the Terms of Reference were appropriate in the current climate.
- 2.2 The regulations which enable meetings to be held virtually has been passed and is in force until 7 May 2021. The statutory instrument confirmed the following:
- The Local Authority can hold such meetings and at such hour and on such days; and alter the frequency, move or cancel such meetings, without requirement for further notice.
 - When an appointment is required to be made at the Annual General Meeting (AGM) such appointments continue until the next AGM or until the Local Authority determines.
 - Meetings are not limited to a place, can include; electronic, digital or virtual meetings i.e. internet locations, web address or conference calls.
 - Attendance counts when:
 - a. Member can hear / see and be heard / be seen by other Members
 - b. Member can hear / see and be heard / by seen by entitled to attend to exercise the right to speak – where practicable
 - c. Member to be heard and where practicable be seen by the public attending
 - Attendance includes by remote access.
 - The Local Authority can make standing orders and rules about remote attendance at meetings including the provision for:
 - a. Voting
 - b. Member and public access to documents
 - c. Remote access of public and press
 - Being present includes by remote access.
 - Open to the public includes access to meeting through remote means including but not limited to video conference, live webcast or live streaming.
 - Documentation “open to inspection” includes being published on the website.
 - Publication, posting or making available of a document at council offices includes on the website.
 - Decisions and background papers made available to the public includes through the website or any other such means as is considered appropriate.

3 CURRENT POSITION

Cabinet and Full Council

- 3.1 During these unprecedented times it is important that officers and members focus on the critical actions that are required, but that openness and transparency remain a part of the decision making of the Council.
- 3.2 In order to achieve this a reduction in the number of meetings would enable the Council to operate more effectively and efficiently, whilst ensuring that a focussed and accountable process is in place to allow officers to do what is needed and enable the decisions to be made in a cross-party environment.
- 3.3 It is therefore proposed that the Emergency Committee takes on the decision-making powers of both Cabinet and Full Council during this time.
- 3.4 It is important that the Leader of the Conservative Group and the Leader of the Opposition, through their role on this Committee keep their group well informed and ensure that a robust and well rounded discussion on agenda items is held, with the ability for all members to attend and ask questions.

Development Management Committee

- 3.5 It is crucial that the Council enables the economy to drive forward as we come through the pandemic and enter the recovery phase. Development Management Committee has an important role to play in this regard to ensure that planning applications continue to be decided for businesses to then progress when the time comes. Thus, enabling the economy to begin to recover and improve.
- 3.6 Currently the Committee has a membership of 9, with a quorum of 4. In order to transact business effectively and fully consider the applications it is recommended that during this period the membership of the Committee is reduced to 5, with a political balance of 4:1 and a quorum of 3. This will ensure that the meeting can be held virtually but will continue to be interactive, whilst being easier to manage.
- 3.7 The schedule and planning of the meetings will be reviewed between the Assistant Director Planning and the Chairman of the Committee to ensure the business at each meeting is manageable, whilst also ensuring that the applications are received by the committee in a timely manner.
- 3.8 The Chairman of the Committee will also work with all members to ensure that applications referred to the committee by members are appropriate and undertaken for the right reason.

Licensing Committees

- 3.9 For confirmation the current arrangements in the constitution will remain for the Licensing Committees, with the business being undertaken remotely in line with the new regulations. The Monitoring Officer will ensure that a protocol is in place should the Licensing Committees need to convene virtually.

Standing Orders

- 3.10 The Constitution “Part 4 Rules of Procedure – 4.5 Standing Orders & Rights of Public at Meetings – G1 General Arrangements for Public Speaking” sets out the arrangements that are to be followed at Committee meetings.
- 3.11 In light of the statutory instrument indicating that the Local Authority can make rules about remote attendance the following are proposed as an addition.
- 3.12 In order to ensure the ability for the public and press to participate in meetings the appropriate notice will always be given for all meetings with the agenda available on the website five clear working days ahead of the meeting. The ability to dial into the meeting will be afforded to the public and the press, as long as two full working days’ notice is provided to Democratic Services, via email with exact dates and times confirmed on each agenda. In addition, written statements can also be provided three working days ahead of the meeting.
- 3.13 For confirmation voting at each meeting will be by roll call.

4 PROPOSED ACTION

- 4.1 Based on the current position above, these governance arrangements are required to enable decision making to continue in these unprecedented times.

5 OTHER OPTIONS

- 5.1 Not applicable to this report.

6 ISSUES AND RISKS

- 6.1 **Resource Implications** – the proposed governance arrangements should ensure a better and more effective use of reduced resources during this time.
- 6.2 **Legal Implications** – the report has taken account of the Coronavirus Act and the corresponding statutory instruments.
- 6.3 **Equality Implications** – not applicable to this report at this time.
- 6.4 **Environmental Impact** – not applicable to this report at this time.
- 6.5 **Crime and Disorder** – not applicable to this report at this time.
- 6.6 **Risks** – risks and issues are being monitored and managed on a daily basis and this will continue as the current situation evolves.

7 CONCLUSION

- 7.1 The steps outlined in the report enable the Council to progress forward in an efficient way, whilst ensuring the correct legal steps are taken.

8 RECOMMENDATIONS

- 8.1 Committee to agree that the Emergency Committee takes on the powers of Cabinet and Full Council during the COVID19 pandemic. The Managing Director will determine when the arrangements are reverted.
- 8.2 Committee to agree to the interim arrangement for the Development Management Committee during the COVID19 pandemic, as outlined in paragraphs 3.5 – 3.8. The Managing Director will determine when the arrangements are reverted.
- 8.3 Committee to agree that the arrangement for the Licensing Committees remains as per the Constitution.
- 8.4 Committee to agree to the Monitoring Officer producing additional Standing Orders relating to virtual meetings during the COVID19 pandemic. The Managing Director will determine when the arrangements are reverted.

FINANCIAL IMPLICATIONS OF COVID 19

Report Author(s): Rodney Fincham, Assistant Director - Finance

t 01508 533982 e rfincham@s-norfolk.gov.uk

Portfolio Holder: Finance

Ward(s) Affected: All wards

Purpose of the Report: This report provides information on the financial implications of Covid 19 on South Norfolk Council.

Recommendations:

- 1 That the Emergency Committee:
 - Retrospectively authorises officers to incur any additional expenditure necessary to deal with the Covid 19 pandemic.
 - Note this report.

1 EMERGENCY FUNDING FOR LOCAL GOVERNMENT

- 1.1 On 20 March, the Government announced £1.6bn of additional funding to support local authorities in responding to the Covid-19 pandemic. This funding was intended to help local authorities address the pressures being facing in response to the Covid-19 pandemic across all service areas.
- 1.2 The majority of this funding was directed to authorities with social care responsibilities. SNC received £54,974.
- 1.3 However, the Government has indicated that it will provide additional funding once the scale of the financial need is better quantified.
- 1.4 So far, this Council has identified the need to spend approximately £140,000 in response to the Covid 19 pandemic. Primarily on:
 - A County Wide mailshot (£30k).
 - Potential additional costs of ensuring all homeless persons are provided with safe accommodation (£50k).
 - Additional IT costs to enable effective homeworking and video conferencing, and software to facilitate grant payments (£34k).
 - Allowance for implementing social distancing within the waste service (£20k).

- 1.5 Each month the lockdown continues is likely to result in additional operational costs of up to £100k.
- 1.6 This expenditure is outside the Council's approved budget and thus needs to be reported to Council for approval in line with paragraph 24.9 of the Rules of Financial Governance.
- 24.9. Where no budgetary provision exists and the scope for virement appears limited, then supplementary estimates will be sought from Corporate Management Leadership Team or Cabinet, subject to a maximum limit of £50,000 and £100,000 per annum respectively. **Any supplementary estimates, which would exceed this overall limit, can only be approved by Council.***
- 1.7 Therefore, given the Emergency Committee has currently assumed the role of Council, it is asked to retrospectively authorise officers to incur any additional expenditure necessary to deal with the Covid 19 pandemic.

2 GRANTS TO BUSINESSES

- 2.1 On 25 March the Minister of State for Business, Energy and Industrial Strategy (BEIS) established:
- The Small Business Grant Fund (SBGF), and
 - The Retail, Hospitality and Leisure Grant Fund (RHLGF).
- To provide grants of either £10,000 or £25,000 to eligible businesses.
- 2.2 On 1 April, SNC received £30,838,000 as an on account payment to facilitate the award of these grant in our area.
- 2.3 As at close of play on Thursday 16th April, SNC has made the following grant awards.

Summary of Business Rate Grants Processed	Value	No of Grant Payments
Total Processed		
Small Business Rate Relief £10k Grants	13,350,000	1,335
Retail, Hospitality and Leisure £10k Grants	1,390,000	139
Retail, Hospitality and Leisure £25k Grants	3,925,000	157
	18,665,000	1,631

Estimate Of Total Potential Claims		
Small Business Rate Relief £10k Grants	22,180,000	2,218
Retail, Hospitality and Leisure £10k Grants	2,940,000	294
Retail, Hospitality and Leisure £25k Grants	5,225,000	209
	30,345,000	2,721

Percentage Paid		
Small Business Rate Relief £10k Grants	60%	60%
Retail, Hospitality and Leisure £10k Grants	47%	47%
Retail, Hospitality and Leisure £25k Grants	75%	75%
	62%	60%

- 2.4 These figures are increasing on a daily basis, and updated figures will be provided at the meeting.

- 2.5 Officers are contacting those businesses that have not yet applied for a grant, to help facilitate the payment of the remaining grants.

3 HARDSHIP FUND

- 3.1 On 30 March, the Minister of State for Regional Growth and Local Government provided details about the Council Tax Hardship Fund grant.
- 3.2 The purpose of the grant is to compensate billing authorities in England for the council tax foregone in 2020/21 due to additional council tax reliefs that may be provided to recipients of working age local council tax support schemes during the Covid-19 emergency. Note: There is no provision at the moment for discretionary discounts for non Council Tax Support customers
- 3.3 On 3 April, SNC received £756,235 under this scheme, based on the 2019/20 Q3 caseload of 3,501. This is a fixed award – ie will not increase even if our caseload increases.
- 3.4 Allocating the mandated £150.00 reduction to current working age claimants accounts for £552k of this funding. This leaves approximately £204k to provide additional funding for new council tax reduction claimants and discretionary funding for those in need.
- 3.5 We are currently working with our council tax system supplier to administer the £150 reduction in council tax. All system suppliers are experiencing challenges in administering this change, mainly due to changes being made by MHCLG to the requirement. This is impacting the timeliness of implementing the reduction on bills.
- 3.6 We will write to those who will get the £150 reduction and, to make sure that those who may be struggling financially do not face unnecessary pressure, we are not collecting Direct Debits payments from those who will have no further liability. We have also currently suspended enforcement action against those who are facing difficulties paying their Council tax and asking people to contact us so we can take appropriate action on their Council Tax payments.
- 3.7 In addition, the recently agreed changes made to the Council Tax Assistance schemes came into effect in April. These have made sure that everyone claiming Universal Credit, or whereby they have a significant change within their Universal Credit award are automatically assessed whether eligible and awarded where appropriate. This makes sure that our residents only pay what they can afford.

4 ADDITIONAL BUSINESS RATES (NDR) RELIEFS

- 4.1 On the 19 March Government announced that
- Businesses currently receiving 50% retail NDR discounts would get 100% relief.
 - Businesses in the leisure / hospitality sectors or occupying a retail sector property with a rateable value of less than £51,000 would get 100% NDR relief.
 - Nurseries would get 100% NDR relief.

- 4.2 Eligible properties have been awarded these reliefs and revised bills sent out. In total these additional reliefs have reduced NDR bills by nearly £12m.
- 4.3 The Government will be compensating local authorities for this reduction in income receivable.

5 ONGOING FINANCIAL PRESSURES

- 5.1 Not only do we need to consider the immediate financial issues, this pandemic will also have significant long term financial impacts on the Council.
- 5.2 An initial rough estimate indicates that if the lockdown lasts until the end of July the full financial impact on this Council could be over £4m. If the impacts last until the end of November, the impact could be closer to £10m.
- 5.3 The key financial impacts are shown in the table below.

Issue	Impact	Impact Mar – End July 4 1/2 Mths £'000	Impact Mar – End Nov 8 1/2 Mths £'000
Additional Spending Pressures Including homelessness costs, additional comms to residents, increased working costs etc	Up to £100k a month	450	850
Hardship Payments At present the Council has allowed £100k to cover hardship payments. There are real concerns that this may not be sufficient.	Difficult to quantify		
Recycling Gate Fee If the recycling market collapses it will cost more to dispose of our recycle.	An increase in gate fee of £15 per tonne would cost £16k a month	72	136
Additional Council Tax Support The cost to SNC of providing Council Tax support is £774k a year.	A 50% increase in caseload would cost £32k a month	144	272
Business Rates Growth The Council currently benefits from business rates growth. If this stalls, then this income will no longer be earned.	The council gains over £1m from growth each year. Reduction could be 25%-50%.	250	500
Default in Council Tax Payments Each year the Council collects £7.7m in Council Tax. In the medium term we may face significant challenges in recouping uncollected debt	A 1% cut in collection rates costs £77k A 5% cut costs £385k	77	385
New Home Bonus The Council currently benefits from new homes bonus. If this stalls, then this income will no longer be earned.	The council gains about £1.4m in NHB each year. Reduction could be 25%-50%.	350	700
Lost income The closure of the leisure centres and potential falls in planning, building control and other income.	Up to £760k a month in lost income.	3,420	6,460

Issue	Impact	Impact Mar – End July 4 1/2 Mths £'000	Impact Mar – End Nov 8 1/2 Mths £'000
Tax Base Our Medium Term Financial Plan assumes property numbers grow by approximately 500 a year.	If growth slows to only 200. This reduces the tax collection by $300 \times £155 = £46,500$	47	47
Total		4,810	9,350

- 5.4 Given the scale of these numbers, it would be prudent to review the Council's budgets in a few weeks' time to ascertain whether to look for compensating savings, or to draw additional sums from reserves, or a combination of both. The Council currently has General Reserves of over £8m and Earmarked Reserves of £12m, so is able to fund short term cost pressures.
- 5.5 It will also be important to review the capital programme in order to review and rephase schemes as appropriate. For instance, some schemes may have to be delayed, whereas other may be brought forward to help stimulate the economy.

6 ISSUES AND RISKS

- 6.1 Resource Implications – This paper assesses the financial implications of Covid 19 on the Council. We are still at an early stage, and the numbers in this report are therefore subject to significant variation.
- 6.2 Legal Implications – The Council has a legal duty to ensure its financial position remains robust.

7 RECOMMENDATION

- 7.1 That the Emergency Committee:
- Retrospectively authorises officers to incur any additional expenditure necessary to deal with the Covid 19 pandemic.
 - Note this report.