
Report of Urgent Action: Regulation 19

- 1** Under regulation 19 of the The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 the County Council is required to receive a report from the Leader on any decisions taken under regulation 11. These are key decisions which were not in the Forward Plan and which needed to be taken with less than five clear days' notice. Such urgent decisions can only be taken with the agreement of the relevant Scrutiny Committee Chairman or, in his or her absence, the Chairman of the County Council. Key decisions taken with less than five clear days' notice which are in the Forward Plan are reported via the Executive Decision Database.
- 2** Such action is avoided wherever possible as it circumvents the normal mechanism for publication of decisions and ensuring that members have the opportunity to comment before decisions are taken.
- 3** However, on occasion this is not possible and the County Council is asked to note the following decisions which have been taken by the Director of Law and Assurance with the agreement of the relevant decision-maker and Scrutiny Committee chairman.

Financial Support to the Care Sector

- 4** In response to government guidance and to plan the use of additional funds made available to ensure care market resilience during the current public health emergency, there was a need to make additional funds available to domiciliary and other care providers to enable them to meet additional costs and uncertainties for a limited period.
- 5** A simple across the board approach is being taken rather than one tailored to the needs of individual suppliers in order to achieve a timely response and to avoid administrative burdens. The arrangements are limited to three months and subject to conditions. Any longer-term proposals will be subject to further decision.
- 6** The Director of Law and Assurance, with the agreement of the Interim Executive Director Adults and Health and the Chairman of the Health and Adults Social Care Scrutiny Committee, has used his delegated powers under Standing Order 5.23, to approve cross-market uplifts in payments to care providers for a period of three months from 29 March to 20 June 2020.

Licensing of tables and chairs on the highway - Waiver of charges

- 7** The County Council has responsibility for the control of activity on and use of the highway. This includes areas of highway fronting shops and businesses which may wish to make use of part of the highway to advertise or carry out some of their business. This is particularly the case for cafes and food and drink retailers which may wish to offer outdoor seating areas for customers. The County Council operates a licensing arrangement to better manage the use of the highway by shops and businesses and to ensure that the highway remains available for pedestrians, especially those who may be disabled or who have limited sight.
- 8** In order to encourage the return of small businesses and high street shops to re-

open and to enable physical distancing of customers in outdoor settings the County Council has waived all charges for the licences for tables and chairs on the highway. Licences will continue to be required to ensure the highway use is controlled but no fees will be levied for the current financial year.

- 9** To ensure the highway is controlled for public safety including the need to achieve social distancing and ensure the needs of the mobility impaired are considered, premises owners/managers will be encouraged to apply for a licence for 2020/21. However, due to the impact of Covid-19, the County Council wishes to support the hospitality industry when it restarts hence both the administration fee and licence fee will be waived for any applications received in the 2020/21 financial year.
- 10** The Director of Law and Assurance, with the agreement of the Cabinet Member for Highways and Infrastructure and the Chairman of the Environment and Communities Scrutiny Committee, has used his delegated powers under Standing Order 5.23 to approve the waiver of all fees relating to licences for tables and chairs on the highway with immediate effect and until the end of March 2021.

Allocation of Infection Control Grant

- 11** On 15 May 2020 the Government announced a care home support package backed by a £600m infection control fund. The specified purpose of the grant is to provide support to adult social care providers, including those with whom the Council does not have a contract, to reduce the rate of Covid-19 transmission in and between care homes and support wider workforce resilience to enable improved infection control.
- 12** The West Sussex allocation of this money is £13.363m. The expectation from the Government is that 75% of the money is passported directly to registered care home providers (including those the Council does not already contract with) and the remaining 25% is allocated based on local need. The Council is required to comply with a number of conditions set out in the grant circular distributed by the Government.
- 13** The Director of Law and Assurance, with the agreement of the Interim Executive Director Adults and Health and the Chairman of the Health and Adults Social Care Scrutiny Committee, has used his delegated powers under Standing Order 5.23 to approve the payment to providers of 75% of the Infection Control Grant Funding, in line with Government Guidance and subject to the government grant conditions and providers' acceptance of the terms and conditions of the Council's grant agreement with them, and the allocation of the remaining 25% of the Infection Control Funding being subject to a further key decision based on need within the county and made subject to appropriate grant conditions.

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