

London Borough of Enfield

Operational Report

Report of Sarah Cary Executive Director Place

Subject: Grant Plan for allocating the Re-Opening High Streets Safely Fund (RHSSF)

Executive Director: Sarah Cary

Ward: ALL WARDS

Key Decision: KD5176/U212

Purpose of Report

1. This report will outline:
 - a. the background, details and conditions of the £295,948 Re-opening High Streets Safely Fund (RHSSF) that has been granted to Enfield Council
 - b. the proposed Grant Plan, which details how the RHSSF should be allocated.
2. This report will seek approval for:
 - a. the proposed Grant Plan
 - b. to enter a Grant Fund Agreement with the Cities and Local Growth Unit (CLGU) based on the proposed Grant Plan
 - c. to spend the RHSSF in accordance with the proposed Grant Plan.

Proposal(s)

3. To approve the use of the RHSS Fund for the purposes of supporting council efforts to protect the future of Enfield's local economy in the context of COVID-19.
4. To approve the allocation of the RHSS Fund as set out in the proposed Grant Plan (as detailed in Sections 17, 18, 19, 20 and 21 of this report).
5. To liaise with the Council's Legal Services Department in order to enter into the Grant Fund Agreement (along with any associated subsidiary documents) with the Cities and Local Growth Unit (CLGU) in accordance with the proposed Grant Plan (as detailed in Sections 17, 18, 19, 20 and 21 of this report).
6. To approve spending the RHSSF in accordance with the proposed Grant Plan.

Reason for Proposal(s)

7. The Grant Plan has been developed in accordance with RHSSF and European Structural and Investment Funds (ESIF) guidance.
8. The allocations set out in the proposed Grant Plan are based on the intelligence gathered by the council regarding the issues that are facing small and medium sized businesses on our high streets. The following teams have been engaged:
 - Licensing
 - Planning
 - COVID-19 Business Response Team
 - Economic Development
 - Town Centres
 - Consumer Protection
 - Traffic and Transportation
 - Healthy Streets
 - Reg Services & Corporate H&S
 - Marketing, Chief Executive Services

Relevance to the Council's Corporate Plan

9. The proposal will support Enfield's small and medium sized business through a suite of COVID-19 specific interventions is integral in enabling Enfield 'To build our local economy to create a thriving place' and recover post-pandemic.
10. The Grant Plan has been formulated by the Council Plan's Guiding Principles in the following ways:
 - a. 'Communicate with you': Multi-faceted 'Enjoy Enfield Safely' comms campaign to keep businesses and residents up to date
 - b. 'Work with you': Proactive engagement and structured avenues for feedback and collaboration
 - c. 'Work smartly for you': The Action Plan enables the council to work effectively by structuring cross-departmental collaboration.

Background

11. The Ministry of Housing, Communities and Local Government has created a £50m Reopening High Streets Safely Fund Financed by European Regional Development Fund (ERDF). Grants have been allocated to councils on a per capita basis to help Small and Medium Sized businesses to build their resilience and adaptability in the context of the economic impact of COVID-19.
12. The money will allow local authorities in England to put in place additional measures to establish a safe trading environment for businesses and customers, particularly in high streets.
13. The Grant is intended to be managed at the lowest responsible tier of local government where it is possible and appropriate to do so, to enable it to be as responsive as possible.
14. On 24/05/2020 Enfield was awarded £295,948. This money is available to spend between 01/06/2020 and 31/03/2021.

15. Grants are intended to:

- a. Support to develop **an action plan** for how the local authority may begin to safely reopen their local economies.
- b. **Communications and public information activity** to ensure that reopening of local economies can be managed successfully and safely:
- c. **Business-facing awareness** raising activities to ensure that reopening of local economies can be managed successfully and safely.
- d. **Temporary public realm changes** to ensure that reopening of local economies can be managed successfully and safely.

16. Conditions on the grant exclude:

- a. Activity that provides no additionality (i.e. projects must be additional to existing work streams)
- b. Capital expenditure on permanent works (temporary measures for instance to the public realm permitted)
- c. Grants to businesses.

Main Considerations for the Council

17. The following Grant Plan has been developed in line with RHSS fund guidance and is proposed for adoption:

Develop an action plan	Internal cross-departmental collaboration, with a project plan running the duration of the funding cycle (until March 2021). Facilitated by working groups scheduled in a timely manner, and shared project management tool.
	Engagement strategy to engage relevant stakeholders
	Monitoring and reporting strategy, which is integrated with engagement strategy.
	Administration of the fund.
Communications and public information activity	On-going 'Enjoy Enfield Safely' campaign consisting of digital comms (including website and social media) and physical comms (including lamp-post-skirts).
Business facing awareness	On-going campaign to keep businesses informed. Including a 'Welcome Back-Pack' of materials distributed to businesses and a series of business facing webinars with Cllr Nesil Caliskan.
Temporary public realm changes	On-going package of public realm measures to increase the safety of Enfield's high streets, including temporary pavement widening, markings on high street pavements and support for businesses in developing safe queuing strategies on public highways.

18. The apportionment of the budget as follows:

Communications – budget and materials	£30,000
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Planning – budget	£25,000
Licensing – budget	£25,000
Economic development – budget and expenditure	£70,000
Healthy Streets – budget and physical measures	£145,948

19. The primary efforts should be focussed on Enfield's town centres: Enfield Town, Palmers Green, Southgate, Angel Edmonton and Edmonton Green.
20. The secondary efforts should be focussed on Enfield's large local centres: Baker Street, Bounces Road, Bowes Road, Bush Hill Park, Chase Side, Cockfosters, Enfield Highway, Enfield Wash, Green Lanes, Hertford Road Central, Lancaster Road, Oakwood, Ordnance Road, Enfield Lock, Ponders End, Winchmore Hill, Broadway, Winchmore Hill, Green, Winchmore Hill, Green Dragon.
21. The tertiary efforts should be focussed on Enfield's small local centres (Aldermans Hill, Arnos Grove, Bush Hill Parade, Cambridge Circus Freezywater, Hertford Road South, Main Avenue, New Southgate, Silver Street, Windmill Hill) and Enfield's local parades (Barrowell Green, Brimsdown Bulls Moor, Bury Street, West Carterhatch Lane, Chaseville Park Road, Durants Road, Dysons Road, Empire Parade, Enfield Island Village, Enfield Lock, Enfield Road/Linkside, Firs Lane, Green Street, Hadley Wood, Hazelbury Road, Hertford Road, North Hoppers Road, Huxley Parade, Kempe Road, Mottingham Road, Nightingale Road, Percival Road, South Street, Southbury Road, Southbury Road/Kingsway, Southgate Green, The Grangeway, Town Road, Victoria Road, Westerham Road, Whittington Road and Winchester Road).

Safeguarding Implications

22. The proposed Grant Plan will help Enfield's high streets and town centres to re-open safely in line with government guidance, protecting residents and employees from COVID-19.
23. The proposed Grant Plan will support Enfield's local economy, helping to safeguard employment in the borough.

Public Health Implications

24. The proposed Grant Plan will promote public health by helping Enfield's high streets re-open safely in line with government guidance, to limit the spread of COVID-19.
25. The proposed Grant Plan will support the local economy in the wake of COVID-19, which will help mitigate impact of the economic damage on individuals and communities.

Equalities Impact of the Proposal

26. Measures will be carried out first on the Eastern side of the borough, where there are higher levels of economic, social and health deprivation.
27. Measures will be assessed in relation to their impact on vulnerable groups and individuals.

Environmental and Climate Change Considerations

28. Communication materials should be digital where possible.

29. We will consider life cycle of temporary public realm interventions.

Risks that may arise if the proposed decision and related work is not taken

30. Without the measures enabled by the proposed Grant Plan, Enfield's high streets will open less safely and successfully, endangering public health and the local economy.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

31. There is a risk that anything which falls outside scope of fund cannot be re-imbursed. To mitigate this risk council officers will ensure that the terms and conditions of funding are understood in detail, with any queries fielded back to the RHSS fund administration.

Financial Implications

32. On 24/05/2020 Enfield was awarded £295,948. This grant is available to spend between 01/06/2020 and 31/03/2021.

The proposed spend plan of the grant is shown in the table below: -

Grant Allocations	
Communications and materials	£30,000
Planning	£25,000
Licensing	£25,000
Economic development	£70,000
Healthy Streets and physical measures	£145,948
Total	£295,948

Expenditure will be fully funded from this grant, hence no costs related to this scheme should fall on Enfield Council. Costs will be monitored in line with the grants conditions and the grant claims will be submitted when they fall due for prompt reimbursement of costs.

This is a provisional allocation and may vary depending on need within the parameters set out in the report. Nonetheless, there should be no net cost to the Council.

Legal Implications

33. *Provided by MP on 22nd June 2020.*

S.1 Localism Act (2011) provides the Council with the power to do anything an individual may do, subject to certain limitations. This is referred to as the "general power of competence" (GPOC). A local authority may exercise the GPOC for its own purpose, for a commercial purpose and/or for the benefit of others. This GPOC

provides sufficient power for the Council to enter into a grant funding agreement with the Cities and Local Growth Unit (which is a joint unit between the Department for Business, Energy and Industrial Strategy and the Ministry of Housing, Communities and Local Government).

Under s.111 Local Government Act (1972) local authorities may do anything, including incurring expenditure or borrowing which is calculated to facilitate or is conducive or incidental to the discharge of their functions.

Expenditure for reimbursement under the RHSS grant will be eligible from 1 June 2020. The detail of the requirements of the grant will be covered in a funding agreement which the CLGU hope to have agreed with all local authorities by the end of June 2020. Therefore, as at the date of these legal implications, detailed terms and conditions have not been made available for review, to the Council's Legal Services department. Once the agreement is in place, claims for reimbursement for expenditure incurred from 1 June 2020 can then be made by the Council. This poses a risk to the Council in that any expenditure incurred by the Council prior to entering into the funding agreement and prior to receiving formal confirmation that any pre-existing conditions to funding have been met, is at the Council's own risk. Given the nature of the funding, the CLGU is encouraging local authorities to use the funding by the end of 2020 in order to address immediate needs.

The Council must satisfy itself that either State Aid is not relevant or, to the extent that State Aid may apply, consider what exemption might apply to the proposals set out in this report. If the grant being received from the CLGU is deemed to amount to state aid, the Council will need to ensure that all funding received from the CLGU is managed in accordance with State Aid law.

This report constitutes a Key Decision (KD). A KD is defined as a proposal that involves expenditure/savings of £250,000 or above (including proposals phased over more than one year) and match/grant aided funding with a total of £250,000 or above; and/or which has significant impact on the local community in one or more wards.

The Council's Constitution requires that 28 days' notice of all key decisions due to be taken by the Council must be provided in advance of that decision being taken. **In exceptional or urgent cases**, if it is not possible to meet this requirement, there are 2 procedures that can be followed to enable the decision to still be taken. These are referred to within the Constitution as the Rule 15 and Rule 16 procedures. The Council is seeking to follow the Rule 15 procedure of the Constitution in this instance and any decision made following review of this report will be subject to call-in.

The Council must ensure that all guidance available to it regarding this scheme is adhered to at all times and it must further ensure that all legal agreements entered into in consequence of the approval of the proposals set out in this report must be approved by the Director of law and Governance.

Workforce Implications

34. Upon confirmation from the fund as to how staff time can be allocated, the service will need to further discuss the implications and implementation with HR.

Property Implications

35. N/A

Other Implications

36. Grant funding is subject to:

- a. Procurement in line with the Public Contracts Regulations (2015) and procurement law.
- b. State Aid law
- c. Monitoring by CLGU, which may include spot financial checks
- d. Requirement for additional reporting. e.g. footfall on high streets
- e. Branding requirements

Options Considered

37. Do nothing. Do not accept the grant from the RHSS fund.

38. An alternative Grant Plan with different priorities.

Conclusions

39. Based on the guidance for RHSS funding, consultation with relevant departments within the council, and consultation with external stakeholders, the recommended option is to support the proposed Grant Plan, enter a Grant Fund Agreement with the Cities and Local Growth Unit (CLGU), and to spend the RHSS funding in line with the proposed Grant Plan.

Report Author: Georgie Day
Economic Development Officer
georgie.day@enfield.gov.uk
0208 078 2882

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Appendices

None.

Background Papers

The following documents have been relied on in the preparation of this report:

EM Restarts 24052020.pdf

FAQ V1.pdf

Reopening_High_Streets_Safely_Fund_-_Guidance_-_Final_v2.pdf

ESIF_gender_equality_and_equal_opportunities_mainstreaming_pla.pdf

ESIF-GN-1-005_ESIF_Branding_and_Publicity_Requirements_v8_updated.pdf