

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

4017

Author:

Lee Kimberley

Department:

Commercial and Operations

Contact:

Lee Kimberley

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Subject:

DEFRA Emergency Assistance Grant

Total Value:

£524,113.62 (Type: Revenue)

Decision Being Taken:

1. To approve acceptance of the Grant.
2. To note that the process and policy aligning to the distribution of the grant will form part of a further approval with the exception of point 3 below.
3. To approve the direct award to Fair Share for the period 15 October 2020 to 31 March 2021 at a cost of £0.060m.
4. To approve dispensation to contract procedure rules 4.1.1 in accordance with Financial Regulations 3.29 (for operational reasons) to direct award for food distribution totalling £0.060m.

<b>Reasons for the Decision(s)</b>	<p>On 10 June the Government announced an emergency fund of £63m to be distributed to local authorities in England to help those struggling to afford food and other essentials due to Covid-19. The funding is a one-off contribution to the 2020/21 financial year and is made under Section 31 of the Local Government Act 2003.</p> <p>The city council is administrating the distribution of this grant to organisations and groups within the city, who can provide support to those most individuals most impacted by Covid 19 and is required to be fully distributed by 31 March 2021. The policy and process supporting the distribution and allocation process of the grant will form part of a separate approval process however there is an urgent issue regarding food distribution and the needs of the City which aligns to the conditions of this grant. The city council has worked closely with Fare Share since April 2020 to support Food Banks and Social Eating Projects across the city, enabling additional surplus food to be distributed to those most in need across the city via these community organisations. This decision is a continuation of this support arrangement and will help to support those in need from food poverty during the current pandemic.</p> <p>The allocation to Nottingham City Council is £524,113.62. This is calculated on the basis of population weighted by a proxy measure of need, the Index of Multiple Deprivation for the authority area.</p>
<b>Other Options Considered:</b>	No alternative options are available
<b>Background Papers:</b>	None.
<b>Published Works:</b>	<a href="https://www.gov.uk/government/publications/coronavirus-covid-19-local-authority-emergency-assistance-grant-for-food-and-essential-s-upplies/coronavirus-covid-19-local-authority-emergency-assistance-grant-for-food-and-essential-supplies#administration-costs">https://www.gov.uk/government/publications/coronavirus-covid-19-local-authority-emergency-assistance-grant-for-food-and-essential-s-upplies/coronavirus-covid-19-local-authority-emergency-assistance-grant-for-food-and-essential-supplies#administration-costs</a>
<b>Affected Wards:</b>	Citywide
<b>Colleague / Councillor Interests:</b>	None
<b>Dispensation from Financial Regulations:</b>	Yes
<b>Consultations:</b>	<p>Date: 07/10/2020</p> <p>Other: Cllr Webster Cllr Langton</p> <p>Agreed with the approach.</p>
	Those not consulted are not directly affected by the decision.

**Crime and Disorder Implications:**

**None as a result of the actions being taken in the decision.**

**Equality:**

**EIA not required. Reasons: Not required as does not relate to new or changing policies.**

**Decision Type:**

**Portfolio Holder**

**Subject to Call In:**

**Yes**

**Call In Expiry date:**

**19/10/2020**

**Advice Sought:**

**Legal, Finance, Procurement**

**Legal Advice:**

**The DEFRA grant funding will be subject to grant conditions that must be complied with by the Council, failing which there is the risk of clawback by DEFRA.  
In relation to the direct award of the contract, dispensation from CPR 4.1.1 is required in accordance with financial regulation 3.29 for the reasons stated by the report author.  
  
Advice provided by Sarah O'Bradaigh (senior solicitor) on 06/10/2020.**

**Finance Advice:**

**The grant allocated to Nottingham City Council is £0.524m and has to be allocated based on the grant conditions. Non compliance with these and achievement of the timelines could create a risk for the organisation in relation to grant clawback.  
  
The process and policy that is developed to support the allocations of the grant and its distribution will form part of a separate approval process but will ensure consistency, compliance and clarity.  
  
The DD refers to an urgent issue regarding food distribution to Food Banks and Social Eating Projects. In light of timelines and the alignment of this contract to the grant conditions this DD is requesting the direct award of that contract at a cost of £0.060m and approval of contract dispensation procedure rules 4.1.1 in accordance with Financial Regulations 3.29 (for operational reasons) for delivery up until 31 March 2021.  
  
Advice provided by Ceri Walters as Finance Co-ordinator (Head of Commercial Finance) on 06/10/2020.**

**Procurement Advice:**

**This decision relates to the allocation of DEFRA Emergency Assistance grant to the Council to support citizens struggling with food and other essentials due to Covid-19. The proposed contract award will enable the urgent distribution of food to Food Banks and Social Eating Projects as needed, in accordance with the grant funding. Fair Share are the only organisation currently established in the City to be able to undertake this role, therefore dispensation from Contract Procedure Rule 4.1.1 in accordance with Financial Regulation 3.29 (operational reasons) is supported from a procurement perspective. A suitable agreement should be in place to ensure compliance with the conditions of the grant funding. The use of the remainder of the Emergency Assistance grant will be subject to separate approvals and the Procurement Team will advise as required.**

**Advice provided by Jo Pettifor (Procurement Team Manager) on 06/10/2020.**

**Signatures**

<b>Rebecca Langton (PH Communities, Highways, Strategic Transport)</b>
<b>SIGNED and Dated: 09/10/2020</b>
<b>Andrew Errington (Strategic Director, Community Protection)</b>
<b>SIGNED and Dated: 09/10/2020</b>
<b>Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations</b>
<b>SIGNED and Dated: 09/10/2020</b>
<b>Chief Finance Officer's Comments:</b>