

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – STRATEGIC LEADERSHIP, CULTURE
AND TOURISM**

4 February 2021

**Report of the Managing Executive Director, Commissioning,
Communities and Policy**

**URGENT DECISION TAKEN BY THE MANAGING EXECUTIVE
DIRECTOR, COMMISSIONING, COMMUNITIES AND POLICY**

**DERBYSHIRE FLOODS HARDSHIP FUNDS FOR RESIDENTS AND
BUSINESSES**

1 Purpose of the Report

To note the urgent decision taken by the Managing Executive Director, Commissioning, Communities and Policy in accordance with the Council's Constitution to establish hardship funds to support residents and small businesses in financial hardship in Derbyshire affected by the flooding following Storm Christoph during w/c 18 January 2021.

2 Information and Analysis

Significant rainfall during mid-January 2021 resulted in major flooding to regions of the county, in particular along the valley of the River Derwent and around the River Wye and feeding into the River Trent. To ensure those affected by the floods and in financial hardship do not suffer further financial difficulties, it was necessary for the Council to put in place financial support mechanisms for those at greatest risk.

Due to the urgency of the support required by both residents and local small businesses, an urgent decision was sought from the Managing Executive Director, Commissioning, Communities and Policy for permission to use the existing Derbyshire Discretionary Fund to establish a Hardship Fund for local residents and a Hardship Fund for small businesses. Together, both funds provided a package of support for those affected by the floods.

Details of the urgent decision report and Officer Decision Record are set out in Appendix One.

3 Financial Considerations

The Derbyshire Discretionary Fund will be topped up by a sum of up to £10,000 to support applications from residents whilst the Businesses Hardship Fund will be established at £100,000. The total cost of £110,000 will be met from existing reserves and will be paid to applicants in accordance with the verified details provided through the application process.

Any additional or unexpected costs will be subject to a Cabinet report. At this stage it is difficult to assess the impact of residents and properties affected as data is still being collated, therefore, additional funding will be made available by the Council if necessary.

4 Legal Considerations

The Council's Constitution provides that "notwithstanding any other provision of the Constitution Executive Directors shall have the power, after discussion, if practicable, with the Leader of the Council or the relevant Cabinet Member or Chair, to take such actions deemed to be necessary and expedient in matters requiring urgent consideration and which, because of the timescale involved, or the need to safeguard the interests of the County Council, cannot be dealt by submission to the next meeting of the Council, Cabinet, Cabinet Member or Committee".

5 Other Considerations

In preparing this report the relevance of the following factors has been considered:- legal and human rights, equality of opportunity, health, human resources, environmental, transport, property, crime and disorder and social value considerations.

6 Officer's Recommendation

That the Cabinet Member notes the Urgent Officer Decision shown at Appendix One.

EMMA ALEXANDER

Managing Executive Director
Commissioning, Communities and Policy

DERBYSHIRE COUNTY COUNCIL

URGENT DECISION

21 January 2021

**Report to the Managing Executive Director – Commissioning,
Communities and Policy**

**DERBYSHIRE FLOODS BUSINESS AND RESIDENTS' HARDSHIP
FUND**

1 Purpose of Report

To seek approval to establish a hardship fund to support those Derbyshire residents and businesses affected by the financial consequences of the recent flooding events in the county associated with Storm Christoph.

2 Information and Analysis

Background

Significant rainfall during mid-January 2021 has resulted in major flooding to regions of the county, in particular along the valley of the River Derwent and around the River Wye and feeding into the River Trent. To ensure those affected by the floods and in financial hardship do not suffer further financial difficulties, it is proposed that the Council put in place support mechanisms for those at greatest risk, similar to that used in previous recent flooding episodes.

Floods Hardship Fund for Businesses

Alongside the Council's current efforts to support affected households, it is recommended the Council establishes a hardship fund to assist businesses of up to 50 employees, directly affected by the Storm Christoph flooding event in coping with any immediate, short-term loss of income (accepting that many businesses may be currently closed due to Covid restrictions) and resulting impacts on cashflow to aid recovery whilst appropriate insurance claims are completed.

It is proposed that a flexible fund of up to £100,000 is set up to provide emergency relief (grant) to businesses. In essence, the fund will follow the same principles as those used for the Whaley Bridge Hardship Fund and the Emergency Flood Funds from November 2019 and February 2020.

Applications for funding will be required to meet agreed criteria (see below) and applications for support will be considered on a case-by-case basis. In any event, businesses are expected to ensure that they have utilized any existing insurance policies they have in place.

Applications will be made via a simple 'grant form' accompanied with relevant supporting information (see attached grant application form). Assessment of applications will be undertaken by a minimum of two officers from the Economy and Regeneration Service to ensure objectivity and transparency. In addition, the Council's finance officers will ensure appropriate processes for signing off grant applications are in place.

Having regard to medium term weather forecasts, it is possible that the impact of flooding and severe weather may increase, and additional elements of business support may be required. Relevant programmes will be worked up in conjunction with district councils.

The 'Derbyshire Floods Business Hardship Fund' requires the creation of a fast track application process for emergency payments of £500 per business. The grant is aimed to provide urgent financial support for those businesses affected by Storm Christoph. It is proposed that eligible businesses are:

- Those which have been directly affected by flooding (in the occurrence of January 2021) and the ingress of water to the property and
- Businesses of 50 employees or less

Assessment of eligibility will be based on proof of business identity and evidence of hardship accompanying the application form.

Having regard to medium term weather forecasts, it is possible that the impact of flooding and severe weather may increase, and additional element of business support may be required, having regard to any Government financial support. The situation will be assessed through the local resilience arrangements and any relevant, additional support, will be worked up as necessary. This assessment will take place in conjunction with the district councils, the Derby, Derbyshire, Nottingham, Nottinghamshire (D2N2) Growth Hub, the Derbyshire Economic Partnership (DEP) and the East Midlands Chamber of Commerce to ensure appropriate and proportionate responses to aid recovery and support future business resilience.

Despite this, it is proposed the Derbyshire County Council Floods Hardship Fund for Business (£500 grant per business) will be open for grant applications from w/c 25th January 2021 and will remain open until midnight on Sunday 28th February 2021.

Details of the nature, level and eligibility of any wider business support programme that is deemed necessary will be developed with partners over the coming weeks and will be subject to due diligence in the setting up of

appropriate governance arrangements. This will include maximum limits to the number of applications/financial support available and any appeal processes that may be considered appropriate.

The application for emergency financial relief will be made available on the Derbyshire County Council website and will be administered through the Economy and Regeneration Service, with the support of colleagues from Finance. Wider publicity of the fund will be issued via the district council, Growth Hub and Chamber of Commerce websites. The grant application process is proposed to be made 'live' on w/c 25 January 2021.

As noted above, any additional aspects of financial support required as part of the hardship fund may be developed and assessed on a case-by-case basis.

Floods Hardship Fund for Residents

Alongside existing and to support affected households experiencing financial difficulties as a result of the Storm Christoph floods, it is recommended that the Council uses the existing Derbyshire Discretionary Fund (DDF) to establish a Hardship Fund for Derbyshire residents. This would involve the creation of a fast track application process accessed via the existing Call Derbyshire DDF helpline and one one-off emergency payment of up to £104 per household for those experiencing financial hardship in the affected area.

The fund follows the same principles as those used for the Whaley Bridge and the floods of Winter 2019/2020.

The additional costs of topping up the DDF to establish the Derbyshire Hardship Fund are estimated to be no more than £10,000 and will be met from existing reserves.

There will be a review of the operation of both the residents and business hardships funds scheme to ensure that they remain proportionate to the requirements of demand.

3 Financial Considerations

The £110,000 cost of the hardship funds will be met from existing reserves and will be paid to applicants in accordance with the verified details provided through the application process, the Director of Finance & ICT will determine the source of funding. Any additional or unexpected costs will be subject to a Cabinet report. At this stage it is difficult to assess the impact of residents and properties affected as data is still being collated, therefore, additional funding will be made available by the Council if necessary.

4 Other Considerations

In preparing this report the relevance of the following factors has been considered:- legal and human rights, equality of opportunity, health, human

resources, environmental, transport, property, crime and disorder and social value considerations.

5 Officer's Recommendation

It is recommended that the Managing Executive Director, Commissioning, Communities and Policy makes an urgent decision to approve:

- i. Approves the use of an existing reserve to create a fund of £100,000 to support the Derbyshire Floods Business Hardship Fund in line with the approach set out above
- ii. Approves a top-up of £10,000 to the Derbyshire Discretionary Fund to support those residents affected by the flooding.
- iii. Approves additional funding over and above that outlined in the report in the event that applications from residents and businesses is in excess of the sums outlined in this report.
- iv. Approves the criteria of the Business Hardship Fund as set out in the report above.
- v. Delegates the assessment of the Business Hardship Fund applications to the Head of Economic Development in consultation with the Senior Economic Development Officer.



Emma Alexander
Managing Executive Director, Commissioning, Communities and Policy

**DERBYSHIRE COUNTY COUNCIL
OFFICER DECISION AND DECISION REVIEW RECORD**

Officer: Emma Alexander <i>*For emergency powers, this would be the Executive Director</i>		Service: Commissioning, Communities and Policy
Delegated Power Being Exercised: Use of Earmarked Reserves greater than £100,000 <i>*The delegation detailed in the Constitution to the specified officer or emergency powers</i>		
Subject of Decision: (i.e. services affected)	An urgent decision to set up residents and business hardship funds to provide financial support to those affected by the flooding following Storm Christoph during w/c 18 January 2021.	
Is this a review of a decision? If so, what was the date of the original decision?	n/a	
Key decision? If so have Democratic Services been notified?	n/a	
Decision Taken (specify precise details, including the period over which the decision will be in place and when it will be (further) reviewed):	<p>Following the floods experienced by residents and businesses as a result about Storm Christoph during w/c 18 January 2021, a hardship fund has been established to support both residents and businesses affected by the floods.</p> <p>Residents will be able to claim £104 which will be administered through the Derbyshire Discretionary Fund, whilst businesses can apply for a grant of £500. Grant applications will be processed by Economy Transport and Environment.</p> <p>Funding totalling £110,000 will be made available from existing reserves, made up of a £10,000 top-up to the Derbyshire Discretionary Fund and £100,000 available for business grants.</p> <p>Additional funding over and above that outlined in the report will be made available in the event that applications from residents and businesses are in excess of the above sums.</p>	

	<p>The criteria for the Business Hardship Fund will be developed and assessed by the Head of Economic Development in consultation with the Senior Economic Development Officer.</p> <p>Applications for businesses will commence w/c 25th January 2021 and will remain open until 28th February 2021, with the residents application process being made immediately available.</p>
<p>Reasons for the Decision (specify all reasons for taking the decisions including where necessary reference to Council policy and anticipated impact of the decision)</p> <p>Where the decision is subject to statutory guidance please state how this has been taken into consideration.</p>	<p>To ensure that immediate financial support is provided to both residents and businesses of Derbyshire affected by the floods caused by Storm Christoph, it was necessary to for the decision to be made to expedite the systems and processes required to ensure a swift application process.</p> <p>Officers in Adult Social Care and Health will utilise an application process for residents similar to that used for the Whaley Bridge and Winter 2019/20 floods, with payments to be made via the Derbyshire Discretionary Fund.</p> <p>Officers in Economy, Transport and Environment will implement a similar process for applications used during the Winter 2019/20 floods.</p>
<p>Alternative Options Considered (if appropriate) and reasons for rejection of other options</p>	<p>Do Nothing – the Council has provided similar schemes in response to the Whaley Bridge incident, floods of Winter 2019/20, as well as offering financial support to businesses in Derbyshire in response to the Covid-19 pandemic. Therefore, this response is consistent with previous schemes.</p>
<p>Has a risk assessment been conducted ?- if so what are the potential adverse impacts</p>	<p>n/a</p>

identified and how will these be mitigated?	
Would the decision normally have been the subject of consultation with service users and the public? If so, explain why this is not practicable and the steps that have or will be taken to communicate the decision	It is not a decision that would have been subject to consultation given the immediate response that was required.
Has any adverse impact on groups with protected characteristics been identified and if so, how will these be mitigated?	No.
Background/Reports/Information considered and attached (including Legal, HR, Financial, Equality and other considerations as required))	The costs of £110,000 will be met from existing reserves. In the event that applications exceed this balance, further funding would be made available.
Consultation with relevant Cabinet Member (s) – please note this is obligatory.	Cllr Lewis was informed of the final detail.
Approval of Chair of appropriate Improvement and Scrutiny Committee where call in is intended to be waived – please note this is obligatory in those circumstances	Cllr Kemp (Chair of Improvement and Scrutiny – Resources) has been contacted to request waiving of the call-in which he has approved.
Decision:	
Signature and Date:	