

Revenues Services



Gedling Borough Council

Local Restrictions Business Support |
Guidance

Serving People **Improving Lives**

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1. Introduction

The Covid-19 pandemic is unprecedented and has had an immediate and significant impact on the economy of the Borough of Gedling. The Government has provided the Council with funding for a number of business grants which are described below.

Grant Name	Effective Period	Narrative
Local Restrictions Support Grant (Sector) Referred to as: LRSB (Sector)	1 st November 2020 to 4 th November 2020	Support for businesses that were required to close in March 2020 and which have never been able to re-open (for example nightclubs) of up to £3,000 for 4 weeks.
Local Restrictions Support Grant (Open) Referred to as: LRSB (Open)	14 th October 2020 to 4 th November 2020	Support for businesses in the hospitality, hotel, bed & breakfast and leisure sectors that have remained open under Tier 2 restrictions of up to £2,100 for 4 weeks.
Local Restrictions Support Grant (Closed) Referred to as: LRSB (Closed)	30 th October 2020 to 4 th November 2020	Support for businesses in the hospitality, accommodation, beauty and leisure sectors that have legally been forced to close under Tier 3 restrictions of up to £3,000 for 4 weeks.
Local Restrictions Support Grant (Closed) Addendum Referred to as: LRSB (Closed) Addendum	5 th November 2020 to 2 nd December 2020	Support for businesses that have legally been forced to close under the conditions of the national lockdown of up to £3,000 for 4 weeks.
Additional Restrictions Grant Referred to as: ARG	5 th November 2020 ongoing	Support for businesses affected by reduced trading conditions experienced during national lockdown. Focusing on the hospitality, accommodation, beauty, leisure and non-essential retail sectors and their supply chains.

The Government's guidance on all of these grant schemes [can be found on the Government's website](#).

This guidance will be referred to throughout as the **Gedling Borough Council Local Restrictions Business Support (LRBS)** and details the criteria in relation to the Local Restrictions Grant (Open) and the Additional Restrictions Grant (ARG), which are the only grants where the Council may exercise its discretion as well as the **Local Restrictions Support Grant (Sector)**, the **Local Restrictions Support Grant (Closed)** and the **Local Restrictions Support Grant (Closed) Addendum**, where the Council has no discretion.

2. Background

Nottinghamshire was placed in the High alert level (Tier 2) on 14th October 2020. This introduced restrictions on social mixing in certain circumstances. For this period of time there is a **Local Restrictions Support Grant (Open)** for businesses in the worst affected sectors that remained open until 4th November (detailed in Section 5).

On Wednesday 28th October 2020, the Government announced that in order to curb rising infection rates in Nottinghamshire, which includes Gedling Borough Council, the county had to be placed into a Very High alert level (Tier 3). This came into force on Friday 30th October 2020 with further national restrictions announced to commence on Thursday 5th November 2020.

From this date all social mixing indoors and in private gardens was prohibited and certain businesses had to close. These were pubs and bars, gyms and leisure centres, betting centres, amusement arcades, adult gaming centres, bingo halls, bowling alleys, casinos, play areas (including soft play areas), museums & galleries, businesses operating in the hair and beauty sector along with other non-essential retailers (as defined in **Appendix 1**).

As a direct response to the existing challenges facing the above sectors and the new measures imposed by Government, Gedling Borough Council has created a discretionary fund to support micro and small businesses in the hospitality, accommodation and leisure sector and their supply chains as well as non-essential retail. There is a more restricted fund for the period the Council was in Tier 2, called the LRSG (Open) detailed in this guidance.

The ARG is focused on supporting existing businesses by providing an additional discretionary grant, on top of the LRSG (Closed), which is provided by the Government along with additional funding for other businesses or the self-employed in the affected sectors and the supply chain.

The grant fund will be co-ordinated and administered by Gedling Borough Council.

The ARG will be allocated quickly and efficiently, with the first funding to reach applicants within **3 working days** of the application being **approved** subject to the application being compliant and with all the necessary supporting evidence being provided within 3 working days of request. It is essential that bank details provided are correct and will be verified. The same practices will be adopted for the different Local Restrictions Support Grant funding schemes.

3. Local Restrictions Business Support Scheme Objectives

The amount of funding available is not expected to meet the demand from businesses, and unfortunately, not all applicants will be successful. Therefore, in determining the eligibility criteria, the Council has sought to balance the number of businesses it can support with the priority areas of the Council and the overall amount of money that is available.

In administering the grant, the Council will adopt the following priorities:

- a) Providing the greatest assistance to those eligible micro and small businesses;
- b) Providing support to as many businesses as possible within the available financial resource;
- c) Delivering a grant application which is simple, straightforward and makes decisions as quickly as possible; and
- d) To ensure that there is proper due diligence and fraud and error is avoided.

4. Overview of Available Grants

The Local Restrictions Business Support (LRBS) package will:

- a) support businesses in meeting operational costs;
- b) help businesses maintain the necessary covid-secure measures which will still be necessary post lockdown.

It is available both to eligible businesses that plan to continue operating and, in a different way, to those that are required to close for the period of these restrictions (at least four weeks).

The government is directly providing business support as follows:

- Business rates relief
- Protection from eviction until January 2021
- Self-employed scheme until March 2021
- The furlough scheme until March 2021

The following tables outline the support that is available to businesses under the LRBS package offered by the Council:

Local Restrictions Support Grant (Sector) | LRSB (Sector)

Businesses that were required to close in March and which have never been able to re-open (for example nightclubs) will be paid grants of up to £3,000 for every four-week period that they have to remain closed.

There is no back-dating of the scheme, with payments applicable from 1st November 2020. Businesses will be contacted directly by the Council if they meet the criteria for this scheme.

Local Restrictions Support Grant (Open) | LRSB (Open)

For certain businesses that could remain open under Tier 2 and Tier 3 restrictions (for further details regarding the sectors this covers - see section 5 below):

An eligible business may receive a **one off payment** if the business occupies a property with a rateable value as follows:

- up to £934 if RV up to £15,000
- up to £1,400 if RV is £15,001 to £51,000
- up to £2,100 if RV over £51,000

If the applicable period for the grant is less than 28 days the Council reserves the right to pro-rata the grant accordingly.

Local Restrictions Support Grant (Closed) | LRSB (Closed)

Local Restrictions Support Grant (Closed) Addendum | LRSB (Closed) Addendum

For businesses forced to close due to Covid-19 restrictions under Tier 3 or national lockdown conditions:

- Eligible businesses with a rateable value of less than £15,000, the business will receive a cash grant of £1,334 for each 4 week period the business is closed
- Eligible businesses with a rateable value of between £15,000 and less than £51,000, the business will receive a cash grant of £2,000 for each 4 week period the business is closed
- Eligible businesses with a rateable value of £51,000 or above the business will receive a cash grant of £3,000 for each 4 week period the business is closed.
- Grants will be based on the rateable value of the property on the first full day of local lockdown restrictions.

Grants will be paid four weekly under the conditions of a national lockdown, and every two weeks under localised tier 3 conditions. If the applicable period for the grant is different the value of the award will be made on a pro rata basis accordingly.

Additional Restrictions Grant | ARG

An eligible business may receive (subject to the availability of funds) a **one off payment** if the business occupies a property with a rateable value (or if there is no rateable value a proxy such as annual rent) as follows:

- £2,250 if RV up to £15,000
- £4,000 if RV is £15,001 to £51,000
- £6,500 if RV over £51,000

If you do not wholly occupy a property listed for business rates (i.e. not liable for business rates) and are not charged a fixed property charge you may be entitled to a fixed grant of £1,000 if you have been forced to close your business due to Covid-19 restrictions and temporarily ceased trading, or £500 if you are still trading.

For the Gedling Borough Council ARG this applies initially for a 28 day period. If the lockdown arrangements are extended and additional Government funding is made available you will not be asked to re-apply and pro-rata payments will be made subject to the amount of Government Funding being made available. It is the responsibility of the applicant to inform us of any changes to their original application, taking into account the requirements in section 7 below to not provide misleading information.

The Local Restrictions Support Grants (both Open and Closed) apply from when the Council is informed of its 'tier status' as a result of Covid-19. All grants are subject to sufficient government funding being made available and are capped at the respective funding levels.

Note

The Council reserves the right to modify and/or withdraw each grant award and its associated conditions, particularly to ensure that public money is spent well. This may be in response to changes in national legislation, local economic and health conditions and changes in funding circumstances. Any payments made outside of the payment cycles will be made on a pro rata basis accordingly.

5. Eligibility Criteria

5.1 An eligible business for ARG must be able to demonstrate that the business

- a) Is small or micro business as defined in Section 33 Part 2 of the Small Business, Enterprise and Employment Act 2015 and the Companies Act 2006.
- b) Is a customer facing business or a business in the supply chain for selected qualifying business sectors detailed at 5.2 below.
- c) Occupies commercial premises that have a rateable value within the Gedling Borough Council area, or if they occupy a commercial space which is not separately rated for business rates purposes pay a fixed rental cost within the Gedling Borough Council area. Note that **domestic mortgage payments are not admissible** as property related charges.
- d) Licensed taxi drivers will be considered for a grant as long as they permanently reside in the Gedling Borough Council area. They must provide proof of where they normally reside as part of the application process along with details of how their business has been affected by the national lockdown restrictions and evidence of recent trading.
- e) Businesses and self-employed people with no fixed rental costs who operate either directly or in the supply chain of sectors listed below will be eligible to apply if they reside in the Gedling Borough Council area. They must provide proof of where they normally reside as part of the application process along with details of how their business has been affected by the national lockdown restrictions and evidence of recent trading.
- f) Was considered a 'non-essential' business during the first period of lockdown.
- g) Was trading on or before 1st October 2020 i.e. continuing to trade with a view to making a profit or surplus (not a dormant company). This will ensure the grant is targeted at businesses whose owners/directors have demonstrated that they believe the business remains viable after the second period of lockdown. You will need to provide proof of recent activity.
- h) Has a relevant certificate(s) to show compliance with laws and regulations relevant to its trade, for example a food hygiene certificate, a licence to sell alcohol, a taxi licence, permission to operate a pavement seating area.
- i) Is not subject to enforcement action by the police or a regulatory authority for an order for non-compliance with Covid-19 regulations or food hygiene standards.
- j) Is State Aid compliant.

5.2 Additional Restrictions Grant | ARG – Qualifying Businesses

The businesses which will be eligible to apply will be businesses and self-employed persons operating in the below listed sectors or whose businesses form part of the supply chain to businesses in the sectors listed below (with the exception of supply chain businesses to the non-essential retail sector):

Beauty
Bookmakers
Leisure
Hair salon / Barbers
Meeting assembly
Licensed premises
Restaurant / Café
Non-essential retail
Outdoor sports
Accommodation

This is not an exhaustive list and examples of businesses which may fall within the above categories can be found at **Appendix 2** of this guidance.

The Council reserves the right to amend this list at its own discretion. The Council will be the final arbiter of the definition of, and businesses falling within, the above sectors

The Council may, at its absolute discretion, where it is considered that there are compelling reasons to provide support for organisations which provide key benefit to the local economy, authorise the grant where an application would normally be refused under this guidance unless any of the mandatory eligibility exclusion criteria detailed at section 6 apply. Grant awards will be decided on a case by case basis and additional evidence demonstrating financial hardship may be requested to support the claim.

5.3 Local Restrictions Support Grant (Open) | LRSG (Open) – Qualifying Businesses

The Government has announced that each authority will receive a fund to distribute based on business properties in the hospitality, hotel, bed & breakfast and leisure sectors to support businesses that have not been legally required to close but are severely impacted by Tier 2 or Tier 3 restrictions (note this is not applicable during periods of national lockdown).

The grants will only be distributed to businesses operating from properties listed as being chargeable for business rates by the Valuation Office Agency, that are open to visiting members of the public or whose businesses form part of the supply chain to businesses in the sectors listed below:

Hotels
Bed & Breakfast
Indoor leisure facilities

Public Houses
Restaurants

This list is not exhaustive and the Council reserves the right to amend the list at its own discretion and it will be the final arbiter of the definitions contained above.

Any payment relating to the Local Restrictions Support Grant (Open) will be subject to the current State Aid limits and should be classified as a taxable income.

6. Exclusions

A business will be excluded from applying for a grant if, on the date it makes the application it:

- is dissolved or about to be dissolved
- is insolvent or if insolvency action had been commenced against it (including any petition or where a striking off notice has been made)
- is dormant as of the 1st October 2020, ie. not trading but not insolvent
- has ceased trading or has closed without being required to do so as part of Government and local restrictions

Businesses that have been subject to environmental health or planning enforcement prosecution since 1st April 2020 will be excluded from all discretionary grants.

Further, a business will be excluded from applying for a grant if, on the date it makes the application for this grant, it is counted as an “essential business” under previous Government Covid-19 regulations and/or is unlikely to have been negatively affected by Covid-19 restrictions. For example, supermarkets, takeaways, corner shops and off-licences would be ineligible for support under this scheme.

7. The Grant Process

It is anticipated that the grant funding available will not satisfy the combined amount of funding requested by applicants. Therefore the following application process has been adopted:

- a) Applications **can only be made online**. Therefore, before you apply there are some steps that you will need to take. Please read the eligibility criteria and checklist at Appendix 3 first to find out if you are eligible to apply. One application will cover all of the local restriction support grant schemes.
- b) A ‘grant application window’ will open on **Friday 13th November 2020** and will close on **Monday 30th November 2020** (subject to funds being available).

- c) During this window the Council will only accept fully completed online applications and the required evidence to support each application. An application made during the 'grant application window' **does not guarantee** approval for payment.
- d) On receipt of the online application and evidence, the Council will send an email to acknowledge receipt and a Unique Reference Number (URN) will be allocated to the application.
- e) If the application is not accompanied by all necessary supporting evidence, the Council will email the applicant to advise that information is missing. The application will not be processed until this evidence is received, i.e. the onus is on the applicant to provide the evidence in a timely manner. If the applicant does not respond within 3 working days of email from the Council your application will be withdrawn. No further contact will be made.
- f) The grant is only available to businesses in the hospitality, leisure, accommodation and non-essential retail sectors as defined in section 5 and **Appendix 2** (or directly part of the supply chain for those sectors (except for non-essential retail)).
- g) Unsuccessful applicants will be advised of the outcome of an application by email. There is no right to appeal a decision.
- h) Should there be sufficient funds after the first 'window', a further 'window' may be opened or 'top-up' payments may be allocated at the Council's discretion, but this is not guaranteed.
- i) The Council will seek to reach a decision within 5 working days of receipt of a completed application that has all the required evidence attached. Successful applicants will be notified by email, and payments will be made by BACS (payments usually take three working days to arrive in recipient bank accounts).
- j) The Council will prioritise consideration of grant applications when received and will not respond to canvassing.
- k) If the scheme is extended applicants may have to advise the Council of any change of circumstances. Payment periods will be extended in accordance with changes in legislation to extend schemes and limited to the availability of further Government Funding.

The Council is relying on businesses to be honest and open, and to present evidence of need and eligibility for the LRSG (Open) and ARG fund (If you provide false or inaccurate information, the Council will take appropriate action). If a business believes that it is eligible to apply for the grant the **Eligibility Checklist** at **Appendix 3** may be used to help gather evidence.

The Council reserves the right to seek additional evidence where it is felt that it will be required to process the application in any case.

8. Applicant's Responsibilities

Businesses are responsible for providing true and accurate information, and applicants are asked to note that:

- a) The business for which the application is made must be currently experiencing financial hardship as a result of the Covid-19 pandemic and must have an evident need for financial support under the terms and conditions of the Local Restrictions Support Grants.
- b) Providing wrong or misleading information is a criminal offence and any such information may be used against applicants in any subsequent criminal investigation. The information provided on the online application form may be made available to other departments/agencies for the purposes of preventing or detecting crime.
- c) Any grant received by a business must be declared to HM Revenue & Customs (HMRC) as appropriate as part of the tax return for the business.
- d) Any grant received by the business will be used only for the purpose intended i.e. to help alleviate the financial pressure of the recipient business and to the exclusion of any other individual or third-party gain.
- e) The applicant will be asked to certify that the information provided on behalf of the business is true and correct to the best of the applicant's knowledge and belief, and should it be subsequently determined that the grant was awarded on the basis of wrong or misleading information, or paid in error, the grant will be subject to recovery in full.
- f) The applicant understands that an officer of the Council, including Revenues Services, Planning, Environmental Health, Public Health and/or Trading Standards, may undertake spot checks of the premises. If there is non-compliance with regulatory requirements, the grant, or any portion of the grant, will be repayable by the business.

The applicant understands that if the Council approves the application, the terms and conditions shall be enforceable on the basis of the Terms and Conditions of the grant scheme.

9. Payment of Local Restrictions Business Support

All grant payments are subject to the satisfactory receipt of:

- confirmation that the business is able to accept the grant under State Aid regulations
- confirmation of whether the business is still open for visiting members of the public or has been forced to close by government or by further locally agreed mandated closure.
- proof of rent payments made (in the absence of wholly occupying a property listed as rateable by the Valuation Office Agency).
- all evidence (as necessary) requested in **Appendix 3**.

10. How will the Council use your Information?

The Council will use your information to assess your application for financial support. The Council will confirm information about you and your account from credit referencing agencies to confirm account validity and your identity. If you provide false or inaccurate information, the Council will record this. If you would like full details on how the Council uses your information, please refer to the Council's privacy policy.

11. State Aid

All successful businesses will be required to declare that by accepting the grant payment, the business confirms that they are eligible for the grant scheme, including that any payments accepted will be in compliance with State Aid requirements. Any business that has reached the limits of payments permissible under the De Minimis and the UK Covid-19 Temporary State Aid Framework will not be able to receive further grant funding.

12. Tax

Grant income received by a business is taxable, therefore funding paid under the Local Business Support Grant or Local Restrictions Support Grant (Open or Closed) will be subject to tax. Only businesses which make an overall profit once grant income is included will be subject to tax.

13. Updates to this Policy

The Council reserves the right to update, change or withdraw this policy without notification or prior warning in the event that the government updates or changes its guidance to the Council or in the event of an error, omission, or unallocated funds.

14. Appeals

There is no right to appeal and the decision of the Council is final. The Council's interpretation of this document is at its own discretion and it will be the final arbiter of the definitions contained within this policy.

Appendix 1 | Definition of non-essential retailers

If your property is used for the sale of the following types of goods you would be excluded from this grant:

Food – including takeaways and alcoholic beverages

The following types of business are also excluded from this scheme:

Pharmacies/Chemists

Post Offices

Financial services (for example banks, building societies, bureaux de change)

Medical services (for example vets, dentists, opticians, chiropractors)

Professional services (for example solicitors, accountants, estate agents, letting agents)

Examples of businesses that are classed as non-essential retailers (and eligible to apply):

Clothing stores

Electronics stores

Vehicle showrooms

Travel Agents

Betting shops

Auction houses

Tailors

Car washes

Tobacco/Vape shops

Note the majority (**at least 60%**) of your income/sales should normally be attributed to in-person sales of goods and not through the internet and/or telephone or be derived from services provided. You may be asked for proof of how your income is normally derived.

Please note this list is not exhaustive and the Council reserves the right to amend the list at its own discretion and it will be the final arbiter of the definitions contained above.

Appendix 2 | Business Category Examples

Category	Examples
Beauty	Beauty therapy centres Tattoo parlours Tanning salons Nail salons Spas
Bookmakers	Betting shops Bingo halls Amusement arcades Adult gaming centres Casinos
Leisure	Leisure Centres Gyms Swimming pools Yoga / dance centres Play / soft play centres Miniature Railway Theatres Cinemas Events spaces Trampoline Centres Urban farms Zoos & animal attractions Bowling alleys/Bowling Centre Ice rinks Art galleries Museums Stately Homes Visitor attractions Martial Arts Studio Boxing Clubs Libraries Soccer Centre Snooker Halls
Hair salon / Barbers	Hair salons Barber shops
Meeting assembly	Community halls Village halls Scout/guide huts Exhibition centres Conference centres Clubhouses

Licensed premises	Public houses Licenced clubs Micro pubs
Restaurant / Café	Restaurants Café with indoor / outdoor seating Coffee shops with indoor / outdoor seating
Non-essential retail	Clothing shops Homeware stores Vehicle showrooms (other than rental) Tailors Tobacco and vape shops Electronic goods shops Mobile phone shops Market stalls selling non-essential goods Car/Caravan Sales/Display Car Wash (not part of a petrol station) Driving Test Centres Photography Studio
Outdoor sports	Stables Riding centres Golf clubs Outdoor pursuits centres Fishing lakes Water sports facilities Bowling Green (Outdoor) Football Grounds Go Karting Tracks Sports Grounds Tennis Courts
Accommodation	Hotels Motels B&Bs Hostels Guest houses Camping and caravan sites Activity and Adventure Centre Chalet Parks Self-Catering Holiday Units

Appendix 3 | Eligibility Checklist

Information	Evidence	Narrative
Applicant details	Submit information on the online application form	<p>Your business name. Nature of the business, how this relates to the specific sectors listed above and explanation of how the business has been affected (self-declaration statement). Your contact name and number(s). Your business trading address and postcode. Company registration number (if applicable) or self-assessment tax return and your VAT number (if VAT registered). Business Rates reference number. Proof of rental payments. Confirmation of proportion of sales that are in person/e-commerce (self-declaration, proof will be requested dependent on the nature of the business)</p>
Payment details	<p>Your business bank account number and sort code (only provide bank account details where a BACS payment can be accepted).</p> <p>A copy of a business bank statement, clearly showing the bank account holder's name, sort code and account number and business address.</p>	These details must match the name of the business or individual listed on the business rates bill or lease, licence or mortgage agreement

	A utility bill clearly showing your business address	
Evidence that you are a micro or small business	<p>This will be done by way of self-declaration on the online application form.</p> <p>Details may be checked using the Companies House register.</p>	<p>Under the Companies Act 2006:</p> <p>A Micro business must satisfy two or more of the following:</p> <ul style="list-style-type: none"> • Turnover: Not more than £632,000 • Balance sheet total: Not more than £316,000 • Number of employees: a staff headcount of not more than 10 <p>A Small business must satisfy two or more of the following:</p> <ul style="list-style-type: none"> • Turnover: Not more than £10.2 million • Balance Sheet total: Not more than £5.1 millions <p>Number of employees: a staff headcount of up to and including 50</p>
Proof of rent charged (if you do not occupy a property liable for business rates as the liable party)	Proof of rent charged (for example lease agreement or rental receipt) - note mortgage payments are not considered a rent charge and are not admissible	Charge has to relate to the Gedling Borough Council area
Taxi drivers	Proof of where you live and a current licence allowing you to act as a taxi driver	<p>Utility bill/bank statement showing your current address</p> <p>Current licence</p> <p>Self-declaration – How has your business been affected.</p>
Self-employed in supply chain	Evidence of type of business self-assessment	Self-declaration – How has your business been

	(contract /copy invoices/accounts). Latest Tax return. Evidence of recent trading	affected , what is business and how does it link to the grant? Paragraph from applicant
Evidence of eligibility under State aid rules	You will need to demonstrate this by way of self-declaration statement on the online application form. See section 12 below.	If you are unsure whether State aid applies to your business, you will need to seek independent legal advice