

**Revenues Services**



Gedling Borough Council

Local Restrictions Business Support |  
(Scheme 2) Guidance

Serving People **Improving Lives**

## 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
<p><b>Local Restrictions Support Grant (Sector)</b></p> <p>Referred to as: LRSG (Sector)</p>	<p>1<sup>st</sup> November 2020</p> <p>to</p> <p>Ongoing pending Government closure and dependent upon the restrictions Tier in which the Council is placed.</p>	<p>Support for businesses that were required to close in March 2020 and which have <b>never</b> been able to re-open (for example nightclubs) of up to £3,000 for 4 weeks.</p>
<p><b>Local Restrictions Support Grant (Open)</b></p> <p>Referred to as: LRSG (Open)</p>	<p>2<sup>nd</sup> December 2020</p> <p>to</p> <p>Ongoing pending Government closure and dependent upon the restrictions Tier in which the Council is placed.</p>	<p>Support for businesses in the hospitality, hotel, bed &amp; breakfast and leisure sectors that have remained open under Tier 2 and Tier 3 restrictions of up to £1,050 for 2 weeks.</p>
<p><b>Local Restrictions Support Grant (Closed)</b></p> <p>Referred to as: LRSG (Closed)</p>	<p>2<sup>nd</sup> December 2020</p> <p>to</p> <p>Ongoing pending Government closure and dependent upon the restrictions Tier in which the Council is placed.</p>	<p>Support for businesses in the hospitality, accommodation, beauty and leisure sectors that have legally been forced to close under Tier 2 and Tier 3 restrictions of up to £1,500 for 2 weeks.</p>
<p><b>Christmas Support Payment for Wet-Led Pubs</b></p> <p>Referred to as: CSP (Pubs)</p>	<p>2<sup>nd</sup> December 2020</p> <p>to</p> <p>29<sup>th</sup> December 2020</p>	<p>Support for wet-led pubs in areas where the Local Authority is under Tier 2 or Tier 3 restrictions at a flat rate of £1,000.</p>

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) (Scheme 2)** and details the criteria in relation to the Local Restrictions Grant (Open), which is the only grant where the Council may exercise its discretion as well as the **Local Restrictions Support Grant (Sector)**, the **Local Restrictions Support Grant (Closed)** and the **Christmas Support Payment for Wet-Led Pubs**, where the Council has no discretion.

## 2. Background

Nottinghamshire was placed in the High alert level (Tier 2) on 14<sup>th</sup> 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 4<sup>th</sup> November (detailed in Section 5).

On Wednesday 28<sup>th</sup> 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 30<sup>th</sup> October 2020 with further national restrictions announced to commence on Thursday 5<sup>th</sup> 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.

When the national restrictions were eased, Gedling Borough Council entered Tier 3 on 2<sup>nd</sup> December 2020 with many of the previous restrictions still in place.

## 3. Overview of Available Grants

The Local Restrictions Business Support (LRBS) (Scheme 2) package will:

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

The following tables outline the support that is available to businesses under the LRBS (Scheme 2) 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 1<sup>st</sup> 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 payment if the business occupies a property with a rateable value as follows:

- up to £467 for each 14 day period of eligibility beginning on 2<sup>nd</sup> December 2020 if RV up to £15,000
- up to £700 for each 14 day period of eligibility beginning on 2<sup>nd</sup> December 2020 if RV is £15,001 to £51,000
- up to £1,050 for each 14 day period of eligibility beginning on 2<sup>nd</sup> December 2020 if RV over £51,000

If the applicable period for the grant is less than 14 days the Council reserves the right to pro-rata the grant accordingly.

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

For businesses forced to close due to Covid-19 restrictions under Tier 2, Tier 3:

- Eligible businesses with a rateable value of less than £15,000, the business will receive a cash grant of £667 for each 14 day period the business is closed beginning on 2<sup>nd</sup> December 2020
- Eligible businesses with a rateable value of between £15,000 and less than £51,000, the business will receive a cash grant of £1,000 for each 14 day period the business is closed beginning on 2<sup>nd</sup> December 2020

- Eligible businesses with a rateable value of £51,000 or above the business will receive a cash grant of £1,500 for each 14 day period the business is closed beginning on 2<sup>nd</sup> December 2020
- Grants will be based on the rateable value of the property on the first full day of local lockdown restrictions.

Grants will be paid 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.

### **Christmas Support Payment for Wet-Led Pubs | CSP (Pubs)**

For “wet-led” pubs forced to close due to Covid-19 restrictions under Tier 2, Tier 3 between 2<sup>nd</sup> December 2020 and 29<sup>th</sup> December 2020:

- Eligible pubs which derive less than 50% of their income from the sale of food.

Grants of £1,000 will be paid as a one off payment under localised tier 3 conditions.

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.

## **4. Eligibility Criteria**

### **4.1 Local Restrictions Support Grant (Closed) – Qualifying Businesses**

The LRSG (Closed) scheme is a mandatory, Government funded grant scheme. All details, including eligibility criteria can be found in the Government’s guidance entitled:

*Local Restrictions Support Grant (Closed) Version 2 - applicable 2 December 2020 onwards*

Which can be found on the [Government’s website](#).

## **4.2 Christmas Support Payment for Wet-Led Pubs – Qualifying Businesses**

The CSP (Pubs) scheme is a mandatory, Government funded grant scheme. All details, including eligibility criteria can be found in the Government's guidance entitled:

*Christmas Support Payment for wet-led pubs*

Which can be found on the [Government's website](#).

## **4.3 Local Restrictions Support Grant (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.

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.

## **5. 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 1<sup>st</sup> 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 1<sup>st</sup> 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.

## 6. The Grant Process

Eligible applicants who have previously made application for grant support under the Council’s Local Restrictions Business Support package **will be contacted directly** and invited to apply for grant payments under this scheme (Local Restrictions Business Support (Scheme 2)).

Guidance on the Council’s previous Local Restrictions Business Support can be found on the Council’s website at [www.gedling.gov.uk/local-restrictions-support-grants](http://www.gedling.gov.uk/local-restrictions-support-grants)

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.

## 7. Applicant’s Responsibilities

When businesses are contacted and asked to make an application under this scheme, they 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.

## **8. Payment of Local Restrictions Business Support (Scheme 2)**

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.

## **9. 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. The Council will also pass your information to the Government, where required, for the statistical analysis of grants payments, for the reconciliation of grant payments, for grants assurance purposes and for counter fraud measures.

## **10. 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.

## **11. 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.

## **12. 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.

## **13. 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.