

Gedling Borough Council

Additional Restrictions Grant – Business Support Scheme 2021/22

Guidance

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1. Introduction

The Covid-19 pandemic is unprecedented and has had a significant impact on the economy of the Borough of Gedling. The Government has provided the Council with funding for a number of business grants during 2020/21 and has extended that support into 2021/22.

The Chancellor at the budget on 3 March 2021 announced the introduction of grant support for non-essential retail, hospitality, accommodation, leisure, personal care and gym businesses. This support will take the form of a one-off grant funding scheme from 1st April 2021. The scheme is called the **Restart Grant** and will sit alongside a new allocation of the **Additional Restrictions Grant**.

The new tranche of Additional Restrictions Grant funding is intended to support businesses from all sectors that may have been severely impacted by coronavirus restrictions but are not eligible for the 2021/21 Restart Grants. The Restart Grant scheme is a separate grant scheme which is available to certain businesses subject to the payment of business rates and the Council has no discretion in the application of that Scheme. **Businesses that are eligible for a Restart Grant are not eligible for this Additional Restrictions Grant Business Support Scheme.**

The Council may exercise its discretion regarding the eligibility criteria for the Additional Restriction Grant scheme.

This guidance will be referred to throughout as the **Gedling Borough Council Additional Restriction Grant Business Support Scheme 2021/22 (ARGBS)** and the eligibility criteria and the application process are detailed in the paragraphs below. All businesses will be required to self-certify that they meet all eligibility criteria.

Name of Fund	Effective Period	Overview of Scheme
Additional Restrictions Grant Referred to as the : ARGBS	From 1 April 2021	Support for businesses affected by reduced trading conditions experienced during the extended lockdown restrictions. Focusing on the hospitality, accommodation, personal care, leisure and non-essential retail sectors and their supply chains based on local economic needs

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

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

2. Priority Areas

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.

3. Overview of Available Grants

The Additional Restrictions Grant Business Support (ARGBS) scheme 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 following tables outline the support that is available to businesses under the ARGBS package offered by the Council:

Additional Restrictions Grant Business Support Scheme| ARGBS

An eligible business may receive (subject to the availability of funds) a **one off payment** as follows:

(a) Businesses Required to Close During Lockdown

Hospitality, Leisure, Personal Care, Accommodation without a Rateable Value but with a comparable rent as a proxy for RV:

- £5,000 if Rent up to £15,000
- £7,500 if Rent is £15,001 to £51,000
- £12,000 if Rent over £51,000

Non Essential Retail without a Rateable Value but with a comparable rent as a proxy for RV:

- £2,700 if Rent up to £15,000
- £4,000 if Rent is £15,001 to £51,000
- £6,000 if Rent over £51,000

(b) Businesses Remaining Open and Evidencing Reduced Trading During Lockdown Restrictions with Rateable Value or Rent:

- £1,800 if RV/Rent up to £15,000
- £2,600 if RV/Rent is £15,001 to £51,000
- £4,000 if RV/Rent over £51,000

(c) Businesses with no fixed property cost i.e. no rateable value or rent

- £750 Eligible business which can continue to trade (including taxi drivers)
- £1,500 Eligible businesses required to close

Please note if your business meets the eligibility criteria for a Restart Grant then you will receive that grant and not the Additional Restrictions Grant.

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.

4. Eligibility Criteria

4.1 An eligible business for ARGBS 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 4.2 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) For the purpose of this grant scheme all businesses that are trading and meet other eligibility criteria may apply to receive funding under this scheme.
- g) A business is considered to be trading if it is engaged in business activity. This should be interpreted as carrying on a trade or profession, or buying and selling goods or services in order to generate turnover. Fully constituted businesses in liquidation, dissolved, struck off or subject to a striking-off notice are not eligible under these conditions.
- 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) Complies with the new Subsidy control rules.

4.2 ARG BS 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. 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 i.e. 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.

6. 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.
- b) A ‘grant application window’ will be open for a period of four weeks (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 4, Appendix 1 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 10-15 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 may not reach a decision within 10-15 working days where applications are being considered outside of the eligibility criteria but are being assessed at the Council's discretion, as described in section 4.2 of this guidance. Cases being assessed at the Council's discretion may take considerably longer to be considered, but the Council will work to expedite such cases.
- k) The Council will prioritise consideration of grant applications when received and will not respond to canvassing.

The Council is relying on businesses to be honest and open, and to present evidence of need and eligibility for the ARGBS 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.

7. 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 ARGBS.
- 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. For further information, you can contact HMRC's Coronavirus (COVID-19) helpline.
- 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.
- g) The applicant understands that the information provided on the online form will be made available to other government departments and their agencies for the purpose of detecting and preventing crime.
- h) 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

All grant payments are subject to the satisfactory receipt of:

- confirmation that the business is able to accept the grant under the new Subsidy control rules (see paragraph 10 below)
- confirmation of whether the business was, under lockdown restrictions, 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**.

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.

10 Subsidy Allowances

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 the new subsidy control rules. Any business that has reached the limits of payments permissible will not be able to

receive further grant funding.

11 Tax

Grant income received by a business is taxable, therefore funding paid under the ARGBS 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.

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 – (food retailers, including food markets, supermarkets, convenience stores, corner shops, off licences, breweries, takeaways)

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, recruitment agencies, education providers including tutoring services, funeral directors)

Pet Shops, Animal Rescue Centres and Boarding Facilities

Building Merchants

Vehicle Repair and MOT services, bicycle shops

Petrol Stations, automatic car washes and mobility support shops

Launderettes and Dry Cleaners

Agricultural supply shops

Garden Centres

Storage and Distribution facilities, Wholesalers

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 Excludes all private dwellings

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 (form SA100) and your VAT number (if VAT registered). National insurance number. Charity number. Business Rates reference number. High Level SIC code. Proof of rental payments. Number of employees. Confirmation of proportion of sales that are in person/e-commerce (self- declaration, proof will be requested dependent on the nature of the business). Cumulative total of all previous funding under Covid-19 grant schemes.</p>

<p>Payment details</p>	<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> <p>A utility bill clearly showing your business address</p>	<p>These details must match the name of the business or individual listed on the business rates bill or lease, licence or mortgage agreement</p>
<p>Evidence that you are a micro or small business</p>	<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 domestic 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	Utility bill/bank statement showing your current address Current taxi driver licence Self-declaration – How has your business been affected.
Self-employed in supply chain	Evidence of type of business self-assessment (contract /copy invoices/accounts). Latest Tax return. Evidence of recent trading	Self Assessment Tax Return (Form SA100) Self-declaration – How has your business been affected , what is business and how does it link to the grant? Paragraph from applicant
Evidence of eligibility under Subsidy control rules	You will need to demonstrate this by way of self-declaration statement on the online application form. See section 10 below.	If you are unsure whether State aid applies to your business, you will need to seek independent legal advice