

# Gedling Borough Council

## Additional Restrictions Grant – Omicron 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.

On 21 December 2021 the Government announced the introduction of grant support for hospitality, accommodation and leisure businesses in recognition that these business sectors will be adversely affected by the Covid-19 Omicron variant. This support will take the form of a one-off grant funding to be used only in the Financial Year 2021/22. The scheme is called the **Omicron Hospitality and Leisure Grant (OHLG)** and will sit alongside a new allocation of the **Additional Restrictions Grant (ARG)** totalling £150,711 for businesses within Gedling Borough.

The new tranche of Additional Restrictions Grant funding is intended to support businesses that have been severely impacted by the rise of the Omicron variant and related restrictions but are not eligible for the 2021/22 OHLG. The OHLG 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 an Omicron Hospitality and Leisure Grant are not eligible for this ARG Omicron Business Support Scheme.**

Coinciding with the announcement of the new allocation of ARG funding and the emergence of the Omicron variant in December, Gedling Borough Council approved the allocation of its previous tranche of ARG funding for top-up awards to eligible applicants under the earlier Additional Restrictions Grant Business Support Scheme (ARGBSS) and Strand 1 of the Covid Restart Grants with payments made from January. **Businesses that are eligible for the ARGBSS and Strand 1 Restart Grant top-up award paid in January 2022 are not eligible for this ARG 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 Restrictions Grant – Omicron Business Support Scheme 2021/22 (ARG-OBS)** 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
<b>Additional Restrictions Grant</b>  Referred to as  the : <b>ARG-OBS</b>	From January 2022	Support for businesses adversely affected by reduced trading conditions experienced during the emergence of the Covid-19 Omicron variant. Focusing on the hospitality, accommodation, personal care and leisure 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 support to as many businesses as possible within the available financial resource. **Fully completed applications will be considered on a first come first served basis;**
- b) Delivering a grant application which is simple, straightforward and makes decisions as quickly as possible; and
- c) To ensure that there is proper due diligence and fraud and error is avoided.

## 3. Overview of Available Grants

The Additional Restrictions Grant Omicron Business Support (ARG-OBS) scheme will:

- a) support businesses in meeting operational costs;
- b) help businesses maintain the necessary covid-secure measures.

It is available to eligible businesses that have been severely impacted by the Omicron variant, including those outside the business rates system.

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

## **Additional Restrictions Grant Omicron Business Support Scheme| ARG-OBS**

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

### **(a) Hospitality, Accommodation, Personal Care and Leisure Businesses**

**With a Rateable Value or a comparable annual rent as a proxy for RV:**

- £750 if RV/Rent up to £15,000
- £1,250 if Rent/RV is £15,001 to £51,000
- £2,500 if Rent/RV over £51,000

### **(b) Supply Chain Businesses to the Hospitality, Accommodation, Personal Care and Leisure Businesses evidencing reduced trading with Rateable Value or Rent:**

- £400 if RV/Rent up to £15,000
- £600 if RV/Rent is £15,001 to £51,000
- £900 if RV/Rent over £51,000

**Please note if your business meets the eligibility criteria for an Omicron Hospitality and Leisure Grant or a top-up ARGBSS and top-up Strand 1 Restart Grant as detailed in Section 1, then you will not be eligible for this 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 ARG-OBS must be able to demonstrate that the business**

- a) Is a customer facing business or a business in the supply chain for selected qualifying business sectors detailed at 4.2 below.
- b) 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.

- c) 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.
- d) 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.
- e) 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.
- f) Complies with the new Subsidy control rules.

## 4.2 ARG-OBS 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:

Hospitality  
Accommodation  
Personal Care  
Leisure  
Travel and Tourism, including group travel, travel agents and tour operators  
Wedding Industries  
Nightclubs  
Theatres  
Events industries  
Wholesalers  
Breweries

This is not an exhaustive list and examples of businesses which may fall within the above categories can be found at **Appendix 1** 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 a 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 already received grant payments that equal maximum permitted levels of subsidy.

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

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 2 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, accommodation personal care and leisure sectors defined in section 4 and (or directly part of the supply chain for those sectors).
- 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 ARG-OBS 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 2** 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 ARG-OBS.

- 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 severely impacted by restrictions or by the Omicron Variant.
- 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 2**.

## **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. Details of your application may be shared with the Department for Business, Energy and Industrial Strategy. 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 ARGOBS 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 | Business Category Examples**

Category	Examples
<p><b>Personal Care</b></p>	<p>Beauty therapy centres                      Tattoo parlours                      Tanning salons                      Nail salons                      Spas                      Hair salons                      Barber shops</p>
<p><b>Leisure</b></p>	<p>Leisure Centres                      Gyms                      Swimming pools                      Yoga / dance centres                      Play / soft play centres                      Miniature Railway                      Theatres                      Cinemas                      Events spaces                      Trampoline Centres                      Urban farms                      Zoos &amp; 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</p>

<b>Accommodation</b>	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
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**Appendix 2 | 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. Date Business Established. 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>Proof of rent charged (if you do not occupy a property liable for business rates as the liable party)</p>	<p>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</p>	<p>Charge has to relate to the Gedling Borough Council area</p>
<p>Self-employed in supply chain</p>	<p>Evidence of type of business self-assessment</p> <p>(contract /copy invoices/accounts). Latest Tax return. Evidence of recent trading</p>	<p>Self Assessment Tax Return (Form SA100)</p> <p><b>Self-declaration – How has your business been affected</b>, what is business and how does it link to the grant?</p> <p>Paragraph from applicant</p>
<p>Evidence of eligibility under Subsidy control rules</p>	<p>You will need to demonstrate this by way of self-declaration statement on the online application form. See section 10 below.</p>	<p>If you are unsure whether State aid applies to your business, you will need to seek independent legal advice</p>