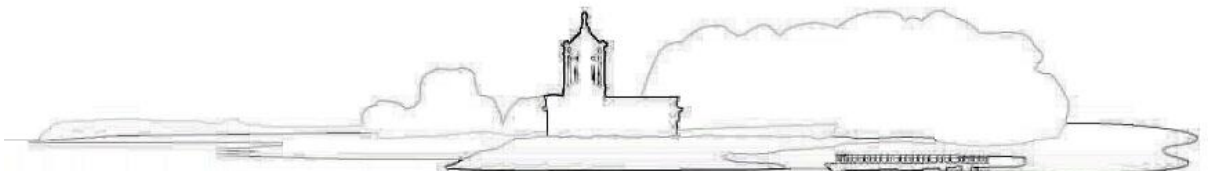




Rutland County Council

**ADDITIONAL RESTRICTIONS GRANTS POLICY:
ARG TOP UP GRANTS TO LICENCED PREMISES AND
TRAVEL AGENTS
(JULY 2021)**

Version & Policy Number	FINAL
Guardian	Sue Kirby, Economic Development Manager.
Date Produced	19.07.2021



Summary of document

The policy applies to the third Additional Restrictions Grant as announced by central Government in March 2021. The policy sets out to achieve a fair and robust approach to the award and allocation of the Additional Restrictions Grant as a result of the Government's response to COVID-19.

Contents

	Page
1.0 Introduction	5
2.0 Legislation	6
3.0 Policy Aim	6
4.0 Qualifying businesses for the Grant	6
5.0 Non-qualifying businesses	7
6.0 Exclusions to the Grant	8
7.0 Grant Payments	8
8.0 How the award will be made	9
9.0 Notification of decision	9
10.0 Award timescales	9
11.0 Cancellation and repayment	9
12.0 Complaints and appeals	9
13.0 Subsidy allowances	9

1.0 INTRODUCTION

- 1.1 Over the course of Coronavirus pandemic the Government has release a series of funds to support and sustain businesses impacted by the Coronavirus in the form of grants. These national grants have been awarded to specific types of businesses as well as businesses in sectors that have either had to close for periods of time e.g. during lockdown, or who have been severely impacted as trading has been curtailed. Since March 2020 these have included businesses operating in non-essential retail, hospitality and accommodation and well as tier 1 supply chain businesses.
- 1.2 The grants have been administered by Local Authorities according to guidance documents provided by Government. Each grant has seen a specific set of guidance with grant award levels and qualifying criteria set by Government. Grant levels have typically been determined by three headline criteria;
- The business rateable value, and
 - Whether the business is legally required to close or severely impacted; and
 - The length of time of any restrictions e.g. tier, lockdown.
- 1.3 The Government first announced it was providing Additional Restrictions Grant funds to Local Authorities on the 3rd November 2020. While the Government has provided overarching guidance regarding how local authorities might use their allocation, unlike the national grants, local authorities have greater autonomy around over to use the Additional Restrictions Grant (ARG). Since November 2020 Rutland County Council has received 3 payments into its ARG 'pot' totalling £1,495,437.
- 1.4 The deployment of ARG funds is at each local authority's discretion and individual local authorities are able to develop their own models for awarding ARG to their local businesses. This is why a business in one local authority might receive a grant with a similar business in another authority receiving a different amount, or indeed no grant at all.
- 1.5 There have been several iterations of the Government's ARG guidance with the latest update issued June 2021. Rutland County Council will refer to this version to determine how it will deploy its latest ARG allocation. In the event the Government issues further changes to its guidance that materially affects this policy, we will update this policy to reflect such changes.
- 1.6 The Government Guidance (June 2021) identifies the ARG should be allocated for the following purposes:

Local Authorities should allocate funding through business support grants or through wider business support measures. All funding provided under this scheme should provide direct support to businesses.

Local Authorities are encouraged to support businesses from all sectors that may have been severely impacted by restrictions but are not eligible for the Restart Grant scheme, including those outside of the business rates system.

Following the decision to delay stage 4 of the roadmap, Local Authorities are also encouraged to focus their support on those sectors that remain closed or are severely impacted by the extended restrictions, even if those businesses have already been in receipt of Restart Grants. There is no restriction on the number of grants a business may receive. This may include but is not limited to the travel and tourism sector, including group travel, travel agents and tour operators, wedding industries, nightclubs, theatres, events industries, wholesalers, English language schools, breweries, freelance and mobile businesses (including caterers, events, hair, beauty and wedding related businesses), and other businesses that may have not received other grant funding. This list is not directive nor exhaustive, and Local Authorities should continue to issue grants at their discretion, based on local economic needs.

In taking decisions on the appropriate level of grant, Local Authorities may want to take into account the level of fixed costs of the business, the number of employees the business has, whether it is unable to trade online and the consequent scale of coronavirus losses.

The grant amounts given to individual business, the number of employees the business has, whether it is unable to trade online and the consequent scale of coronavirus losses.

- 1.7 Since the UK first entered lockdown in March 2020 our businesses have experienced significant challenges. No amount of public funding compensate for the pressures and financial losses that many businesses have faced.
- 1.8 Nearly 16 months later we are about to see the lifting of the last of the Government's restrictions but we will continue to live and work in a world where Covid-19 still exists. This means businesses have to continue to operate and deliver goods and services to their customers in a Covid safe manner. Each business will decide what is right for their employees and customers – keeping everyone safe and responding to any future Government guidance.
- 1.9 Most businesses, with the exception of nightclubs, were able to reopen from the 17th May. The delay to the final relaxation of restrictions from the 21st June to the 19th July however impacted on the hospitality sector's licenced businesses which faced a further four weeks with trade restricted to offering 'table only service'.
- 1.10 Travel agents also continue to experience severe restrictions on trade as a result of current limitations on overseas travel. To manage cross-border transmission of Covid-19 the UK Government has, at different points, placed countries on amber or red lists restricting or stopping non-essential foreign travel. Likewise other countries have closed their borders to foreign visitors; bookings have dried up and, until these restrictions are eased this will severely impact travel agents' capacity to trade.
- 1.11 On this basis the Council has decided to use its ARG 3 allocation to pay a 'top up' grants to licenced businesses and travel agents. Full details of eligibility criteria, the payments process and grant amounts are set out below.

2.0 LEGISLATION

- 2.1 Local authorities will be responsible for delivering Grants to eligible businesses. Section 1 of the Localism Act 2011 provides local authorities with the vires to make these payments.
- 2.2 The Department for Business, Energy & Industrial Strategy (BEIS) has issued guidance called 'Additional Restrictions Grant – Guidance for local authorities. (updated 22 March 2021 to include £425m top up from 1st April 2021),' which can be found here:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/971482/additional-restrictions-grant-la-guidance.pdf
- 2.3 This policy refers to Rutland County Council's Additional Restrictions Top-up Grant for licenced businesses and travel agents which is in alignment with this BEIS Guidance. From here on referred to as 'The Grant'.
- 2.4 This policy has been approved by the Council's Cabinet.
- 2.5 The Council is not permitted to award discretionary relief to a precepting authority or itself, as a billing authority.
- 2.6 The Grant will result in a one off payment for eligible businesses. The Grant payment will be subject to tax (where a profit is made). A business will receive one Grant for each property it occupies, that meets the eligibility criteria.
- 2.7 The Council reserves the right to amend this policy. This may include expanding or restricting the eligibility criteria for businesses to access grants.

3.0 POLICY AIM

- 3.1 The policy aims to support the economy alongside supporting the strategic aims and objectives of the Council.

4.0 QUALIFYING BUSINESSES FOR THE GRANT

- 4.1 The Grant can only go to businesses that meet the following:

For Licenced premises: Be a licensed, business rated business whose primary operation is the sale of alcoholic beverages, with or without food, to be consumed on the premises.

To be eligible the business must meet all of the following criteria:

- Is public house, restaurant, hotel with a restaurant or bar, wine bar, nightclub or café; and
- Is open to the public and trading from the premises; and
- Was require to operate an 'at table only service' up to the 19th July 2021, and
- Operates from premises that are business rated; and
- Was trading from the premises on the 1st April 2021; and

- Has a current, valid licence for the sale of alcoholic beverages for consumption on the premises; and
- Is located in Rutland

For Travel Agents: Be a business rated travel agency.

To be eligible the business must meet all of the following criteria:

- Is a travel agency; and
- Is open to the public and trading from the premises; and
- Is business rated; and
- Was trading from the premises on the 1st April 2021 and
- Is located in Rutland.

4.2 On this basis the Council has decided to use its ARG 3 allocation to pay a 'top up' grant to the following businesses with premises that are eligible to pay business rates:

4.3 Licenced businesses where the primary business is the sale of food and beverages on the premises. We will use records of businesses with licences to award a 25% top up to the amount these businesses received through the recent Restart Grants.

4.4 Travel agents will receive 50% of the amount paid under Restart Grants. This higher percentage amount recognises that travel agents were categorised as 'non-essential retail' by government in the Restart Grant scheme and received lower grant amounts than the hospitality sector.

4.5 This means the Grant payments will be made as follows:

Rateable value	< £15,000	>£15,000 - <£51,000	> £51,001 +
Hospitality Restart Grant amounts were...	£8,000	£12,000	£18,000
..therefore Hospitality ARG 3 Top up grants will be...	£2,000	£3,000	£4,500
Travel Agent Restart Grant amounts were...	£2,667	£4,000	£6,000
..therefore Travel Agent ARG 3 Top up grants will be...	£1,334	£2,000	£3,000

5.0 NON-QUALIFYING BUSINESSES

5.1 Those businesses that do not meet one or more of the eligibility criteria listed above Clause 4.0). The following types of businesses are also excluded:

- Where a licenced business is located within another business and is not the primary operation. For example a garden centre may have a licensed café within it. As the garden centre is the primary operation the café is not eligible

- Village, church and community halls
- Private clubs not freely open to the public
- Sports clubs and associations
- Schools or public buildings
- Venues that apply for temporary licenses on an ad hoc basis

6.0 EXCLUSIONS TO THE GRANT

- 6.1 Businesses that have already received grant payments that equal the maximum levels of subsidy allowances (See clause 13.0)
- 6.2 For the avoidance of doubt, businesses that are in administration, insolvent or where a striking-off notice has been made, are not eligible for funding under this scheme.
- 6.3 Businesses that have chosen not to comply with government guidelines and restrictions will not be eligible for this Grant.

7.0 GRANT PAYMENTS

- 7.1 Businesses will not be asked to complete an on-line application form. Eligible businesses will be contacted by email and asked to complete a declaration form.
- 7.2 The email will come from: LocalTaxation@Rutland.gov.uk
- 7.3 Businesses are required to respond to the email by 31st August 2021 in order to release payment of the Grant.
- 7.4 Payments will be made to the account of the business rate payer using information held by the Council.
- 7.5 We are required by Government to collect data for the purpose of audit and assessment. Businesses may be asked to provide information and supporting documents including:
- Name of business
 - Business Trading Address including postcode
 - Unique identifier (preferably Company Reference Number (CRN)) if applicable. If not applicable, VAT Registration Number, Self-Assessment /Partnership Number, National Insurance Number, Unique Taxpayer Reference, Registered Charity Number will also be acceptable)
 - Nature of Business
 - Date business established
 - Number of employees
- 7.6 The declaration also asks businesses to declare that the information provided is correct. This is because the Government will not accept deliberate manipulation and fraud - any business caught falsifying their records to gain Grant money will face prosecution and any Grant issued will be subject to claw back, as may be any Grants paid in error.

8.0 HOW THE AWARD WILL BE MADE

8.1 Payments will be made to the rate payer on receipt of the declaration from the business. (See Clause – 7.0 Grant Payments)

9.0 NOTIFICATION OF DECISION

9.1 The business will be notified electronically i.e. via email.

10.0 AWARD TIMESCALES

10.1 Businesses have until the 31st August 2022 to return their declarations. Final payments will be made no later than the 30th September 2021. Any unclaimed funds will be rolled into future ARG programmes.

11.0 CANCELLATION AND REPAYMENT

11.1 The Government will not accept deliberate manipulation and fraud- any business caught falsifying their records to gain Grant money will face prosecution and any Grant issued will be subject to claw back, as may be any Grants paid in error.

11.2 Post payment assurance checks will be undertaken. The Government's Grants Management Function and Counter Fraud Function will support local authorities to carry out post-event assurance work to identify high risk payments.

12.0 COMPLAINTS AND APPEALS

12.1 Rating law does not allow for a ratepayer to appeal a decision by the Council on the refusal to award any discretionary rate relief which includes the Grant. However, in the interests of natural justice it is regarded as good practice for local authorities to establish a mechanism to allow appeals to be heard.

12.2 If an aggrieved business wishes to make an appeal against a decision made under this policy then they will need to write to the Economic Development Manager within 14 days of notification of the refusal by email to EconomicDevelopment@rutland.gov.uk

12.3 Appeals will be forwarded to the Finance Director. The appellant will be notified of the decision electronically and this decision will be final.

13.0 SUBSIDY ALLOWANCES

13.1 From 4 March 2021, payments can be provided under the Small Amounts of Financial Assistance Allowance (SAFA). This is equivalent to approximately £335,000, but the precise amount can be accessed via the Special Drawing Right calculator: https://coinmill.com/SDR_calculator.html

- 13.2 Where the Small Amounts of Financial Assistance Allowance has been reached, businesses can utilise the COVID-19 Business Grant Allowance to access additional grant funding of £1,600,000.
- 13.3 Where the Small Amounts of Financial Assistance Allowance and the COVID-19 Business Grant Allowance limits have been reached, businesses can utilise the COVID-19 Business Grant Special Allowance to access additional grant funding of up to £9,000,000, if conditions are met.
- 13.4 Businesses must ensure that by receiving a grant they will not breach the applicable thresholds. Businesses may be asked to self-certify this is the case. The Council may, at its discretion, request further evidence from any business.

A large print version of this document is available on request



Rutland

County Council

Rutland County Council
Catmose, Oakham, Rutland LE15 6HP

01572 722 577
enquiries@rutland.gov.uk
www.rutland.gov.uk