



LOCAL RESTRICTIONS GRANT POLICY

Version 3

JANUARY 2020

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Introduction

On 9th, 22nd and 31st October 2020, 19th December 2020 and 5th January 2021, the Government announced the introduction of additional support for businesses to be made available via a series of grants to be paid by local authorities.

Local authorities are required to adopt policies to distribute grants to business, through periods of national and local restrictions. In Staffordshire, Tier 2 restrictions were imposed from 31 October and superseded by national restrictions imposed from 5 November, which required many businesses to close until 2 December. A new Tiered system was developed from 2 December onwards.

This document describes the manner in which this Council will distribute its funding to local businesses. Support will take the form of the following grants.

Name of Grant	Businesses Affected
Local Restrictions Support Grant (Closed) & Local Restrictions Support Grant (Closed) Addendum LRS-G-C	Businesses mandated to close. <ul style="list-style-type: none"> • 28 day period from 5 November. • Subsequent periods during which closures are mandated.
Local Restrictions Support Grant (Sector) LRS-G-S	Nightclubs etc. closed since 23 March 2020
Local Restrictions Support Grant (Open) LRS-G-O	Leisure, Hospitality and Accommodation Businesses severely impacted under the 3 tier system
Additional Restrictions Grant (ARG)	Discretionary fund to be developed in phases.

The underlying principle of this policy is that the Council will distribute grants in accordance with the methodology that the government has used to allocate funding to the Council. Whilst recognising discretion given to the Council

- LRS-G-C LRS-G-S & LRS-G-O will be paid in line with the government guidance.
- ARG will be used to award similar levels of grant to organisations not qualifying for other grants and to fund local business support activities.

The Policy will be updated from time to time, to reflect the changes to guidance and funding, and will be reviewed in its entirety no later than 30 April 2021.

1. Local Restrictions Support Grant (Closed)

This grant is intended to cover those businesses that were mandated to close as a consequence of government restrictions, either during the 28 day period of national lockdown from 5 November or any other periods during which business closures are mandated.

This will affect businesses providing in-person services to customers from their business premises and include non-essential retail, leisure, personal care, sports facilities and hospitality businesses.

Exclusions to Local Restrictions Support Grant (Closed)

- Businesses that are able to continue to trade because they do not depend on providing direct in-person services from premises and can operate their services effectively remotely (e.g. accountants, solicitors) are not eligible for the grant.
- Businesses that were in administration, are insolvent or where a striking-off notice has been made are not eligible for funding under this scheme.

The Council may from time to time define categories of business to be excluded from these grants.

1.1 National Lockdown 5 November to 2 December

During national lockdown this typically include the following types of business.

Amusements and visitor attractions (family entertainment centres)	Night Clubs*
Art Gallery / Museum (privately owned)	Outdoor Pursuits Centres
Bars	Play Centres /Soft Play Centres
Beauticians and salons	Private Golf Courses and Driving Ranges
Bowling Allies	Public Houses
Cafés with indoor / outdoor seating	Registered bed and breakfast accommodation (not Airbnb accommodation)
Bookmakers	Restaurants
Camping and Caravan sites	Shops and Retail Outlets selling non-essential goods.
Discotheques*	Sexual Entertainment Venues*
Gyms, yoga / dance centres	Sports Clubs (e.g. football, rugby)
Hairdressers	Theatres / Cinemas / Event Spaces
Hotels	Trampoline Centres
Ice Rinks	Urban farms
Leisure Centres	
Market Stalls (indoor or outdoor)	
Nail Bars	

Organisations marked * above, which were subject to national closures since 23 March 2020 will also be able to claim Local Restrictions Support Grant (Sector) for periods from 1-4 November and 3 December onwards.

The term 'closed' for the purpose of this grant means that the substantive function of the business has been forced to close. So bars and restaurants, shops etc. which are able to trade as click and collect, delivery or take-aways only, will be treated as being closed.

Grants will initially be paid on a one-off basis, in respect of a 28 day period commencing on 5 November at the following rates;

- a. Businesses occupying hereditaments appearing on the rating list with a rateable value of £15,000 or under on 5 November will receive a payment of £1,334.
- b. Businesses occupying hereditaments appearing on the rating list with a rateable value over £15,000 and less than £51,000 on 5 November will receive a payment of £2,000.
- c. Businesses occupying hereditaments appearing on the rating list with a rateable value of £51,000 or above on 5 November, will receive a payment of £3,000.

For the avoidance of doubt, grants will be paid according to the rating list as it appears on 5 November 2020. Entries into the list after this date will not attract a grant, even if made retrospectively with effective dates prior to 5 November.

Where it appears to the Council that an entry in the list is erroneous and needs to be removed, the Council will not pay the grant.

Similarly, the rate of grant payments will not be altered as a consequence of changes to rateable value made after 5 November.

In cases where it was factually clear to the Council that the rating list was inaccurate on that date, we may withhold the grant and/or award the grant based on the view of who would have been entitled to the grant had the list been accurate. This is entirely at the discretion of the Local Authority and only intended to prevent manifest errors.

Grants are paid to the person or organisation who was responsible for the business rates on 5 November. Where the Council has reason to believe that the information that they hold about the ratepayer on 5 November is inaccurate they may withhold or recover the grant and take reasonable steps to identify the correct ratepayer.

Where a grant is applicable for 31 October to 4 November while Tier 2 restrictions were in place, this grant will be paid along with Tier 3 grants for 2 December onwards- see below.

1.2 Tier 3 Restrictions from 2 December 2020 onwards.

The Local Restrictions Support Grant (Closed) paid for any time during which Staffordshire is a designated Tier 3 risk area are similar in nature to those paid during lockdown. Some differences do apply and so the grants are documented in full here.

The following types of business are required to close during Tier 3 restrictions.

Amusements and visitor attractions (family entertainment centres)	Outdoor Pursuits Centres
Art Gallery / Museum (privately owned)	Play Centres /Soft Play Centres
Bars	Private Golf Courses and Driving Ranges
Bowling Allies	Public Houses Registered bed and breakfast accommodation (not Airbnb accommodation)
Cafés with indoor / outdoor seating	Restaurants
Bookmakers	Sexual Entertainment Venues*
Camping and Caravan sites	Sports Clubs (e.g. football, rugby)
Discotheques*	Theatres / Cinemas / Event Spaces
Yoga / dance centres Hotels	Trampoline Centres
Ice Rinks	Urban farms
Leisure Centres	
Night Clubs*	

Organisations marked * above, which were subject to national closures since 23 March 2020 will also be able to claim Local Restrictions Support Grant (Sector) for periods from 1-4 November and 2 December onwards.

The term 'closed' for the purpose of this grant means that the substantive function of the business has been forced to close. So bars and restaurants, shops etc. which are able to trade as click and collect, delivery or take-aways only, will be treated as being closed.

Grants will be paid, to businesses mandated to close, on a 14-day recurring basis, commencing on 2 December at the following rates;

- a. Businesses occupying hereditaments appearing on the rating list with a rateable value of £15,000 or under will receive a payment of £667 per 14-day qualifying restriction period.
- b. Businesses occupying hereditaments appearing on the rating list with a rateable value over £15,000 and less than £51,000 on 5 November will receive a payment of £1,000 per 14-day qualifying restriction period.
- c. Businesses occupying hereditaments appearing on the rating list with a rateable value of £51,000 or above on 5 November, will receive a payment of £1,500 per 14-day qualifying restriction period.

Any changes to the rating list (rateable value or to the hereditament) after the first full day of localised restrictions and business closures regulations came into force including changes which have been backdated to this date, will be ignored for the purposes of eligibility.

The Council will not adjust, pay or recover grants where the rating list is subsequently amended retrospectively to the date that local restrictions began.

In cases where it was factually clear to the Council on the local restriction date that the rating list was inaccurate on that date, we may withhold the grant and/or award the grant based on their view of who would have been entitled to the grant had the list been accurate. This is entirely at the discretion of the Local Authority and only intended to prevent manifest errors.

1.3 Tier 2 Restriction Periods

During any period of Tier 2 restrictions, closure rules apply to bars and public houses which do not serve substantial meals. Local Restrictions Support Grant (Closed) can therefore be paid as follows.

- a. Businesses occupying hereditaments appearing on the rating list with a rateable value of £15,000 or under will receive a payment of £667 per 14-day qualifying restriction period.

- b. Businesses occupying hereditaments appearing on the rating list with a rateable value over £15,000 and less than £51,000 on 5 November will receive a payment of £1,000 per 14-day qualifying restriction period.
- c. Businesses occupying hereditaments appearing on the rating list with a rateable value of £51,000 or above on 5 November, will receive a payment of £1,500 per 14-day qualifying restriction period.

A pro-rata payment may be made to businesses in this category, to cover the period from 31st October to 4th November. No payment will be made for periods prior to 31st October

1.4 Wet-Led Public Houses

On 1 December 2020, the Government announced the introduction of additional support over the festive period for wet-led pubs in areas under Tier 2 or 3 restrictions following the scheduled Tier review dates of 2 December and 16 December. It is accepted that pubs will miss out on business in the run up to Christmas due to these tighter restrictions.

Pubs that predominantly serve alcohol rather than provide food will be eligible for a one off additional grant of £1,000.

Local Authorities may request that pubs provide accounting evidence that they derive under 50% of their income from food sales to determine that the pub is wet-led. These accounts should be dated no later than 11 March 2020 (covering a period when trade was not affected by Covid-19).

This scheme will close on 29 December 2020. Final applications must be received by Local Authorities by 31 January 2021.

It is expected that Local Authorities will provide local businesses with grant funding as soon as possible and no later than 28 February 2021.

1.5 National Lockdown 5 January 2021 to 15 February 2021

This is awaiting detail, guidance & FAQ from Central Government. **The detail below is therefore draft only** and is based on the original RLHG and Central Government's statement of 05/01/2021 Single payment from 05/01/2021 of £4,000.00/ £6,000.00/ £9,000.00 (depending on RV).

- Must be ratepayer
- Not in liquidation/ dissolved
- Forced to close to comply with national lockdown restrictions
 - Non-essential shops including vape shops & showrooms
 - Pubs & bars
 - Casinos, cinemas, amusement arcades & bowling alleys
 - Skating rinks, bingo halls, theatres & museums
 - Indoor gyms (classes, not individual)

- Live sports venues
- Hotels etc.
- All indoor gyms & leisure centres
- Personal care (nail bars/ hairdressers)
- Betting shops
- Community centres (except for providing education and training)
- Can be received in addition to LRSG

2. Local Restrictions Support Grant (Sector)

Eligible businesses are Nightclubs, dance halls, discotheques, sexual entertainment venues and hostess bars that have been subject to national closures since 23 March 2020 and which have not been able to re-open as a result of regulations made under the Public Health (Control of Disease) Act 1984.

Businesses must have been trading on **23 March 2020** to be eligible to receive a grant payment.

Other businesses may be added to this list in future, but those entitled to Local Restrictions Support Grant (Closed) cannot receive 'Sector' grants for the same period. If new national closures of business property types are announced, then the business must have been trading on the date of the announced closure in order to be eligible.

During the period 5 November to 2 December these businesses will receive Restrictions Support Grant (Closed), as above. 'Sector' grants will resume from 3 December, for as long as the businesses are mandated to close and they do not receive an LRSG for the period.

For the avoidance of doubt, businesses that were in administration, are insolvent or where a striking-off notice has been made are not eligible for funding under this scheme.

Business in this sector will not be eligible if they have re-purposed their business and as a result been able to open, for example changing their business from a nightclub to a bar.

The person who, according to the billing authority's records, was the ratepayer in respect of the hereditament on the 1 November 2020 is eligible for the grant. Where the Local Authority has reason to believe that the information that they hold about the ratepayer on the first full day of the national restrictions is inaccurate they may withhold or recover the grant and take reasonable steps to identify the correct ratepayer.

Following the 28 day lockdown period, payments will be made, as follows, for each **14-day period** of closure.

- Businesses occupying hereditaments appearing on the local rating list with a rateable value of £15,000 or under on the date of the commencement of the national restrictions will receive a payment of £667 per 14-day qualifying restriction period.
- Businesses occupying hereditaments appearing on the local rating list with a rateable value over £15,000 and less than £51,000 on the date of the commencement of the national restrictions will receive a payment of £1,000 per 14-day qualifying restriction period.
- Businesses occupying hereditaments appearing on the local rating list with a rateable value of exactly £51,000 or above on the commencement date of the national restrictions will receive a payment of £1,500 per 14-day qualifying restriction period.

A pro-rata payment will be made to businesses in this sector, to cover the period from 31st October to 4th November. No payment will be made for periods prior to 31st October.

3. Local Restrictions Support Grant (Open)

This strand of support was announced by the government on 22 October 2020 to help kick-start recovery for businesses that are not legally required to close but are severely impacted by the restrictions under Local Covid Alert Level 'High' (LCAL 2) and 'Very High' (LCAL 3) restrictions.

On 31 October 2020 the county of Staffordshire entered the 'High' (LCAL 2) category which imposed local restrictions on businesses and residents. A series of grants were available to support businesses affected by such restrictions, though these were somewhat superseded by the national lockdown measures, from 5 November.

Local Authorities have the freedom to determine the precise eligibility criteria for these grants. However, Government would expect the funding to be targeted at hospitality, hotel, bed & breakfast and leisure businesses. Local Authorities should consider how the Local Restrictions Support Grant (Open) funding can help kick-start recovery by supporting sustainable businesses that have not been legally required to close but which are severely impacted by LCAL 2 or 3 restrictions.

For each 14 day period that Staffordshire is categorised as a stage 2 or stage 3 risk level, the following Local Restrictions Support Grant (Open) will be paid.

- Grants of up to £467 per 14-day period for hospitality, hotel, bed & breakfast and leisure businesses occupying hereditaments with a rateable value of exactly £15,000 or under on the date of the commencement of the local restrictions (31 October)

- Grants of up to £700 per 14-day period for hospitality, hotel, bed & breakfast and leisure businesses occupying hereditaments with a rateable value over £15,000 and less than £51,000 on the date of the commencement of the local restrictions. (31 October)
- Grants of up to £1,050 per 14-day period for hospitality, hotel, bed & breakfast and leisure businesses occupying hereditaments with a rateable value of exactly £51,000 or above on the date of the commencement of the local restrictions. (31 October)

A pro-rata payment may be made to businesses in this category, to cover the period from 31st October to 4th November. No payment will be made for periods prior to 31st October.

A small discretionary fund will be available to assist with other types of business outside of these criteria.

4. Additional Restrictions Grant

Under the Additional Restrictions Grant, the council received a one off lump sum payment amounting to £20 per head of population as national restrictions were imposed on 5 November.

The Council is required to write a policy to allocate those funds during the period from 5 November 2020 to 31 March 2022. Local authorities can use this funding for any business support activities. The government envisage this will primarily take the form of discretionary grants, but the council may also use this funding for wider business support activities; on its own or with other partner organisations, such as other Local Authorities and Local Enterprise Partnerships.

Who can apply for the Additional Restrictions Grant (ARG)?

Businesses may be able to claim an ARG business support grant from us if their business meets ALL of the following criteria:

- **the business was open and trading as usual on 4 November 2020**
- **the businesses hasn't and isn't eligible to receive support from the Local Restrictions Support Grant (exclusions to this on the ARG-3 scheme)**
- **the business is not in administration, insolvent or where a striking-off notice has been given.**
- **The business has been significantly financially impacted by local and national restrictions & the pandemic.**

This council will take a phased approach to the allocation of these funds with the phase one providing urgently needed support to businesses that are seriously

impacted by the national lockdown but do not qualify for Local Restrictions Support Grant (Closed).

Phase two will provide support to a wider range of businesses who have been seriously impacted by the national lockdown / localised restrictions (tier system).

Additional Restrictions Grant 1 - National Lockdown / Localised Restrictions (Tier system) Closed Business Scheme (ARG –1) –

This scheme covers from the 5th November 2020 and is aimed to support businesses mandated to close during the National Lockdown and Local restrictions (Tier System) and will therefore be paid to:

- Businesses mandated to close which were trading on 4 November from commercial premises for which they are not the direct ratepayer (e.g. shared spaces or premises under a paramount control of another party)
- Market Traders who have, up to 5 November, traded regularly on either a Tuesday or Saturday on Tamworth Street market, who are not allowed to trade, due to the nature of their business
- Businesses based from home that are unable to trade from 5 November, due to either their business activity being not allowed to trade or where the business receives 80% of its income from a sector that is not allowed to trade
- .

Businesses excluded from the fund

Businesses cannot get funding if:

- they continue to operate during the period of restrictions because they do not depend on providing direct in-person services from your premises (for example accountants)
- they have chosen to close, but have not been required to close as part of national restrictions
- the business is in administration, insolvent or has been struck off the Companies House register
- they have exceeded the permitted state aid limit

Businesses will receive a grant payment of £1,334.00 for each 28-day qualifying restrictions period.

Only businesses mandated to close from the Retail, Hospitality, Leisure and Personal Care sectors will be eligible to claim this grant.

Additional Restrictions Grant 2 – Severely Affected Scheme (ARG –2)

This scheme covers businesses who, whilst not mandated to close either;

- Provide goods or ‘business to business services’ to a customer base that is mandated to close either as a result of a National Lockdown or Localised Restrictions (Tier system).
 - This include businesses which supply sectors such as:
 - Retail
 - Hospitality
 - leisure sectors
 - events sector
- Businesses who are still operating, but with a significant reduction in demand due to social distancing rules.

Eligible businesses must be able to evidence a loss of turnover of more than 30%, compared to the same trading period in 2019.

All businesses will receive a one off grant payment of £5,000. Recipients will not be allowed to access any further ARG grant until after April 1st 2022.

Additional Restrictions Grant schemes 1 & 2 are currently only available to businesses who haven’t and aren’t eligible to receive support from the Local Restrictions Support Grant.

ARG 3 – Localised Restrictions - Additional help for businesses in the Hospitality and Leisure Sector with a Rateable Value of £51,000 or above (ARG –3)

Business may be eligible for an additional grant if they meet the following criteria:

- The business is in the hospitality sector, leisure sector or be a hotel that is not part of a chain and the business has not previously received a £25,000 grant
- The business is liable for business rates and your rateable value is £51,000 or above
- The business has received a Localised Restrictions (Tier) and/or a National Lockdown Grant
- The business has adhered to and implemented all of the restrictions required in response to Covid

Tamworth Borough Council will identify those businesses who meet the above criteria from previous applications and will automatically award the additional grant payment.

The grant will be a one off payment of £25,000.00

ARG 1 &2 Evidence

Businesses must submit the following information in order for their application to be considered:

	Businesses forced to close (ARG-1)	Businesses severely affected (ARG-2)
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Eligibility Evidence	<p>Businesses with premises or home based should provide:</p> <ul style="list-style-type: none"> - Signed statement within application confirming mandated closure. <p>Market traders:</p> <ul style="list-style-type: none"> - Signed statement within application confirming mandated closure. - Sign off by relevant TBC Officer and LSD promotions, that trader did not trade at all during period. 	<p>1 - Businesses must detail how they have been severely impacted by mandated closure of their customer base.</p> <p>2 - Businesses must provide at least one piece of evidence, showing impact, such as:</p> <ul style="list-style-type: none"> - Bank statements for October and November, showing the decline in revenue / sales. - Business's financial accounts, showing decline revenue / sales during November. - Sales data showing a significant fall in sales during November. - Notifications from supply chain of closure of their businesses or cancellation / pause of orders / business to business services. <p>This is not a complete list and businesses should provide evidence they feel supported their assessment of being severely impacted.</p>
Applying business must have been trading on 4 November 2020	<p>Evidence of the business trading actively, such as:</p> <ul style="list-style-type: none"> - A delivery note - Expenses/sales receipt - Purchase order 	
Applying Business is based in Tamworth Borough / Home based business applicant must be a permanent resident in Tamworth Borough	<p>Recent rent demand /utility bill linking the business to the address in the application form.</p> <p>Home based this could be:</p> <ul style="list-style-type: none"> - Business bank account with home address - Latest business insurance to run business from home 	
Verifying business identity	Recent bank statement for the business	

Application Process

For all of the above grants, applications will be made online and the applicant may be required to confirm;

- That they satisfy the eligibility criteria relevant to the appropriate grant application.
- The nature of the business. (Sector)
- The company registration number or UTR number in the case of sole traders.
- Size of the business (employees, turnover, balance sheet)
- That they were trading from the premises on the appropriate qualifying date
- That they have closed the business when required to do so in line with restrictions if applicable
- That receipt of the grant will not exceed State Aid compliance rules
- The bank account into which the grant is to be paid.
- Evidence of the bank account (this will not be needed if it was provided in support of a Business Support Grant earlier in 2020)

In addition for ARG:

- Copy of lease or rental agreement if appropriate (Phase 1 & 2)
- Evidence of a minimum of 30% loss in turnover from 1st September-30th November 2020 compared to the same period in 2019.(Phase 2) (businesses that started after 1st September 2019 and have no comparable evidence will be treated on a case by case basis)

The Council may request such supporting information as it feels appropriate to confirm eligibility to grant payments. Grants will be withheld if applicants do not provide information requested within 3 days of submitting the application.

In taking decisions on the appropriate level of grant, the Council may have regard to the level of fixed costs faced by the business in question, the number of employees, whether they are unable to trade online and the consequent scale of coronavirus losses.

Appeals Process

Grants are paid at the discretion of the Council with awards being determined within the Economic Growth and Revenues teams as appropriate. No formal right of appeal exists, but an applicant who is dissatisfied with a grant determination may request that it be reviewed by a more senior officer within the department. Following this a further appeal can be made via the Councils Complaints procedure.

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