



1 Background

- 1.1 The government has provided Local Restrictions Support Grant (Open) funds for local authorities to provide grants to businesses that are still open but are severely impacted by Tier 2 or Tier 3 restrictions on socialising. Funding is currently available for restrictions starting 2 December 2020.
- 1.2 These grants are not available during periods of National Lockdown or when businesses are mandated to close. At these times the Local Restrictions Support Grant (Closed), Local Restrictions Support Grant (Closed) Addendum, or Additional Restrictions Grants will apply. A business cannot receive a Closed and Open grant for the same period of time.
- 1.3 The Local Restrictions Support Grant (Open) is aimed at hospitality, hotel, bed & breakfast and leisure businesses. The government expects local authorities to prioritise these sectors.
- 1.4 Local Authorities have discretion as to how to award grant funding to individual businesses. However, the grant funding can only be spent on business grants.
- 1.5 Grants are discretionary and local authorities are required to create their own scheme, bearing in mind the government scheme guidance and specific criteria.
- 1.4 The government has set out a guide to the level of grants that are appropriate, unless there is a local economic need to deviate. These tiers are:
 - a. Grants of up to £467 per 14-day period for businesses occupying hereditaments with a rateable value of exactly £15,000 or under on the date of the commencement of the local restrictions.
 - b. Grants of up to £700 per 14-day period for 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.
 - c. Grants of up to £1,050 per 14-day period for businesses occupying hereditaments with a rateable value of exactly £51,000 or above on the date of the commencement of the local restrictions.
- 1.2 This document sets out which businesses are entitled to apply for Local Restrictions Support Grant (Open) and the process for applications.

2. Local Restrictions Support Grant (Open) from 2 December

- 2.1 Guildford Borough moved to Tier 2 restrictions on 2 December, Tier 3 on 19 December and Tier 4 on 20 December. As these periods immediately followed on from the National Lockdown that commenced on 5 November, it is expected that eligible businesses will have already been eligible for a mandatory or discretionary grant during the National Lockdown.
- 2.2. Recipients of Additional Restrictions Grants for the National Lockdown commencing 5 November who satisfy the following criteria will be eligible for the Local Restrictions Support Grant (Open):

- 2.2.1 Ratepayers with a business that has not been mandated to close which are in the supply chain to the
- hospitality and leisure sector
 - travel, holiday and airline sector
 - cultural, arts and tourism sector
- 2.2.2 Businesses that share rated premises, but are not the ratepayer, where the business is in the supply chain to the
- hospitality and leisure sector
 - travel, holiday and airline sector
 - cultural, arts and tourism sector
- 2.2.3 Council Tax payers operating a business from home that has not been mandated to close and is in the supply chain to the
- hospitality and leisure sector
 - travel, holiday and airline sector
 - cultural, arts and tourism sector
- 2.3. Recipients of Local Restrictions Support Grant (Closed) Addendum for the National Lockdown commencing 5 November who satisfy the following criteria will be eligible for the Local Restrictions Support Grant (Open):
- hospitality – including public houses, bars, restaurants and cafés
 - hotels and bed & breakfasts
 - leisure – including sports venues, cinemas, entertainment venues including public halls
- 2.4. Additional eligibility:
- 2.4.1 Businesses need to have been trading on the day immediately before the tier restrictions. Where these periods are consecutive, they need to have been trading immediately before the first period.
- 2.4.2 Companies that are in administration, are insolvent or where a striking off notice has been made are not eligible for funding under this scheme.
- 2.4.3 Businesses operating from premises without a rateable value or with a zero rateable value will not be eligible for this scheme. The rateable value used will be the one on the Local Rating List at the time the tier restrictions applied.
- 2.5 Evidence required for the Local Restrictions Support Grant (Open)
- a successful application for either the Local Restrictions Support Grant (Closed) Addendum, or Discretionary Additional Restrictions Grants for the Lockdown period commencing 5 November.
 - information on any funds received through state aid or a declaration that the level of funds received does not exceed the limits
 - confirmation that the business is open, and is not insolvent
 - confirmation that the business meets the specific scheme criteria set out in 2.2 or 2.3.
- 2.6 How much funding will be awarded?

Grants will be as recommended by the government. The rate of payment will be:

- For properties with a rateable value of £15k or under (or where Council Tax is paid) £467 per 14 day period;
- For properties with a rateable value of over £15k and below £51k, £700 per 14 day period;
- For properties with a rateable value of £51k or over, £1,050 per per 14 day period;
- For shared properties where the applicant is not the ratepayer the award will be determined taking account of the rateable value of the premises and the proportion occupied by the applicant;

If necessary the payment will be apportioned if a tier does not apply for a multiple of 14 days.

2.7 The Application Process

- 2.7.1 We will email recipients of the 5 November lockdown grants with instructions on how to apply for a Local Restrictions Support Grant (Open), where we have evidence that they are likely to meet the criteria.
- 2.7.2. Before any payments are made, pre-payment checks will be undertaken to confirm eligibility.

3. State Aid

There is a requirement for all grants made under this Discretionary Grants fund to be state aid compliant. Please see further government guidance on this via this link (Section 58 - 62):

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/932623/V.1. Additional Restrictions Grant - FINAL LA guidance 03112020.pdf

4. Decision Making

- 4.1 The decision of senior officers based on the approved guidelines will be final. There is no right to appeal.
- 4.2. All decisions will be communicated to businesses by email.

5. Payments of Grant and Tax

- 5.1 All payments of grant will be made by a BACS transfer to the company or business nominated bank account.
- 5.2 Grant income received by a business is taxable therefore funding paid under the Additional Restrictions Grant will be subject to tax.
- 5.3. Only businesses which make an overall profit once grant income is included will be subject to tax.

6. Managing the risk of fraud

- 6.1 Guildford Borough Council will not accept deliberate manipulation and fraud. Any business caught falsifying their records, providing false information or declarations to

gain grant money will face prosecution and any funding issued will be subject to claw back, as may any grants paid in error.

6.2 All information is subject to internal and external audit checks.