

**BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK**

**RECORD OF DECISION TAKEN UNDER DELEGATED POWERS**

This is a record of a decision taken by the officers under delegated powers and where necessary taken in consultation with members and officers.

## **Delegated Power**

**Cabinet: 17 November 2020**

**Para 13:**

That authority be delegated to the Revenues and Benefits Manager, in consultation with the s151 Officer and Council Leader, to decide the discretionary criteria for government Covid-19 support schemes and discounts where they:

- Are part of a central government Covid-19 support initiative,
- Are funded by central government, and
- Will be administered by the Revenues and Benefits section

## **Decision Taken**

Creation of the policy for Phase 2.1 of the Additional Restrictions Grant announced by government as part of the ongoing response to the national lockdown and Tier restrictions.

The policy update includes the new grant payment period and amounts, matching those payable under the government scheme. There are no changes to the qualifying criteria for the Additional Restrictions Grant.

## **Reasons for the Decision**

To agree the policy for awarding discretionary grants to businesses impacted by the National Lockdown and Tier restrictions from February 2021, mirroring the government's extension to the Local Restrictions Support Grant scheme to 31 March 2021.

## **Options considered**

The policy is an extension of the Phase 1 and 2 policy which has been discussed with Members at Cabinet Briefing. The Phase 1 Policy only covered grants to 1 December 2020. Phase 2 extends this policy with the same criteria for lockdowns and Tier restrictions from 2 December 2020 to 15 February 2021. Phase 2.1 extends this further from 16 February 2021.

## **Any declarations of interest and details of any dispensations granted in respect of interests.**

Not applicable

## **Recommended by**

Signature

J  
D

**Authorisation**

Signature

Mich

Date

**Consultation with members/officers**

**If the decision is taken following consultation with the members/officers, please give details:**

Consultation with the Council Leader, Councillor Brian Long

**Signed by Member as consulted:**

Cou

Date

# Pre-Screening Equality Impact Assessment

Borough Council of  
King's Lynn &  
West Norfolk



Name of policy/service/function	Covid-19 Additional Restrictions Grant Policy Phase 2.1 – February 2021				
Is this a new or existing policy/ service/function?	New				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	The policy specifies the criteria for the categories of business and trader to be paid a discretionary grant as their businesses has been affected by Covid-19.				
<b>Question</b>	<b>Answer</b>				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups <b>according to their different protected characteristic</b>, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			✓	
	Disability			✓	
	Gender			✓	
	Gender Re-assignment			✓	
	Marriage/civil partnership			✓	
	Pregnancy & maternity			✓	
	Race			✓	
	Religion or belief			✓	
	Sexual orientation			✓	
Other (eg low income)			✓		
<b>Question</b>	<b>Answer</b>	<b>Comments</b>			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No				
3. Could this policy/service be perceived as impacting on communities differently?	No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	N/A	<b>Actions:</b>			
		<b>Actions agreed by EWG member:</b> .....NA.....			
<b>Assessment completed by:</b> Name Joanne Stanton					
Job title Revenues and Benefits Manager	Date 22 February 2021				

## BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

### ADDITIONAL RESTRICTIONS GRANT - DISCRETIONARY GRANT POLICY PHASE 2.1

February 2021

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#### 1. GUIDANCE SUMMARY

On 31 October 2020 the government announced it intended to support Local Authorities to administer the Additional Restrictions Grant (ARG) to support businesses in their local economies and to provide additional support to grant funding under the Local Restrictions Support Grant, allowing local authorities to develop policies to pay discretionary grants to local businesses affected by Covid-19.

This policy update is to allow payment of the Additional Restrictions Grant for the period 16 February 2021 to 31 March 2021, in line with the government updates to the Local Restrictions Support Grants on 22 February 2021.

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#### 2. GENERAL ELIGIBILITY

Any business or trader wishing to claim the grant must pass the council's initial eligibility checks:

- They were trading on the day before the start date of the relevant restrictions from the premises they are claiming the grant for,
- They are not already closed for a reason other than the Covid restrictions
- They were not in administration, insolvent or subject to a striking off notice either on, or since, the day before the start date of the relevant restrictions
- They are operating or trading within the boundaries of the Borough Council's area ,
- They have fixed, ongoing, property related costs such as rent or a mortgage
- They can demonstrate they have suffered a significant fall in income due to the Covid-19 crisis which has impacted their business,
- Where a business is part of a national multiple or chain, the applicant must be able to prove that the local branch is a franchise and is not in receipt of financial support from the national business.

Any business or trader failing to meet the criteria above is not eligible to claim this Discretionary Grant. Only one grant is payable per business / trader per restriction period. under this policy

#### **Exclusions:**

Businesses that have already received grant payments that equal the maximum levels of State Aid permitted under the de minimis and the Covid-19 Temporary State Aid Framework. All applicants will be required to complete a State Aid Declaration.

The grants cannot be claimed as a replacement for, or to supplement, the Self-Employed Income Support Scheme (SEISS) or the Job Retention Scheme (JRS).

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### 3. NATIONAL AND TIER RESTRICTIONS: GRANT AMOUNTS AND ELIGIBLE BUSINESSES

#### Timeframe:

These Phase 2.1 grants are intended to assist businesses with financial hardship caused by the national lockdown and tier restriction periods from 16 February 2021. Businesses must demonstrate that the restrictions have caused a loss of income and adversely affected their business.

#### Exclusions:

Under the Phase 2.1 Policy, businesses who qualify for the Local Restrictions Support Grant for a restriction period cannot also claim a grant for the same period.

Businesses which had already ceased trading at the time the relevant restrictions came into force are not eligible to claim a grant. Businesses which remain open despite being mandated to close will not be eligible for a grant.

#### Grant Amount

The grant will be payable for each period of restrictions and will be based on the same rateable value (RV) limits and amounts as the relevant Local Restrictions Support Grant for the restriction period. Different grant amounts are payable for different restriction periods, as follows:

	<b>National Lockdown 2</b>	<b>Tier 2</b>	<b>Tier 4</b>	<b>National Lockdown 3 Round 1</b>	<b>National Lockdown 3 Round 2</b>
<b>Period covered</b>	<b>05/11/2020</b> - <b>01/12/2020</b>	<b>02/12/2020</b> - <b>25/12/2020</b>	<b>26/12/2020</b> - <b>04/01/2021</b>	<b>05/01/2021</b> - <b>15/02/2021</b>	<b>16/02/2021</b> - <b>31/03/2021</b>
<b>Days</b>	<b>27</b>	<b>24</b>	<b>10</b>	<b>42</b>	<b>44</b>
RV Up to and including £15,000	£1,334	£800.57	£476.43	£2,001	£2,096
RV Between £15,001 and £50,999	£2,000	£1,200.00	£714.29	£3,000	£3,143
RV £51,000 and over	£3,000	£1,800.00	£1,071.43	£4,500	£4,714
No RV: Self-employed / Sole Trader	£1,000	£600.00	£357.14	£1,500	£1,571

If the business does not have a rateable value the council will make a reasonable estimate of a rateable value based on the size of the business and its fixed property costs. 'Fixed property costs' means the rent or mortgage due on the distinct premises the business is occupying.

#### Eligible Businesses

The eligibility criteria remain the same as those in Section 3 of the Additional Restrictions Discretionary Grant Phase 1 Policy.

#### **4. APPLICATIONS**

Businesses must initially complete the online application form available on the council's website to claim their first Discretionary Grant. They must also supply all the evidence requested to support their application in a timely manner. We may ask for more information if necessary to validate an application, prevent and detect fraud. We may refuse to pay a grant if the information we require is not supplied.

Ongoing grants will be paid without the need for a further application form wherever possible.

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#### **5. GRANT PAYMENTS**

Grant payments will only be made by bank transfer to a validated bank account. Payments will not be made unless a bank statement is provided as evidence of sort code, account number and account name.

Payment of the grant under this policy is entirely at the discretion of the borough council, and we reserve the right to refuse, pay or query any application or grant. There is no right of appeal against our decision to pay, or not to pay, a grant.

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#### **6. STATE AID AND TAX**

The Discretionary Grant is classed as taxable income for those receiving it. The Discretionary Grant is also classed as State Aid as follows:

- A grant is provided under the EU law on State Aid under De Minimis rules and those claiming the grant must declare that they have not received more than €200,000 of De Minimis aid within this financial year of the past two years
- A grant is paid under the Covid-19 temporary framework for UK Local Authorities and those claiming the grant must declare that, including this grant, they have received no more than €800,000 of state aid under this framework.

Businesses must take their own advice regarding their obligations under State Aid.

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#### **7. FRAUD AND MISREPRESENTATION**

We will not accept fraudulent applications for the grant and will carry out checks to ensure all applications for grant payments are accurate. We may refuse to pay a grant if we suspect an application is fraudulent for any reason.

We will check information at the time of application, and may also carry out spot checks at a later date, including asking for further evidence and verifying information on Companies House.

We will recover any grants found to have been claimed fraudulently. We will also share the information about applications and grant payments with other bodies as requested and allowed by law, including Her Majesty's Revenue and Customs, the Ministry of Housing, Communities and Local Government, the Department for Business, Energy and Industrial Strategy and any other government departments as required.

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