

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 Restart Grants under the Additional Restrictions Grant policy

The policy creates a scheme of Restart Grant payments in line with the mandatory Restart Grant scheme. It is intended to support businesses which have had to close during the coronavirus restrictions with the cost of reopening safely. Eligible businesses include those which do not qualify for the main Restart Grant for technical reasons and those we wish to support in line with our economic priorities.

Reasons for the Decision

To agree the policy for awarding discretionary Restart Grants to businesses to assist those which have had to close with the cost of reopening safely.

Options considered

The policy continues support for a number of businesses already identified for help under the Additional Restrictions Grant policy. It also includes some of those where the government guidance suggests we may wish to continue support. Businesses who have been able to remain open and continue to trade during the coronavirus restrictions are generally not included as they will not have reopening costs.

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

Not applicable

Recommended by

Signature



Jo Stanton, Revenues and Benefits Manager

Date 17 May 2021

Authorisation

Signature



Michelle Drewery, s151 Officer

Date 19 May 2021

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:



Councillor Brian Long

Date 20/5/21,

Pre-Screening Equality Impact Assessment

Borough Council of
King's Lynn &
West Norfolk



Name of policy/service/function	Additional Restrictions Grant – Restart Grant Policy				
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 Restart Grant				
Question	Answer				
<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 according to their different protected characteristic, 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)			✓		
Question	Answer	Comments			
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	Actions:			
		Actions agreed by EWG member:NA.....			
Assessment completed by: Name Joanne Stanton					
Job title Revenues and Benefits Manager	Date 17 May 2021				

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

ADDITIONAL RESTRICTIONS GRANT – RESTART GRANT POLICY

FOR BUSINESSES OFFERING IN-PERSON SERVICES WHO WERE MANDATED TO CLOSE DUE TO THE CORONAVIRUS RESTRICTIONS

May 2021

1. THE RESTART GRANT SCHEME

The mandatory Restart Grant scheme applies to businesses shown in the business rates list on 1 April 2021, who are in the non-essential retail, hospitality, leisure, accommodation, gyms/sports or personal care sectors. It is intended to help with the costs of re-opening for those businesses who offer in-person services and have been mandated to close during the lockdowns.

Local authorities have been awarded discretionary funding for grants, and can use this for a discretionary Restart Grant scheme. Government has suggested certain other sectors not covered by the mandatory scheme that local authorities may want to consider when designing their discretionary schemes. These include group travel and tour operators, tourism businesses, personal care businesses not in the business rates list, and certain supply chain businesses.

To reflect West Norfolk's economic priorities, we have created a discretionary Restart Grant scheme which prioritises support for certain businesses in specific sectors which:

- provide in-person goods and services,
- have been unable to trade or open during the restrictions, and
- which will face significant additional costs to reopen in a covid secure manner.

We have also included certain sectors based on local economic need. The general criteria are shown at Section 2 and the full criteria and eligible businesses are shown at Section 3. Eligibility is based on a business being in a certain sector.

2. GENERAL ELIGIBILITY

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

- They wholly or mainly provide **in-person** goods and services directly to the general public,
- They were **prevented from opening or trading** during the January 2021 national lockdown restrictions (except where specifically allowed in the eligibility criteria),
- They meet the definition of **'trading' on 1 April 2021** (see below),
- The in-person services form the majority of their business and are the main source of their income,
- The majority of their business activities are normally carried out within the boundaries of the Borough Council's area,
- They comply with the legislation for reopening safely under the government's roadmap, and

- They can demonstrate they have, or will, incurred significant additional costs in order to reopen safely

'Trading' means a business is engaged in business activities. This includes carrying on a trade or profession, or buying and selling goods in order to generate turnover. Businesses which are in administration, insolvent or subject to a striking off notice either on, or since, 1 April 2021, are not eligible for these grants.

Only one grant is payable per business / trader / partnership under this policy. A business or trader is defined as a sole trader, partnership or a limited company.

Exclusions:

A business / trader / partnership cannot claim a discretionary Restart Grant if they are eligible for the mandatory Restart Grant. If a business has already received a Restart Grant for the main service they carry on from their premises, they cannot claim a discretionary Restart Grant for any other lesser services they also carry out from the same premises.

Businesses which do not wholly or mainly rely on providing in-person goods and services are excluded (as they will not incur significant reopening costs).

Businesses which were not instructed by government to close or cease their activities during the January 2021 national lockdown cannot claim the grant (unless specifically allowed in our criteria).

As per the government guidance, Parish and Town Councils cannot claim the grant in their own right, but separate businesses operated by Town and Parish Councils are eligible to claim the grant.

Businesses that have already received grant payments that equal the maximum levels of Subsidy Allowance allowed under the Subsidy Control guidelines are excluded. All applicants will be required to complete a Subsidy Allowance declaration before any grant can be paid.

3. ELIGIBLE BUSINESSES

The following businesses or traders may apply for the Discretionary Restart Grant providing they meet the eligibility criteria below and at Section 2.

NON-ESSENTIAL RETAIL (STRAND ONE)

- **Regular Market Traders** who were mandated to close as they trade in non-essential goods:
 - Must have been unable to trade as they are a non-essential retail businesses, and,
 - Must be registered as a permanent market trader on the King's Lynn, Downham Market or Hunstanton markets
- **Independent Food and Drink Retailers:**
 - do not have a business rates account, and
 - who sell food and drink in person to the public at events which have been cancelled due to the January lockdown restrictions

LEISURE AND HOSPITALITY BUSINESSES (STRAND TWO)

- **Leisure & Events businesses**
 - Must be based in the borough council's area be wholly involved in the hospitality, leisure and events industry, including wedding companies, and have been unable to trade under the January 2021 lockdown restrictions.
- **Coach Company Operators and Group Tour Operators**
 - Must be a coach / group tour operator who provides in-person transport services to larger groups of individuals for the purpose of recreation and holidays.
 - Companies who were able to operate legally under the January 2021 restrictions, for example because they offered school transport, are eligible to claim this grant
- **Church Halls, Chapel Halls and Similar Buildings** exempt from the Rating List:
 - Must be in regular use in connection with, and by, the same organisation occupying the place of religious worship, and
 - Would normally be shown in the Business Rates list if not exempt as a Place of Religious Worship under paragraph 11 of schedule 5 of the Local Government Finance Act 1988

ACCOMMODATION BUSINESSES (STRAND TWO)

- **Holiday Let and B&B Accommodation**
 - A grant is payable to businesses who have short term holiday let or B&B accommodation which is:
 - Shown in council tax rather than business rates, and
 - Shown in the council tax records on 5 January 2021 as a 'second home', (if a short-term holiday let) or,
 - Be a Bed and Breakfast business where the owner is also resident in the same accommodation, supplies a cooked breakfast to guests and has a Food Hygiene Certificate
 - Holiday accommodation mainly used for personal use is excluded

PERSONAL CARE BUSINESSES (STRAND TWO)

A grant is payable to businesses and traders which provide in person personal care services to the public but who do not have a business rates account. This includes hairdressers, nail technicians, tattoo artists, beauty therapy and non-surgical treatments.

Training services and surgical treatments are excluded as are certain businesses which fall under the 'close contact' guidance but are not personal care businesses.

GYM AND SPORTS BUSINESSES (STRAND TWO)

- A grant is payable to businesses and traders which offer indoor in-person sports and fitness services to the general public as their main business activity.

4. GRANT AMOUNT

The grant will be based on the type of business and the rateable value (RV) limits will be the same as the mandatory Restart Grants as below, with the addition of a grant amount for sole traders and businesses without a business rate account.

Rateable Value	Tier	Strand One	Strand Two
Not in Business Rates list / no fixed property costs / sole traders	A	£2,000	£6,000
RV up to and including £15,000	1	£2,667	£8,000
RV between £15,001 and £50,999	2	£4,000	£12,000
RV £51,000 and over	3	£6,000	£18,000

If the business does not have a business rates account and a rateable value the grant will be paid at the Tier A rate.

5. MEMBER DISCRETION

This policy allows Members to consider applications for grants from businesses, organisations and traders in exceptional circumstances wishing to claim the grant who do not meet the council's own criteria. The business, organisation or trader must still meet the government's Mandatory Eligibility Criteria as detailed in Section 2 of this policy. The other provisions of Sections 1 and 2 also apply.

Under this section Members may also specify a category or class of business or organisation to receive the grant, the eligibility criteria and the amount of the grant. Awards under this section of the policy will be on an exceptional basis, and wholly at the discretion of Members.

Awards will be made on a recommendation basis by the Revenues and Benefits Manager, to be agreed by the Leader of the Council and the Cabinet Member for Business Development.

6. APPLICATIONS

Businesses must complete the online application form available on the council's website to claim the discretionary Restart Grant. They must also supply all the evidence requested to support their application at the time of application, or their application will be declined.

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.

Applications for the grants close on 30 June 2021 and final payments will be made by 31 July 2021.

7. GRANT PAYMENTS

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. 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.

8. SUBSIDY ALLOWANCES AND TAX

The Discretionary Grant is classed as taxable income for those receiving it and should be declared to HMRC.

The Discretionary Restart Grant is also classed as government Subsidy and is subject to Subsidy Allowances. Under the scheme rules for COVID-19 business grants the maximum level of subsidy that an economic actor may receive under each level of allowance is set out below:

Small Amounts of Financial Assistance Allowance - this allowance is the equivalent of £325,000 Special Drawing Rights, to a single economic actor over any period of three fiscal years and includes any subsidy previously received as *de minimis* aid or as Small Amounts of Financial Assistance under Article 3.2(4) of the TCA from any subsidy awarding body.

COVID-19 Business Grant Allowance - if limits are reached under the Small Amounts of Financial Assistance Allowance, the COVID-19 Business Grant Allowance enables a further £1,600,000 to be paid to a single economic actor. This allowance includes any grants previously received under the COVID-19 business grant schemes and any State aid previously received under Section 3.1 of the European Commission's Temporary Framework across any other UK scheme.

COVID-19 Business Grant Special Allowance – if limits are reached under the Small Amounts of Financial Assistance Allowance and COVID-19 Business Grant Allowance, you may be able to access a further allowance of funding of up to £9,000,000 per single economic actor if a series of further conditions are met

Full details on Subsidy Allowances are available here

<https://www.gov.uk/government/publications/local-restrictions-support-grants-lrsg-and-additional-restrictions-grant-arg-guidance-for-local-authorities#history>

9. 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.

10. PRIVACY NOTICE AND DATA SHARING

We need to collect data to verify, process and pay Discretionary Restart Grants. 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.

Full details are included on our Business Grant Privacy Notice available on our website.

11. OTHER HELP

The council continues to work with a wide range of partners, including New Anglia Local Enterprise Partnership (New Anglia LEP) and the New Anglia Growth Hub to provide support to businesses in West Norfolk. This includes providing information and guidance about central Government support schemes, grant schemes provided by New Anglia LEP, and introductions to other specialist providers of support and information where appropriate.

12. GUIDANCE SUMMARY

On 3 March 2021 the government announced a new Restart Grant scheme, payable from 1 April 2021, to support businesses in certain sectors with reopening in line with the government's roadmap out of lockdown. Guidelines for a mandatory Restart Grant scheme were published on 17 March 2021 and are available [here](#).

The government has also provided local authorities with funding for Additional Restrictions Grants (ARGs) to allow authorities to provide wider business support to other organisations and businesses in its area. This funding can be used for a discretionary Restart Grant scheme which is covered by this policy. It can also be used for other business support activities which are covered in a separate policy.

To reflect West Norfolk's economic priorities, we have created a discretionary Restart Grant scheme which prioritises support for certain businesses in specific sectors which:

- provide in-person goods and services,
- have been unable to trade or open during the restrictions and
- which will face significant additional costs to reopen in a covid secure manner.

We have also included certain sectors based on local economic need. The full criteria and eligible businesses are shown below at section 3. Eligibility is based on a business being in a certain sector.

As summary of the funding received, estimated spent and amounts available for discretionary schemes is below:

	Funding	Spend
Initial Allocation Nov 20	£3,027,660	
Top Up Allocation Jan 21	£1,344,740	
ARG Payments Nov 20 – Mar 21 (estimated)		(£2,500,000)
ARG Restart Grants (estimated)		(£1,500,000)
Refresh and Reopen Grants (Estimated)		(£1,000,000)
Top Up Allocation Jun 21	£1,005,950	
Total	£5,378,350	(£5,000,000)