



**Rushmoor Borough Council
Additional Restrictions Grants (ARG) Scheme
January 2022**

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Definitions

The following definitions are used within this document:

‘Additional Restrictions Grant (ARG)’ means the additional funding provided by Government. Funding will be made available to eligible Local Authorities;

‘COVID-19’ (coronavirus); means the infectious disease caused by the most recently discovered coronavirus;

‘Department for Business, Energy & Industrial Strategy (BEIS)’; means the Government department responsible for the scheme and guidance;

‘Effective Date’; The effective date for this scheme shall be deemed to be 30th December 2021, the date of the Government announcement of the new mandatory scheme;

‘Hereditament(s); means the assessment defined within Section 64 of the Local Government Finance Act 1988;

‘Local rating list’; means the list as defined by Section 41 of the Local Government Finance Act 1988;

‘Omicron Hospitality and Leisure Scheme’; means the business grants scheme announced on 30th December 2021;

‘Rateable Value’; means the value ascribed to the hereditament on 1st April 2017 and shown in the local rating list on 30th December 2021;

‘Ratepayer’; means the person who will receive the grant will be the person who, according to the Council’s records, was the ratepayer liable for **occupied** rates in respect of the hereditament at the date of the local restrictions;

‘Subsidies’; means the replacement for state aid subsidy obligations set out in the Trade and Cooperation Agreement (TCA) with the EU;

‘State Aid Framework’; means the Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak published on 19 March 2020; and

‘Temporary Framework for State aid’; means the same as the **‘State Aid Framework’**.

1.0 Purpose of the Scheme and background.

- 1.1 The purpose of this document is to determine eligibility for a payment under the Council's Additional Restrictions Grant Scheme (ARG) with effect from 1st April 2021. The Council, as the Business Rates Billing Authority is responsible for payment of these grants.
- 1.2 This discretionary grant scheme has been developed by the Council in response to an announcement made by the Secretary of State for Business, Energy & Industrial Strategy which sets out the basic circumstances whereby an additional restriction grant payment may be made by the Council to a business which has to close or are severely affected due to localised or widespread national restrictions being put in place to manage coronavirus and save lives.
- 1.3 Whilst the awarding of grants will largely be at the Council's discretion, the Department for Business, Energy & Industrial Strategy (BEIS) has set down criteria which **must** be met by each business making an application.
- 1.4 The council will support businesses that can demonstrate that they have been significantly financially impacted by the Governments response in December 2021, to the new COVID-19 Omicron variant, introducing international travel restrictions and implementing the Governments Plan B.
- 1.5 The scheme will close on 4 February 2022 and then the Council will then make a decision on entitlement and the value of any grant, if successful.

2.0 ARG - Wider Business Support

- 2.1 Whilst most of the support offered to Rushmoor businesses is in the form of direct grants we are encouraged to fund wider business support initiatives. These have the potential to enhance the medium to long-term health of the local economy and help us to address some of the challenges emerging from the pandemic.
- 2.2 Businesses must be the main beneficiaries of wider business support measures and the funding cannot be used to fund internal resources. Consideration has been given to the existing business support landscape and to ensure that proposals do not duplicate existing schemes and initiatives.
- 2.3 The following initiatives are proposed:
 - **Invest to Recover:** We will tender for the delivery of a business support programme aimed at small and medium sized enterprises that have been negatively impacted by the COVID-19 pandemic. The programme will aid recovery and help businesses struggling with the impacts of the pandemic develop a sustainable growth plan.

The programme will provide intensive 1-1 business support and is targeted at aimed at helping businesses increase turnover, the safeguarding of existing jobs and/or creation

of new jobs and making businesses attractive to potential funders therefore bring investment into the borough.

- **A town centres e-commerce platform** - MyTown - has been procured. This will allow independent businesses in town centres and around the borough to engage customers in new ways. New businesses will be supported to sell their products online.

The platform enables click and collect delivery services using e-bikes. Funding will support the platform for one year after which the platform aims to be self-sustaining.

- 2.4 For further information about these schemes then please contact the Economy Team at business@rushmoor.gov.uk

3.0 Excluded businesses

- 3.1 The following businesses will **not** be eligible for an award:
- (a) Businesses not affected by the Omicron variant of by Coronavirus generally ;
 - (b) Businesses that have chosen to close but not been required to, will not be eligible;
 - (c) Businesses which have already received grant payments that equal the maximum levels of subsidy; and
 - (d) Businesses that were in administration, are insolvent or where a striking-off notice has been made.

4.0 The Effective Date

- 4.1 The effective date for eligibility is the 30th December 2021 Businesses **must** have been trading on that date and continuously since to be eligible to receive grant support.

5.0 Who can receive the grant?

- 5.1 In **all** cases, Government has stated that the person who will receive the grant will be the person who, according to the Council's records, was the ratepayer in respect of the hereditament at the effective date. Where grants are awarded to businesses who are not liable for rates, the Council shall decide who shall be awarded the grant.
- 5.1 Where the Council has reason to believe that the information it holds about the ratepayer at the effective date is inaccurate, it may withhold or recover the grant and take reasonable steps to identify the correct ratepayer.
- 5.2 Where, it is subsequently determined that the records held are incorrect, the Council reserves the right to recover any grant incorrectly paid.
- 5.3 Where any business misrepresents information or contrives to take advantage of the scheme, the Council will look to recover any grant paid and take appropriate legal action. Likewise, if any ratepayer is found to have falsified records in order to obtain a grant.

- 5.4 Where there is no entry in the rating list for the business, the Council will have discretion to determine who should receive the grant.

6.0 How will grants be provided to Businesses?

- 6.1 The Council is fully aware of the importance of these grants to assist businesses and support the local community and economy. The Council's Additional Restrictions Grant (ARG) scheme together with other mandatory schemes will offer a lifeline to businesses who are struggling to survive during to the COVID-19 crisis.
- 6.2 Details of how to obtain grants are available on the Council's website:
www.rushmoor.gov.uk/businessgrants
- 6.3 In all cases, businesses will be required to confirm that they are eligible to receive the grants. Businesses are under an obligation to notify the Council should they no longer meet the eligibility criteria for any additional grants.
- 6.4 The Council reserves the right request any supplementary information from businesses, and they should look to provide this, where requested, as soon as possible.
- 6.5 An application for an Additional Restriction Grant is deemed to have been made when a duly completed application form is received via the Council's online procedure.

7.0 Subsidies and EU State Aid

- 7.1 The EU State aid rules no longer apply to subsidies granted in the UK following the end of the transition period.
- 7.2 The United Kingdom, however, remains bound by its international commitments, including subsidy obligations set out in the Trade and Cooperation Agreement (TCA) with the EU.
- 7.3 The Council can still pay out subsidies under previously approved schemes and this includes subsidies related to COVID-19 that have previously been given under the EU State aid Temporary Framework.
- 7.4 Businesses should make themselves aware of their obligations under Government's subsidies arrangements available on via gov.uk.

8.0 Scheme of Delegation

- 8.1 The Council has approved this scheme.
- 8.2 Officers of the Council will administer the scheme and the Corporate Services Portfolio Holder and Section 151 Officer are authorised to make technical scheme amendments to ensure it meets the criteria set by the Council and, in line with Government guidance.

9.0 Notification of Decisions

- 9.1 Applications will be considered on behalf of the Council by the Revenues and Benefits Service.
- 9.2 All decisions made by the Council shall be notified to the applicant either in writing or by email. A decision shall be made as soon as practicable after an application is received.

10.0 Reviews of Decisions

- 10.1 There are no further appeal rights for the grant and the Council's decision is final.

11.0 Complaints

- 11.1 The Council's 'Complaints Procedure' (available on the Council's website) will be applied in the event of any complaint received about this scheme.

12.0 Taxation and the provision of information to Her Majesty's Revenues and Customs (HMRC)

- 12.1 The Council has been informed by Government that all payments under the scheme are taxable.
- 12.2 The Council does not accept any responsibility in relation to an applicant's tax liabilities and all applicants should make their own enquiries to establish any tax position.
- 12.3 All applicants should note that the Council is required to inform Her Majesty's Revenue and Customs (HMRC) of all payments made to businesses.

13.0 Managing the risk of fraud

- 13.1 Neither the Council, nor Government will accept deliberate manipulation of the schemes or fraud. Any applicant caught falsifying information to gain grant money or failing to declare entitlement to any of the specified grants will face prosecution and any funding issued will be recovered from them.
- 13.2 Applicants should note that, where a grant is paid by the Council, details of each individual grant may be passed to Government.

14.0 Recovery of amounts incorrectly paid

14.1 If it is established that **any** award has been made incorrectly due to error, misrepresentation or incorrect information provided to the Council by an applicant or their representative(s), the Council will look to recover the amount in full.

15.0 Data Protection and use of data

15.1 All information and data provided by applicants shall be dealt with in accordance with the Council's Data Protection policy and Privacy Notices which are available on the Council's website.