



Additional Restrictions Grant (Discretionary) January 2022

Background

On 18th December 2021 the Secretary of State for Business, Energy and Industrial Strategy (BEIS) wrote to all Local Authorities that had funds remaining for the Additional Restrictions Grant (ARG) Fund.

The Government acknowledges that although no businesses have been asked to close those in the consumer service sectors are warning of a combined impact of increasing staff absences and a drop in consumer demand as the public voluntarily limits social mixing. They are reporting a significant drop in trade, in some case by as much as 50%. The pre Christmas period is critical for many businesses and these two factors are most likely to impact hospitality and their suppliers, leisure, personal care, accommodation and travel businesses.

Cherwell District Council has been allocated ARG funding in order to help businesses severely impacted by COVID 19 and the Omicron variant.

Whilst the awarding of grants will be at the total discretion of the Council, BEIS set down criteria which must be met by each business making an application for a discretionary grant. The Department has also indicated the types of business which should be given priority and they are set out as below.

Eligibility Criteria

1. A business does not have to operate from a business rated premises; but must fall into one of the eligible business categories listed under (2).
2. A business may be eligible for a grant if they fit under one of the categories below or predominantly supply a sector listed below, these may include,

hospitality, accommodation, leisure, personal care, the travel and tourism sector including group travel, travel agents and tour operators, wedding industries, nightclubs, theatres, events industries, wholesalers, English

language schools, breweries, freelance mobile businesses (including caterers, events, hair and beauty and wedding related businesses and gyms.

3. Businesses must have a registered address in the Cherwell District to be eligible for this scheme. The business will need to be trading within the Cherwell District. Where a business is registered in another council area (although has a presence in the Cherwell District Council area) the Council will take a discretionary view on a case-by-case basis.
4. Businesses must have been trading on or before December 2021. Indicators that a business is trading include:
 - the business continues to trade online, via click and collect services etc
 - the business is not in liquidation, dissolved, struck off or subject to a striking-off notice or under notice.

Exclusions

1. Businesses that are not listed under (2) in the eligibility criteria
2. Takeaway food businesses
3. Businesses which have already received grant payments that equal the maximum levels of Subsidy Allowance permitted.
4. Businesses which are in administration, insolvent or where a striking off notice has been made.
5. Businesses that have received a mandatory Omicron Hospitality and Leisure Grant

Application process

The application will be available online **on 27th January 2022 to 18th February 2022**

Businesses will be required to provide a bank statement for the full month of December 2021 which should show the name of the business account, the address, sort code and account number. This will allow the Council to verify the bank details to which the grant payment may be made.

This should also demonstrate business income and expenditure to provide proof of trading in December 2021

For businesses who do not have access to the internet, please contact us and the Council will be able to assist you.

It is important that all the information provided is accurate and truthful. Failure to do so could lead to an application being declined or significantly delayed or even result in a criminal investigation.

The Council will seek to reach a decision within 14 working days of receipt of all the required information.

If the Council suspects any business is trying to fraudulently claim the grant, it will investigate accordingly. Where evidence of fraud is present, the offending business will be prosecuted

The scheme will be reviewed and updated in line with the prevailing Government guidance, restrictions and funding.

How much grant will be payable

The value of the grant will be determined once the scheme has closed and the number of successful applicants is known.

Appeals Process

- . There is no right to appeal, and the decision of the Council is final.
- . The Council's interpretation of this document is at its own discretion and it will be the final arbiter of the definitions contained within this policy.

Subsidy Allowance.

Small Amounts of Financial Assistance Allowance.

Grants may be paid in accordance with Article 3.2(4) of the Trade and Cooperation Agreement (TCA), which enables an applicant to receive up to a maximum level of subsidy without engaging Chapter 3 of the TCA. This allowance is 325,000 Special Drawing Rights, to a single economic actor over any period of three fiscal years, which is the equivalent of £335,000 as at 2 March 2021. An applicant may elect not to receive grants under the Small Amounts of Financial Assistance Allowance and instead receive grants only using the below allowances available under this scheme.

COVID-19 Business Grant Allowance.

Where the Small Amounts of Financial Assistance Allowance has been reached, grants may be paid in compliance with the Principles set out in Article 3.4 of the TCA and in compliance with Article 3.2(3) of the TCA under the COVID-19 Business Grant Allowance (subsidies granted on a temporary basis to respond to a national or global economic emergency). For the purposes of these scheme rules, this allowance is

£1,600,000 per 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. This may be combined with the Small Amounts of Financial Assistance Allowance to equal £1,935,000 (subject to the exact amount applicable under the Small Amounts of Financial Assistance Allowance using the Special Drawing Right calculator).

COVID-19 Business Grant Special Allowance.

Where an applicant has reached its limit under the Small Amounts of Financial Assistance Allowance and COVID-19 Business Grant Allowance, it may be able to access a further allowance of funding under these scheme rules of up to £9,000,000 per single economic actor, provided the following conditions are met:

<https://www.gov.uk/government/publications/complying-with-the-uks-international-obligations-on-subsidy-control-guidance-for-public-authorities>

The Council must be satisfied that all Subsidy Allowance requirements have been fully met and complied with when making grant payments.

The Council will require each business to confirm that by accepting the grant payment, the business confirms that they are eligible for the grant scheme, including that any payments accepted will follow Subsidy Allowance requirements.

Tax

Grant income received by a business is taxable therefore funding paid under the Additional Restrictions Grant will be subject to tax. Only businesses which make an overall profit once grant income is included will be subject to tax.

Data Protection

The Council treats all its information that it holds on file with the upmost care and confidentiality. For more on our Privacy Policies and to see how we use and share your data, please see our website

Right to Update this Policy

The Council reserves the right to update and change this policy without notification or warning in the event that the government updates or changes its guidance to us or in the event of an error or omission.