



Epsom & Ewell  
Borough Council  
Local  
Restrictions  
Support Grant  
(Open)  
Scheme

Version number 1  
December 2020

## Tracking

<b>Scheme Title</b>	Local Restrictions Support Grant (Open) Scheme		
<b>Committee</b>	Strategy and Resources	<b>Date approved</b>	
<b>Review due date</b>		<b>Review completed</b>	
<b>Service</b>			

## Revision History

Revision Date	Revisor	Previous Version	Description of Revision

## Document Approvals

Each revision requires the following approvals:

Sponsor Approval		Name	Date
Head of Digital & Service Transformation			

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## Introduction

1. On 22 October 2020 the government announced a number of initiatives to support business that were not legally required to close but are severely impacted by the restriction under Local Covid Alert Levels, High (LCAL2) and Very High (LCAL3) in England as part of the government's response to COVID 19. The announcement can be found here (<https://www.gov.uk/government/news/plan-for-jobs-chancellor-increases-financial-support-for-businesses-and-workers>).
2. This scheme relates to the LCAL2 restrictions in place in Epsom & Ewell since the National Lockdown ended on the 02 Decemeber 2020. The scheme, known as the Local Restrictions Support Grant (Open) scheme is discretionary and individual Councils are allowed to design their schemes, provided they are within the overall guidelines set by Central Government.  
([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/942853/local-restrictions-support-grant-OPEN-dec2-2020-onwards-la-guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942853/local-restrictions-support-grant-OPEN-dec2-2020-onwards-la-guidance.pdf))
3. The LRSG (Open) scheme is aimed at hospitality, hotel, bed & breakfast and leisure businesses, where their operation is predominantly in the following broad categories:
  - Public Houses, Bars and Wine Bars
  - Café and Restaurants
  - Hotels and Bed & Breakfast
  - Cinemas and entertainment venues, including public halls.
  - Tourist attractions
4. This is support for businesses that are not legally required to close but which are severely impacted by localised restrictions on socialising put in place as a result of the Council entering LCAL2 (or LCAL3).

## Qualifying businesses

5. Businesses which have a Business Rates liability within Epsom & Ewell on and before the 2 December 2020. Businesses who are not ratepayers may be able to claim a grant under the separate Additional Restrictions Grant Scheme.
6. The property for which the relief is being claimed must have been in the Valuation List as at 2 December 2020. Properties which are added to the list and backdated to the 2 December 2020, will not qualify for this scheme.

7. Properties described by the Valuation Office as:

- Public Houses, Bars and Wine Bars
- Café and Restaurants
- Hotels
- Cinemas and entertainment venues, including public halls.
- Tourist attractions

8. Businesses who were actively trading prior to and on the 2 December 2020.

## Non-qualifying businesses

9. Businesses which operate from a property which does not have its own Business Rates liability.

10. Properties **not** described by the Valuation Office as

- Public Houses, Bars and Wine Bars
- Café and Restaurants
- Hotels
- Cinemas and entertainment venues, including public halls.
- Tourist attractions

11. Businesses that are in administration, are insolvent or where a striking off notice has been made are not eligible for funding under this scheme.

12. Businesses operating under Airbnb.

13. Businesses operating from a domestic property.

14. Businesses who have already reached maximum State Aid limits.

15. Landlords of properties where they are not occupying them directly themselves for trading business purposes, will not qualify.

16. Businesses operating as Financial Services (e.g. banks, building societies). Medical Services (e.g. vets, dentist), Professional Services (e.g. solicitor, letting agents, estate agents, accountants) and Post Office sorting offices are not eligible under this scheme.

17. Property occupied for personal uses.

## Amount of funding available

18. The Government will provide funding to Councils based on the Valuation Offices assessment of the nature of the business using Valuation Office codes. The government

have provided a list of the businesses they have used on the 16 November however we have been advised that we cannot use these codes in determining a scheme.

19. The overall funding for this scheme is a fixed allocation for the period the Council was in the LCAL2 (or LCAL3) restrictions, and no additional funding will be made available from central government. We may review the eligible businesses, should there be a change in restriction levels.
20. The grant award will be banded based on the rateable value as set out below, any grant award will be in proportion to the period in which the LCAL2 or LCAL3 restrictions applied.
  - For properties with a rateable value of £15,000 or under, grants to be £467 per two weeks (14 days)
  - For properties with a rateable value of between £15,001 and £50,999 grants to be £700 per two weeks (14 days)
  - For properties with a rateable value of £51,000 or over grants to be £1,050 per two weeks (14 days)
21. Businesses will need to notify Epsom & Ewell Council if they no longer meet the eligibility criteria for additional grants at any point in each 14-day grants cycle.
22. Businesses may be requested to complete an updated application form for each 14-day grants cycle. If this is required the council will let the business know as soon as practicable.

## Application process

23. The application for the Business grant is available on our website at [www.epsom-ewell.gov.uk/businessgrants2020-21](http://www.epsom-ewell.gov.uk/businessgrants2020-21). We are only able to accept applications in this format.
24. On receipt of your application you may be requested to provide additional evidence to support the information you have given in your application.
25. This application process will allow Epsom & Ewell Borough Council to undertake pre-payment checks to confirm eligibility.
26. Epsom & Ewell Borough Council will use their discretion in identifying the right person to receive this funding, based on their application process.

27. Applications will be accepted up to 1 calendar month from the date LCAL 2 and 3 restrictions end in Epsom & Ewell.

## Decision making process

28. Applications will be determined by the Revenues Manager under the delegated authority of Epsom & Ewell Borough Councils's Section 151 Officer.

29. Payments will be made as soon as practicable after the receipt of a complete application. Applications which have not been fully completed will be deemed invalid

30. All applicants will be e-mailed to confirm if their application has been successful or not. If you are due an award you will also be informed when you can expect the grant to be available in your nominated bank account.

31. All payments of grant will be made by a BACS transfer to the company or business nominated bank account which must be quoted on your application form.

## Appeals

32. There is no statutory right of appeal against a decision regarding discretionary business grants.

33. However, the Council recognises that ratepayers should be entitled to have a discretionary decision reviewed if dissatisfied with the outcome. Only the ratepayer or authorised agent may appeal against the decision not to award relief or the level of relief awarded. Appeals must be made within two weeks of the notification of decision.

34. Appeals must be in writing specifying reasons why a decision should be amended and supported by relevant new or additional evidence.

35. An appeal will be deemed to be discontinued if further evidence requested from the ratepayer has not been received within two weeks of the request.

## Managing the risk of fraud

36. In making an application businesses confirm that they are eligible for the grant scheme, including that any payments accepted will be in compliance with State Aid requirements.

37. Epsom & Ewell Borough Council will not accept deliberate manipulation and fraud - and any business caught falsifying their records to gain grant money will face prosecution and any funding issued will be subject to claw back, as may any grants paid in error.
38. The Council will use all available tools to identify potential fraud before and after payment, by submitting an application you are consenting for the Council to share the data on the application form for the purposes of validating the claim with any appropriate organisations, including the Department for Business, Energy & Industrial Strategy who may contact you for research and evaluation purposes. If you do not consent to the sharing of the information the claim will be deemed invalid.
39. Epsom & Ewell Borough Council will also investigate if any business applying shall be liable for Business Rates, if not already liable, if applicable. Conditionality of funding will be dependent on the business applying being committed to this.

## State Aid

40. Grants under this scheme are considered State Aid. Under EU De-minimis regulations you (or your company) cannot receive more than €200,000 (approximately £180,000) state aid in any three-year period (i.e. your current fiscal year and previous two fiscal years). However, following the outbreak of the Coronavirus, the European Commission has approved schemes to aid businesses affected by the Coronavirus outbreak on the basis of their Temporary Framework, including the COVID-19 Temporary Framework scheme for the UK. This framework allows for an additional €800 000 (approximately £720,000) state aid to be granted to undertakings that were not in difficulty (within the meaning of Article 2(18) of the General Block Exemption Regulation<sup>3</sup>) on 31 December 2019. If you have received other state aid that exceeds these limits, you will not be able to claim a grant under this scheme.
41. If the applicant or the Council become aware that the state aid limit has been exceeded it will be the applicant's responsibility to return the payment to the Council within 14 days of discovering the limit has been exceeded.
42. Further information on State Aid can be found at: <https://www.gov.uk/guidance/state-aid>

## Tax

43. Grant income received by a business is taxable. The Local Restrictions Support Grant will need to be included as income in the tax return of the business.

44. Only businesses which make an overall profit once grant income is included will be subject to tax.