



South Derbyshire District Council

COVID-19 ARG Round Three Discretionary Grants Omicron Rescue Grant Scheme Policy & appeals process

Version 4 – 11 February 2022

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| Version | 4 |
| Date | 11 February 2022 |
| Amend notes v2 | Amend re market traders – p5 Amend re grants for multiple premises – p9 Amend re Omicron Hospitality, Leisure and Accommodation claimants – p2 |
| Amend notes v3 | Clarification re multiple premises/businesses – p9 Clarification re nurseries and childcare providers – p4 |
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The Government guidance on which this document is based may be subject to ongoing change and, as such, this document may also be subject to change. The District Council is not liable if any of the changes affect the eligibility of any business for any of the COVID-19 grants.

1. About the funding

On 21 December 2021 the Government announced that further Additional Restrictions Grant (ARG) funding would be made available to local authorities to help support businesses severely impacted by coronavirus restrictions and the rise of the Omicron variant.

South Derbyshire District Council has received an additional £166,097 that it will invest through its **Omicron Rescue Grant Scheme**.

- **Business will only be eligible if they have not already benefitted from an Events & Festivals Summer Rescue Grant.**
- **Businesses that do not serve customers in person will not be eligible for the Rescue Grant.** Businesses who supply services to in-person events and activities (such as wedding cake makers may be considered eligible and are encouraged to apply).
- **Businesses who have applied for/been granted funding under the Omicron Hospitality, Leisure and Accommodation are also not eligible.**

The grants will be awarded on a first-come-first-served basis, and when the funding has been exhausted, no further grants will be payable, regardless of the potential eligibility of any applicant.

Applications will not be considered complete and accepted until the applicant has provided all the necessary information to the Council.

A standard set of evidence will be requested, but the Council will make the final decision on the evidence that is required, as this may differ on a case-by-case basis, depending on the circumstances of each business. Alternative evidence may be requested where standard evidence is not available.

Should a complete application be submitted after an incomplete application, the complete application will be deemed to have been submitted first and will be processed and awarded grant funding first, subject to eligibility. Should the funding be exhausted whilst an incomplete application is awaiting evidence, it will not be eligible for funding.

The grants do not need to be paid back and are designed to help businesses cope with the continued impact of COVID-19.

The grants are subject to tax.

The grants are funded by Government and are being distributed in South Derbyshire by South Derbyshire District Council.

2. About the grant scheme

The Council has received £166,097 further ARG funding that will support SME¹ businesses based in South Derbyshire that have been impacted by the continued COVID restrictions and Omicron variant through the following grant payments.

2.1 Grant payments

The scheme will give out one-off grant payments of between £1,000 and £6,000 to:

In-person premises-based businesses - £2,667, £4,000 & £6,000²

- Premises-based **rated** SME businesses that serve customers in person on their premises that can demonstrate they have been impacted by the continued COVID restrictions and Omicron variant.
- Premises-based **unrated** SME businesses that serve customers in person on their premises (does not include rent-a-chair businesses or unrated animal groomers), that can demonstrate they have been impacted by the continued COVID restrictions and Omicron variant³. See 2.3 for further details.
- **Business will only be eligible if they have not already benefitted from an Events & Festivals Summer Rescue Grant.**

| Rateable value | Grant level |
|---|---------------|
| Premises with a rateable value of £15,000 or under (or no rateable value) | £2,667 |
| Premises with a rateable value between £15,001 and £50,999 | £4,000 |
| Premises with a rateable value of £51,000 or over | £6,000 |

In-person unrated, home, mobile, unrated animal groomers and rent-a-chair businesses - £1,000 & £2,000

- Businesses that operate from a premise/fixed site, that serve customers in person on their premises, but do not pay business rates (for example businesses in shared office spaces, rent-a-chair hairdressers or market traders) and can demonstrate they have been impacted by the continued COVID restrictions and Omicron variant. Grant levels will vary depending on number of days businesses trade in the district. See 2.3 for details.
- Mobile or home-based businesses, that serve customers in person at a customers' home/premise that can demonstrate they have been impacted by the continued COVID restrictions and Omicron variant.
- **Business will only be eligible if they have not already benefitted from an Events & Festivals Summer Rescue Grant.**

¹ Small & Medium Sized Enterprises (SMEs) are businesses that have under a certain number of employees – in the UK, this is defined as less than 250 employees. SMEs need to meet two of the following three criteria to be defined as an SME: A turnover of less than £25 million, fewer than 250 employees and gross assets of less than £12.5 million.

² To be eligible for the higher grant amount, such businesses must serve customers in person on their premises but rent premises from landlords who are responsible for the rates bill. Additional premises cost evidence will be requested, and any higher award will be at the discretion of the district council and not grounds for appeal.

2.2 Exclusions

- Any business that cannot demonstrate it was trading on 30 December 2021.
- Any business that has been awarded an Events & Festival Summer Rescue Scheme.
- Any business that does not serve customers in-person on their premises, at a fixed site or in people's homes/premises.
- Any business whose main trading does not occur in a fixed location within South Derbyshire or who cannot demonstrate regular trading in South Derbyshire prior to 30 December 2021.
- Large businesses (i.e. those with more than 250 employees).
- Any business that has exceeded the maximum subsidy allowance (formerly known as State Aid).
- The grant is not a wage replacement scheme and must be used to fund the ongoing costs of your business.
- Businesses that are in administration, insolvent or where a striking-off notice has been made and covers the 30 December 2021 date – please note that if a notice is later removed that business will remain ineligible. Even where a strike-off notice is suspended, if the Companies House website lists the company as subject to a strike off it will not be eligible.
- Businesses renting premises from companies that are controlled by some or all of the same individuals will not normally be eligible.
- Any business that is suspected of having gained other grant funding under false pretences or is suspected of fraud or manipulation to gain public funds.
- Car parks, parking spaces, premises occupied for personal use only or vacant premises.
- Businesses that aim to close shortly after the grant award start date (30 December 2021) – this will be subject to the Council's discretion.
- Land-based businesses operating from agricultural property.
- Landlords who do not operate a business from within the property in question (see 3.3 for landlord/tenant situation).
- Property developers, doctors, banks, building societies, cashpoints, bureaux de change, short-term loan providers and post office sorting offices.
- Essential retailers, including supermarkets, minimarts, convenience stores, delis (unless at least 50% of their business is dine-in).
- To be eligible for a grant, nurseries and/or childcare providers must be rate paying businesses that are eligible for the Nursery Discount. The Council will consider, but cannot guarantee, grant awards to applications from nurseries and childcare providers that are based in non-rated premises (not including home-based or mobile providers, which the Council will not consider grant claims from). In such circumstances these businesses must be able to demonstrate ongoing premises costs and significant financial commitments. After school clubs/wrap around care etc provided by voluntary/community organisations/schools will also not be eligible for funding.

2.3 About the funding strands and grant amounts

The scheme is offering two grant amounts, in recognition of the fact that businesses with in-person premises incur additional overhead costs. The grant amounts are:

In-person premises-based businesses⁴ - £2,667, £4,000 & £6,000

- Rated SME businesses that serve customers in person on their premises that can demonstrate they have been impacted by the continued COVID restrictions and Omicron variant.
- Premises-based unrated SME businesses that serve customers in person on their premises (does not include home, mobile, rent-a-chair businesses, or unrated animal groomers), that can demonstrate they have been impacted by the continued COVID restrictions and Omicron variant, such as but not limited to:
 - Hospitality (such as cafés in shared spaces and chefs).
 - Holiday accommodation (unrated situations).
 - Pub tenants (unrated situations).
 - Premises-based businesses who supply services to in-person events and activities (such as wedding cake makers may be considered eligible).
 - Non-essential retailers (**retailers in essential goods (food etc) are not eligible. This does not apply to market traders**).

| Rateable value | Grant level |
|---|---------------|
| Premises with a rateable value of £15,000 or under (or no rateable value) | £2,667 |
| Premises with a rateable value between £15,001 and £50,999 | £4,000 |
| Premises with a rateable value of £51,000 or over | £6,000 |

In-person unrated, home, mobile, unrated animal groomers and rent-a-chair businesses - £1,000 & £2,000

- Unrated (home, mobile and rent-a-chair) SME businesses that serve customers in person that can demonstrate they have been impacted by the continued COVID restrictions and Omicron variant, such as but not limited to:
 - Personal care (such as home-based or rent-a-chair hairdressers and beauticians).
 - Mobile tradespeople (such as cleaners or electricians).
 - Driving instructors, taxis and chauffeurs.
 - Leisure, gym and sports (such as personal trainers or coaches).
 - Mobile or unrated animal groomers.
 - Market traders who can evidence they trade in South Derbyshire on a regular basis.
 - Non-essential retailers (**retailers in essential goods (food etc) are not eligible. This does not apply to market traders**).
 - Home/mobile businesses who supply services to in-person events and activities (such as wedding cake makers may be considered eligible).

| In-person unrated, home, mobile, unrated animal groomers and rent-a-chair businesses | Grant level |
|--|---------------|
| Operating in South Derbyshire up to 3 days per week | £1,000 |
| Rent-a-chair businesses operating in South Derbyshire 4+ days a week | £2,000 |

⁴ To be eligible for the higher grant amount, such businesses must serve customers in person on their premises but rent premises from landlords who are responsible for the rates bill. Additional premises cost evidence will be requested, and any higher award will be at the discretion of the district council and not grounds for appeal.

2.4 How to apply

To apply for an **Omicron Rescue Grant**, please fill in the [online application form](#).

Once you have completed your application form, please email the necessary evidence (detailed below) to business.grants@southderbyshire.gov.uk as soon as possible and no later than 28 February 2022. Please include your application reference (this will be on your confirmation email) in the subject of your email. If you are sending confidential information by email, we strongly recommend you send it to us through a free Egress account at www.egress.com. This will secure your email end-to-end.

How to set up a free Egress account at www.egress.com

To set up an account visit www.egress.com, click on 'sign-up' in the top right hand of the screen (in the blue bar). Then enter your name, your email and provide the answer to two personal questions (this is in case you forget your password and can later retrieve it) and copy the security code. You will then receive an activation code to your email which you will need to copy and paste into the next screen. Once you have done this you will reach your personal Egress dashboard. To send us the email, click on 'New secure email' under Web Access in the left-hand column. This will open up an email window for you to send us the information.

Identification evidence

If your business has been awarded a COVID grant (rated or discretionary) by South Derbyshire District Council in the past, and you have previously provided identification evidence, you do not need to re-supply it. To guard against potential fraud, if any of your details (name, bank account, business address etc) have changed, you will be required to re-supply it.

- Photograph of photo ID (eg. passport or driver's licence).
- Your national insurance number (NINO).
- Your unique tax reference (UTR) – if you submit a self-assessment tax return.

Business evidence

If your business has been awarded a COVID grant (rated or discretionary) by South Derbyshire District Council in the past, and you have previously provided the below evidence and the certificates provided are still valid/in date, you will not need to resupply them. If any of your details (name, business address etc have changed), you will be required to re-supply it.

- Business bank account number and sort code.
- A minimum of three-months of bank statements showing bank account number, sort code, name, business address and recent transactions.
- Valid business insurance certificate.
- **For food and alcohol businesses only** – copies of licences/inspections held.
- **For premises-based businesses only** – a copy of your rental agreement/evidence of payment of rent (if applicable).
- **For mobile, rent-a-chair or home-based businesses** - details of your fixed costs (for example car rental or machine costs) and evidence of these.
- **For market traders** – evidence of six months of pitch bookings that cover the 30 December 2020 date (a booking does not need to be on this day, but before and after). We require six months to ensure we only pay to regular traders, vs one-off traders. Markets do not need to provide trading loss income.

Trading and loss evidence

If your business has been awarded a discretionary COVID ARG grant by South Derbyshire District Council in the past, and you have previously provided evidence to demonstrate financial loss, you do not need to re-supply it. You will however be requested to submit a declaration to confirm your trade has been impacted by Omicron – this will be emailed to you to complete. **If you are a rated premises and have not been required to demonstrate loss in the past, or a new applicant, you will need to provide the below evidence.**

- Copies of bank statements from November – December 2019, November – December 2020, and November – December 2021 that demonstrate a drop in income (if you are a seasonal business, you can choose to provide evidence from alternative two-month periods from 2019 - 2021 that demonstrate a drop in income). Alternatively, you can provide accounts that show a drop in income. If you are a new business, please upload as much as you can, and we will contact you about any additional evidence we require. Point of sale reports may be accepted.
- Where a drop in income is not clearly evident from bank statements, but businesses have lost out on new clients/orders, evidence of lost bookings or cancelled events/orders may be accepted. In such circumstances, businesses will have to sign a declaration.
- **Please note:** Bank account extracts, online/mobile screengrabs or partial statements will not be accepted.
- If your business does not provide in person services/in-person activities and these do not account for more than 50% of your trade, you may not be eligible for a grant. Where a business relies on supplying goods/services to in-person events and activities, you may be eligible, and we will request further evidence from you to demonstrate this.

Non provision of evidence

Applications will not be considered complete and accepted until the applicant has provided all the necessary information to the Council. A standard set of evidence will be requested, but the Council will make the final decision on the evidence that is required, as this may differ on a case-by-case basis, depending on the circumstances of each business and alternative evidence may be requested where standard evidence is not available.

Should a complete application be submitted after an incomplete application, the complete application will be deemed to have been submitted first and will be processed and awarded grant funding first, subject to eligibility. Should the funding be exhausted whilst an incomplete application is awaiting evidence, it will not be eligible for funding.

2.5 Deadline for applications

The deadline for applications is Monday 28 February 2022 at 5pm.

Only applicants that have applied and provided the minimum evidence required by 28 February 2022 (see 2.4) will be considered to have been accepted.

Any applications that have not submitted the minimum evidence required (or alternatives as suggested by the Council) will not be considered to have been fully submitted, and as such will not be processed/receive grant funding, regardless of potential eligibility.

This will not be grounds for appeal. As such, we recommend you apply and submit the required evidence as soon as possible and ensure you follow the instructions at 2.4 (page 10).

2.6 Assessment criteria for open claims

Applications submitted by businesses that have not previously demonstrated a financial loss due to COVID, will need to evidence all of the following to receive a grant:

| Criteria | Definition | Evidence |
|--|--|--|
| Scale of Coronavirus losses | Be able to provide evidence of a drop in takings, due to COVID/Omicron. | Bank statements. demonstrating drop in income. Cancelled orders/bookings. Point of sale reports. Declaration. |
| Sole/primary source of income | Self-employed individuals Be able to demonstrate the business is their sole or primary source of income. Income from pensions is not included as a source of income. | Declaration. Bank statements. demonstrating drop in income. |
| Business size* | Only SME businesses (including micro, small and medium sized businesses) are eligible. Large businesses with a turnover of more than £25million and more than 250 staff are not eligible. | Declaration. Accounts. Payroll. |
| Level of fixed costs (non-rated in-person premises) | For non-rated premises who provide in-person services Be able to evidence ongoing fixed costs including rent and (where applicable) rates, insurance, utilities and commercial mortgage interest payments. Businesses with a monthly rent or equivalent of less than £300 per calendar month will not be eligible. The relevant property should be wholly or mainly used for the qualifying, or broadly similar, purposes. | Declaration. Bank statements. demonstrating drop in income. Lease/rental agreement. Mortgage payments. Utility, insurance, etc bills. |
| Level of fixed costs (home, mobile and rent-a-chair businesses) | Self-employed individuals working from home/mobile (including rent-a-chair hairdressers/beauticians) Be able to demonstrate some ongoing business costs (telephone, insurance, marketing costs etc). | Declaration. Accounts. Bank statements. demonstrating drop in income. Lease/rental agreement. Mortgage payments. Utility, insurance, etc bills. |

- Please note grant is not a wage replacement scheme and must be used to fund the ongoing costs of your business.

**A micro business satisfies two or more of the following requirements: Turnover not more than £632,000; A balance sheet total of not more than £316,000; A headcount of staff of not more than 10.*

**A small business satisfies two or more of the following requirements: Turnover not more than £10.2million; A balance sheet total of not more than £5.1million; A headcount of staff of less than 50.*

**A medium business satisfies two or more of the following requirements: Turnover not more than £25million; A balance sheet total of not more than £12.5million; A headcount of staff of not more than 250.*

**Anything above the medium criteria is classed as a Large business.*

3. General information about both grant schemes

3.1 About multiple premises / multiple businesses

The grant will be paid to the rate payer or business owner.

All businesses will only be paid one grant per business, regardless of the number of premises they own/operate.

Equally, all business owners will only be paid one grant, regardless of the number of businesses they own. The grant will be paid on the business that represents the individual's primary source of income. See 2.6, page 8.

This is due to the fact that the Council has limited funds. If the ARG funds are not exhausted before the Government spending deadline, the Council may revisit this decision towards the end of the scheme.

3.2 About newly formed businesses that have not yet opened

The grants are designed to support businesses that were trading on 30 December 2021, however we recognise that there are businesses in our district that were in occupation of a premises/have taken on commitments and were planning their opening on 30 December 2021, and as such their projected income will have been affected by the Coronavirus restrictions.

Whilst **we cannot guarantee we will be able to support such businesses**, we would encourage them to email business.grants@southderbyshire.gov.uk outlining their circumstances and we will consider such cases on an individual basis.

Home/mobile, rent a chair and market businesses that were not trading on 30 December will not be considered for a grant. This is not grounds for appeal.

3.3 About public houses with shared arrangements

The Council understands that varying business arrangements are in place in public houses across the district. Examples the Council has experienced include tenants who maintain the rates liability and operate a profit share with their landlord, and conversely landlords who retain the rates liability and operate a profit share with their tenants.

Under both circumstances it is accepted that both landlord and tenant may have been impacted by the closure/restrictions imposed by COVID.

Where a landlord/tenant can demonstrate a profit share arrangement is in place, the non-rate-paying party may be able to apply for a £2,667 Omicron Rescue grant, in addition to the ratepayer having received a non-discretionary grant, and each claim will be considered on its own merit.

All discretionary grants awarded in such circumstances are at the Council's discretion. Decisions made in relation to such grant applications are not subject to appeal.

3.4 Change of business owner/tenant

Where a business has/will change hands between December 2021 and 31 March 2022, the district council will as standard award the Omicron rescue grant to the new/incoming owner/tenant.

This is because the Omicron Rescue grant is designed to support the ongoing survival of the business, and therefore providing funding to owners/tenants who are leaving will not serve this purpose.

Decisions made in relation to grant awards in such circumstances are entirely at the discretion of the district council and are not grounds for appeal.

3.5 About business data/privacy

In order to fulfil our obligations and award payments to eligible claimants it will be necessary to verify whether the bank account you have told us about is open and belongs to the business/person proposed. For the purpose of validating your payment, we will share your information with external partners such as the National Fraud Initiative (NFI) to help prevent fraud, which is allowed by law. Using this data, the NFI will facilitate Experian Finance PLC being able to verify the information you have given us and return a score indicating the strength of the match of data provided. As part of the process, we will also provide data to the Department for Business, Energy, and Industrial Strategy. We will also share data internally for the purpose of fulfilling our obligations as a Local Authority, an example of which would be for the Revenues team to share the data with the Customer Management team.

For further information about how your personal information will be used, please visit www.southderbyshire.gov.uk/privacy where you can see a full copy of our Privacy Notice.

3.6 About processing and fraud checks

All grant claims will be processed through a series of checks, including checks against our business rates database and checks using the Government Spotlight anti-fraud software.

The district Council reserves the right to verify/put on hold any claim to enable detailed checks to be carried out.

Any suspected fraud cases will be investigated by our partners Derby City Council Anti-Fraud team.

Any business caught falsifying their records to gain a grant will face prosecution and any funding issued will be subject to claw back.

To find out how we will record, process and store your data, please read our data protection statement at www.southderbyshire.gov.uk/businessdata

3.7 About payment of the grants

Businesses that are eligible for a grant(s) will receive payment into their designated bank account, provided as part of the application process. No paperwork will be issued with the grant.

If claimants require grant payment documentation, they should email business.grants@southderbyshire.gov.uk. Please note the documentation may take some time to provide as we process other grants.

3.8 Declining the grant

Eligible businesses can decline the grant. Should the business later decide to claim the grant and the deadline has passed/the fund has expired, the Council will not be liable to the business for not having claimed the grant.

Any business that will exceed their Subsidy Allowance level (formerly State Aid) by receiving the grant must declare it and not accept the grant. This is the responsibility of the business.

3.9 Appeals process

Businesses can appeal the decision made by the authority in relation to grants. All appeals must be made in writing and sent to: Business Grants Appeals, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH or emailed to business.grants@southderbyshire.gov.uk

Appeals will be considered by the Strategic Director of Corporate Resources. The decision made at appeal will be final.

Due to the final deadline of this grant scheme (31 March 2022), any appeals that are not received or completed by this date will not be considered. This is because beyond 31 March 2022 the Council cannot make any further payments and must return all unspent funds to the Government.

3.10 Subsidy Allowance (replaces State Aid)

The EU State aid rules no longer apply to subsidies granted in the UK following the end of the BREXIT transition period, which ended on 31 December 2020. This does not impact the limited circumstances in which State Aid rules still apply under the Withdrawal Agreement, specifically Article 10 of the Northern Ireland Protocol.

The United Kingdom remains bound by its international commitments, including subsidy obligations set out in the Trade and Cooperation Agreement (TCA) with the EU. BEIS Guidance for public authorities explaining the subsidies chapter of the TCA, World Trade Organisation rules on subsidies, and other international commitments can be found here:

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

Following BREXIT, new subsidy allowances were established for the COVID19 business grants schemes, on the basis of the principles set out in Article 3.4 of the TCA. Updated COVID-19 business grants subsidy allowances provided on the basis of the TCA.

The below scheme rules should be applied to applicants at the level of economic actor, which is defined as an entity or a group of entities constituting a single economic entity regardless of its legal status, that is engaged in an economic activity by offering goods or services on a market.

There are three subsidy allowances for this scheme set out below: Small Amounts of Financial Assistance Allowance, the COVID-19 Business Grant Allowance and the COVID-19 Business Grant Special Allowance.

Small Amounts of Financial Assistance Allowance. Grants may be paid in accordance with Article 3.2(4) of the 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.

The Special Drawing Right calculator here can be used to calculate the exchange rate on the day the subsidy is awarded: https://coinmill.com/SDR_calculator.html

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:

- a) The Special Allowance covers only the applicant's uncovered fixed costs incurred during the period between 1 March 2020 and 31 March 2022, including such costs incurred in any part of that period ('eligible period');
- b) Applicants must demonstrate a decline in turnover during the eligible period of at least 30% compared to the same period in 2019. The calculation of losses will be based on audited accounts or official statutory accounts filed at Companies House, or approved accounts submitted to HMRC which includes information on the applicant's profit and loss;
- c) 'Uncovered fixed costs' means fixed costs not otherwise covered by profit, insurance or other subsidies;
- d) The grant payment must not exceed 70% of the applicant's uncovered fixed costs, except for micro and small enterprises (for the purposes of this scheme defined as less than 50 employees and less than £9,000,000 of annual turnover and/or annual balance sheet), where the grant payment must not exceed 90% of the uncovered fixed costs;
- e) Grant payments under this allowance must not exceed £9,000,000 per single economic actor. This allowance includes any grants previously received in accordance with Section 3.12 of the European Commission's Temporary Framework; all figures used must be gross, that is, before any deduction of tax or other charge;
- f) Grants provided under this allowance shall not be cumulated with other subsidies for the same costs.

An applicant must be able to provide the necessary documentation to demonstrate it is eligible for funding under this COVID-19 Business Grant Special Allowance. Local Authorities must first verify that an applicant can meet all the criteria set out under this allowance before providing further funding under this allowance.

Grants provided in excess of the Small Amounts of Financial Assistance Allowance may not be granted to applicants that were defined as an 'undertaking in difficulty' on 31 December 2019. In derogation to the

above, grants can be granted to micro or small enterprises (as defined above) that were already in difficulty on 31 December 2019 provided that they are not subject to collective insolvency proceedings.

Local Authorities must ensure the remaining applicable provisions of the subsidies chapter of the TCA are complied with. In particular, the Transparency obligations under Article 3.7. The transparency database can be found at <https://manageuksubsidies.beis.gov.uk/>

If a grant is awarded under the Small Amounts of Financial Assistance Allowance, Local Authorities must ask the recipient whether, when cumulated with any De Minimis State Aid or Small Amounts of Financial Assistance that the business has received in the last three years, the grant will mean that the recipient has received more than 325,000 Special Drawing Rights (approximately £335,000 at the time of writing). If it has, then the grant must be declared on the BEIS transparency database within six months of it being made.

If the grant is awarded under the COVID-19 Business Grant Allowance or the COVID-19 Business Grant Special Allowance, Local Authorities must ask the recipient whether, when cumulated with any other grant under the allowances, the recipient has received more than £500,000. If it has, then the grant must be declared on the BEIS transparency database within six months of it being made.

For access to and any further questions on the database, please contact the BEIS subsidy control team at subsidycontrol@beis.gov.uk.

Local Authorities still need to comply with reporting requirements to the European Commission in respect of grants previously granted under the European Commission's Temporary Framework before the Transition Period ended on 31 December 2020.

General

BEIS may vary the terms of these schemes or suspend or close the schemes with immediate effect, without notice and at any time.

For the avoidance of doubt, grants under the Small Amounts of Financial Assistance Allowance, the COVID-19 Business Grant Allowance and the COVID-19 Business Grant Special Allowance may be combined for a potential total allowance of £10,935,000 (taking into account all grants previously received under the COVID-19 business grants schemes and subject to the exact amount applicable under the Small Amounts of Financial Assistance Allowance using the Special Drawing Right calculator).

3.11 Changes to this document

The Government guidance on which this document is based has been subject to ongoing change and, as such, this document may also be subject to change. All major changes will be subject to approval by the Council's Strategic Director for Corporate Resources, Finance & Corporate Services and will be noted on the front of this document against a relevant version number.

The District Council is not liable if any of the changes affect the eligibility of any business for any of the COVID-19 grants, and in the case of appeals, the version of the guidance in place at the time the appeal is considered will be considered the correct version.

3.12 Any questions

Email business.grants@southderbyshire.gov.uk

ENDS