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# South Derbyshire Business Grant Scheme

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## Version Control

Version	Reason for review (Review date/legislation/process changes)	Author (A) / Reviewer (R)	Effective date
1.0	N/A	N/A	10/5/23
1.1	Procurement requirements	Head of Economic Development and Growth	24/8/23
1.2	Broadening of eligibility; Further clarification of eligible activities/ organisations; Allowance of multiple applications in specific cases	Head of Economic Development and Growth	11/4/24

## Approvals

Approved by	Date
Section 151 Officer	10 May 2023
F&M Committee	24 August 2023
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## 2.0 INTRODUCTION

The South Derbyshire Business Grant Scheme has a two-stage process:

1. Submit a short Expression of Interest to check the eligibility of your business and project by following the link on the webpage; and,
2. If this is accepted, you will be invited to submit a full Application for consideration.

Details of the grant scheme can be found in this guide. Grants are awarded on a first come-first served basis (with a competitive process if necessitated by demand). The grants will part-fund new investment. They cannot fund normal running costs or projects already undertaken or expenditure that has already been committed or contracted. Businesses must be able to finance the balance of the investment cost, as a grant will typically only cover between 25% and 80% of the eligible expenditure. Projects must be completed by 31 March 2025. The grants do not need to be paid back; however they are subject to tax. The grants are funded by Government and are being distributed in South Derbyshire by South Derbyshire District Council.

A first call for Expressions of Interest closed on 30 June 2023. Following this, funds remain available, and grants are now offered on a first come-first served basis. The grant fund is limited so the District Council retains the right to close or extend the scheme if required.

### UK Shared Prosperity Fund

The grant scheme is funded by the UK Government through the UK Shared Prosperity Fund. The UK Shared Prosperity Fund is a central pillar of the UK Government's Levelling Up agenda and provides £2.6 billion of funding for local investment by March 2025. The Fund aims to improve pride in place and increase life chances across the UK investing in communities and place, supporting local business, and people and skills. For more information visit:

<https://www.gov.uk/government/publications/uk-shared-prosperity-fund-prospectus>

### Lead Local Authority

South Derbyshire District Council has been designated as a 'lead local authority', responsible for planning and delivering the programme in South Derbyshire. Lead local authorities receive an area's funding allocation to manage, including engaging partner organisations, preparing an investment plan, assessing and approving funding applications, processing payments and monitoring the impact of projects.

### South Derbyshire Business Grant Scheme

The District Council is operating the business grant scheme, funded from its allocation from the UK Shared Prosperity Fund, under intervention number E23:

*E23: Strengthening local entrepreneurial ecosystems and supporting businesses at all stages of their development to start, sustain, grow and innovate, including through local networks. <https://www.gov.uk/government/publications/uk-shared-prosperity-fund-interventions-outputs-and-indicators/interventions-list-for-england>*



**The key objectives of the grant scheme are to: enhance business resilience; stimulate enterprise and innovation; enable businesses to access new markets; and, encourage green business growth.**

**The grant scheme aims to encourage business development and job creation by increasing private sector investment in growth-enhancing activities, through targeted support for small and medium-sized businesses to increase productivity, purchase equipment, introduce new processes or techniques, start or grow their exports, or introduce new products or services. It can also support projects that will improve energy efficiency or enable renewable energy generation and storage.**

### **Outcomes**

Applicants should demonstrate that grant investment will contribute to one or more of the following (applicants will be required to quantify these within their application):

- new jobs created
- existing jobs safeguarded
- adoption of new or improved products or services
- adoption of new to the firm technologies or processes
- engagement in new markets
- people trained

The assessment process will consider if the outcomes proposed are realistic. Approved outcomes will be monitored as a condition of any grant award.

Please note that jobs created or safeguarded relates to employees of the business and does not include contractors (This will be evidenced through PAYE records).



### UK Shared Prosperity Fund Outcome Measures

Jobs created as a result of support <i>(Outcome Row 17)</i>	Number of Full time equivalent (FTE)	<p>The number of new, permanent, paid, full-time equivalent (FTE) jobs created following support. This includes both part-time and full-time jobs, which should be recorded relative to full-time equivalent (FTE). FTE should be based on the standard full-time hours of the employer.</p> <ul style="list-style-type: none"> <li>- New means it should not have existed with that employer before the intervention.</li> <li>- Created jobs exclude those created solely to deliver the intervention (e.g. construction).</li> <li>- Permanent means it should have an intended life expectancy of at least 12 months from the point at which it is created.</li> <li>- Only count each individual FTE or job once through the lifetime of a project (i.e. it should not be counted every year)</li> <li>- FTE is a measure of an employee's scheduled hours in relation to an employer's hours for a full-time workweek</li> </ul>
Jobs safeguarded as a result of support <i>(Outcome Row 18)</i>	Number of full time equivalent (FTE)	<p>A safeguarded job is a permanent and paid job that was at risk prior to support being provided, and which the support helped the business to retain. This includes sole traders and business owners.</p> <p>Safeguarded jobs exclude those created solely to deliver the intervention (e.g. construction).</p> <p>This includes both part-time and full-time jobs, which should be recorded relative to full-time equivalent (FTE).</p> <ul style="list-style-type: none"> <li>- FTE should be based on the standard full-time hours of the employer.</li> <li>- At risk is defined as being forecast to be lost within 6 months.</li> <li>- Only count each individual FTE or job once through the lifetime of a project (i.e. it should not be counted every year)</li> <li>- FTE is a measure of an employee's scheduled hours in relation to an employer's hours for a full-time workweek</li> </ul>
Number of enterprises adopting new or improved products or services <i>(Outcome Row 54)</i>	Number of enterprises	<p>The number of enterprises introducing a new product or service.</p> <ul style="list-style-type: none"> <li>- Enterprise means a sole trader, micro business, small and medium-sized enterprise, or large business. It also includes social enterprises where these engage in economic activity.</li> <li>- A product or service is new if the enterprise has not previously made this product or service available to the market before.</li> <li>- Support must be for enterprises to introduce one of the following: <ul style="list-style-type: none"> <li>• Product - when it is either at pre-launch or launched to the market</li> <li>• Service - when it has been introduced to the market</li> </ul> </li> </ul>
Number of enterprises adopting new to the firm technologies or processes <i>(Outcome Row 55)</i>	Number of enterprises	<p>The number of enterprises introducing a new to the firm technology or process (through external sources e.g., procurement).</p> <ul style="list-style-type: none"> <li>- Enterprise means a sole trader, micro business, small and medium-sized enterprise, or large business. It also includes social enterprises where these engage in economic activity.</li> <li>- A technology or process is new to the firm if it did not use a technology or process with the same functionality before, or the production technology or process is fundamentally different from those already used. This may be tangible or intangible.</li> <li>- If an enterprise introduces multiple new technologies or processes, it is still counted as one enterprise.</li> </ul>
Number of enterprises engaged in new markets <i>(Outcome Row 56)</i>	Number of enterprises	<p>Number of enterprises engaged in new markets following support.</p> <ul style="list-style-type: none"> <li>- Enterprise means a sole trader, micro business, small and medium-sized enterprise, or large business. It also includes social enterprises where these engage in economic activity.</li> <li>- Engaged means they have launched a product or service into a new domestic or overseas market or have undertaken research or attended conferences or events to prepare a launch into a new market.</li> <li>- New market refers to a new product market (i.e. creation of a product/service that doesn't compete or replace previous products produced by the business) or geographic market (i.e. operating in a new area which could be, for example, a new region or country)</li> </ul>
Number of people attending training sessions <i>(Output Row 61)</i>	Number of people	<p>Number of people attending training sessions.</p> <ul style="list-style-type: none"> <li>- Training sessions include, but are not limited to: training focusing on digital, management, leadership, collaboration, networking and lower-carbon alternatives skills.</li> </ul>
Value of private sector	Value (£)	Total eligible project cost incurred by the business minus grant contribution.



financial contribution		
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### 3.0 GRANTS

Grants were initially offered in an open call for projects and subsequently are available, dependent on funds still remaining, on a first come-first served basis.

Grant intervention rates and maximum grants available are as follows:

Project Size	Total project cost *	Intervention Rate
Small	£1,250 - £6,250	Up to 80% of total eligible costs
Medium	£6,251 - £40,000	Up to 50% of total eligible costs
Large	Over £40,000	Up to 25% of total eligible costs

*\*Excludes reclaimable VAT*

Examples:

Total project cost *	Example	Grant
£6,250	80% of £6,250	£5,000
£40,000	80% of £6,250 = £5,000 50% of £33,750 = £16,875	£21,875
£152,500	80% of £6,250 = £5,000 50% of £33,750 = £16,875 25% of £112,500 = £28,125	£50,000

*\*Excludes reclaimable VAT*

Larger projects may be considered as exceptional cases where grant funding is necessary for the project to proceed. However, the maximum grant offered would remain £50,000.

A higher intervention of up to 100% may be considered for trading non-commercial organisations (e.g. charitable organisations) where there are wider community benefits (eg. town centre shop frontage improvements).

Medium and Large applications will be visited by a Business Adviser as part of the grant assessment process. Large projects will also be expected to submit a three-year business plan and cashflow forecast. Businesses will be expected to make available their financial records and relevant staff when an Adviser visits.

A proportion of the available grant fund will initially be set aside for large projects, to ensure that funds remain available for smaller projects. This will be reviewed periodically in response to demand.

The grant will only pay for part of the cost of the project, the remainder must be funded by the applicant business and evidence that the funds are in place to do this must be provided with the grant application.

Applicants should note that grants will be paid in arrears following the submission of evidence demonstrating that the project has been successfully implemented (eg. receipted invoices/evidence of payment from the business bank account and evidence of delivery/completion of the project). Successful applicants will be expected to fund 100% of the costs upfront.



Successful applicants receiving a grant will be required to complete monitoring returns for several years after the award of a grant. This will include visits from the District Council. If the project is not delivered as agreed or the monitoring evidence is not provided, the grant will be clawed back.

Businesses located anywhere in the District can apply, however, some of the funds are only available in the designated rural areas. The DEFRA REPF map can be viewed at: <https://magic.defra.gov.uk/> (under Administrative Geographies/Other Administrative Boundaries - the REPF Status can be checked by clicking on the Identity button which is the 5th one along at the top).



#### 4.0 EXPRESSION OF INTEREST

Applicants must first complete an Expression of Interest online registration.

The following information is required for all applicants at Expression of Interest stage:

- name of business
- business trading address including postcode
- unique identifier, preferably Company Reference Number (CRN), if applicable. If not applicable, VAT Registration Number, Self-assessment/Partnership Number, National Insurance Number or Unique Taxpayer Reference
- nature of business
- date business established
- number of employees
- brief outline of proposed project
- outline of costs of the project and amount of grant sought

Only online Expressions of Interest will be considered. It is the responsibility of the applicant to ensure that they provide the correct and accurate information the first time.

The District Council will verify the registration information and those businesses eligible to apply for a grant will then be supplied with an application form and list of supporting information to provide. A Business Adviser may visit the applicant business if further information is required at the Expression of Interest or Application stage.





## 5.0 APPLICATION

If an Expression of Interest is accepted, the business will be invited to make an Application. The information required to support an Application will include copies of the following:

- photo identification (eg. passport or driver's licence).
- National Insurance number.
- Unique Tax Reference (UTR) – if you submit a self-assessment tax return.
- current business insurance certificate – relevant to the nature of the business.
- copy of last three years of company accounts, signed off by a qualified accountant, together with most recent Corporation Tax return ("HM Revenue & Customs Corporation Tax Assessment"); Or, if a sole trader, copy of last three years of self-assessment tax returns ("HM Revenue & Customs Self-Assessment: Tax Calculation").
- copy of most recent bank statement for the bank account into which the grant would be paid. Bank statements must show business name, address, bank account number, sort code and recent transactions. Please note: Bank account extracts, online/mobile screengrabs or partial statements will not be accepted.
- copy of three written quotations (or screenshots with dates clearly visible) for each item of proposed expenditure. Quotations will need to be provided with your application. All quotations must be dated within six months of the application. Only formal quotations from other registered businesses or sole traders can be considered.
- details of previous public funding/aid/assistance received (Subsidy Control).
- financial evidence that the applicant has the funds in place to undertake the project and make their contribution towards the cost (eg letter from accountant/bank).
- details of permissions, consents or licences in place or required.
- (For 'Large' applications) copy of three-year business plan and cashflow forecast.

When sending supporting information, please include the name of your business in the email subject heading.

Once an application is complete, and all supporting information received, it will be assessed.



## 6.0 ASSESSMENT

Complete applications will be assessed against criteria, including the following:

- eligibility of the business
- eligibility of the activity
- contribution of the project to the programme outcomes (eg. job creation)
- business, fraud and Subsidy Control checks
- need for the project
- assessment of the project proposal
- evidence of financial contribution from the business
- value for money and additionality (eg. number of jobs created for the grant requested)
- deliverability of the project within the timescales
- environmental impact

In assessing applications, consideration will be given to the total grant funding available under the scheme.

Following the initial call, 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.

Successful applicants will be issued with a Grant Agreement to sign and return within 5 working days.

Grants provided by the Shared Prosperity Fund should be acknowledged on all relevant printed publicity, on websites and in any press releases. Relevant guidance will be provided to applicants at the time of a grant offer being made.

The District Council reserves the right to publicise projects receiving support. A condition of grant is that grant recipients must cooperate in any media or photography activity organised by or agreed by the District Council.



## 7.0 GRANT CLAIM

Applicants must submit grant claim forms within 10 working days of the project completion date.

Payment will only be made upon receipt of:

- a fully complete grant claim form;
- compliant evidence of eligible expenditure incurred; and,
- evidence of completion of the project.

All project expenditure should be made through the business bank account. Cash payments, personal credit card or PayPal payments are not deemed an eligible payment method and will not be considered.

Any business providing false or misleading information to gain grant money will face prosecution and any funding issued will be subject to clawback, as may any grants paid in error. Clawback of grant funding may also apply should project outcomes fall below application forecasts at monitoring stage.



## 8.0 ELIGIBILITY CRITERIA

Grants may only be awarded where there is evidence of one or more of the following:

- that the investment would not go ahead without grant support
- that the investment would not go ahead at the scale proposed without grant support
- that the investment would not go ahead within the timescale of this programme (1 April 2023 to 31 March 2025) without grant support
- that the investment would not take place in South Derbyshire without grant support

### Business Status

The following business types can apply:

- sole traders
- partnerships
- limited companies
- companies limited by guarantee (trading\*)
- community interest companies (trading\*)
- social enterprises (trading\*)
- charitable organisations (trading\*)

Franchise businesses are not eligible.

\*For non-commercial organisations 'trading' would normally be taken to be selling a product/service, making a surplus and having paid employees. Non-trading non-commercial organisations are not eligible for the Business Grant Scheme but can apply for the South Derbyshire Community Grant Fund Scheme.

Applicants must be registered on Companies House, with the Charity Commission, or with HMRC and have a Unique Tax Reference Number.

The business must be actively trading and have a trading address in South Derbyshire. Actively trading should be interpreted as carrying on a trade/profession or buying and selling goods or services to generate turnover.

### Business Size

Businesses must qualify as a micro, small or medium-sized business (see definitions below) to be eligible for a grant. This includes any linked businesses/ownership.

To qualify as a micro business, a business must satisfy two or more of the following requirements in a year:

- Turnover: A turnover of less than Euro 2 million
- Balance sheet: A balance sheet of less than Euro 2 million
- Number of employees: A headcount of less than 10 employees



To qualify as a small business, a business must satisfy two or more of the following requirements in a year:

- Turnover: A turnover of less than Euro 10 million
- Balance sheet: A balance sheet of less than Euro 10 million
- Number of employees: A headcount of less than 50 employees

To qualify as a medium business, a business must satisfy two or more of the following requirements in a year:

- Turnover: A turnover of less than Euro 50 million
- Balance sheet: A balance sheet of less than Euro 43 million
- Number of employees: A headcount of less than 250 employees

The above definitions include linked enterprises, controlled by the same individual/business/organisation.

### **Multiple Applications**

Only one grant award is permitted per business during the lifetime of the Fund (to 31 March 2025) across all the Shared Prosperity Fund programmes. Where there are linked enterprises, for example controlled by the same individual/business/organisation, the total combined grant value that the businesses may apply for is £50,000.

There is an exception to this is if a business seeks a second grant for green measures, including energy efficiency improvements, renewable energy generation and storage. The combined total amount that can be received remains £50,000.

A business may benefit from other non-financial forms of support through the Shared Prosperity Fund programme, such as receiving business advice or consultancy or attending training sessions or workshops.

### **Business Sector**

Businesses operating in the following sectors are not eligible to apply:

- agriculture, fishery, aquaculture and forestry, unless the business is diversifying into other sectors. Further information about schemes to support this sector can be found via: <https://defrafarming.blog.gov.uk/>
- religious organisations
- political organisations

If there is a surplus of applications, additional weight will be given to those that will help to develop the key sectors of the local economy: Transport equipment manufacturing; Construction; Food and drink manufacture; Transport and logistics; Visitor economy; Low carbon/clean growth; and, Digital. Additional weight will also be given to businesses operating from business premises and employing staff.



## Business Activity

The following business activities are not eligible to apply:

- property developers and landlords; Building contractors are eligible
- healthcare providers including nursing homes, doctors and dentists
- financial institutions including banks, building societies, insurance companies, cashpoints, bureaux de change, credit institutions and short-term loan providers, together with bookmakers
- retail, hospitality, personal, business and consumer services businesses (eg. restaurant, professional services, travel agent, home maintenance/tradespeople, vehicle repair, hairdresser, equipment hire, nursery, dance school). Tourism and leisure businesses focused predominantly on serving visitors to the area are eligible (eg. overnight accommodation, visitor attractions)

\*There is an exception to all of the above activities for improvements to the frontages of town centre premises in Swadlincote and Melbourne which are eligible. Business signage is not eligible.

## Ineligible Businesses

- Any business not based in South Derbyshire, or whose main trading does not occur in a fixed location within South Derbyshire
- Any business that has been trading for less than a year (Businesses under a year old can apply to the Business Start-up Scheme)
- Large businesses (i.e. those with 250 or more employees)
- Any business that has exceeded the maximum Subsidy Control allowance (formerly known as State Aid)
- Businesses that are in administration, insolvent, where a striking-off notice has been made or where their accounts are showing as overdue (regardless of the reason for it) at the point of grant determination are not 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
- Businesses where the income from the business does not represent the individual(s) primary source of income (ie. represents less than 50% of their total income, including employment, pensions and all other income), unless the business has employees

Home-based or mobile businesses are eligible but need to clearly define the business activity. The business must have any permissions required to work from home in place prior to application.

## Eligible Costs

Grants may be capital or revenue, excluding running costs and wage costs (except for the hire of specialist consultancy).



Examples of eligible costs include:

- Purchase of equipment or technology or digital adoption
- capital expenditure to enable premise adaptations to support business expansion
- buying-in specialist consultancy services (and expertise) \*
- buying-in specialist staff training\*

\*Grants for training and consultancy are capped at £5,000.

Ineligible project costs include (list not exhaustive):

- costs incurred prior to grant approval
- ongoing business overheads (eg. routine marketing, equipment leasing, recurring licence fees, subscriptions and service charges, repairs and maintenance, utilities, taxes, banking, insurance, legal and accountancy fees)
- purchase of stock
- wage costs and related employment costs
- the value of parts or materials already purchased and held in stock
- costs associated with capital build projects e.g. land and consents
- costs associated with meeting compliance requirements (eg safety regulations)
- relocation costs i.e. the costs of moving the business from one premises to another
- like for like replacement equipment including: computers; general software and printers, soft furnishings, tables, chairs, cutlery and crockery, curtains, televisions and audio equipment, etc; IT equipment/office furniture for additional members of staff that are being recruited to the business as part of the project are eligible
- vehicles for use on the public highway
- in-kind contributions e.g. use of your own labour, vehicle, and office space
- single items of equipment costing less than £1,000
- VAT reclaimable from HMRC
- consultancy costs associated with bidding for funding
- paid for lobbying, entertaining, petitioning or challenging decisions, which means using the Fund to lobby (via an external firm or in-house staff) in order to undertake activities intended to influence or attempt to influence Parliament, government or political activity including the receipt of UKSPF funding; or attempting to influence legislative or regulatory action
- payments for activities of a party political or exclusively religious nature
- gifts, or payments for gifts or donations
- statutory fines, criminal fines or penalties
- payments for works or activities which the lead local authority, project deliverer, end beneficiary, or any member of their partnership has a statutory duty to undertake, or that are fully funded by other sources
- contingencies and contingent liabilities
- dividends
- bad debts, costs resulting from the deferral of payments to creditors, or winding up a company
- expenses in respect of litigation, unfair dismissal or other compensation
- costs incurred by individuals in setting up and contributing towards private pension schemes



Please note that the grant cannot be used to match fund a grant from another public body.

Where a business is investing in the fabric of a rented premises, the support of the property owner, size of the grant and remaining length of the lease will be taken into account in assessing the application.

When purchasing items or contracting services, evidence will be required that a minimum of three written quotations have been obtained. In exceptional circumstances, with prior written approval from the District Council, single quotes may be acceptable.

Expenditure with any one supplier cannot exceed £149,999 (including VAT) for the procuring of goods/supplies and works (or £24,999 including VAT for services), regardless of whether it is to purchase one or multiple items for the project. Please note that this relates to the total eligible project expenditure, not just the grant expenditure.

Applicants will be required to provide evidence of expenditure incurred prior to the receipt of the grant. Consequently, applicants must be able to cash-flow the entire investment, as grants are paid in arrears.





## 9.0 INCOMPLETE APPLICATIONS

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.

## 10.0 CONFIDENTIAL INFORMATION

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](http://www.egress.com) (see instructions below). This will secure your email end-to-end.

To set up an account visit [www.egress.com](http://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.

## 11.0 BUSINESS DATA/PRIVACY

The Council may use your information to: contact you, monitor and evaluate services, contracts and agreements, to confirm eligibility to use services, and to send you communications that you have requested or that may be of interest. The Council may share your information with:

- Other District Council Departments, the South Derbyshire Business Advice Service and South Derbyshire Visitor Information Centre
- External organisations such as: support agencies, property agents, etc (eg. Colleges, Universities, Local Enterprise Partnership, Destination Management Organisations, Government Departments and other local authorities)

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 Levelling Up, Housing and Communities. 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](http://www.southderbyshire.gov.uk/privacy) where you can see a full copy of our Privacy Notice.

## 12.0 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](http://www.southderbyshire.gov.uk/businessdata)

## 13.0 APPEALS PROCESS

Businesses can appeal a decision made by the District Council in relation to grants. All appeals must be made in writing and sent to: Economic Development and Growth, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH or emailed to [business@southderbyshire.gov.uk](mailto:business@southderbyshire.gov.uk)

Appeals will be considered by the Strategic Director - Corporate Resources. The decision made at appeal will be final. If all funds have been exhausted before an Appeal is determined, the business will not be eligible for a grant and the Council will not be responsible for the business missing out on grant funds.

## 14.0 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 - Corporate Resources 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.

## 15.0 SUBSIDY CONTROL (FORMERLY KNOWN AS STATE AID)

Subsidy Control limits the amount of financial assistance that a business (including linked enterprises) can receive during any three fiscal year period from national or local government or other public authority to £315,000. Examples of financial assistance include COVID grants, a cash payment, a loan with interest below the market rate, the free use of equipment or office space, grants, tax rebates, as well as the sale or lease of assets at less than market rate.

To confirm an applicant business is eligible to receive this assistance, it must declare the full amount of: Government assistance (inc. COVID business grants); EU assistance (inc. De Minimis) and any other public sector aid (inc. free or subsidised advice or consultancy services) it has been awarded in the current and previous two fiscal years. To note: the Government has previously



confirmed that Coronavirus Job Retention Scheme (furlough) grants and business rate relief were not counted for Subsidy purposes.

Businesses applying for assistance will be required to confirm that in accepting a grant, the business, including any linked entities together constituting a single economic entity engaged in economic activity, will not exceed the Minimal Financial Assistance threshold. Recipients will also need to declare any grant funding awarded to any other aid awarding body who requests information on how much public aid you have received.

This grant scheme is operating under the Minimal Financial Assistance (MFA) exemption. MFA allows public authorities to award low-value Subsidies (up to £315,000) without the need to comply with the majority of the Subsidy Control requirements.

MFA subsidies are exempt from the substantive Subsidy Control requirements, meaning that subsidies given as MFA will not need to be assessed against the Subsidy Control principles or energy and environment principles.

However, there are two prohibitions that apply to all Subsidies including MFA. These are the prohibition on giving Subsidies relating to goods for export performance and the prohibition on domestic content.

MFA is capped at a threshold of £315,000, meaning that no individual recipient can receive more than this amount over the applicable period (3 financial years). MFA Subsidies are subject to cumulation rules, under which MFA Subsidies cumulate with each other and with other Subsidies that fall within the category of 'Minimal or (SPEI) financial assistance'. It also includes any aid given under the EU state aid de minimis regulations and Subsidies given as small amounts of financial assistance under the UK–EU Trade and Cooperation Agreement after 31 December 2020 but before this section of the Act comes into force. This prevents enterprises being able to receive many Subsidies that are individually of low value, but that cumulatively exceed the £315,000 threshold.

