



WEST OXFORDSHIRE
DISTRICT COUNCIL

WEST OXFORDSHIRE DISTRICT COUNCIL

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| Name and date of Committee | Council – Wednesday 20 January 2021 |
| Report Number | Agenda Item No. 16 |
| Subject | Emergency/Urgency Delegations Decisions |
| Wards affected | All |
| Accountable member | Councillor Michele Mead, Leader of the Council Email: michele.mead@westoxon.gov.uk |
| Accountable officer | Keith Butler Head of Democratic Services Tel: 01993 861521 Email: keith.butler@westoxon.gov.uk |
| Summary/Purpose | To note decisions taken under the emergency and urgency delegation arrangements approved by Council on 13 May 2020. |
| Appendices | Appendix A – report, decisions and Policy on Discretionary Additional Restrictions Grants Appendix B – report, decisions and Policy on Local Restrictions Support Grants |
| Recommendation | That the report be noted. |
| Corporate priorities | N/A |
| Key Decision | N/A |
| Exempt | No |
| Consultees/ Consultation | None |

1. BACKGROUND

- 1.1. At its meeting on 13 May 2020, the Council approved Emergency and Urgency delegations to the Chief Executive to enable decisions to be taken which were either an emergency, or where there was urgency such that the matter could not reasonably await the next meeting of whichever body would otherwise take that decision.
- 1.2. The report on the matter included the statement that: *“Any decision under the above provisions shall be recorded and published, and reported to Council, Cabinet or the appropriate Committee or Sub-Committee, such report to include the reasons that the powers needed to be used”*.
- 1.3. This report specifies two decisions taken under those powers.

2. ADDITIONAL RESTRICTIONS GRANTS POLICY (DISCRETIONARY)

- 2.1. The Government announced a further round of additional restriction (discretionary) support related to Business Grants on 31 October 2020 under the national and Local Covid Alert Level 3 restrictions. The purpose of the urgent decision which was sought was to formally agree the eligibility criteria, timescales, application approach, authorisation protocols and delegations and to confirm the process.
- 2.2. The report prepared to enable the Chief Executive to consult on and then make the decisions specified in the report is attached at [Appendix A](#), and the approved Policy is set out in [Annex A](#) to that Appendix.

3. LOCAL RESTRICTIONS SUPPORT GRANTS

- 3.1. The Government announced a further round of Local Restrictions Support Grants related to Business Grants on 22 October 2020 under the national and Local Covid Alert Level 2 and 3 restrictions. The purpose of the decisions sought was to formally agree the eligibility criteria, timescales, application approach, authorisation protocols and delegations and to confirm the process.
- 3.2. The report prepared to enable the Chief Executive to consult on and then make the decisions specified in the report is attached at [Appendix B](#), and the approved Policy is set out in [Annex A](#) to that Appendix.

4. REASONS FOR USE OF URGENCY POWERS

- 4.1. In each case, if the required decisions had awaited a meeting of the Cabinet, there would have been delay in implementation, to the detriment of those the grants are intended to support.

5. FINANCIAL IMPLICATIONS

- 5.1. This report has no financial implications.

6. LEGAL IMPLICATIONS


- 6.1. This report has no financial implications.

7. ALTERNATIVES/OPTIONS

- 7.1. Not applicable.

8. BACKGROUND PAPERS

- 8.1. None

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|  <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p> | <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p> |
| <p>Name and date of Committee</p> | <p>Decision under Urgency Delegation</p> |
| <p>Subject</p> | <p>Additional Restrictions Grants (Discretionary)</p> |
| <p>Wards affected</p> | <p>ALL</p> |
| <p>Accountable member</p> | <p>Councillor Toby Morris – Deputy Leader and Cabinet Member for Resources Email: toby.morris@westoxon.gov.uk</p> |
| <p>Accountable Officers</p> | <p>Jon Dearing – Group Manager for Resident Services Tel: 01993 861221 Email: jon.dearing@publicagroup.uk Mandy Fathers – Business Manager for Operational Support and Enabling Tel: 01993 861232 Email: mandy.fathers@pubicagroup.uk</p> |
| <p>Summary/Purpose</p> | <p>The Government announced a further round of additional restriction (discretionary) support related to Business Grants on 31 October 2020 under the national and Local Covid Alert Level 3 restrictions. The purpose of this report is to formally agree the eligibility criteria, timescales, application approach, authorisation protocols and delegations and to confirm the process.</p> |
| <p>Annex</p> | <p>Annex A: Additional Restrictions Grant Policy</p> |
| <p>Recommendation</p> | <p>a) That the eligibility criteria be approved, as set out in Annex A; b) That the business-type priorities be approved, as set out in Annex A; c) That the allocation of grant funding be approved, as set out in paragraphs 2.5 and 3.2; d) That the process and application window proposals be approved, as set out in paragraph 2.8; and, e) That the Group Manager for Resident Services be authorised to determine individual grant awards, in accordance with the approved Policy.</p> |
| <p>Corporate priorities</p> | <p>Delivering excellent modern services whilst ensuring the financial sustainability of the Council</p> |
| <p>Key Decision</p> | <p>YES</p> |
| <p>Exempt</p> | <p>NO</p> |
| <p>Consultees/ Consultation</p> | <p>Deputy Leader and Cabinet Member for Resources, S151 Officer, Chief Executive, Group Manager for Resident Services</p> |

I. BACKGROUND

- 1.1. On 3 October 2020, the Government announced the introduction of additional support for local authorities under the National and Local Covid Alert Level 3 Restrictions.
- 1.2. The purpose of this support is to enable Local Authorities to support its local economy and businesses that have been adversely impacted by the recent national restrictions and any future restrictions.
- 1.3. This support will take the form of a funding scheme in the financial year 2020/2021 and can be used across the following financial year (2021/2022). The scheme is called the Additional Restrictions Grant (ARG) and is to be administered by Business Rate Billing Authorities in England.

2. MAIN POINTS

- 2.1. The Department for Business, Energy & Industrial Strategy (BEIS) have given Local Authorities discretion to determine which businesses to support and how much funding to provide. However, BEIS are encouraging Local Authorities to support businesses that have been severally impacted by the restrictions, and may not qualify for support under the mandatory Local Restrictions Support Grant scheme, which is an additional scheme separate to the ARG.
- 2.2. The ARG is therefore aimed at businesses that are not necessarily liable for Business Rates; similar to the Discretionary (Covid) Business Grants scheme Local Authorities administered during the first national lockdown period in June 2020. However, a dispensation has been given to those businesses that are liable for Business Rates, have not been forced to close, but have been severally impacted as a supplier to the retail, leisure, hospitality or events sector.
- 2.3. The Policy set out in Annex A sets out the eligibility criteria as follows:
 - 1) Businesses must have been trading on 4 November 2020,
 - 2) Businesses do not have their own business rate assessment unless they fall into those detailed in 2.2 above, and
 - 3) Businesses must have high fixed property costs and/or be severely impacted by the restrictions.
- 2.4. In addition the Council will prioritise the following types of businesses:
 - a) Regular market traders with fixed building costs, such as rent,
 - b) Bed and Breakfast establishments which pay Council Tax rather than Business Rates,
 - c) Charity properties that do not have their own Business Rate assessment,
 - d) Businesses that supply goods or services to the retail, hospitality, leisure and events sectors, that do not have their own Business Rate assessment or, where permitted to continue to trade, the business has been severally impacted by the closure of the retail, hospitality, leisure and event sectors and may or may not have a Business Rate assessment,
 - e) Travel companies or those transport providers who have been severally impacted by restrictions,
 - f) Small businesses in shared office or other flexible workspaces who do not have their own Business Rate assessment and have been severally impacted,

- g) Those working from home who are not eligible for the Self-Employed Income Support Scheme (SEISS), or Coronavirus Job Retention Scheme (CJRS) and have high fixed business costs such as rent, lease, hire purchase costs or franchise payments or other costs that would not be saved by not trading.

2.5. Grant awards will be aligned to grant payments made under the mandatory Local Restrictions Support Grant scheme as follows:

- Businesses whose annual rent or financial impact is exactly £15,000 or below will receive £1,334 per 28-day qualifying restriction,
- Businesses whose annual rent or financial impact is between £15,001 to £50,999 will receive a payment of £2,000 per 28-day qualifying restriction period, and
- Businesses whose annual rent or financial impact is exactly £51,000 or above will receive a payment of £3,000 per 28-day qualifying restriction period.

2.6. Businesses who meet the eligibility criteria will make their application for the grant through the Council's website; linking through to the existing Salesforce platform. This will allow automated email acknowledgement to be used and a high level of auto-population of back office systems. The application will be a 'flow and filter' form. This means that it will ask key qualification questions first, so that those who do not fall within the key criteria are not prompted to complete the form in its entirety before being told that they do not qualify. This will also minimise the assessment process, and therefore timescales, as only fully completed applications will be eligible.

2.7. There will be a one week application window. This is to ensure, where possible, that the majority of grant payments will be made before the Christmas close-down period.

2.8. The proposed timetable is therefore:

- 1) During the end of week commencing 23 November: Announce that the application window will open on Monday 30 November 2020;
- 2) Monday 30 November 2020: Application window opens;
- 3) Sunday 6 December 2020: Application window closes;
- 4) Week commencing 7 December 2020: Assessment period;
- 5) 14 December to 16 December 2020: Verification of assessment;
- 6) 16 December 2020: Members to approve payments;
- 7) 17 December 2020: Prepare payment files for Accounts Payable;
- 8) 18 December 2020: Payments released.

2.9. The timescales for the delivery of this scheme are set outside those of Council meetings therefore emergency delegation is being sort from the Chief Executive in consultation with the Leader of the Council.

3. FINANCIAL IMPLICATIONS

3.1. BEIS will be allocating grant funding to Local Billing Authorities to cover the scheme. The allocation for West Oxfordshire District Council is £2,212,860; however this funding is to support any future restrictions during 2020/21 and 2021/22 or to provide additional support to larger local businesses which are important to the local economy, on top of the funding provided to those businesses via the Local Restrictions Support Grant scheme.

3.2. To ensure there is sufficient surplus funds to support further 'unknown' local restrictions as well as additional support the Council may want to consider in supporting its local

economy it is being recommended that 33.33% of the total grant allocation (£737,546) be allocated for the ARG.

4. LEGAL IMPLICATIONS

4.1. There are no specific legal implications associated with these recommendations.

5. RISK ASSESSMENT

5.1. There is a risk of fraud within the scheme. However, Internal Audit and the Corporate Fraud Unit officers are involved in the process design and we will be utilising Government software to assist in fraud detection.

6. EQUALITIES IMPACT

6.1. None

7. CLIMATE CHANGE IMPLICATIONS

7.1. None

8. ALTERNATIVE OPTIONS

8.1. There is discretion within the scheme, so Cabinet could decide to assist businesses not referred to within the Policy.



Additional Restrictions Grant Policy

1. Introduction

- 1.1 On 3 October 2020, the Government announced the introduction of additional support for local authorities under the National and Local Covid Alert Level 3 Restrictions.
- 1.2 This support will take the form of a funding scheme in the financial year 2020/2021 and can be used across the following financial year 2021/2022. The scheme is called the Additional Restrictions Grant (ARG) and is to be administered by business rate billing authorities in England.
- 1.3 Businesses that are required to close, but do not pay business rates may be eligible for funding at the discretion of the local authority and may also include businesses not required to close but which are severely impacted.
- 1.4 This Policy is specifically intended to address those businesses which have been forced to close under the national lockdown or are severely impacted for the four week period of 5 November to 2 December 2020; or should the national lockdown period be extended, for any additional period following that. It will also address any future periods of national lockdowns, or Tier 3 restrictions, if imposed on the local district.

2. Eligibility

- 2.1 The grant funding is for those businesses that were trading on 5 November 2020. Businesses must have high fixed property costs and/or have been severely impacted. In addition the council will prioritise the following types of businesses:
 - Regular market traders with fixed building costs, such as rent and who do not have their own business rate assessment
 - Bed and Breakfast establishments which pay council tax instead of business rates
 - Charity properties who do not have their own business rate assessment
 - Businesses that supply goods or services to the retail, hospitality, leisure and events sector who do not have their own business rate assessment, or where permitted to continue to trade the business has been severely impacted by

the closure of the retail, hospitality, leisure and event sectors. (These will include those businesses with or without a business rate assessment).

- Travel companies or those transport providers who have been severely impacted by restrictions
- Small businesses in shared office or other flexible workspaces who do not have their own business rate assessment and have been severely impacted
- Those working from home who are not eligible for the self-employed income support scheme (SEISS), or coronavirus job retention scheme (CJRS) and have high fixed business costs such as rent, lease, hire purchase costs or franchise payments or other costs that would not be saved by not trading

3. Exclusions

3.1 The following businesses are those not considered eligible for the ARG payments:

- Businesses that are able to continue to trade because they do not depend on providing direct in-person services from premises and can operate their services effectively remotely; such as accountants and solicitors
- Businesses that have chosen to close, but not required to
- Businesses which has already received grant payments that equal the maximum levels of state aid permitted under the De Minimis and the Covid-19 Temporary State Aid framework
- Businesses that are in administration, are insolvent or where a striking off notice has been made
- Businesses that were not trading on 4 November 2020
- Businesses which are able to continue to trade on-line
- Businesses not severely impacted by recent national lock-down, or Tier 3 restrictions
- Businesses that are eligible for a mandatory Local Restrictions Support Grant (LRSB)

4. Application Process

4.1 Applications, along with supporting documentation will be accepted electronically through the council website.

4.2 For each period of national lockdown or tier 3 restrictions an 'application window' will be given in which the council will accept applications. Application windows will be communicated through various media platforms to ensure maximum take-up for those eligible businesses to apply.

5. Grant Allocations

5.1 The ARG payment will be in-line with the grant payments made under the LRSB as follows:

- a) Businesses whose annual rent or financial impact is exactly £15,000 or below will receive £1,334 per 28-day qualifying restriction period
- b) Businesses whose annual rent or financial impact is between £15,001 to £50,999 will receive a payment of £2,000 per 28-day qualifying restriction period

- c) Businesses who annual rent or financial impact is exactly £51,000 or above will receive a payment of £3,000 per 28-day qualifying restriction period

5.2 Successful grant payments will be made electronically to the businesses bank account provided at the time of application.

6. State Aid

6.1 The United Kingdom left the EU on 31 January 2020, nonetheless under the Withdrawal Agreement the State aid rules continue to apply during a transition period, subject to regulation by the EU Commission. The council must be satisfied that all State aid requirements have been fully met and complied with when making grant payments. Where it is anticipated that the trading entity may exceed the De Minimis threshold, a state aid declaration will be required prior to the issue of any payment.


6.2 Payments made can be provided under the existing De Minimis rules, to any one organisation over a three fiscal year period, providing doing so does not exceed the €200,000 threshold. Payments made where the De Minimis threshold has been reached should be paid under the Covid-19 Temporary Framework for UK Authorities, providing that it does not exceed the €800,000 threshold.

7. Appeals

7.1 The Council will not be required to provide a right of appeal against any decision not to award an ARG. Businesses will not be eligible if they do not meet the criteria.

8. Fraud

8.1 The Council will not accept deliberate manipulation and fraud. Any business caught falsifying their records to gain an ARG may face prosecution. The Local Authority will seek recovery of any grant paid as a result of fraud or payments made in error.

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|  <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p> | <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p> |
| Name and date of Committee | Decisions under Urgency Delegation |
| Subject | Local Restrictions Support Grants (Open) |
| Wards affected | ALL |
| Accountable member | Cllr Toby Morris –Deputy Leader and Cabinet Member for Finance Email: toby.morris@westoxon.gov.uk |
| Accountable officer Author | Jon Dearing – Group Manager for Resident Services Tel: 01993 861221 Email: jon.dearing@publicagroup.uk Mandy Fathers – Business Manager for Operational Support and Enabling Tel: 01993 861232 Email: mandy.fathers@pubicagroup.uk |
| Summary/Purpose | The Government announced a further round of Local Restrictions Support Grants related to Business Grants on 22 October 2020 under the national and Local Covid Alert Level 2 and 3 restrictions. The purpose of this report is to formally agree the eligibility criteria, timescales, application approach, authorisation protocols and delegations and to confirm the process. |
| Annexes | Annex A : Local Restrictions Support Grant (Open) Policy |
| Recommendations | <ul style="list-style-type: none"> a) That the eligibility criteria set out in Annex A be approved; b) That the business-type priorities set out in Annex A be approved; c) That the allocation of grant funding as set out in paragraph 2.9 below be approved; d) That the process and application window proposals set out in paragraph 2.11 below be approved; and, e) That the Group Manager for Resident Services be authorised to determine individual grant awards |
| Corporate priorities | Delivering excellent modern services whilst ensuring the financial sustainability of the Council |
| Key Decision | YES |
| Exempt | NO |
| Consultees/ Consultation | Deputy Leader and Cabinet Member for Finance, Chief Finance Officer, Chief Executive, Group Manager for Resident Services, Monitoring Officer. |

I. BACKGROUND

- 1.1. On 22 October 2020, the Government announced the introduction of additional support for local authorities under the National and Local Covid Alert Level 2 and 3 Restrictions.
- 1.2. The purpose of this support is to enable Local Authorities to support its local economy and businesses that remain open but that have been adversely impacted by local restrictions and any future restrictions throughout 2020/2021.
- 1.3. This support will take the form of a funding scheme in the financial year 2020/2021. The scheme is called the Local Restrictions Support Grant (Open) (LRSG Open) and is to be administered by Business Rate Billing Authorities in England.

2. MAIN POINTS

- 2.1. This support is for businesses that are not legally required to close but which are severely impacted by the localised restrictions on socialising put in place to manage coronavirus and save lives.
- 2.2. Localised restrictions are legally binding restrictions imposed on specific Local Authority areas or multiple Local Authority areas, where the Secretary of State for Health and Social Care uses powers in Part 2A of the Public Health (Control of Disease) Act 1984 in response to the threat posed by coronavirus and commonly as part of a wider set of measure.
- 2.3. This support will take the form of a grant funding scheme in the financial year 2020/2021.
- 2.4. West Oxfordshire District area has been under Local Covid Alert Level 'High' (LCAL 2) since 2 December 2020 and will receive grant funding to support businesses in their local economies that have been severely impacted from that date.
- 2.5. In the event of a renewed widespread national 'lockdown' restrictions being imposed, the LRSG (Open) will cease to apply, as relevant businesses will receive funding from the Local Restrictions Support Grant (Closed) scheme.
- 2.6. Local Authorities have the freedom to determine the precise eligibility criteria for these grants; however, Government expect the funding to be targeted at hospitality, hotel, bed and breakfast and leisure businesses,
- 2.7. Businesses that were established prior to the introductions of LCAL 2-type restrictions within the West Oxfordshire District area are eligible. The business must have been trading the day before the restrictions came into force.
- 2.8. Businesses established after the introduction of LCAL High or LCAL Very High (if the District should move into the highest tier) are not eligible to receive grant funding.
- 2.9. Grant awards will be for a 14 day period cycle as follows:
 - Businesses whose annual rent or financial impact is exactly £15,000 or below will receive £467 per 14-day qualifying restriction,
 - Businesses whose annual rent or financial impact is between £15,001 to £50,999 will receive a payment of £700 per 14-day qualifying restriction period, and
 - Businesses whose annual rent or financial impact is exactly £51,000 or above will receive a payment of £1,050 per 14-day qualifying restriction period.
- 2.10. Businesses who meet the eligibility criteria will make their application for the grant through the Council's website; linking through to the existing Salesforce platform. This will allow automated email acknowledgement to be used and a high level of auto-population of back office systems. The application will be a 'flow and filter' form. This means that it will ask key qualification questions first, so that those who do not fall within the key criteria are not prompted to complete the form in its entirety before being told that they do not qualify. This will also minimise the assessment process, and therefore timescales, as only fully completed applications will be eligible.

- 2.11. The application window will remain open for as long as the Council remains in Tier 2 or Tier 3 local restrictions. This is to ensure, where possible, those eligible businesses will obtain the support needed.
- 2.12. The proposed timetable is therefore:
- 1) During the week commencing 14 December: Approve policy and commence build of the application process within Salesforce and announce that the application window will open on Monday 4 January 2021,
 - 2) Monday 21 December: Start testing application process,
 - 3) Week commencing 4 January 2021: Application window opens,
 - 4) Week commencing 11 January 2021: Fortnightly payment cycle begins and any back payments from 2 December also awarded within first fortnightly payment.
- 2.13. The timescales for the delivery of this scheme do not enable a report to first be considered by Cabinet, so a decision under the urgency delegations is being sought, with the Chief Executive to make the decisions following consultation with the Leader of the Council and the Cabinet Member for Resources.

3. FINANCIAL IMPLICATIONS

- 3.1. BEIS will be allocating grant funding to Local Billing Authorities to cover the scheme. The allocation for West Oxfordshire District Council is still to be announced by Government. In the event of demand for grants under the Open scheme exceeding the funding provided by BEIS, the Council may use some of the funding awarded under the Additional Restrictions Grant. Cabinet will consider any such proposal at a Cabinet meeting.

4. LEGAL IMPLICATIONS

- 4.1. There are no specific legal implications associated with these recommendations.

5. RISK ASSESSMENT

- 5.1. There is a risk of fraud within the scheme. However, Internal Audit and the Corporate Fraud Unit officers are involved in the process design and we will be utilising Government software to assist in fraud detection.

6. EQUALITIES IMPACT

- 6.1. None

7. CLIMATE CHANGE IMPLICATIONS

- 7.1. None

8. ALTERNATIVE OPTIONS

- 8.1. There is discretion within the scheme, so the Council could assist businesses not referred to within this draft Policy.



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Local Restrictions Support Grants (Open)

1. Introduction

- 1.1. On 22 October 2020, the Government announced the introduction of additional support for local authorities under the Local Covid Alert Level ‘High’ (LCAL 2) or ‘Very High’ (LCAL 3).
- 1.2. This Policy is specifically intended to address those businesses within the Hospitality, Leisure and Accommodation sectors, which are still open, but severely impacted by local restrictions introduced by Government from 2 December 2020.
- 1.3. This scheme will be available from 2 December 2020 to 31 March 2021, unless the Government instruct the scheme to close at an earlier or later date.

2. Eligibility

- 2.1. The grant funding is for those businesses that remain open and were trading on 1 December 2020. Businesses must have high fixed property costs; must not have their substantive business available on-line and be severely financially impacted by local restrictions levels in either LCAL 2 or LCAL 3. In addition the Council will prioritise the following types of businesses:
 - Businesses within the Hospitality, Leisure and Accommodations sectors;
 - Businesses that supply goods or services to the hospitality, leisure, accommodation and event sectors;
 - Regular market traders with fixed building costs, such as rent;
 - Bed and Breakfast establishments;
 - Charity properties;
 - Travel companies or transport providers.

3. Exclusions

- 3.1. The following businesses are those not considered eligible for the LCAL 2 or LCAL3 payments:
 - Businesses not trading on 1 December 2020 (where businesses were closed due to the national lockdown measure, it is accepted that those businesses are still trading),
 - Businesses which have already received grant payments that equal the maximum levels of state aid permitted under the De Minimis and the Covid-19 Temporary State Aid framework,
 - Businesses that are in administration, are insolvent or where a striking off notice has been made,

- Businesses that do not meet the eligibility criteria.

4. Application Process

- 4.1. Applications, along with supporting documentation, will be accepted electronically through the council website. This will be our preferred option but, where this is not possible; we will make alternative application arrangements.

5. Grant Allocations

- 5.1. Payments made under the Local Restrictions Support Grants (Open) scheme will be as follows:
 - a. Businesses whose annual rent or financial impact is exactly £15,000 or below will receive £467 per 14-day qualifying restriction;
 - b. Businesses whose annual rent or financial impact is between £15,001 to £50,999 will receive a payment of £700 per 14-day qualifying restriction period; and
 - c. Businesses whose annual rent or financial impact is exactly £51,000 or above will receive a payment of £1,050 per 14-day qualifying restriction period.
- 5.2. Successful grant application payments will be made electronically to the business bank account provided at the time of application.
- 5.3. Allocations will be made in cycles of 14 day payment periods; except where there has been a change that makes the business no longer eligible.
- 5.4. Businesses will need to notify the Council promptly if they no longer meet the eligibility criteria for additional grants at any point in each 14-day grant cycle period. This will be stipulated within the notification of the outcome of their grant application.

6. State Aid

- 6.1. The United Kingdom left the EU on 31 January 2020, nonetheless under the Withdrawal Agreement the State aid rules continue to apply during a transition period, subject to regulation by the EU Commission. The council must be satisfied that all State aid requirements have been fully met and complied with when making grant payments. Where it is anticipated that the trading entity may exceed the De Minimis threshold, a state aid declaration will be required prior to the issue of any payment.
- 6.2. Payments made can be provided under the existing De Minimis rules, to any one organisation over a three fiscal year period, providing doing so does not exceed the €200,000 threshold. Payments made where the De Minimis threshold has been reached should be paid under the Covid-19 Temporary Framework for UK Authorities, providing that it does not exceed the €800,000 threshold.

7. Appeals

- 7.1. The Council will not be required to provide a right of appeal against any decision not to award an LCAL 2 or LCAL 3 grant payment. Businesses will not be eligible if they do not meet the criteria.

8. Fraud

- 8.1. The Council will not accept deliberate manipulation and fraud. Any business caught falsifying their records to gain a local Restriction Support Grant (Open) may face prosecution. The Local Authority will seek recovery of any grant paid as a result of fraud or payments made in error.