

**COVID-19 Business Support Grants – January 2022**

**Omicron Additional Restrictions Grant**

**1. Introduction**

- 1.1. On 21 December 2021, Government announced the introduction of grant support for hospitality and leisure businesses in England. The scheme provides support to hospitality, leisure and accommodation businesses, in recognition that the rise of the Omicron variant means that some businesses were likely to struggle over the coming weeks. Following the impact of the Omicron variant. A further £102m was announced through a top-up to Additional Restrictions Grant to provide discretionary support to businesses that fall outside the Omicron Hospitality & Leisure Grant scheme <https://www.gov.uk/government/news/1-billion-in-support-for-businesses-most-impacted-by-omicron-across-the-uk>
- 1.2. Both schemes must have received applications by 28<sup>th</sup> February 2022 with final payments made by 31<sup>st</sup> March 2022.
- 1.3. The Omicron Hospitality & Leisure Grant is subject to a separate scheme. If your business is in the Hospitality & Leisure sector and you are a business rate payer, please refer to the Omicron Hospitality & Leisure Scheme.
- 1.4. This policy focuses on the local authority **Omicron Additional Restrictions Grant** scheme only, available from 1<sup>st</sup> February 2022. The purpose of this grant scheme is to support businesses that have been adversely impacted by the Omicron COVID-19 variant during December 2021. It will be for local authorities to devise a scheme and approach that reflects their local circumstances, such as providing support for micro-businesses with fixed costs, businesses in the supply chain of Hospitality and Leisure businesses or support for businesses that are crucial for their local economies.
- 1.5. The value of the payment to be made to a business is at the discretion of the local authority. For avoidance of doubt, Bath and North East Somerset Council's £366,072 allocation of the £102 million Additional Restrictions Grant top-up will not be sufficient to support all businesses. The number of businesses who previously benefitted from support under the Additional Restrictions Grant will be significantly reduced.
- 1.6. The West of England Unitary authorities (Bath & North East Somerset Council, Bristol City Council, South Gloucestershire Council) and North Somerset Council have developed a regional policy to provide some consistency in the additional support available to businesses across the wider region. However, there may be some minor variations across these authorities.

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1.7. Businesses must apply for support under this scheme directly to the local council where the business is trading. You can [check the postcode of where your business is trading](#) to see which is your local council. Note, if you apply to the wrong council your application will be declined and you will need to apply directly to the correct council.

## 2. Eligible businesses

2.1. Your business may be eligible if:

- You are not eligible for an Omicron Hospitality & Leisure Grant
- You are a business rates payer of the premises you trade from or occupy, and are severely impacted by Omicron restrictions on socialising.
- You are not a business rate payer of the premises you trade from or occupy, and your business (including those that are self-employed and sole traders) is based in the relevant council area, is trading on 30 December 2021 and has 49 or fewer employees (a person who receives remuneration via your payroll system), and either:
  - You are not required to close but have closed due to a significant impact on trading; or
  - You are continuing to operate, but with significantly reduced demand or higher costs due to the increase in case numbers of the Omicron variant.

Indicators that a business is trading are:

- The business continues to trade, including online, via delivery services etc.
- The business is not in liquidation, dissolved, struck off or subject to a striking-off notice or under notice
- The business is engaged in business activity; managing accounts, preparing for reopening, planning and implementing COVID-safe measures

## 3. Funding to be provided to businesses

3.1. If you do not qualify for an Omicron Hospitality & Leisure Grant and you are a business rates payer of the premises you trade from; a one-off grant will be provided as follows:

- **Up to £1,000** for businesses occupying hereditaments with an RV of exactly £15k or under on the date of the commencement of local restrictions or at the time of previous application.
- **Up to £1,500** for businesses occupying hereditaments with an RV over £15k and less than £51k on the date of commencement of the local restrictions or at the time of previous application.
- **Up to £2,000** for businesses occupying hereditaments with a RV of exactly £51k or above on the date of commencement of the local restrictions or at the time of application.

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3.2. If you are not a business rates payer a one-off grant is available as follows:

- **Up to £500** for a sole trader, partnership, or other business with no employees.
- **Up to £1,000** for businesses with 1 to 9 employees.
- **Up to £1,500** for businesses with 10 to 49 employees.

**Please note: these are 'up to' grant awards and will be impacted by the number of eligible applications we receive. These grants are the maximum amount you may receive, and the actual grant awarded may be significantly lower.**

3.3 The West of England unitary authorities will collaborate when assessing and awarding grants and eligible businesses will only be entitled to one grant per business (not one per business premises) across the West of England region.

3.4 The respective council has discretion as to the prioritisation of all applications received; this is likely to be based on local economic need and subject to the availability of funding. Councils will reserve the right to withhold payment where there is evidence that a business has a detrimental impact on the region, residents, or our communities.

## 4. Eligibility Criteria

If your business meets all the following criteria, you could be eligible for a grant:

- 4.1 Businesses trading on 30<sup>th</sup> December 2021 (see indicators above), excludes activities undertaken for the purposes of acquiring or setting up a proposed new trade.
- 4.2 Businesses not entitled to an Omicron Hospitality & Leisure Grant.
- 4.3 Businesses which can demonstrate they have suffered a significant fall in income (including online activity) or a significant increase in costs due to Omicron restrictions.
- 4.4 Businesses that do not pay business rates directly with 49 or fewer employees (a person who has received remuneration via your payroll system in the last 3 months and who has a contract of employment).

## 5. Exclusions from the Discretionary Scheme

- 5.1 If your business is outside of the West of England region.
- 5.2 Businesses entitled to an Omicron Hospitality & Leisure Grant.
- 5.3 Businesses that have reached the subsidy allowance limit.
- 5.4 Businesses that are in administration; are insolvent or where a striking-off notice has been made.
- 5.5 Businesses that are part of a national chain.

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- 5.6 Private / residential accommodation where rooms / properties are let out, that do not have a food licence.
- 5.7 Businesses who cannot demonstrate clearly that they have been significantly impacted by the Omicron COVID-19 variant.
- 5.8 Businesses who have not been as significantly impacted by the Omicron COVID-19 variant in comparison to other businesses who meet the eligibility criteria for the Omicron Additional Restrictions Grant.

**6. Application process**

- 6.1. Businesses must apply using the online application form within the published dates. Businesses will be asked to provide evidence to support the information provided in the application.
- 6.2. Only one application is required per business.
- 6.3. Applicants will need to provide, where relevant and/or appropriate the following:
  - Business type/sector
  - Company registration number
  - National Insurance/unique taxpayer reference number
  - Charity number
  - VAT registration number
  - Business rate/Council tax account number
  - Number of employees
  - Photo ID or alternatively a passport number or driving licence number of the applicant
  - Bank statement (dated within the last 3 months)
  - Declaration as to the impact on your business, including the proportion of trade you have lost from the closure of other businesses. We may ask for further information or supporting evidence.
  - Declaration as to Subsidy Allowances received
  - Bank details for payment
  - Email or correspondence address
  - Declaration of accuracy and consent to use data for wider verification.
- 6.4. The volume of eligible businesses within the region indicates that this grant scheme may be over subscribed. It is up to each local authority to decide how to structure and prioritise eligible grant applications received based on economic need. This may vary across the region and the local authority decision will be final. No separate dispute mechanism is in place with this fund and the dispute resolution process under the constitution of the respective council would apply.

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- 6.5. Recognising the need to get support out to businesses swiftly whilst balancing the total grant awards within the funding available to the council and clearly evidence the demand (should additional funding be subsequently available), the application process will use an application window for grants opening no later than 1<sup>st</sup> February 2022 and closing 28<sup>th</sup> February 2022. This will be followed by assessment against the criteria within this policy followed by prioritisation if necessary to ensure the funding is not exceeded. The councils reserve the right to close the window for applications at any time should funding be exhausted or if further guidance from government is received. All payments must be made by the 31<sup>st</sup> March 2022.
- 6.6. Businesses are encouraged to apply early, and each local authority will aim to process applications in a timely manner, subject to accurate and appropriate evidence being provided at the point of application.

### **7. Who will receive this funding?**

- 7.1. The person, business, or organisation who according to their application is the eligible beneficiary, certified by the evidence included in their application.
- 7.2. There is no right of appeal against a decision made under this policy.

### **8. Will this grant scheme be subject to tax?**

- 8.1. Grant income received by a business or individual is taxable therefore awards made under this scheme will have to be declared within the relevant annual tax return.
- 8.2. Only businesses or individuals making an overall profit once grant income is included will be subject to tax.

### **9. Managing the risk of fraud**

- 9.1. Local authorities will not accept deliberate manipulation and will work collaboratively across the region and nationally to share intelligence and resources to detect fraud. Any business or individual found to be giving false eligibility information or seeking to gain additional grant will be investigated. The council will recover money paid in error and fraudulent claims will be prosecuted in the courts.
- 9.2. Pre and post payment assurance checks will be undertaken by the council. Where fraud has been identified, this will be reported in real time to the National Anti-Fraud Network.

### **10. Subsidy Allowances**

- 10.1. Businesses must make a declaration when applying for this scheme in line with the following:
- Small Amounts of Financial Assistance Allowance – businesses are allowed up to £335,000 (subject to exchange rates) over any period of 3 years.

- COVID-19 Business Grant Allowance – businesses are allowed up to £1,900,000.
- COVID-19 Business Grant Special Allowance - if limits under the Small Amounts of Financial Assistance Allowance and COVID-19 Business Grant Allowance have been met, businesses may be able to access a further allowance of funding under these scheme rules of up to £10,000,000, provided certain conditions are met.
- Grants under these 3 allowances can be combined for a potential total allowance of up to £12,235,000 (subject to exchange rates).

## **11. Local Discretion**

- 11.1 Where exceptional circumstances exist, the Council reserves the right to vary the criteria of this scheme to respond effectively to local economic need.
- 11.2 Bath and North East Somerset Council's £366,072 allocation of the £102 million Additional Restrictions Grant top-up will not be sufficient to support all businesses. There will inevitably be some businesses who may be deemed as significantly impacted by the Omicron COVID-19 variant but will not receive a grant because they are not as severely impacted in comparison to other businesses who have applied. The purpose of an application window is to assess all applications at the same time and identify the businesses impacted the most and award grants accordingly to those impacted the most.