

Burnley Additional Restrictions Grant Scheme Eligibility Criteria

Amended and applicable from 3rd December 2020

PLEASE READ THE ELIGIBILITY CRITERIA CAREFULLY AND IF YOU FEEL YOUR BUSINESSES MEETS THE CORE ELIGIBILITY CRITERIA AND ONE OF THE SCHEME'S CATEGORIES LISTED BELOW PLEASE CLICK ON PROCEED TO THE APPLICATION TAB.

To be eligible Businesses must meet all the core eligibility criteria and the criteria set out in one of the categories below.

Core Eligibility Criteria:

- the business is not eligible for Local Restrictions Support Grants Open or Closed
- the business was open and trading as usual on 4 November 2020, 31st December 2020 or 5th January 2021.
- the business must be based in Burnley
- 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 able to continue to trade and can operate their services effectively remotely are not eligible.
- Businesses that have chosen to close but are not required to close will not be eligible.
- For the avoidance of doubt, businesses that are in administration, insolvent or where a striking-off notice has been made, are not eligible for funding under this scheme.

Category 1

Hospitality and Leisure businesses that are required to close, on 5th November as a result of either national closures and subsequent Tier 3, 4 or 5 closures but do not occupy commercial premises and are not liable for business rates. This could include for example, small B&B/Guest houses/self-catering accommodation that pay Council Tax, leisure craft and boat hire operators. These businesses will be eligible for single grant payment of £500 for the period 5th November to 2nd December 2020 and each 28 day period thereafter as long as Tier 3, 4 or 5 restrictions remain in place

Hospitality and Leisure businesses may also be eligible for support back dated to 5th August¹ at a rate of £500 per 28-day period.

Businesses must complete the application form and provide evidence requested.

Businesses that have already applied for and been awarded grants for the period 5th November to 2nd December do not need to re-apply for subsequent payments.

Should businesses wish to apply for the additional funding backdated to 5th August then they must supply a written statement with their application setting out how the restrictions have impacted on their business and also show how the businesses income levels have been affected during that period.

Category 2

Hospitality, Leisure and non-essential retail/personal service businesses that are required to close as a result of either national closures and subsequent Tier 3, 4 or 5 restrictions but occupy premises where the landlord is liable for the business rates. These businesses will be eligible for single grant payment equal to one months rent up to £3000 for the period 5th November to 2nd December 2020 and each 28 day period thereafter as long as Tier 3,4 or 5 restrictions remain in place, depending on the lease costs.

Hospitality and Leisure businesses may also be eligible for support back dated to 5th August at rate of £500 per 28-day period.

Businesses will be required to provide to complete an application form and provide evidence of a lease/licence agreement.

Businesses that have already applied for an been awarded grants for the period 5th November to 2nd December do not need to re-apply for subsequent payments.

Should businesses wish to apply for the additional funding backdated to 5th August then they must supply a written statement with their application setting out how the restrictions have impacted on their business and also show how the businesses income levels have been affected during that period.

Category 3

Businesses that are required to close on 4th November and remain closed after the 2nd December, but lease or sub lease a property that is exempt from business rates, e.g., places of worship, properties in historic parks and gardens, are eligible for a single grant payment equal to one month's rent up to a maximum value of £1,500 for the period 5th November to 2nd December and for each 28 day period thereafter as long as Tier 3,4 or 5 restrictions remain in place

Hospitality and Leisure businesses may also be eligible for support back dated to 5th August on the same basis.

Businesses will be required to provide to complete an application form and provide evidence of a lease/licence agreement. Businesses that have already applied for and been awarded grants for the period 5th November to 2nd December do not need to re-apply for subsequent payments

Should businesses wish to apply for the additional funding backdated to 5th August then they must supply a written statement with their application setting out how the restrictions have impacted on their business and also show how the businesses income levels have been affected during that period.

Category 4

Businesses that are required to close that have a RV in excess of £100,000 that meet the definition of a small and medium sized enterprise², will receive a single top up payment of £2000 to cover the period 5th November to 2nd December, and each 28 day period thereafter as long as Tier 3, 4 or 5 restrictions remain in place

Businesses will need to complete an application form, provide evidence that they meet the criteria of an SME. Businesses that have already applied for an been awarded grants for the period 5th November to 2nd December do not need to re-apply for subsequent payments.

Category 5

Businesses that supply products and services to businesses that have been forced to close (for example the hospitality, leisure and events sectors, non-essential retail and education) ,that are liable for business rates where they are able to demonstrate that at least 50% of their income is derived from supplying closed businesses. Grants will be paid at the following rate:

Properties with a rateable value of less than £15,000;	£934
Properties with a rateable value between £15,001 to £50,999	£1,400
Properties with a rateable value over £51,000	£2,100

Qualifying businesses will be eligible for further payments for each 28 day period of Tier 3,4 or 5 restrictions at the above rate.

In exceptional circumstances the Council can award a higher rate in line with LRS (Closed) for example where a business is effectively unable to trade even though it is permitted to open.

Business supplying the Hospitality and Leisure sector may be eligible for support back dated to 5th August at the same rate.

Businesses will be required to provide a written statement which demonstrates that the businesses supplies into that 50% or more of the businesses turnover is from these sectors. Businesses that have applied and been awarded grants for the period 5th November to 2nd December do not need to re-apply for subsequent payments.

Should businesses wish to apply for the additional funding backdated to 5th August then they must supply a written statement with their application setting out how the restrictions have impacted on their business and also show how the businesses income levels have been affected during that period.

Category 6

Businesses that supply products and services to businesses that have been forced to close (for example hospitality, leisure and events, non-essential retail and education) that are outside of the rates system but are able to demonstrate on-going fixed overheads (excluding wages) that are effectively closed. These businesses will be eligible for a single grant of £500 covering the period 5th November to 2nd December and each 28 day period thereafter that Tier 3,4 or 5 restrictions apply.

Businesses will be required to provide a written statement explaining the nature of the businesses and how the current restrictions mean that the business is effectively closed. ARG cannot be used to pay for wage costs (the SEISS and the JRS provide for this) but can be used to cover other fixed over heads. Fixed overheads could include for example, insurances, hire purchase/lease costs for business equipment, storage costs, pitch fees, and applicants will need to set out these costs in their written statement of these costs.

Category 7

Small independent essential retail businesses (including takeaways) that are able to remain open and are liable for business rates, but where they can demonstrate a substantial reduction in either footfall or turnover of at least 20% as a result of national, tier 4 and tier 5 travel restrictions, the closure of offices and neighbouring retail businesses. To be eligible the business must be open and trading on the 5th November, or on any subsequent date that Tier 4 or 5 restrictions come into place and remain open throughout the restrictions period except where the business makes a case for temporary closure for all or part of the restrictions period. . Grants will be paid at the following rate as a single payment for the period 5th November and ending on 2nd December 2020 and each 28 day period thereafter that Tier 4, 5 or national restrictions apply:

Properties with a rateable value of less than £15,000;	£934
Properties with a rateable value between £15,001 to £50,999	£1,400

Businesses will be required to provide a written statement explaining how they have been affected including financial information to demonstrate a of a decrease in turnover or footfall of 20% or more,, compared to the previous three-month period (Aug – October 2020). Where businesses have closed temporarily during the national restrictions they should provide an explanation as to why. This may be on grounds of viability or safety reasons.. Businesses that have applied and been awarded grants for the period 5th November to 2nd December do not need to re-apply for subsequent payments.

Category 8

Taxi hire businesses that occupy premises with a rateable value that are able to demonstrate a significant reduction of at least 20% in turnover will be eligible for a grant at the following rate per 28-day period starting 17th October³ and each 28 day period thereafter that tier 3, 4 or 5 restrictions apply

Properties with a rateable value of less than £15,000;	£934
Properties with a rateable value between £15,001 to £50,999	£1,400
Properties with a rateable value over £51,000	£2,100

Businesses will be required to provide a written statement demonstrating how the business has been impacted due to the restrictions. The statement will also need to include a financial statement demonstrating a 20% financial reduction in the business for the period 17th October to 2nd December. . Businesses that have applied and been awarded grants for the period 5th November to 2nd December do not need to re-apply for subsequent payments.

Category 9

Self Employed Hackney Cab and Private hire drivers and driving instructors are eligible for a one-off grant of £500 for the period 17th October to 2nd December, where they are able to demonstrate a substantial (20%+) reduction in business (e.g., turnover, income) as a result of the Tier 3 and national restrictions and where they can demonstrate on-going fixed overheads This will be extended to a £500 payment for each 28 day period that Tier 3,4 or 5 restrictions are applicable.

Businesses will be required to provide a written statement demonstrating how the business has been impacted due to the restrictions. The statement will also need to include a financial statement demonstrating a minimum 20% financial reduction in the business for the period 17th October to 2nd December. Additional Restrictions Grant cannot be used to pay for wage costs (the Self-Employed Income Support Scheme and the Job Retention Scheme provide for this) but can be used to cover other fixed overheads. Fixed overheads could include for example, insurances, hire purchase/lease costs for business equipment, storage costs, license fees, and applicants may need to provide evidence of these costs at a later date. Businesses that have applied and been awarded grants for the period 5th November to 2nd December do not need to re-apply for subsequent payments.

Category 10 – Charitable Organisations. – for charities that are currently in receipt Charitable Relief that would otherwise be eligible for small business rates relief. To be eligible the charities would need to explain why they have completely closed or the impact of being open but operating at reduced capacity. Charities will be paid at the following rates:

	Open/Reduced	Closed
	Capacity	
Properties with an RV of less than £15,000;	£934	£1334
Properties with an RV between £15,001 to £50,999	£1,400	£2000
Properties with an RV over £51,000	£2,100	£3000

Category 11 – ARG Open – this is for businesses (excluding essential retail) that are not required to close but where they are unable to operate or are operating at significantly reduced capacity as a result of COVID 19 restrictions in order to protect staff and customers. This could include for example nurseries, non-statutory education and training providers, social care settings. Businesses will be paid at the following rates:

	Open/Reduced	Closed
	Capacity	
Properties with an RV of less than £15,000;	£934	£1334
Properties with an RV between £15,001 to £50,999	£1,400	£2000
Properties with an RV over £51,000	£2,100	£3000

The Council's decision is final and there is no process of appeal.

Notes: -

¹ This is the date Burnley entered Local Covid Alert Level 2.

² Enterprises which employ fewer than 250 persons and which have an annual turnover not exceeding 50 million euro, and/or an annual balance sheet total not exceeding 43 million euro.”

³ This is the date Burnley entered Local Covid Alert Level 3

Businesses Required to Close: <https://www.legislation.gov.uk/uksi/2020/1200/schedule>