

FAREHAM

BOROUGH COUNCIL

Name of Grant	Additional Restrictions Grant (ARG) Scheme
Sub-section	Tranche 5 – Omicron
Parts	T5P1a – Hospitality and Leisure T5P1b – Other affected Sectors T5P1c – Taxi Operator T5P1d – New Starter top up T5P2 – Other Retail
Start Date	01/02/2022
Final date for information/ evidence submission	05/03/2022
Final Payment Date	31/03/2022

INTRODUCTION

In response to the Coronavirus 4-week National Lockdown, which was announced on 31/10/2020, the Government also announced there would be funding provided to Local Authorities to support businesses in their areas. The Additional Restrictions Grants Scheme (ARG) was announced alongside the Local Restrictions Support Grant.

ARG funds have been made available to support local economies and businesses that have been adversely impacted by imposed national restrictions, and in anticipation of future restrictions. Local Authorities, however, have the discretion to determine how much funding to provide businesses and which businesses to target.

Fareham Borough Council initially received £2,324,660 in funding for the ARG scheme. It had been stated that no additional funds would be awarded within the 2020/21 and 2021/22 financial years. However, an additional £1,032,504 was subsequently received as the ARG-Top Up in January 2021. On 3rd March 2021 the Government announced that a further £425 million would be made available nationally for Local Authorities, through a conditional top-up to the Additional Restrictions from 1 April 2021. One of these conditions is that the original fund allocations are spent by 30 June 2021. Fareham Borough Council successfully met this deadline and received a subsequent top up of £824,098 on 16th July 2021.

On 21 December 2021, the Government announced a further package of funding aimed at businesses impacted by the Omicron variant. This included an ARG third top-up allocation to Fareham Borough Council of £192,045.

Section 1 of the Localism Act 2011 provides all local authorities with the vires to make payments from these funding allocations.

At the start of the ARG scheme Fareham Borough Council adopted a set of principles which would underpin how the ARG funds would be used with starting allocations for the different parts of the scheme. The principles set heavily favoured the payment of funds directly to eligible businesses in the form of grants. The guidance provided by the Government also stipulates that the third top-up must be distributed in the form of grants to businesses.

This document therefore covers the Fifth Tranche of Grants to businesses primarily using the ARG third top funding (Omicron).

TRANCHE 5 - GRANTS TO BUSINESSES AFFECTED BY OMICRON (ARG-T5)

The aim of the **ARG-T5 Scheme** is to provide support to businesses (including charities, non-profit organisations, community interest companies or similar organisations) in the Borough of Fareham, who have been impacted by further coronavirus restrictions or the Omicron variant.

The Scheme consists of 4 Parts as summarised in the table below:

Ref	Title	Premises Type	Eligible Businesses (See fuller definitions in the section below)
ROUND 1			
T5P1a	ARG-Omicron Hospitality and Leisure	Commercial non-rateable premises Domestic premises	Hospitality Leisure Accommodation
T5P1b	ARG-Omicron other affected sectors	Rateable properties Commercial non-rateable premises Domestic premises Mobile businesses	Personal Care Travel and tourism Wholesalers and suppliers to Hospitality, Leisure and Accommodation businesses Gyms, wellbeing centres and sports businesses conducted from premises Riding Establishments Mobile caterers Event organisers including weddings
T5P1c	ARG-Taxi Operator	Rateable properties Commercial non-rateable premises Domestic premises	Holders of an FBC Taxi Operator licence and where the business operates out of a business address in the Borough of Fareham.
T5P1d	ARG-New starter top up	Rateable properties Commercial non-rateable premises (where rent or similar paid)	Business in receipt of one of the Omicron grants who started trading after 11 March 2020 .
ROUND 2			
T5P2	ARG-Retail	Rateable properties	Essential and Non-essential retail who have suffered a loss due to restrictions or Omicron variant Excludes take away and delivery of food

These schemes complement the mandatory Omicron Hospitality and Leisure grant scheme and businesses who have received a grant under that scheme cannot receive a further grant under this scheme. One exception to this is the T5P1d scheme which can be paid to a company who received the mandatory grant.

With the exception of T5P1d, all parts of the scheme are mutually exclusive in that a grant cannot be paid for the same business premises under more than one part of the scheme. A business, however, can receive more than one T5 grant for different business premises that meet the criteria.

Applications will be invited for all 5 parts at the same time. However, funding will be allocated first to the 4 “round 1” schemes. Applications for the T5P2 (retail) scheme will be on hold until it becomes clear that there will be sufficient funding left to be able to fund some or all of these too. The review date for the round 2 scheme is currently set as **25/02/22** but this may change as the schemes progress. Round 2 applications will then be paid out on the basis of the date that the application was received plus the date that any response to requests for further information have been received.

Cost of the Scheme

The ARG third top-up funding of £192,045 has been set aside for the ARG-T5 Scheme. If this proves to be insufficient and there is still funding left from the ARG second top-up, this can also be utilised to pay for this scheme.

ARG-T5P1a – Omicron Hospitality and Leisure

Who is Eligible for the ARG-T5P1a Scheme?

The ARG-T5P1a Scheme covers the following 2 eligible groups:

- Businesses operating in a commercial non-rateable property (including shared office spaces);
- Businesses operating from domestic premises.

What Business Sectors fall under the ARG-T5P1a Scheme?

To be eligible for the scheme, businesses must offer in-person services from fixed premises where at least 50% of business activity is for one of the following sectors:

- **Hospitality** – For the purposes of this scheme, a hospitality business can be defined as a business whose main function is to provide a venue for the consumption and sale of food and drink.
- **Leisure** – For the purposes of this scheme, a leisure business can be defined as a business that provides opportunities, experiences and facilities, in particular for culture, recreation, entertainment, celebratory events and days and nights out.

- **Accommodation** – For the purposes of this scheme, an accommodation business can be defined as a business whose main lodging provision is used for holiday, travel or other purposes.

How much Grant will be paid to businesses under the ARG-T5P1a Scheme?

A single grant of **£2,667** will be paid to businesses that meet the criteria of the ARG-T5P1a Scheme.

ARG-T5P1b – Omicron Other Affected Sectors

Who is Eligible for the ARG-T5P1b Scheme?

The ARG-T5P1b Scheme covers the following 3 eligible groups:

- Businesses operating from rateable properties
- Businesses operating in a commercial non-rateable property (including shared office spaces)
- Businesses operating from domestic premises

In order to qualify for the grant the business must have an annual turnover of at least **£10,000**, under normal trading conditions.

What Business Sectors fall under the ARG-T5P1b Scheme?

The scheme is targeted at businesses who offer in-person services from fixed or mobile premises where at least 50% of business activity is for services, as suggested by the Government, that have been affected by restrictions or the Omicron variant, but do not meet the definition of the mandatory or T5P1a scheme.

The following list, though not exhaustive, details the main services that would be eligible for this scheme:

- Personal Care
- Travel and Tourism
- Wholesalers/suppliers to the hospitality, leisure or accommodation sectors
- Gyms, well-being centres and sports businesses where physical exercise or training is conducted on an individual basis or group basis, and which operate from premises for which rent or similar is paid.
- Riding Establishments
- Mobile caterers
- Events organisers including weddings

How much Grant will be paid to businesses under the ARG-T5P1b Scheme?

The amount awarded to eligible businesses will be as per the table below:

Criteria	Amount
Liabe party in a rateable property with a rateable value* of £51,000 or more.	£6,000
Liabe party in a rateable property with a rateable value* over £15,000 and less than £51,000.	£4,000
All other eligible businesses	£2,667

**Rateable Value figure will be the value on 30th December 2021.*

ARG-T5P1c – Taxi Operator

Who is Eligible for the ARG-T5P1c Scheme?

The ARG-T5P1c Scheme covers the following 3 eligible groups:

- Businesses operating from rateable properties
- Businesses operating in a commercial non-rateable property (including shared office spaces)
- Businesses operating from domestic premises

What Business Sectors fall under the ARG-T5P1c Scheme?

To be eligible for the scheme, the business must be a holder of a current private hire **Operator's Licence** issued by Fareham Borough Council before 30 December 2021, and where the business operates out of a business address in the Borough of Fareham.

How much Grant will be paid to businesses under the ARG-T5P1c Scheme?

A single grant of **£2,667** will be paid to businesses that meet the criteria of the ARG-T5P1c Scheme.

ARG-T5P1d – New Starter Top Up

Who is Eligible for the ARG-T5P1d Scheme?

The ARG-T5P1d Scheme covers the following 2 eligible groups:

- Businesses operating from rateable properties
- Businesses operating in a commercial non-rateable property (including shared office spaces) where rent or similar is paid for the use of that property

What Business Sectors fall under the ARG-T5P1d Scheme?

To be eligible for the scheme, the business must qualify for one of the other ARG T5 Omicron schemes or the mandatory Omicron Hospitality and Leisure Scheme.

The business must also have started trading after 11 March 2020 which was the cut-off date for the first round of Covid business grants schemes.

How much Grant will be paid to businesses under the ARG-T5P1d Scheme?

A single grant of **£2,000** will be paid to businesses that meet the criteria of the ARG-T5P1d Scheme. This will be in addition to the other grants they are eligible for under the Omicron schemes.

ARG-T5P2 – Retail

Who is Eligible for the ARG-T5P2 Scheme?

The ARG-T5P2 Scheme is only available to Businesses operating from rateable properties.

What Business Sectors fall under the ARG-T5P2 Scheme?

The scheme is open to both essential (i.e. those who have not been forced to close) and non-essential retail businesses (i.e. those who were forced to closed during earlier periods of restrictions), who have suffered a loss as a result of restrictions or the Omicron variant.

Businesses where more than 50% of the service relates to takeaway food or the delivery of food to the premises where they are consumed are excluded from this scheme.

How much Grant will be paid to businesses under the ARG-T5P2 Scheme?

The amount awarded to eligible businesses will be as per the table below:

Criteria	Amount
Liabe party in a rateable property with a rateable value* of £51,000 or more.	£6,000
Liabe party in a rateable property with a rateable value* over £15,000 and less than £51,000.	£4,000
All other eligible businesses	£2,667

**Rateable Value figure will be the value on 30th December 2021.*

GENERAL CRITERIA FOR ARG-T5 Grants

To be considered for the funding under the ARG T5-Scheme the following criteria must also be met:

a) Be an Active Business

The business must have been trading as at **30 December 2021**. A business is considered to be trading if it is engaged in business activity. This is interpreted as carrying on a trade or profession or buying and selling goods or services in order to generate turnover. Indicators that a business is trading include:

- The business continues to trade, including online, via click and collect services etc.
- The business is not dormant.
- The business is not in liquidation, administration, 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.

a) Must have employees/staff

- The business must pay the staff through PAYE. If the staff received their income through dividends only, it is acceptable to class them as employees, provided they directly deliver goods/services (for example, they are a shop-keeper who predominantly works in the shop).
- To avoid confusion: companies which are investment/holding companies rather than trading companies are not eligible, even if they do have staff.
- The definition of 'staff' can include volunteers if the organisation is a charity, non-profit organisation, community interest company or similar.

b) Occupy at least one trading location in the Borough of Fareham

Certain types of location are excluded, the list which follows is not exhaustive: car parks, properties used for storage units, commercial properties used for domestic purposes.

A single payment per business will be made.

Businesses are not eligible for these payments if they have moved out of the Borough.

c) Must not exceed Subsidy Allowance limits (see below)

Application Process

Applicants must complete an application form which will be available on the council's website. The application form includes data collection information about the company required by the government for each grant paid. It must therefore be provided before a grant is paid. The Council reserves the right to make further enquiries to clarify or confirm the information provided in the application.

Assessment and Prioritisation of grants

The fund is limited therefore the schemes will be managed in 2 rounds [as described above](#). Once the fund has been used there will be no additional grants paid. Alternatively, surplus funds may be allocated to another ARG scheme.

The Council reserves the right to close the scheme if it is likely to become oversubscribed, in which case grants will be awarded on a first come basis.

The Council reserves the right to change the criteria of the scheme, including the amount of the grant, if it is likely to become oversubscribed or it becomes clear that the scheme may result in payments that were not intended.

The Council also reserves the right to use its discretion when assessing applications, where the principles of the scheme are being met but particular details of the scheme are preventing payments to businesses which the Council intended the grants scheme to help. However, there is no discretion over the maximum amount of the grant which can be awarded and the decision to use discretion for any application will be agreed by at least 2 authorising officers.

Award of grant

All will be reviewed against the eligibility criteria and checked against information provided. All applicants will be contacted to be informed if grant has been awarded or declined with an explanation.

Payment of grant

All payments will be made via BACS (as soon as practicable) and the business must provide bank details for payment, including proof that the account is related to the business.

Tax

Grant income received is taxable therefore funding paid under any Local Authority discretionary grant scheme should be declared for tax purposes.

Subsidy Allowance Limits

Receipt of these grants falls within the rules of the COVID-19 business grants subsidy allowances. More details can be found at:

<https://www.fareham.gov.uk/business/subsidyallowances.aspx>

and using the link to the government guidance below:

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

Fraud

The council will not accept deliberate manipulation and fraud - and any business caught falsifying their records to gain grant money may face prosecution and any funding issued will be subject to claw back, as may any grants paid in error.

All applicants' information will be shared with the Government Grants Management team to enable any fraud to be identified. The council will use tools available to confirm accuracy of applications and submitted data.

Applicants will need to make declarations within their application, any application received without the declarations completed will be rejected.

Transparency

The Council reserves the right to publicise the names of businesses helped through this scheme.

Appeals

There are no further appeals rights for the grant, the Council's decision is final, however, we will review our decision if it is clear that an error was made in processing an application