



# Borough of Pendle Council Additional Restrictions Grants (ARG) Event Support Scheme

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## Definitions

The following definitions are used within this document:

**‘Additional Restrictions Grant (ARG)’** means the additional funding provided by Government. Funding will be made available to eligible Local Authorities;

**‘COVID-19’ (coronavirus);** means the infectious disease caused by the most recently discovered coronavirus;

**‘Department for Business, Energy & Industrial Strategy (BEIS)’;** means the Government department responsible for the scheme and guidance;

**‘Hereditament(s);** means the assessment defined within Section 64 of the Local Government Finance Act 1988;

**‘Local lockdown’;** means the same as **‘Local restrictions’**;

**‘Local rating list’;** means the list as defined by Section 41 of the Local Government Finance Act 1988

**‘Local restrictions’;** and **‘Localised restrictions’** means legally binding restrictions imposed on specific Local Authority areas or multiple Local Authority areas, where the Secretary of State for Health and Social Care requires the closure of businesses in a local area under regulations made using 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 measures;

**‘Rateable value’;** means the rateable value for the hereditament shown in the Council’s local rating list at the date of the local restrictions;

**‘Ratepayer’;** means the person who will receive the grant will be the person who, according to the Council’s records, was the ratepayer liable for occupied rates in respect of the hereditament at the date of the local restrictions;

**‘Restart Grant or LGRS’;** means the mandatory grant under the Government’s Restart scheme effective from 1<sup>st</sup> April 2021;

**‘Subsidies’;** means the replacement for state aid subsidy obligations set out in the Trade and Cooperation Agreement (TCA) with the EU

**‘State Aid Framework’;** means the Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak published on 19 March 2020; and

**‘Temporary Framework for State aid’;** means the same as the **‘State Aid Framework’**.

## **1.0 Purpose of the Scheme and background.**

- 1.1 The purpose of this document is to determine eligibility for a payment under the Council's third round of its Additional Restrictions Grant Scheme (ARG) Event Support Scheme.
- 1.2 This scheme has been developed by the Council in response to an announcement made by the Secretary of State for Business, Energy & Industrial Strategy whereby an additional restriction grant payment may be made by the Council to a business which had to close or is severely affected due the restrictions that were put in place to manage coronavirus.
- 1.3 Whilst the awarding of grants will largely be at the Council's discretion, the Department for Business, Energy & Industrial Strategy (BEIS) has set down certain criteria which **must** be met by each business making an application.

## **2.0 Funding**

- 2.1 The ARG Event Support Scheme is a limited fund with the objective to support as many local events as possible that contribute to the post-pandemic recovery of the Pendle economy and the extension of the event calendar into the Autumn and Winter months.
- 2.2 The funding will be allocated per event with consideration given to whether the event is a returning event, a new event intending to return on an annual basis, or an event specifically aimed at post-pandemic recovery / extending the season.

## **3.0 Eligibility criteria and awards – Event Support Scheme**

- 3.1 The ARG Event Support Scheme will support recovery of the tourism and culture economy in the post-COVID pandemic period in the Pendle Borough. The ARG Event Support Scheme will contribute towards additional cost required to put in place measures to manage COVID infection i.e., testing facilities, sanitisers, COVID signage etc. as well part funding towards other operational costs to support the event. The grant is also intended to assist the post-pandemic recovery by supporting events in the Autumn and Winter months, outside of the main seasonal event period encouraging additional footfall.
- 3.2 The grant funding is available to any formally established private sector business, or recognised charity that holds an event between 1 November 2021 and 31 March, 2022, subject to the criteria set out in the scheme. Support will be available to returning events, new events, and one-off events established to assist the post-pandemic economic recovery in Pendle. ARG grants are aimed at sectors of the economy and businesses that have been adversely impacted by the COVID 19 pandemic.
- 3.3 Awards cannot be made to public authorities including town, parish, and borough councils and an event must be an attraction or entertainment activity available to the public, private events restricted to invites and / or members will not be supported.
- 3.4 The applicant must be able to demonstrate the culture and tourism benefit from the proposed event and the positive economic impact it will have on recovery in the local area for example, the wider economic impact from expenditure in the local community because

of increased footfall. Organisers will have to demonstrate that the pandemic has adversely impacted their core business and that ARG funding will contribute to the recovery of their business.

## Eligibility

3.5 To be eligible to apply for the ARG Event Support Grant the following must be met:

- The event must be held in the Pendle Borough;
- The organiser must be based in Pendle;
- The event must take place before 31 March 2022;
- The event must have a positive economic benefit and or social/cultural benefit;
- The event must be a form of attraction which will benefit the local economy (e.g., increase footfall);
- The event must be available to the public;
- The event must comply with the guidance for all events in Pendle;
- The organiser must be an actively trading business/registered charity/sole trader. A business is considered to be trading if it is engaged in business activity. This should be interpreted as carrying on a trade or profession or buying and selling goods or services in order to generate turnover.

## What a grant can fund and scheme conditions

3.6 If a grant is awarded, it can be used to fund (to a maximum of £10,000 in total) as follows:

- Up to 100% for measures that are additional to manage the COVID 19 virus e.g., testing facilities; additional equipment or resources for social distancing; sanitisers / hygiene facilities etc;
- Up to 100% for any element of the operational infrastructure, including:
  - Equipment hire and set up i.e. toilets, marquees, etc;
  - Event safety arrangements i.e. road safety;
  - Marketing, publicity, and promotion;
  - Hire of land or assets to hold the event.

3.7 ARG funding cannot be used for capital investment or purchases.

3.8 The maximum funding available per event is £10,000.

3.9 **Only 1 business per event can be funded.** Multiple businesses cannot be awarded for the same event

3.10 Businesses must complete a separate application form for each unique event they wish to request funding for. Each event will be considered independently, therefore a business may receive multiple awards based on each unique event

3.11 Extensions of, or additions to established and existing events are excluded. For example; daily, weekly, monthly established markets and car boot sales, travelling fairgrounds/fun fairs. This list is not exhaustive so please contact us if you are unsure to confirm eligibility before applying

- 3.12 Any award will be made on approval of the application with payment made to the organisation on the production of certified receipts
- 3.13 The grant cannot be used to pay salary, wages, commission fees etc. to any individuals associated with the event and cannot be used for capital assets

### **Excluded businesses**

- 3.15 A business will not qualify for a grant if:
- it is eligible for a mandatory grant (although exceptional circumstances may apply as highlighted in the previous sections);
  - it is not based in Pendle;
  - it is part of a national chain;
  - it has reached the Subsidy Control Limit as defined by Central Government; and
  - it is in administration; is insolvent or a striking-off notice has been made;

### **Who can receive the grant?**

- 3.16 Where the business is subject to non-domestic rating, the person who will receive the grant will be the person who, according to the Council's records, is the ratepayer in respect of the hereditament.
- 3.17 Where there is no entry in the rating list for the business, the Council will decide who should receive the grant.
- 3.18 Where the Council has reason to believe that the information it holds about the business is inaccurate, it may withhold or recover the grant and take reasonable steps to identify the correct business.
- 3.19 Where any business or individual misrepresents information or contrives to take advantage of the scheme, the Council will look to recover any grant paid and take appropriate legal action. Likewise, if any ratepayer is found to have falsified records in order to obtain a grant.

## **4.0 How will grants be provided to Businesses?**

- 4.1 The Council is fully aware of the importance of these grants to assist businesses and support the local community and economy. The Council's Additional Restrictions Grant (ARG) scheme together with other grants will offer a lifeline to businesses who are struggling to survive during the COVID-19 crisis.
- 4.2 Applicants must apply using the application form on the Council's website:  
[https://www.pendle.gov.uk/info/20002/business/539/covid-19\\_support\\_for\\_businesses](https://www.pendle.gov.uk/info/20002/business/539/covid-19_support_for_businesses)
- 4.3 The amount of grant can be substantial in some cases and as the Council is spending public money it may request supporting evidence from applicants to help validate and determine

their grant application. Failure to provide the information requested will lead to the grant application being refused.

- 4.4 The application form must be completed by the business owner. If a third-party agent or advisor applies on the business's behalf, the application will be rejected. The only exception to this is if there are accessibility requirements.
- 4.5 **The application must be submitted by 31 January 2022**, to allow time to process the scheme by 31 March 2022

## 5.0 Subsidies and EU State Aid

- 5.1 The EU State aid rules no longer apply to subsidies granted in the UK following the end of the transition period.
- 5.2 The United Kingdom remains bound by its international commitments, including subsidy obligations set out in the Trade and Cooperation Agreement (TCA) with the EU.
- 5.3 This scheme is covered by 3 subsidy allowances:
- Small Amounts of Financial Assistance Allowance – the business is allowed up to £335,000 (subject to exchange rates) over any period of 3 years;
  - COVID-19 Business Grant Allowance – the business is you're allowed up to £1,600,000;
  - COVID-19 Business Grant Special Allowance - if you have reached your limits under the Small Amounts of Financial Assistance Allowance and COVID-19 Business Grant Allowance, you may be able to access a further allowance of funding under these scheme rules of up to £9,000,000, provided certain conditions are met.
- 5.4 Grants under these 3 allowances can be combined for a potential total allowance of up to £10,935,000 (subject to exchange rates).

## 6.0 Scheme of Delegation

- 6.1 This scheme has been approved under the Council's Urgency Powers by the Chief Executive in consultation with Group Leaders
- 6.2 Officers of the Council will administer the scheme and the Chief Executive is authorised to make technical scheme amendments to ensure it meets the criteria set by the Council and, in line with Central Government guidance.

## **7.0 Notification of Decisions**

- 7.1 Applications will be considered on behalf of the Council by the Council's Finance Team supported by the Revenues and Benefits Service.
- 7.2 All decisions made by the Council shall be notified to the applicant either in writing or by email. A decision shall be made as soon as practicable after an application is received.

## **8.0 Reviews of Decisions**

- 8.1 There is no appeal procedure and the Council's decision is final.

## **9.0 Complaints**

- 9.1 The Council's 'Complaints Procedure' (available on the Councils website) will be applied in the event of any complaint received about this scheme.

## **10.0 Taxation and the provision of information to Her Majesty's Revenues and Customs (HMRC)**

- 10.1 The Council has been informed by Government that all payments under the scheme are taxable.
- 10.2 The Council does not accept any responsibility in relation to an applicant's tax liabilities and all applicants should make their own enquiries to establish any tax position.
- 10.3 All applicants should note that the Council is required to inform Her Majesty's Revenue and Customs (HMRC) of all payments made to businesses.

## **11.0 Managing the risk of fraud**

- 11.1 Neither the Council, nor Government will accept deliberate manipulation of the schemes or fraud. Any applicant caught falsifying information to gain grant money or failing to declare entitlement to any of the specified grants will face prosecution and any funding issued will be recovered from them.
- 11.2 Applicants should note that, where a grant is paid by the Council, details of each individual grant will be passed to Government.



## **12.0 Recovery of amounts incorrectly paid**

- 12.1 If it is established that **any** award has been made incorrectly due to error, misrepresentation or incorrect information provided to the Council by an applicant or their representative(s), the Council will look to recover the amount in full.

## **13.0 Data Protection and use of data**

- 13.1 All information and data provided by applicants shall be dealt with in accordance with the Council's Data Protection policy and Privacy Notices which are available on the Council's website.