

RECORD OF OFFICER DECISION

APPROVAL FOR DISCRETIONARY GRANT POLICY FOR BUSINESSES

Decision made

To approve a discretionary grant policy for businesses not eligible for the Small Business Grant Fund or the Retail Hospitality and Leisure Grant Fund

Made by: SAM FOX, DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

Background

1. Pursuant to paragraph 4 of Part 3 Section D, the Directors of Wiltshire Council are empowered to take all necessary decisions in cases of emergency. This decision is being taken by Sam Fox using these powers in circumstances where the Director concerned believes that there is a risk of damage to property, a threat to the health or wellbeing of an individual and/or that the interests of the Council may be compromised if this decision is not otherwise taken.

Reason for decision

2. This decision would in other circumstances be taken by Cabinet. However, in circumstances where the Cabinet is unable to meet to expedite its functions in a timely manner during the COVID-19 pandemic, this decision is being taken in accordance with the power referred to in paragraph 1 above. This decision will be reported to the next meeting of Cabinet.
3. This is an additional fund to the Small Business Grant Fund (SBGF) or the Retail Hospitality and Leisure Grant Fund (RHLGF), and it is aimed at certain small businesses who were not eligible for the Small Business Grant Fund or the Retail, Leisure and Hospitality Fund, and which have relatively high ongoing, fixed property-related costs, and which can demonstrate that they have suffered a significant fall in income due to the COVID-19 crisis.
4. Because of the discretionary nature of the Fund, and the likelihood of many more applicants than the grant can support, there will need to be a scoring matrix used by Wiltshire Council in determining that it is distributed fairly and targets those eligible businesses which are most in need. Therefore the scoring matrix will be based upon the following:
 - Property costs
 - Turnover impact
 - Number of employees
5. Given the limited amount of funding available in this discretionary fund, Wiltshire Council does not expect to make grant payments to businesses in receipt of any other source of Government funding, with the following exceptions:

- Businesses who have applied for the Coronavirus Job Retention Scheme are eligible to apply for this scheme.
 - Businesses who are eligible for the Self-Employed Income support scheme (SEISS) are eligible to apply for this scheme as well.
6. The Discretionary Fund will be £5M, drawing on the funding and guidance provided by central government. Given the outline criteria above, we have identified over 1000 potentially eligible applicants, and we therefore anticipate the fund will be oversubscribed. Consultation with business organisations has recommended adoption of the following principles
- A higher number of grant payments at a lower amount would be more beneficial for the economy
 - The funding should recognise those who missed out on earlier grant funding due to technical classification
 - The funding should be aimed at small businesses who have faced the greatest impacts.
7. As such, Wiltshire Council will implement a grant level of £5k per Business. In order to ensure all eligible businesses have the opportunity to apply for the scheme, the Council will establish a phased approach to the grants scheme to assess and quantify the level of demand for funding from businesses that fall within the priority areas set out in the Government guidance and meet the eligibility criteria and evidence requirements. There will be a two week application window from 8th June 2020 to close of business on 22nd June 2020. No grants will be paid until the application deadline has passed and Wiltshire Council will make payments after the 22nd June.
8. After the application window has closed and grants awarded there will be an assessment of whether there is any remaining funding left. The Council may then offer future phases of grant funding and further information about this will be made available at the appropriate time, should it be required. In line with the guidelines, the first phase will include any businesses falling within the following categories:
- Small businesses in shared offices or other flexible workspaces. Examples could include mills, units in industrial parks, science parks and incubators which do not have their own business rates assessment;
 - Regular market traders with fixed building costs, such as rent, who do not have their own business rates assessment;
 - Bed & Breakfasts which pay Council Tax instead of business rates; and
 - Charity properties in receipt of charitable business rates relief which would otherwise have been eligible for Small Business Rates Relief or Rural Rate Relief.
9. We will require businesses to demonstrate that they meet the eligibility criteria by self-certification and submitting some evidence of income and outgoings. Grant conditions will ensure grants are state aid compliant There is a requirement for all grants made under this scheme to be state aid compliant and a de-minimis level will apply to this scheme. Applicants will need to be paying at least £250 rent per calendar month for their business premises to qualify to apply for a grant.

10. If the fund is oversubscribed with the applications received, the Council reserves the right to amend the grant levels to a pro-rata basis, based on the applications received and approved, as a way of dealing with this situation, should it arise. If a business is in a sector that has not been allowed to open or provides services that are not permitted due to social distancing rules and have not been able to move to online services, the level of income lost will be more significant to that of a business still able to operate but at a reduced level. This will be considered in confirming the grant amount to be offered.
11. Grant income received by a business is taxable therefore funding paid under the Local Authority Discretionary Grants Fund will be subject to tax. Only businesses which make an overall profit once grant income is included will be subject to tax.
12. I confirm that in making this decision I have considered the following in line with Wiltshire Council's Constitution: **(Please insert 'Yes' / 'No' / 'Not Applicable' and any other comments necessary to evidence the issue identified has been addressed)**

Key decision requirements	Y
Views of relevant cabinet member(s), committee chairman, area board(s)	Y. CEOs brief the Leader on a daily basis.
Consideration of the area boards and delegated decision checklist for officers on the issue of when and how to involve local councillors and area boards in decisions about local services	N/A
Implication of any council policy, initiative, strategy or procedure	Y
Consultation in accordance with requirements and expectations of consultation with the public	Y. We have consulted with the following organisations: Federation of Small Businesses; Wessex Chamber; Salisbury BID; Chippenham Chamber of Commerce; Swindon and Wiltshire Local Enterprise Partnership; VisitWiltshire
Range of options available	Y
Staffing, financial and legal implications	Y. These have been fully considered in design of application form and grant agreements and criteria.
Risk assessment	Y
Equality implications	Y

Involvement of statutory officers and/or directors	Y
Regional or national guidance from other bodies	Y. The scheme is aligned with the Government guidance issued on 22/05/2020.
The council's constitution	Y
Procurement process	Y

Conflict of Interest

13. Not applicable

Other options considered

14. The scheme has been designed to comply with government funding conditions and guidance. Other options considered included schemes with variable amounts of grant but these were discounted after consultation with business representative groups and in line with the desire to reduce unnecessary bureaucracy and support businesses as quickly and efficiently as possible.



Made by:

SAM FOX, DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

Date:

4 June 2020