



Department for
Business, Energy
& Industrial Strategy

Local Restrictions Support Grant (Open) Version 2

Applicable 2 December onwards

Guidance for Local Authorities



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The guidance

1. This Local Restrictions Support Grant (Open) Version 2 guidance is applicable from 00:01 on 2 December 2020 when the revised Tiers are introduced. At that point, this guidance will supersede the Local Restrictions Support Grant (Open) guidance published 3 November 2020. For the period prior to 5 November, the previous version applies. For the period of national restrictions from 5 November to 2 December, the LRSG (Closed) Addendum applied.
2. This guidance is intended to support Local Authorities in administering the Local Restrictions Support Grant (Open) for businesses that are still open but severely impacted by Tier 2 or Tier 3 restrictions.
3. This strand of LRSG support was announced 22 October 2020 to help kickstart recovery for businesses that are not legally required to close but are severely impacted by the restrictions under Tier 2 and 3. This version of the guidance applies to England only from 2 December 2020.
4. This guidance is issued by the Secretary of State for Business, Energy and Industrial Strategy to Local Authorities and sets out the criteria for the Local Restrictions Support Grant (Open).
5. Local Authority enquiries on this measure should be addressed to businessgrantfunds@beis.gov.uk. Businesses seeking information should refer to the Government's business support website: <https://www.businesssupport.gov.uk/>

Introduction

6. On Thursday 22 October, the Government announced additional funding to support businesses under restrictions in Tier 2 or Tier 3. This is support for businesses that are not legally required to close but which are severely impacted by the localised restrictions on socialising put in place to manage coronavirus and save lives. See announcement: <https://www.gov.uk/government/news/plan-for-jobs-chancellor-increases-financial-support-for-businesses-and-workers>
7. On Monday 23 November, the Government's COVID-19 Winter Plan was published, with changes announced to the Tier system. See announcement: <https://www.gov.uk/government/news/prime-minister-publishes-covid-winter-plan>
8. Localised restrictions are legally binding restrictions imposed on specific Local Authority areas or multiple Local Authority areas, where the Secretary of State for Health and Social Care uses 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.

9. This support will take the form of a grant funding scheme in Financial Year 2020-2021.
10. This grant scheme will be available to Local Authorities subject to Tier 2 or Tier 3 restrictions.
11. Local Authorities that have been under Tier 2 or Tier 3 restrictions since 1 August 2020 or which have since entered into restrictions under Tier 2 or Tier 3 will receive grant funding to support businesses in their local economies that have been severely impacted.
12. Local Authorities that accessed the Local Restrictions Support Grant (Open) due to Tier 2 restrictions will continue to be provided with funding to support severely impacted businesses under the scheme if the Local Authority moves into Tier 3.
13. In the event of renewed widespread national 'lockdown' restrictions being imposed, the Local Restrictions Support Grant (Open) will cease to apply, as relevant businesses will receive funding through the LRSG (Closed), subject to addendums.
14. LRSG (Open) allocations are calculated using Valuation Office Agency (VOA) SCAT code data¹ on the number of hospitality, accommodation and leisure businesses in that Local Authority geography that have not been required to close, including a 5% top-up. Where this methodology indicates a value of less than 6% of the estimated LRSG (Closed) scheme, the LRSG (Open) scheme allocations will be increased to 6% of the estimated LRSG (Closed) scheme.
15. Local Authorities are not expected to use SCAT codes to determine business eligibility.
16. The Local Restrictions Support Grant (Open) is aimed at hospitality, hotel, bed & breakfast and leisure businesses. Local Authorities will have discretion as to how to award grant funding to individual businesses. The grant funding can only be spent on business grants.

How will the grants be provided?

17. Localised restrictions are legally binding restrictions imposed on specific Local Authority areas or multiple Local Authority areas in response to the threat posed by coronavirus.

¹ Operational code used by the VOA to classify a property's use for administrative purposes.

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18. In line with the eligibility criteria set out in this guidance, Government will provide grant funding to Local Authorities to support eligible businesses that are affected by Tier 2 or 3 restrictions. This funding was previously provided on a rolling 28-day basis, but following the national lockdown between 5 November and 2 December, it will be provided in rolling 14-day eligibility cycles for as long as Tier 2 or 3 restrictions apply, in line with the grant offer letter sent to Local Authorities (using a grant under section 31 of the Local Government Act 2003).
 19. Local Authorities, which are the recognised business rates billing authorities in England, will receive funding from Government and be responsible for making payments to businesses.
 20. Funding will be payable for restrictions beginning 2 December 2020.
 21. Local Authorities entering Tier 2 or Tier 3 restrictions will receive LRSG (Open) payments based on 14-day eligibility cycles.
 22. Local Authorities can determine the payment schedule and timings for these grants to businesses. However, we strongly encourage Local Authorities to do all they can to make payments to eligible businesses as quickly as possible in order to help businesses in need.
 23. In the event that different Wards within a single Local Authority move into different Tiers of restrictions, but one of those Wards moves into Tier 2 or Tier 3, the relevant Local Authority will receive funding to cover the whole Local Authority.
 24. Local Authorities have the freedom to determine the precise eligibility criteria for these grants. However, Government would expect the funding to be targeted at hospitality, hotel, bed & breakfast and leisure businesses. Local Authorities should consider how the Local Restrictions Support Grant (Open) funding can help kickstart recovery by supporting sustainable businesses that have not been legally required to close but which are severely impacted by Tier 2 or 3 restrictions.
 25. We are committed to meeting the New Burdens costs to Local Authorities for this scheme. A New Burdens Assessment will be completed, and funding will then be provided to Local Authorities.

How much funding will be provided to businesses?

26. The Government has announced the following funding tiers as a guide for Local Authorities. We would anticipate that Local Authorities provide grant funding under the following tiers, unless there is a local economic need to deviate:

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- a. Grants of up to £467 per 14-day period for businesses occupying hereditaments with a rateable value of exactly £15,000 or under on the date of the commencement of the local restrictions.
 - b. Grants of up to £700 per 14-day period for businesses occupying hereditaments with a rateable value over £15,000 and less than £51,000 on the date of the commencement of the local restrictions.
 - c. Grants of up to £1,050 per 14-day period for businesses occupying hereditaments with a rateable value of exactly £51,000 or above on the date of the commencement of the local restrictions.
27. Local Authorities are best placed to determine local needs for supporting recovery. We want Local Authorities to exercise their local knowledge and discretion and we recognise that economic need will vary across the country. Therefore, while we are setting suggested criteria for the funding, we are allowing Local Authorities to determine exactly which businesses to support.
28. In taking decisions on the appropriate level of grant, Local Authorities may want to take into account the level of fixed costs faced by the business in question, the number of employees, whether they are unable to trade online and the consequent scale of coronavirus losses.
29. It may be that smaller amounts of funding are more suitable for the smallest businesses in a Local Authority area, enabling a Local Authority to help more businesses that are sustainable in the long term.
30. It is recognised that Local Authorities are likely to need to run some form of application process. This will allow Local Authorities to undertake proportionate pre-payment checks to confirm eligibility relative to their local scheme and to allow each Local Authority to determine how to use its discretion in relation to the appropriate level of grant. Prepayment checks must include confirmation that, by accepting payments, recipients are in compliance with State aid rules.
31. Local Authorities may wish to consider collaborating as they design their discretionary schemes to ensure there is consistency where they are working across a functional economic area (e.g. a Mayoral Combined Authority or Local Enterprise Partnership area). They may want to engage with MCAs and LEPs to ensure alignment and reduce duplication with other local discretionary business grants that may have been established.
32. Local Authorities should set out the scope of their discretionary grant scheme on their website, providing clear guidance on which types of business are being prioritised, as well as the rationale for the level of grant to be provided.
33. Where limits to funding available for this scheme require Local Authorities to prioritise which types of businesses will receive funding, it will be up to Local Authorities to determine which types of business are most relevant to their local economy. There will be no penalty for Local Authorities because of their use of discretion to prioritise some business types.

Who will receive this funding?

34. Businesses must have been trading the day before local restrictions came into force to be eligible to receive funding under this scheme. Where local restrictions are preceded by national 'lockdown' measures, requiring the closure of businesses that are otherwise eligible, it is accepted that those businesses are still trading.
35. Businesses that are in administration, are insolvent or where a striking-off notice has been made are not eligible for funding under this scheme.
36. Businesses that have already received grant payments that equal the maximum levels of State aid permitted under the de minimis, the COVID-19 Temporary State Aid Framework and all other UK schemes under the terms of the European Commission's Temporary Framework will not be eligible to receive funding.
37. Eligible businesses that have a voluntary agreement but are not insolvent, in liquidation or in administration will be eligible to receive a grant if they are still trading and operating, but only under de minimis, if the agreement means the business is ineligible for a grant under the COVID-19 Temporary Framework for UK Authorities.
38. Local Authorities must use their discretion in identifying the right business to receive this funding, based on their application process.
39. We are asking Local Authorities to prioritise hospitality, hotel, bed & breakfast and leisure businesses for grants funding in this scheme. The list is not exhaustive but is intended as a guide to Local Authorities on the types of business that the Government considers should be a priority for the scheme.
40. The Local Authority must call or write to the business, stating that, by accepting the grant payment, the business confirms that they are eligible for the grant schemes. This includes where Local Authorities already have bank details for businesses and are in a position to send out funding immediately, or where the Local Authority is sending a cheque to a business.
41. Businesses will need to notify their Local Authority if they no longer meet the eligibility criteria for additional grants at any point in each 14-day grant cycle period.

Will these grant schemes be subject to tax?

42. Grant income received by a business is taxable. The Local Restrictions Support Grant will need to be included as income in the tax return of the business.

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43. Only businesses that make an overall profit once grant income is included will be subject to tax.

Managing the risk of fraud and payments in error

44. The Government will not accept deliberate manipulation and fraud. Any business caught falsifying their records to gain additional grant money will face prosecution, and any funding issued will be recovered, as may any grants paid in error.
45. Local Authorities must continue to ensure the safe administration of grants and that appropriate measures are put in place, pre-award, to mitigate against the increased risks of fraud and payment error. In this respect, grant administrators are encouraged to supplement existing controls with digital tools to support efficient, appropriate and accurate grants awards.
46. The Government Grants Management Function have waived the annual fee and made their digital due-diligence tool, Spotlight, available to Local Authorities to support the administration of COVID-19 emergency grants until 31 March 2021. Use of Spotlight to support pre-award due diligence is strongly recommended.
47. Spotlight complements existing pre-award due-diligence checks and highlights areas of risk to inform grant-making decisions, through fundamental due diligence checks. In particular, Spotlight can quickly and easily flag where organisations have recently become inactive, to support Local Authorities to review the ongoing viability of recipients prior to making awards.
48. Spotlight can also provide enhanced due diligence, through a paid-for service, and grant administrators are encouraged to consider the benefits of enhanced due diligence.
49. Local Authorities should discuss their digital tool requirements with the Government Grants Management Function at:
spotlightlocalauthority@cabinetoffice.gov.uk

Pre- and post-event assurance

50. All Local Authorities are required to follow this guidance and conduct activity to provide assurance that the grants have been paid out in line with the eligibility and State aid conditions for these schemes.
51. The general principle applies that Local Authorities are responsible and accountable for the lawful use of funds under Section 151 of the Local Government Act 1972. The Section 151 Officer within the Local Authority is required to exercise their duties in line with the Chartered Institute of Public

Finance and Accountancy (CIPFA) guidance, ensuring their oversight of the proper administration of financial affairs within the Local Authority, including of these grants.

52. Local Authorities must be satisfied that all State aid requirements have been fully complied with when making grant payments. Full details, including sample declaration forms, are contained in in this guidance.
53. To deliver this assurance requirement, Local Authorities should develop pre- and post-payment assurance plans for each grant scheme. There should be an eligibility check and a recipient check on all payments, whether pre- or post-payment. The plans should set out the actions and checks Local Authorities will undertake to ascertain regularity of payments. They should cover the pre-payment checks for grants still to be paid, but also the post payment assurance checking regime that the Local Authority will introduce to identify irregular payments.
54. The volume and depth of checks that a Local Authority undertakes as detailed in these plans should be proportionate to the grant value versus the cost of the check, and informed by a Fraud Risk Assessment of the likelihood of error and/or fraud in the payments they have made.
55. Consequently, Fraud Risk Assessments should also be undertaken for each grant scheme and comprise part of the assurance plan. To support Local Authorities in developing their risk assessments the Department will provide risk assessment templates tailored to the relevant funds.
56. The Government Grants Management Function and Counter Fraud Function will support Local Authorities to carry out post-event assurance work to identify high risk payments and to estimate and measure the likely incidence of fraud and error that has occurred in the scheme. This requires statistically significant sample testing of key residual risks to assess the level of fraud / error that has arisen from the residual aspect of identified fraud risks. Post-event assurance is therefore dependent upon a detailed fraud risk assessment being undertaken for the scheme. Guidance will be made available to Local Authorities to support the development of Post Event Assurance Action Plans.
57. Where checks discover that payments have been made in error or have been claimed as a result of fraud, any initial recovery action will need to be undertaken by the Local Authority.

Monitoring and reporting requirements

58. Local Authorities must retain necessary data and BEIS will undertake regular data collection exercises. The data will include:
 - number of applications received for the scheme,

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- number of payments being processed,
 - number of actual payments, and
 - value of payments made.
59. Local Authorities may be required to provide data in order to allow reporting by Parliamentary constituency. BEIS will work with Local Authorities to facilitate such reporting.
60. Annex A contains information on Post Payment Monitoring requirements.
61. Local Authorities will be asked to provide a monthly report to the Department comprising an update on their Fraud Risk Assessments and pre- and post-payment assurance activities as they are delivered over the lifetime of each of these grants separately. The Department will provide a reporting template in due course.
62. If Local Authorities detect fraud (successful rather than attempted), or if they suspect fraud (attempted as well as actual) that is organised, large scale or systematic, or which crosses Local Authority boundaries, they must report it in real time. We recommend Local Authorities report it simultaneously to the dedicated inboxes at the National Anti Fraud Network (intel@nafn.gov.uk) and the National Investigation Service (report@natis.pnn.police.uk). Local Authorities may be contacted for further information to assist with lines of enquiry being pursued.
63. The Government Counter Fraud Function has worked in partnership with Experian to introduce two new complementary products to assist public bodies in addressing residual fraud risks when dispersing funds for the COVID-19 financial support schemes by addressing their residual fraud risks. These tools will allow Local Authorities to:
- a. verify the bank accounts of companies in receipt of these business grants; and
 - b. provide insight into whether the company was trading at the relevant date for these grants.
64. These tools are available via the National Fraud Initiative (NFI) and can be used for both pre- and post-payment checks. They apply to both registered companies (at Companies House) and unregistered companies such as sole traders. For further information and to access the tools, please email helpdesk@nfi.gov.uk
65. This monitoring and reporting is in addition to any relevant reporting requirements to the EU Commission under State aid rules.

State aid

66. The United Kingdom left the EU on 31 January 2020, nonetheless under the Withdrawal Agreement the State aid rules continue to apply during the transition period, subject to regulation by the EU Commission². Further guidance will be issued to address changes to subsidy rules following the end of the transition period. Local Authorities must be satisfied that all State aid requirements have been fully met and complied with when making grant payments during the transition period, including, where required, compliance with all relevant conditions of the EU State aid De-Minimis Regulation, the amended European Commission Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak, the approved COVID-19 Temporary Framework for UK Authorities, and any relevant reporting requirements to the EU Commission.
67. Payments can be provided under the existing De Minimis rules, to any one organisation over a three fiscal year period, provided doing so does not exceed the €200,000 De Minimis threshold. Payments made where the De Minimis threshold has been reached should be paid under the COVID-19 Temporary Framework for UK Authorities (provided the further thresholds set out below are not exceeded).
68. The COVID-19 Temporary Framework for UK Authorities enables payments to be made up to the nominal value of €800,000 per company. This can be combined also with so-called *de minimis* aid (to bring the aid per company to up to €1 million) and with other specific types of aid. Any business that has reached these limits may only receive further grant funding if the conditions set out in Section 3.12 of the amended European Commission Temporary Framework (Fourth Amendment) are met. By way of Commission approval, this new measure under Section 3.12 was incorporated into the COVID-19 Temporary Framework for UK Authorities on 8 December 2020. This measure may now be applied to this scheme.
69. Where a business has reached its limit for aid under *de minimis* and the €800,000 limit under the Temporary Framework a Local Authority may now provide a grant to a business under Section 3.12 of the Temporary Framework provided the following conditions are met³:
- a. The aid covers an undertaking's uncovered fixed costs incurred during the period between 1 March 2020 and 31 December 2020 except aid that is within scope of Article 10 of the Northern Ireland Protocol which can cover costs incurred during the period 1 March 2020 to 30 June 2021 ('eligible period');

² Aid in scope of Article 10 of the Northern Ireland Protocol will remain subject to EU State aid rules following the end of the transition period.

³ Local Authorities must refer to the amended COVID-19 Temporary Framework for UK Authorities and the European Commission Temporary Framework Fourth Amendment for the conditions set out in full.

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- b. The aid is granted to undertakings that suffer a decline in turnover during the eligible period of at least 30% compared to the same period in 2019. The calculation of losses will be based on audited accounts or official statutory accounts filed at Companies House, or approved accounts⁴ submitted to HMRC which includes information on the businesses' profit and loss.
 - c. 'Uncovered fixed costs' must meet the definition set out in paragraph 87(c) of the European Commission Temporary Framework as amended by the Fourth Amendment;
 - d. The aid must not exceed 70% of the undertaking's uncovered fixed costs, except for micro and small enterprises (within the meaning of Annex I of the General Block Exemption Regulation), where the aid must not exceed 90% of the uncovered fixed costs.
 - e. The overall aid to an undertaking under this measure must not exceed €3 million per undertaking; all figures used must be gross, that is, before any deduction of tax or other charge;
 - f. Aid under this measure may not be granted to undertakings that were already in difficulty (within the meaning of the General Block Exemption Regulation⁵) on 31 December 2019. In derogation to the above, aid can be granted to micro or small enterprises (within the meaning of Annex I of the General Block Exemption Regulation) that were already in difficulty on 31 December 2019 provided that they are not subject to collective insolvency proceedings, and that they have not received rescue aid that has not been repaid or are subject to a restructuring aid plan under EU State aid rules.
 - g. Aid under this measure shall not be cumulated with other aid for the same eligible costs.

70. A business must be able to provide the necessary documentation to demonstrate it is eligible for funding under Section 3.12 of the Temporary Framework.

71. Excluding small and micro undertakings (less than 50 employees and less than EUR 10 million of annual turnover and/or annual balance sheet), a business receiving grants paid under the Temporary Framework must also confirm that they were not an undertaking in difficulty on 31 December 2019.

72. The adoption of Section 3.12 of the Temporary Framework impacts this scheme in the following ways:

- a. Where a Local Authority has previously rejected a business' application before 8 December on the grounds that the business had reached

⁴ Accounts can be approved, depending on the size of the business, by either: i) The Board, or ii) a suitably authorised officer of the company (e.g. the Finance Director) or iii) an agent authorised by the company or business e.g. a firm of tax advisers or accountants.

⁵ As defined in Article 2(18) of the General Block Exemption Regulation.

previous State aid limits, the introduction of this new measure does not require the Local Authority to revisit this decision.

- b. If a business has yet to be paid, then the Local Authority can accept the application once the relevant checks are undertaken to ensure compliance under Section 3.12 of the Temporary Framework. The business will also have to meet all other scheme criteria to be eligible.
- c. Local Authorities must first verify that a business can meet all the criteria set out in Section 3.12 of the Temporary Framework before a grant can be awarded under Section 3.12 of the Temporary Framework.

73. Annex B of this guidance contains two sample declarations which Local Authorities may wish to use with either payments under the De Minimis rules or under the COVID-19 Temporary Framework for UK Authorities. Where Local Authorities have further questions about De Minimis or other aspects of State aid law, they should seek advice from their legal department in the first instance.

74. Local Authorities must ensure all relevant State aid law requirements are complied with.

Annex A – Post-payment reporting

Background

1. Local Authorities will be required to report to the Department on the grant fund.
2. Weekly reports will cover:
 - Number of actual payments per restriction period
 - Where Local Authorities use an application process to assess grant awards, the total amount of applications per restriction period
 - Total amount of actual payments
 - Issues encountered in implementing the scheme to allow BEIS to support development of solutions with Local Authorities
3. These returns should be completed using the DELTA Reporting system.

Process

4. Local Authorities will report on progress in making payments to both eligible rate paying businesses and those businesses supported through the discretionary grant element, for each period of restrictions.
5. Each report will only cover grants provided by Local Authorities to eligible business during the period as per paragraph 9. The Cities and Local Growth

Unit will consolidate the reports to create an accumulative total and monitor progress against the initial allocation of funding per Local Authority.

Definitions

Number of applications received under each element of the scheme (£467, £700, £1,050)	Number of applications received (in that restriction period) under each element of the scheme (£467, £700, £1,050)
Total number of grants provided under each element of the scheme (£467, £700, £1,050)	Number of grants paid (in that restriction period) to the eligible businesses identified by the Local Authorities, under each element of the scheme (£467, £700, £1,050)
Total value of payment made under each element of the scheme (£467, £700, £1,050)	Value of grants paid (in that restriction period) to the eligible businesses identified by the Local Authorities.
Comments	Highlight in this box issues that Local Authorities are encountering while implementing the scheme.

Data collections for evaluation

6. Local Authorities are also required to collect information from businesses receiving these grant payments, and will be expected to account for how the funding has been spent. Grant recipients should also be advised that they may be contacted for research purposes, and that their data will be shared with BEIS for research and evaluation purposes.
7. It is vitally important that we have this information centrally to allow us to understand and evaluate how the provision is working. We do this for a number of different reasons, including;
 - a. Accountability – to provide a clear and transparent basis for why this policy has been implemented, and its progress over time

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- b. Efficiency – ensuring that we are maximising the value delivered from this public spending and ensuring opportunities for analysis and learning for the future
 - c. Effectiveness – ensuring that policy makes a positive impact and understanding the context of when that happens
 8. We will devise a mechanism by which Local Authorities can frequently share this information with BEIS, which is the most cost-effective way of collecting a wide data set. Local Authorities will need to ensure they have appropriate data protection arrangements in line with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. We will fully support Local Authorities through this data collection, and will share further details and advice in due course.
 9. The list below sets out the minimum information we require Local Authorities to collect. Where Local Authorities use an application process to assess allocation of grants, we also require details of applications that were made but did not receive funding.
 - a. Business Name
 - b. Business address
 - c. Business email address
 - d. Size of business the grant relates to
 - e. Sector
 - f. Unique identifier (preferably Company Reference Number)
 - g. Grant awarded
 - h. Amount of grant paid
 - i. Date grant paid
 - j. Grant name
 10. This provides important information that will support evaluation and further our understanding of the impact of the grants. Further details including the definitions of the terms above and an example spreadsheet were shared 16 November and 26 November for an interim collection due by 4 December.

Annex B – State aid: Sample paragraphs that could be included in letters to grant recipients

Template to send to beneficiaries of aid awarded based on the UK COVID-19 Temporary Framework

Dear [Name of Aid Recipient]

Confirmation of State aid received under the COVID-19 Temporary Framework for UK Authorities measure and Undertaking in Difficulty Status

Following the outbreak of the Coronavirus, the European Commission has approved schemes to aid businesses affected by the Coronavirus outbreak on the basis of their Temporary Framework, including the COVID-19 Temporary Framework measure for the UK.

The maximum level of aid that a company may receive under section 3.1 of the Temporary Framework is €800 000 (€120,000 per undertaking active in the fishery and aquaculture sector or €100,000 per undertaking active in the primary production of agricultural products). This is across all UK measures under the terms of the European Commission's Temporary Framework. For aid for uncovered fixed costs under Section 3.12 of the Temporary Framework, the maximum level of aid is €3 million⁶. The Euro equivalent of the Sterling aid amount is calculated using the Commission exchange rate⁷ applicable on the date the aid is offered.

Any aid provided under this measure will be relevant if you wish to apply, or have applied, for any other aid granted based on the European Commission's Temporary Framework. You will need to declare this amount to any other aid awarding body who requests information from you on how much aid you have received. You must retain this letter for four years after the conclusion of the UK's transition from the EU and produce it on any request from the UK public authorities or the European Commission.

Aid may be granted to undertakings that were not in difficulty (within the meaning of Article 2(18) of the General Block Exemption Regulation⁸) on 31 December 2019, but that faced difficulties or entered in difficulty thereafter as a result of the COVID-19 outbreak.⁹

This aid is in addition to any aid that you may have received under the De Minimis regulation allowing aid of up to €200,000 to any one organisation over a three fiscal year period (i.e. your current fiscal year and previous two fiscal years), and any other approved aid you have received under other State aid rules, such as aid granted under the General Block Exemption Regulation. Aid for uncovered fixed costs under Section 3.12 of the Temporary Framework shall not be cumulated with other aid for the same eligible costs.

Please sign the attached statement confirming your eligibility for support.

[Yours sincerely/ faithfully]

⁶ Subject to further conditions set out in Section 3.12 of the Commission's Temporary Framework (Fourth Amendment)

⁷ https://ec.europa.eu/info/funding-tenders/how-eu-funding-works/information-contractors-andbeneficiaries/exchange-rateinfoeuro_en

⁸ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02014R0651-20170710>

⁹ If you are an undertaking in difficulty within the meaning of Article 2(18) of the General Block Exemption Regulation

you may still be entitled to de minimis aid if you have received less than €200,000 in de minimis aid in the last three

years. You should contact us if you consider that you may qualify for de minimis aid on this basis.

Confirmation of State aid received under the COVID-19 Temporary Framework for UK Authorities and Undertaking in Difficulty status

Please sign the attached statement confirming your eligibility, in principle, for aid.

I confirm that I have received the following aid under measures approved within the European Commission's Temporary Framework between March 2020 and December 2020 [June 2021].

[I confirm that my undertaking was not in difficulty (within the meaning of Article 2(18) of the General Block Exemption Regulation) on 31 December 2019]¹⁰.

Body providing the assistance/aid	Value of assistance (€)	Date of assistance

Declaration

Company	
Company Representative Name	
Signature	
Date	

Template to send to beneficiaries of aid awarded based on De Minimis Rules

Dear []

NON-DOMESTIC RATES ACCOUNT NUMBER: _____

The value of the grant payment to be provided to [name of undertaking] by [name of local authority] is £ [] (Euros []).

This award shall comply with the EU law on State aid on the basis that, including this award, [name of undertaking] shall not receive more than €200,000¹¹ in total of de minimis aid within the current financial year or the previous two financial years). The de minimis Regulations 1407/2013 (as published in the Official Journal of the European Union L352 24.12.2013) can be found at:

¹⁰ The undertaking in difficulty assessment does not need to be completed for micro and small enterprises that are not in insolvency proceedings and have not received rescue or restructuring aid – see https://ec.europa.eu/competition/state_aid/what_is_new/sa_covid19_1st_amendment_temporary_framework_en.pdf.

¹¹ For agriculture, de minimis threshold is €20,000, for fisheries and aquaculture the de minimis threshold is €30,000, and for the road freight transport sector the de minimis threshold is €100,000. De minimis aid cannot be used for the acquisition of road freight transport vehicles.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>

Amount of <i>de minimis</i> aid	Date of aid	Organisation providing aid	Nature of aid

I confirm that:

1) I am authorised to sign on behalf of _____ [name of undertaking];

And

2) _____ [name of undertaking] shall not exceed its De minimis threshold by accepting this grant payment.

SIGNATURE:

NAME:

POSITION:

BUSINESS:

ADDRESS:

I confirm that I wish to accept the grant payment in relation to the above premises.

DATE:

Refusal of Grant form

Name and address of premises	Non-domestic rates account number	Amount of Grant Funding

I confirm that I wish to refuse grant in relation to the above premises.

I confirm that I am authorised to sign on behalf of _____ [name of undertaking].

SIGNATURE:

NAME:

POSITION:

BUSINESS:

ADDRESS:

DATE:

<u>Name and address of premises</u>	<u>Non-domestic rates</u>
	<u>account number</u>