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27 May 2020

To: All Councillors

As a Member of the **Emergency Committee**, please treat this as your summons to attend a meeting on **Thursday, 4 June at 6.00pm**.

**Under Regulations made under the Coronavirus Act 2020, the meeting will be held virtually. As a member of the public you can view the virtual meeting via the District Council’s website at [www.derbyshiredales.gov.uk](http://www.derbyshiredales.gov.uk) or via our YouTube channel.**

Yours sincerely

A handwritten signature in black ink, appearing to be 'Sandra Lamb', written over a faint circular stamp or watermark.

Sandra Lamb  
Director of Corporate Services

## **AGENDA**

### **1. APOLOGIES**

Please advise the Committee Team on 01629 761300 or e-mail: [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk) of any apologies for absence.

### **2 APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

21 May 2020

### **3. PUBLIC PARTICIPATION**

Public Participation, as provided for in the Constitution, is suspended temporarily and is replaced with an alternative mechanism for the public to bring matters to the Council’s attention.

Members of the public will be able to comment on any agenda item or matters in the wider public interest and will be invited to submit their questions or comments in writing, before 12 noon on the working day prior to the meeting by:

**Webform:** [Make your submission here](#)

**Email:** [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)

**Post:** Democratic Services, Derbyshire Dales District Council, Town Hall, Matlock DE4 3NN

The Committee Team will assist any member of the public without access to electronic means by capturing their concerns over the telephone.

**Phone:** 01629 761300 (working days only 9am – 5pm)

Any such correspondence will be read out (or summarised) at the meeting.

The public will not be admitted to the meeting through virtual means. All meeting proceedings open to the public will be streamed live on our YouTube channel when all non -exempt items are being considered. Recordings of the meeting will also be available after the event on the District Council's website.

### **3. INTERESTS**

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at that time.

**Page Nos.**

### **4. COVID-19 BUSINESS SUPPORT GRANTS: DERBYSHIRE DALES DISCRETIONARY GRANT FUND 03-29**

To approve a policy for allocating discretionary Covid-19 support grants to certain businesses in the Derbyshire Dales, that uses local and national priorities to determine grants from the limited funding provided by the Government

### **5. GREEN WASTE SERVICE UPDATE 30-32**

To provide an update on the District Council's Green Waste Collection Service.

### **6. OPERATIONAL UPDATE**

The Chief Executive will provide a verbal update on the District Council's services in response to the current pandemic.

### **NOTE**

For further information about this Agenda or on "Public Participation" call 01629 761300 or e-mail: [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)

Members of the Committee: Councillors Sue Bull, Paul Cruise, Graham Elliott, Chris Furness, Clare Gamble, Susan Hobson, Garry Purdy, Claire Raw

EMERGENCY COMMITTEE  
4 JUNE 2020

Report of the Director of Regeneration and Policy

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## **COVID-19 BUSINESS SUPPORT GRANTS: *DERBYSHIRE DALES DISCRETIONARY GRANT FUND***

### **PURPOSE OF REPORT**

To approve a policy for allocating discretionary COVID-19 support grants to certain businesses in the Derbyshire Dales, that uses local and national priorities to determine grants from the limited funding provided by the Government.

### **RECOMMENDATION**

That the COVID-19 Business Support Grants: *Derbyshire Dales Discretionary Grant Fund* as set out in the report is approved for immediate launch.

### **WARDS AFFECTED**

All

### **STRATEGIC LINK**

‘Prosperity’ is highlighted in the Corporate Plan 2020-24 as a District Council priority due to low local wages and high local house prices. With regard to the recommendations in this report, the District Council specifically aims to: *Support businesses to encourage productivity, growth, and higher wage jobs in rural and urban locations*; and to *Promote investment to stimulate the economy of our market towns*. The proposed Discretionary Grant Fund is aimed at supporting business survival as a result of the Coronavirus shut down, and has been specifically geared towards businesses in Derbyshire Dales towns and rural areas.

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## **1 BACKGROUND**

- 1.1 The Coronavirus pandemic is a rapidly changing situation and the District Council is closely monitoring the advice and updates from Government regarding support for businesses. The Government has set out a package of temporary and targeted measures to support businesses through this period of disruption. The District Council has therefore been able to entirely remove business rates for 2020/21 for a range of businesses. More than 2,500 Derbyshire Dales businesses eligible for COVID-19 small business grants have been paid over £29 million by the District Council to date. Information for local businesses is updated regularly on the Council’s website:

<https://www.derbyshiredales.gov.uk/services-business/business-support-events-funding/business-news>

- 1.2 The Derbyshire Dales Discretionary Grants Fund widens access to support to businesses struggling to survive due to the Coronavirus shut down but unable to access other Government COVID-19 related grant schemes.

## **2 DESIGNING THE DERBYSHIRE DALES DISCRETIONARY GRANT SCHEME**

- 2.1 The District Council received final guidance from the Government on 24 May, for a fund of the order £1.7m. It is important to note that this Discretionary Grant Fund allocation is likely to meet only a fraction of potential demand. The District Council is expecting to have to heavily ration discretionary grants, as our allocation of £1.7m is unlikely to match what is required.
- 2.2 As a result, our criteria have to be very strict owing to the relatively small discretionary fund we have been allocated. As an approximation, we will have paid out over £29m to more than 2,500 businesses entitled to the current Covid-19 Small Business Grants or Retail/Hospitality/Leisure grants. There are in a further 2,000+ small and micro businesses in the Derbyshire Dales, for whom the Government has allocated only £1.7m via the Discretionary Grant Fund. (This number excludes those businesses too small to register for VAT or PAYE.) Unfortunately, it is likely that there will be a number of disappointed small business owners.
- 2.3 Trying to make the allocation process as fair as possible, given the Derbyshire Dales' relatively small grant allocation, has been challenging. In addition, as well as designing the scheme criteria, staff have developed the grants process, application form, IT system, payment system, and administration structure. This involves various teams from the District Council (economic development, revenues, financial services, internal audit, admin support, data protection and digital transformation). As a small council, with teams already stretched in response to Covid-19, preparing for the Discretionary Grant Fund has required work in evenings and weekends.
- 2.4 Work has advanced quickly, and subject to Members' approval it is proposed to launch the COVID-19 Business Support Grants *Derbyshire Dales Discretionary Grant Fund* on Friday 5 June, with applications opening on Monday 8 June.

## **3 HOW THE DISCRETIONARY GRANT SCHEME WILL WORK**

- 3.1 Discretionary grant funding will be targeted at small and micro businesses with relatively high, ongoing fixed property-related costs that can demonstrate that they have suffered a significant fall in income due to COVID-19, and which have fallen between gaps in the existing COVID-19 Business Support Grant schemes.

- 3.2 Support will be available to eligible businesses unable to access cash grants from other Government COVID-19 schemes. Businesses which have applied for the Coronavirus Job Retention Scheme are eligible to apply for this scheme. Businesses which are eligible for the Self-Employed Income Support Scheme are eligible to apply to the Discretionary Fund as well.
- 3.3 Core eligibility criteria are set out in full in the attached Guidance (Appendix 1). Provided they are met, the types of small business that the District Council would prioritise under this scheme are:

National Priorities:

- Some small or micro businesses operating from shared workspaces
- Some regular market traders based in the Derbyshire Dales
- Some bed & breakfast accommodation
- Some charity properties.

Local Discretion:

- Some small and micro businesses beyond the Retail, Hospitality and Leisure sectors, that have just missed out under current COVID-19 related grant schemes
- Some self-catering accommodation providers with accommodation qualifying as Furnished Holiday Lets.

- 3.4 The District Council has prepared an on-line application process for the Fund. This will be the route for all applications (except in exceptional cases where an applicant does not have internet access), due to capacity constraints.
- 3.5 In line with Government guidance, following verification and eligibility checks, officers will assess applications according to the following criteria:
- *number of employees within the applicant business*
  - *level of ongoing fixed costs faced by the business*
  - *trading status of the business*
  - *scale of impact of COVID-19 losses.*

- 3.6 In order for the Discretionary Grant Fund to benefit the maximum number and range of eligible businesses, the following levels of grant are proposed:

<b>Grant Levels:</b>
£2,500
£5,000
£7,500
£10,000
£25,000

- 3.7 The Government's expectation is that payments under £10,000 will be appropriate in many cases and particularly for micro businesses. Grants of £25,000 will only be made in exceptional circumstances. Subject to demand the District Council may adjust the scoring / grant thresholds, in order that

grants issued can match the limited funding the Government has made available.

3.8 To ensure that, as far as possible, the Discretionary Grant Fund benefits the maximum number and range of eligible small and micro businesses making up the Derbyshire Dales economy (and taking account of the Government's approach to targeting certain business sectors), the available funding will be ring-fenced as follows:

- 30% to eligible visitor accommodation businesses (not in receipt of other COVID-19 related grants) which pay Council Tax as defined in the Guidance
- 70% to the remaining national priorities and areas of local discretion identified in the Guidance.

3.9 Because there is a strictly limited pot of funding available the District Council needs to set a deadline for applications. This will allow each application to be assessed fairly in line with other applications. ***The deadline for applications under the first call is 5pm Monday 22 June 2020.*** This gives a two week initial window for applications. Grants are likely to be paid in July.

3.10 There will be an appeals process for non-award of grants. There will be no appeals against the level of grant awarded. Grant applications will be subject to a series of self-declarations, electronic checking and manual audit.

## **4 EQUALITY IMPACT ASSESSMENT**

4.1 An Equality Impact Assessment (Appendix 2) has been undertaken in support of the Council's duty to ensure that the criteria under which small businesses will qualify to make an application to the Derbyshire Dales Discretionary Grants Fund, and the process for applying, are fair and transparent.

4.2 This Assessment found no key issues. It did however note that, in prioritising small and micro businesses in rural communities as proposed, the Discretionary Grant Fund might have a positive effect on factors local to the Derbyshire Dales economy.

## **5 RISK ASSESSMENT**

### **5.1 Legal.**

Clear and transparent policy criteria have been put to Members for approval, and will be used when implementing the Discretionary Grant Fund. The legal risk is considered to be low.

### **5.2 Financial.**

The £1.7m cost of the grants has been met by a grant from the Government. The policy criteria for the Discretionary Grant Scheme have been made strict to reflect the limited amount of funding provided by the Government. Should the criteria be adopted as recommended, the financial risk is assessed as low.

## 6 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

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### CONTACT INFORMATION

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### ATTACHMENTS

Appendix 1 Derbyshire Dales Discretionary Grant Fund Guidance

Appendix 2 Equality Impact Assessment

### BACKGROUND PAPERS

- Local Authority Discretionary Grant Fund – Guidance for Local Authorities version 2 (23 May 2020) Department for Business, Energy and Industrial Strategy



## COVID-19 Business Support Grants: Derbyshire Dales Discretionary Grant Fund Guidance

### Introduction

1. This guidance sets out the criteria under which small and micro businesses will qualify to make an application to the Derbyshire Dales Discretionary Grants Fund. **The Fund widens access to support to businesses struggling to survive due to the Coronavirus shut down but unable to access other Government COVID related grant schemes.**
2. The additional Fund is aimed at certain small and micro businesses which: are not eligible to access the Small Business Grant Fund (SBGF) and the Retail Hospitality and Leisure Grant (RHLG); have relatively high ongoing, fixed property-related costs and can demonstrate that they have suffered a significant fall in income due to COVID-19. Derbyshire Dales District Council is responsible for administering the Discretionary Grant Fund.

### Scope of the Fund

3. Under the guidance issued to the District Council by Government it has been determined that the Fund is aimed at:
  - Small and micro businesses, including any linked or partner enterprises, as defined in Section 33 Part 2 of the Small Business, Enterprise and Employment Act 2015 and the Companies Act 2006
  - Businesses with relatively high ongoing fixed property-related costs
  - Businesses which can demonstrate that they have suffered a significant fall in income due to the COVID-19 crisis
  - Businesses which occupy property, or part of a property, with a rateable value or annual rent or annual mortgage payments below £51,000.
4. To be a small business, under the Companies Act 2006, a business must satisfy two or more of the following requirements in a year:
  - Turnover: not more than £10.2 million
  - Balance sheet total: not more than £5.1 million
  - Number of employees: a headcount of staff of less than 50
5. To be a micro business, under the Companies Act 2006, a business must satisfy two or more of the following requirements:
  - Turnover: not more than £632,000
  - Balance sheet total: not more than £316,000
  - Number of employees: a headcount of staff of not more than 10

6. Government has also asked local authorities to prioritise certain types of businesses for support from the Discretionary Grant Fund. These are included in section 13.

### Core Eligibility Criteria

7. To be eligible to apply for a grant under the Derbyshire Dales Discretionary Grant Fund, a small or micro business (as defined above) must:
- be based in the Derbyshire Dales
  - have been trading on 11 March 2020
  - trade from premises used wholly or mainly for business purposes
  - be able to evidence relatively high ongoing fixed building costs including: rent; rates (where applicable); premises insurance; utilities and commercial mortgage interest payments - **businesses with monthly fixed property costs of less than £200 per calendar month / £2,400 per annum will not be eligible to apply**
  - be able to evidence a significant reduction in turnover (relative to the size of the business) due to the impact of COVID-19 - **businesses unable to demonstrate a reduction in turnover of 20% or more will not be eligible to apply.**

Applications must satisfy these core criteria in order to be assessed.

8. Small or micro businesses will also be ineligible to apply if they:
- have received cash grants from the following central Government COVID related schemes:
    - Small Business Grant Fund
    - Retail, Hospitality and Leisure Grant
    - The Fisheries Response Fund
    - Domestic Seafood Supply Scheme
    - The Zoos Support Fund
    - The Dairy Hardship Fund
  - are in administration, are insolvent or where a striking-off notice has been made (at the time of application)
  - were an undertaking in difficulty on 31 December 2019<sup>1</sup>
9. Businesses that have previously been unable to apply for a grant in their own right as they do not have a separate rating assessment may now apply to this Fund if they meet all of the other eligibility criteria.
10. Businesses who have applied for the Coronavirus Job Retention Scheme are eligible to apply to this Fund. Businesses who are eligible for the

<sup>1</sup> [within the meaning of Article 2\(18\) of the General Block Exemption Regulation](#)

Government's Self-Employment Income Support Scheme are eligible to apply to the Discretionary Fund as well.

11. As with all COVID-19 Business Support Grants, funding assistance from the Discretionary Grant Fund is subject to State Aid rules – see section 33.

### The District Council's Approach

12. The Discretionary Grant Fund is **intended to fill gaps within the current Government COVID related grant schemes and support businesses with ongoing fixed property costs.**
13. The District Council has been **allocated limited funds from Government and will not be able to support every business within the general scope of the Fund.** Therefore, in line with Government guidance and applying local discretion, the District Council will launch an initial call for applications prioritising the following types of businesses for support:

#### National Priorities:

- Small or micro businesses operating from shared offices or other flexible workspaces without their own business rates assessment – this includes: managed office / workspace, mills and units in industrial estates and business parks
- Regular market traders i.e. market traders based in the Derbyshire Dales, trading most days of the week (prior to COVID-19 restrictions) at weekly stall markets or from established units, with fixed building costs including regular rent; and other micro businesses operating under licence from premises within District Council landholdings without their own independent business rates assessment
- Bed & Breakfast accommodation registered as food businesses with the District Council at 11 March 2020 which pay Council Tax instead of business rates
- Charity properties in receipt of charitable business rate relief which would otherwise have been eligible for Small Business Rate Relief or Rural Rate Relief (i.e. charities with a single premise, with a rateable value of less than £15,000 if they did not claim 100% charity rate relief). Charities must be local i.e. a charity which operates within the Derbyshire Dales and whose charitable objects primarily benefit residents of the Derbyshire Dales and is not affiliated to a national charitable organisation.

#### Local Discretion:

- Small and micro businesses beyond the Retail, Hospitality and Leisure sectors:
  - occupying more than one business property with a combined rateable value or annual rent of less than £15,000 but ineligible for Small Business Rate Relief AND;

- businesses occupying property with a combined rateable value or annual rent between £15,000 and £19,999 ineligible under the current COVID-19 SGBF scheme. This includes sole traders or partnerships established after 5 April 2019 operating from business premises with fixed building costs but ineligible for the Self-Employment Income Support Scheme
- Self-Catering accommodation providers with accommodation qualifying as Furnished Holiday Lets (FHLs with a HMRC Tax Return Self-Assessment 105 declaration) on 11 March 2020 which pay Council Tax instead of business rates where this is the owner's primary source of income.

14. All supporting evidence must have been received by the deadline set for applications. Incomplete applications will not be considered. If you are uncertain as to your eligibility, please contact us prior to making an application.

15. For the avoidance of doubt, the following types of businesses will be ineligible to apply to the Discretionary Grant Fund (taking account of the primary aims of the Fund):

<b>Business Type</b>
Casual market stallholders and mobile and festival catering outlets without fixed building costs and not paying a regular rent e.g. those attending festivals and events
Care homes
Landlords and property developers
Primary agricultural production
B&Bs not registered as a food business with Environmental Health
Home offices/workers
Businesses which have received a Discretionary grant in another district
Financial services e.g. banks, building societies, cash points, bureaux de change, short-term loan providers
Post office sorting offices

16. Following a review of take up after the first call deadline from businesses prioritised in section 13, the District Council may, at its discretion, open the Fund to applications from the following services<sup>2</sup> occupying property with a combined rateable value or annual rent of less than £15,000 (i.e. ineligible for support from the Government's Retail Hospitality and Leisure Grant and Small Business Grant Fund) should sufficient funding remain available:

- Professional services e.g. solicitors, accountants, insurance agents / financial advisers
- Medical services e.g. vets, dentists, doctors, osteopaths, chiropractors
- Nurseries

<sup>2</sup> Businesses in these categories in receipt of either Small Business Rate Relief or Rural Rate Relief are eligible under the Government's Small Business Grant Fund

17. Grants will not be awarded to organisations whose activities are contrary to the vision and values of the District Council as set out in section 5.4 of the Council's Policies for Discretionary Rates Reliefs December 2018<sup>3</sup>.
18. The District Council reserves the right to vary the terms of the Fund at any time, and without notice, should it be necessary to do so.

### Application Process and Levels of Grant

19. The District Council has prepared an on-line application process for the Fund. This will be the route for all applications (except in exceptional cases where an applicant does not have internet access).
20. In line with Government guidance, following verification and eligibility checks, District Council officers will assess applications according to the following criteria:
- **no. of employees** within the applicant business
  - **level of ongoing fixed costs** faced by the business
  - **trading status of the business** i.e. whether some trading has continued, a business has had to close completely or provides services that are not permitted due to social distancing rules or has not been able to move to on-line services
  - **scale of impact of COVID-19** losses.
21. In order for the Discretionary Grant Fund to benefit the maximum number and range of eligible small and micro businesses, the following levels of grant are proposed:

<b>Grant Levels:</b>
£2,500
£5,000
£7,500
£10,000
£25,000

22. The Government's expectation is that payments under £10,000 will be appropriate in many cases and particularly for micro businesses. The Discretionary Grant Fund has been developed accordingly. Grants of £25,000 will only be made in exceptional circumstances.
23. One grant will be considered per qualifying business including those with more than one business property. The business will also need to confirm its intention to continue trading following any grant award.
24. Eligible applications will be assessed using the following approach:

<sup>3</sup> [NNDR Discretionary Reliefs Policy Approved 5 December 2018.pdf](#)

Impacts	Question	Answer	Score	Weighting
<b>a) No. of Employees</b>	Business Size – No. employees (headcount - ex. owner / proprietor)	11-49	5	3
		3-10	3	
		1-2	1	
		0	0	
<b>b) Level of ongoing fixed costs</b>	Annual Business Premises Costs	>£15,001	5	3
		£15,000-£5,000	3	
		<£5,000	1	
<b>c) Trading status</b>	Impact of COVID-19 on Trading	Closed throughout / no trading	5	1
		Partial trading / recently opened / restricted to on-line trading	3	
		Open throughout / full trading	1	
<b>d) Financial impact from COVID-19</b>	Impact on turnover	50%+ down	5	2
		49%-31% down	3	
		30%-20% down	1	
	Sole or primary source of income	Sole source	5	1
		Primary source i.e. 50% or more	3	
	49%-33%	1		
	Less than 33%	0		
		<b>MAX</b>	<b>50</b>	

25. **Subject to the application score, level of demand and funding availability, the level of grant awarded will vary.** The highest scoring applications in each band will be awarded higher levels of grant. The following indicative scoring / grant thresholds are initially proposed:

Score	Grant Level
30 or less	£2,500 or £5,000
31 to 44	£7,500 or £10,000
45 or more	£25,000

Subject to demand the District Council may adjust the scoring / grant thresholds.

26. The District Council will not approve or make payment of a further grant to a business that has already received a grant or partial grant passed on by a landlord under one of the schemes listed in section 8.

27. As a condition of support, businesses awarded discretionary grant in properties without their own business rates assessment will be required to

apply to the VOA for a rating assessment and register with the District Council for NNDR (and associated reliefs) where applicable.

28. Should the Fund be oversubscribed with the applications received, the District Council reserves the right to amend the grant levels on a pro-rata basis based on the applications received and approved, as a way of dealing with this situation, should it arise.

### **Deadline for Applications**

29. Because there is a limited pot of funding available the District Council needs to set a deadline for applications. This will allow each application to be assessed fairly in line with other applications. **The deadline for applications under the first call is 5pm Monday 22 June 2020.**
30. Please be aware that processing may take upwards of 20 working days due to the level of due diligence we will need to undertake to assess each application. Payments to successful applicants will commence in July. After the Council has processed and determined applications from the initial round, consideration will be given to a second call for applications subject to availability of funds. Should this be possible, further information will be published on the District Council's website at the appropriate time. Once the funding is exhausted no further grants will be awarded.

### **Allocation of Discretionary Funds**

31. To ensure that, as far as possible, the Discretionary Grant Fund benefits the maximum number and range of eligible small and micro businesses making up the Derbyshire Dales economy (and taking account of the Government's approach to targeting certain business sectors), the available funding will be ring-fenced as follows:
- **30%** to eligible visitor accommodation businesses (not in receipt of other COVID related grants) which pay Council Tax as defined in the priorities set out in section 13
  - **70%** to the remaining national priorities and areas of local discretion identified in section 13.
32. The District Council will consider eligible applications received according to this notional split of funds and determine grant awards accordingly. **Ring fenced sums may be varied at the District Council's discretion.**

### **State Aid**

33. All grants provided under this Fund must be State Aid compliant. Businesses applying to the Fund are required to confirm that in accepting a grant payment they will not exceed State Aid limits. Further details can be found [here](#)

34. Payments of up to and including £10,000 will be made under the De Minimis Aid regulation, meaning applicants can receive up to €200,000 of aid over a three fiscal year period (i.e. your current fiscal year and previous two fiscal years). Any business in receipt of State Aid must submit a signed State Aid Declaration letter and their grant claim will not be processed until the letter is provided. This is included at Appendix 1 {standard letter to be added}.
35. Payments of £25,000 (or £10,000 where the De Minimis threshold has been reached) will be paid under the COVID-19 Temporary Framework for UK Authorities scheme under which the maximum level of aid that a company may receive 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 schemes under the terms of the European Commission's Temporary Framework. Recipients must also declare they were not an undertaking in difficulty on 31 December 2019 (as defined earlier in this guidance) but faced difficulties or entered into difficulty thereafter as a result of the COVID-19 outbreak. This aid is in addition to any aid that you may have received under the De Minimis regulation.
36. Recipients will need to declare any grant funding awarded to any other aid awarding body who requests information on how much aid you have received.

### **Evidence Required**

37. Eligible businesses/charities will be required to demonstrate that they meet the eligibility criteria for the Fund. To do this, applicants are required to:
- provide evidence to demonstrate the financial impact of COVID-19 on the business. This will take the form of filed annual accounts for previous years, current management accounts (where available), and bank statements available for the current period i.e. March to June 2020 and for the equivalent period in 2019
  - state their fixed property-related costs within their application i.e. rent, rates, commercial mortgage interest payments, premises insurance, utilities or HMRC Tax Return Self-Assessment 105 form declaration for FHLs
  - provide business bank account details for payment purposes (should their application be successful). Businesses that are eligible for a grant will be paid the grant directly into their bank accounts
  - confirm the business complies with the definition of a small or micro business
  - confirm the business was trading on 11 March 2020
  - confirm the business intends to continue trading following any grant award

- confirm that the business has not received any other Government COVID related grant support
- confirm the business was not an undertaking in difficulty on 31 December 2019 and is not in administration, liquidation or in the process of being dissolved or subject to a striking-off notice
- confirm the award of grant would not result in the business exceeding the maximum level of State Aid permissible.

Information provided by businesses will be subject to checks by the District Council's Auditor. The District Council reserves the right to request further evidence to support the application where this is deemed necessary and not to proceed any further with an application if there is doubt over the evidence provided.

## Decisions

38. Applications will be determined by District Council Officers using the criteria set out in this document. A panel of officers will use the criteria and approach described in this guidance to determine how much grant, if any, will be awarded. A record will be made of the scoring, the decision and the grant awarded, or the reasons for rejection. The decision will be notified to the applicant in writing (email) and where a grant has not been awarded, a short explanation of the reason will be given.

## Appeals Process

39. If you have been informed that your business is not eligible for a discretionary business support grant and you feel that the decision is wrong, you can appeal for that decision to be looked at again. Your case will then be reviewed by a different officer(s) to check that the initial decision was correct. Details of the District Council's Appeals process are available [here](#)
40. There will be no appeal process for businesses/charities in relation to the grant amount they are awarded.

## Other Important Information

41. Grant income received by a business is taxable therefore funding paid under the Discretionary Grant Fund will be subject to tax. Only businesses which make an overall profit once grant income is included will be subject to tax.
42. All grant claims will be processed through a series of checks, including checks against our business rates database and checks for fraud including use of the Government Spotlight anti-fraud software and the National Fraud Initiative database. The District Council reserves the right to verify/put on hold any application to enable detailed checks to be carried out.

43. The Government and the Council will not accept deliberate manipulation and fraud. Information submitted will be subject to checks by the District Council's Auditor at the Council's discretion. Any suspected fraud cases will also be investigated by the Auditor. Any business caught falsifying their records to gain grant money will face prosecution and any funding issued will be subject to claw back, as may any grants paid in error.

44. **The Government guidance on which this document is based has been subject to change and, as such, this document may also be subject to change.** The District Council does not accept any liability if any of the changes affect the eligibility of any business for the Discretionary Grant Fund.

45. In addition, the District Council does not accept any liability for any issues that may arise for businesses because of applying for, receiving, or not receiving grant payments under this Fund.

46. Enquiries about the Fund can be emailed to [economicdevelopment@derbyshiredales.gov.uk](mailto:economicdevelopment@derbyshiredales.gov.uk)

#### Privacy Notice

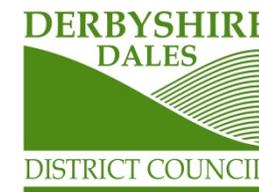
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## Derbyshire Dales District Council Equality Impact Assessment



### 1. Outline

<b>Title of policy, practice, service or function being assessed</b>	<b>Covid-19 Business Support Grants: Derbyshire Dales Discretionary Grant Fund</b>
<b>Officers conducting assessment</b>	Steve Capes, Giles Dann, Lynne Cheong
<b>Date of assessment</b>	29 May 2020
<b>Reason for assessment</b>	<p>The Coronavirus pandemic is a rapidly changing situation and the District Council is closely monitoring the advice and updates from Government regarding support for businesses. The Government has set out a package of temporary and targeted measures to support businesses through this period of disruption. The District Council has issued 100% rates discounts for 2020/21 to a range of businesses and businesses eligible for existing COVID-19 small business grants have been contacted and invited to reply. Information for local businesses is updated regularly on the Council's website:  <a href="https://www.derbyshiredales.gov.uk/services-business/business-support-events-funding/business-news">https://www.derbyshiredales.gov.uk/services-business/business-support-events-funding/business-news</a></p> <p>The Derbyshire Dales Discretionary Grants Fund widens access to support to businesses struggling to survive due to the Coronavirus shut down but unable to access other Government COVID related grant schemes. Discretionary grant funding is targeted at small businesses with fixed property-related costs which have fallen between gaps in the existing COVID-19 Business Support Grant schemes. Support will be available to eligible businesses unable to access cash grants from other Government</p>

	<p>COVID-19 schemes and which meet the criteria of the Fund set by Government. Businesses which have applied for the Coronavirus Job Retention Scheme are eligible to apply for this scheme. Businesses which are eligible for the Self-Employed Income Support Scheme are eligible to apply to the Discretionary Fund as well.</p> <p>This assessment supports the Council's duty to ensure that the discretionary criteria set by the District Council under which small and micro businesses will qualify to make an application to the Derbyshire Dales Discretionary Grant Fund and the process for applying are fair and transparent.</p> <p>Available funding from Government for the Discretionary Fund is limited. Based on the number of businesses in the Dales, it will not possible to support every business within the general scope of the Fund. Therefore prioritisation is required.</p>
<p><b>What is the purpose of this policy, practice, service or function? (specify aims and objectives)</b></p>	<p>The purpose of this policy is to allocate discretionary Covid-19 grant support to certain qualifying businesses in the Derbyshire Dales, using local and national priorities to determine grants from the limited funding provided by the Government.</p> <p>Guidance explaining the criteria, assessment and appeals process has been developed to support small and micro businesses in making any application.</p>
<p><b>Are there any other organisations involved in its implementation?</b></p>	<p>No. However, checks will be made against the Council's business rates database (managed by Arvato) and checks for fraud will include use of the Government Spotlight anti-fraud software and the National Fraud Initiative database.</p>
<p><b>Main customer groups (beneficiaries) / stakeholders</b></p>	<p>Small and micro businesses (as defined under the Companies Act 2006) with fixed property-related costs which are ineligible for existing COVID-19</p>

	Business Support Grant schemes and have been impacted by the Coronavirus shutdown.
<b>Customer Groups</b>	<b>Other stakeholders</b>
Small businesses Micro businesses	Small charities which meet the Fund criteria
<b>Which other District Council departments are affected by the policy, practice, service or function? Do any of the objectives directly support or hinder another activity?</b>	Resources, Regeneration & Policy, Corporate Services, Arvato  Derbyshire Dales District Council is currently prioritising maintaining key services in its response to the Covid-19 pandemic. This includes business support.

## 2. Assessing relevance to the general equality duty

<b>The General Equality Duty has three aims which require the District Council to have due regard to the need to:</b>	<b>Tick those which are relevant</b>
Eliminate unlawful discrimination (both direct or indirect), harassment and victimisation	√
Advance equality of opportunity between all persons by <ul style="list-style-type: none"> <li>- removing or minimising disadvantages suffered by protected groups;</li> <li>- taking steps to meet the needs of people from protected groups where these are different from the needs of other people</li> <li>- encouraging people from protected groups to participate in public life or other activities where participation is disproportionately low</li> </ul>	

## 3. What existing information / data do you have / monitor about different diverse groups in relation to this policy, practice, service or function?

Eg: previous EIA's, reports, consultation, surveys, demographic data etc.

Information / Data	When and how collected	Source	What it tells you	Gaps
Derbyshire Dales Equalities Profile (available national and local data) via intranet: <a href="http://sidd.derbyshiredales.gov.uk/sidd/index.php/documents">http://sidd.derbyshiredales.gov.uk/sidd/index.php/documents</a>	Census 2011 - national survey of all households National statistics	ONS  DWP NOMIS ONS	Analysis of key demographic data relating to protected groups	
Derbyshire Dales Equality Information published on website: <a href="http://www.derbyshiredales.gov.uk/your-council/equalities/equality-information">http://www.derbyshiredales.gov.uk/your-council/equalities/equality-information</a>	Census 2011  Monitoring data collected by services (in-house and outsourced)	ONS  DDDC	Summary profile of Census 2011 data Equalities monitoring data - employees - customer satisfaction with services	
Derbyshire Dales Economic Plan 2019-2033 <a href="https://www.derbyshiredales.gov.uk/images/E/Economic_Development/Derbyshire_Dales_Economic_Plan_2019-2033.pdf">https://www.derbyshiredales.gov.uk/images/E/Economic_Development/Derbyshire_Dales_Economic_Plan_2019-2033.pdf</a>	Various	<a href="#">DDDC Economic Plan 2019-2033</a>	In common with other rural areas the Dales economy is characterised by a predominance of smaller businesses. The majority of firms (87%) employ less than 10 people, some 6% employ up to 20 and 3% employ 50+, including larger employers of strategic importance to the local economy.	No information is available on the equalities characteristics of owners /employees in small and micro businesses.

Information / Data	When and how collected	Source	What it tells you	Gaps
UK Business Counts 2019 <a href="https://www.nomisweb.co.uk/reports/lmp/la/1946157136/report.aspx?#idbr">https://www.nomisweb.co.uk/reports/lmp/la/1946157136/report.aspx?#idbr</a>	Inter Departmental Business Register (ONS)	NOMIS	Approx. 4,240 micro businesses and 400 small businesses in the Dales in 2019 registered for VAT or PAYE).	
Self Employment Rate (Oct 2018-Sept 2019)	Annual Population Survey (ONS)	NOMIS	20.2% in the Derbyshire Dales	
D2N2 COVID-19 Business Survey	April – May 2020 D2N2 webform	D2N2 Survey	COVID has impacted the majority of business sectors with significant negative impacts in rural sectors such as accommodation and food services	

**4. Based on the evidence above, does the policy, practice, service or function have a positive or negative impact on any protected group(s)?**

Protected groups	Positive effects	Negative effects	Improvement actions
<b>Age</b>	Positive impact on owners / employees of all working age groups in eligible small and micro businesses by supporting those		

Protected groups	Positive effects	Negative effects	Improvement actions
	<p>businesses at a time of significant economic difficulty.</p> <p>Longer term positive impact on those residents, visitors and businesses which benefit from goods &amp; services provided.</p> <p>Micro businesses and small local charities provide important services to support Dales communities which have a higher proportion of older people. Filling gaps in existing Government schemes will help to sustain these services.</p>		
<p><b>Disability or long term ill health</b> Physical disabilities, sensory impairments, limiting long-term illnesses, learning disabilities or mental health issues</p>	<p>Positive impact on disabled owners / employees in eligible small and micro businesses by supporting those businesses at a time of significant economic difficulty.</p> <p>Longer term positive impact on disabled residents, visitors and businesses which benefit from goods &amp; services provided.</p>		

Protected groups	Positive effects	Negative effects	Improvement actions
<b>Race / ethnic groups</b>	Positive impact on owners / employees of all ethnic groups in eligible small and micro businesses by supporting those businesses at a time of significant economic difficulty. Positive impact on BEM residents, visitors and businesses which benefit from goods & services provided.		
<b>Women or men</b>	Positive impact on male and female owners / employees in eligible small and micro businesses by supporting those businesses at a time of significant economic difficulty. Positive impact on those residents, visitors and businesses which benefit from goods & services provided.		
<b>Sexual orientation</b>	N/A		
<b>Religion or belief (including non belief)</b>	N/A		

Protected groups	Positive effects	Negative effects	Improvement actions
<b>Transgender</b> (including people planning to or going through gender reassignment)	N/A		
<b>Pregnancy and maternity</b> (including maternity and paternity leave)	N/A		
<b>Marital status</b> (including civil partnership & same sex marriage)	N/A		

**4a. Are there any local priority groups / factors which should be considered?**

Other factors	Positive effects	Negative effects	Improvement actions
<b>Rural areas</b>	The Dales economy is characterised by a predominance of small and micro businesses. The discretionary criteria proposed seek to prioritise key		

Other factors	Positive effects	Negative effects	Improvement actions
	<p>elements of the Dales rural economy e.g. by</p> <ul style="list-style-type: none"> <li>• allocating a ring fenced sum to businesses operating visitor accommodation businesses;</li> <li>• including new start sole traders or partnerships ineligible for the Government's Self-Employed Income Support Scheme;</li> <li>• including small and micro businesses otherwise eligible for Small Business Rate Relief (SBRR) but with more than one business property (over the rateable threshold) and;</li> <li>• including business in important rural employers such as manufacturing businesses just above the SBRR threshold who have missed out on COVID-related grant support</li> </ul>		

Other factors	Positive effects	Negative effects	Improvement actions
	<p>The launch date and criteria for the Fund will be promoted widely, including via the Council's business e-newsletter, website, a press release and via networks such as Business Peak District to ensure eligible small and micro businesses from across the Dales are aware of the opportunity</p> <p>The application process will be on-line with applications accepted by other means in exceptional circumstances. In rural areas such as Derbyshire Dales, this may disadvantage a small number of potential business applicants in rural areas with limited access to the internet.</p> <p>Taking all these factors into account the grant scheme is likely to have an overall beneficial effect on rural areas.</p>		
<b>Poverty / deprivation</b>	The Discretionary Grant Fund criteria prioritises those		

Other factors	Positive effects	Negative effects	Improvement actions
	businesses with the highest on-going fixed property costs AND suffering relatively more significant financial hardship as a result of COVID-19		

### 5. Consultation and engagement

Do we need to seek the views of others and if so, who? If not, please explain why.

The Council undertakes continuous pro-active engagement with its business community including offering practical support for businesses through its Economic Development service. The Council has promoted the D2N2 COVID Business Impact survey via its business newsletter (see section 3) and received a high number of enquiries from businesses regarding grant support during the Covid-19 - the design of the discretionary criteria seeks to address gaps identified in existing support schemes provided by the Government.

The discretionary criteria are also to be considered by Members prior to adoption. There is some urgency to getting funds to eligible businesses as quickly as possible therefore given the unprecedented circumstances, and the extent of knowledge of businesses within local economy, formal consultation with the business community is not proposed.

**6. Commissioned / outsourced services**

Is your policy, practice, service or function partly or wholly provided by any external organisation / agency?	No – the Fund will be administered by the District Council. Arvato provides the Revenues service for DDDC and is managing the administration of the Government’s existing COVID-19 grants. Arvato will only make eligibility checks with regard to the Discretionary Grant Fund
If yes, please list any contractual or other arrangements which aim to ensure that the provider promotes equality and diversity (eg: <i>monitoring data</i> )	N/A

**7. Improvement Plan**

Key issues identified	Actions
N/A	N/A
The Discretionary Grant Fund criteria should be considered following completion of the initial call for applications and any appropriate adjustments considered by officers.	

**PLEASE FORWARD THE COMPLETED FORM TO THE POLICY MANAGER / POLICY OFFICER (Consultation & Equalities)**

Signed \_\_\_\_\_ (Completing Officer)

EMERGENCY COMMITTEE  
4 JUNE 2020

Report of the Director of Community & Environmental Services

## **GARDEN WASTE COLLECTION SERVICE UPDATE**

### **PURPOSE OF REPORT**

To update Members on the situation regarding the restoration of the garden waste collection service during the COVID-19 pandemic.

### **RECOMMENDATION**

That funds are provided for the hire of a HGV driver to support Serco in the reinstatement of the garden waste collection service on Monday 1 June 2020.

### **WARDS AFFECTED**

All.

### **STRATEGIC LINK**

Ensuring that waste is collected and recycled effectively helps to protect and enhance the environment and to improve the quality of life of local people. Improvements to the District Council's service facilitates the provision of excellent services.

## **1. REPORT**

- 1.1 On the 21<sup>st</sup> May this year, Members approved the provision of funds for the hire of an extra Refuse Collection Vehicle, fuel and two waste collection operatives. The cost of this was £2,829 per week.
- 1.2 In evaluating the preferred option for garden waste collections, Serco has now opted to use the additional RCV's to support the crews on the east and west rounds, rather than the previously discussed other option of 'shunting' vehicles. This is Serco's preferred approach as it has proved to be effective on other contracts. It would, however, require a Council employed HGV (Heavy Goods Vehicle) driver to share a cabin with two Serco employees, rather than being the only person in the cabin.
- 1.3 Serco have risk assessed this practice and consulted with the relevant trade union. Both parties are satisfied with the measures in place. This is, however, different to the Council's current working practice of one person per vehicle.

- 1.4 Following discussions between Serco's Contract Manager and the Council's Clean & Green Manager, it was deemed to present an unnecessary risk for the following reasons:-
- 1.4.1 The risks of sharing a cabin with others rules out several of the Council's qualified HGV drivers, due to COVID-19 associated risks.
  - 1.4.2 This would place a reliance on two employees, both of whom are key to the day-to-day management of the Clean & Green service.
  - 1.4.3 If the role could have been shared amongst a 'pool' of staff then the Council would have continued to provide the current level of service. The reliance on these two employees would likely result in further disruption of the Clean & Green service.
- 1.5 It is, therefore, recommended that the £800 per week the Council had aimed to save by providing a qualified HGV driver is used to hire an agency driver who is risk assessed and deemed a suitable replacement. This will be a temporary measure for an estimated six week period, as outlined in the 21<sup>st</sup> May report.
- 1.6 The Council Waste & Recycling Manager will regularly review the situation with her counterpart at Serco, and will report back to the Council's Corporate Leadership Team on the progress of the garden waste clear up.

### **3. RISK ASSESSMENT**

#### **Legal**

- 3.1 The contractual position is set out in the main body of the report. Whilst the recommendation on resumption of the service is a pragmatic solution, the potential for further service failure is a risk whilst the Council and Serco are not solely in control of the situation, for example, the imposition of further controls. It is, therefore, recommended that Serco enter into a supplementary funding agreement to regularise performance under the terms of this additional funding. Whilst all legal risk cannot be mitigated, the position remains at medium.

#### **Financial**

- 3.2 There is no provision in the 2020/21 revenue budget for the proposed additional expenditure of £800 per week for approximately six weeks (around £4,800) (on top of the additional £16,974 approved by the Emergency Committee on 21 May).. However, the Council has received a Government grant of £744,150 to assist in meeting the additional costs and lost income arising from the Coronavirus pandemic. Should the Committee approve the report recommendation then the costs could be financed by using part of the Government grant. The financial risks to the Council are considered low.

### **4. OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder; equalities; environmental; climate change; health; human rights; personnel and property.

## **5. CONTACT INFORMATION**

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## **6 BACKGROUND PAPERS**

None

## **7 ATTACHMENTS**

None.

**BACK TO AGENDA**