

Essex Business Adaptation Funding – Phase 2.

1 Essex Business Adaptation Funding

- 1.1 As a direct response to the existing challenges facing Essex businesses and the new measures introduced by Government, a fund has been created to support small and medium enterprises (SMEs) to adapt their premises and/or operations in order to continue to operate in a COVID-secure environment and generate income whilst legislation permits them to remain open and/or when restrictions are removed and they are able to reopen.
- 1.2 The Council is providing the Grant to the Recipient to allow the Recipient to distribute payments from the EBAF to Eligible Businesses. EBAF Grants do not need to be paid back unless the claim was subsequently found to be fraudulent or was not used for the EBAF Grant purpose.
- 1.3 The EBAF is a £2,200,000 fund, enabling local authorities to provide EBAF Grants of £500, £1,000 or £1,500 per business as set out in this Schedule 1. This original scheme has now been replaced.
- 1.4 Now no Eligible Business may receive more than £5,000 for any further adaptations made on or after 1 June 2021. Harlow Council will distribute an amount up to £5,000 for works carried out to enable Eligible Businesses to carry out adjustments and improvements to their premises in order to assist them to continue to operate, keep staff in employment, improve their business, and to ensure the health and safety of their employees and customers in response to the current impact of COVID19. EBAF Grants may also be used by Eligible Businesses to develop new operating practices and diversify businesses in order to capitalise on new opportunities such as new click & collect, takeaway or delivery services.
- 1.5 The qualifying requirements for the grant are set out in sections 2, 3, 4, and 5. No EBAF Grant may be made that is not for a purpose directly related to the purpose set out in section 1.1 of this Schedule 1.¹
- 1.6 It is recognised that there is insufficient funding available to cover all eligible businesses at the full grant value. Applications will therefore be processed in order of receipt with grants awarded until the funding available has been exhausted.

2.0 Eligible Businesses

To qualify as an Eligible Business that may receive an EBAF Grant, the business must self-certify that each of the criteria set out below is met:

2.1 the business has

- (a) fixed property related costs; and
- (b) was open and trading to visiting members of the public on 4 November; and
- (c) either:

has been required to close OR

has been severely impacted by the restrictions imposed;

2.2 the business has a place of business within the Council's administrative area;

2.3 the business qualifies as one of the following:

"Micro" as defined by s384A (and not excluded by s384B) of the Companies Act 2006;
or

"Small" as defined by s382 and 383 (and not excluded by s384) of the Companies Act 2006; or

"Medium-Sized" as defined s465 and 466 (and not excluded by s467) of the Companies Act 2006;

2.4 the business has all up-to-date and relevant certificate(s) to show compliance with laws and regulations relevant to its trade (for example a food hygiene certificate, a licence to sell alcohol, permission to operate a pavement seating area, trading authority);

2.5 the business is ensuring, and will continue to ensure, adherence to all COVID regulations;

2.6 the EBAF Grant will not constitute Unlawful State Aid.

3 Businesses that are not eligible

3.1 EBAF Grants shall not be made available to businesses that were in administration, insolvent, or where a strike-off notice had been made on or before the date that the business applied to receive an EBAF Grant.

3.2 Applicants who have received an EBAF for the previous period cannot apply for a second EBAF for expenditure from 1st June 2021 within 2 months of the first EBAF payment.

4 Eligible expenditure

4.1 EBAF funding is intended to defray costs incurred by Eligible Businesses as a direct result of making adaptations to their premises or diversifying their operations in response to the introduction of COVID restrictions in Essex.

4.2 Harlow Council will make EBAF Grant of up to £5,000 for items which are to:

- a) Promote that the business is operating and COVID-secure such as signage, stencils, leaflets, advertising, web / mobile technology.
- b) Train, upskill, or reskill staff in courses directly connected to or associated with the adaptations or changes being made for businesses.
- c) Improvements, adjustments, or expanding business premises to assist them in continuing to operate in response to COVID-secure practices and social distancing guidelines in response to the current impact and COVID of COVID-19 (i.e. sanitiser stations/units, protective screens, barriers, adaptations for serving food and drink etc.)
- d) Costs associated with establishing and running an online presence where the business does not currently have an online presence (i.e. digital technology platforms / licensing)
- e) Enabling the business to diversify operations in order to generate new or enhance existing income streams including the purchase of equipment to enable this. Examples of eligible items included but are not limited to:
 - Vehicles and personal transportation connected with providing delivery services such as cycles.
 - Access improvements/ amendments (i.e. motion sensor doors, queuing adaptations, one-way set-ups, improvised waiting areas etc.)
 - Internal adaptations (i.e. relocation of existing fixtures / fittings / services etc. potentially to support revised utilisation of space to ensure social distancing or diversified uses of premises)
 - Exterior furniture, shelter, heating, lighting (i.e. tables, seating, benches, awning, canopy, patio-heaters, interventions to support appropriately spaced outdoor service etc.).

5 Spend Exclusions:

5.1 The Council and the Recipient administering the scheme reserve the rights on the measures that will receive EBAF Grants, subject to available budget, demand and complexity.

5.2 The following costs are excluded from the scheme and the Recipient shall not make EBAF Grants, and the Eligible Business shall not use EBAF Grants, for:

- a) Equipment / adaptations which are not COVID-secure and do not follow the guidance and legislation set out by Her Majesty's Government.
- b) Acquisition of land / buildings either directly or indirectly connected to making businesses COVID-secure.
- c) Direct subsidy of customers purchases for example offering 50% off meals.
- d) Consultancy, design and statutory application fees.
- e) Professional fees (e.g. solicitor / surveyor / architect)
- f) Personal Protective Equipment, consumable items such as masks/gloves/sanitiser refill etc.
- g) Retrospective expenditure where works/items were already been obtained prior to 1 June 2021.
- h) Expenditure incurred 28 days after the Eligible Business receives notification that it has been successful in its application for an EBAF Grant.

5.3 No grants will be paid after 31 December 2021.