

Large Tourism and Hospitality Business Support Scheme

Guidance Notes and Frequently Asked Questions

OVERVIEW

The Large Tourism and Hospitality Business Support Scheme (LTHBSS) is a new support scheme from the Department for the Economy. It is designed to provide support to large businesses in these sectors that have been significantly impacted by the Health Protection Regulations which came into force on 16 October 2020.

The scheme was announced on 21 January 2021. Eligible businesses will receive a grant for each week the Health Protection (Coronavirus, Restrictions) (No.2) Regulations (Northern Ireland) 2020 are in place for the two initial periods of restrictions set out below. This will be paid in one lump sum.

- Restriction period one: 16 October to 11 December (this should be read as 5 October for businesses in the Derry City & Strabane District Council area).
- Restriction period two: 26 December to 31 March

ELIGIBILITY CRITERIA

What is the aim of the scheme?

The LTHBSS is designed to provide financial support for large businesses in these sectors named within the Health Protection Regulations which came into force on 16 October 2020. For businesses in the Derry City & Strabane District Council area, any references to 16 October should be read as 5 October 2020. The Scheme will provide additional financial support to help these businesses to meet fixed costs and overheads associated with the survival of their businesses.

What businesses are eligible to apply for Covid Restrictions Business Support Scheme?

Eligibility Criteria

The scheme will be open to those businesses who operate directly within the tourism and hospitality sectors who meet the following criteria:

- Named within the Health Protection (Coronavirus, Restrictions) (No.2) Regulations (Northern Ireland) 2020

AND

- Eligible for the Localised Restrictions Support Scheme (LRSS)

- Operating in Northern Ireland and trading immediately prior to 16 October 2020 and was not an Undertaking in Difficulty on 31 December 2019.
- Operating from premises which have a Total Net Annual Value (NAV) of over £51,000 as identified in the LPS 8th Valuation list for ratings purposes;
- Businesses which have failed to comply with a prohibition notice under regulation 7 of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020(b) would not be eligible for support under the scheme.
- Businesses which are providers of hospitality (such as restaurants, cafés, public houses, hotels) and businesses which are providers of tourism accommodation (such as hotels, hostels) are eligible for the scheme.
- Business providers of entertainment and leisure that form part of the tourism ecosystem are eligible for the scheme – these are visitor attractions which are regarded as tourism assets.
- Bed & Breakfasts, Motels and Guest Houses are not eligible for this scheme as they are eligible for the Tourism NI Bed and Breakfast, Guest House and Guest Accommodation Scheme.

Declarations

In line with the eligibility criteria stated above, businesses will be asked to declare that:

- The type of business they operate in is named within the Health Protection (Coronavirus Restrictions) (No 2) Regulations (Northern Ireland) 2020
- The business is eligible for the Localised Restrictions Support Scheme
- As of 16 October 2020 the business was not dissolved or about to be dissolved.
- As of 16 October 2020 the business was not insolvent or insolvency action had not been instigated
- As of 16 October 2020 the business was NOT dormant, i.e. not trading but not insolvent and evidence of that can be provided if required.
- As of 31 December 2019, the business was not in difficulty
- The business's Total Net Annual Valuation (NAV) is £51,001 and above
- The business has complied with any prohibition notices issued under regulation 7 of the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 (b)

Terms and Conditions

You will be asked to confirm you meet the following terms and conditions:

- I am authorised to make this application on behalf of the aforementioned business.
- The grant will be paid on the basis that it complies with the subsidy control chapter of the UK-EU Trade and Cooperation Agreement (TCA). If this grant results in a breach of TCA or any other UK Trade Agreement irrespective of whether there was a deliberate or otherwise deception or error, or as a result of any misleading statements given on this form, this grant will be recoverable in full and I may be subject to legal action.
- I understand that any payment received must be declared to HMRC as appropriate as part of the tax return for the business.
- I confirm that I have considered the impact that any payment from the Scheme may have on any insurance claim I may have made or be making.
- I agree that any information I provide will be shared with other government departments for the process of validating my application to this grant scheme. Further details can be found at <https://www.economy-ni.gov.uk/dfe-privacy-notice>

You will also be asked to declare that you meet the following conditions:

- I certify, that the information I have provided as an authorised applicant for the business is true and correct to the best of my knowledge and belief and I agree, should DfE, the Northern Ireland Audit Office, or their representatives, determine that grant was awarded on the basis of wrong or misleading information, that grant will be subject to recovery in full.
- I agree that acceptance of this grant means that any officer/agent of the DfE or Northern Ireland Audit Office or their representatives at any reasonable time to enter its premises to interview the applicant and inspect, copy, record and take away any accounting or other record, including original documents, as may be required for the purposes of confirming the eligibility of the applicant.
- I understand that to provide wrong or misleading information to secure public money is an offence and may lead to criminal investigation and prosecution.
- I also understand that the information provided on this claim form will be made available to other government departments and their agencies for the purpose of detecting and preventing crime.
- I understand that, if the Department approves this application, these terms and conditions will be enforceable on the basis of a contract between me/the business and the Department.
- I will make best endeavours to protect employment and minimise redundancies

My business has been severely impacted, but is not named in the Health Protection Regulations, can I apply for support?

No, only businesses named in the Health Protection Regulations are eligible for support.

My business isn't named in the Health Protection Regulations but I have chosen to close as a precaution, can I still apply?

No. Your business must be named within the Health Protection (Coronavirus, Restrictions) (No.2) Regulations (Northern Ireland) 2020 to be eligible to apply.

My business closed before the restrictions came into force, can I apply?

No, in order to be eligible for this grant you must be in receipt of Localised Restrictions Support Scheme (LRSS) therefore your business must have been trading immediately prior to the restrictions in order to qualify.

What evidence do I need to provide to prove my business was trading at the time the restrictions came into effect?

The onus will be on the applicant to provide sufficient evidence that it was actively trading before the regulations came into effect.

You will be asked to provide a bank statement that, as a minimum, covers 16 September to 16 October 2020*, for an account used by the business for trading purposes. This must be the same account to which the grant payment will be made.

The statement must clearly show your business address; account name, number and sort code; date of issue of the statement; and business transaction information covering the period of 16 October. In addition, you may also be required to provide other evidence of active trading, for example: invoices, receipts issued or received during September and October 2020.

You will also be asked to provide a UK subsidy control declaration form and should return this with your bank statement to enable your application to be assessed and processed.

My business received support from the £25,000 Retail, Hospitality, Leisure and Tourism Business Support Grant, can I apply?

Yes, however funds you received from the £25k scheme will be deducted from the total you will be eligible for under this scheme.

Can I apply for the grant if I have accessed the Coronavirus Job Retention Scheme/Job Support Scheme and furloughed my staff?

Yes. Access to the Job Retention Scheme or Job Support Scheme does not preclude you from applying for the LTHBSS assuming all other criteria are met.

MAKING AN APPLICATION

How do I make an application?

The Department for the Economy (DfE) has identified eligible businesses within the tourism and hospitality sectors who have a Total Net Annual Value (NAV) of over £51,000 as identified using the LPS 8th Valuation list 2020 for ratings.

Once the business' Localised Restrictions Support Scheme payment has been processed by the Department of Finance, the Department for the Economy will contact eligible businesses and provide an application form including a unique identifier application number. This application should be completed in full and returned to business-support-grant-bank-validation@economy-ni.gov.uk. You will receive an acknowledgement e-mail when the application has been received.

The Scheme is by invite only. Any business who has not been contacted by the Department is not considered eligible for the scheme.

If you consider your business to meet the large tourism and hospitality criteria set out in this guidance note, have received an LRSS payment and have a total NAV of £51,001 or above, and have not received an email from the Department for the Economy by 19 March 2021 then please email your details to the LTHBSS mailbox at LTHBSSenquiries@economy-ni.gov.uk. Please note this date may be subject to change and will be updated within this FAQ if required. You will need to provide evidence of how your business operates within the sectors. This information must be provided by 29 March 2021. The Department will assess your details and, if it you are considered to be pre-eligible, based upon the evidence provided, will issue you with an application form.

Applications will be assessed and payments made as soon as possible where they demonstrate clear eligibility. In cases where eligibility is less clear it will be necessary to carry out further verification checks, you will be contacted where further information is required and payments will be made as soon as possible.

What evidence do I need to provide for my application?

You will be asked to provide at least one of the following:

- Ratepayer ID/Occupancy ID;
- HMRC UTR number and evidence of being registered self-employed;
- VAT registration Number or Exemption certificate;
- Company Registration number.

In addition, businesses will need to provide the following:

- A recent business bank statement which evidences active trading up to 16 October 2020.
- Businesses that fall in the category of having to close will be required to provide evidence that they are a business named in the regulations.
- A UK subsidy control declaration.

Other evidence may be required should the bank statement be inconclusive

I don't have all the evidence requested to demonstrate my business was still trading up to and including 16 October 2020. Can I still apply?

You must be able to provide all the evidence requested in order to apply. This includes a bank statement that, as a minimum, covers 16 September to 16 October 2020*, for an account used by the business for trading purposes. This must be the same account to which the grant payment will be made.

*For businesses based in the Derry City & Strabane District Council Area the date is 5 September to 5 October 2020.

The statement must clearly show your business address; account name, number and sort code; date of issue of the statement; and business transaction information at 16 October.

Please note that a pdf or scanned copy of the bank statement is preferable. A photograph of your statement can be provided in exceptional circumstances. The Department must be able to clearly read the details. It would be helpful if you could highlight transactions that help confirm the business was trading.

Where you do not have access to online banking systems or have a copies of your bank statements that covers the requested periods, you should contact your bank to obtain a pdf copy of your statement. If you can only provide a paper copy, then a photograph of your statement can be provided as a last resort - you should note that the Department for the Economy reserves the right to ask for other corroborating evidence if required. Please contact the following mailbox business-support-grant-bank-validation@economy-ni.gov.uk if there is an exceptional circumstance which means you cannot provide the required bank statements and the verification team will discuss options with you.

The Department will, where further supporting evidence is required, undertake additional checks including cross-referencing with Companies House, social media and the insolvency service.

You may also be required to provide evidence of active trading, for example: invoices, receipts issued or received during September and October 2020.

How will I know if my application is successful?

The Department will process applications as quickly as possible and once an application is approved, applicants will be informed via email that their application has been successful. Applicants who are unsuccessful will also be informed via email.

PAYMENT

How much can I expect to receive?

If you are approved for LTHBSS, you will receive a grant for each week the Health Protection (Coronavirus, Restrictions) (No.2) Regulations (Northern Ireland) 2020 are in place. For eligible businesses based in Derry City & Strabane District Council Area this will be from 5 October 2020. For eligible businesses in the rest of Northern Ireland this will be from 16 October 2020.

This weekly payment currently applies for the two initial periods of restrictions agreed by the NI Executive:

- I. From 5 October/ 16 October to 11 December (a period of either 8 or 10 weeks)
- II. From 26 December until the 31 March (a period of 13 weeks and 5 days)

Business will receive the following amounts:

£2,400 per week for businesses where the NAV is £51,001 to £60,000;

£2,900 per week for businesses where the NAV £60,001 to £70,000;

£3,400 per week for businesses where the NAV is £70,001 to £80,000; and so on up to £600,000.

From £600,001 the bands are widened to £100,000 with increments of £2,500. For example £31,900 per week for a business with a NAV of £600,001 to £700,000 and £34,400 per week for a business with a NAV of between £700,001 and £800,000

£41,900 per week for businesses where the NAV is £1,000,001 or greater.

When can I expect to receive the grant payment?

Applications to the LTHBSS will be assessed as quickly as possible and payments will issue as soon as checks are complete.

Applicants are asked to note that the Department is currently delivering a large number of support schemes in parallel and payments are not expected to issue under this scheme until March 2021. Please be assured that the Department recognises the need to get assistance to businesses and will process all applications as quickly as possible.

Does the grant apply to the initial restrictions covered by the Health Protection Regulations and the extension of these until 31 March?

Yes. As agreed by the NI Executive, eligible businesses will receive the grant for each week the Health Protection Regulations apply within the first two periods of restrictions as set out below.

- I. From 5 October/ 16 October to 11 December (a period of either 8 or 10 weeks)
- II. From 26 December until the 31 March (a period of 13 weeks and 5 days)

Further information on the Health Protection Regulations can be accessed at:

<https://www.legislation.gov.uk/nisr/2020/150/contents/made>

Is the grant awarded on a first come first served basis?

No, all applications will be processed and payments made to eligible businesses who submit their application and provide the necessary evidence following receipt of an application form from the Department.

OTHER FAQs

What other support is available?

A range of business support measures have been made available to Northern Ireland businesses. You can find out how to access the support that has been made available, who is eligible and how to apply at: <https://www.nibusinessinfo.co.uk/business-support/coronavirus>.

If I am successful, do I have to declare this grant to HMRC?

Yes. Any payment must be declared to HMRC as appropriate as part of the tax return for the business.

Can I appeal?

In the event that the Department for the Economy is unable to approve the grant, the applicant will be informed of the decision and will be able to request a review, within two weeks from date of rejection e-mail. That review will be undertaken by an Appeals Panel whose members will not have been involved in the original decision and that decision will be final.

Reporting Fraudulent Payments

If you have any concerns about fraudulent payments relating to this Scheme you can contact the Department for the Economy using the following email address raising.concerns@economy-ni.gov.uk

You can view the Department for the Economy's Fraud Policy and Fraud Response Plan at the links below:

Fraud Policy - <https://www.economy-ni.gov.uk/fraud-policy>

Raising Concerns – Whistleblowing guidance - <https://www.economy-ni.gov.uk/raisingconcerns-whistleblowing-guidance>

Data Handling - How will my data be handled?

You should note that your data will be shared and handled in line with the Department for the Economy's Privacy Notice

How do I know the Total Net Annual Value of my property?

You can find the Total Net Annual Value of your property by searching the non-domestic Valuation List.

See <https://www.finance-ni.gov.uk/topics/property-valuation/valuation-lists>

What do you mean by Subsidy Control?

This grant is a subsidy that complies with the subsidy control chapter of the TCA and other UK Trade Agreements. You can find further information about subsidy control at the following link

<https://www.economy-ni.gov.uk/articles/state-aid-rules-after-eu-exit>

Will details of businesses who receive the grant be published?

Yes – the Department reserves the right to publish the list of successful grant recipients including details of the grant amount awarded.

Who can I contact about the grant?

If you have any enquiries about the Large Tourism and Hospitality Business Support Scheme that cannot be answered within the FAQs, please contact the Support Team at LTHBSSenquiries@economy-ni.gov.uk