

Revision to Discretionary Rate Relief Policy

SUMMARY

- 1.1 Discretionary Rate Relief - DRR - is a means by which Derby City Council (DCC) can use their discretionary powers to reduce the amount of Business Rates a business has to pay. There is a direct Cost to the Council in awarding DRR and therefore expenditure has been controlled through the operation of a policy for a number of years.
- 1.2 In the Autumn Statement, announced on 3 December 2014, the Government set out a range of measures to help businesses meet their Business Rates liability from April 2015. This included extending the current transitional relief scheme which was originally introduced in 2010 to help ratepayers who were faced with significantly increased bills as a result of the general revaluation.
- 1.3 The Government has said that any relief that is awarded as a result of extending the transitional relief scheme will be classed as discretionary rate relief and therefore it is up to individual Council's to decide which properties receive relief providing certain national criteria are met.
- 1.4 As a result the Council's DRR policy has been updated to include this new discretionary relief and the revised policy is attached at Appendix 2. The extension to the transitional relief scheme is included at section 17 and for consistency it is proposed that the types of business that qualify for the extension to transitional relief will be the same as those that are likely to qualify for retail rate relief (section 15 of the DRR policy).

RECOMMENDATION

- 2.1 To approve the revised DRR policy attached at Appendix 2 which reflects the new measures introduced by Government.
- 2.2 To report back to Cabinet following the completion of an equality impact assessment to include any amendments required.

REASONS FOR RECOMMENDATION

- 3.1 To ensure that provision is available to enable qualifying businesses to receive transitional relief to help them meet their Business Rate liabilities.
- 3.2 To give effect to central Government guidance to secure the provision and availability

of such relief to the business community.

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Derby City Council

COUNCIL CABINET
18 March 2015

Report of the Acting Chief Executive.

SUPPORTING INFORMATION

- 4.1 Extending the transitional relief scheme is one of a series of measures introduced by the Government to help businesses meet their Business Rates liability from 1 April 2015.
- 4.2 Initial analysis shows that only 22 businesses within the city will possibly qualify for transitional relief in 2015/16 and the amount of relief granted is likely to be less than £50,000. Any relief granted under this extension to the transitional relief scheme will be fully reimbursed by the Government.
- 4.3 If the revision to the Council's DRR policy is approved then qualifying businesses will be issued with revised, lower bills.
- 4.4 An equality impact assessment(EIA)for this revision to the DRR policy has not been completed as yet but it is anticipated that there will be no adverse impact. However, an EIA will be completed shortly and any findings (together with changes to the policy) will be reported back to Cabinet.
- 4.5 Under existing statute law the Council cannot award DRR on any property where either DCC or a precepting authority (for example Derbyshire Fire and Rescue) is liable to pay Business Rates.

OTHER OPTIONS CONSIDERED

- 5.1 Do not award transitional relief. Taking this option may result in unnecessary hardship for businesses and reputational damage to the Council within the businesses community and this option is not recommended.
- 5.2 Do not revise the DRR policy to include the criteria and guidance necessary for a business to receive DRR through the extension to the transitional relief scheme. Not setting out the types of business that are likely to receive transitional relief will cause difficulty in the event of a dispute or challenge against a decision made by the Council. Again this option is not recommended.

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Paul McMahon Mark Nash Diane Sturdy Kath Gruber Liam Salmon
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IMPLICATIONS

Financial and Value for Money

- 1.1 Awards of transitional relief will be reimbursed in full by the Government by way of s31 grant. As a result there is no financial impact on the Council from awarding these reliefs. There is a positive financial impact to businesses within the City.
- 1.2 All other DRR covered by the policy (except retail rate relief and re-occupation relief) do have a direct cost to the Council, which under the current Business Rates Retention scheme is 49% of anything we award.

Legal

- 2.1 The rules governing the award of DRR are contained within the Local Government Finance Act 1988 (as amended) and subsequent Statutory Instruments.
- 2.2 There is a need to revise the existing policy in order to give effect to central government policy and the award of funding to the Council to meet this initiative. The need to undertake an equality impact assessment, and for its impact to be taken account of, if need be by a further mini review, is in line with our corporate commitment.

Personnel

- 3.1 Some staffing costs will be incurred to resource the processing of revised Business Rates bills

IT

- 4.1 The functionality to allow all awards of DRR is within the current Academy business system. Our software supplier is considering developing a chargeable, automatic solution which will only be purchased following a full business case being developed and considered.

Equalities Impact

- 5.1 None known at the time of preparation.

Health and Safety

- 6.1 None.

Environmental Sustainability

- 7.1 None.

Property and Asset Management

8.1 None.

Risk Management

9.1 The policy mitigates the risk of any reputational damage to the Council.

Corporate objectives and priorities for change

10.1 Awarding retail rate relief will support the city's business community which in turn will help the Council achieve its ambition to have "A thriving sustainable economy".



Derby City Council

Resources
Customer Management

DERBY CITY COUNCIL NATIONAL NON-DOMESTIC RATES POLICY FOR THE AWARD OF DISCRETIONARY RATE RELIEF (DRR)

Document owner	Kath Gruber
Document author	John Massey
Document manager	John Massey
Approved by and when	
Date of document	February 2015
Version	V1.2
Document classification	Internal
Document distribution	Internal
Document retention period	Until date of next review
Location	
Review date of document	TBA

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Date Issued	Version	Status	Reason for change
December 2010	1	Approved	Initial policy devised and agreed with colleagues in accountancy
May 2014	1.1	Approved	Revised to include new discretionary reliefs available to businesses from 1 April 2014
February 2015	1.2	Draft	Revised to include new discretionary relief available to businesses from 1 April 2015

Equality impact assessment record	
Date of assessment	
Summary of actions from EIA	

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1. Background

This policy is written in line with the most recent guidance from Government (December 2002) and The Institute of Revenues Rating and Valuation (IRRV) best practice guidance notes.

The policy set out below applies to any application for DRR made from 1st April 2015.

Section 47 of the Local Government Finance Act 1988 (as amended by section 69 of the Localism Act 2011) empowers Local Authorities to grant DRR to ratepayers.

Awards of DRR can be made to various categories of ratepayer. These include:

- Charitable organisations;
- Organisations which are not established or conducted for profit whose main objectives are charitable and is either:
 - i. established for philanthropic or religious purposes; or
 - ii. concerned with education, social welfare, science, literature or the fine arts; or
 - iii. occupies the property as a club or society

From 1st April 2014 DRR can be awarded in the form of retail rate relief or reoccupation relief. The types of business likely to receive this and the qualifying criteria are set out in sections 15 and 16.

From 1st April 2015, the Government have announced an extension to the existing transitional relief scheme for businesses that will face significant increases in their Business Rates bill from 1 April 2015.

The policy and qualifying criteria for awarding transitional relief from 1 April 2015 is set out in part 17 of this document.

DRR cannot be awarded to a billing or precepting authority.

2. Purpose and Aim

The purpose of this policy is to specify how Derby City Council (DCC) will operate it's

DRR scheme and to indicate the factors that will be considered when deciding whether to make an award. We aim to treat all ratepayers equally when administering this policy.

The details set out in parts 3 to 14 of this policy applies to all applications other than those made for retail relief, reoccupation relief and transitional relief, which are set out in parts 15, 16 and 17 respectively of this policy.

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3. Priorities

The Council will make awards of DRR to ratepayers who meet the qualifying criteria as specified in this policy. The Council will treat all applications on their individual merits, but will seek through the operation of this policy to meet its stated ambitions.

These are:

- A thriving sustainable economy
- Achieving their learning potential
- Good health and well-being
- Being safe and feeling safe
- A strong community
- An active cultural life.

4. Applications

All applications for DRR shall be in writing (including e-mail) either on the relevant application form or in a written format, which provides the information required by the form.

All applicants will need to submit a copy of the previous two years audited accounts for the organisation together with a copy of their constitution/articles of association. New businesses that are unable to produce 2 years accounts should be asked to provide business projections/financial forecasts.

The Council may also request any other reasonable evidence in support of the organisations application.

If the ratepayer does not provide the required evidence, the Council reserves the right to either treat the application as withdrawn or to consider the application in the absence of the missing evidence. However, the Council may disregard any unsubstantiated statements or draw its own conclusions from other evidence available.

The Council may verify any information or evidence provided by the ratepayer by contacting third parties, other organisations and the ratepayer, subject to Data Protection.

5. Period of DRR Award

The Council will usually award DRR from the date on which the original application has been made. However, within statutory limits, the Council reserves the right to:

- backdate the award to the start date of the current financial year;
- backdate the award to the start of the previous financial year (providing the application was received by 30 September of the subsequent financial year)
- backdate the award to another specified date (eg the start date of liability)

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Awards for DRR will usually be open ended. However, the Council reserves the right to fix a date at which any award will end.

6. Consideration and authorisation of DRR

A report, written by the Business Rates Team Leader (BRTL) with a recommendation, is passed to the Director of Customer Management who will decide whether to grant DRR and at what percentage. Consideration will also be given to decide if an end date for the award is applicable.

In certain cases and before a recommendation is made by the BRTL the accounts accompanying an application will be referred to accountancy for analysis. This will provide for an expert opinion on the organisations financial position and their charitable or not for profit status. Accounts will be referred to accountancy in the following circumstances.

- The latest set of accounts show a profit in excess of £50,000
- The accounts show a profit and the latest set of accounts show an increase in profit of greater than 50% when compared to the previous year.

Following a referral the accountancy team will provide a written opinion as to the organisations charitable or not for profit status.

Appendix A lists the types of organisations that may qualify for DRR, criteria to be taken into account (as well as the general matters to be considered below) and recommended maximum percentage awards of relief.

7. Financial matters to be considered when making DRR awards

When considering applications for DRR emphasis will be placed upon the financial position of the organisation. This will be determined from the accounts provided. Relief will **not** be considered in the following circumstances.

- For charities, when the unrestricted funds surplus from the latest set of accounts is five times higher than the total relief that could be awarded,
- For non-profit making organisations, when the Income and Expenditure surplus from the latest set of accounts is five times higher than the total relief that could be awarded,
- The application is from a national organisation with a local branch.

The main financial criteria governing the DRR scheme is affordability. The total relief awarded must not exceed the budget assigned. Each year the financial multiplier (currently x5) will be adjusted to ensure that the total relief awarded remains within budget.

In some cases the position of the accounts may not be clear, for example the accounts for a charity do not clearly show what funds are unrestricted. In such cases it may be possible to determine the financial position of the organisation by studying other parts of the accounts. If any doubts remain the case should be referred to the Accountancy team before recommending a decision.

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8. Other matters to be considered in making DRR awards

When deciding whether to make awards the Council will consider:

- Whether the application satisfies the legislative requirements and guidance
the Council cannot award relief to any organisation that does not meet the requirements of section 47 of the Local Government Finance Act 1988 (as amended)
- Whether the Council's ambitions would be served by the award of relief (see section 3) relief is more likely to be awarded to organisations that can show they are helping the Council to achieve its ambitions
- Whether the ratepayer is in direct competition with other ratepayers in the immediate vicinity the Council would not want to give any organisation a competitive advantage by the award of rate relief
- The specific benefit the ratepayer brings to the residents of Derby. The Council wants to ensure that the award of DRR is to the benefit of the wider population of Derby. Any ratepayer whose customer base comes from largely outside the City's boundaries is unlikely to qualify for relief, unless they can show a specific and unequivocal benefit to the residents of the City.
- The cost to the council taxpayer. From 1.4.2014 the cost of granting any discretionary rate relief is 49% (i.e. 49 pence for every £ awarded)
- Whether the ratepayer is a local organisation, or a local branch of a national organisation.

The Council will consider the overall benefit to the Derby community. If the benefit of the rate relief is kept locally, relief is more likely to be awarded than if it goes to the national organisation based elsewhere.

Further, the Council will prioritise help to local organisations whose activities wholly benefit the citizens of Derby. The Council is unlikely to support DRR applications from national organisations or local branches of national organisations that can draw on the resources available to a national organisation.

If refusal to grant an award of DRR would lead to the organisation suffering financial hardship, the Council should consider other relief's available for example Hardship Relief.

9. Applications from Sports Clubs

The Government issued guidance on the award of DRR for sports clubs in 2002. The Council has incorporated that guidance into this policy document.

Following an application for DRR from a Sports Club, in addition to the factors indicated above we will also consider:

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- Any restrictions on membership that may exist;the Council is more likely to award relief where no restrictions exist. However it recognises that there may be legitimate restrictions based upon ability or safety factors (for instance a diving club is unlikely to accept someone as a member who cannot swim)
- The cost of membership, the cost of membership should not be used as a means to restrict membership
- Whether the organisation actively promotes representation from under represented groups in the community
- Whether the facilities are available to users other than members (such as schools or casual use by the public)the Council is more likely to award relief if there are no restrictions, but accepts that there may be valid safety reasons why restrictions should apply
- What training facilities the club makes available to its members;
- Whether the organisation runs a bar or other ancillary activities, the existence of a bar will not preclude a club from DRR. However the existence of any bar will require the Council to further consider.
 - (i) what proportion of the club's members are active sporting members as opposed to 'social' members
 - (ii) whether the bar and ancillary activities are subsidising the club and if so to what extent

- (iii) the proportion of the club's expenses that are attributable to the bar and ancillary activities
 - (iv) whether the club's bar and ancillary activities are operating in direct competition with other commercial licensed premises in the area
 - (v) whether the bar and ancillary activities are linked to the main purpose of the organisation
- Whether the membership of the club is drawn mainly from the City of Derby, or whether it attracts members from outside the city

The cost of DRR is met in part by the council taxpayers of the city. If the membership was drawn mainly from residents of neighboring Local Authorities, it may be inappropriate for the Council to award DRR.

10. Change of Circumstances

Any ratepayer who is in receipt of an award of DRR has a duty to notify the Council of any change of circumstances that may affect their entitlement, within 21 days of the change.

If a ratepayer becomes liable for business rates at another property, they shall be required to make a new application for relief on the new property.

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11. Notification

The Council aims to inform ratepayers of the outcome of the application within 7 days of the decision.

The Council will notify:

- Those whose application is unsuccessful giving full reasons why, including their right of appeal
- Those whose application is successful including the amount of relief awarded and their revised liability.

12. Appeals

Appeals can be made in two circumstances:

(i) In the light of additional evidence not submitted with the original application. Any such additional information must be in writing and will be passed to the Director of Customer Management for re-consideration.

(ii) If new information is not available a ratepayer may still appeal against the Council's decision to refuse an award of DRR. These appeals must:

- be in writing; and

- specify the reasons why the ratepayer feels the decision is incorrect; and
- be made within **four weeks** of the ratepayer being notified of the Council's decision not to award DRR.

In (ii) the appeal will be referred to the Council's section 151 officer for a decision.

In both cases the Council aims to notify the ratepayer in writing of the outcome within 14 days. If the ratepayer remains dissatisfied then their right of appeal is by way of Judicial Review.

13. Reviewing Awards

The Council's renewal policy is underpinned by the principles of risk management. Therefore, whilst all awards will be renewed annually, the need to provide supporting documentation (eg accounts) will depend upon the level of risk.

All organisations will be ranked **HIGH**, **MEDIUM** or **LOW** depending upon the perceived level of risk that their circumstances may change and therefore entitlement to DRR is no longer applicable. The risk categorisation will also be determined by the amount of contribution made by the Council. The final decision regarding ranking will rest with the BRTL. The table below shows the type of organisation that will fit into each category. This is not an exhaustive list.

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Risk Factor	Type of Organisation
High – Financial accounts to be provided yearly	Sports Clubs with bar facilities etc
Medium – Financial accounts to be provided every 2 years	Village halls, housing associations
Low – Financial accounts to be provided every 3 years	Scout groups, play scheme/groups

All renewal applications will be received by the Business Rates Team Leader (BRTL) for consideration. The BRTL will authorise the continuation of DRR for organisations with no change of circumstance. All applications from organisations which show a significant change in circumstances, ie substantial increase in bar takings, will be referred to the Head of Benefits & Exchequer Services for a decision.

14. Varying or Revoking Awards

Where a decision has been made to award DRR, and the Council wishes to vary or revoke that award, then in accordance with regulations, the termination must be made at the expiry of a financial year and at least one financial years notice given.

However, when it is clear that the organisation is no longer non-profit making, a decision can be made to terminate the award with immediate effect. This decision will be made by the BRTL in consultation with the Local Taxation Manager

Where this happens, the organisation will be notified within 14 days of the new facts being brought to the Councils attention. The notification will include full reasons together with their right of appeal.

15. Retail Relief

From 1st April 2014, the Government have introduced a new DRR, known as “retail relief” which will provide qualifying businesses with relief of up to £1,000 (£1,500 from 1/4/15). This is a temporary measure and relief will only be available for the 2014/15 and 2015/16 financial years. Any award of retail relief will be made after any other relief (mandatory or discretionary) has been applied. Where a ratepayer occupies more than one property, then retail relief can be awarded to each eligible property subject to State Aid de minimis limits*.

Where a property is the subject of a split or merger, then any retail relief granted on the original property must stop on the date of the split or merger and a new claim made for the new property/properties.

For a property to benefit from retail relief the following criteria must be satisfied;

- The property must be occupied
- The rateable value (RV) be £50,000 or less
- The property must be wholly or mainly used as a shop, restaurant, cafe or drinking establishment
- The property must be reasonably accessible to visiting members of the public.

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The following is a list of business types that are to be classed as a shop, restaurant, cafe or drinking establishment and therefore qualify for retail relief

Business Premises that are being used for the sale of goods to visiting members of the public:

- Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licence, chemists, newsagents, hardware stores, supermarkets, etc)
- Charity shops
- Opticians
- Post offices
- Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
- Car/ caravan show rooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres

- Art galleries (where art is for sale/hire)

Business Premises that are being used for the provision of the following services to visiting members of the public:

- Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)
- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- DVD/ video rentals
- Tool hire
- Car hire

Business Premises that are being used for the sale of food and/ or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars

The following is a list of business types that are **not** classed as a shop, restaurant, cafe or drinking establishment and therefore **will not** qualify for retail relief

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- Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- Post office sorting office

***State Aid De-Minimis Limits**

Any award of retail relief is likely to be classed as State Aid and must therefore comply with EU law on State Aid. A business cannot receive State Aid to the value of 200,000 euros in a rolling three year period.

The onus of proof will lie with the business and they will be asked to make a declaration on state aid when they apply for retail relief.

In the event that an award of retail relief is made before the business is asked to make a declaration, the award will be withdrawn if the declaration is not sent back to the Business Rates team within 28 days of it being requested.

Applying for Retail Relief

Generally applications for retail relief will need to be in writing and on an approved application form. However, the Council reserves the right to determine an award for retail rate relief in another way if it is deemed reasonable and more efficient to do so.

The Council may also request any other reasonable evidence in support of the organisations application.

If the ratepayer does not provide the required evidence, the Council reserves the right to either treat the application as withdrawn or to consider the application in the absence of the missing evidence. However the Council may disregard any unsubstantiated statements or draw its own conclusions from other evidence available.

The Council may verify any information or evidence provided by the ratepayer by contacting third parties, other organisations and the ratepayer, subject to Data Protection.

Period of Retail Relief Award

Retail relief will be awarded in line with the following;

- Where the business occupies the property from 1st April to 31st March for the financial year concerned then for the whole of the financial year in which the application is received
- Where the business occupies the property after the 1st April or occupation ends before the 31st March for the financial year concerned then retail relief will be awarded for the actual dates of occupation in the financial year in which the application is received.

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Change of Circumstances

All ratepayers receiving retail relief must notify the Council of any change of circumstances in line with section 10 of these guidelines.

Notification

The Council will notify ratepayers of the outcome of their retail relief application in line with section 11 of these guidelines.

Appeals

Any appeals will be dealt with in line with section 12 of these guidelines.

Reviewing Awards

The Council reserves the right to ask any ratepayer to renew their application for retail relief annually.

16. Reoccupation Relief

As with retail relief (see section 15) reoccupation relief is a temporary measure introduced from 1st April 2014 and will enable qualifying businesses to receive a 50% Business Rates discount for 18 months (subject to state aid de minimis limits) if they move into previously empty retail premises between 1st April 2014 and 31st March 2016.

Reoccupation relief will be paid after any mandatory and discretionary rate reliefs (other than retail rate relief) have been applied.

As with retail relief, reoccupation relief must comply with EU law on State Aid. The rules are the same as for retail relief and are set out in section 15 above.

For a business to benefit from reoccupation relief the following criteria must be satisfied:

- The property must be occupied and used for any reason **except** for properties being wholly or mainly used as betting shops, payday loan shops and pawn brokers;
- The property had been empty for 12 or more months immediately before reoccupation.
- When previously in use. The property was used wholly or mainly for retail

In the above list of criteria retail is defined as:

Business premises that were being used for the sale of goods to visiting members of the public:

- Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licence, chemists, newsagents, hardware stores, supermarkets, etc)
- Charity shops
- Opticians
- Post offices

- Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
- Car/ caravan show rooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale/hire)

Business premises that were being used for the provision of the following services principally to visiting members of the public:

- Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)
- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- DVD/ video rentals
- Tool hire
- Car hire

Business premises that were being used for the provision of the following services principally to visiting members of the public:

- Financial services (e.g. banks, building societies, bureaux de change, payday loan shops, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)

Business premises that were being used for the sale of food and/ or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops

- Pubs
- Bars

Splits, merges, and changes to existing business premises

Where a new hereditament has been created by a split or merger of a business premise(s) the new business premise(s) will be eligible for reoccupation relief where at least half of the floor area of the new business premises is made up of retail hereditaments that have been empty for 12 months or more.

Where a business premise in receipt of reoccupation relief splits or merges to form a new property or properties any new business premises will not be eligible for reoccupation relief

Where a business premise in receipt of reoccupation relief becomes unoccupied for any period of time less than 12 months it will not be eligible for any further reoccupation relief on occupation. However, if a business premise that has previously received reoccupation relief becomes empty for 12 months or more it will be eligible for an additional 18 months reoccupation relief if the criteria are met.

Reoccupation relief runs with the property rather than the ratepayer. This will mean that if a new ratepayer becomes liable for business rates on a property in receipt of reoccupation relief they will continue to benefit for the remaining term, providing the property is not being used as a betting shop, payday loan or pawn brokers.

Applying for Reoccupation Relief

This process is the same as set out for retail relief, see section 15 above

Change of Circumstances

All ratepayers receiving reoccupation relief must notify the Council of any change of circumstances in line with section 10 of these guidelines.

Notification

The Council will notify ratepayers of the outcome of their reoccupation relief application in line with section 11 of these guidelines.

Appeals

Any appeals will be dealt with in line with section 12 of these guidelines.

Reviewing Awards

The Council reserves the right to ask any ratepayer to renew their application for reoccupation relief annually.

17. Transitional Relief

The government announced in the Autumn Statement on 3 December 2014 that it will extend to March 2017 the current transitional relief scheme for properties with a rateable value up to and including £50,000.

As with retail relief and reoccupation relief, awarding transitional relief must comply with EU law on State Aid. The rules are the same as for retail relief and are set out in section 15 above.

For a business to qualify for transitional relief in 2015/16 and 2016/17 it must

- Be one of the types of business listed in section 15 as likely to qualify for retail rate relief,
- Have a rateable value up to and including £50,000 and would have qualified for transitional relief in 2015/16 or 2016/17 had the existing transitional relief scheme continued in its current format.
- Be a business facing a higher Business Rates bill in 2015/16 .

The amount of relief available under this policy will be the same as a qualifying business would have received had the transitional relief scheme extended into 2015/16 and 2016/17. The transitional relief scheme should be assumed to remain as it is in the current statutory scheme except that:

- a) the cap on increases for small properties (with a rateable value of less than £18,000 in both 2015/16 & 2016/17 should be assumed to be 15% (before the increase for the change in the multiplier) , and
- b) the cap on increases for other properties (up to and including £50,000 rateable value) in both 2015/16 and 2016/17 should be assumed to be 25% (before the increase for the change in the multiplier)

Applying for transitional relief in 2015/16 and 2016/17

This process is the same as set out for retail relief, see section 15 above

Change of Circumstances

All ratepayers receiving transitional relief in 2015/16 and/or 2016/17 must notify the Council of any change of circumstances in line with section 10 of these guidelines.

Notification

The Council will notify ratepayers of the outcome of their transitional relief application in 2015/16 and/or 2016/17 in line with section 11 of these guidelines.

Appeals

Any appeals will be dealt with in line with section 12 of these guidelines.

Reviewing Awards

The Council reserves the right to ask any ratepayer receiving transitional relief in 2015/16 and/or 2016/17 to renew their application annually.

Appendix A

Type of Organisation	Mandatory Relief	Criteria	Recommended Discretionary Relief
Registered Charities	80%	Local organisations that are open to all sections of the community, providing support, guidance, ie play schemes, training, youth groups.	Up to 20%
Registered Charities	80%	National organisations with local offices who benefit the Derby area, but also other parts of the country/world.	Up to 20%
Charity Shops	80%	Consideration must be made in these cases that a competitive advantage in the market place is not give if further relief is granted.	Up to 10%
Community Organisations	No	Local organisations that recognise diversity and benefit the residents of Derby.	Up to 100%
Social and Working Men's Clubs	No	Local or national affiliation, access and membership requirements, and social (bar) facilities and financial status are to be considered.	Up to 100%
Sports Clubs	No	Refer to 'Applications from Sports Clubs' in guidance notes.	Up to 100%
Miscellaneous Organisations	No	Purpose, funding, access and membership, social (bar facilities) and relevant financial status are to be considered	Up to 100%