

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
11 June 2013

Subject: TEMPORARY RELIEF FOR BUSINESS RATEPAYERS POLICY

All Wards
Portfolio Holder for Support Services and
Economic Development: Councillor P R Wilkinson

1.0 PURPOSE AND BACKGROUND:

- 1.1 The purpose of this report is to present to Cabinet for approval by Council the Temporary Relief for Business Ratepayers Policy.
- 1.2 The localisation of business rates dictates that the Council needs to maintain tighter controls over the awarding of relief to Business Ratepayers as it now directly affects the income to the Council. Previously any award had no effect on the Council's income as all Business Rate income was paid to Central Government. It should be noted that this relief has been awarded sparingly in the past.
- 1.3 Section 44a of the Local Government Finance Act 1988 enables the Council to grant Business Rate Relief on the part of a property that is partly unoccupied, as long as the situation is temporary. The Council's decision is final in these matters and prospective claimants have no right of appeal.

2.0 LINK TO COUNCIL PRIORITIES:

- 2.1 The adoption of this Policy will improve the quality and transparency of the awards for Business Rate Relief under S44a of the Local Government Finance Act.

3.0 RISK ASSESSMENT:

- 3.1 There are no risks associated with the adoption of this Policy.

4.0 FINANCIAL IMPLICATIONS:

- 4.1 In approving this Policy there will be no financial implications as the Policy is there to act as a framework to improve and make transparent existing practice. All costs will be met from existing budgets.

5.0 RECOMMENDATION:

- 5.1 That Council be recommended to approve the Temporary Relief for Business Ratepayers Policy in Annex A.

JUSTIN IVES

Background papers: None
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**Policy for awarding Temporary Relief to Business Ratepayers
(partially empty properties)**

Introduction

The purpose of this document is to introduce a Policy and criteria by which applications for Business Rate Relief under S44A of the Local Government Finance Act 1988.

Whilst the Council is not required by the provisions of the Act to have a Policy, it is considered important to have a framework for considering applications to ensure consistency and that the Council's power to reduce the amount of Business Rates payable is exercised reasonably and fairly.

Effective Date

This Policy will commence on 1 April 2013. Applications under S44A have previously been dealt with on an individual basis.

Application for Business Rate Relief

Applications will be considered where the premises are partly unoccupied due to:-

- a) full occupation being phased in over a period of time;
- b) full vacation occurring in stages over a period of time;
- c) temporary occupation due to remedial building or refurbishment works, fire damage or similar.

All applications must be made in writing (including e-mail) by submitting the required application form direct to the Revenues and Benefits Manager. Applications must be supported with evidence ie floor plan, clearly indicating which areas are vacant. The written application may be completed by a third party on behalf of the applicant, provided authority has been obtained by the applicant.

Consideration of Applicants

All applications for discount will be initially considered by the Revenues and Benefits Manager.

Each application will be looked at on an individual basis, taking into consideration the full facts leading to the property becoming partially unoccupied for a short period of time.

If a number of applications are received from the same ratepayer the Revenues and Benefits Manager will discuss these with the Leader of the Council (or delegated Councillor), prior to reaching a decision.

In all applications the decision of the Council is Final. There is no right of appeal

Duration of Relief

Relief will not be granted for periods of less than 6 weeks and will end on:-

- a) the date of full occupation;
- b) the date of full vacation;
- c) the date of completion of remedial works;
- d) the end of the financial year (a further application will need to be made if the period of part occupation continues after 1 April. Applications received late in the financial year may be assessed for both years at the Council's discretion).

There will be no retrospective granting of relief where a request is made after the premises become fully operational or fully vacated.

Financial Implications

Under the localisation of Business Rates it is important to maximise the income from businesses. Whilst this will reduce the Business Rate Base by the Rateable Value, attributable to the empty part, it will, however, assist the business in paying business rates, as they may otherwise have to pay two amounts of Rates. Ultimately, it might influence a business to stay within the Council's area.