

**UTTLESFORD DISTRICT COUNCIL**

**BUSINESS RATES - DISCRETIONARY RATE RELIEF/Discount POLICY**

**EFFECTIVE 1<sup>st</sup> April 2020**

**Pending Approval**

**Policy objectives**

1. To support the local economy by providing incentives for occupation of empty premises, encourage business start-up and business expansion within Uttlesford.
2. To support rural communities by providing assistance to businesses operating in rural locations.
3. To contribute to maximising the Council's financial position under the business rates retention scheme by encouraging longer term rateable value growth.
4. To support town centre high streets evolve during a period of significant changes in customer behaviour.

**Administration**

5. The policy will be administered by the Council's Revenues service, who will determine the relief application process.
6. The Revenues service will determine applications for relief, using the criteria set out in this policy. Applications for the Business Development category of relief will be assessed by the Council's Economic Development Officer who will notify the Revenues service of decisions made. The Council will have discretion to backdate awards of relief to the beginning of the current billing period.
7. Eligibility for relief will typically be based upon objective criteria such as the rateable value, location and nature of an organisation's business. A business's profitability will not ordinarily be a relevant factor for determining eligibility. The intention is for a streamlined process that is simple to administer for both applicants and the Council. The Council shall have the right to request any additional information it considers necessary to determine an application.
8. The over-riding consideration in the determination of any application is that the granting of relief must be judged to be in the wider interests of the Uttlesford community and its council tax payers.
9. Appeals against unsuccessful applications for relief will be determined by the Section 151 Officer, whose decision shall be final. There shall be no further right of appeal.
10. The granting of discretionary relief will typically be on a rolling one-year basis so that the Council has the agility to adjust the policy to reflect changing needs and circumstances.
11. The policy will be subject to annual review and approval by the Cabinet.

**State Aid Limitations**

12. All granting of discretionary rate relief is subject to limitations under applicable State Aid legislation and associated De Minimis Regulations.
13. The Regulations currently allow a business to receive up to 200,000 Euros of state aid over a rolling three year period.

14. In practice, this means that smaller, independent businesses are more likely to be eligible for a relief/discount and larger, national businesses (e.g. chain stores) less likely.

15. The Government has currently applied to the EU to allow both the extended retail discount and the Nursery discount to full outside these regulations.

CATEGORY OF RELIEF	ELIGIBLE ORGANISATIONS	MANDATORY RELIEF	DISCRETIONARY RELIEF
<b>Extended Retail Discount</b>	For occupied retail, leisure and Hospitality Properties (No RV limit)	Not applicable	<p>To support Businesses during the COVID-19 Pandemic, the Government announced on the 11<sup>th</sup> March the current retail discount scheme will be extended to the leisure and hospitality sector.</p> <ul style="list-style-type: none"> <li>• Occupied retail, leisure and hospitality properties for 2020/2021 (subject to certain exceptions see Government guidance)</li> <li>• Properties which have closed temporarily due to Governments advice on COVID19 will be treated as occupied for the purposes of this relief</li> <li>• No RV limit</li> <li>• The value of the Discount will be 100% of the bill.</li> <li>• Ratepayers with more than one dwelling will be entitled to relief on each eligible property</li> <li>• The discount will only be applied after all other mandatory reliefs and other discretionary reliefs funded by section 31 have been applied. With the exception of the Pubs discount</li> <li>• Locally funded reliefs such as hardship relief must be applied after the Retail Discount</li> <li>• No State Aid limits (subject to EU approval)</li> </ul> <p>LA's will be fully reimbursed for Local share under section 31 grant</p> <p><b>For one year 2020/2021 only</b></p>

CATEGORY OF RELIEF	ELIGIBLE ORGANISATIONS	MANDATORY RELIEF	DISCRETIONARY RELIEF
<b>Nursery Discount</b>	For properties occupied by providers on the Ofsted's Early Years providers register and wholly or mainly used for the provision of the Early Years Foundation stage		<ul style="list-style-type: none"> <li>• The value of the discount will be 100% of the bill</li> <li>• No RV Limit</li> <li>• Wholly or mainly providing Early Years Foundation stage and on Ofsted register</li> <li>• Properties which have closed temporarily due to Government's advice on COVID19 will be treated as occupied for the purposes of this relief</li> <li>• Ratepayers with more than one dwelling will be entitled to relief on each eligible property</li> <li>• The discount will be applied after mandatory relief and other discretionary reliefs funded by Section 31 have been applied.</li> <li>• No State Aid limits (subject to EU approval)</li> </ul> <p>LA's will be fully reimbursed for Local share under section 31 grant</p> <p><b>For one year 2020/2021 only</b></p>
<b>PUB DISCOUNT</b>	For Pubs with a rateable value of < 100,000 in 2020/2021	Not applicable	<p>In recognition of the important role that pubs play in urban and rural communities.</p> <p>Qualifying criteria for occupied premises only</p> <ul style="list-style-type: none"> <li>• be open to the general public</li> <li>• allow free entry other than when occasional entertainment is provided</li> <li>• allow drinking without requiring food to be consumed</li> <li>• Permit drinks to be purchased at a bar.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Qualifying premises will receive a £5,000 discount</b></li> <li>• The discount will only be applied after all other</li> </ul>

CATEGORY OF RELIEF	ELIGIBLE ORGANISATIONS	MANDATORY RELIEF	DISCRETIONARY RELIEF
			<p>mandatory reliefs and other discretionary reliefs funded by section 31 have been applied.</p> <ul style="list-style-type: none"> <li>State Aid limits will apply</li> </ul> <p>LA's will be reimbursed under section 31 grant</p> <p><b>For one year only 2020/2021</b></p>
<b>Supporting Small Businesses Relief</b>	For small businesses who are losing some or all of their small business or rural rate relief	Not applicable	<p>To support ratepayers by limiting the amount of rates payable in each year to the greater of ;</p> <ul style="list-style-type: none"> <li>Cash value of £600 or</li> <li>The matching cap on increases for small properties in the Transitional relief scheme.</li> <li>The cash minimum increase will stay flat in each year</li> </ul> <p>Which means that under this scheme by year 5 the eligible ratepayer will not be paying more than £3,000 than they did in 2016/2017.</p> <p>LA's will be fully reimbursed under s31 grant</p> <p>Eligibility will not be lost with a change of occupier but will be lost if the property becomes vacant or is occupied by a charity or Community Amateur sports Club.</p>
<b>Local Newspaper Relief</b>	Local Newspapers occupying office space	Not applicable	<p>One discount per newspaper title</p> <ul style="list-style-type: none"> <li>Discount of £1500</li> <li>New from 1<sup>st</sup> April 2020</li> <li>S31 grant</li> </ul>

CATEGORY OF RELIEF	ELIGIBLE ORGANISATIONS	MANDATORY RELIEF	DISCRETIONARY RELIEF
<b>Rural Rate Relief</b>	Within a rural settlement with a population below 3,000, a sole general store, post office, food shop, public house or petrol station	<p>Within a rural settlement with a population below 3,000, the following will receive 50% mandatory rate relief:</p> <ul style="list-style-type: none"> <li>• A sole general store, post office or food shop with a RV of less £8,500</li> <li>• A sole public house or petrol station with a RV of less than £12,500</li> </ul>	<p>Within a rural settlement with a population below 3,000:</p> <ul style="list-style-type: none"> <li>• A sole general store, post office, food shop, public house or petrol station with an RV exceeding the stated thresholds, but with an RV of up to £16,500, may be considered for up to 100% discretionary rate relief.</li> </ul> <p><b>NEW FOR 2017/18:</b> A sole general store, post office, food shop, public house or petrol station with an RV of between £16,501 and £27,500 may be considered for 100% discretionary rate relief up to the value of the £16,500 RV level. For example, a qualifying business with an RV of £18,500 would receive 100% relief up to £16,500 RV and have to pay rates on the remaining £2,000 RV.</p> <ul style="list-style-type: none"> <li>• Discretionary local rural rate relief will be applied after any other applicable reliefs have been deducted.</li> </ul>
<b>Charitable relief</b>	<p>Registered charities</p> <p>Registered Community Amateur Sports Clubs</p> <p>Community Interest Companies</p>	Charities and Registered Community Amateur Sports Clubs are entitled to 80% relief where the property is occupied by the Charity or Club and is wholly or mainly used for charitable purposes or as a Registered Community Amateur Sports Club.	<p>Charities and Registered Community Amateur Sports Clubs may be considered for up to 20% discretionary rate relief.</p> <p><b>FROM 2014/15:</b> Community Interest Companies that have charitable aims (and use profits for charitable purposes) may be considered for up to 100% discretionary rate relief.</p>
<b>Business Development relief</b>	New non-retail SME businesses starting up, operating from new premises or premises that	Not applicable	<b>FROM 2014/15:</b> Qualifying businesses can be considered for discretionary rate relief of 50% for the first year and 25% for the second year. In the case of enlarged premises, the relief would

CATEGORY OF RELIEF	ELIGIBLE ORGANISATIONS	MANDATORY RELIEF	DISCRETIONARY RELIEF
	<p>have been unoccupied for 12 months*</p> <p>Expanding non-retail SME businesses who enlarge their existing premises, or occupy an additional premises that is new or has been unoccupied for 12 months*</p> <p>*including the conversion of former agricultural buildings</p>		<p>be on the difference between the rates payable on the original premises and the rates payable on the extended premises.</p> <p>This is subject to demonstrating that:</p> <ul style="list-style-type: none"> <li>• A minimum three year lease / occupancy commitment exists*</li> <li>• The business will endeavour to ensure that at least 50% of the business's employees are Uttlesford residents</li> <li>• The business will endeavour to ensure that at least 25% of the business's supplies and services expenditure is with Uttlesford businesses.</li> </ul> <p>*In the event of the business vacating the premises within the first three years, the Council reserves the right to clawback the rate relief granted.</p>
<b>Small Business Rate Relief</b>	<p>Businesses with a rateable value of up to £14,999 will receive 100% small business rate relief</p> <p>For properties from 15,000 – 50,999 will have their business rates calculated with the small business rate multiplier</p>	<p>From 1<sup>st</sup> April 2017 Businesses with an Rateable Value up to £12,000 will receive 100% relief.</p> <p>RV £12,000 to £14,999 – 100% relief decreases on a sliding scale by 1% for every £ 30 of RV between £12,000 and £ 14,999.</p> <p>RV £15,000 to £ 51,999 – no relief is allowed but the bill is calculated using the small business multiplier</p>	None
<b>Flooding Rate Relief</b>	Businesses whose premises are flooded due to bad weather	Not applicable	100% rate relief for three months from the date of the first flooding. (approved by Full Council 27 February 2014)

CATEGORY OF RELIEF	ELIGIBLE ORGANISATIONS	MANDATORY RELIEF	DISCRETIONARY RELIEF
<b>Unoccupied property rating</b>	Any business	<p>Business rates are not payable in the first three months that a property is empty. This is extended to six months in the case of certain industrial properties.</p> <p>Certain definitions and exemptions apply – please see the website.</p>	None
<b>Hardship Relief</b>	Businesses who are suffering financial hardship because of a one-off event demonstrably beyond their control.	Not applicable	Discretionary rate relief of up to 100% for a limited period depending on circumstances. Consideration would also be giving to deferring payment due dates.