

Annex A

Rate Relief Policy

Policy updated 26/2/15



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Introduction

This document is our Rate Relief Policy. It tells you:-

- The types of Rate Relief available,
- The qualifying conditions for relief,
- Where to get help and information.

It refers to National Non-Domestic Rates, which is shortened to “NNDR”. NNDR is also called “Business Rates”.

These are payable in respect of all non-domestic properties.

For more information please see www.gov.uk/introduction-to-business-rates/overview

Aims and objectives

This policy serves two purposes:-

- For customers – it explains our approach to debt collection, including how to avoid further recovery action and what to do if you have problems paying.
- For staff – the approach we will take in raising and creating debts, how we will collect them and how to respond to customers who cannot pay or customers who will not pay their debts.

How this policy can help you

It can help you save money off your NNDR bill.

If you have any questions about NNDR, please contact us:-

The quickest way to get further information is to log-onto our website for help and advice (you can also pay your NNDR this way, quickly and easily as well):-

fenland.gov.uk

Other help and advice:-

Ring us on 01354-654321

Email us at businessrates@fenland.gov.uk

The one thing anyone with a debt should not do is to ignore it.

Types of relief available

The table below shows the types of reliefs available:-

- Mandatory – relief set by the Government. Once you prove that you are a registered charity to us, we will award this relief.
- Discretionary – relief set by Fenland District Council. We will award this if you complete an application form and provide certain further information.

Is my business a charity?

To find out more about which businesses are charities, how to set up a charity and other useful information about charities:-

charitycommission.gov.uk

Fenland District Council – Discretionary Rate Relief categories

Our Code	Type of organisation	Criteria	Relief Granted		
			Mandatory Relief	Discretionary Relief	Total
CV	<p>VILLAGE HALLS</p> <p>These are a community facility that is available to the public in a particular area for community-related recreational activities.</p> <p>Village Halls are often charitable because they held on trust to be used for purposes set out by the Recreational Charities Act 1958.</p> <p>Note that to qualify for Mandatory Relief, the Village Hall itself must be a registered charity, otherwise we can only grant discretionary relief.</p>	Registered Charities	80%	0%	80%
		Not Registered Charities	0%	50%	50%
CY	<p>YOUTH ORGANISATIONS</p> <p>These are organisations that have been set up to cater for people under 18 years old, for the purpose of providing recreation.</p> <p>In all cases, most or all of the people using the facility must be aged under 18 years old.</p> <p>We will need evidence of the size of membership and age distribution.</p>	Registered Charities	80%	20%	100%
		Not Registered Charities	0%	100%	100%
CS	<p>SPORTING CLUBS AND ASSOCIATIONS</p> <p>These are organisations that have been set up to for the purpose of providing recreation.</p> <p>They need to be open to the wider community.</p> <p>They are generally sports clubs such as football clubs, etc.</p>	Registered Charities	80%	0%	80%
		Not Registered Charities	0%	50%	50%
CM	<p>MUSEUMS</p> <p>A museum is an institution that cares for (conserves) a collection of artifacts</p>	Registered Charities	80%	20%	100%
		Not	0%	50%	50%

Our Code	Type of organisation	Criteria	Relief Granted		
			Mandatory Relief	Discretionary Relief	Total
	and other objects of scientific, artistic, cultural, or historical importance and makes them available for public viewing through exhibits that may be permanent or temporary. The general public must benefit from the museum.	Registered Charities			
CW	VILLAGE ASSOCIATION OR COMMITTEES A local Association or Committee that has been set up to provide recreational facilities for a local community. This is normally specific to a village or small rural settlement.	Registered Charities Not Registered Charities	80% 0%	0% 50%	80% 50%
CB	CITIZENS ADVICE BUREAU These are always registered charities to be considered as a "CAB".	Registered Charity	80%	20%	100%
CC	REGISTERED CHARITIES There are some charities that the Council offers discretionary relief to, to top up the 80% mandatory relief given. They are specific charities that provide a voluntary service to the public without charge either locally, nationally or internationally They can also provide a service to the public without charge which directly contributes to the economic development of the area and/or which contributes to the achievement of the Fenland District Council Corporate Plan. These charities are:- (a) Samaritans, St John Ambulance, Red Cross, WRVS, St Raphael Club etc. (b) Richmond Fellowship Workschemes (QEST), Papworth Trust etc.	Registered Charity	80%	20%	100%
CD	OTHER REGISTERED CHARITIES NOT INCLUDED ELSEWHERE These are all other registered charities not already covered specifically.	Registered Charities	80%	0%	80%
CP	PLAY GROUPS	Registered Charities	80%	0%	80%

Our Code	Type of organisation	Criteria	Relief Granted		
			Mandatory Relief	Discretionary Relief	Total
	<p>Preschools generally fall into two categories, preschool playgroups and nursery schools. Preschool playgroups accept children aged between two and five, and are short sessions where children stay and play with other children their age.</p> <p>Nursery classes and schools (not to be confused with day nurseries) take children aged 3 and 4 years old, usually for the year before they start the first school year. They are sometimes attached to a primary school. Both types intend to provide a grounding for the child to start school, offering a range of structured educational experiences based on learning through play.</p>	Not Registered Charities	0%	50%	50%
CT	<p>THEATRES</p> <p>Places where broadly defined, performances of plays and musicals, ballets, operas and various other forms take place.</p>	Registered Charities	80%	20%	100%
		Not Registered Charities	0%	50%	50%
CE	<p>CHARITABLE ORGANISATIONS</p> <p>Organisations that carry out charitable work in the community. This can include food banks, shops that may exist solely to collect goods for donating money taken to charity, etc.</p> <p>This list is not exhaustive; the business will need to demonstrate that it is charitable in nature and non-profit making.</p>	Registered Charities	80%	0%	80%
		Not Registered Charities	0%	50%	50%
CX	<p>CHRISTMAS LIGHTING COMMITTEES</p> <p>These are specifically premises used for storing Christmas lighting equipment.</p>	Registered Charities	80%	0%	80%
		Not Registered Charities	0%	80%	80%
CR	<p>COMMUNITY AMATEUR SPORTS CLUBS</p> <p>These must be registered as thus with HMRC, which publishes a list of these on its website.</p> <p>The Council will grant this relief only to organisations specifically registered with HMRC.</p>	Registered Charities	80%	0%	80%

Fenland District Council – Discretionary Rural Rate Relief categories

These reliefs only apply to rural areas where there are small populations. The areas are specified. These reliefs are not available for properties that are in towns; i.e. Chatteris, March, Whittlesey and Wisbech.

Our Code	Type of organisation	Criteria	Relief Granted		
			Mandatory Relief	Discretionary Relief	Total
1	Rural Rate Relief This applies for one property in the settlement only, that is the sole Post Office or sole combined Post Office/ General store.	Rateable Value under £8,500	50%	50%	100%
2	Rural Rate Relief This applies for one property in the settlement only, that is the sole Post Office or sole combined Post Office/ General store.	Rateable Value between £8,500 and £16,500	Nil	50%	50%
3	Rural Rate Relief This applies for one property in the settlement only that is the sole General store.	Rateable Value under £8,500	50%	50%	100%
4	Rural Rate Relief This applies for one property in the settlement only that is the sole General store.	Rateable Value between £8,500 and £16,500	Nil	50%	50%
5	Rural Rate Relief This applies to all examples of the below that are in each settlement. Food Stores (wholly or mainly selling food on a retail basis, excluding confectionary and excluding supply of food in the course of catering).	Rateable Value under £8,500 and that that qualify for Mandatory Relief	50%	50%	100%
6	Rural Rate Relief This applies to all examples of the below that are in each settlement. Other General Stores or Food Stores (includes confectionists and takeaways).	Rateable Value under £8,500	Nil	50%	50%

Our Code	Type of organisation	Criteria	Relief Granted		
			Mandatory Relief	Discretionary Relief	Total
7	Rural Rate Relief This applies to all examples of the below that are in each settlement. Other General Stores or Food Stores	Rateable Value between £8,500 and £16,500	Nil	30%	30%
8	Rural Rate Relief This applies for one property in the settlement only, that is the sole Public House	Rateable Value under £12,500	50%	50%	100%
9	Rural Rate Relief This applies for one property in the settlement only, that is the sole Petrol Filling Station	Rateable Value under £12,500	50%	50%	100%
10	Rural Rate Relief This applies to all examples of the below that are in each settlement. Farm Diversification Enterprise	Rateable Value under £8,500	50%	50%	100%
11	Rural Rate Relief Other businesses in a Rural Settlement	Rateable Value under £16,500	Nil	100%	100%

Note: For the types of Rural Rate Relief listed above, where a property falls into more than one category, they will be entitled to the highest relief amount shown for any of the qualifying categories.

Fenland District Council – Additional Rate Relief categories

These are additional circumstances where we can grant Discretionary Rate Relief that have been prescribed by the Government to take effect as indicated.

Type	Type of property	Criteria	Relief Granted		
			Mandatory Relief	Discretionary Relief	Total
NCE	<p>Newly completed empty properties</p> <p>Properties that are newly built and completed between 1 October 2013 and 30 September 2016 will be exempt from empty property rates for up to 18 months subject to state aid limits. It should be noted that large new developments such as Supermarkets, will not qualify for this relief.</p>	<p>For up to 18 months for properties completed between 1 October 2013 and 30 September 2016 inclusive</p> <p>Subject to State Aid limit (see note)</p>	Nil	100%	100%
ERP	<p>Certain former Retail properties occupied after being empty for at least one year</p> <p>The Government has prescribed the former use of the properties covered by this relief – see page 11 of this policy.</p>	<p>For up to 18 months for properties re-occupied effective between 1 April 2014 and 31 March 2016 inclusive.</p> <p>Subject to State Aid limit (see note)</p>	Nil	50%	50%
TCD	<p>Certain Retail properties with a rateable value not exceeding £50,000</p> <p>The Government has prescribed the use of the properties covered by this relief – see page 12 of this policy.</p>	<p>For up to 2 years, effective between 1 April 2014 and 31 March 2016 inclusive.</p> <p>Subject to State Aid limit (see note)</p>	Nil	£1,000	£1,000
TRA	<p>Certain properties with a rateable value up to and including £50,000 who would have received transitional relief had the existing transitional relief scheme continued.</p> <p>The Government has issued guidance on the operation of this relief – see page 14 of this policy</p>	<p>For up to 2 years, effective between 1 April 2015 and 31 March 2017 inclusive.</p> <p>Subject to State Aid limit (see note)</p>	Nil	Calculated in accordance with the guidance on pages 14-15 of this policy	Varies

State Aid conditions

State Aid conditions apply to these reliefs. These are European Union regulations that regulate state funded aid to businesses. It is the Government's view that these reliefs constitute state aid. State aid can be given provided that it does not exceed €200,000 in any three year period (about £165,000 overall or £55,000 per year).

In deciding if State Aid limits apply, we need to bear in mind ratepayers who have more than one property, whether in Fenland or elsewhere. This will obviously mean that national retail chains will not qualify for these reliefs. In each case, Officers will need to satisfy themselves of these limits and therefore ratepayers will need to complete a "De Minimis declaration" (see Annex D) to enable this.

Types of Property deemed as “Retail” in respect of their last use before they were unoccupied

The Government advises that these categories of properties can be classed as “retail” for the purposes of Rate Relief type “ERP” that are **certain former Retail properties occupied after being empty for at least one year**

In relation to a premises’ previous use for the purposes of Reoccupation Relief we consider retail to mean:-

Hereditaments that were used for the sale of goods to visiting members of the public:

- Shops (e.g. florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licence, chemists, newsagent, hardware store, supermarket, 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)

Hereditaments 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

Hereditaments 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)

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

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

Types of Property deemed as “Retail” in order that the discount of up to £1,000 may be granted

The Government advises that these categories of properties can be classed as “retail” for the purposes of Rate Relief type “TCD” that are **certain Retail properties with a rateable value not exceeding £50,000**

These are these types of properties:-

Hereditaments 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)

Hereditaments 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 or Car hire

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

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

They are NOT these types of properties that are excluded from eligibility for this relief:-

Hereditaments 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)

Certain properties with a rateable value up to and including £50,000 who would have received transitional relief had the existing transitional relief scheme continued

Qualifying properties:

- Properties that will benefit are those with a rateable value up to and including £50,000 who would have received transitional relief in 2015/16 or 2016/17 had the existing transitional relief scheme continued in its current format.
- In line with the existing thresholds in the transitional relief scheme, the £50,000 rateable value threshold should be based on the rateable value shown for 1/4/10 or the substituted day in the cases of splits and mergers.
- The policy applies to transitional relief only (i.e. those moving to higher bills).

Calculation of Relief:

- The transitional relief scheme should be assumed to remain as it is in the current statutory scheme contained within the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2009 No. 3343 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).
- Changes in rateable value which take effect from a later date should be calculated using the normal rules in the statutory transitional relief scheme. For the avoidance of doubt, properties whose rateable value is £50,000 or less on 1 April 2010 (or the day of merger) but increase above £50,000 from a later date will still be eligible for the relief. Where necessary the Valuation Office Agency will continue to issue certificates for the value at 31 March 2010 or 1 April 2010.
- The relief should be calculated on a daily basis.
- The extension of transitional relief into 2015/16 and 2016/17 will be delivered via section 47 of the Local Government Finance Act 1988 (as amended by the Localism Act) which is measured after other reliefs (including other Localism Act delivered reliefs such as retail relief). Therefore, for the purposes of awarding relief authorities should measure the extension of transitional relief after all other reliefs.

Recalculations of Relief:

- The amount of relief awarded should be recalculated in the event of a change of circumstances. This could include, for example, a backdated change to the rateable value of the hereditament. This change of circumstances could arise during the year in question or during a later year.
- The Non-Domestic Rating (Discretionary Relief) Regulations 1989 (S.I. 1989/10598) require authorities to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision so as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect at the end of a financial year. But within these regulations, local authorities may still make decisions which are conditional upon eligibility criteria or rules for calculating relief which allow the amount of relief to be amended within the year to reflect changing circumstances.
- When making an award for the extension of transitional relief, local authorities should ensure in the conditions of the award that the relief can be recalculated in the event of a change to the rating list for the property concerned (retrospective or otherwise). This is so that the relief can be re-calculated if the rateable value changes.

State Aid:

- Any rate relief that the Council awards is subject to "State Aid" rules. These are European Union regulations that regulate state funded aid to businesses. It is the Government's view that this relief constitutes state aid.
- State aid can be given provided that it does not exceed €200,000 in any three year period (about £165,000 overall or £55,000 per year). In each case, Officers will need to satisfy themselves of these limits and therefore ratepayers will need to complete a "De Minimis declaration" to enable this.

Further information

Please contact us if you have any questions about this policy, or NNDR in general.

Here are the ways to contact us.

fenland.gov.uk

Our website is always open! Check this out first; it will often save you a phone-call or visit.

E-mail us

businessrates@fenland.gov.uk

National Non-Domestic Rates queries

Phone us

01354 654 321

We are open 24 hours a day, every day for payments by Debit Card.

We are open to help answer queries on Mondays to Fridays (except Public Holidays) between 9am and 5pm, and Saturdays between 9am and Noon.

Visit us

We have Fenland @ your service Shops in March, Whittlesey and Wisbech and at the Community Hub in Chatteris.

Please see **fenland.gov.uk** for details of where we are, and our opening hours.

Write to us

Fenland District Council, Fenland Hall, County Road, March,
Cambs, PE15 8NQ