



Title	Business Rates Retail Rate Relief
Version	DRAFT
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Approved by	
Next Review	
Author	

Eastbourne Borough Council Local Scheme

Background

Central government announced in the Autumn Statement on 5 December 2013 that it would provide relief of up to £1,000 to all occupied retail properties with a rateable value of £50,00 or less in each of the years 2014/15 and 2015/16.

Properties that will benefit are those that are occupied hereditaments (properties) with a rateable value of less than £50,000 or less that are wholly or mainly used as shops, restaurants, cafes and drinking establishments.

The grant of the relief is discretionary and local authorities can use their powers, introduced by the Localism Act (under section 47 of the Local Government Finance Act 1998) to grant such relief.

Central government will reimburse authorities and major precepting authorities within the rates retention scheme for the actual costs to them under the rates retention scheme for reliefs that fall under this scheme.

Qualifying properties

Government, whilst not changing the legislation around the reliefs available to properties, has set out eligibility criteria. Their guidance considers qualifying properties to mean:

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

- Shops (such as florists, bakers, greengrocers, butchers, greengrocers, jewellers, stationers, newsagents, supermarkets etc)
- Charity shops
- Opticians
- Post Offices Furnishing shops/display rooms
- Car/caravan showrooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale or hire)

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

- Hair and beauty services
- Shoe repairs/key cutting
- Travel agents
- Ticket offices
- Dry cleaners
- Launderettes
- PC/TV/domestic appliance repair
- Funeral directors
- Photo processing
- DVD/video rental
- Tool hire
- Car hire

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

- Restaurants
- Takeaways
- Sandwich shops coffee shops pubs
- Bars

The above lists are not exhaustive and it is for authorities to determine if particular properties not listed are broadly similar in nature those above and, if so, to consider them eligible for relief.

Non-qualifying properties

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

- 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

Amount of relief available

The total amount of government-funded relief for each property under the scheme is £1,000. The amount does not vary with the rateable value. There is no relief available under the scheme for properties with a rateable value of more than £50,000. The relief will be calculated on a daily basis.

If the net rate liability after all other reliefs is less than £1,000, the maximum amount of relief will be no more than the value of the net rates payable

Ratepayers that occupy more than one property will be entitled to relief for each eligible property, subject to State Aid de minimis levels.

Applications for relief

Written applications will be required for each individual case. The Council will ensure that the application form for Retail Rate relief is made available to ratepayers upon request as well as through the Council's website.

Where it is necessary, the ratepayer may be required to provide further information to support their application. Failure to complete the application fully or supply the information requested will delay the decision making process.

It may be necessary for a council officer to inspect the property to verify the use it is being put to.

All qualifying businesses and organisations are required to notify Eastbourne Borough Council within 21 days of any changes in circumstances that may affect their entitlement to Retail rate relief.

How applications are processed

The Business Rates Team will administer all applications for rate relief.

The Business Rates Officer, in conjunction with the Revenues Manager and Senior Local Taxation Officer will assess applications for rate relief and recommendations will be made to the Revenues and Benefits Manager. The Revenues and Benefits Manager will decide whether to award Retail Rate relief.

Awards will cover both the 2014/15 and 2015/16 years.

Notification of the decision

Successful applications will be notified of the amount of Retail Rate Relief awarded by the issue of a new Rate Demand Notice. The rate relief will be awarded by means of a reduction shown on the Demand Notice to the ratepayer. Where this puts the account in credit for the year, a refund will be made by the Council.

Unsuccessful applicants will be notified in writing and reasons for the decision will be provided.

State Aid

Awards such as rate relief are required to comply with the EU law on State Aid. All recipients of Retail Rate Relief must return a declaration, which the Council will send to them, if they have received any other De Minimis State Aid, including any other Retail Rate relief they have been granted for other premises, confirming that the award of Retail Rate relief does not exceed the 200,000 euro they can receive under the DE Minimis Regulations EC 1407/2013.

Appeals

If the applicant wishes to lodge an appeal against any decision, the appeal must be made in writing to the Revenues and Benefits Manager and must demonstrate that all of the relevant criteria contained within this policy are met. An appeal must be sent to Eastbourne Borough Council within 1 month of the date on the (refusal/award) letter.

The Grants Task Group will consider any appeals lodged and will make recommendations to the Senior Head of Community who will decide whether to award Retail Rate relief. A letter will be sent to the applicant to advise them of the final decision.