

Ref:

689/16

Executive Decision Record

Please leave blank for completion by DS officers

A1 Service Area:

~~Service Commissioning~~ REUS BASE & CUSTOMER CONTACTS

A2 Title

Business Rates Discretionary Rate Relief Application

A3 Decision Taken By

Deputy Leader/ Chief Officer

A4 Chief Officer

Please print name Sal Khan

Please sign

A5 Leader/Deputy Leader

Please print name Cllr R Grosvenor

Please sign

A6 Date of Decision

18/7/2016

A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?

~~Yes~~/No (please delete as appropriate)

A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972.

Paragraph []

A8 Which Scrutiny Committee should this decision be submitted to?

(please tick as appropriate)

Scrutiny (Promoting Local Economic Growth) Committee

Scrutiny (Value for Money Council Services) Committee

Scrutiny (Protecting and Strengthening Communities) Committee

B1 What is the Decision?

To grant/~~not grant~~ Discretionary Rate Relief as detailed in the attached report

B2 What are the reasons for the Decision?

Application for relief submitted by the ratepayer satisfies the conditions of section 47 of the Local Government Finance Act 1988

B3 What are the contributions to Corporate Priorities?

To encourage the provision of a full range of services within the community

B4 What are the Human Rights considerations?

There are no Human Rights issues arising from this decision.

B5 What are the financial implications?

The main financial issues arising from this decision are contained in the attached report

B6 Is the Decision wholly in accordance with the Council's policy framework?

Yes

B7 Is the Decision wholly in accordance with the Council's budget?

Yes

B8 What are the Equalities implications?

B8.1 The subject of this decision is not a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required.

B9 What are the Risk Assessment implications?

B9.1 Positive (Opportunities/Benefits):

B9.2 Negative (Threats):

B9.3 The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

B10 What are the Legal Considerations?

B10.1 There are no significant legal issues arising from this decision.

B11 What are the Sustainability implications?

B11.1 N/A

B12 What are the Health & Safety implications?

B12.1 A Risk Assessment has not been carried out and entered into Harriet for all significant hazards and risks because there are no significant hazards or risks arising from this decision.]

B13. Is this a Key Decision?

No

Note A Key Executive Decision is one where:

1. REVENUE – Any contract or proposal with an annual payment or saving of more than £100,000
2. CAPITAL – Any capital project with a value in excess of £150,000
3. A decision which significantly affects communities living or working in an area comprising two or more wards.

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to Andrea Davies, Democratic Services.

APPLICATIONS FOR MANDATORY AND DISCRETIONARY RATE RELIEF FOR CHARITIES AND OTHER NON-PROFIT MAKING ORGANISATIONS

In accordance with the Local Government Finance Act 1988, charitable organisations and community amateur sports clubs are entitled to 80% mandatory relief from Business Rates, and the Council has the discretion to allow further relief on the remainder. The Council also has the discretion to grant relief up to 100% to other non profit making organisations.

Where discretionary relief is granted in addition to mandatory relief, 75% of the cost is met by the Council. In the case of other non-profit making organisations, where relief is entirely discretionary, 25% of the cost is met by the Council. Under the new Business Rates Retention Scheme, operable from 2013/14, the Council also has to fund 40% of the cost of successful applications previously met by Central Government.

In order to qualify for discretionary relief one or more of the conditions detailed in section 47 of the Local Government Finance Act 1988 should apply, as follows:-

1. The ratepayer is a charity or trustees for a charity and the property is wholly or mainly used for charitable purposes.
2. All or part of the property is occupied by an organisation which is not established or conducted for profit, and whose main objects are charitable, or otherwise philanthropic or religious, or concerned with education, social welfare, science, literature or the fine arts.
3. The property is wholly or mainly used for recreation, and occupied for the purposes of a club, society or other organisation not established or conducted for profit.

The Council's Chief Accountant has considered the application, making the following comments;

"The Trust has an average operating cost of around £29,570 over the last 3 years and holds £22632 unrestricted funds at the bank sufficient to cover 9 months worth of funning costs."

Please consider the following application. The application form and supporting documents are attached.

1. .Application for additional Discretionary Relief (S47) where Mandatory Relief has been granted

**The Claymills Pumping Engines Trust Ltd
Claymills Victorian Pumping Station
Meadow Lane
Stretton
Burton upon Trent
Staffordshire
DE13 0DA**

(800141742)

Property	Museum and premises
Purpose of use	Working Victorian steam pumping station museum
Aims/objectives	This is a registered charity whose objectives are to promote and preserve for the benefit of the public, the 19th Century Claymills

pumping station complex Including all building, engines and equipment

Business Rates

This application is for the 20% discretionary element, for the period from the 1st April 2015

2015/16

The Business Rates liability was £7842.25, less the 80% Mandatory Rate Relief of £6240, leaving an amount to pay of £1602.25.

If the council were to approve a Discretionary Rate Relief award for the above amount, the cost to the Council would be £1281.60 (75%)

Under the new Business Rates Retention Scheme, operable from 2013/14, the council also has to fund 40% of the cost of successful applications previously met by Central Government, in this case a further £128.26.

2016/2017

The Business Rates liability for the current year is £8076.25, less the 80% Mandatory Rate Relief of £6461.00, leaving an amount of £1615.25.

If the Council were to approve a Discretionary Rate Relief award for the amount, the cost to the Council would be £1211.44 (75%)

Under the new Business Rates Retention Scheme, operable from 2013/14, the Council also has to fund 40% of the cost of successful applications previously met by Central Government, in this case a further £161.52.

Therefore, the total cost to the Council for this application would be £2782.82.

DISCRETIONARY RATE RELIEF

FINANCIAL COMMENTS

The financial comments on individual applications reflect the following:

NAME: The Claymills Pumping Station Trust (CPET)

BUSINESS RATES ACCOUNT NUMBER: 800141742

2015/2016 liability without Discretionary Relief totals £ 1560.00

This a review of Discretionary Rate Relief, this group/company has previously been in receipt of 20% and is currently in receipt of 80% Mandatory Relief.

Under the new Business Rates Retention Scheme, operable from 2013/14, the Council has to fund 40% of the cost of successful applications previously met by Central Government, in this case, £624.00.

2016/2017 liability without Discretionary Relief Totals £1615.25

This is a view of Discretionary Rate Relief, this group /company has previously been in receipt of 20% and is currently in receipt of 80% Mandatory Relief.

Under the new Business Rates Retention Scheme, operable from 2013/2014, the council has had to fund 40% of the cost of successful applications previously met by Central Government, in this case £646.10.

Therefore, the total cost to the Council would be £1270.10