

**EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE  
CABINET**

**Date: 14 September 2016**

**REPORT TITLE**                      **Discretionary Rate Relief Policy**

**Submitted by:**                      **Revenues Manager – Karen Hollinshead**

**Portfolio:**                              **Finance ICT and Customer**

**Ward(s) affected:**                      **All**

**Purpose of the Report**

To approve the Discretionary Rate Relief Policy in respect of National Non-Domestic Rates (NNDR) i.e. business rates.

**Recommendations**

**That Cabinet approves the attached Discretionary Rate Relief Policy.**

**Reasons**

Previously discretionary rate relief has been awarded based on a range of historical considerations. This needs to be revised and a formal policy is required to ensure fair and consistent decision making and control of the Council's finances.

1.     **Background**

The Local Government Act 1988 and the Localism Act 2011 provides the legislation supporting the award of discretionary rate relief. Discretionary rate relief has previously been awarded based on criteria which has been used for many years but the council has never adopted a formal policy.

2.     **Issues**

The National Non-Domestic Rating Scheme gives the council discretionary powers to award relief from payment of NNDR in a range of circumstances. Changes to the administrative arrangements of NNDR, including significant changes to the way rate relief is funded, has resulted in guidance on the application of discretionary powers being necessary.

3.     **Options Considered**

The only other option is not to have a policy. However, the Council could be challenged regarding the basis on which the decision is made and the absence of a policy may leave the Council open to criticism from the Local Government Ombudsman.

4.     **Proposal**

That the enclosed policy be approved.

5. **Reasons for Preferred Solution**

To ensure that business rates payers are all treated fairly and consistently.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

The policy contributes to the corporate priority of a borough of opportunity to position the Council as a good place to do business.

7. **Legal and Statutory Implications**

The policy explains the discretions granted by the Local Government Finance Act 1998 and the Localism Act 2011.

8. **Equality Impact Assessment**

The policy seeks to ensure that all ratepayers are treated equally, fairly and consistently.

9. **Financial and Resource Implications**

Any discretionary rate relief that is awarded is part funded by the Council (approximately 28%) as part of the Business Rates Retention scheme and the Council's involvement in the Stoke-on-Trent and Staffordshire business rates pooling arrangements that have been in place since 1 April 2013.

10. **Major Risks**

Failure to adopt a formal policy could lead to challenge from the Local Government Ombudsman.

11. **Key Decision Information**

This is a key decision as defined in the Council's Constitution. The item is included in the Cabinet's Forward Plan for the period in which the meeting is to take place.

12. **Earlier Cabinet/Committee Resolutions**

None.

13. **List of Appendices**

National Non Domestic Rates (NNDR) Discretionary Rate Relief Policy - Rate Relief for Businesses.

14. **Background Papers**

None.