



Agenda Item:

COUNCIL:

Report of: Corporate Director of Transformation, Housing & Resources

Relevant Portfolio Holder: Councillor Robert Molloy

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SUBJECT: NNDR DISCRETIONARY SCHEME

Wards affected: Borough wide

1.1 PURPOSE OF THE REPORT

- 1.1 To consider proposed changes to National Non-Domestic Rates Relief for 2024-25 following recent Government announcements and to note the Policy to underpin these Schemes, as appended to this Report.

2.0 RECOMMENDATIONS

- 2.1 That Council consider the content of the Policy to underpin implementation of the Borough Council's proposed Discretionary Scheme as appended to this report.
- 2.2 That the Committee note the Policy coverage to underpin the recently announced Government changes.
- 2.3 That delegated authority be given to the Corporate Director of Transformation, Housing & Resources in consultation with the relevant portfolio holders to implement the new Non-Domestic Discretionary Rate Relief and make any minor/inconsequential amendments to the scheme as and when announced by the Government.

3.0 BACKGROUND

- 3.1 Under Section 47 of the Local Government Finance Act 1988 (LGFA), billing authorities have the discretion to grant rate relief on all or part of the amount of non-domestic rates payable. Section 47 (2) of the Act places conditions on what type of organisation may receive the award by virtue as detailed in the Act.

3.2 Within the Non-Domestic Rating Bill which received Royal Assent on 26th October 2023 the Bill will remove the restriction in section 47 (7) of the Local Government Finance Act 1988 on backdating of decision concerning Discretionary Rate Relief. The Government will also make regulations revoking all rules on discretionary relief contained in the Non-Domestic Rating (Discretionary Relief) Regulations 1989. This means that Local Authorities will from 1st April 2024 be able to make decisions on discretionary reliefs and set their own rules for notifications of relief.

3.3 Depending on the category of relief, the scheme is jointly funded by the Government and the Council.

4.0 POLICY CONTEXT

4.1 The policy designed for this purpose and attached for reference specifies how West Lancashire Borough Council will operate the Discretionary Rate Relief scheme and to indicate the factors that will be considered when deciding whether to make an award.

The aim of the policy is:

- To ensure a professional, consistent and timely approach to the award of discretionary rate relief;
- To provide a framework that gives clarity to the decision making criteria;

5.0 PROPOSALS

5.1 The proposed arrangements are summarised in **Appendix A** for ease of reference

6.0 ISSUES

6.1 To support the delivery of this change The Local Authority must have the policy agreed in advance of 1st April 2024 to enable changes being implemented from 1st April 2024.

7.0 IMPLEMENTATION

7.1 Resources will be required to implement some of the schemes due to commence with effect from 1st April 2024, detailed Project Plan's for each are underway and at different stages. These will identify key milestones, tasks, dates and responsible Officers/Teams.

8.0 SUSTAINABILITY IMPLICATIONS

8.1 Ensuring prudent financial management is in place to deal with applications for relief where the cost is borne by the Council. Any relief awarded outside of the Governments Mandatory schemes will be aimed towards the rates payable by voluntary and community organisations. This means that they can use their resources towards achieving the aims of the scheme, rather than paying for rates.

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 9.1 Specialist external consultancy support to assist in Scheme and Policy Design has been procured @ £950.00 + VAT.
- 9.2 Local authorities will be fully funded for awarding reliefs announced by Government with new burdens funding for administrative and IT costs.

10.0 Risk Assessment

- 10.1 The legislative changes will provide the Council with the ability to determine the timescales of relief it provides for applications received for consideration of Discretionary Rate Relief.
- 10.2 The formal consideration and reporting of the budget estimates is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council. This process ensures that a robust and achievable budget is set.

11.0 Health and Wellbeing Implications

- 11.1 It is anticipated that the successful achievement of this policy will *maximise positive and minimise negative impacts in the following areas*:
- Supporting Businesses within the Borough

Background Documents

There are no background documents (as defined in Section 100D (5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders, therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been considered in the Recommendations contained within this report

Appendices

1. WLBC policy for the granting of Discretionary Non-Domestic Rate Relief – Policy Document
2. Equality Impact Assessment