

**Committee Name and Date of Committee Meeting**

Cabinet – 15 June 2020

**Report Title**

New Applications for Business Rates Discretionary Relief for Rotherham Abuse Counselling Service and Rotherham Crossroads - Caring for Carers

**Is this a Key Decision and has it been included on the Forward Plan?**

No, but it has been included on the Forward Plan

**Strategic Director Approving Submission of the Report**

Judith Badger, Strategic Director of Finance and Customer Services

**Report Author(s)**

Diane Woolley – Team Leader, Local Taxation  
01709 255158 or [diane.woolley@rotherham.gov.uk](mailto:diane.woolley@rotherham.gov.uk)

**Ward(s) Affected**

Borough-Wide

**Report Summary**

To consider the application for the award of a business rate discretionary relief for Rotherham Abuse Counselling Service and Rotherham Crossroads - Caring for Carers. This is in accordance with the Council's Discretionary Business Rates Relief Policy (approved by Cabinet on 12 December 2016).

**Recommendations**

1. That 20% top up discretionary relief be awarded to Rotherham Abuse Counselling Service for the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2021.
2. That 20% top up discretionary relief be awarded to Rotherham Crossroads – Caring for Carers for the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2021 on the premises at The Point, Bradmarsh Way but declined on the premises at Bridgegate.

**List of Appendices Included**

Appendix 1 Initial Equality Screening Documents for Rotherham Abuse Counselling Service and Rotherham Crossroads – Caring for Carers

**Background Papers**

Discretionary Rate Relief Policy - Approved by Cabinet on 12<sup>th</sup> December 2016

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **New Application for Business Rates Discretionary Relief for Rotherham Abuse Counselling Service and Rotherham Crossroads – Caring for Carers**

### **1. Background**

1.1 Section 47 of the Local Government Finance Act (LGFA) 1988 conveys power on local authorities to allow discretionary relief that would be additional to the mandatory relief. This is given when the property is used wholly or mainly for charitable purposes by a charity or other non-profit body whose main objects are charitable or benevolent, or concerned with education, social welfare, science, literature or the arts.

1.2 The Council can grant discretionary relief to: -

- Registered Charitable Organisations, including Community Amateur Sports Clubs. The relief granted is up to 20% of the rate liability as these organisations are eligible for 80% mandatory rate relief.
- Other organisations or institutions that are not established or conducted for profit and whose aims are charitable or otherwise, philanthropic, religious, concerned with education, social welfare, science, literature or fine arts. Relief can be granted up to 100% of the business rates liability.
- Properties occupied by not for profit sports or social clubs, societies or other organisations for the purposes of recreation. Relief can be granted up to 100% of the business rates liability.
- Rate relief to ratepayers – Section 47 of the LGFA 1988 was amended by Section 69 of the Localism Act 2011. This amendment gives the Council the discretion to grant relief to any other body, organisation or ratepayer, having due regard to its Council Tax payers.

1.2.1 The Council has operated a system of awarding relief through the application of a policy that was approved by Cabinet on 12th December 2016.

1.2.2 Central Government and councils share every £1 of rates due as follows:

Central Government	50%
South Yorkshire Fire and Rescue Authority	1%
Rotherham MBC	49%

1.3 **Application 1**  
**Rotherham Abuse Counselling Service, 38 Moorgate Road, Rotherham, S60 2AG**

1.3.1 The registered charity provides free counselling for women, men and young people who have experienced abuse at any time in their life. The charity is commissioned by the Council to provide counselling for survivors of child sexual exploitation in Rotherham.

Support is delivered via one to one therapy, drop-in sessions and group therapy. Feedback from service users is positive and survivors have been helped to start to recover.

Demand for the services provided is high with referrals being made by the National Health Service through GP practices, mental health teams, and drug and alcohol services. Referrals are also received from the local authority and self-referrals from individuals.

- 1.3.2 Rotherham Abuse Counselling Service's application for the award of discretionary relief is in line with the Council's qualifying criteria as set out in its policy.

The services provided are open to all with vital support being delivered to residents of Rotherham.

- 1.3.3 The organisation is applying for discretionary relief with regards to their 2019/20 and 2020/21 rates liability. The financial implication of awarding the relief is set out in section 6 of this report.

## **Application 2**

**Rotherham Crossroads – Caring for Carers, Unit H, The Point, Bradmarsh Way, Rotherham, S60 1BP and 40 Bridgegate, Rotherham, S60 1PQ**

- 1.4.1 The registered charity provides support for carers and the people they care for offering a full range of services for all age groups, disabilities and health conditions.

The charity aims to relieve stress in the family or for the carer or the person with the disability to prevent breakdowns in care or inappropriate admission into hospital or residential care.

The charity is commissioned by the Council with a particular remit to provide support to unpaid care workers to be able to continue in their caring role and provides value with the advice and information provided, the peer group support and access to therapies for the carer which provides them with a break from their role.

The charity is rated outstanding by the Care Quality Commission.

The charity has applied for relief on their 2 separate premises.

The Head Office at Bradmarsh Way hosts training facilities, information and meeting areas for carers and free workshops and therapeutic services.

Their new premises at Bridgegate is a charity shop and coffee shop which raises funds for the charity and also provides information, training and meeting areas.

- 1.4.2 Rotherham Crossroads - Caring for Carers application for the award of discretionary relief is in line with the Council's qualifying criteria as set out in its policy.

The facilities are open to all carers with support being delivered to residents and their carers from across the borough.

- 1.4.3 The organisation is applying for discretionary relief with regards to their 2019/20 and 2020/21 rates liability.

From 1 April 2020 the charity is eligible for a business rates retail discount on the shop at Bridgegate, which reduces their business rates liability to nil for the 2020/21 financial year.

The financial implication of awarding the relief is set out in section 6 of this report.

## **2. Key Issues**

- 2.1 To consider the applications requesting the award of discretionary relief to Rotherham Abuse Counselling Service and Rotherham Crossroads – Caring for Carers

## **3. Options considered and recommended proposal**

- 3.1 Given the discretionary nature of the relief requested, the Council has the discretion to either award or not award a discretionary relief.
- 3.2 In helping Members make such a decision, the Council has put in place a specific Policy framework to consider individual applications. In accordance with that Policy, applications (including supporting documentation) for relief have been considered in line with the qualifying criteria and other considerations set out in that Policy.
- 3.3 In line with the Council's Business Rates Discretionary Relief Policy, having regard to the financial cost of the proposed relief, the charitable use of the premises and the contribution that this business makes to the local community, it is recommended that an award of discretionary relief be granted to Rotherham Abuse Counselling Service.

It is also recommended that an award of discretionary relief be granted to Rotherham Crossroads – Caring for Carers for the premises at The Point, Bradmarsh Way but declined on the premises at Bridgegate which is mainly retail and in direct competition with other similar town centre premises. As detailed in section 1.4.3 the premises at Bridgegate has no business rates to pay for the 2020/21 financial year.

## **4. Consultation on proposal**

- 4.1 The recommendations in the report are based on the application of an existing policy. There has been no specific consultation carried out in relation to the individual organisations referred to within this report.

## 5. Timetable and Accountability for Implementing this Decision

- 5.1 The applicants will be advised by letter of the outcome of their application for relief within 10 working days of the Cabinet decision.

## 6. Financial and Procurement Advice and Implications

- 6.1 Financial information has been provided in support of the applications.

- 6.2 The total cost of granting the relief for the financial year 2019/20 and 2020/21 is set out below in paragraph 6.3 alongside the specific cost to the Council.

6.3	Year	Total Amount of Relief	Cost to RMBC
	<b>Rotherham Abuse Counselling Service</b>		
	2019/20	£1,234.80	£605.05
	2020/21	£1,254.40	£614.66
	<b>Rotherham Crossroads – Caring for Carers</b>		
	<b>Head Office and Training Facility</b>		
	2019/20	£3,326.40	£1,629.94
	2020/21	£3,379.20	£1,655.81
	<b>Rotherham Crossroads – Caring for Carers</b>		
	<b>Charity Shop and Coffee Shop</b>		
	2019/20	£277.33	£135.89

## 7. Legal Advice and Implications

- 7.1 The statutory framework for discretionary relief is set out in the body of the report.

## 8. Human Resources Advice and Implications

- 8.1 No direct implications from this report.

## 9. Implications for Children and Young People and Vulnerable Adults

- 9.1 The organisations provide services to children, young people and vulnerable adults throughout the borough which aim to make a difference to the lives of people within the local community.

**10. Equalities and Human Rights Advice and Implications**

10.1 No direct implications from this report.

**11. Implications for Partners**

11.1 No direct implications from this report.

**12. Risks and Mitigation**

12.1. The Government has issued guidance notes to advise authorities what criteria should be used in considering applications for Discretionary Rate Relief. Authorities have been strongly advised to treat each individual case on its own merits and to not adopt a policy or rule which allows them to not consider each case without proper consideration. In cognisance of these guidance notes, the Council has formally adopted a Policy framework for considering individual discretionary business rates relief applications with the decision to award reserved for Cabinet.

**13. Accountable Officers**

Graham Saxton, Assistant Director, Financial Services

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	29/05/20
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	27/05/20
Head of Legal Services (Monitoring Officer)	Bal Nahal	27/05/20

*Report Author: Diane Woolley – Team Leader, Local Taxation  
01709 255158 or [diane.woolley@rotherham.gov.uk](mailto:diane.woolley@rotherham.gov.uk)*

This report is published on the Council's [website](#).