

Committee Name and Date of Committee Meeting

Cabinet – 21 November 2022

Report Title

New Applications for Business Rates Discretionary Relief for Rotherham Rise and The Really NEET Project Limited

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)

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Ward(s) Affected

Borough-Wide

Report Summary

To consider the applications for the award of Discretionary Business Rate Relief for Rotherham Rise and The Really NEET Project Limited. This is in accordance with the Council's Discretionary Business Rates Relief Policy (approved by Cabinet on 12th December 2016).

Recommendations

1. That Cabinet approve the applications for Discretionary Business Rate Relief for Rotherham Rise and The Really NEET Project Limited in accordance with the details set out in Section 6 to this report for the 2022/23 financial year.

List of Appendices Included

Appendix 1 Initial Equality Screening Document
Appendix 2 Carbon Impact Assessment

Background Papers

Discretionary Rate Relief Policy - Approved by Cabinet on 12th 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 Applications for Business Rates Discretionary Relief for Rotherham Rise and The Really NEET Project Limited

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 as 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.

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 Rise, 18 High Street, Rotherham, S60 1PP

1.3.1 Rotherham Rise is a registered charity which provides free counselling and support for adults, young people and children who have experienced any form of domestic abuse and/or child exploitation.

1.3.2 The organisation works to offer support services, activities and group work with the focus being on developing self-esteem and life skills.

- 1.3.3 Service users are representative of many disadvantaged groups including the homeless, those with a disability, single parents and those at risk from substance misuse.
- 1.3.4 Rotherham Rise has taken on additional rooms within their existing premises to provide more appointment and training rooms.
- 1.3.5 The additional appointment rooms are needed to accommodate the day to day operations of the charity and they have been struggling to accommodate within the current space they have.
- 1.3.6 The ability to provide training spaces for professionals and staff enables the charity to continue raising awareness and education around Domestic abuse and CSE.
- 1.3.7 Due to the increased demand on services, the rooms are also used for engagement activities for the wider community.
- 1.3.8 The organisation benefits from an award of discretionary relief at their existing premises which has been awarded continuously from January 2019 to date.
- 1.3.9 The organisation is commissioned to assist the Council to fulfil its statutory duties towards victims of domestic abuse and their children. Domestic abuse is a priority for the Council and its partners through the safer Rotherham Partnership.
- 1.3.10 The provision of educational support, welfare support and counselling complements and indirectly helps manage the Council's need to do so.
- 1.3.11 The continuation of this modest additional assistance is considered to be in line with the qualifying criteria as set out within the Council's policy.
- 1.3.12 The organisation is applying for discretionary relief with regards to their 2022/23 rates liability. The financial implication of awarding the relief is set out in Section 6 of the report.

1.4 **Application 2**

The Really NEET Project Limited, Units 7 & 8 Enterprise Court, Farfield Park, Wath Upon Dearne, Rotherham, S63 5DB, Unit A1 Taylors Court, Parkgate, Rotherham, S62 6NU and Unit 1 Fusion @ Magna, Magna Way, Rotherham, S60 1FE

- 1.4.1 The Really Neet Project Limited is a social enterprise not for profit organisation which aims to meet the needs of vulnerable young people through training and education.
- 1.4.2 The organisation also offers innovative and engaging learning opportunities which will develop the range of skills, personal attributes and qualifications required to progress into employment or further education.

- 1.4.3 The programme offers practical activity which supports the learning of maths and English together with individual learning opportunities which are flexible, engaging and varied.
- 1.4.4 There is the opportunity to access learning activities different from those of mainstream providers and to engage in activities which enhance employability and enterprise skills.
- 1.4.5 Students are referred to the organisation by the EHCP team from RMBC and Barnsley Metropolitan Borough Council.
- 1.4.6 Students meet the criteria based upon them not being able to access mainstream education due to a range of complex barriers, including Learning Disability, Mental Health, Criminal Justice and Domestic Violence.
- 1.4.7 The organisation benefited from an award of discretionary relief at their premises on Chemist Lane, Rotherham which was awarded continuously from April 2018 until they vacated in July 2022.
- 1.4.8 They have taken on additional properties to continue their work and are seeking our support with funding the business rates on these.
- 1.4.9 The Really NEET Project Limited have recently, over the past two years, taken increasingly complex young people that need sometimes to be educated away from other young people in their cohort as their behaviours can impact on the education of others.
- 1.4.10 The organisation works hard to ensure that there are suitable premises in their offer to enable this to happen, and to enable their flexible and person centred approach to be as inclusive as possible.
- 1.4.11 The Really Neet Project Limited's application for the award of discretionary relief is considered to be in line with the Council's qualifying criteria as set out in its policy.
- 1.4.12 The organisation is commissioned by RMBC to deliver an alternative provision programme to learners with Special Education Needs and thus provides a facility which RMBC would otherwise have to provide itself.
- 1.4.13 Learners meet the criteria based on them not being able to access mainstream education due to a range of complex barriers including learning disabilities, mental health, criminal justice and sexual exploitation.
- 1.4.14 The organisation is applying for discretionary relief with regards to their 2022/23 rates liability. The financial implication of awarding the relief is set out in Section 6 of the report.

2. Key Issues

- 2.1 To consider the applications for Rotherham Rise and The Really NEET Project Limited requesting an award of discretionary rate relief.

3. Options considered and recommended proposal

- 3.1 Given the discretionary nature of the relief requested, the Council can determine either to award or not award 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 these organisations make to the local community, it is recommended that an award for discretionary relief be granted to Rotherham Rise and The Really NEET Project Limited.
- 3.4 The alternative option was to decline to award relief. This has been rejected as the applications meet the Council's Policy.

4. Consultation on proposal

- 4.1 The recommendation in the report is based on the application of an existing policy. There has been no specific consultation carried out in relation to any 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 applications for relief within 10 working days of the Cabinet decision.

6. Financial and Procurement Advice and Implications

- 6.1 The applicants have completed a full application for the proposed relief to ensure compliance with the Council's discretionary scheme criteria.
- 6.2 The total cost of granting the relief for the financial year 2022/23 is set out below in paragraph 6.3 alongside the specific cost to the Council.

The award would continue into the financial year 2023/24 with a new application being required for discretionary rate relief to continue beyond that into the financial year 2024/25.

Figures for the financial year 2023/24 will not be available until after the revaluation but are not expected to be significantly different from 2022/23.

6.3	Year	Total Amount of Relief	Cost to RMBC
	Rotherham Rise		
	2022/23	£769.48	£377.05
	The Really NEET Project Limited		
	2022/23	£19,241.23	£9,428.20

As indicated in paragraph 1.2.2. 49% of the cost of the relief is met by the Council with 50% falling on Central Government and 1% on the South Yorkshire Fire and Rescue Service.

6.4 There are no direct procurement implications arising from the recommendations detailed in this report.

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 There are no direct human resources implications arising 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 The recommendation in the report is to grant discretionary relief which will positively impact the organisations ensuring continuity of service provision which helps tackle inequality. This recommendation is based on the Council's Discretionary Business Rates Relief Scheme under which other businesses are able to make an application.

11. Implications for CO2 Emissions and Climate Change

11.1 It is anticipated that an award of relief would not change the organisations' current operational activities and therefore will not impact CO2 emissions.

12. Implications for Partners

12.1 As stated in 1.2.2, 1% of the cost of any relief granted is met by the South Yorkshire Fire and Rescue Authority. In this case this cost is minimal.

13. Risks and Mitigation

- 13.1 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.

14. Accountable Officers

Rob Mahon, Assistant Director, Financial Services

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	07/11/22
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	03/11/22
Assistant Director, Legal Services (Monitoring Officer)	Phil Horsfield	03/11/22

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