

Committee Name and Date of Committee Meeting

Cabinet – 24 April 2023

Report Title

New Applications for Business Rates Discretionary Relief

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)

Rachel Humphries – Operational Manager, Local Taxation
01709 255159 or rachel.humphries@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

To consider the applications for the award of Discretionary Business Rate Relief for the organisations listed in Section 1 of the report. 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 the organisations listed in Section 1 of the report in accordance with the details set out in Section 6 to this report for the 2022/23 and 2023/24 financial years.

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

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.

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

1.4 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%

1.5 Application 1

Manvers Lake and Dearne Valley Trust Ltd, The Boathouse at Manvers Lake, Station Road, Wath Upon Dearne, Rotherham, S63 7DG

1.5.1 Manvers Lake and Dearne Valley Trust Ltd is a registered charity which was originally set up to provide water and other sports facilities to paying members.

1.5.2 The organisation works to promote an open space, with parkland open to the public for recreation and amenities.

- 1.5.3 Local residents walk their dogs and there is open space for a range of sporting activities including running, cycling and paddle-sports.
- 1.5.4 Manvers Lake and Dearne Valley Trust Ltd is experiencing a significant increase in usage of its facilities by the general public.
- 1.5.5 This has led to a rise in costs in terms of both maintenance and the provision of facilities such as first aid and lost and found which diverts staff and volunteers from their other duties.
- 1.5.6 The organisation encourages everyone to visit and enjoy the site and to get involved in the activities which are on offer.
- 1.5.7 The emergency services use the lake free of charge for their training purposes.
- 1.5.8 Some local schools use the lake for their outdoor pursuit activities.
- 1.5.9 The organisation has advised that due to the increased demand on services, they have had to deal with fly tipping, open fires and barbecues and all the extra litter this creates.
- 1.5.10 During the summer months they utilised warden patrols to try to curb anti-social behaviour and to deter individuals from swimming unsupervised in the open lake.
- 1.5.11 Manvers Lake and Dearne Valley Trust Ltd's application is considered to be in line with the Council's qualifying criteria as set out in its policy. The organisation provides access to facilities which are open to all sections of the community.
- 1.5.12 The organisation is applying for discretionary relief with regards to their 2022/23 and 2023/24 rates liability. The financial implication of awarding the relief is set out in Section 6 of the report.

1.6 **Application 2**

**South Yorkshire Transport Trust, Units 2 & 3 Chesterton Road,
Eastwood Trading Estate, Rotherham, S65 1ST**

- 1.6.1 South Yorkshire Transport Trust is a registered charity which has recently been set up to take over from SYTT Riverside Ltd which is a not for profit organisation.
- 1.6.2 The charity will continue the work to restore vintage buses by holding open days and running days for the educational benefit of the public.
- 1.6.3 The vehicle collection is generally focused on, but not limited to, the South Yorkshire area.

- 1.6.4 The organisation has gone through a challenging period and the new charity which has been set up to take over from the limited company has taken over the liability of the lease on the existing premises.
- 1.6.5 One of the two directors from the limited company will continue to be involved as trustee with the registered charity and he has now been joined by three additional trustees.
- 1.6.6 The remaining director continues to work with the organisation in an advisory capacity.
- 1.6.7 The limited company benefited from an award of discretionary relief at their premises which was awarded continuously from September 2016 until March 2023.
- 1.6.8 They are seeking ongoing support with the business rates now that their new charitable structure is in place.
- 1.6.9 They have negotiated a more manageable payment arrangement with the landlord of the premises, and they consider that, over the next four years, they will see an improvement in their financial position due to the benefits of charitable status work of the organisation which will create a more sustainable financial future.
- 1.6.10 South Yorkshire Transport Trust'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.
- 1.6.11 The organisation is open to all and anyone who has an interest in what they do is welcome to participate.
- 1.6.12 There are normally no admission charges on event days and running days and anyone requesting a private tour can usually be accommodated.
- 1.6.13 The organisation has a significant following from younger age groups who take an active part in volunteering to restore the vehicles in their collection. The skill base has increased as a result with older members working with the younger people to pass on their skills.
- 1.6.14 The organisation is applying for discretionary relief with regards to their 2023/24 rates liability. The financial implication of awarding the relief is set out in Section 6 of the report.

1.7 **Application 3**

Grimm & Co Ltd, Old Town Hall, Rotherham, S60 1QX

- 1.7.1 Grimm and Co Ltd is a registered charity based in Rotherham Town Centre that delivers free literacy education projects to children, young people and families. The charity aims to reach, educate, inspire and nurture communities to develop aspirations and skills in literacy, including reading,

writing and presentation. This is done through story workshops and other activities.

- 1.7.2 The organisation runs volunteer programmes, training long term unemployed young people, family members and people not in work, in story mentoring, charity shop support, administration and volunteering skills.
- 1.7.3 Volunteers are recruited from the local community and beyond and are trained and supported providing valuable work experience with some volunteers now accessing other training, further education, or employment as a result of their work with the charity.
- 1.7.4 The organisation continues to support the Council's Children's Capital of Culture programme playing an active role in the delivery of various programmes and projects. In addition, they work with several other RMBC services to support the delivery of programmes for children and young people including supporting first access literacy and reading across the Council's library network.
- 1.7.5 The charity benefited from an award for discretionary rate relief at their previous premises from March 2016 to August 2020 and have had no business rates liability since this date until January 2022.
- 1.7.6 They are now seeking support for their pop-up shops in the Old Town Hall, Rotherham which are a temporary home for them until their new premises in Rotherham are ready for occupation.
- 1.7.7 They will have vacated these shops by the end of March 2023
- 1.7.8 Grimm & Co Ltd'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.
- 1.7.9 The organisation provides access to facilities which are open to all sections of the community.
- 1.7.10 It provides education and welfare support that complements the statutory services provided by the Council and is focused on work that is in line with the Council's priorities for children and young people.
- 1.7.11 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.

1.8 Application 4

Rotherham Crossroads - Caring for Carers, Bridgegate, Rotherham, S60 1PG

- 1.8.1 Rotherham Crossroads - Caring for Carers is a registered charity which provides support for carers and the people they care for offering a full range of services for all age groups, disabilities and health conditions.
- 1.8.2 The organisation 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.
- 1.8.3 It is rated outstanding by the Care Quality Commission and excellent by RMBC.
- 1.8.4 The organisation is commissioned by the Council with a particular remit to provide support to unpaid carers 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.
- 1.8.5 The property for which the organisation is now applying for relief has been taken on a temporary basis to house stock for the charity, coffee shop, training room and carer's information and resource hub at Bridgegate.
- 1.8.6 The ground floor outside store at Bridgegate is currently being refurbished to enable the organisation to relocate the upstairs training and meeting room, disabled toilet and the charity shop sorting area which is currently located on the upper floors of the building.
- 1.8.7 Once the refurbishment is complete then these additional premises will be relinquished and returned to the landlord.
- 1.8.8 The organisation has benefited from an award for discretionary rate relief on both of their existing premises.
- 1.8.9 The Head Office at Bradmarsh Way hosts training facilities, information and meeting areas for carers and free workshops and therapeutic services and has had an award for discretionary rate relief since April 2019.
- 1.8.10 The premises at Bridgegate consist of a charity shop and coffee shop which raise funds for the charity and also provide information, training and meeting areas and have had an award for discretionary rate relief since October 2019.
- 1.8.11 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.

1.8.12

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

- 1.8.13 The organisation is applying for discretionary relief with regards to their 2022/23 and 2023/24 rates liability. The financial implication of awarding the relief is set out in Section 6 of the report.

1.9 **Application 5**

Safe Haven Rotherham, 38/40 College Street, Rotherham, S65 1AG

- 1.9.1 Safe Haven Rotherham is a registered charity which provides food and clothing to disadvantaged people and those in need.
- 1.9.2 Service users can be in need by reason of age, ill-health, disability, financial hardship or other disadvantage such as long-term unemployment & homelessness.
- 1.9.3 The premises that they occupy offer a central location with relatively easy access for the storage of food, clothing items & some household items.
- 1.9.4 The organisation aims to help and support service users by providing unsold fresh food gifted from commercial outlets, gifted clothing, tents and sleeping bags.
- 1.9.5 They also liaise with commercial outlets to receive excess, long-dated foods which can be distributed via food parcels.
- 1.9.6 Service users can meet at the premises and have discussions and conversations in a non-judgemental environment.
- 1.9.7 Some service users have become volunteers following suitable training which has led to the transition back into mainstream society.
- 1.9.8 The organisation has benefited from an award for discretionary rate relief on these premises previously from November 2020 to July 2022.
- 1.9.9 The lease remained in their name throughout but another not for profit organisation briefly assumed responsibility for payment of business rates when they became the primary occupiers.
- 1.9.10 They have then resumed responsibility for the business rates on the premises in January 2023 and are seeking support again.
- 1.9.11 Safe Haven Rotherham did continue their minor evening operations during that time but were occupying the premises for just four to five hours per week.
- 1.9.12 Safe Haven Rotherham are now back in sole occupation and the other organisation has left.

- 1.9.13 Safe Haven Rotherham's application for the award of discretionary relief is in line with the Council's qualifying criteria as set out in its policy.
- 1.9.14 The services provided are open to all with vital support being delivered to the residents of Rotherham.
- 1.9.15 The organisation is applying for discretionary relief with regards to their 2022/23 and 2023/24 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 the organisations listed in Section 1 of the report 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 the organisations listed in Section 1 of the report.
- 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 value of the relief for the financial years 2022/23 and 2023/24 is £8,023 and £14,163 respectively. The cost to the Council is £3,931 (2022/23) and £6,940 (2023/24) based on the Council's 49% share. Paragraph 6.3 below shows the value of the relief for each applicant alongside the specific cost to the Council.

6.3

Year	Total Amount of Relief	Cost to RMBC
Manvers Lake and Dearne Valley Trust Ltd		
2022/23	£1,894.40	£928.26
2023/24	£1,894.40	£928.26
South Yorkshire Transport Trust		
2023/24*	£6,662.60	£3,264.68
*New account from 1 April 2023		
Grimm & Co Ltd		
2022/23	£2,389.57	£1,170.89
*They will no longer be responsible for these units in 2023/24		
Rotherham Crossroads- Caring for Carers		
2022/23	£2,939.58	£1,440.39
2023/24	£2,995.20	£1,467.65
Safe Haven Rotherham		
2022/23	£799.56*	£391.78
2023/24	£2,611.20	£1,279.49
*Reduced amount as new account from 16 January 2023		
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	11/04/23
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	27/03/23
Assistant Director, Legal Services (Monitoring Officer)	Phil Horsfield	23/03/23

*Report Author: Rachel Humphries – Operational Manager, Local Taxation
01709 255159 or rachel.humphries@rotherham.gov.uk
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