

**Committee Name and Date of Committee Meeting**

Cabinet – 19 September 2022

**Report Title**

New Application for Business Rates Discretionary Relief for Rotherham Abuse Counselling Service

**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 application for the award of Discretionary Business Rate Relief for Rotherham Abuse Counselling Service. This is in accordance with the Council's Discretionary Business Rates Relief Policy (approved by Cabinet on 12<sup>th</sup> December 2016).

**Recommendations**

1. That Cabinet approve the application for Discretionary Business Rate Relief for Rotherham Abuse Counselling Service 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 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**

### **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**

**Rotherham Abuse Counselling Service, Offices 7-8, The Spectrum, Coke Hill, Rotherham, S60 2HX**

1.3.1 Rotherham Abuse Counselling Service is a registered charity which provides free counselling for women, men and young people who have experienced any form of sexual violence, sexual abuse, domestic abuse or harassment including survivors of child sexual exploitation.

- 1.3.2 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.
- 1.3.3 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.
- 1.3.4 The organisation has taken on additional premises for this financial year only as they have had to take on five more staff (Independent Sexual Violence Advocates) from another organisation who were already based at the premises. For ease of transition, they will stay there until the end of March 2023 until the space at the existing premises has been reorganised and they can be accommodated there.
- 1.3.5 The organisation benefits from an award of discretionary relief at their existing premises which has been awarded continuously from 2019 to date.
- 1.3.6 The property for which the application is made is used to deliver the Independent Sexual Violence Advocacy (ISVA) service supporting the people of Rotherham who have experienced sexual violence and are pursuing a criminal justice process and includes victims identified by Operation Stovewood.
- 1.3.7 The organisation already benefits from several grants including from RMBC to deliver their service and the continuation of this modest additional assistance is considered in line with the criteria within the Council's policy.
- 1.3.8 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 application for Rotherham Abuse Counselling Service 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 this organisation makes to the local community, it is recommended that an award for discretionary relief be granted to Rotherham Abuse Counselling Service.

3.4 The alternative option was to decline to award relief. This has been rejected as the application meets 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 applicant 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 The applicant has 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.

6.3	<b>Year</b>	<b>Total Amount of Relief</b>	<b>Cost to RMBC</b>
	<b>Rotherham Abuse Counselling Service</b>		
	2022/23	£496.64	£243.35

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 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 The recommendation in the Report is to grant discretionary relief which will positively impact the organisation 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: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	05/09/22
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	12/08/22
Assistant Director, Legal Services (Monitoring Officer)	Phil Horsfield	15/08/22

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