
APPENDIX 1

Isle of Wight Council

Policy for the granting of Discretionary Non-Domestic Rate Relief

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1.0 Purpose of the Policy

- 1.1 The Local Government Finance Act 1988 and subsequent legislation requires the Council to grant mandatory relief for premises occupied by charities and similar organisations that own or occupy them wholly or mainly for charitable purposes. Likewise, certain premises situated within a rural settlement area will be eligible for mandatory relief. Powers have also been granted under the Localism Act 2011, which allow for the granting of discretionary rate relief to any premises where the Council feels the granting of such relief would be of benefit to the local community.
- 1.2 Whilst the Council is obliged to grant relief to premises that fall within the mandatory relief categories, it also has powers to grant discretionary relief to ratepayers subject to certain criteria being met. In the case of new reliefs, guidance has been issued by Central Government outlining the actions expected to be taken by local authorities. The purpose of this policy therefore, is to set out the Isle of Wight Council's approach to discretionary relief.
- 1.3 This document will provide details of:
 - The criteria for receiving discretionary reliefs that are available;
 - The Council's policy for granting of all types of discretionary reliefs;
 - Guidance on granting and administering the reliefs and reductions;
 - European Union requirements including provisions for State Aid; and
 - The Council's scheme of delegation for the day to day management of discretionary reliefs.

2.0 Mandatory Relief - Legislative Background

Charity Relief

- 2.1 The powers relating to the granting of mandatory¹ and discretionary relief are given to the Council under the Local Government Finance Act 1988². Charities and Trustees for Charities are only liable to pay one fifth of the Non Domestic Rates that would otherwise be payable where property is occupied and used wholly or mainly for charitable purposes. This amounts to mandatory relief of 80%. For the purposes of the Act a charity is an organisation or trust established for charitable purposes, whether or not it is registered with the Charity Commission. The provision has recently been extended under the Local Government Act 2003 (effective from 1st April 2004) to registered Community Amateur Sports Clubs (CASCs).
- 2.2 The Council has discretion to grant relief of up to a further 20% for these cases under the discretionary provisions.

Rural Rate Relief

- 2.3 From 1st April 1998, under powers originally granted to the Council under the Local Government and Rating Act 1997³, certain types of business in rural settlements, with a population below 3000 may qualify for mandatory rate relief of 50 per cent. Businesses that qualify for this relief are the sole general store and the sole post office in the village, provided it has a rateable value of up to £8,500; any food shop with a rateable value of up to £8,500; and the sole pub and the sole petrol station in the village provided it has a rateable value of up to £12,500.
- 2.4 From 1st April 2017, Central Government has indicated that it wants all authorities to give 100% relief to premises that receive mandatory rural rate relief. The legislation enabling this will not be forthcoming until 2018 and therefore it has indicated that where the additional 50% is granted, a section 31 grant will be made available to the Council. This is dealt with further within this policy and the Council will automatically grant the additional 50% discretionary relief where appropriate.
- 2.5 In addition to this, the Council may decide to give up to 100 per cent relief to any other business (not in receipt of mandatory relief) in such a rural settlement, with a Rateable Value of up to £16,500, if it is satisfied that the business is of benefit to the community and having regard to the interests of its Council Taxpayers.

¹ S43 & S45 Local Government Finance Act 1988

² S47 & S48 Local Government Finance Act 1988

³ LGFA 1988, s.47, as amended by Sch. 1 to the Local Government and Rating Act 1997

3.0 Discretionary Relief – Legislative Background

Introduction

- 3.1 The original purpose of discretionary relief was to provide assistance where the property does not qualify for mandatory relief, or to ‘top’ up cases where ratepayers already receive mandatory relief.
- 3.2 Over recent years and particularly since 2011, the discretionary relief provisions have been amended to allow authorities the flexibility to provide assistance to businesses and organisations.
- 3.3 The range of bodies, which are eligible for discretionary rate relief, is wide and not all of the criteria laid down by the legislation will be applicable in each case.
- 3.4 Unlike mandatory relief, ratepayers are obliged to make a written application to the Council.
- 3.5 The Council is obliged to consider carefully every application on its merits, taking into account the contribution that the organisation makes to the amenities of the Island. There is no statutory appeal process against any decision made by the Council although as with any decision of a public authority, decisions can be reviewed by Judicial Review.
- 3.6 Granting of the relief falls broadly into the following categories:
 - a. Discretionary Relief – Charities who already receive mandatory relief.
 - b. Discretionary Relief – Premises occupied by organisations not established or conducted for profit whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts **or** premises occupied by organisations not established or conducted for profit and wholly or mainly used for purposes recreation;
 - c. Discretionary Relief – Rural Rate relief - premises that already receive mandatory relief;
 - d. Discretionary Relief – Rural Rate relief - premises not receiving mandatory relief but of benefit to the local community and less than £16,500 rateable value;
 - e. Discretionary Relief – Granted under the Localism Act 2011 provisions;
 - f. Local Newspaper Relief (from 1st April 2017 for a period of two years);
 - g. Local Public House Relief (from April 2017 for a one year period);
 - h. Supporting Small Businesses Relief (from 1st April 2017 for a period of five years or until business pay their full rate charge or their transitional rate charge (calculated in accordance with the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016)); and
 - i. Discretionary Business Rates Relief Scheme (from 1st April 2017 for a period of up to four years)
- 3.7 The decision to grant or not to grant relief is a matter purely for the Council.

The Council's approach to granting Discretionary Relief

- 3.8 In deciding which organisations should receive discretionary Rate relief, the Council has taken into account the following factors and priorities:
- a. The policy should support business, charities, organisations and groups that help to retain services on the Island and not compete directly with existing businesses in an unfair manner;
 - b. To help and encourage business, charities, organisations, groups and communities to become self-reliant;
 - c. Awarding discretionary relief should not distort competition or significantly change the provision of services within the Island;
 - d. Every business/ organisation should contribute something towards the provision of local services within the Island;
 - e. Local organisations will be given priority over national organisations. In particular the organisation will need to supply the Council with clear evidence of the amounts of monies raised and used / invested locally within the Island. This will be particularly important where the organisation is national in nature.
 - f. To support appropriate organisations that deliver outcomes to the community which relate to the priorities of the Council;
 - g. To enable appropriate organisations to start, develop or continue their activities, which deliver outcomes to the community that also relate to the priorities of the Council, which without granting discretionary relief they would be unable to do;
 - h. To support and enable appropriate businesses to start, develop and continue with their operations that deliver outcomes directly related to the Council's economic development strategies.
 - i. To ensure that the financial impact of awarding discretionary business rate relief is justified in terms of the local outcomes achieved by the organisation receiving it.
- 3.9 Where any reduction or remission is granted to a ratepayer under S49 Local Government Finance Act 1988 where hardship is proven to the Council, then there will be no requirement to grant Discretionary Rate Relief for that amount.

4.0 Effect on the Council's Finances

- 4.1 The granting of discretionary relief will, in the main, involve a cost to the Council. Since the change to the funding for Non-Domestic Rating in April 2013, the effect of the relief is complex.
- 4.2 Any amounts granted prior to 1st April 2013 and continuing since that date will be included in the Council's baseline within the Business Rates Retention Scheme. For any amounts granted for similar cases after 1st April 2013, the costs of the relief will be borne in accordance with the Business Rates Retention Scheme share namely 50% borne by Central Government and 50% by the Council. This also applies where mandatory relief is granted.
- 4.3 Where Central Government leads an initiative, grants are often available through section 31 of the Local Government Act 2003. This is not automatic and Central Government will look to the Council to adopt the recommended approach when granting in these areas
- 4.4 The financial effects of discretionary reliefs covered by this policy are as follows:

Appendix	Relief Type	Granted after 1 st April 2013
	Charity Relief	
A	Discretionary relief granted to Mandatory Relief recipients	50% borne by the Council
B	Non-profit Making Organisations including Sports Clubs and societies	50% borne by the Council
	Rural Rate Relief	
C	50% Discretionary relief granted to Mandatory Rural Relief recipients	Section 31 Grant
D	Other premises within a rural settlement under £16500 RV	50% borne by the Council
	Localism	
E	Discretionary Relief granted to ratepayers generally and not covered by any other section	50% borne by the Council
	Local Newspaper Relief	
F	Discretionary Relief granted to local newspapers meeting the criteria (From 1 st April 2017 for a period of two years)	Section 31 Grant
	Public House Relief	
G	Discretionary Relief granted to public houses meeting the criteria (From 1 st April 2017 for a period of one year)	Section 31 Grant

Appendix	Relief Type	Granted after 1 st April 2013
	Supporting Small Business Relief	
H	Supporting Small Businesses Relief (from 1 st April 2017 for a period of up to five years if conditions are met)	Section 31 Grant
	Discretionary Business Rates Relief Scheme	
I	Discretionary Business Rates Relief Scheme (from 1 st April 2017 for a period of up to four years)	Section 31 Grant up to a maximum level set by Central Government. Once the maximum has been reached any additional amount is borne 50% by the Council

5.0 Discretionary Relief – EU State Aid requirements

- 5.1 European Union competition rules generally prohibit Government subsidies to businesses. Relief from taxes, including non-domestic rates, can constitute state aid. The Council must bear this in mind when granting discretionary rate relief.
- 5.2 Rate relief for charities and non-profit making bodies is not generally considered to be state aid, because the recipients are not in market competition with other businesses. However, where other bodies receive relief and are engaged in commercial activities or if they are displacing an economic operator or if they have a commercial partner, rate relief could constitute state aid.
- 5.3 Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013)⁴. The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a three-year period (consisting of the current financial year and the two previous financial years).
- 5.4 Where the relief to any one business is greater than the De Minimis level then permission will need to be obtained from the European Commission. In such cases the matter will be referred to the Department for Communities and Local Government (DCLG) for advice and then referred to the Council for consideration. It will be for the ratepayer to provide confirmation as to whether the State Aid provisions apply to them.
- 5.5 In all cases, where discretionary relief is to be granted or where liability is to be reduced, when making an application, ratepayers will be required to provide the Council with sufficient information to determine whether these provisions are applicable in their case.

⁴ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>

6.0 Administration of Discretionary Relief

- 6.1 The following section outlines the procedures followed by officers in granting, amending or cancelling discretionary relief and reduction. This is essentially laid down by legislation⁵

Applications and Evidence

- 6.2 All reliefs must be applied for in writing by the ratepayer. Application forms are produced within the Council and issued to all ratepayers requesting the relief. The relevant application forms for all reliefs and reductions are shown within Appendix J of this policy.
- 6.3 Organisations are required to provide a completed application form plus any such evidence, documents, accounts, financial statements etc. necessary to allow the Council to make a decision. Where insufficient information is provided, then no relief will be granted.
- 6.4 Applications should initially be made to the Business Rates Section and will be determined in accordance with Section 7 of this policy.

Granting of relief

- 6.5 In all cases, the Council will notify the ratepayer of decisions made.
- 6.6 Where an application is successful, then the following will be notified to them in writing:
- The amount of relief granted and the date from which it has been granted;
 - If relief has been granted for a specified period, the date on which it will end. (It should be noted that reliefs are granted for the period specified in the appropriate Appendix and may vary from a day to a full financial year);
 - The new chargeable amount;
 - The details of any planned review dates and the notice that will be given in advance of a change to the level of relief granted; and
 - A requirement that the applicant should notify the Council of any change in circumstances that may affect entitlement to relief.
- 6.7 Where relief is not granted then the following information is provided, again in writing:
- An explanation of the decision within the context of the Council's statutory duty; and
 - An explanation of the appeal rights (see below).
- 6.8 Discretionary relief is to be granted from the beginning of the financial year in which the decision is made. Since 1997 decisions can be made up to 6 months after the end of the financial year for which the application was made.
- 6.9 A decision to award discretionary relief and how much relief is given is only applicable to the financial year for which the application is made.
- 6.10 A fresh application for discretionary relief will, if required by the Council, be necessary for each financial year.

⁵ The Non-Domestic Rating (Discretionary Relief) Regulations 1989

Variation of a decision

- 6.11 Variations in any decision will be notified to ratepayers as soon as practicable and will take effect as follows:
- Where the amount is to be increased due to a change in rate charge from the date of the increase in rate charge;
 - Where the amount is to increase for any other reason takes effect at the expiry of a financial year, and so that at least one year's notice is given;
 - Where the amount is to be reduced due to a reduction in the rate charge from the date of the decrease in rate charge;
 - Where the amount is to be reduced for any other reason takes effect at the expiry of a financial year, and so that at least one year's notice is given
- 6.12 A decision may be revoked at any time and the change will take effect at the expiry of a financial year.

7.0 Scheme of Delegation

Granting, Varying, Reviewing and Revocation of Relief

- 7.1 Under powers given to the Council by section 223 of the Local Government Act 1992, all permissions for the granting, varying, reviewing and revocation of discretionary relief and reductions are given under the Local Government Finance Act 1988, the Local Government and Rating Act 1997, the Local Government Act 2003 and the Localism Act 2011.
- 7.2 An application will need to be submitted to the business rates section who will undertake the initial first stage assessment to confirm it is valid. They will produce an overall decision recommendation and submit it to the Revenues Manager. The Revenues Manager will review the application and supporting details and provide a final recommendation of award date and percentage of relief to Director of Finance and Section 151 Officer. The Director and Section 151 Officer will then seek input as necessary from the Chief Executive, other relevant officers and Cabinet member with responsibility for resources as to the benefits / outcomes related to the applicant's submission.
- 7.3 Applications that are refused will be reconsidered if additional supporting information is provided or the refusal is subsequently considered to be based on a misinterpretation of the application

Reviews

- 7.4 The policy for granting relief will be reviewed annually or where there is a substantial change to the legislation or funding rules. At such time, a revised policy will be brought before the relevant committee of the Council.
- 7.5 The Revenues Manager will submit a report on a six-monthly basis to the Chief Finance Officer and S151 Officer and Cabinet member for Resources summarising the position on applications received, granted and not granted.

Appeals

- 7.6 Where the Council receives an appeal from the ratepayer regarding the granting, non-granting or the amount of any discretionary relief, the case will be reviewed by the Strategic Manager – Business Centre. Where a decision is revised then the ratepayer shall be informed, likewise if the original decision is upheld.

8.0 Reporting changes in circumstances

- 8.1 Where any award is granted to a ratepayer, the Council will require any changes in circumstances which may affect the relief to be reported as soon as possible and in any event not more than 21 days from the happening of the event. This will be important where the change would result in the amount of the award being reduced or cancelled e.g. where the premises comes unoccupied or is used for a purpose other than that determined by the Council as eligible for relief.

- 8.2 Where a change of circumstances is reported, the relief will, if appropriate be revised or cancelled. Where any award is to be reduced, the Council will look to recover the amount from the date the change of circumstances occurred.

9.0 Fraud

- 9.1 Where a ratepayer falsely applies for any relief or where the ratepayer provides false information, makes false representation, or deliberately withholds information in order to gain relief, prosecutions will be considered under the Fraud Act 2006.

Appendix A - Discretionary Relief – Mandatory Relief recipients

General Explanation

- A.1 S43 of the Local Government Finance Act 1988 allows mandatory relief (80%) to be granted on premises if the ratepayer is a charity or trustees for a charity and the premises are wholly or mainly used for charitable purposes. No charge is made in respect of unoccupied premises where it appears that *when next in use* it will be used wholly or mainly for those purposes.
- A.2 The legislation has been amended by the Local Government Act 2003 (effective from 1st April 2004) to include registered⁶ Community Amateur Sports Clubs (CASC). These organisations can now receive the mandatory (80%) relief.

Charity registration

- A.3 Charities are defined within the legislation as being an institution⁷ or other organisation established for charitable purposes only or by persons administering a trust established for charitable purposes only.
- A.4 The question as to whether an organisation is a charity may be resolved in the majority of cases by reference to the register of charities maintained by the Charity Commissioners under s.4 of the Charities Act 1960. Entry in the register is conclusive evidence. By definition, under the Non Domestic Rating legislation, there is no actual need for an organisation to be a registered charity to receive the relief and this has been supported by litigation⁸, however in all cases the organisation must fall within the following categories:
- trusts for the relief of poverty;
 - trusts for the advancement of religion;
 - trusts for the advancement of education; and
 - trusts for other purposes beneficial to the community, but not falling under any of the preceding heads.
- A.5 Certain organisations are exempted from registration generally and are not required to make formal application to the Charity Commissioners these are:
- the Church Commissioners and any institution administered by them;
 - any registered society within the meaning of the Friendly Societies Acts of 1896 to 1974;
 - units of the Boy Scouts Association or the Girl Guides Association; and
 - voluntary schools within the meaning of the Education Acts of 1944 to 1980.
- A.6 The Council would consider charitable organisations, registered or not, for mandatory relief.

⁶ Registered with HMRC as a CASC

⁷ S67(10) Local Government Finance Act 1988

⁸ Income Tax Special Commissioners v Pemsell (1891)

Use of Premises – wholly or mainly used

- A.7 Irrespective of whether an organisation is registered as a charity or not, the premises **must** be wholly or mainly used for charitable purposes. This is essential if any relief (either mandatory or discretionary) is to be granted. In most cases this can be readily seen by inspection but on occasions the Council has had to question the actual use to which the premises are to be put. It will be an essential part of the process of the application for the Council to inspect any premises fully.
- A.8 Guidance from the Department of Communities and Local Government (DCLG) has stated that in the case of 'mainly', at least 51% must be used for charitable purposes whether of that charity or of that and other charities.
- A.9 The following part of this section gives details on typical uses where relief may be given plus additional criteria that have to be satisfied. The list is not exhaustive but gives clear guidance on premises for which mandatory relief can be granted *and therefore* premises which could be equally considered for discretionary rate relief.

Offices, administration and similar premises

- A.10 Premises used for administration of the Charity including:
- Offices
 - Meeting Rooms
 - Conference Rooms

Charity shops

- A.11 Charity shops are required to meet additional legislative criteria if they are to receive mandatory relief. Section 64(10) of the Local Government Finance Act 1988 provides that a property is to be treated as being wholly or mainly used for charitable purposes at any time if, at the time, it is wholly or mainly used for the sale of goods donated to a charity and the proceeds of the sale of the goods (after any deduction of expenses) are applied for the purposes of the charity.
- A.12 In order to ascertain whether an organisation meets these requirements, inspections may be made by an officer of the Council when an application is received.

Charity Relief – Mandatory Relief recipients, the Council's Policy for granting discretionary relief.

- A.13 The Council will consider applications for a discretionary rate relief top up from charities based on their own merits, on a case-by-case basis.
- A.14 In determining the application, the following matters will be taken in to consideration:
1. How the charity supports and links into the Council's corporate vision and priorities;
 2. The purpose of the charity and the specific activity carried out within the premises for which the relief is requested;
 3. Whether the charity operates at a local or national level and where appropriate, the local and national funding streams and financial position of the charity;

A15 The Council is keen to support businesses that have a critical role to play in the local economy and the achievement of the Council's economic development strategies. In particular:

- To increase inward investment and support existing and new businesses, using a combination of short and long-term strategic interventions;
- To support the Council in responding to policy changes and maximise opportunities for a faster rate of economic growth on the Island;
- To develop the Island's workforce in each of the Island's key sectors to ensure that the skills of the Island's workforce remain competitive and become more so;
- To become a focus for renewable energy and a preferred location for companies offering or researching products and services that address climate change;
- To encourage development of Next Generation Broadband Infrastructure to support and raise the profile of investment opportunities on the Island; and
- To develop a 21st Century tourism offer to raise sustainable income growth for Island tourism.

A.16 In the case of registered Community Amateur Sports Clubs (CASC), the key criteria in determining the application will be:

1. The ratepayer occupies the whole hereditament;
2. Relief cannot be granted in respect of premises that are occupied by the Council or any Town and Parish Council, although the latter could be a minority tenant of such premises;
3. How the CASC supports and links into the Council's corporate vision and priorities;
4. The membership and fee structure and whether the CASC is accessible to all residents, including whether there are concessions for certain groups, for example people on a low income or young people under 18;
5. Membership numbers and the number and percentage of these members that are Island residents;
6. If the CASC has due regard to equality issues and if it actively encourages members from under-represented groups, for example black and minority ethnic residents, people over 50 and people with disabilities;
7. Whether facilities are available to the wider community regardless of ability. We will also require additional financial information including:
8. If the CASC runs a bar or food provision, the level of income from this activity and how this money is used; and whether the CASC operates at a local or national level and where appropriate, the local and national funding streams and financial position of the CASC.

A.17 The Council wishes to support and enable appropriate businesses to start, develop and continue with their operations that deliver outcomes directly related to the Council's Economic Strategy. In the main this will be done through other means rather than granting discretionary relief. There may be occasions where applications are made for such relief or where a package of measures including discretionary relief, are appropriate in supporting businesses. This would need to be in accordance with any limitations in respect of state aid.

Appendix B - Discretionary Relief – Non-Profit Making Organisations including Recreation

General explanation

Non-Profit

- B.1 The legislation⁹ allows the Council to grant discretionary relief where the property is not an *excepted* one and all or part of it is occupied for the purposes of one or more institutions or other organisations none of which is established or conducted for profit and each of whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts.
- B.2 Relief cannot be granted to any premises occupied by the Council, or any town, parish council or major Precepting Authority (*excepted premises*).
- B.3 A number of issues arise from the term ‘not established or conducted for profit’. This requires the Council to make enquiries as to the overall purpose of the organisation although if surpluses and such amounts are directed towards the furtherance or achievement of the objects of the organisation then it does not necessarily mean that the organisation was established or conducted for profit.¹⁰

Recreation Clubs

- B.4 Ideally all recreation clubs should be encouraged to apply for Community Amateur sports Club (CASC) status, which would automatically entitle them to 80% relief. The relief granted to CASCs is covered earlier within this policy.
- B.5 Recreation Clubs can also apply to the Charity Commissioners for registration as a Charity (thereby falling under the mandatory provisions for 80% relief) where they meet the following conditions:
- a. The promotion of community participation in healthy recreation and by the provision of facilities for the playing of particular sports; and
 - b. The advancement of the physical education of young people not undergoing formal education.
- B.6 Where sports clubs do not meet the CASC requirement, and are not registered charities, discretionary relief can be granted (0-100%) where the property is not an *excepted* one, it is wholly or mainly used for purposes of recreation and all or part of it is occupied for the purpose of a club, society or other organisation not established or conducted for profit.

⁹ S47 Local Government Finance Act 1988

Definition of Recreation

B.7 Recreation is clearly defined by the Sports Council as any of the following¹¹

Aikido	Croquet	Kabaddi	Real Tennis	Tang Soo Do
American Football	Crossbow	Karate	Roller Hockey	Tenpin
Angling	Curling	Kendo	Roller Skating	Bowling
Archery	Cycling	Korfball	Rounders	Trampolining
Arm Wrestling Association	Disability Sport	Lacrosse	Rowing	Triathlon
Football	Dragon Boat	Lawn Tennis	Rugby League	Tug of War
Athletics	Racing	Life Saving	Rugby Union	Unihoc
Australian Rules Football	Equestrian	Luge	Sailing	Volleyball
Badminton	Fencing	Modern Pentathlon	Sand/Land Yachting	Water Skiing
Ballooning	Fives	Motor Cycling	Shinty	Weightlifting
Baseball	Flying	Motor Sports	Shooting	Wrestling
Basketball	Gaelic Football	Mountaineering	Skateboarding	Yoga
Baton Twirling	Gliding	Movement, Dance, Exercise & Fitness	Skiing	
Biathlon	Golf	Netball	Skipping	
Bicycle Polo	Gymnastics	Orienteering	Snowboarding	
Billiards and Snooker	Hang/Para	Parachuting	Softball	
Bobsleigh	Gliding	Petanque	Sombo	
Boccia	Highland Games	Polo	Wrestling	
Bowls	Hockey	Pony Trekking	Squash	
Boxing	Horse Racing	Pool	Skater/Street Hockey	
Camogie	Hovering	Quoits	Sub-Aqua	
Canoeing	Hurling	Racketball	Surf Life	
Caving	Ice Hockey	Rackets	Saving	
Chinese Martial Arts	Ice Skating	Raquetball	Surfing	
Cricket	Jet Skiing	Rambling	Swimming & Diving	
	Ju Jitsu		Table Tennis	
	Judo		Taekwondo	

Access to clubs

B.8 Guidance issued by the DCLG also requires the Council to consider access to clubs within the community before granting discretionary relief.

B.9 Membership should be open to all sections of the community. There may be legitimate restrictions placed on membership which relate for example to ability in sport or to the achievement of a standard in the field covered by the organisation or where the capacity of the facility is limited, but in general membership should not be exclusive or restrictive.

B.10 Membership rates should not be set at such a high level as to exclude the general community. However, membership fees may be payable at different rates that distinguish the different classes of membership such as juniors, adults, students, pensioners, players, non-players, employed and unemployed. In

¹¹ Definition last reviewed by Sport England in 2002

general, the club or organisation must be prepared to show that the criteria by which it considers applications for membership are consistent with the principle of open access.

- B.11 The Council also asks the following question to help establish the level of access 'Does the organisation actively encourage membership from particular groups in the community e.g. young people, women, older age groups, persons with disability, ethnic minorities' etc.?'

Provision of facilities

- B.12 Clubs which provide training or education are encouraged as are those who provide schemes for particular groups to develop their skills e.g. young people, the disabled, retired people.
- B.13 A number of organisations run a bar. The mere existence of a bar will not in itself be a reason for not granting relief. However the Council focuses on the main purpose of the organisation. The Council is encouraged to examine the balance between playing and non-playing members.
- B.14 Within this area the Council also considers whether the facilities provided relieve the Council of the need to do so, or enhance and supplement those that it does provide.

Discretionary Relief - Non-Profit Organisations including Recreation – the Council's Policy

- B.15 The Council will consider applications for discretionary rate relief from non-profit making organisations on their own merits on a case-by-case basis. In determining the application, the following matters will be taken in to consideration (The list is not exhaustive):
- How the organisation supports and links into the Council's corporate vision and priorities;
 - Whether the facilities provided include education and/or training for members as a whole or for special groups;
 - The extent to which the facilities provided reduce the demand for Council services or produce savings;
 - Any membership and fee structure and whether the facilities are accessible to all residents, including whether there are concessions for certain groups, for example people on a low income or young people under 18;
 - If covered by a membership scheme, membership numbers and the number and percentage of these members that are Island residents;
 - If the organisation has due regard to equality issues and if its facilities are used by all members of the community, for example black and minority ethnic residents, people over 50 and people with disabilities.

B.16 The Council will also require additional financial information including:

- If the organisation runs a bar or food provision, the level of income from this activity and how this money is used; and
- Whether the organisation operates at a local or national level and where appropriate, the local and national funding streams and financial position of the organisation.

Appendix C - Discretionary Relief - Rural Rate Relief – Mandatory Relief recipients

What are the qualifying criteria for Mandatory Relief?

- C.1 For a Post Office or General Store to be entitled to 50% Mandatory Relief, all the following criteria must be met:
- The Rateable Value of the property must not exceed £8,500 (from 1 April 2010);
 - The property must be used as a Post Office or a General Store (see below for definition), or both;
 - The property must be the only Post Office or the only General Store within the Rural Settlement.
- C.2 For a Public House or Petrol Filling Station to be entitled to 50% Mandatory Relief, all the following criteria must be met:
- The Rateable Value of the property must not exceed £12,500 from 1 April 2010);
 - The property must be used as a Public House (see below for definition) or a Petrol Filling Station (see below for definition); and
 - The property must be the only Public House or the only Petrol Filling Station within the Rural Settlement.
- C.3 For a village food shop to be entitled to 50% Mandatory Relief, all the following criteria must be met:
- The Rateable Value of the property must not exceed £8,500 from 1 April 2010); and
 - The property must be used as a shop selling mainly food (see below for definition).

What rural settlements exist within the Isle of Wight?

- C.4 The following settlements currently exist within the Isle of Wight. Each rural settlement area can be viewed at the Council Offices:
- Arreton; Bembridge; Brading; Brightstone; Calbourne; Chale; Freshwater; Gatcombe; Godshill; Gurnard; Nettlestone; Newchurch; Niton and Whitwell; Rookley; Seaview; Shalfleet ; Shanklin; Shorwell; St. Helens; Totland; Ventnor; Wroxall ; Yarmouth

What is the definition of a General Store?

- C.5 For the purposes of Rural Rate Relief, 'General Store' means a business or trade, which wholly or mainly sells by retail both food (other than confectionery) for human consumption and general household goods. Where there are two or more General Stores within the same Rural Settlement, none can qualify for Mandatory Relief on that basis, although if one of them functions as a Post Office or a Food Shop relief may be claimed independently on that ground. However, both a General Store and a Post Office in the same Rural Settlement will qualify for Mandatory Relief, provided that they both meet the criteria. Although a General Store or a Post Office may not meet the criteria for Mandatory Relief, they may still be eligible to apply for Discretionary Relief.

What is the definition of a Public House?

- C.6 For the purposes of Rural Rate Relief, 'Public House' means any premises as defined in the Licensing Act 2003, which has a premises license authorising sale by retail of alcohol for consumption on the premises. In addition, the premises must be used principally for retail sales of alcohol to members of the public for consumption on the premises, and sales must not be subject to the condition that buyers reside at or consume food on the premises.

What is the definition of a Petrol Filling Station?

- C.7 For the purposes of Rural Rate Relief, 'Petrol Filling Station' means premises where petrol or other automotive fuels are sold retail to the general public for fuelling motor vehicles intended or adapted for use on roads

What is the definition of a Food Shop?

- C.8 For the purpose of Rural Rate Relief, "Food Shop" means a trade or business consisting wholly or mainly of the sale by retail of food for human consumption (excluding confectionery and catering – in this context catering means any supply of food for consumption on the premises on which it is supplied and any supply of hot food for consumption off the premises). Thus, this definition may also include shops, which sell mainly household foods and which may partly also sell hot take away food or food consumed on the premises. But shops whose main business is a restaurant, tearoom, take-away, or confectionery sales are not food shops and so will not qualify for Mandatory Relief.

What are the qualifying criteria for Discretionary Relief?

- C.9 The Council may grant up to 50% Discretionary Relief in respect of any property which qualifies for 50% Mandatory Relief and the Council may also grant up to 100% Discretionary Relief to any rural business which does not meet the mandatory provisions.

Rural Rate Relief – Mandatory Relief recipients, the Council’s Policy for granting discretionary relief.

- C.10 As Central Government has requested and fully funds any additional relief granted to ratepayers who receive mandatory rural rate relief, the Council will automatically grant the additional 50% until such time as primarily legislation is changed.

Appendix D – Discretionary Relief – Premises within Rural Settlements

- D.1 In addition to having the ability to grant discretionary relief to those in receipt of mandatory relief, the Local Government and Rating Act 1997 allows discretionary relief of up to 100% to be granted where the rateable value is £16500 or less and:
- a. Property is used for purposes which are of benefit to the local community, and
 - b. It would be reasonable for the billing authority to award relief, having regards to the Council's Council Taxpayers
- D.2 As with all discretionary relief, part of the cost, is met by Central Government and the balance from local sources.
- D.3 The main criteria for the granting discretionary relief in respect of rural rate relief, is that premises are used to benefit the local community.

Benefit to the local community

- D.4 Whilst each application for the relief will be considered on its own merits, there are certain factors which weigh heavily in the decision making process. It is this Council's belief that the spirit of the legislation is to assist businesses and amenities, which contribute significantly to the quality of life of the people who have their main home in the Rural Settlement.
- D.5 To be successful for consideration, a business must show that its existence is a significant benefit to the local community with the majority of local residents directly benefiting from services or facilities provided by that business

Rural Rate Relief – the Council's Policy for granting discretionary relief.

- D.6 The Council will also consider applications for a discretionary rural rate relief from all ratepayers, not entitled to mandatory relief.
- D.7 In determining the application the following matters will be taken in to consideration:
- The granting of any discretionary relief will be essential in ensuring the viability of any business within the rural settlement;
 - The granting of any discretionary relief is proportionate given the level of any business rates charged compared with the overall turnover of the business;
 - The granting of any discretionary relief will assist the business in continuing to be viable and / or prevent the business from failing;
 - The business is considered by the Council to be essential and that any reduction or withdrawal of the business will have a serious detrimental effect on the rural settlement; and the granting of any discretionary relief is reasonable having regard to the effect on taxpayers of the Island.

Appendix E - Discretionary Relief – Localism Act 2011

General explanation

- E.1 Section 69 of the Localism Act 2011 amended Section 47 of the Local Government Finance Act 1988. These provisions allow all Councils to grant discretionary relief in **any** circumstances where it feels fit having regards to the effect on the Council Tax payers of its area.
- E.2 The provisions are designed to give authorities flexibility in granting relief where it is felt that to do so would be of benefit generally to the area and be reasonable given the financial effect to Council Tax payers.

Discretionary Relief – Localism – the Council’s Policy

- E.3 Applications will be considered from any ratepayer who wishes to apply however, where a ratepayer is suffering hardship or severe difficulties in paying their rates liability then relief can be granted under the existing provisions as laid down by Section 49 of the Local Government Finance Act 1988. There will be no requirement to grant relief in such cases under the Council’s discretionary relief policy.
- E.4 Any ratepayer applying for discretionary rate relief under these provisions and who does not meet the criteria for existing relief (charities, non-profit making organisations or rural premises) must meet **all** of the following criteria and the amount of relief granted will be dependent on the following key factors:
- a. The ratepayer **must not** be entitled to mandatory rate relief (Charity or Rural Rate Relief);
 - b. The ratepayer **must not** be an organisation that could receive relief as a non-profit making organisation or as a sports club or similar;
 - c. The ratepayer **must** occupy the premises (no discretionary rate relief will be granted for unoccupied premises);
 - d. The premises and organisation **must** be of *significant* benefit to residents of the Island;
 - e. The premises and organisation **must** relieve the Council of providing similar facilities;
 - f. The ratepayer **must**;
 - a. Provide facilities to certain priority groups such as elderly, disabled, minority groups, disadvantaged groups; **or**
 - b. Provide *significant* employment or employment opportunities to residents of the Island; **or**
 - c. Provide the residents of the area with such services, opportunities or facilities that cannot be obtained locally or are not provided locally by another organisation;

- g. The ratepayer **must** demonstrate that assistance (provided by the discretionary rate relief) will be for a *short time only* **and** that any business / operation is financially viable in the medium and long term; **and**
 - h. The ratepayer **must** show that the activities of the organisation are consistent with the Council's core values and priorities.
- E.5 Where a ratepayer can demonstrate that **all** the above criteria are met, relief will be considered for initially a short period.
- E.6 A formal application from the ratepayer will be required in each case and any relief will be granted in line with State Aid requirements.

Appendix F - Local Newspaper Relief

- F.1 This is a temporary relief for 2017-18 and 2018-19 and the Government is not changing the legislation around the reliefs available to these properties. Central Government will reimburse local authorities that use their discretionary relief powers (under section 47(3)) of the Local Government Finance Act 1988 to grant relief in line with the eligibility criteria set out in this guidance.
- F.2 The Council will be compensated by Central Government through a grant under section 31 of the Local Government Act 2003.

Eligibility criteria

- F.3 The scheme will provide a £1,500 relief for office space occupied by local newspapers up to a maximum of one discount per local newspaper title and per hereditament, for two years from 1 April 2017.

Local Newspapers

- F.4 The relief is to be specifically for local newspapers and by that, the Council means what would be considered a “traditional local newspaper.” The relief will not be available to magazines.

Office Space

- F.5 The hereditament **must** be occupied by a local newspaper and wholly or mainly used as office premises for journalists and reporters.

Amount of Relief

- F.6 The amount of relief is limited to a maximum of one discount per newspaper title (e.g. per newspaper name) **AND** per hereditament. As with all discretionary rate relief, any grant will be subject to State Aid limits as defined within section 6 of this policy.

Local Newspaper Relief – The Council’s policy for granting discretionary relief

- F.7 The Council has decided to grant relief strictly in accordance with Central Government guidelines.

Appendix G - Supporting Small Businesses Relief

General Explanation

- G.1 Central Government has increased the thresholds for Small Business Rate Relief from 1 April 2017 to £12,000 for the 100% relief and £15,000 for the tapered relief. They have also allowed rural rate relief to be granted up to 100% using S47 of the Local Government Finance Act 1988 as a top up to the mandatory level of 50%, albeit that the rateable value limits have not been changes in respect of rural hereditaments (see section D of this policy). Unfortunately, despite these changes, some small businesses and businesses in rural areas may lose their entitlement to the relief due to increases in Rateable Value through the revaluation on 1st April 2017.
- G.2 The transitional relief scheme (provided under the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016 No. 1265) does not provide support in respect of changes in reliefs. Therefore, those ratepayers who have lost some or all of their small business or rural rate relief may face large percentage increases in bills from 1 April 2017.
- G.3 In view of this, Central Government announced that a new scheme of relief would be made available to those ratepayers facing large increases as a result of the loss of small business or rural rate relief due to the revaluation. All authorities are encouraged to grant the relief in accordance with the guidelines laid down by Central Government and if granted strictly in accordance with guidance, the Council will be compensated by Central Government through a grant under section 31 of the Local Government Act 2003.
- G.4 The relief is to be known as the 'Supporting Small Businesses Scheme'.

Who is eligible for the relief and how much relief will be available?

- G.5 The Supporting Small Businesses relief will help those ratepayers who as a result of the change in their rateable value at the revaluation are losing some or all of their small business or rural rate relief and, as a result, are facing large increases in their bills.
- G.6 To support these ratepayers, the Supporting Small Businesses relief will ensure that the increase per year in the bills of these ratepayers is limited **to the greater of:**
- a percentage increase per annum. of 5%, 7.5%, 10%, 15% and 15% 2017/18 to 2021/22 all plus inflation. (Unlike the transitional relief scheme under the Chargeable Amount regulations), for the first year of the scheme the percentage increase is taken against the bill for 31 March 2017 after small business rate relief or rural rate relief; **or**
 - a cash value of £600 per year (£50 per month).

- G.7 This cash minimum increase ensures that those ratepayers paying nothing or very small amounts in 2016/17 after small business rate relief are brought into paying something.
- G.8 In the first year of the scheme, this means all ratepayers losing some or all of their small business rate relief or rural rate relief will see the increase in their bill capped at £600. The cash minimum increase is £600 per year thereafter. This means that ratepayers who in 2016/17 paid nothing under small business rate relief and are losing all of their entitlement to relief (i.e. moving from £6,000 rateable value or less to more than £15,000) would under this scheme be paying £3,000 in year 5.
- G.9 The Government has also decided that those on the Supporting Small Businesses relief scheme whose 2017 rateable values are £51,000 or more will not be liable to pay the supplement (1.3p) to fund small business rate relief while they are eligible for the Supporting Small Businesses relief scheme.
- G.10 Ratepayers will remain in the Supporting Small Businesses relief scheme for either 5 years or until they reach the bill they would have paid without the scheme (this would be the charge payable as their true rates payable or the charge calculated under the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016).
- G.11 A change of ratepayer will not affect eligibility for the Supporting Small Businesses relief scheme **but** eligibility will be lost if the property falls vacant or becomes occupied by a charity or Community Amateur Sports Club.
- G.12 The rules for state aid (as detailed in section 6 of this policy) shall apply when considering Supporting Small Businesses Relief.

Recalculation of relief

- G.13 The amount of relief awarded under the Supporting Small Businesses relief scheme will be recalculated in the event of a change of circumstances including the following:
- This could include, for example, a backdated change to the rateable value or the hereditament; or
 - The awarding of another relief.
- G.14 The Council will, in effect, calculate the award on a daily basis taking into account the above, and the relief will be re-calculated if the rateable value changes.

Other Reliefs

- G.15 Hereditaments eligible for charity or Community Amateur Sports Club relief or hereditaments which are unoccupied are not eligible for Supporting Small Businesses Relief. Likewise, the same principle applies to properties for which a Section 44A certificate has been granted (apportionment of rateable values for partly occupied properties). The presence of a section 44A certificate will not further reduce the bill further under the Supporting Small Business scheme.

- G.16 In accordance with Central Government guidelines, all other discretionary reliefs, will be considered **after** the application of Supporting Small Businesses relief.

Supporting Small Businesses Relief – The Council’s policy for granting discretionary relief

- G.17 The Council has decided to grant relief strictly in accordance with Central Government guidelines.

Appendix H - Public House Relief

General Explanation

- H.1 This is a temporary relief for 2017-18 and the Government is not changing the legislation around the reliefs available to premises. Central Government will reimburse local authorities that use their discretionary relief powers (under section 47(3)) of the Local Government Finance Act 1988) to grant £1000 relief in line with the eligibility criteria set out in guidance to be produced by Central Government
- H.2 Central Government guidelines have been received and it has been established that any amount granted will be reimbursed by a section 31 grant.

Eligibility criteria

- H.3 The Council's policy will provide a relief of £1,000 relief for one year only (1st April 2017 to 31st March 2018) for all eligible public houses who have a rateable value of less than £100,000 on 1st April 2017.
- H.4 The definition of a 'Public House' means any premises as defined in the Licensing Act 2003, which has a premises license authorising sale by retail of alcohol for consumption on the premises. In addition, the premises **must** be used principally for retail sales of alcohol to members of the public for consumption on the premises, and sales must not be subject to the condition that buyers reside at or consume food on the premises.
- H.5 It will be for the Council to decide whether any premises falls within the definition give in the above paragraph. No relief shall be given where the premises are unoccupied.

Other Reliefs

- H.4 Pubic House relief will be granted after applying any other mandatory reliefs and reductions

Public House Relief – The Council's policy for granting discretionary relief

- H.5 The Council has decided to grant relief strictly in accordance with Central Government guidelines.

Appendix I - Discretionary Business Rate Relief Scheme

General Explanation

- I.1 In March 2017, Central Government announced that it would make available a discretionary fund of £300 million over four years from 2017-18 to support those businesses that face the steepest increases in their business rates bills as a result of the revaluation. Government determined that Councils would be best placed to determine how this fund should be targeted and administered to support those businesses and locations within their area that are in the greatest need.
- I.2 Every authority within England is to be provided with a share of a £300 million fund to support their local businesses. This is to be administered through billing authorities' discretionary relief powers under section 47 of the Local Government Act 1988.
- I.3 Government also believes that local authorities are best placed to judge the particular circumstances of local ratepayers and direct the funding where it is most needed to support local economies.
- I.4 The funding is not provided equally over the four-year period but in the following approximate proportions:
- Year 1 (2017/18) 58%
- Year 2 (2018/19) 28%
- Year 3 (2019/20) 12%
- Year 4 (2020/21) 2%
- I.5 Councils will be compensated for any relief granted under section 31 of the Local Government Act 2003. The Government has decided that any underspend cannot be 'vired' from one year to the next.
- I.6 A key criteria of reimbursement will be that all Billing Authorities will consult with major precepting authorities when formulating their schemes.
- I.7 The financial effects to the Council of the Discretionary Business Rates Relief Scheme are shown in the following table

Amount of discretionary fund awarded (£000s) – Isle of Wight Council			
2017-18	2018-19	2019-20	2020-21
504	245	101	14

Consultation

- I.8 The Council has consulted with the major preceptors in relation to this scheme and has taken their comments into account when determining the eligibility criteria. This is an essential part of the Discretionary Business Rates Relief Scheme and is in line with the grant determination issued by the Department of Communities and Local Government (DCLG) No.31/3071.
- I.9 The grant determination states that a condition of the fund is that consultation is undertaken with 'relevant authorities'. Relevant authorities for the purposes of this scheme means:
- a. Any major precepting authority; and
 - b. Any combined authority.
- I.10 In the case of The Isle of Wight Council only the major precepting authorities have been consulted namely the Police and Crime Commissioner for Hampshire and the Isle of Wight.

State Aid

- I.11 The rules relating to State Aid (as defined within section 6 of this policy) apply. The Council will ensure full compliance in this area to ensure that relief can be given to the most deserving ratepayers.

Decisions by the Council

- I.12 Decisions by the Council are made directly in line with the Scheme of Delegation as outlined within section 7 of this policy. Any decision to award relief under this scheme will follow the core principles of the Council's discretionary relief policy as defined by section 3.8.
- I.13 It should be noted that whilst the funding from Central Government for Discretionary Business Rate Relief Scheme is limited, the decision of the Council whether to award any relief under this scheme **will not take account** of the level of any funding.

Discretionary Business Rate Relief Scheme – The Council's policy for granting discretionary relief

Applications for relief under this scheme

- I.14 The Council is keen to identify ratepayers who may qualify for the relief and as such will look to encourage certain ratepayers to apply. The Council will look to simplify the application process wherever possible, but it will expect any ratepayers to provide such information as is required by the Council to support their application.

- I.15 The Council has decided that relief under the scheme will be awarded using the following criteria:
- a. The scheme is designed to assist ratepayers who have suffered significant increases in rate liability due to the revaluation and the subsequent increase to their Rateable Value;
 - b. Relief will not be awarded where mandatory relief is granted;
 - c. In assessing any potential entitlement to an award under this scheme, the Council will compare the following:
 - i. The rate liability of the ratepayer at 31st March 2017 after any reliefs and reductions; and
 - ii. The rate liability of the ratepayer at 1st April 2017 taking into account any transitional relief or discretionary relief within this policy;
 - d. Relief will be awarded where the calculation in c. above would result in an increase in rates payable. The award shall be calculated in accordance with paragraph I.17;
 - e. Relief will only be given to premises which are liable for occupied rates. No relief within this scheme will be granted for unoccupied premises;
 - f. Relief will only be granted to ratepayers who were in occupation at 31st March 2017 and in occupation on 1st April 2017 and for each day subsequently.
 - g. Ratepayers taking up occupation after the 1st April 2017 will **not** be eligible for relief on the basis that new ratepayers would not have suffered from increases due to a revaluation;
 - h. Relief will be targeted to local businesses and not those businesses that are national or multi-national in nature. Local businesses are, for the purposes of this scheme, those which have premises wholly in the Councils area;
 - i. Relief may be awarded for more than one premises as long as **all** other criteria are met;
 - j. Relief will **not** be awarded where:
 - i. mandatory relief is awarded; or
 - ii. where the ratepayer has applied for a reduction under S44a of the Local Government Finance Act 1988; and
 - iii. the hereditament has an increase in Rateable Value after the 1st April 2017 which increases the rate charge above the 1st April 2017 value.
 - k. Relief will **not** be awarded for hereditaments who are wholly or mainly used for the following:
 - Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers)
 - Other services (e.g. estate agents, letting agents, employment agencies)

- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- Post office sorting office

Amount of Relief

I.16 The amount of relief is tapered and will be calculated as follows:
2017/18

Hereditaments meeting the criteria as defined within I.15 shall be awarded relief depending on the size of their increase and their rateable value at 1st April 2017. The authority has decided that there shall be three tiers of relief, based on a range of rateable values. Each hereditament in each tier shall receive the percentage relief indicated in the following tables:

		Yr1	Yr2
Tier 1		RV (0 - 20000)	
Increase between		Award up to (% of increase)	
0.00%	5.00%	0	0
5.01%	10.00%	65	32.5
10.01%	15.00%	70	35
15.01%	20.00%	75	37.5
20.01%	25.00%	80	40
25.01%	30.00%	85	42.5
30.01%	35.00%	90	45
35.01%	+	95	47.5

		Yr1	Yr2
Tier 2		RV (20001 - 100000)	
Increase between		Award up to (% of increase)	
0.00%	5.00%	0	0
5.01%	10.00%	55	27.5
10.01%	15.00%	60	30
15.01%	20.00%	65	32.5
20.01%	25.00%	70	35
25.01%	30.00%	75	37.5
30.01%	35.00%	80	40
35.01%	+	85	42.5

		Yr1	Yr2
Tier 3	RV (100001 - 200000)		
Increase between		Award up to (% of increase)	
0.00%	5.00%	0	0
5.01%	10.00%	20	10
10.01%	15.00%	25	12.5
15.01%	20.00%	30	15
20.01%	25.00%	35	17.5
25.01%	30.00%	40	20
30.01%	35.00%	45	22.5
35.01%	+	50	25

2018/19

The award for 2018/19 shall be 50% of any award for 2017/18 (see above table)

2019/20 & 2020/21

Relief will be awarded on a case by case basis rather than by formula. The Council will determine any award on an individual case by case basis and will take into account:

- the amount of the increase in rate liability due to the revaluation;
- the amount of rates in relation to other business expenses and income of the business;
- the amount of reserves held by the business; and
- the ability of the business to pay the increase.

Variation and amendment of relief under the scheme

- I.17 As with all reliefs, the amount of relief awarded under the Discretionary Businesses Rates relief scheme will be recalculated in the event of a change of circumstances. In effect relief is calculated on a daily basis in line with the ratepayer's liability on that day. This will include, for example, a backdated change to the rateable value of the hereditament. This change of circumstances could arise during the year in question or during a later year.
- I.18 The Non-Domestic Rating (Discretionary Relief) Regulations 1989 (S.I. 1989/1059) requires the Council to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision so as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect at the end of a financial year. But within these regulations, the Council may still make decisions which are conditional upon eligibility criteria or rules for calculating relief which allow the amount of relief to be amended within the year to reflect changing circumstances.

Appendix J – Application Forms for Reliefs and Reductions

Application for Discretionary Rate Relief for Organisations in receipt of Mandatory Charity Relief (Section 47 Local Government Finance Act 1988 as amended)

Guidelines for completing the form

Discretionary relief is given at the discretion of the Council and can be given:

- in addition to Mandatory Charity Rate Relief
- in addition to Community Amateur Sports Club Relief
- to a not for profit organisation that does not qualify for Mandatory Relief, that delivers outcomes which benefit the community and relate to the priorities of the council
- if the property is wholly or mainly used for charitable purposes

It is important that you complete the application form in full as the Council will base its decision as to whether the relief is applicable strictly on the information that is contained in the form.

To qualify for Discretionary Rate Relief, an organisation must be:

- a non profit making club, society or other organisation established and conducted wholly or mainly for recreational or sporting purposes;
- OR
- a registered charity or non profit making organisation whose main objects are charitable, philanthropic, religious or concerned with education, social welfare, science, literature or the fine arts.

Charity shops are required to meet additional legislative criteria. Section 64(10) of Local Government Finance Act 1988 provides that a property must be wholly or mainly used for charitable purposes and the sale of goods must be donated. The proceeds of the sale of goods (after any deduction of expenses) are applied for the purposes of the charity.

No charge is made where a property is subject to an unoccupied property rate provided it appears that when next in use, it will be used wholly or mainly for:

- Charitable purposes – where the ratepayer is a charity or trustees for a charity
- Philanthropic, religious or concerned with education, social welfare, science literature or fine arts - where the ratepayer is a non profit making organisation
- Recreational purposes - where the ratepayer is Community Amateur Sports Club

Part 1: Type of organisation

Please make sure that you include as much information as possible about the objectives of your organisation and how the property is used to fulfil these objectives.

Part 2: Financial questions about your organisation

Please make sure that you include as much information as possible about the finances of your organisation. We need to know how the payment of rates would affect provision of the organisations objectives. We need to know how the organisation is funded. Is it part funded by Isle of Wight Council?

Part 3: Outcomes which relate to the priorities of the Council

We need to know if your organisation provides facilities that Isle of Wight Council would otherwise have to provide. Please give as much detail as possible. We also need to know about how closely your organisations objectives match our corporate aims and priorities.

Part 4: About access to your organisation

We need to know who has access to your organisation and how they access your organisation.

- Is there membership?
- Is it open to all sections of the community, (or fulfilling a special need within the community)?

- Are particular groups (for example people with disabilities, old age groups, under 16s, women, minority groups) within the community actively encouraged to join, benefit from or participate?
- Do membership fees preclude open access? Are there discounted rates for particular groups in the community?
- Are facilities made available to people other than members, such as schools or community groups?
- Are members mainly residents of the Isle of Wight? How many Isle of Wight residents directly benefit from the services provided or the main objectives of the organisation?

Part 5: What facilities do you provide?

Is there a measurable contribution to the amenities in the area (loss would affect the area's residents). Is education or training provided to members and non-members? Are facilities provided that supplement or replace the Council's services? If there is a licensed bar, is it incidental to the main purpose of the group?

Part 6: Not a registered charity or Community Amateur Sports Club (CASC)

If your organisation is either a registered charity or a CASC you could qualify for Mandatory Rate Relief of 80%. To claim this you will need to fill in a Mandatory Rate Relief Form. We need to know why you have not considered registering as a charity or a CASC.

Part 7: Evidence you need to provide. We need to see copies of the following documents:

- Your last two years of audited accounts
- Your organisations constitution or Articles/memorandum of association. Please send them with the application form

Part 8: Declaration & Signature

You must read the declaration and sign to say that the information you have provided is correct.

Other criteria considered will be what financial cost the Council will incur by awarding relief.

Discretionary Rate Relief is an annual award. It cannot be assumed that an award made in one year will automatically be awarded in future years. **Until you are advised of the outcome of your application, you must ensure payments for Business Rates are paid. If relief is later awarded, any overpayment will be refunded.**

REVENUE & BENEFIT SERVICES
PO Box 238
Newport
Isle of Wight
PO30 9FP



Tel: (01983) 823920

Email: business.rates@iow.gov.uk

ADDRESSEE ONLY

Telephone Hours:
8:00am to 6pm Monday to Thursday
8:30am to 4:30pm Friday

Account number & address of property:

DISCRETIONARY RELIEF (Organisations entitled to Mandatory) – NEW APPLICATIONS

Organisation Details

Name of Ratepayer:

**Name of Organisation
& Registration No:**

Reg No:

**Property address
for which relief is
being claimed:**

E-mail:

Telephone Number:

1. Please indicate type of organisation:

Not established for profit
Social welfare
Fine Arts
Sports / recreational

Philanthropic
Science
Club
Religious

Educational
Literature
Society

What are the main objectives of the organisation?

How is the property used for the purposes of your organisation?

2. Financial questions about your organisation

Looking at your income and expenditure account; if the organisation has operated at a loss, please advise if there are any special reasons for this and what steps have been taken to mitigate this:

If the organisation made a profit, or accumulated a large working balance, please advise why and to what purpose this is to be put:

What are the main sources of funding? Give as much information as possible.

Source	Amount	If restricted, provide details

Does the organisation receive any funds/grants from Isle of Wight Council?

Source	Amount	If restricted, provide details

Please provide details of any existing business plan which details how the unrestricted reserves are to be used to the benefit of the local community.

Are payments made to any members or officers of the organisation? If so how much and why?

3. Outcomes which relate to the priorities of the Council

Does your organisation provide facilities that
Isle of Wight Council would otherwise have to provide? Yes No Not Known

If yes, please tell us what facilities?

Please provide details (on a separate sheet if necessary) as to what extent your organisation's activities contribute to the council's economic strategies and corporate plan.

- (i) The creation or safeguarding of employment on the island
- (ii) To act as a lever for inward investment
- (iii) To support businesses that have a critical role to play in the local economy

4. About access to your organisation

Is access available to all sections of the community?

Yes

No

What are the qualifying criteria for access to your organisation? (E.g. membership or users etc)

Please give details of fees/subscriptions for membership or any one off joining fees. Include how many member and amounts charged:

Is membership actively encouraged from any disadvantaged groups? Yes

No

If yes, please tell us which groups:

Are facilities open to non-members?

Yes

No

If yes, please give details including any charges associated with this:

5. What facilities do you provide?

Does the organisation provide training/education or schemes to develop skills (especially in young people under 16, elderly or disabled): Yes No

If yes, please give details:

Is the organisation affiliated to any local or national organisations? Yes No

If yes, please give details:

Does the organisation run a licensed bar at the property concerned? Yes No

If yes, what is the licensing number?

Are any profits from the bar re-invested back into the organisations activities? Yes No

If yes, please tell us under what circumstances this happens:

Is the bar open to members of the public? Yes No

6. Registration as a charity or Community Amateur Sports Club (CASC) will allow you 80% Mandatory Relief

Have you considered becoming a registered charity or CASC? Yes No

Why have you not considered becoming a Registered Charity or registering as a Community Amateur Sports Club?

7. Evidence you need to provide

Please provide:

- A copy of any documents setting out the organisations constitution or Articles/memorandum of association.
- A copy of your last two years trading accounts together with any other documentation which you feel further support your application.

8. Declaration

I hereby certify that the information above is correct and undertake to notify the Council of any changes immediately they occur.

Signature of applicant:

Date:

Telephone number:

Email address:

Position in organisation and capacity in which signed:

Please ensure that all sections have been completed and return as soon as possible.

Application for Discretionary Rate Relief for Non Profit Making Organisations
(Section 47 Local Government Finance Act 1988 as amended)

Guidelines for completing the form

Discretionary relief is given at the discretion of the Council and an award of up to 100% can be given to:

- not for profit organisations that do not qualify for Mandatory Relief; that deliver outcomes which benefit the community and relate to the priorities of the council and provided that the property is wholly or mainly used for charitable purposes.

It is important that you complete the application form in full as the Council will base its decision as to whether the relief is applicable strictly on the information that is contained in the form.

To qualify for Discretionary Rate Relief, an organisation must be:

- a non profit making club, society or other organisation established and conducted wholly or mainly for recreational or sporting purposes;

OR

- a non profit making organisation whose main objects are charitable, philanthropic, religious or concerned with education, social welfare, science, literature or the fine arts.

Part 1: Type of organisation

Please make sure that you include as much information as possible about the objectives of your organisation and how the property is used to fulfil these objectives.

Part 2: Financial questions about your organisation

Please make sure that you include as much information as possible about the finances of your organisation. We need to know how the payment of rates would affect provision of the organisations objectives. We need to know how the organisation is funded. Is it part funded by Isle of Wight Council?

Part 3: Outcomes which relate to the priorities of the Council

We need to know if your organisation provides facilities that Isle of Wight Council would otherwise have to provide. Please give as much detail as possible. We also need to know about how closely your organisations objectives match our corporate aims and priorities. Please make sure refer to the information provided at the back of the form about the Isle of Wight Council economic strategy when answering this question.www.iwight.com

Part 4: About access to your organisation

We need to know who has access to your organisation and how they access your organisation.

- Is there membership?
- Is it open to all sections of the community, (or fulfilling a special need with the community)?
- Are particular groups (for example people with disabilities, old age groups, under 16s, women, minority groups) within the community actively encouraged to join, benefit from or participate?
- Do membership fees preclude open access? Are there discounted rates for particular groups in the community?
- Are facilities made available to people other than members, such as schools or community groups?
- Are members mainly residents of the Isle of Wight? How many Isle of Wight residents directly benefit from the services provided or the main objectives of the organisation?

Part 5: What facilities do you provide?

Is there a measurable contribution to the amenities in the area (loss would affect the area's residents). Is education or training provided to members and non-members? Are facilities provided that supplement or replace the council's services? If there is a licensed bar, is it incidental to the main purpose of the group?

Part 6: Not a registered charity or Community Amateur Sports Club (CASC)

If your organisation is either a registered charity or a CASC you could qualify for Mandatory Rate Relief of 80%. To claim this you will need to fill in a Mandatory Rate Relief Form. We need to know why you have not considered registering as a charity or a CASC.

Part 7: Evidence you need to provide. We need to see copies of the following documents:

- Your last two years of audited accounts
- Your organisations constitution or Articles/memorandum of association. Please send them with the application form.

Part 8: Declaration & Signature

You must read the declaration and sign to say that the information you have provided is correct.

Other criteria considered will be what financial cost the Council will incur by awarding relief.

Discretionary Rate Relief is an annual award. It cannot be assumed that an award made in one year will automatically be awarded in future years. **Until you are advised of the outcome of your application, you must ensure payments for Business Rates are paid. If relief is later awarded, any overpayment will be refunded.**

REVENUE & BENEFIT SERVICES
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Tel: (01983) 823920

Email: business.rates@iow.gov.uk

ADDRESSEE ONLY

Telephone Hours:

8:00am to 6pm Monday to Thursday
8:30am to 4:30pm Friday

Account number & address of property:

DISCRETIONARY RELIEF (Not for Profit Organisations) – NEW APPLICATIONS

Organisation Details:

Name of Ratepayer:

Name of Organisation

**Property address
for which relief is
being claimed:**

E-mail

Telephone Number:

9. Please indicate type of organisation:

- | | | | | | |
|----------------------------|--------------------------|---------------|--------------------------|-------------|--------------------------|
| Not established for profit | <input type="checkbox"/> | Philanthropic | <input type="checkbox"/> | Educational | <input type="checkbox"/> |
| Social welfare | <input type="checkbox"/> | Science | <input type="checkbox"/> | Literature | <input type="checkbox"/> |
| Fine Arts | <input type="checkbox"/> | Club | <input type="checkbox"/> | Society | <input type="checkbox"/> |
| Sports / recreational | <input type="checkbox"/> | Religious | <input type="checkbox"/> | | |

What are the main objectives of the organisation?

How is the property used for the purposes of your organisation?

Do you own or lease the premises? Own Lease

If leased how much annual rent do you pay?

Do you own or lease any other business premises? **Yes** **No**

If yes please provide details:

10. Financial questions about your organisation

Looking at your income and Expenditure Account; if the organisation has operated at a loss, please advise if there are any special reasons for this and what steps have been taken to mitigate this;

If the organisation made a profit, or accumulated a large working balance, please advise why and to what purpose this it to be put:

What are the main sources of funding?

Source	Amount	If restricted, provide details

Does the organisation receive any funds/grants from Isle of Wight Council or other bodies?

Source	Amount	If restricted, provide details

Please provide details of any existing business plan which details how the unrestricted reserves are to be used to the benefit of the local community.

Are payments made to any members or officers of the organisation? If so how much and why?

11. Outcomes which relate to the priorities of the Council

Does your organisation provide facilities that Isle of Wight Council would otherwise have to provide? Yes No Not Known

If yes, please tell us what facilities?

Please provide details (on a separate sheet if necessary) as to what extent your organisation's activities contribute to the council's economic strategies/corporate plan;

- (iv) The creation or safeguarding of employment on the island
- (v) To act as a lever for inward investment
- (vi) To support businesses that have a critical role to play in the local economy

12. About access to your organisation

Is access available to all sections of the community? Yes No

What are the qualifying criteria for access to your organisation? (E.g. membership or users etc.)

Please give details of fees/subscriptions for membership or any one off joining fees. Include how many members and amounts charged:

Is membership actively encouraged from any disadvantaged groups? Yes No

If yes, please tell us which groups:

Are facilities open to non-members? Yes No

If yes, please give details including any charges associated with this:

13. What facilities do you provide?

Does the organisation provide training/education or schemes to develop skills (especially in young people under 16, elderly or disabled): Yes No

If yes, please give details:

Is the organisation affiliated to any local or national organisations? Yes No

If yes, please give details:

Does the organisation run a licensed bar at the property concerned Yes No

If yes, what is the licensing number?

Are any profits from the bar re-invested back into the organisations activities? Yes No

If yes, please tell us under what circumstances this happens:

Is the bar open to members of the public? Yes No

14. Registration as a charity or Community Amateur Sports Club (CASC) will allow you 80% Mandatory Relief

Have you considered becoming a registered charity or CASC? Yes No

Why have you not considered becoming a Registered Charity or registering as a Community Amateur Sports Club?

15. Evidence you need to provide

Please provide:

- A copy of any documents setting out the organisations constitution or Articles/memorandum of association.
- A copy of your last two years trading accounts together with any other documentation which you feel further support your application.

16. Declaration

I hereby certify that the information above is correct and undertake to notify the Council of any changes immediately they occur.

Signature of applicant:

Date:

Telephone number:

Email address:

Position in organisation and capacity in which signed:

Please ensure that all sections have been completed and return as soon as possible to the above address.

Application for Discretionary Rate Relief for Properties in Rural Settlements

Guidelines for completing the form

Discretionary relief is given at the discretion of the Council and can be given to:

- **A food shop;** this is defined as one in which a trade or business consisting wholly or mainly of the sale by retail, of food for human consumption (excluding confectionery and excluding the supply of food in the course of catering which includes any supply of food for consumption on the premises on which it is supplied and any supply of hot food for consumption off the premises) is carried out.
- **A General Store;** this is defined as one in which a trade or business consisting wholly or mainly of the sale by retail of both food for human consumption (excluding confectionery) and general household goods is carried out.
- **A Public House;** this means premises for which a justice's on-licence (within the meaning of the Licensing Act 1964, other than a Part IV licence within the meaning of the act) is in force.
- **A Petrol Filling Station;** this means premises where petrol or other automotive fuels are sold retail to the general public for fuelling motor vehicles intended or adapted for use on roads.

From 1st April 2010 discretionary relief between 0% and 100% can only be awarded to any business in a rural settlement area provided that the rateable value is below £16,500. Each case is considered on its own merit, in accordance with Council Policy and Section 47, LGFA 1988 as amended by Schedule 1 to the Local Government and Rating Act 1997.

Certain types of business in rural settlements with a population below 3000 may apply for mandatory relief of 50%. Businesses that qualify for this relief are the sole general store and the sole post office in the village, provided it has a Rateable Value of up to £8,500. Any food shop with a Rateable Value up to £8,500 and the sole pub or petrol station in the village provided it has a Rateable Value of up to £12,500. Councils have discretion to grant up to a further 50% relief of the remaining rates on such property.

In addition to this the authority may decide to give up to 100% relief to any other business (not in receipt of mandatory relief) in such a rural settlement, with a Rateable Value of up to £16,500, if it is satisfied that the business is of benefit to the community and having regards to the interest of its Council Taxpayers.

It is important that you complete the application form in full as the Council will base its decision as to whether the relief is applicable strictly on the information that is contained in the form. Please make sure that you include as much information as possible about the finances of your organisation and how the property is used to fulfil these objectives. We need to know how the payment of rates would affect provision of the organisations objectives.

Your application must illustrate a complete picture of the nature of your business and in particular, the benefit it has on the local community. The Authority has to be satisfied that it would be reasonable to award relief having regard to the interests of persons liable to pay its Council Tax

Applications in relation to "excepted hereditaments" cannot be considered. These are properties which are occupied by a billing or precepting authority.

Discretionary Rate Relief is an annual award. It cannot be assumed that an award made in one year will automatically be awarded in future years. **Until you are advised of the outcome of your application, you must ensure payments for Business Rates are paid. If relief is later awarded, any overpayment will be refunded.**

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Email: business.rates@iow.gov.uk

Telephone Hours:
8:00am to 6pm Monday to Thursday
8:30am to 4:30pm Friday

ADDRESSEE ONLY

Account number & address of property

DISCRETIONARY RELIEF (Rural Settlements) – NEW APPLICATIONS

Organisation Details

Name of Ratepayer:

Name of Organisation:

**Property address
for which relief is
being claimed:**

E-mail

Telephone Number

Please describe the nature of your business:

What type of goods or services are sold or provided?

Do you provide any additional goods or services outside of your core business?

Please provide details:

If your shop is a food shop, please tell us the proportion of trade attributable to the following?

Confectionery (sweets etc)	%
Food to eat on the premises	%
Hot food for consumption off the premises	%
Other food	%
Non-food items (cigarettes, household goods)	%
Drinks/alcohol	%

Are there any other places in the village which sell similar goods or services?

Yes No

If the business is a general store, please tell us the proportion of trade attributable to the following?

Food for human consumption	%
General household goods	%

If the business is a Public House, are you in receipt of an on-licence?

Yes No

Please provide a statement as to why you feel your shop or business is of benefit to the local community

What percentage of the village population uses your business? Please supply supporting evidence where possible.

%

Looking at your Income and Expenditure Account; if the organisation has operated at a loss, please advise if there are any special reasons for this and what steps have been taken to mitigate this:

If the organisation made a profit, or accumulated a large working balance, please advise why and to what purpose this is to be put:

Evidence you need to provide

Copies of your last two years trading accounts together with any other documentation which you feel further support your application

Declaration

I hereby certify that the information above are correct and undertake to notify the Council of any changes immediately they occur.

Signature of applicant:

Date:

Telephone number:

Email address:

Position in organisation and capacity in which signed:

Application for Discretionary Relief (Section 69 Localism Act 2011)

Guidelines for completing the form

Discretionary relief is given at the discretion of the Council and up to 100% can be given to:

- A ratepayer **not** entitled to mandatory rate relief (Charity or Rural Rate Relief).

The ratepayer **must not** be an organisation that could receive relief as a nonprofit making organisation or as a sports club or similar and the premises and organisation **must** be of significant benefit to residents of the island.

The premises and organisation **must** relieve the Isle of Wight Council of providing similar facilities.

The ratepayer **must**:

- a) occupy the premises (no discretionary rate relief will be granted for unoccupied premises).
- b) provide facilities to certain priority groups such as elderly, disabled, minority groups, disadvantaged groups **or**
- c) provide significant employment opportunities to residents on the island **or** provide the residents of the Island with such services, opportunities or facilities that cannot be obtained locally or are not provided locally by another organisation.
- d) demonstrate that assistance (provided by the discretionary relief) will be for a short time only **and** that any business / operation is financially viable in the medium and long term.
- e) show that the organisation will comply with all legislative requirements and operate in an ethical, sustainable and environmentally friendly manner at all times.

If the ratepayer has been operating at a loss, information must be provided as to the reasons for this and what steps have been taken to mitigate indebtedness.

European Union competition rules generally prohibit Government subsidies to businesses and therefore this must be considered by the Council.

It is important that you complete the application form in full as the Council will base its decision as to whether the relief is applicable strictly on the information that is contained in the form.

Your application must illustrate a complete picture of the nature of your business and in particular, the benefit it has on the local community.

The Authority has to be satisfied that it would be reasonable to award relief having regard to the interests of persons liable to pay its Council Tax

Applications in relation to "excepted hereditaments" cannot be considered. These are properties which are occupied by a billing or precepting authority.

Discretionary Rate Relief is an annual award. It cannot be assumed that an award made in one year will automatically be awarded in future years. **Until you are advised of the outcome of your application, you must ensure payments for Business Rates are paid. If relief is later awarded, any overpayment will be refunded.**

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8:30am to 4:30pm Friday

ADDRESSEE ONLY

DISCRETIONARY RELIEF (Individual Businesses) – NEW APPLICATIONS

Organisation Details

Name of Ratepayer:

Name of Organisation:

**Property address
for which relief is
being claimed:**

E-mail

Telephone Number

Please describe the nature of your business:

Is the property used for any other purpose?

Please provide details:

Do you own or lease the premises? Own Lease

If leased how much annual rent do you pay?

Do you own or lease any other business premises? Yes No

If yes please provide details:

Are there any other businesses of a similar nature in the same town or village?
Yes No

Are you the sole trader? Yes No

How many local people are employed in the business?

Please give any further details to support your application.

Looking at your income and expenditure account; if the organisation has operated at a loss, please advise if there are any special reasons for this and what steps have been taken to mitigate this:

Please provide detail of any significant impact on the local economy if the business were to close.

Does your organisation provide facilities that Isle of Wight Council would otherwise have to provide? Yes No Unknown

If yes, please tell us what facilities?

Please provide details (on a separate sheet if necessary) as to what extent your organisation's activities contribute to the council's economic strategies/corporate plan;

- (vii) The creation or safeguarding of employment on the island
- (viii) To act as a lever for inward investment

(ix) To support businesses that have a critical role to play in the local economy

Evidence you need to provide

A copy of your last two years trading accounts together with any other documentation which you feel further support your application.

New businesses are required to supply an income and expenditure sheet.

Declaration

I hereby certify that the information above is correct and undertake to notify the Council of any changes immediately they occur.

Signature of applicant:

Date:

Telephone number:

Email address:

Position in organisation and capacity in which signed:

Please ensure that all sections have been completed and return as soon as possible to the above address.

Discretionary Relief, Section 47(3) Local Government Finance Act 1988

On 16th March 2016 the Chancellor announced at the Budget that the Government will introduce a £1,500 business rates discount for office space occupied by local newspapers, up to a maximum of one discount per local newspaper title and per hereditament, and up to state aid limits, for 2 years from 1st April 2017.

This is a temporary measure to support local newspapers adapt to technological changes within the industry. The relief is intended to be specifically for local newspapers and will be delivered through local authority discretionary discount powers (under section 47(3)) of the Local Government Finance Act. The relief will be limited by state aid rules.

Eligibility Criteria

The relief will provide:

A £1,500 relief for office space occupied by local newspapers up to a maximum of one discount per local newspaper title and per hereditament, for two years from 1st April 2017.

Local Newspapers

The relief is to be specifically for local newspapers and by that we mean what would be considered to be a traditional local newspaper. The relief will not be available to magazines.

Office Space

The hereditament must be occupied by a local newspaper and wholly or mainly used as office premises for journalists and reports.

Amount of Relief

The amount is limited to a maximum of one discount:

- * per newspaper title (e.g. per newspaper name) and
- * per hereditament

Example

- * A local newspaper with two offices would be able to claim a discount for only one of them
- * An office shared by three separate local newspaper titles would only be eligible for a single discount

The total amount of government-funded relief available for each newspaper title and hereditament for 2017-18 and 2018-19 under this scheme is £1,500. The amount does not vary with rateable value. The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis.

State Aid

The relief available is up to state aid de minimis levels for each business entity.

Awards such as Relief for Local Newspapers are required to comply with the EU law on State Aid. In this case, this involves returning the attached declaration to the Business Rates department, if you have received any other De Minimis State Aid, including any other Discretionary Relief you are being granted for premises other than the one to which this letter relates, and confirming that the award of Discretionary Relief does not exceed the €200,000 an undertaking can receive under the De Minimis Regulations EC 1407/2013. Further information on State Aid law can be found at <https://www.gov.uk/state-aid>

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ADDRESSEE ONLY

Telephone Hours:
8:00am to 6pm Monday to Thursday
8:30am to 4:30pm Friday

Discretionary Relief for Local Newspapers

Account reference number

Organisation Details

Name of Ratepayer:

Name of Organisation:

Property address
for which relief is
being claimed:

E-mail

Telephone Number

Please describe the nature of your business and how the property is being used:

Is the property used for any other purpose?

Please provide details:

Does the Newspaper occupy any other Non-Domestic Rated Property? If so please provide details.

Declaration

I hereby certify that the information above is correct and undertake to notify the Council of any changes immediately they occur. I understand that willfully making a false statement on this form is an offence and may result in legal action being taken against me.

I understand that the Council will process the information I provide in accordance with the Data Protection Act and any other regulations that apply. I understand that the information I provide may be used and shared with other organisations, where the law allows, for the prevention and detection of crime

Signature of applicant:

Date

Telephone number

Email address

Position in organisation and capacity in which signed:

Please return this application by post to the address above or by email to Business.rates@iow.gov.uk

State Aid

Awards such as Discretionary Relief are required to comply with the EU law on State Aid. If you have received any other De Minimis State Aid, including any other Discretionary Relief you are being granted for premises other than the one to which this application relates, **you must complete and return the declaration.**

If you have not received any other De Minimis State Aid, including any other Discretionary Relief you are being granted for premises other than the one to which this application relates, please put a line through the form and sign at the bottom

If you are awarded Discretionary Relief then under the European Commission rules, you must retain your rate demand showing the award of the relief and a copy of this declaration for 3 years from the date on the demand and produce it on any request by the UK public authorities or the European Commission. (You may need to keep your rate demand longer than 3 years for other purposes). Furthermore, information on this aid must be supplied to any other public authority or agency asking for information on 'De Minimis' aid for the next three years.

Declaration

Name of Ratepayer:

This award shall comply with the EU law on State Aid on the basis that, including this award, the above named ratepayer shall not receive more than €200,000 in total of De Minimis aid within the current financial year or the previous two financial years. The De Minimis Regulations 1407/2013(as published in the Official Journal of the European Union L352 24.12.2013) can be downloaded at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>.

Please list all previously received De Minimis aid below; including the total amount of this and any other Discretionary Relief you are being granted.

Amount of De Minimis Aid	Date of Aid	Organisation Providing Aid	Nature of Aid
€			
€			
€			

I confirm that:

1. I am authorised to sign on behalf of the above named ratepayer; and
2. The above named ratepayer shall not exceed its De Minimis threshold by accepting this relief

Signature Name

PositionBusiness

Address

Date

REVENUE & BENEFIT SERVICES
PO Box 238
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Web: www.iwight.com/businessrates
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Application Form For The Pub Relief Scheme

The Government recognises the important role that pubs play in urban and rural communities across the country. At the Spring Budget 2017, the Chancellor announced a £1,000 business rate discount for public houses. The scheme is available to eligible **occupied** properties with a Rateable Value of less than £100,000 for one year from 1st April 2017.

Eligible pubs should:

Be open to the general public

Allow free entry other than when occasional entertainment is provided

Allow drinking without requiring food to be consumed

Permit drinks to be purchased at a bar

Excluded from the relief are:

Restaurants

Cafes

Nightclubs

Hotels

Snack bars

Guesthouses

Boarding Houses

Sporting Venues

Music Venues

Festival Sites

Theatres

Museums

Exhibition Halls

Cinemas

Concert Halls

Casinos

Account number:

Name of Ratepayer:

Property address for which relief is being claimed:

.....
.....
.....
.....
.....
.....

Please tick as many of the following that are applicable to the above address:

- Open to the general public
- Allow free entry other than when occasional entertainment is provided
- Allow drinking without requiring food to be consumed
- Permit drinks to be purchased at a bar

Declaration

I hereby certify that the information above is correct and undertake to notify the Council of any changes immediately they occur. I understand that willfully making a false statement on this form is an offence and may result in legal action being taken against me.

I understand that the Council will process the information I provide in accordance with the Data Protection Act and any other regulations that apply. I understand that the information I provide may be used and shared with other organisations, where the law allows, for the prevention and detection of crime

Signature of applicant:

Date

Telephone number:

Email address:

Please return this application by post or by email to Business.rates@iow.gov.uk

Please tick whichever statement is applicable

I have received De Minimis State Aid and enclose the completed De Minimis State Aid declaration

I have not received De Minimis State Aid - Please sign the declaration below

State Aid

Awards such as Pub Relief are required to comply with the EU law on State Aid. If you have received any other De Minimis State Aid, including any other Pub Relief you are being granted for premises other than the one to which this application relates, **you must complete and return the declaration.**

If you have not received any other De Minimis State Aid, including any other Pub Relief you are being granted for premises other than the one to which this application relates, you do not need to complete the declaration.

If you are awarded Pub Relief then under the European Commission rules, you must retain your rate demand showing the award of the relief and a copy of this declaration for 3 years from the date on the demand and produce it on any request by the UK public authorities or the European Commission. (You may need to keep your rate demand longer than 3 years for other purposes). Furthermore, information on this aid must be supplied to any other public authority or agency asking for information on 'De Minimis' aid for the next three years.

Declaration			
Name of Ratepayer:			
<p>This award shall comply with the EU law on State Aid on the basis that, including this award, the above named ratepayer shall not receive more than €200,000 in total of De Minimis aid within the current financial year or the previous two financial years. The De Minimis Regulations 1407/2013(as published in the Official Journal of the European Union L352 24.12.2013) can be downloaded at http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF. Please list all previously received De Minimis aid below; including the total amount of this and any other Retail Rate Relief you are being granted.</p>			
Amount of De Minimis Aid	Date of Aid	Organisation Providing Aid	Nature of Aid
€			
€			
€			
<p>I confirm that: I am authorised to sign on behalf of the above named ratepayer; and The above named ratepayer shall not exceed its De Minimis threshold by accepting this relief</p> <p>Signature</p> <p>Name</p> <p>Position</p> <p>Business</p> <p>Address</p> <p>Date</p>			

Discretionary Business Rates Relief Scheme Application for Businesses facing steep increases due to the Revaluation

In March 2017 Central Government announced that it would make available a discretionary fund of £300 million over four years from 2017-18 to support those businesses that face the steepest increases in their business rates bills as a result of the revaluation. Government determined that Councils would be best placed to determine how this fund should be targeted and administered to support those businesses and locations within their area that are in the greatest need.

Every authority within England is to be provided with a share of a £300 million fund to support their local business. This is to be administered through billing authorities' discretionary relief powers under section 47 of the Local Government Act 1988.

The Government funding decreases substantially across the four years, any award will be for the maximum of one year and will be revoked after a maximum of twelve months.

The application form must be completed in FULL in order to be considered for relief.

The rules relating to State Aid

State Aid law is the means by which the European Union regulates state funded support to businesses. Providing discretionary relief to ratepayers is likely to amount to State Aid

The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a rolling three year period (consisting of the current financial year and the two previous financial years). Local authorities should familiarise themselves with the terms of this State Aid exemption, in particular the types of undertaking that are excluded from receiving De Minimis aid (Article 1), the relevant definition of undertaking (Article 2(2)⁸) and the requirement to convert the aid into Euros⁹. They should ensure each business has not exceeded its threshold through all sources of state funding¹⁰.

To administer De Minimis it is necessary for the local authority to establish that the award of aid will not result in the undertaking having received more than €200,000 of De Minimis aid. Note that the threshold only relates to aid provided under the De Minimis Regulations (aid under other exemptions or outside the scope of State Aid is not relevant to the De Minimis calculation). Where local authorities have further questions about De Minimis or other aspects of State Aid law, they should seek advice from their legal department in the first instance¹¹.

REVENUE & BENEFIT SERVICES
PO Box 238
Newport
Isle of Wight
PO30 9FP



Web: www.iwight.com/businessrates
Tel: (01983) 823920
Email: business.rates@iow.gov.uk

Telephone Hours:

8:00am to 5pm Monday to Thursday
8:30am to 4:30pm Friday

ADDRESSEE ONLY

Ratepayer

Discretionary Business Rates Relief Scheme

Organisation Details

Name of Ratepayer:
Non-Domestic Rates Account Reference Number (As shown on your bill)
Name of Organisation:
Property Address:
.....

Business Details:

What are your current business activities:
.....

Please confirm that you are independent i.e. not a subsidiary or local branch of an existing company with multiple locations:

Is the property occupied:

State Aid:

Please detail any State Aid you have received during the last three years:

Date Aid Received:

Amount of Aid Received (Euros):

Scheme Title that Offered the Aid:

Declaration:

I hereby declare that to the best of my knowledge the information provided in this form is true and accurate and that I shall report any changes to the Council as to the use of the premises including becoming vacant or re-occupied within 21 days of the change.

I understand that the provision of Discretionary Business Rate Relief may constitute a State Aid within the meaning of Article 107 of the Treaty on the Functioning of the European Union (The TFEU). I further understand that there are legal limits in respect of the amount of State Aid that can be received. I understand that I have a duty to declare any State Aid that my business has received in the last three years. I understand that if I knowingly or deliberately make a false statement regarding State Aid or the State Aid measure is declared unlawful that action may be taken against the business, including but not limited to action to recover the aid from the business with interest running from the date the aid was given.

I confirm that I am an authorised signatory within the business with full power and authority to make this declaration.

I confirm that by signing this application, I allow the Council to share the information contained with other departments of the Council and with Government agencies and departments.

Please note that any misrepresentation or false representation may lead to prosecution.

Signature of applicant:

Name (Capitals)

Position in Organisation and capacity in which signed:

Date:

Email Address:

Telephone Number:



PRIVACY NOTICE

The Isle of Wight Council as data controller, will process your personal information contained in this application in accordance with the Data Protection Act 1998.

Information may be shared with other departments within the Council for the recovery of any debts owed to the Council and to identify persons responsible for Business Rates and/or Council Tax & bringing empty/properties back into use.

Please note that the Council may share your information in the absence of consent, for the purpose of crime prevention or detection, in accordance with the law. To read the full Privacy Notice please visit www.iwight.com/revsandbens "Your Information".