

Business Rates Discretionary Rate Relief Policy

Non profit making organisations and charities can claim discretionary rate relief. The award of this relief is a discretionary power available to the Council. There is a financial consideration to any relief awarded in that a proportion has to be met by Council Tax payers so any decision will take this into consideration. The decision of the Council is final but this does not affect the legal right to challenge a decision made by the Council through the Judicial Review process.

Registered charities are entitled to 80% relief providing they are occupying premises for charitable purposes. Discretionary relief for charitable organisations, 'Top Up' relief, can be awarded up to a further 20%. Each case will be independently assessed however the Council has drawn up guidelines to ensure consistency and fairness. In general terms applications for 'Top Up' relief will be encouraged from Associations for the Disabled, Advice and Counselling and Youth Organisations.

For non profit making organisations to qualify for consideration they must be organisations whose main objectives are philanthropic, religious, concerned with education, social welfare, science, literature or the fine arts or a club, society or other organisation whose property is used for the purpose of recreation.

The Council has drawn up guidelines/criteria to ensure consistency and fairness in its approach to awarding discretionary rate relief. These are detailed below. In addition the Council has drawn up a scale of relief for each type of organisation if the criteria are satisfied. These criteria are set out below:

1. Membership should be open to all sections of the community and consistent with the principles of open access. Consideration will be given to:
 - a. Whether the organisation recognises the diversity of people's lifestyles, backgrounds and abilities and whether they have an equal opportunities policy. Organisations should have an equal opportunities policy (and may be asked to provide a copy).
 - b. Whether restrictions are placed on membership which relate for example to ability in a particular sport or level of achievement? The organisation must be able to show the criteria by which membership is considered and demonstrate that this is consistent with the principle of open access.
 - c. Organisations will be required to specify any groups of individuals excluded from membership.
2. Is there a membership fee? – if so these should not be set at such a high level as to exclude the general community. Consideration will be given to:
 - a. Whether there are any concessions to any class of member e.g. young, retired, unemployed etc.
 - b. Organisations will be asked to provide details of their fees/annual subscriptions and these will be considered in regard to their general affordability in relation to the general community.
3. The benefits, facilities or services provided by the organisation must clearly benefit all, or an identifiable section or group, of the residents of the Borough. Consideration will be given to:

Business Rates Discretionary Rate Relief Policy

- a. Whether the facilities are made available to people other than members of the organisation e.g. community groups, local residents etc.
 - b. Are there schemes for particular groups to develop their skills e.g. young people, disabled, etc in areas such as employment training, counselling etc.
 - c. Whether membership is drawn from people mainly resident in the Borough. This is important as part of any relief awarded has to be borne by Council taxpayers in the area.
4. Membership encouraged from particular groups of the community such as young people, women, older age groups, person with disabilities and ethnic minorities or disadvantaged groups.

This refers to particular groups within the community which the Authority considers deserving of support. Examples might include youth groups and organisations supporting long-term unemployed or those with mental health problems or disabilities.

5. Whether the financial situation of the organisation justifies relief. Consideration will be given to:
- a. If the organisation is financially supported by the Borough or by self-help schemes?
 - b. Whether the organisation would be able to continue if relief was not granted.
6. If the organisation runs a bar, it must be incidental to the main purpose of the organisation. Consideration will be given to:
- a. Where there are significant bar receipts the main purpose of the organisation will be considered. In sports clubs, for example, the balance between playing and non-playing members will provide a guide as to whether the main purpose of the club is sporting or social activities.
 - b. The main purpose of the organisation – running a bar in itself will not be a reason for declining relief. A social club whose main interest is drawing local people together with similar interests will not necessarily be denied relief because of the existence of a bar. However a club that is primarily a commercial bar is likely to be excluded.
7. Whether the organisation is affiliated or involved at a local or national level with any organisations. Consideration will be given to:
- a. Whether the organisation is involved at both a local and national level at developing its particular interest e.g. competitions, events and exhibitions.
 - b. Whether the organisation is part of a larger organisation nationally and how this benefits the local residents.
8. A sports club would not qualify for relief if payments were made to playing members.

Business Rates Discretionary Rate Relief Policy

Each application for discretionary rate relief is considered on its own merits and the above criteria is used as guidance in administering that relief to ensure consistency and fairness.

Discretionary and Top up relief award levels - guidelines

Category	Discretionary%	Top Up%
Associations for the disabled	100	20
Medical/relief of suffering	0*	0
Housing organisations	0	0
Advice and counselling	0*	5
Sports clubs	75	0
Cultural/religious	75	0
Youth organisations	75	5
Charity shops	0*	0
Educational/arts	0	0
Social/community/recreation activities (other than sports)	75**	0
Associations for ex-service men/women	0	0

* these organisations are usually registered charities receiving 80% mandatory relief. No discretionary relief would normally be expected as these organisations should be registered charities.

** Community Amateur Sports Clubs (CASC) could qualify for CASC status which would mean they would qualify for 80% mandatory relief. CASC status is awarded by the Inland Revenue.