



WARRINGTON BOROUGH COUNCIL

Business Rates

Discretionary Relief Scheme 2024-25

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Introduction

The Local Government Finance Act 1988 requires the Council to maintain a scheme to award relief of up to 100% to organisations that operate within the eligibility criteria outlined in this policy.

In view of the discretionary nature of the relief, the Council will not have defined rules as to which organisations are entitled. Instead, this document sets out guidelines the Council will follow when deciding discretionary Business Rates relief applications.

Registered charities should apply for mandatory relief. This relief is 80% of business rates. Discretionary relief allows the Council to top this up to 100%. The Act gives the Council the authority to grant Discretionary relief as follows:

- To make a further award on top of the 80% mandatory relief. This discretionary award can be up to 20%, taking the total relief to a maximum of 100%.
- To make an award of between 0% and 100% where appropriate.

Applying for the relief

Applications for discretionary relief should be supported by copies of:

- The organisation's main purposes and objectives, as set out in, for example, a written constitution, a memorandum of association, or set of membership rules.
- Audited accounts relating to the two years preceding the date of application. Where audited accounts are not available, projected accounts figures should be provided.

Applications from excepted businesses and/or organisations cannot be considered. Excepted businesses and/or organisations are properties occupied by a billing or precepting authority, such as the Council.

The Council will make decisions on discretionary relief applications using the guidance below. An application will be considered where:

- The Council is satisfied that the principles of open access and provision of facilities are demonstrated in the application and
- The impact on employment in Warrington should the business cease trading.
- Whether the business provides an essential service to the community and there is no suitable alternative.
- The business provides a key service that contributes to the Council's priorities.
- The business is sustainable in the long-term.
- The business by receiving discretionary relief does not obtain a commercial advantage compared to other organisations in the community competing within the same sector.
- The business does not breach State Aid rules.

Financial implications

The cost of awarding discretionary relief is borne by Warrington taxpayers through the collection fund. The Council will consider its overall financial position and priorities when making awards under this policy.

Period of Relief

- Discretionary relief will usually be granted for the current financial year. Successful applicants will be sent a letter confirming their application for discretionary relief has been granted. This letter will also confirm the relief is for 12 months.
- The award of discretionary relief will be reviewed each year and those in receipt may be asked to confirm they still meet the criteria for relief.
- If an organisation in receipt of discretionary relief ceases to meet the eligibility criteria it will cease to receive the relief. The Council will give such organisations 12 months written notice prior to the withdrawal of the relief, as decreed by legislation.

The ratepayer must show that their organisation complies with all legislative requirements and operates in an ethical, sustainable, and environmentally friendly manner.

Appeals

Rating legislation does not allow a ratepayer to appeal a decision by the Council on discretionary rate relief. However, it is good practice for Council's to maintain a mechanism to allow appeals to be heard. In Warrington an appeal will be escalated to the Head of Service to review the decision made.

All decisions will be notified in writing.