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Local Government Finance Circular No. 5/2019

By e-mail

To: Directors of Finance of Scottish Local Authorities
Chief Executive, Convention of Scottish Local Authorities (COSLA)

Our ref: A23938082
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Dear Directors,

NON-DOMESTIC RATES RELIEF: INFORMATION FOR SCOTTISH LOCAL AUTHORITIES

1. Please see enclosed at Annex A information relating to current arrangements for non-domestic rates relief.
2. This is offered in light of recent changes to reliefs in respect of 2019-20.
3. The information was compiled with the involvement of officers from COSLA and the Institute of Revenues, Rating and Valuation (IRRV). The Scottish Government is grateful for this expert input.
4. I hope the document is useful, and would be happy to discuss any comments or queries. My contact details are above.

Yours faithfully,

ANOUK BERTHIER
Local Government & Analytical Services Division

ANNEX A - NON-DOMESTIC RATES RELIEF: INFORMATION FOR SCOTTISH LOCAL AUTHORITIES

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INTRODUCTION

5. Non-domestic rates (NDR), often referred to as business rates, are levied on non-domestic properties, subject to statutory exemptions and reliefs. The NDR framework for Scotland is devolved to the Scottish Parliament and Scottish Government, and although broadly similar, is different in detail from arrangements in the rest of the UK.
6. Valuation of non-domestic properties is undertaken independently by the Scottish Assessors, subject to statutory appeal processes, with all valuations freely accessible on the Scottish Assessors' Association's website.¹ Scottish Ministers annually set a national poundage, which is applied to a property's rateable value (RV). Rating, including billing, collection, enforcement and determination of rates relief, is undertaken by local authorities. A ratepayer may appeal to the council on the grounds that they are being improperly charged.²
7. Certain types of properties are statutorily exempt from business rates, either through exclusion from the valuation roll (e.g. agricultural land and buildings) or exemption from rating (e.g. churches, lighthouses, fishings).
8. A number of reliefs are available for certain types of property nationally under Scottish law. These are subject where applicable to European Commission rules on State Aid.
9. Some reliefs are mandatory (i.e. they must be applied) and some are discretionary (i.e. local authorities have discretion as to their application).
10. Under Part 11 of the Community Empowerment (Scotland) Act 2015, local authorities may also reduce or remit non-domestic rates. In doing so, they must have regard to the authority's expenditure and income and the interests of persons liable to pay council tax set by the authority. The revenue impact of local reliefs must be borne by the local authority.

This document

11. Information in this document is provided by the Scottish Government, in conjunction with the Convention of Scottish Local Authorities (COSLA), to Scottish local authorities.
12. This document has no statutory basis, is offered without prejudice to relevant legislation and legal decisions, and does not constitute legal advice.
13. The document was developed by a working group of officers from the Scottish Government, COSLA and a number of local authorities representing the Institute of Revenues Rating and Valuation (IRRV). A draft was shared for comment with all local authorities ahead of finalising this version.
14. The document aims to inform a mutual understanding amongst local authority practitioners. It includes general information relating across the different reliefs, and specific information relating to each relief.

¹ www.saa.gov.uk

² Section 238 of the Local Government (Scotland) Act 1947, section 238(1): "In respect of each rate levied by them every rating authority shall fix a date on or before which any person may lodge with the officer of the authority designated for the purpose an appeal against the rates claimed from him on the ground that he is being improperly charged, and another date on which the appeals shall be heard by the rating authority or a committee thereof."

15. Given their responsibilities for managing public funds, it is up to local authorities to ensure that procedures for administering relief, including reviewing and re-application processes, are suitably robust, including for audit purposes.

16. This document refers to amended legislation rather than amending legislation. For example, The Non-Domestic Rates (Transitional Relief) (Scotland) Regulations 2017 have to date been subject to a number of amendments – and reference is made to the 2017 Regulations.

STATE AID

17. State aid is a European Commission consideration of public assistance given to undertakings on a discretionary basis and having the potential to distort competition and affect trade between Member States of the European Union. An undertaking is defined as any entity, regardless of its legal status, which is engaged in economic (commercial/competitive) activity relating to a market in comparable goods or services.

18. Relief from the payment of rates reduces an undertaking's current expenditure, and so can be regarded as State aid. Any measure intended partially or wholly to exempt firms in a particular sector from the charges arising from the normal application of the general system, where there is no justification for such exemption on the basis of the nature or general scheme of this system, can constitute State aid.³ Therefore, where a tax measure, such as rates relief, distorts competition by favouring selected undertakings, for example by region or by sector, then it should comply with the State aid regulations.

19. Before the State aid tests can be applied it is necessary to determine the following two aspects:

- Is the beneficiary an undertaking?
- Is an undertaking engaged in economic activity?

20. This is defined as offering goods and/or services on a given market and which could, at least in principle, be carried out by a private operator for remuneration in order to make profits.

21. Most recipients of rates relief are businesses and will be regarded as undertakings. However those recipients that deliver non-economic activity, i.e. not operating in a commercial market for goods and services, mainly serving a local area and whose objectives are, for example, religious, educational, social welfare, science-related, culturally-based (e.g. literature or arts), are not regarded as undertakings. The legal status of an organisation is not relevant for State aid purposes; only the activity that the public support relates to should be considered.

22. General measures applied to all enterprises do not constitute State aid (examples include general taxation measures or employment legislation).

23. There are four key tests which need to be considered in order to establish whether a measure constitutes State aid. If an organisation is deemed an undertaking, then these tests must be applied to determine whether State aid applies. The tests are cumulative and all four must be met for State aid to be present:

³ Case 173/73 Italy v Commission [1974] ECR 709: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:61973CJ0173>

- there has been an intervention by the State or through State resources which can take a variety of forms (e.g. grants, interest and tax reliefs);
- the intervention gives the recipient an advantage on a selective basis, for example to specific companies or industry sectors, or to companies located in specific regions;
- competition has been or may be distorted; and
- the intervention is likely to affect trade between Member States.

24. If aid is present, the cash grant equivalent of the aid needs to be calculated as the difference between the standard non-domestic rate liability and the reduced rate offered. The aid may then be able to be awarded compatibly using the *de minimis* regulation.

25. State Aid rules limit the amount of support that may be provided to a given undertaking to €200,000 (cash grant equivalent) over a three-year period. The European Commission considers that public funding to a single recipient of up to this amount has a negligible impact on trade and competition, and does not require notification.

26. Special rules apply to agriculture, where the *de minimis* limit is €20,000 per undertaking;⁴ and fisheries which is limited to €30,000.

27. The State aid ceiling takes into account all public assistance (national and sub-national) given as *de minimis* funding over the three-year period by a Member State, which can take various forms (relief from rates, grants, loans, subsidised contracts, etc.). Aid given under an approved scheme does not have to be cumulated with *de minimis* aid, provided any such *de minimis* aid is not awarded towards the same eligible costs as those supported via that approved scheme.

28. The State Aid (EU Exit) Regulations 2019⁵ cover limits on State aid once the UK is no longer an EU Member State. The sterling equivalent is calculated using the European Commission's exchange rate⁶ applicable on the written date of offer of the *de minimis* funding.

29. When considering *de minimis* aid, councils should:

- ensure that the new award itself does not breach the relevant ceiling of the beneficiary over a three-year period;
- ask the prospective beneficiary about any *de minimis* aid received during the fiscal year for which aid is being considered and the previous two fiscal years, and then determine how much, if any, *de minimis* aid can be awarded without breaching the relevant ceiling; and
- inform the recipient explicitly that it is *de minimis* aid they are receiving, for their reference.

30. The European Court of Justice has ruled that all entities which are controlled (on a legal or on a *de facto* basis) by the same entity should be considered as a single undertaking. Individual subsidiaries or branches of such an undertaking cannot therefore be treated as separate entities and awarded separate allocations of *de minimis* aid.

⁴ Note: the total amount of *de minimis* aid granted per Member State is €20,000 over any period of 3 fiscal years. However, Member States can further increase the maximum aid amount to €25 000 per single undertaking, within a national cap of 1.5% of the annual output, if they do not spend more than 50% of their total national aid envelope on one particular agricultural sector - https://ec.europa.eu/agriculture/stateaid/legislation_en

⁵ <http://www.legislation.gov.uk/ukdsi/2019/9780111178768>

⁶ Exchange rate (InforEuro): <http://ec.europa.eu/budget/graphs/inforeuro.html>

31. The State aid position of each relief is covered in the respective sections of this document. In practice, given that NDR liability accrues on a daily basis, relief can end mid-year once the *de minimis* amount is reached and then be withheld until such time within a rolling three-year period that relief can again be awarded in line with the *de minimis* regulation.

GENERAL INFORMATION

32. Determination of each relief by the council is generally based on an application from the rateable occupier (for some reliefs an application is statutorily required). Recurrent annual applications are not necessarily required, but in some cases statutorily are; for example, councils may choose to align a reapplication cycle with the revaluation cycle.

33. To determine the amount of relief to be awarded, local authorities should take steps as they see fit to ensure they have complete, accurate and up-to-date information on all properties occupied by the applicant in Scotland, i.e. across all local authority areas. Application is made to each local authority in whose area the property for which relief is sought is located, and separate application made for each relief. Applicants should provide details of all non-domestic properties in Scotland which they own, lease or are entitled to occupy, regardless of whether they are occupied or vacant.

34. The applicant must be listed as the property's rateable occupier in the council's assessment roll, or authorised to apply on behalf of the rateable occupier.

35. An application for a relief to which State aid rules apply must declare all other public assistance received as *de minimis* (see State aid section above). The local authority should consider undertaking due diligence. Any application not providing correct information may be considered fraudulent, in which case appropriate action may be taken against the applicant.

36. For some reliefs, such as Empty Property Relief or Charity Relief, the council may require the applicant to supply additional documentary evidence in support of their application. Examples of documentary evidence required in support of applications for certain reliefs are at Annex B. A council may decide that a single letter, e.g. from a surveyor, agent, regulator or law-enforcement organisation, on its own is not sufficient evidence.

37. A completed application form signed and dated by the rateable occupier is necessary for the local authority to begin its consideration. Local authorities may accept applications by email, and this is to be encouraged.

38. Rates bills to ratepayers should include a list of the reliefs the property is in receipt of as per the standardised bill issued by the Scottish Government in January 2019 (see Annex C).

39. Relief applications relating to utilities valued under the designated Assessors' regime⁷ should be passed to the relevant billing authority as follows:

- electricity – South Lanarkshire Council
- water – Fife Council
- gas – West Dunbartonshire Council
- docks and harbours – Falkirk Council

⁷ The Non-Domestic Rating (Valuation of Utilities) (Scotland) Order 2005.

- railways – Highland Council
- canals – Highland Council
- fixed-line telecommunications – Renfrewshire Council

40. Some reliefs are mandatory, i.e. if the applicant is deemed eligible then the relief must be awarded.

41. Some reliefs are discretionary, i.e. if the applicant is deemed eligible then the relief may be awarded.

42. Funding arrangements for reliefs between local authorities and the Scottish government are set out in The Non-Domestic Rating Contributions (Scotland) Regulations 1996. The cost of discretionary reliefs is generally 75% funded by the Scottish Government and 25% by the awarding council, except for 100% discretionary sports clubs,⁸ which is fully funded by the Scottish Government. The discretionary reliefs are:

- Charity Relief ‘top-up’ from 80% to 100% for OSCR-registered charities;
- Charity Relief of up to 100% for certain other not-for-profit organisations;
- Sports Club Relief ‘top-up’ from 80 to 100% for HMRC-registered Community Amateur Sports Clubs (CASCs);
- elements of Rural Relief;
- Hardship Relief; and
- Stud Farms Relief.

43. Local reliefs⁹ are fully funded by the Council.

44. Any reduction in rates due to an apportionment carried out by the assessor under section 24A(1) of the Local Government (Scotland) Act 1966 (for short-term unoccupied properties at the request of the council) is fully funded by the Scottish Government.

BUSINESS GROWTH ACCELERATOR (BGA) RELIEF

45. The key legislation is The Non-Domestic Rates (Relief for New and Improved Properties) (Scotland) Regulations 2018 which apply for 2018-19 and The Non-Domestic Rates (Relief for New and Improved Properties) (Scotland) Regulations 2019 (“the 2019 regulations”) which apply for 2019-20.

46. Properties that contain new buildings are eligible for 100% mandatory new-build relief for twelve months until after they are first occupied. Improved properties that contain buildings are eligible to see no rates increases for 12 months until after the RV has been amended as a result of the improvement.

47. This relief is available from 1 April 2018.¹⁰ The 2019 regulations set out four regulations under which relief can be granted:

- New-build (1): Regulation 4 provides for 100% relief to the entire RV of the property for twelve months until after first occupation. This applies to new entries on the Roll made under section 2(1)(b) of the Local Government (Scotland) 1975 Act containing one or more buildings or parts of a building, none of which were shown in any entry in the roll for the day prior to the day that entry takes effect.
- New-build (2): Regulation 6 provides for 100% relief to the entire RV of the property, for twelve months until after first occupation. This applies to entries that contained no

⁸ Awarded under section 4(5)(c) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962.

⁹ Awarded under section 140 of the Community Empowerment (Scotland) Act 2015.

¹⁰ Eligibility is currently due to expire 31 March 2020.

buildings (e.g. ground entries in the Roll). This applies to entries on the Roll made under section 2(1)(d) of the Local Government (Scotland) 1975 Act containing one or more buildings or parts of a building, none of which were shown in any entry in the roll for the day prior to the day that entry takes effect.

- New-build (1 or 2) + improvements: Regulation 8 sets out how properties in receipt of one of the above two types of new-build relief are treated when they are further improved.
- Regulation 10 provides for delayed increase in rates bills for 12 months on existing entries in the Roll which comprise a building where there has been a property improvement. 100% relief is available only on the *increase* in RV, which is equal to the final RV minus the RV prior to the commencement of the works. Examples would typically include an extension to the rear of a shop; the erection of a new building in an entry that already has buildings; the installation of a sprinkler system, airconditioning, or underfloor heating.

48. If the property was a dwelling immediately prior to being entered on the roll, it is not eligible for BGA relief.

49. Where an unoccupied property in receipt of new-build relief is divided, each new entry continues to be eligible for relief until twelve months after it is first occupied. Where an occupied entry in the Roll in receipt of new-build relief is split, relief continues to be available on each unit until the end of this twelve-month occupation period but no more.

50. Where an increase in RV is due to a split, merger or reorganisation, a property is not eligible for relief, even if the process involves for instance the creation of a new building.

51. Equally, where there is an increase in RV due in whole or in part to a change in the way the lands and heritages are being used,¹¹ then the property would not qualify for BGA relief (even where there has been a concurrent improvement). The Business Growth Accelerator is intended to help improve Scotland's property stock, and property conversions, while likely to be considered an "improvement" by the investor, are not necessarily physical *improvements* to the property. A property that was converted from one type of use to another (e.g. office to hotel) would thus not typically be considered to qualify for relief, except on improvements (e.g. extension) made after the conversion.

52. The local authority determines whether a property is eligible for relief, and may wish to consult the Assessor's office to discuss eligibility. The Non-Domestic Rates (Scotland) Bill provides that Assessors will identify new builds and improved properties with a marker in the Valuation Roll in order to facilitate identification in future.

53. This relief is mandatory and 100% funded by the Scottish Government.

54. BGA applies general for properties of a certain type (buildings) and in certain circumstances (new and improved) and is therefore unlikely to be considered State aid.

¹¹ This is not explicitly tied to changes in planning use and local authorities' interpretations may differ.

CHARITY RELIEF

55. The key legislation is Section 4 of the Local Government (Financial Provisions etc.) (Scotland) Act 1962.

56. Properties that are either (i) occupied by a charity in the Scottish Charity Register, held by the Scottish Charity Regulator (OSCR),¹² or by trustees thereof, *and* that are used wholly or mainly for charitable purposes; or (ii) held on trust for use as an almshouse, are entitled to 80% mandatory charity relief.¹³

57. This mandatory element of the relief is 100% funded by the Scottish Government.

58. The local authority also has discretion to 'top up' this relief to 100%.¹⁴ This element of the relief is 75% funded by the Scottish Government. This means that a property receiving 80% mandatory relief and a 20% discretionary top up would see this relief 95% funded by SG (80*100 + 20*75).

59. The local authority determines whether occupation is wholly or mainly for charitable purposes. A trading arm of a charity, which is itself a separate entity that is not a charity, may not be eligible for mandatory relief. For charity shops to be eligible, their use must be wholly or mainly for the sale of goods donated to the charity and the proceeds of sale (after expenses) must be applied for the purposes of the charity. To inform this consideration, the relative proportion of new and donated goods sold on the premises may be requested from the occupier.

60. Properties occupied by certain other not-for-profit organisations are eligible to receive up to 100% relief at the discretion of the local authority.¹⁵ To qualify, the purpose of occupation must mainly be charitable or otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts.

61. The Non-Domestic Rates (Scotland) Bill removes eligibility for charity relief from mainstream independent schools, leaving it in place for special schools¹⁶ and schools for musical excellence within that category. It does not affect these schools' charitable status.

62. Local authorities may have their own policies for awarding discretionary relief. Some current examples of eligibility criteria are:

- premises does not hold a liquor or gaming licence;
- premises is not used to carry out commercial operations;
- the organisation benefits the community.

63. A separate application will normally be required for each rateable property. Joint occupation or use of the premises with another party that does not meet the criteria may affect eligibility. Full details must be provided or the application could be deemed fraudulent and action taken against the applicant. For organisations not registered with OSCR, the local authority may ask for details of their constitution. Where there is any dubiety, local authorities may visit the premises.

¹² www.oscr.org.uk/charities/search-scottish-charity-register

¹³ Section 4(2) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962.

¹⁴ Section 4(5)(a) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962.

¹⁵ Section 4(5)(b) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962.

¹⁶ Defined in section 29(1) of the Education (Additional Support for Learning) (Scotland) Act 2004.

64. The 80% mandatory relief appears to be available across the UK and could be regarded as a general measure and therefore unlikely to be State aid. Any discretionary relief applying to activity not economic in nature is also unlikely to be aid. For charity shops and other commercial activity, a State aid assessment will need to be made and the four tests applied. If State aid is found to be present, then relief may be able to be awarded as *de minimis*.

DAY NURSERY RELIEF

65. The key legislation is The Non-Domestic Rates (Day Nursery Relief) (Scotland) Regulations 2018.¹⁷

66. 100% relief is available where the premises are used wholly or mainly as a day nursery.

67. An application must be made for this relief.

DISABLED RATES RELIEF

68. The key legislation is the Rating (Disabled Persons) Act 1978. Up to 100% relief may be available where:

- residential accommodation is provided for the care or aftercare of people who are disabled,
- facilities are provided for the training of people who are disabled; or
- welfare services or workshops for disabled persons are provided.

69. The applicant will generally be asked to confirm the percentage of floor space used for the qualifying purposes. Floor plans relating to the qualifying area, or area for which relief is to be applied, may also be requested.

70. To determine the eligibility for care homes, the council may request confirmation of registration with Social Care and Social Work Improvement Scotland (otherwise known as the Care Inspectorate).

71. If the property is deemed eligible and the qualifying area has been confirmed at 100%, then the council will generally award 100% rates relief.

72. If the property is deemed eligible and the qualifying area has been confirmed at less than 100%, the council will generally request the Assessor to apportion qualifying parts of the property. The percentage of qualifying area will be used to calculate the percentage of relief to be awarded, provided the qualifying area is greater than 50%.¹⁸

73. This relief is discretionary and would in general be 75%-funded by the Scottish Government.

74. The 100% mandatory element appears to be available across the UK and could be regarded as a general measure and therefore unlikely to be State aid.

¹⁷ Eligibility is currently due to expire 31 March 2021.

¹⁸ Under Section 24A of the Local Government (Scotland) Act 1966.

DISTRICT HEATING RELIEF

75. The key legislation is The Non-Domestic Rates (District Heating Relief) (Scotland) Regulations 2017.

76. Properties used wholly or mainly for the purposes of a district heating network may receive 50% relief.

77. As this relief confers a selective advantage, it is considered to be subject of State aid.

EMPTY PROPERTY RELIEF

78. The key legislation is sections 24 to 25 of the Local Government (Scotland) Act 1966, the Non-Domestic Rating (Unoccupied Property) (Scotland) Regulations 1994, and the Non-Domestic Rating (Unoccupied Property) (Scotland) Regulations 2018.

79. Unoccupied property meeting any of the criteria below is not liable for rates:

- property not comprising one or more buildings or a part of a building;
- listed buildings;
- subject of a building preservation order;
- rateable value (RV) under £1,700;
- owner in administration (or subject to an administration order);
- owner is a company or limited liability partnership subject to a winding-up order made under the Insolvency Act 1986 or being wound up voluntarily under that Act;
- occupation prohibited by law;
- action taken by or on behalf of the Crown or any public authority with a view to prohibiting occupation or to acquisition (e.g. compulsory purchase order);
- person entitled to possession only so entitled as a liquidator, as the trustee under a trust deed for creditors or an award of sequestration, or as the executor of a deceased person's estate.

80. For properties prohibited by law from occupation, a rates exemption would be granted where legal action had been taken to prevent its use. However, if legal action had been taken to prevent one particular person or trade from using the property, then it would be unlikely to be exempt unless that person was the owner.

81. Annex B provides examples of supporting documentary evidence that the council may require in order to determine that a property is unoccupied.

82. Unoccupied industrial property is eligible for 100% relief for the first six months since becoming unoccupied and thereafter 10% indefinitely. Other (non-industrial) unoccupied property is eligible for 50% relief for the first three months since becoming unoccupied and thereafter 10% indefinitely. A change of ratepayer does not affect the qualifying time period.

83. This relief is mandatory and 100% funded by the Scottish Government.

84. For this purpose, a property is treated as if it had been unoccupied during any period of occupation that ended within six weeks of when it started.

85. Any unoccupied property that is rateable is, for the purposes of determining charity relief eligibility, treated as if it is being used for the purpose for which it was used when last

occupied.¹⁹ It may not however be eligible for charity relief unless the proprietor (or the party entitled to occupation) also satisfies the relevant criteria (see charity relief section).

86. Part-occupation:²⁰ if it appears to the council that part of a property is unoccupied but will remain so for a short time only, it may ask the Assessor to apportion the RV between the occupied and unoccupied parts. In that case, the Assessor must apportion accordingly and the following applies. The RV for the whole property is taken for rating purposes to be the apportioned value of the occupied portion plus a percentage of the apportioned value of the unoccupied portion. That percentage is 0% for industrial property empty for up to six months; 90% for industrial property empty for over six months; 50% for non-industrial property empty for up to three months; 90% for non-industrial property empty for over three months. The Valuation Roll itself is not altered, the apportioned figures being supplied to the council by the Assessor on request.

87. Part-occupation is generally considered when a ratepayer can clearly evidence that part of the property is empty. The start date for relief is the later of the date part occupation commenced or the start of the financial year in which the council's request was made to the Assessor. The end date is the earliest of: the end of the part occupation; the end of the financial year in which the council's request was made to the Assessor; a further apportionment being made; or the property become fully unoccupied. The council may extend the duration into the following financial year.

88. Plant and machinery can be kept on property without that being classed as occupation.²¹

89. Empty property relief could be regarded as a general measure and therefore unlikely to be State aid.

ENTERPRISE AREAS RELIEF

90. The key legislation is The Non-Domestic Rates (Enterprise Areas) (Scotland) Regulations 2016.²²

91. Properties concerned with specific sectors in four defined Enterprise Areas, each of which comprises a number of defined geographic locations (see Table 1), may be eligible. Boundaries for each location are set out in a published series of maps.²³

92. Reliefs and thresholds are set out in Table 2. Dundee Port, Nigg and part of Irvine are within the wider Enterprise Area strategic locations, but are not eligible for rates relief.²⁴

¹⁹ Section 24(4) of the Local Government (Scotland) Act 1966.

²⁰Section 24A of the Local Government (Scotland) Act 1966, and the Non-Domestic Rating (Unoccupied Property) (Scotland) Regulations 1994.

²¹ Section 24B of the Local Government (Scotland) Act 1966.

²² Eligibility is currently due to expire on 31 March 2020.

²³ <https://www.gov.scot/publications/enterprise-areas-maps/>

²⁴ These may instead claim enhanced capital allowances enabling businesses to claim up to 100% of the cost of certain qualifying investments in plants and machinery against the businesses' taxable profits.

Table 1: Enterprise Areas subject to rates relief (including local authority area)

Life Sciences	Low Carbon / Renewables North
<ul style="list-style-type: none"> • Irvine – part of site (North Ayrshire) • Forres (Moray) • Inverness Campus (Highland) • BioQuarter (Edinburgh) • BioCampus (Midlothian) • BioCity (North Lanarkshire) 	<ul style="list-style-type: none"> • Hatston (Orkney) • Arnish (Western Isles) • Scrabster (Highland) • Lyness (Orkney)
General Manufacturing & Growth Sectors	Low Carbon / Renewables East
<ul style="list-style-type: none"> • Creative Clyde (Glasgow City) • Prestwick International – Aerospace (South Ayrshire) • West Lothian – Food and drink manufacturing (West Lothian) 	<ul style="list-style-type: none"> • Leith (Edinburgh)

Table 2: Enterprise Areas reliefs and thresholds

Value	Rates relief
£120,000 or less	100%
Over £120,000 and up to £240,000	50%
Over £240,000 and up to £480,000	25%
Over £480,000 and up to £1,200,000	10%
Over £1,200,000 and up to £2,400,000	5%
Over £2,400,000	2.5%

93. Only businesses undertaking certain activity in each area, as defined at Annex D, are eligible. Only new-build properties (entered in the valuation roll after 1 April 2012) or properties which were vacant for at least a three-month period are eligible.

94. This relief is mandatory and 100% funded by the Scottish Government.

95. As the activity is commercial in nature and the recipients receive an advantage on a selective basis due to the geographic restrictions that apply, State aid is deemed to be present. The relief can be awarded only as *de minimis*.

FRESH START RELIEF

96. The key legislation is sections 24 to 25 of the Local Government (Scotland) Act 1966, the Non-Domestic Rating (Unoccupied Property) (Scotland) Regulations 1994, and The Non-Domestic Rating (Unoccupied Property) (Scotland) Regulations 2018.

97. Mandatory relief of 100% is available for a period of up to 12 months, for certain occupied premises. The following two criteria must be met:

- the property has been in receipt of empty property relief for a continuous period of at least six months immediately prior to the applicant's occupation;
- the property has a RV of up to £65,000; and
- an application for the relief must be made to the council, and the relief may not be backdated, i.e. an application must be made in-year and relief provided from 1 April of that financial year.

98. Fresh Start relief cannot be awarded alongside other rates relief to the same property. However, if one of several properties with the same occupier is eligible for Fresh Start, then the others may be eligible for different rates relief.

99. This relief is mandatory and 100% funded by the Scottish Government.

100. As the activity is commercial in nature and the recipients receive an advantage on a selective basis due the sectoral restrictions that apply, State aid is deemed to be present and accordingly the relief can only be awarded as *de minimis*.

HARDSHIP RELIEF

101. The key legislation is section 25A of the Local Government (Scotland) Act 1966.

102. A local authority may award up to 100% relief if the applicant would otherwise sustain hardship, and if doing so was reasonable in light of the interests of council taxpayers.

103. This relief is discretionary and generally 75% funded by the Scottish Government.

104. If the applicant's activity is commercial in nature, then relief would confer an advantage on a selective basis, and State aid would be deemed to be present, in which case the relief could only be awarded as *de minimis*. Please refer to the *de minimis* regulation for a definition of and the support available for firms in difficulty.²⁵

MOBILE MASTS RELIEF

105. The key legislation is The Non-Domestic Rates (Telecommunication Installations) (Scotland) Regulations 2019.²⁶

106. Relief is awarded to mobile masts or towers in (i) three 'Mobile Masts Pilot Areas' (two in Arran and one in Cairngorm) entered in the valuation roll on or after 1 April 2016; or (ii) located in a number of specific different grid references.²⁷

107. Relief can be awarded between 1 April 2016 and 31 March 2029. An application to the council is required.

108. This relief is mandatory and 100% funded by the Scottish Government.

²⁵ http://ec.europa.eu/competition/state_aid/legislation/de_minimis_regulation_en.pdf

²⁶ The Non-Domestic Rates (Telecommunications and Canals) (Scotland) Amendment Order 2016 provides that masts to which the relief applies receive separate entries in the valuation roll.

²⁷ <https://www.gov.scot/publications/4g-infill-programme-non-domestic-rates-relief-mobile-masts/>

109. As the activity is commercial in nature and the recipients receive an advantage on a selective basis due to the sectoral restrictions that apply, State aid is deemed to be present and accordingly the relief can only be awarded as *de minimis*.

NEW FIBRE RELIEF

110. The key legislation is The Non-Domestic Rates (Telecommunications New Fibre Infrastructure Relief) (Scotland) Regulations 2019.

111. Telecommunications new fibre infrastructure²⁸ is eligible for 100% relief between 1 April 2019 and 31 March 2029. An application to the council is required.

112. This relief is mandatory and 100% funded by the Scottish Government.

113. As the activity is commercial in nature and the recipients receive an advantage on a selective basis due to the sectoral restrictions that apply, State aid is deemed to be present and accordingly the relief can only be awarded as *de minimis*.

NEW START RELIEF

114. The key legislation is sections 24 to 25 of the Local Government (Scotland) Act 1966, the Non-Domestic Rating (Unoccupied Property) (Scotland) Regulations 1994 and the Non-Domestic Rating (Unoccupied Property) (Scotland) Regulations 2018.

115. Relief can be awarded if the following criteria are all met:

- the property is first entered in the valuation roll between 1 April 2013 and 31 March 2018;
- the property is unoccupied at the time of entry on the roll;
- the new entry is not a result of a combination or division of a building already on the roll, and not a result of refurbishment or change of use of an existing building (including domestic property or other property exempt from rating); and
- application for relief is made to the council.

116. New Start relief is only applicable until the end of 2019-20 as it was partly superseded by Business Growth Accelerator relief on 1 April 2018.

117. Relief can be awarded in respect of the period 2013-14 to 2019-20, and is applicable to a discontinuous period of up to 15 months, if the property moves in and out of occupancy. An application can be granted no later than 15 months after the property was entered on the roll or, if there was occupation during the initial 15-month period, no later than 15 months plus the periods of occupation after the property was entered on the roll.

118. Interaction with empty property relief depends on whether and when an application for New Start relief has been made. For instance, a property eligible for New Start relief may receive the full relief of 100% for 15 months and thereafter be eligible for empty property relief.

²⁸ The Non-Domestic Rating (Telecommunications New Fibre Infrastructure) (Scotland) Order 2019 provides that new fibre infrastructure installed after 1 April 2019 receives separate entries in the valuation roll.

119. This relief is 100% funded by the Scottish Government.

120. If the applicant's activity is commercial in nature, then relief could confer an advantage on a selective basis, and State aid could be deemed to be present, in which case the relief could only be awarded as *de minimis*.

RELIGIOUS EXEMPTION FROM RATES

121. The key legislation is section 22 of the Valuation and Rating (Scotland) Act 1956.

122. Buildings occupied by a religious body for the purpose of religious worship or related administration, and halls used in connection with such buildings and their occupiers' purpose, are exempt from rates.

123. The council decides whether premises are used as a place of worship or related administration. Church halls may be ineligible if they are used mainly for non-religious purposes.

124. Although not a statutory requirement, some councils request applications for monitoring purposes.

125. Councils may also offer relief to properties occupied by an institution or organisation which was not established or conducted for profit and whose main object is religious.²⁹

126. As the activity is non-economic in nature, organisations would generally not be regarded as undertakings and State aid would not apply.

RENEWABLE ENERGY RELIEF

127. The key legislation is the Non-Domestic Rates (Renewable Energy Generation Relief) (Scotland) Regulations 2010.

128. Eligibility for the renewables relief relating to community benefit requires arrangements which give at least 15% of the annual profit to a community organisation, in return for investment (or, failing that, so much of the annual profit as is attributable to 0.5 megawatt of the total installed capacity)³⁰. Table 3 shows the sliding scale of applicable relief against total RV of all the qualifying properties in Scotland that the applicant occupies or (if vacant) is entitled to occupy.

²⁹ Section 4(5)(b) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962.

³⁰ This was amended to 0.5 megawatt by The Non-Domestic Rates (Renewable Energy Generation Relief) (Scotland) Amendment Regulations 2017. It was 1 megawatt prior to 1 April 2017.

Table 3: Renewable energy relief thresholds³¹

Cumulative RV in Scotland	Relief (%)
up to £145,000	100
over £145,000 and up to £430,000	50
over £430,000 and up to £860,000	25
over £860,000 and up to £4 million	10
over £4 million	2.5

129. Relief is available for subjects solely concerned with the production of heat or power (or both) from the following sources:

- biomass
- biofuels
- fuel cells
- photovoltaics
- water (including waves and tides, but excluding production from the pumped storage of water) (“hydro schemes”)
- wind
- solar power
- geothermal sources

130. In addition, hydro schemes with a RV of no more than £5 million are also eligible for 60% relief.³²

131. This relief is mandatory and 100% funded by the Scottish Government.

132. As the activity is commercial in nature and the recipients receive an advantage on a selective basis due to the sectoral restrictions that apply, State aid is deemed to be present and accordingly the relief can only be awarded as *de minimis*. Any such relief, together with any other public support such as Feed-in Tariffs (FITs), would need to fall within the *de minimis* allowance.

RURAL RELIEF

133. The key legislation is the Non Domestic Rating (Rural Areas and Rateable Value Limits) (Scotland) Order 2005 and Schedule 2 to the Local Government and Rating Act 1997 as well as the Non Domestic Rates (Rural Areas)(Scotland) Regulations 2017.³³

134. Mandatory relief of 100% is available to certain properties indicated in Table 4 which are the only such property located in a settlement in the local authority’s rural settlement list. The council’s determination of this is generally informed by local knowledge and the applicant’s declaration. The council compiles and maintains the rural settlement list, which is generally updated annually by the council in December to be in place for the start of the next financial year.

³¹ The Non-Domestic Rates (Renewable Energy Generation Relief) (Scotland) Amendment Regulations 2016.

³² The Non-Domestic Rates (Renewable Energy Generation Relief) (Scotland) Amendment Regulations 2018.

³³ This increased rural rate relief 100% for qualifying businesses (previously this was split 50% mandatory and 50% discretionary).

Table 4: Rural relief thresholds

Qualifying subject ³⁴	RV threshold
Small food shop, general store or post office	£8,500
Petrol filling station, small hotel or public house ³⁵	£12,750

135. In addition, local authorities have discretionary powers to grant up to 100% relief to properties which provide a service which is of benefit to the community where they consider it would be in the interest of council tax payers to do so.

136. As the activity is commercial in nature and the recipients receive an advantage on a selective basis due to the geographic restrictions that apply, State aid is deemed to be present and accordingly the relief can generally only be awarded as *de minimis*.

137. A case could perhaps be made that the four tests have not been fulfilled if the service is of a purely local nature and will not affect intra-community trade.

SMALL BUSINESS BONUS SCHEME

138. The key legislation is the Non-Domestic Rates (Levying) (Scotland) Regulations 2019.³⁶

139. Occupiers of property located in Scotland (or those entitled to occupy it) with combined RV of £35,000 or less may be eligible for relief. Multiple properties linked to one business (e.g. a chain of shops) may be eligible for relief if their combined RV does not exceed £35,000.

140. Table 5 outlines reliefs and thresholds.

Table 5: Relief thresholds for SBBS

Cumulative RV range	Percentage of rate relief
£15,000 or less	100%
£15,001 to £18,000	25%
£18,001 to £35,000	25% on each individual property with a rateable value of £18,000 or less

141. Multiple properties occupied respectively by different businesses (e.g. with separate accounts, premises, employees, suppliers, leases, marketing and websites), which nonetheless seem to be linked, may be considered by the local authority as if they were occupied by separate occupiers, subject to State aid rules.

142. Where there may be links between businesses occupying different properties, the onus is on the applicant to provide sufficient evidence that the businesses are run independently of each other.

³⁴ Subject to legislative definitions.

³⁵ Ratepayer is not also the ratepayer for another property of the same type in Scotland.

³⁶ Eligibility is currently due to expire 31 March 2020.

143. Payday lenders ceased to be eligible for SBBS from 2014-15. To determine eligibility, local authorities may, for example, adapt their application form to request a lender's applicable interest rate, visit the property to establish whether payday lending is taking place, or use local knowledge.

144. If backdated relief is applied for, local authorities will need to establish whether the applicant has been liable for the property's rates for the period in question (they may request supporting evidence from the applicant), and also the applicable relief legislatively provided for relating to different time periods. There is no statutory time limit for which the award of SBBS can be backdated, other than the commencement of the respective legislative provisions.

145. This relief is mandatory and 100% funded by the Scottish Government.

146. It is unlikely that this relief would be considered State aid as it is a general measure (except for payday lending).

SPORTS CLUB RELIEF

147. The key legislation is section 4(2)(aa) (mandatory relief) and 4(5)(c) (discretionary relief) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962.

148. Properties occupied by a Community Amateur Sports Club (CASC) registered with HM Revenue and Customs,³⁷ for the purposes of that club, or for the purposes of that club and of other clubs which are, or are entitled to be, registered as a CASC, are entitled to 80% mandatory rates relief under section 4(2)(aa) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962. Note that OSCR-registered charities may also claim 80% mandatory relief under section 4(2)(a) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962. Where these are sports clubs, it would be considered that they are applying for Sports Club Relief.

149. The mandatory element of this relief is 100% funded by the Scottish Government.

150. The local authority also has discretion to 'top up' this relief to 100%.³⁸ This element of the relief is 75% funded by the Scottish Government. This means that a property receiving 80% mandatory relief and a 20% discretionary top up would see this relief 95% funded by SG (80*100 + 20*75).

151. Properties occupied by certain other sports clubs that are not CASCs or registered charities are eligible to receive up to 100% relief at the discretion of the local authority.³⁹ Any such relief, whilst it is discretionary, is 100% funded by the Scottish Government.

152. As the recipients receive an advantage on a selective basis, State aid is deemed to be present. The relief can be awarded only as *de minimis*.

³⁷ <https://www.gov.uk/government/publications/community-amateur-sports-clubs-casc-registered-with-hmrc--2>

³⁸ Section 4(5)(a) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962.

³⁹ Section 4(5)(c) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962.

STUD FARMS RELIEF

153. The key legislation is the Valuation (Stud Farms) (Scotland) Order 2005 and Paragraph 4(2B) of Schedule 2 to the Local Government and Rating Act 1997, as inserted by section 28(4)(c) of the Local Government in Scotland Act 2003.

154. Councils may award relief to qualifying stud farms with a rateable value up to £7,000. Note this relief is separate from the de-rating provision under section 7B of the Valuation and Rating (Scotland) Act 1956.

155. This relief is discretionary and is 75% funded by the Scottish Government.

156. As the recipients receive an advantage on a selective basis, State aid is deemed to be present. The relief can be awarded only as *de minimis*.

TRANSITIONAL RELIEF

157. The key legislation is The Non-Domestic Rates (Transitional Relief) (Scotland) Amendment Regulations 2019.⁴⁰

158. Properties that either (i) have a RV no greater than £1.5 million, and are wholly or mainly used for the specified purpose(s)⁴¹ of bed and breakfast accommodation, camping site, caravan, caravan site, chalet and holiday hut guest house, hotel, hostel, pub, restaurant, self-catering holiday accommodation or timeshare accommodation; or (ii) offices in Aberdeen City and Aberdeenshire, are entitled to a cap in their gross rates bill increase between 31 March 2018 and the day in question of 12.5% (14.8% in cash terms), subject to adjustment in respect of any changes in rateable value taking effect after 1 April 2017.

The factor for limiting increases is 1.148, derived from the 12.5% limit and the 2.1% 2019-20 poundage uplift i.e. $1.125 \times 1.021 = 1.148$.

159. Table 6 shows the values of the cap from 1 April 2017.

Table 6: Annual and cumulative impact of transitional relief on annual gross bill increase limits

	2017-18	2018-19	2019-20
Real terms annual cap	12.50%	12.50%	12.50%
Inflation measure	2.00%	3.00%	2.10%
Cash terms annual cap	14.75%	15.80%	14.80%
Cumulated cash terms increase in rates liability from 2016-17	14.75%	32.90%	52.70%
Annual multiplier	1.1475	1.158	1.148
Cumulative multiplier	1.1475	1.329	1.527

⁴⁰ Eligibility is currently due to expire 31 March 2020 but the Scottish Government has committed to maintaining an annual 12.5% real terms cap in gross rates bills for the same properties to 31 March 2021.

⁴¹ And must have been so used on 31 March 2017 (or, if unoccupied on that date, so used when last occupied).

160. The gross bill for these purposes is the RV multiplied by the non-domestic rate plus, where applicable, the large business supplement. For mergers taking effect on 1 April 2017, the comparison is with the 'relevant old entries' on 31 March 2017.

161. A property that is a split, reorganisation or merger with effect from 2 April 2017 or later is not eligible for relief.

162. A property can continue to be eligible for this relief upon a change of ratepayer, provided the required application has been made.

163. Other mandatory reliefs (i.e. under other legislation) are applicable to the transitional limit where the latter has effect.

164. An application for the relief must be made to the council, and the relief may not be backdated, i.e. an application must be made in-year and relief provided from 1 April of that financial year.

165. This relief is mandatory and 100% funded by the Scottish Government.

166. As the activity is commercial in nature and the recipients receive an advantage on a selective basis due to the geographic restrictions that apply, State aid is deemed to be present. The relief can be awarded only as *de minimis*.

LOCAL RELIEFS AND REDUCTIONS

167. The key provision is section 3A of the Local Government (Financial Provisions etc.) (Scotland) Act 1962 inserted by section 140 of the Community Empowerment (Scotland) Act 2015.

168. As well as the statutory reliefs covered in this document, local authorities can now apply further rates reliefs and reductions.

169. This power to set rates, in accordance with a scheme made by the local authority, came into force on 31 October 2015, and can be applied back to 1 April 2015.

170. A scheme could be based on category of property, area, activity, or by reference to such other matters as a scheme specifies; e.g. a scheme could provide for a general reduction across all rateable properties, or for a single property. Local authorities will wish any schemes to have clear, practicable and robust criteria for practitioners and ratepayers.

171. Any such reduction is fully funded by the local authority, and in exercising the power it must have regard to its income & expenditure and the interests of persons who are liable to pay council tax. A local authority may determine when a reduction is to cease, but it will always cease when there is a change in occupation of the property (although it could then be applied anew if that accords with the scheme).

172. The level of NDR income reported in councils' returns to the Scottish Government would not be affected by any such schemes (i.e. the council would fully fund the cost of rates remission or reduction under any scheme). However, councils' NDR income returns to the Scottish Government could potentially be used as a means of collecting information on the level of relief awarded under this power.

173. As with statutory reliefs, councils must consider and comply with the State aid rule. Any materially or regionally selective rates relief could be capped under this. Any other public support provided under the *de minimis* regulation must be counted within this allowance. Linked enterprises are considered together as one undertaking in respect of the *de minimis* regulation.

174. There is no statutory requirement for councils to require an application process for any relief (e.g. councils could reduce or remit rates in the initial rates bill). However, using application forms to request information about other public support would assist councils in determining the State aid position.

175. A council scheme could potentially be State aid compatible (i.e. relief not capped at *de minimis*), if relief was available across the local authority area and was not materially selective. The Scottish Government's State Aid Unit could advise councils on any proposals.

FURTHER INFORMATION

176. Further information on State aid is available on the Scottish Government website.⁴² The Government's State Aid Unit can be emailed at stateaid@gov.scot.

177. If further information on rates relief is required, please email the Scottish Government at ndr@gov.scot.

178. Please note that the Scottish Government cannot offer legal advice or intervene in relation to individual cases.

Scottish Government

June 2019

⁴² <https://www.gov.scot/publications/state-aid-guidance/>

ANNEX B – EXAMPLE OF SUPPORTING DOCUMENTARY EVIDENCE

Relating to whether a property is unoccupied, examples of supporting documentary evidence include:

- Lease/Licence to occupy agreement
- Insurance documents – employee liability insurance, public liability insurance and contents insurance
- Trading accounts (audited)
- Employee pay records/national insurance records including evidence tax payments and national insurance returns to HMRC
- VAT registration certification and VAT returns
- Bank account statements
- HMRC tax assessment
- Evidence of rent changing hands between tenant/landlord – debit in bank statements and payments recorded in company accounts
- Invoices and utility bills – please provide evidence of payments made by occupying company.utility bills
- dated receipts or invoices for work carried out in the refurbishment of the property, showing the date of the work and the subject address
- dated receipts for materials purchased for the refurbishment of the property, showing that the materials were delivered to the subject address
- copy of a 'To Let' advert, showing the date of publication and the subject address of the property
- copy of the invoice for the 'To Let' advert showing the date of the publication and the address of the property
- signed statement or dated marketing brochure from a letting or property agent (if the agent completes the application form, no documentary evidence is necessary)
- signed and dated statements from two or more neighbouring businesses or residents, including details of the unoccupied period, the address in question and the names, addresses and contact telephone number of both neighbours (councils may accept one such statement submitted by the applicant's solicitor, provided that their premises are in the vicinity of the applicant's); the signatories should be identifiable on either the valuation roll or valuation list relating to the address and time period in question
- photographs showing both the inside and outside of the property, and demonstrating the date taken

Relating to properties prohibited by law from occupation, examples of supporting documentary evidence include:

- written confirmation that the property is unfit for occupation from either the council's building control section or its environmental health section
- written confirmation from Police Scotland or the Scottish Fire and Rescue Service in the event the property does not meet regulation standards or in the case of fire damage

ANNEX C – STANDARDISED BILL

COUNCIL LOGO

(IF COUNCIL LOGO APPEARS ELSEWHERE ON THE PAGE THEN ADJUST ACCORDINGLY)

Relevant Department
Council Office
1st line Address
2nd line Address
POSTCODE

Telephone:
Email:
Website:

Non-Domestic Rates

Ratepayer Name	Lands and Heritages Description: (E.g. Shooting Rights/Restaurant)
Ratepayer Property	1st line Address
1st line Mail Address	2nd line Address
2nd line Mail Address	POSTCODE
Mail POSTCODE	Assessors Reference Number:
	Payment/Finance/Account Reference Number:
	Date of Issue:

Reason for issue (e.g. New Rating Year, Annual bill, Rateable Value Change etc.)

Non-Domestic Rates Financial Year 2018-2019

Rateable Value: £100,000	Poundage Rate: 48p	Large Business Supplement: 2.6p (Applies to Rateable Values >£51,000)
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Charge breakdown for 01/04/2018 to 31/03/2019

Your rateable value £100,000	
Your poundage rate 48p + 2.6p	
Your Rateable Value multiplied by Rate Poundage £100,000 x (48p + 2.6p)	£50,600.00
Adjustments	
Your charitable relief (80%)	-£40,480.00
Your net charge after adjustments	£10,120.00
Payments	
Less the total amount paid as at 21/12/2018	-£2,000.00
Net Amount Due: £8,120.00	

Payment Instructions

You are paying by Direct Debit. 1 instalment of £812.00 on 1st May followed by 9 instalments of £812.00 on the 1st of each month.

If rates are unpaid a Final Notice will be issued and the full amount outstanding will become payable. If the Final Notice is not paid in full, we will send you a Summary Warrant. If this happens, we will add an extra charge of 10% to the amount outstanding.

BARCODE (If Applicable)

COUNCIL LOGO

(IF COUNCIL LOGO APPEARS ELSEWHERE ON THE PAGE THEN ADJUST ACCORDINGLY)

Relevant Department
Council Office
1st line Address
2nd line Address
POSTCODE

Telephone:
Email:
Website:

Non-Domestic Rates

Ratepayer Name

Lands and Heritages Description: (E.g. Shooting Rights/Restaurant)

Ratepayer Property
1st line Mail Address
2nd line Mail Address
Mail POSTCODE

1st line Address
2nd line Address
POSTCODE

Assessors Reference Number:

Payment/Finance/Account Reference Number:

Date of Issue:

Reason for issue (e.g. New Rating Year, Annual bill, Rateable Value Change etc.)

Non-Domestic Rates Financial Year 2018-2019

Rateable Value: £100,000

Poundage Rate: 48p

Large Business Supplement: 2.6p
(Applies to Rateable Values >£51,000)

Charge breakdown for 01/04/2018 to 31/03/2019

Your rateable value £100,000
Your poundage rate 48p + 2.6p

Your Rateable Value multiplied by Rate Poundage £100,000 x (48p + 2.6p) £50,600.00

Adjustments

Your charitable relief (80%) -£40,480.00

Your net charge after adjustments £10,120.00

Payments

Less the total amount paid as at 21/12/2018 -£2,000.00

Net Amount Due: £8,120.00

Payment Instructions

You are paying by Direct Debit. 1 instalment of £812.00 on 1st May followed by 9 instalments of £812.00 on the 1st of each month.

If rates are unpaid a Final Notice will be issued and the full amount outstanding will become payable. If the Final Notice is not paid in full, we will send you a Summary Warrant. If this happens, we will add an extra charge of 10% to the amount outstanding.

Instalment Details			
Due Date	Amount	Due Date	Amount
X January	X		
X February	X		
X March	X		

BARCODE (If Applicable)

When to Pay



Pay by Instalments

Ratepayers can pay in either 10 or 12 monthly instalments on Xth of each month, or by Direct Debit on Xth of each month. For bills issued after April, instalments start in the month following issue. Failure to pay instalments on time could result in the full balance becoming due immediately.



Pay by Lump Sum

Ratepayers can pay their full year charge in one lump sum, the sum is payable on or before the 30th September. Ratepayers can also pay in 2 lump sums at separate dates.



Penalties for Non Payment

If rates remain outstanding 14 days after issue of a Final Notice, we may apply for a Summary Warrant. In this instance, the full amount outstanding will become payable, together with a penalty of 10% of amount due. If unpaid, this may result in legal proceedings against you to recover the debt.

How to Pay



Direct Debit

For more information or to arrange payments call the non-domestic rates team during office hours at, 0XXX XXX XXXX. Or visit our website at councilwebsite.gov.uk/NDRinformationpage.



Online or one-off card payment

For more information about payments visit councilwebsite.gov.uk/NDRinformationpage. Call the non-domestic rates team during office hours at, 0XXX XXX XXXX. Details about how to register an online account are available online



Bank transfers

Sort code: 11-11-11

Account number: 00112233

Quote your account reference number and email NDR@council.gov.uk to confirm your remittance.

Relief and Applications

Your rates bill may alter if you are entitled to a relief or if a relief is removed due to change in your circumstances. For more details and a full list of reliefs and reductions visit (councilwebsite.gov.uk/NDRinformationpage)

- Charitable Relief
- Disability Relief
- District Heating Relief
- Empty Property Relief
- Fresh Start Relief
- Renewable Energy Relief
- Rural Relief
- Small Business Bonus Scheme
- Sports Clubs Relief
- Transitional Relief

All reliefs are subject to an application submission and qualifying criteria being met.

Rateable Value of your Property and Notifying Changes

The rateable value of your property is calculated by your local Assessor. Rateable values are reviewed to reflect changes in the property market - this is called revaluation. The most recent revaluation in Scotland was effective from 1st April 2017 and will remain in force until the next revaluation scheduled for 1st April 2022. The rateable value of your property may alter as a result of a change to your property such as an extension or a demolition or as a result of successful appeal to the assessor.

The amount you pay in non-domestic rates is based on the rateable value the assessor has placed on your property. The rateable value is then multiplied by the national rate poundage to produce the non-domestic rates you will pay (properties with a rateable value over £51,000 pay an additional supplement).

If you sell your property, move into or out of a commercial property, please ensure you contact us immediately by email or phone in order to amend your liability. Information we need will include names of parties vacating or taking over the property, relevant dates of your occupation and lease, any sales settlement dates and any details regarding solicitors involved in transactions.

Appeals and Claims

Enquiries, or updates of changes, relating to your property's rateable value should be raised with your local Assessor (Assessor details – Office Address, phone. <https://www.saa.gov.uk/return-of-information/>)

Communication regarding this bill, or non- valuation appeals against any non-domestic rates charge, should be made in writing to "The Service Manager – Revenues, Council, PO Box xxxx, Scotland" (This will vary across each Council). Appeals must be lodged within 8 weeks of the date of issue.

Rates are still required to be paid in full, pending settlement of an appeal.

This authority has a duty to protect the public funds it administers and may use the information you have provided for the detection and recovery of debt. It may also share this information with other bodies responsible for auditing or administering public funds. For further information refer to our website (councilwebsite.gov.uk/NDRinformationpage)

Best Practice Council Office, 1st line Address, 2nd line Address, POSTCODE. Telephone: XXXXXXXX Email: XXXXXXXXXXXXX
Website: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

ANNEX D - ACTIVITIES ELIGIBLE FOR ENTERPRISE AREAS RELIEF

In the life sciences enterprise area:

- Bioinformatics and health informatics
- Deployment of information and communications technology to persons engaged in hospital, medical, dental, residential care and other human health activities
- Drug development
- Experimental and translational medicine and clinical research
- Industrial biotechnology
- Manufacture of basic pharmaceutical products
- Manufacture of electronic components and boards
- Manufacture of instruments and appliances for measuring, testing and navigation
- Manufacture of irradiation, electromedical and electrotherapeutic equipment
- Manufacture of medical and dental instruments and supplies
- Manufacture of optical instruments and photographic equipment
- Manufacture of pesticides and other agrochemical products
- Manufacture of pharmaceutical preparations
- Medical technologies
- Pharmaceutical services, including contract research
- Research and development into, and the manufacture of, medical devices and pharmaceuticals
- Research and experimental development on natural sciences and engineering
- Stem cells and regenerative medicine
- Veterinary medicine
- Wholesale of pharmaceutical goods

In the low carbon/renewables enterprise areas: the design, fabrication, manufacture and assembly of components required for the generation of renewable energy by the technologies described in Schedule 2 of the Renewables Obligation (Scotland) Order 2009, including foundations and substructures (fixed or floating), towers, blades and nacelles, and research and development connected to those activities.

In the general manufacturing and growth sectors enterprise area:

- Creative Clyde
 - Activities involved in the programming, production, post-production, digital distribution or broadcasting of motion picture, video, television, radio, computer games, internet channels or websites
 - Architectural design
 - Digital animation
 - Digital design
 - Digital publishing of books, magazines, journals, periodicals, computer games or music
 - Production of digital advertising or digital marketing materials
 - Software development
 - Sound recording or reproduction of sound recording
- Prestwick International
 - Manufacture of aircraft or spacecraft or related machinery
 - Repair or maintenance of aircraft or spacecraft or related machinery
 - Manufacture of aircraft parts or components
 - Repair or maintenance of aircraft parts or components
 - Distribution of aircraft parts or components

- Design or development of aircraft, aero-engines or aircraft components
- Certification of aircraft, aero-engines or aircraft components
- Manufacture of aircraft, aero-engines or aircraft components
- Manufacture of electronic systems used on aircraft, spacecraft or related machinery
- Repair or maintenance of electronic systems used on aircraft, spacecraft or related machinery
- Design or development of electronic systems used on aircraft, spacecraft or related machinery
- Design or development of aerospace-related software
- Provision of aerospace-related logistics services
- Research and development into aerospace-related materials or aerostructures
- Design or development of aerospace-related design systems or manufacturing systems
- Manufacture of aerospace-related design systems or manufacturing systems
- Other aerospace or aviation-related equipment development, manufacture or maintenance activities
- West Lothian
 - Food Manufacture
 - i. Manufacture of breakfast cereals or cereals-based food
 - ii. Manufacture of edible oils, margarine or fats
 - iii. Manufacture of fruit juice or vegetable juice
 - iv. Manufacture of milk products
 - v. Manufacture of pasta, noodles, couscous or similar farinaceous products
 - vi. Manufacture of pastry, biscuits or cake products
 - vii. Manufacture of prepared feeds for farm animals or prepared pet food
 - viii. Manufacture of prepared meals or dietetic food, including specially prepared low calorie food or food prepared for specific dietary requirements
 - ix. Manufacture of sugar, cocoa or chocolate, or of confectionery based on any of these products
 - x. Processing and preserving of fruit or vegetables
 - xi. Processing and preserving of meat, poultry, fish, crustaceans or molluscs
 - xii. Production of meat, poultry or fish products
 - xiii. Production of coffee or coffee substitutes
 - xiv. Production of liquid milk, cream, butter or cheese
 - xv. Grain milling
 - xvi. Tea processing
 - Beverage Manufacture
 - i. Distilling, rectifying or blending of spirits
 - ii. Manufacture of malt, wine, beer, cider or other non-distilled fermented beverages
 - iii. Manufacture of soft drinks
 - iv. Production of bottled water