

From: Cabinet Secretary for Infrastructure, Investment and Cities
Sent: 15 April 2016 11:06:28
To: Ministerial Correspondence Unit
Cc: Cabinet Secretary for Infrastructure, Investment and Cities
Subject: For MACCS

Attachments: u418764_15-04-2016_11-01-41.pdf

For MACCS please.

Many thanks

Keith Brown - Assistant Private Secretary
Keith Brown - Cabinet Secretary for Infrastructure, Investment and Cities
2N.08 | St Andrew's House | Regent Road | Edinburgh | EH1 3DG | T: 0131 622 2222
CSIC@gov.scot<mailto:CSIC@gov.scot>

Your Ref:

Our Ref: CES16/Leader/Let002

14 April 2016

Keith Brown MSP
Cabinet Secretary for Infrastructure,
Investment & Cities
St Andrew's House
Regent Road
EDINBURGH
EH1 3DG

Leader
Council Offices
English Street
Dumfries DG1 2DD



Any enquiries please contact
Mr Ronnie Nicholson
Direct Dial [REDACTED]
Fax 01387 260034
E-mail Ronnie.Nicholson@dumgal.gov.uk

Dear Cabinet Secretary

WATER AND SEWERAGE CHARGES FOR NON-CHARITABLE COMMUNITY FACILITIES

I write in relation to difficulties currently being experienced by organisations in Dumfries and Galloway which own or manage community facilities such as halls and sports facilities. As you will know, the Exemption Scheme for small Voluntary Organisations historically exempted community groups from water and sewerage charges. You will also be aware that the Scottish Government undertook consultation on changes to the Scheme during 2013/14, which resulted in exemption being restricted to those organisations which were not a Registered Charity, a SCIO or a Community Amateur Sports Club.

Indications are that a total of 77 public / village halls across our region may be affected, principally small facilities in rural areas. Complaints have been received on two main bases:

- 1) That the level of charge being imposed is not sustainable given the level of income generated by the committee's activity; and
- 2) That the charges have not previously been notified to the committee, giving them insufficient time to seek the status necessary to gain further exemption.

Whilst our Council clearly has some sympathy on the basis of the first issue, the management committees may be able to take steps to recover the additional cost through recharges to users, or may opt to seek the necessary status for exemption. It is in respect of the latter issue that we see real difficulties, given the low level of visibility of the changes.

For instance, the consultation on the Exemption Scheme seems to have had a very low level of response nationally, with only 5 local authorities responding. This /..

This may have been because the original proposal was to provide for continuing exemption for third sector organisations with an income of less than £75,000 which were not charities, which would have covered the majority, if not all, of our affected organisations.

In addition, it would seem clear that for a number of affected committees, the first notification they have received of the removal of their exemption, was a demand for payment at the start of March 2016. This did not afford them the necessary time to achieve either charitable, SCIO or CASC status, which would provide exemption from 1 April 2016.

Our Council has received a number of representations on this issue, and I have consulted with leaders of all the political groups within Dumfries and Galloway. I have also made CoSLA aware of the issue, and they have indicated they are happy to be supportive of this approach.

We would request that the Scottish Government recognises the communication issues there have been in respect of the original consultation and the announcement of the new scheme, and in particular over Scottish Water Business Stream's communications with community organisations in advance of the removal of Exemption from 1 April 2016. We would further request that this recognition is demonstrated by restoration of the previous Exemption until 31 March 2017, to enable those organisations which it would seem have only now been made aware of the potential change in their status to make arrangements either to adjust their costs / income, or to seek a change in status which would entitle them to exemption under the revised Scheme.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R. Nicholson', written in a cursive style.

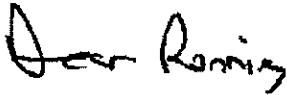
Ronnie Nicholson
Council Leader

Cabinet Secretary for Infrastructure, Investment and Cities
Keith Brown

T: 0300 244 4000
E: scottish.ministers@gov.scot

Mr Ronnie Nicholson
Dumfries & Galloway Council
Council Offices
English Street
DUMFRIES
DG1 2DD

Your ref: CES16/Leader/Let002
Our ref: 2016/0012979
5 May 2016



Thank you for your letter of 14 April 2016 regarding the water and sewerage charges exemption scheme.

The decision to restrict exemption to registered charities was taken as during the consultation period it became clear that there is no single definition of a voluntary organisation. Furthermore, the regulatory activities undertaken by the Office for the Scottish Charity Regulator mean that the business community, which funds this scheme, can be reassured that exemption is being granted on a robust and transparent basis.

However, I recognise that there are particular issues relating to the village halls to which you refer. I have asked my officials to work with the Scottish Council for Voluntary Organisations and the Office for the Scottish Charity Regulator with a view to providing Ministers with some advice after the election. I will write to you again once I have considered possible options for the way forward.



KEITH BROWN



From: First Minister
Sent: 17 October 2016 18:16:20
To: Ministerial Correspondence Unit
Cc:
Subject: FW: Water rates.

Please add to MACCS for OR.

Thanks

From: Sturgeon N (Nicola), MSP [mailto:Nicola.Sturgeon.msp@parliament.scot]
Sent: 17 October 2016 18:07
To: First Minister
Subject: Fwd: Water rates.

Nicola Sturgeon MSP
Glasgow Southside
Constituency Office (constituent enquiries only)
627 Pollokshaws Road
Glasgow
G41 2QG
Tel: 0141 424 1174
nicola.sturgeon.msp@scottish.parliament.uk<mailto:nicola.sturgeon.msp@scottish.parliament.uk>

All other enquiries to nicola.sturgeon@snp.org<mailto:nicola.sturgeon@snp.org>

Begin forwarded message:

From:

Date: 13 October 2016 at 22:47:36 BST

To:

"Nicola.Sturgeon.msp@parliament.scot<mailto:Nicola.Sturgeon.msp@parliament.scot>"

<Nicola.Sturgeon.msp@parliament.scot<mailto:Nicola.Sturgeon.msp@parliament.scot>>

Subject: Water rates.

Dear Ms Sturgeon,

I am chair of Leitholm Village Hall. Our hall is is very small as is the village it is in ,because of the new ruling by your government we now have to pay near four hundred pounds a year for water and sewage rates. This is the amount all halls have to pay there is no sliding scale which reflects the actual usage. We were struggling to get by before this cost and now we are having to eat into our small contingency fund. We cannot become a charity as we struggle to find enough members for the committee and people do not want the responsibility

I am sure your government did not want to jeopardise the existence of small halls. We have a pub which has just opened but we have no shop and a bus three times a week so the hall is a valuable asset to the elderly who use the hall.

I know this is a small matter but a very important matter to the residents of Leitholm.

*

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Pàrlamaid na h-Alba: A' toirt deagh bhuaidh air beatha sluagh na h-Alba

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T: ()
E: ()

Our ref: 2016/0034823
31 October 2016

Dear ()

Thank you for your email of 13 October 2016 to the First Minister regarding the water and sewerage charges exemption scheme. I work for the water industry team in the Scottish Government and have been asked to respond.

Following the public consultation, which closed on 14 February 2014, much consideration was given to respondents' views on the rules that should underpin the new Scheme including income levels and categories of organisations that should be considered for exemption. As you will appreciate, there are a wide variety of voluntary organisations working across Scotland. It was noted that determining which categories of voluntary organisations should be eligible would require a detailed assessment, similar to that already undertaken by the Office of the Scottish Charity Regulator (OSCR) as part its duties to determine which organisations can be charities. Furthermore, it was recognised that not only does Scottish Water not have the necessary skills currently to make the assessment, but verifying additional documentation would increase the administrative costs of the scheme. It was therefore concluded that eligibility should be restricted to Charities and Community Amateur Sports Clubs.

In addition, the information held by OSCR is published and is independently assessed. Organisations with charity status will also have passed the public benefit test and would not need to be assessed on an individual basis to determine if the scheme applies. Whilst I recognise you may be disappointed with this response, Leitholm Village Hall may wish to consider if there are benefits of becoming a charity. Further information is available on OSCR's website at: <http://www.oscr.org.uk/charities/becoming-a-charity>. Alternatively you can contact OSCR on 01382 220446.



It should be noted that, in contrast to the previous scheme, the requirement for all charities to apply annually means that if a charity does not qualify in one financial year, it will not be prevented from applying in future years should it meet the criteria of the scheme. The Scottish Government is committed to a review of the scheme in 2017 to ensure it is operating as intended. Ministers will consider representations from organisations, such as Leitholm Village Hall, when conducting the review.

Ministers recognise that a number of organisations such as yours will not have been aware of the changes to the Exemption Scheme. Ministers therefore agreed that exemption should be backdated to 1 April 2016 if charitable status is awarded in 2016-17.

Your sincerely,

Policy Officer
Water Industry Team

Cabinet Secretary for Environment, Climate Change and Land Reform
Roseanna Cunningham MSP

T: 0300 244 4000
E: scottish.ministers@gov.scot



Mr Ronnie Nicholson
Dumfries & Galloway Council
Council Offices
English Street
Dumfries
DG1 2DD

Your ref: CES16/Leader/Let002
Our ref: 2016/0012979
6 July 2016

Dear Mr. Nicholson,

I am writing to follow up the Cabinet Secretary for Infrastructure, Investment and Cities' letter of 5 May 2016 regarding the water and sewerage charges exemption scheme.

I recognise there are issues relating to village halls losing exemption from charges, particularly in rural areas such as in Dumfries and Galloway. Officials recently met with the Scottish Council for Voluntary Organisations and the Office of the Scottish Charity Regulator (OSCR) to discuss the issue.

Following this meeting, I have agreed that the exemption scheme should continue to be restricted to registered charities and CASCs. This means that village halls will need to register as a charity with OSCR to continue to receive 100% exemption from charges. However, I recognise that it will take time for organisations to secure charitable status. I have therefore agreed that for 2016-17, all newly registered charities and CASCs will have their exemption backdated to 1 April 2016 provided they comply with the additional criteria of the scheme as set out here <http://www.gov.scot/Topics/Business-Industry/waterindustryscot/watercharges/exemptionscheme>.

I hope you find this information helpful.

Yours
R. Cunningham
Roseanna Cunningham

Beeswing Memorial Hall

Management Committee

c/o

RECEIVED 27 JAN 2017

PSU

23rd January 2017

Dear Ms Cunningham,

Re.: Beeswing Memorial Hall
Water Rates Demand 2016-17
Business Stream Limited

Enc.: Copy of 'Final Demand' from Business Stream
Copy of letter to Business Stream
Copy of letter to Scottish Water
Copy of letter to Dumfries & Galloway Council
Copy of letter from D&G Council re. rate relief

Last October a Committee Member received a telephone call out-of-the-blue claiming to be pursuing an alleged debt relating to Water Rates for the Hall. This was a shock to her and baffling to the Committee. In response to this the Committee wrote to D&G Council and received confirmation that the Hall had held 100% Discretionary Rates Relief since 1st April 1997(enclosed).

Last November an elderly resident in the village returned from holiday to find a Final Demand (copy enclosed) in her mail! This was distressing for her and even more baffling to the Committee. This letter was from a company called Business Stream threatening to disconnect the water supply to the Hall.

Since the receipt of this demand the Committee have been trying to obtain information about Scottish Water, Business Stream and the situation with regard to Water Rates and the Hall.

I spoke briefly in November 2016 with an agent at the Business Stream Customer Helpline (as given on the Final Demand letter). He stated that the D&G letter was wrong and that the Hall was liable for Water Rates! He forwarded by email a copy of an invoice dated 21st April 2016 for Water Rates relating to Beeswing Memorial Hall.

The person named on that invoice does not live in the village and is not currently a member of the Committee (and hasn't been in the memory of any current residents - at least 15years!). The Committee is made up of volunteers who manage the Hall which is held in Trust for the use of the local community and as such we have never had to pay any form of Rates.

I have enclosed several letters which the Committee have sent seeking clarification on this matter and requesting copies of any information sent out which may have used an out-of-date address. The Committee have not had any reply from Scottish Water or Business Stream. Unfortunately the Committee cannot authorise any payment with regard to these charges without information about the changes to the system, the options for payment and the potential choice of supplier so that we can get best value for the Hall and Community or re-instate our exemption to these charges.

As we are well into the New Year, I tried to pursue this matter again. Today I rang Scottish Water to re-request copies of the paperwork and information the Committee should have received with regard to the change of supply and charge arrangements which Business Stream were claiming to have come into force. I was unable to get any satisfaction from them. Their agent insisted on transferring me to Business Stream to discuss the matter. I took this opportunity to again request copies of the paperwork and information Business Stream should have sent to the Committee with regard to the change in supply and charge arrangements and to introduce themselves to the Hall Committee. It transpired that no such information had been sent by Business Stream and that they had only sent out bills. I asked for copies of these bills to be forwarded to home address (given above) and the agent agreed. When I asked who should have advised the Committee of the changes to the supply and charge arrangements for the Hall Business Stream stated that it should have been the Scottish Government who notified the Committee of the changes.

I then rang the Scottish Government and was put through to a man who tried to address our concerns. He stated that the information relating to these changes should have been communicated by Business Stream themselves and that wider information had been sent to various bodies for dissemination to charities. He agreed to forward a copy of a leaflet about the changes and confirmed that this matter came under your remit as Cabinet Secretary for Environment, Climate Change and Land Reform.

We seek your clarification of the following:

1. D&G Council have clearly stated that Beeswing Memorial Hall has held 100% Rate Relief since 1997 and this is disputed by Business Stream. What is the correct status?
2. The Committee were unaware of the existence of Business Stream until this demand - by what authority do Business Stream claim this charge as a debt without any contract, correspondence or proof of communication with the Hall Committee?
3. The Committee were unaware of any changes to water supply and charge arrangements or water rates as we have received no information from Scottish Government, Scottish Water, Business Stream, D&G Council or any other agency. Why have the Committee not been informed of this major financial change?
4. Could you forward the information the Committee should have received before the change occurred?

5. The Committee have been told by Business Stream that it is possible to claim an exemption to these charges, but all other information on the matter suggests that this is only for Charities and Sports Clubs. Beeswing Memorial Hall is neither. Due to our Trust status the move to charitable status is not straightforward and would severely affect our ability to retain the facility as a viable one. Is the exemption only available to charities and sports clubs, and if so why?

The Committee and Community are very frustrated at the lack of information and help from all parties on this matter which places a significant financial burden on this well-used village building. We would like your re-assurance that we either get an exemption to ensure that we can continue to provide a vital community facility or are, at the very least, able to seek the best value for the supply of our water without this threat hanging over us.

With thanks for your attention in this matter,

Yours faithfully,

(Acting Chair)

p.p. BEESWING MEMORIAL HALL Committee

Beeswing Memorial Hall

Management Committee
c/o

E: beeswingcc@hotmail.co.uk
F: Beeswing Community News
T: @beeswingweb

28th November 2016

Dear Mr McDowall,

Re.: Beeswing Memorial Hall
SPID
Water Rates Demand 2016-17
Business Stream account

Enc.: Copy of Rate Relief Letter from D&G Council
Copy of Water Rates Invoice from yourselves
Copy of Final Demand from yourself
Copy of letter to D&G Council
Copy of letter to Scottish Water

An elderly resident in the village recently returned from holiday to find this Final Demand in her mail! This was a shock to her and baffling to the Committee.

I have spoken briefly with [redacted] at your Customer Helpline who subsequently sent us an email with a copy of an invoice dated 21st April 2016 for Water Rates relating to Beeswing Memorial Hall for 2016-2017.

The name on the invoice is not a currently a member of the Committee and hasn't been in the memory of any current residents (more than 15years!). The Committee is made up of volunteers who manage the Hall which is held in Trust for the use of the local community and as such we have never had to pay any form of Rates.

I have emailed [redacted] with several queries but felt it appropriate to also write to you as Finance Director for Business Stream as named on the Final Demand with the same questions, seeking clarification.

1. Are your company part of Scottish Water or a Scottish water company?

{cont'd over>

- 2. If you are related to Scottish Water, why did you not obtain the correct contact details from them?
- 3. As the matter is related to the Council Rates system, why did you not obtain the correct contact details from D&G Council?
- 4. We have received no correspondence regarding Water Rates from D&G Council or Scottish Water in the last 10 years, though both hold our correct contact details - we are writing to them on this matter (copies enclosed).
- 5. D&G Council have stated that we have held 100% Rate Relief since 1997 (copy enclosed).
- 6. The Committee were unaware of your company's existence until this demand, how long have you been in operation?
- 7. Not only were the Committee unaware of the changes to Water Supply rates you have told us about, we were unaware that we have the option to choose the supplier for this utility (along the same lines as Electricity) to obtain the best value for the Hall.
- 8. Is there a contract between yourselves and us for the provision of the water supply at Beeswing Memorial Hall?
- 9. If so, who signed the contract on behalf of Beeswing Memorial Hall? If not, by what authority do you claim this debt?
- 10. The Invoice does not state a 'due by' date for payment and refers to the year to March 2017 - why the Final Demand so early?

We would be grateful if you could forward copies of any paperwork you have which relates to this matter:

- correspondence sent out to the Hall Committee;
- correspondence received from the Hall Committee;
- notification of the change of supply arrangements for the Hall;
- contract documents confirming the arrangement for the Hall;
- bills/invoices relating to the Hall.

We need sight of these before agreeing to any payments.

We will be applying for an exemption in the meantime.

With thanks for your attention in this matter,

Yours faithfully,

... (Acting Chair)

p.p. BEESWING MEMORIAL HALL Committee

Beeswing Memorial Hall

Management Committee
c/o

E: beeswingcc@hotmail.co.uk
F: Beeswing Community News
T: @beeswingweb

28th November 2016

Dear Sir/Madam,

Re.: Beeswing Memorial Hall
SPID
Water Rates Demand 2016-17
Business Stream Limited

Enc.: Final Demand from Business Stream
Copy of letter to Business Stream
Copy of Rate Relief Letter from D&G Council
Copy of letter of 3rd October 2016

An elderly resident in the village recently returned from holiday to find this Final Demand in her mail! This was a shock to her and baffling to the Committee.

We wrote to you in October about a telephone call received out-of-the-blue by a Committee Member and have not yet received a satisfactory response from yourselves. We have now received a letter from a company called Business Stream threatening to disconnect the water supply to Beeswing Memorial Hall. The letter included the above Supply Point ID number which may help you pursue this matter for us.

I have spoken briefly with [redacted] at the Business Stream Customer Helpline as given on the Final Demand letter and he has forwarded by email a copy of an invoice dated 21st April 2016 for Water Rates relating to Beeswing Memorial Hall.

The person named on the invoice does not live in the village and is not currently a member of the Committee and hasn't been in the memory of any current residents (more than 15years!). The Committee is made up of volunteers who manage the Hall which is held in Trust for the use of the local community and as such we have never had to pay any form of Rates.

I have emailed [redacted] with several queries but felt it appropriate to also write to you (as your organisation is cited in the Final Demand) seeking clarification on several matters.

1. Are Business Stream part of Scottish Water or a Scottish water company?
2. If they are related to yourselves, why did they not obtain the correct contact details from you?
3. We have received no correspondence regarding Water Rates from D&G Council or yourselves in the last 10 years, though both organisations hold our correct contact details.
4. D&G Council have stated that we have held 100% Rate Relief since 1997 (copy enclosed).
5. The Committee were unaware of the existence of Business Stream until this demand, how long have they been in operation as Water Suppliers?
6. Not only were the Committee unaware of the changes to Water Supply rates Business Stream have told us about, we were unaware that we have the option to choose the supplier for this utility (along the same lines as Electricity) to obtain the best value for the Hall.
7. What is the position with regard to any contract between yourselves and us for the provision of the water supply at Beeswing Memorial Hall as we have not changed supplier or sought to finish any contract with yourselves?
8. In light of all this, by what authority do Business Stream claim this debt?

We would be grateful if you could forward copies of any paperwork you have which relates to this matter:

- correspondence sent out to the Hall Committee;
- correspondence received from the Hall Committee;
- notification of the change of supply arrangements for the Hall;
- contract documents confirming the arrangement for the Hall;
- bills/invoices relating to the Hall.

We need sight of these before agreeing to any payments.

In line with the information passed to us by Business Stream we will be applying for an exemption from these charges in the meantime. We trust this will be dealt with quickly by yourselves.

With thanks for your attention in this matter,

Yours faithfully,

(Acting Chair)

p.p. BEESWING MEMORIAL HALL Committee

Beeswing Memorial Hall

Management Committee
c/o

E: beeswingcc@hotmail.co.uk
F: Beeswing Community News
T: @beeswingweb

28th November 2016

Dear

Re.: Beeswing Memorial Hall
Water Rates Demand 2016-17
Business Stream Limited

Enc.: Final Demand from Business Stream
Copy of letter to Business Stream
Copy of letter to Scottish Water
Copy of letter of 3rd October 2016

An elderly resident in the village recently returned from holiday to find this Final Demand in her mail! This was a shock to her and baffling to the Committee.

We wrote to you in October about a telephone call received out-of-the-blue by a Committee Member with regard to a debt relating to Water Rates and you kindly sent us a letter confirming 100% Rate relief for Beeswing Memorial Hall. We have now received a letter from a company called Business Stream threatening to disconnect the water supply to Beeswing Memorial Hall.

I have spoken briefly with [redacted] at the Business Stream Customer Helpline as given on the Final Demand letter. He stated that your letter was wrong and that we were liable for Water Rates! He has now forwarded by email a copy of an invoice dated 21st April 2016 for Water Rates relating to Beeswing Memorial Hall.

The person named on the invoice does not live in the village and is not currently a member of the Committee and hasn't been in the memory of any current residents (more than 15years!). As you know, the Committee is made up of volunteers who manage the Hall which is held in Trust for the use of the local community and as such we have never had to pay any form of Rates.

I have emailed [redacted] with several queries but felt it appropriate to also write to you seeking clarification on several matters.

1. We have received no correspondence regarding Water Rates from yourselves or Scottish Water in the last 10 years, though both organisations hold our correct contact details.
2. You have stated that we have held 100% Rate Relief since 1997 and this is questioned by Business Stream.
3. The Committee were unaware of the existence of Business Stream until this demand, how long have they been in operation as Water Suppliers?
4. Not only were the Committee unaware of the changes to Water Supply rates Business Stream have told us about, we were unaware that we have the option to choose the supplier for this utility (along the same lines as Electricity) to obtain the best value for the Hall and therefore unable to act in the best interests of the Hall.
5. In light of all this, by what authority do Business Stream claim this debt?

We would be grateful if you could forward copies of any paperwork you have which relates to this matter:

- correspondence sent out to the Hall Committee;
- correspondence received from the Hall Committee;
- notification of the change of supply arrangements for the Hall.

We need sight of these before agreeing to any payments.

In line with the information passed to us by Business Stream we will be applying for an exemption from these charges in the meantime. We trust that you will be able to clarify this situation quickly.

With thanks for your attention in this matter,

Yours faithfully,

(Acting Chair)

p.p.BEESWING MEMORIAL HALL Committee

Community and Customer Services

Carruthers House

English Street

Dumfries, DG1 2HP

Any Enquiries please contact

Tel No: (

Fax No: 01387 260326

Email - ndr@dumgal.gov.uk

31st October 2016

Business Stream

Dear Sirs

Non Domestic Rates: . Beeswing Hall Committee, Beeswing, Dumfries

I can confirm that the above property is in receipt of 100% Discretionary Rates Relief from 01 April 1997 to date.

Yours sincerely

Revenues Officer



T: [redacted]
E: [redacted]@gov.scot

Our ref: 2017/0004183
16 February 2017

Dear [redacted]

Thank you for your letter of 23 January 2017 to the Cabinet Secretary for Environment, Climate Change and Land Reform regarding the water and sewerage charges exemption scheme. I work for the water industry team in the Scottish Government and have been asked to respond.

Following the public consultation, which closed on 14 February 2014, much consideration was given to respondents' views on the rules that should underpin the new Scheme including income levels and categories of organisations that should be considered for exemption. Eligibility for the scheme was restricted to charities and community amateur sports clubs because there is no widely accepted definition of a voluntary organisation and also to reduce administrative complexity. Should voluntary organisations be accepted into the Scheme, this would require Scottish Water to assess which voluntary organisations met the agreed tests - similar to the detailed assessment that is already undertaken by the Office of the Scottish Charity Regulator (OSCR) as part its duties to determine which organisations can be charities.

In addition, the information held by OSCR is published and is independently assessed. As the costs of the Scheme are borne by other businesses through a 5% uplift in their water charges, this provides re-assurance that the scheme is robust and transparent.

Turning to your specific questions:

1. Clarification of rates relief should be provided by Dumfries and Galloway Council. Water and sewerage charges are assessed independently of any rates relief.
2. Business Stream is a subsidiary of Scottish Water. It was created by the Water Services etc. (Scotland) Act 2005 for the purposes of providing retail services to the non-domestic sector. In 2006, the accounts for all non-domestic customers were transferred from Scottish Water to Business Stream. In 2008, the retail market was opened to competitors. There are



now over 20 retailers - details of these organisations are available at www.scotlandontap.gov.uk. A customer may switch retailer provided it has settled any outstanding bill with its previous provider.

3. As explained previously, the Scottish Government has sought to disseminate information as widely as possible through organisations such as OSCR, Scottish Council for Voluntary Organisations (SCVO), Local Authorities and Citizens Advice Scotland. We recognised there was a lack of awareness amongst village halls in Dumfries and Galloway in particular and engaged with the Council to provide information. Business Stream also sought to contact all customers in the previous exemption scheme based on the records that it possessed at that time.

4. You have hopefully received the information note I sent previously, other relevant details are found in this letter. You can also visit <https://www.mygov.scot/water-sewerage-exemption/> for further information.

5. I can confirm that the Scheme is only available to Charities and Community Amateur Sports Clubs. Please see above for the explanation.

Whilst I recognise you may be disappointed with this response, you may wish to consider if there are benefits of becoming a charity. Further information is available on OSCR's website at: <http://www.oscr.org.uk/charities/becoming-a-charity>. Alternatively you can contact OSCR on 01382 220446.

Ministers recognise that a number of organisations will not have been aware of the changes to the Exemption Scheme. It has therefore been agreed that exemption should be backdated to 1 April 2016 if charitable status is awarded in 2016-17.

Yours sincerely,

Policy Officer
Water Industry Team

From: |
Sent: 24 May 2016 15:05:13
To: Ministerial Correspondence Unit
Cc: Cabinet Secretary for the Environment, Climate Change and Land Reform
Subject: FW: Water charges issue

Attachments: Wartle Community Association.pdf, Wartle Community Association - Roseanna Cunningham.doc

For MACCs please.

Deputy Private Secretary to Roseanna Cunningham MSP | Cabinet Secretary for Environment, Climate Change & Land Reform | Scottish Government | 2N:08, St Andrew's House, Regent Road, Edinburgh, EH1 3DG |
| cabsececlf@gov.scot

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From: |
Sent: 24 May 2016 15:03
To: Cabinet Secretary for the Environment, Climate Change and Land Reform
Subject: Water charges issue

Dear Ms Cunningham,

I

Please find attached a letter from Gillian Martin MSP regarding her abovenamed constituent. Also attached is the letter which sent to Mrs Martin regarding her concerns about water charges from Business Stream.

As we are in the process of setting up Mrs Martin's new constituency office, can I please ask for any response to be sent by email to this address?

Regards,

(

| Office Manager | Gillian Martin MSP

*

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**GILLIAN MARTIN MSP
ABERDEENSHIRE EAST**

Roseanna Cunningham MSP
Cabinet Secretary for Environment,
Climate Change and Land Reform
St Andrew's House
Regent Road
Edinburgh
EH1 3DG

Our Ref: GM/CS/

24th May 2016

Dear Roseanna,

I have been contacted by my abovenamed constituent regarding concerns about water charges from Business Stream. I have enclosed a copy of the letter for your information.

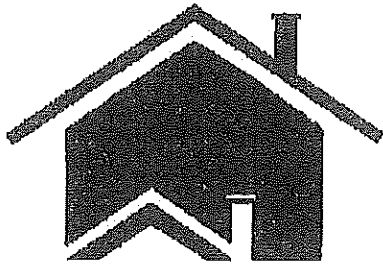
Wartle Community Association believes that it is being charged unfairly for the water to the village hall, especially considering that this is a community run association. [redacted] writes that this is a Government backed scheme and that increased costs could potentially cause small community halls to close.

I would be grateful if in your capacity as Cabinet Secretary for the Environment, which includes responsibilities for Scottish water, you would investigate my constituent's specific concerns and respond in a manner I may share with her.

With very best wishes,



Gillian Martin MSP



Wartle Community Association

Dear Representative,

We wish to bring to your attention, an issue that has us very concerned for our Community.

We have been recently informed that hence forth, our local Community Village Hall is liable for water charges and have now received in our first water invoice for £308.75.

Apparently this is a Government backed scheme, presumably to try and recoup some invisible expenses, but at what cost??

Our Village Hall is NOT run by the Council, the local Community has to work very hard just to keep the doors open for the use of the Public, and we keep getting hit with rising costs for everything to do with running the Hall. We are not eligible for Charity status and have no wish to abuse this system due to the extra costs this would incur.

The unfairness of this new charge is quite unbelievable to a small Community as not only have we never had to pay this before but this charge is to be paid up front for the year.

To run our Village Hall costs us already £2500 per year before we open the doors and now this is to be added in aswell. It is unfair to penalise small Communities like this who are struggling to keep their identity anyway.

We realise Business Stream are only going by orders, but guaranteed no-one has counted the cost of reality in this matter. This could end with the closure of small Community Halls, often the only amenity in the area. Is there not enough other factors killing of Community Spirit without adding more pressures.

I realise we are only a very small cog in a great big wheel, but if we can make somebody think about the "Little People" and the demise of Community life, so be it.

Thank you for your time in reading this.

CHAIRPERSON

Cabinet Secretary for Environment, Climate Change and Land Reform
Roseanna Cunningham MSP

T: 0300 244 4000
E: scottish.ministers@gov.scot

Ms Gillian Martin MSP
The Scottish Parliament
EDINBURGH
EH99 1SP

By email: _____



Our ref: 2016/0016859
16 June 2016

Dear Gillian,

Thank you for your letter of 24 May 2016 on behalf of your constituent regarding the water and sewerage charges exemption scheme.

Following the public consultation, which closed on 14 February 2014, much consideration was given to respondents' views on the rules that should underpin the new Scheme including income levels and categories of organisations that should be considered for exemption. As you will appreciate, there are a wide variety of voluntary organisations working across Scotland. It was noted that determining which categories of voluntary organisations should be eligible is very difficult and would require a detailed assessment, similar to that already undertaken by the Office of the Scottish Charity Regulator as part its duties to determine which organisations can be charities. Furthermore, it was recognised that not only does Scottish Water not have the necessary skills currently to make the assessment, but verifying additional documentation would increase the administrative costs of the scheme. It was therefore concluded that eligibility should be restricted to Charities and Community Amateur Sports Clubs.

In addition, the information held by OSCR is published and is independently assessed. Organisations with charity status will also have passed the public benefit test and would not need to be assessed on an individual basis to determine if the scheme applies. Whilst I recognise your constituent may be disappointed with this response, Warrle Community Association may wish to consider if there are benefits of becoming a charity. Further information is available on OSCR's website at <http://www.oscr.org.uk/charities/becoming-a-charity>. Alternatively you can contact OSCR on 01382 220446.

The Scottish Government has greatly modernised access to the exemption scheme. It should be noted that, in contrast to the previous scheme, the requirement for all charities to apply annually means that if a charity does not qualify in one financial year, it will not be prevented from applying in future years should it meet the criteria of the scheme.

I recognise that a number of organisations such as your constituent's will have received bills. I have agreed that exemption should be backdated to 1 April 2016 if charitable status is awarded in 2016-17. This applies to all organisations who were members of the previous exemption scheme.

I hope you and your constituent find this information helpful

Yours

Roseanna

Roseanna Cunningham

From:
Sent: 24 September 2018 16:27
To:
Subject: FW: Water and Sewerage Exemption Scheme - criteria relating to alcohol licences

Here you go.

From: Scottish Licensed Trade Association <theslta@aol.com>
Sent: 01 August 2017 14:19
To: (
Subject: Water and Sewerage Exemption Scheme - criteria relating to alcohol licences

Good afternoon

I am afraid that [redacted] on is on holiday at the moment, but I could probably help you with this. I have left a message on your answering service and thought it better to also drop you an e-mail.

If you could phone me on [redacted] I could tell you our position on this.

SLTA Secretary

The Scottish Licensed Trade Association
CBC House, 24 Canning Street,
Edinburgh EH3 8EG
Tel: [redacted]
www.theslta.co.uk

Scotland's Pubs and Bars - A Story To Tell
www.scotlandspubsandbars.co.uk

-----Original Message-----

From:
To: theslta <theslta@aol.com>
Sent: Fri, 28 Jul 2017 14:06
Subject: Fwd: Water and Sewerage Exemption Scheme - criteria relating to alcohol licences

I - can you answer - good for them to get our view, at last, on this.

Sent from PDCW iPhone

Begin forwarded message:

From: [redacted]
Date: 28 July 2017 at 11:59:16 CEST
To: [redacted]
Cc: [redacted]
Subject: Water and Sewerage Exemption Scheme - criteria relating to alcohol licences

Dear [redacted]

I work in the water industry team of the Scottish Government and am responsible for providing Ministers with policy advice in respect of water and sewerage charges. I am currently reviewing the exemption scheme that is available to charities and Community Amateur Sport Clubs. I suggested that I might want to contact you to seek the Scottish Licensed Trade Association's views on alcohol licensing and, in particular, licences held by voluntary organisations.

Charities and Community Amateur Sports Clubs are currently not eligible for the water and sewerage exemption scheme where they hold a permanent alcohol licence. Ministers agreed this criterion on the basis that any exemption would be inconsistent with their alcohol policies and might lead to unfair competition between licensed premises. A similar rule is in place for those charities and CASCs that operate retail facilities (eg shops and cafes).

Ministers have come under significant pressure to change the rule regarding alcohol licences. A number of sports clubs have argued that as a consequence of their type of licence, their premises are only available to members and therefore they do not compete with other licensed premises. They also argue that their bars provide essential revenue for the on-going running of their operations.

I should be very grateful for any views that the SLTA may have. In particular, I should be grateful for its views about whether charities and clubs with permanent alcohol licences do compete with local traders and whether an exemption from water and sewerage charges might give these bars an unfair advantage.

Kind regards

Water Industry Team
Scottish Government
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Dh' fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh' fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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