



WARRINGTON BOROUGH COUNCIL

Business Rates – Discretionary Relief Scheme

Guidance 2023-2024

Introduction

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

In view of the discretionary nature of the relief, it is not possible for the Council to lay down rigid rules as to which organisations are entitled. The document sets out the guidelines the Council will follow when deciding whether to award Business Rates relief.

Registered charities should apply for mandatory relief. This relief is 80% of the business rates – and discretionary relief allows the Council to top this up to 100% at our discretion.

Discretionary Relief

The Act gives the Council the authority to grant Discretionary relief as follows:

- To make a further award on top of the 80% mandatory relief. This discretionary award can be up to 20%, taking the total relief to a maximum of 100%.
- To make an award of between 0% and 100% where appropriate.
- The cost of discretionary relief is met by the Council so we will look at your organisations commitment to Warrington.

Applying for the relief

Applications for discretionary relief should be supported by copies of:

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

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

The intention is to allow the Council to make decisions on all discretionary relief applications using the guidance below. An application will be considered for discretionary relief where:

- The Council is satisfied that the principles of open access and provision of facilities are demonstrated in the application and
- The organisation making the application provides a clear community benefit to the Warrington area

Any decision to grant discretionary relief will be subject to budget availability.

Period of Relief

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

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

Level of Relief

The level of relief will range from 0% to 100% of the ratepayers liability.

Appeals

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