

DISCRETIONARY RURAL RATE RELIEF – GUIDANCE NOTES

New regulations permit the Council in certain circumstances to grant up to 100% Discretionary Rural Rate Relief from 1 April 1998.

The relief may be granted not only to business premises, but to any property which meets the following criteria:

- has a rateable value less than £16,500
- is situated in a Rural Settlement which has a population of less than 3,000.

The register of Rural Settlements is available for inspection at the Council House, Saltergate, Chesterfield.

Legislation states that a decision to grant Discretionary Rate Relief must not be made unless:

- “(a) the hereditament is used for purposes which are of benefit to the local community, and
- (b) it would be reasonable for the billing authority to make such a decision having regard to the interests of persons liable to pay Council Tax set by it.”

Whenever Discretionary Rate Relief is granted there is a cost to North East Derbyshire Council Tax payers. The Council, in considering applications, must balance the benefit to the business with the cost of the community.

Whilst each application for the relief will be considered on its merits there are certain factors which weigh heavily in the decision making process. It is this Council's belief that the spirit of the legislation is to assist businesses and amenities which contribute significantly to the quality of life of the people who have their main home in the Rural Settlement.

To be successful, a business must show that its existence is a significant benefit to the local community with the majority of local residents directly benefiting from the services or facilities provided by that business.

Approximately 200 of the business properties in North East Derbyshire come within the boundaries of this new legislation, and if the Council was to grant relief to all of them, a considerable financial burden would fall on the Council Tax payers of the District. Having regard to the hardship that would be caused by the resultant increase in Council Tax, the Council has carefully considered the whole issue and formulated the following guidelines.

GUIDELINES FOR DISCRETIONARY RURAL RATE RELIEF APPLICANTS

The Council will only consider granting Discretionary Rate Relief to a business which:

- has a rateable value less than £16,500
- is predominantly concerned with the retail sale of goods or provision of social and welfare facilities
- is conducted mainly in the Rural Settlement in which they are based
- sells mainly to or provides the facilities for residents within the Rural Settlement in which they are based.

The above forms the broad policy of the Council. However, to assist the Council in its deliberations, in addition to completing the application form the applicant is invited, should they wish, to put a case forward in their own words why they should be granted Discretionary Rate Relief.

**NON-DOMESTIC RATES
APPLICATION FOR DISCRETIONARY RATE RELIEF**

UNDER THE PROVISIONS OF THE LOCAL GOVERNMENT FINANCE ACT 1988

(Rural Rate Relief Scheme)

Address of property:

Property reference number:
 Your property is situated in the *Rural Settlement* of:

IMPORTANT
 Please read and carefully consider the enclosed information leaflet headed 'Discretionary Rate Relief.'

Please complete in BLOCK LETTERS

1. Name of applicant:
 2. Contact telephone number:
 3a. Is your business conducted solely in this Rural Settlement? YES/NO
 3b. Are your customers mainly residents of this Rural Settlement? YES/NO
 If NO, please give details:

3c. What is the nature of your business?
 4c. Please enclose copies of your last two years' audited accounts.

Signed: Date:

For Council Use Only

To be completed before issue

Is the settlement on the Rural Settlement List?	YES/NO
Is the rateable value less than £16,500	YES/NO
Is the population of the settlement less than 3,000	
As calculated in accordance with Council policy?	YES/NO
Rateable Value is:	<div style="border: 1px solid black; padding: 2px; display: inline-block;">£ <input style="width: 100px; height: 20px;" type="text"/></div>

To be completed when application returned

Relief appropriate	Signed:	Date:	/ /
Account Amended	Signed:	Date:	/ /