

TONBRIDGE & MALLING BOROUGH COUNCIL
FINANCE, INNOVATION and PROPERTY ADVISORY BOARD

21 September 2016

Report of the Director of Finance and Transformation

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 REFORMING BUSINESS RATES APPEALS

On the 16 August 2016 the Department for Communities and Local Government published a further consultation document on the proposals for reforming the business rates appeals process.

1.1 Introduction

- 1.1.1 The Government is committed to delivering an improved business rates appeals system. There is widespread agreement that the current system is not working. Too many appeals are held up for too long, creating costs and uncertainty for businesses and local authorities.
- 1.1.2 In October 2015, the Department for Communities and Local Government consulted on proposals for a new approach to business rates appeals. The reforms would see the introduction of a three stage approach: check, challenge, appeal; and reported to the January meeting of the Board, together with our proposed response to the consultation.
- 1.1.3 The guiding principles for reform are that ratepayers should set out their issues fully and clearly at the start of each stage, so that the Valuation Office Agency can respond quickly and ratepayers can make an informed decision about whether they need to proceed to the next stage. There should be a structured and transparent approach with clear expectations on all sides about timescales, requirements and action.
- 1.1.4 The aim of the system overall is to provide a streamlined and efficient system in which the key issues are identified by the ratepayer early, and are resolved as quickly as possible as the case proceeds.
- 1.1.5 The consultation closed in January 2016 and the Government policy statement in response to this consultation can be found at the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/535295/Reforming_business_rates_appeal_-_govt_response.pdf

- 1.1.6 The next steps are to make amendments to the existing regulations to reflect the agreed policy and to finalise a number of outstanding policy issues. This latest consultation document deals with these matters.
- 1.1.7 The consultation can be found at the following link:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/546100/Business_rates_appeals_reforms_consulation_draft_regs.pdf
- 1.1.8 The return date for responses to the consultation is 11 October 2016. A copy of the proposed response can be found at **[Annex 1]**.
- 1.1.9 The intention is that the reformed system will apply when the new rating list comes into effect in April 2017.

1.2 Legal Implications

- 1.2.1 Primary legislation amending existing enabling powers enacted and regulations subsequently to be brought forward setting out the details of the various stages.

1.3 Financial and Value for Money Considerations

- 1.3.1 A more efficient system should deliver savings, in time, money and resources.

1.4 Risk Assessment

- 1.4.1 None.

1.5 Equality Impact Assessment

- 1.5.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.6 Recommendations

- 1.6.1 Members are asked to **endorse** the proposed response to this latest consultation on reforming the business rates appeals process **[Annex 1]**.

The Director of Finance and Transformation confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and policy Framework.

Background papers:

Nil

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