

Business Rates Relief and Hardship/Discretionary rate relief has been raised with the council on numerous occasions.

A request to streamline the application process for relief has been in place with the council since June 2022.

		the advisor once appointed to agree a reasonable set of financial documents			
06.06.22		Check the tender to ensure that comparison periods can be changed easily without retendering and check with legal. - checked and this is ok	IW	completed	Action on track
		Traders to be informed of appointed Independent Financial Adviser	IW	14 June	
06/06/22		Traders to help businesses in the area to be aware of the Financial Health check being undertaken by the Business Advisor, and the relevant financial paperwork	Traders		
06.06.22		Agree common understanding of what we are trying to achieve in terms of supporting increased footfall in the area.	ALL	28 June	Action on track
06.06.22		Review business rates hardship application process/form for rate relief and whether the current form is minimum requirement under law or can be streamlined.	TR	14 June	Action on track

** Taken from Council/Subgroup Action Points Sheet June 2022*

In the traders action issues update sheet from June 2022 the Council stated that the process could be fast tracked, but the application process remained the same.

Business Rates relief update...

- Will be fast-tracked directly by council – avoiding Valuation Office process
- Please submit an application for hardship rate relief, demonstrating loss of trade or business during the period
- Applications will be considered on an individual basis and traders can apply up to 100% of the net business rates payable for the time period of the works
- On receipt of applications, team will fast track and turn around within two weeks
- Traders can apply via [Hardship Relief | City Of Wolverhampton Council](#)

** Taken from Westside traders actions issues update June 22 Powerpoint Presentation*

In the action points sheet from August 2022 the Council stated that the process could be streamlined as well as fast-tracked, however, no documentation was ever received by WSTG in respect of this outcome.

06/06/22	Independent Financial Adviser Traders to help businesses in the area to be aware of the Financial Health check being undertaken by the Business Advisor, and the relevant financial paperwork	A <u>well attended</u> meeting was held 20.06.22 supported by traders. Group to inform all traders through social media that the deadline for submitting financial information to the Advisor is 29 July	Traders	29 July	Action on track
06.06.22	Agree common understanding of what we are trying to achieve in terms of supporting increased footfall in the area		ALL	28 June	Completed
06.06.22	Review business rates hardship application process/form for rate relief and whether the current form is minimum requirement under law or can be streamlined.	Can be streamlined and fast tracked directly by Council – avoiding Valuation office process. Team are working with the business advisor to look at using the information collected from the Health Check as a way of demonstrating loss during this time and simplify the process.	Tracey Richards	14 June	Complete
06.06.22	Traders to send formal requests to the Bid for the Bid Board to consider bid levy relief (Cllr Simkins declared an interest at this point as member of the bid board).	BID Director confirmed that a letter had been received from the traders. Conversations to be undertaken outside the meeting regarding individual levy relief payments.	Traders BID	20 August	Action on track

** Taken from Council/Subgroup Action Points Sheet August 2022*

As of June 2023, the Discretionary/Hardship Business Relief policy remains unchanged on the Council website. No documentation has been received by WSTG outlining the streamline process and the application process remains robust and invasive. It is documented below for reference

Wolverhampton City Council

Business Rates Discretionary Relief (Hardship) Policy

- 1 Introduction**
- 2 Purpose and principles of the policy**
- 3 Requirements for Applications**
- 4 Decision Making Framework**
- 5 Duration of Awards**
- 6 State Aid**
- 7 Review process**

1. Introduction

1.1. This policy sets out the circumstances in which reductions in rate liability will be granted due to part occupation.

1.2. Section 49 of the Local Government Finance Act 1988 provides councils with discretion to grant rate relief where a business is suffering hardship.

1.3. The amount of any relief awarded can reduce or remit the full business rates charge on both occupied and unoccupied properties.

2. Purpose and principles of the policy

2.1. The purpose of this policy is to

- Ensure that all applications are treated in a fair, consistent and equal manner.
- Set a framework for how ratepayers can apply for this relief.
- Make clear the limited criteria under which relief will be awarded.

- Set out the delegated authority for dealing with applications.
- 2.2. Each application will be considered on its individual merit but in making a decision on the award the decision maker will give due consideration to the requirements of the Policy Framework.
- 2.3. This policy has been written in line with Government guidance.

3. Requirements for Applications

- 3.1. Applications will only be considered where a written application is received from the ratepayer, or where the ratepayer is an organisation, a person properly authorised to make an application on behalf of the organisation.
- 3.2. Applications must provide relevant information to demonstrate the loss of trade or business to include the following:
- audited accounts for at least 3 years and cash flow forecast (in the case of a new business an estimate of annual income/expenditure by the Director/bookkeeper/accountant
 - in the cases of sole traders/partnerships, details of drawings from the business and a breakdown of personal income and expenditure
 - details of steps that have been/are being taken in an attempt to keep the company sustainable
 - a business plan
 - details of the number of employees prior the problems experienced and current number of employees
 - details of any relationships with any other businesses, particularly with local suppliers
 - details of any benefits provided by the business to the elderly, young or any other disadvantaged group
 - any other information which may support the application
 - contact details of the relevant officer
 - a signed declaration setting out any amount of State Aid received within the preceding three years
- 3.3. The Council will request any supporting evidence it considers necessary to properly assess the merits of the application.
- 3.4. Ratepayers must continue to pay any amount of rates that fall due whilst an application is under consideration.

4. Decision Making Framework

4.1. Relief will only be granted in exceptional circumstances giving consideration to the following:

- the ratepayer would sustain hardship if relief is not applied
- it is reasonable for the Council to grant relief having considered the interests of its council tax payers

4.2. When considering an application for relief the following factors will be taken into account:

- whether the granting of relief will help the business through a temporary difficulty
- the effect on local businesses, employment and the residents of Wolverhampton
- whether the business is the only one of its kind in the vicinity and it is in the interests of the community to grant relief
- whether the current hardship (financial or otherwise) could have been foreseen and avoided

5. Duration of Awards

5.1. The amount of relief granted may be for a fixed sum or be equivalent to a period of charge. Whilst each application will be considered on its own merits, it is unlikely that any relief will be granted for more than the current financial year.

5.2. The ratepayer will be notified of the decision in writing.

5.3. Ratepayers are required to notify the Council immediately of any change in circumstances that may affect their entitlement to relief.

6. State Aid

6.1. Relief will not be awarded in any circumstances where it appears that an award will result in the ratepayer receiving state aid that is above the current de minimis level. Each application must be accompanied by a statement signed by the appropriate person representing the business setting out the amount of state aid, including but not limited to discretionary rate relief, which the ratepayer has received within the previous three years. Applications will not be considered until this statement is received.

7. Review Process

- 7.1. There is no statutory right of appeal against a decision made by the Council regarding discretionary rate relief. However, the Council recognises that ratepayers should be entitled to have a decision reviewed if they are dissatisfied with the outcome.
- 7.2. The council will accept a written request for a review of its decision. The request should include the reasons for requesting a review and any supporting information.
- 7.3. A request for review must be made within one calendar month of the date of the decision letter.
- 7.4. Reviews will be considered by an officer independent of the original decision maker.
- 7.5. The letter notifying of the outcome of an application for relief will include instructions on how to request a review and the address where any request for review should be sent
- 7.6. The applicant will be notified of the outcome of the review in writing.
- 7.7. This review process does not affect a ratepayer's legal right to seek leave to challenge a decision by way of Judicial Review.