

# Crawley Borough Council

## Consideration Report for Delegated Decision by Chair of the Cabinet

**Expected Date of Decision 23 January 2019**

### **Calculation of the Non-Domestic Rates Income for the Year 2019/2020**

Report of the Head of Finance, Revenues and Benefits – FIN/465

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#### **1. Purpose**

- 1.1 The purpose of this briefing note is for the Chair of the Cabinet to exercise his delegated authority to approve the Non-Domestic Rates Income for 2019/20.

#### **2. Recommendations**

- 2.1 The Chair of the Cabinet is recommended to:

Approve the calculation of the non-domestic rating income for 2019/2020

#### **3. Reasons for the Recommendations**

- 3.1 The calculation required by statute has produced a non-domestic rating income of £123,868,258; the central share has been calculated at £30,967,064; and the relevant precepting authority's (WSCC) share as £68,127,542. The regulations provide that in the current year this authority must make the calculations by 31 January 2019.

#### **4. Background**

- 4.1 The Non-Domestic Rating (Rates Retention) Regulations 2013 require a billing authority, by 31 January in the preceding year, to:
- a) Calculate its non-domestic rates income for the relevant year;
  - b) Calculate the amount of the central share of its non-domestic rating income for the relevant year;
  - c) Calculate the amount of each relevant precepting authority's share of its non-domestic rating income for the relevant year; and
  - d) Notify the Secretary of State and any relevant precepting authorities of the amounts calculated.
- 4.2 The non-domestic rates income is used to calculate the level of grant receivable by the Council through the Business Rates Retention Scheme introduced from April 2013. There is now a direct link between the non-domestic rates income receivable in the year and the level of grant receivable by the Council.

- 4.3 Announced in the provisional local government settlement was the West Sussex business rates pool pilot. The fundamental changes this will mean to the retention of business rates for the Council is:
- Local government's share of business rate growth increased from 50% to 75%, split 20/55 between Crawley Borough Council and West Sussex (previously 40/10).
  - Removal of the levy (this burden now falls on the pool).
  - A reduction in the tariff to compensate for the changes above.
  - Most importantly, there is a 'no-detriment' clause in the pooling agreement so that the Council will be no worse off under the pilot.
  - Although there is a large change in the proportion due to West Sussex (from 10% to 55%), the additional payment to them is in their capacity as lead authority and will be used to support the objectives of the pool.

## 5. Information & Analysis Supporting Recommendation

- 5.1 A summary of the calculation is reported in NNDR1 (National Non-Domestic Rates Return) which is attached in Appendix 1. This shows:

(a)	non-domestic rates income ( <b>part 1 line 13</b> )	£123,868,258
(b)	amount of the central share	£30,967,064
(c)	amount of West Sussex County Council share	£68,127,542
	amount of Crawley Borough Council share	<u>£24,773,652</u>

- 5.2 All business properties are valued by the District Valuer and assigned a rateable value. In order to arrive at the non-domestic rates payable for the year, the total rateable value is multiplied by the small business non-domestic rating multiplier (0.491 for 2019/20).
- 5.3 **Mandatory reliefs.** These are available to certain classes of ratepayer (e.g. charities). The mandatory relief for charities and community amateur sports clubs is 80% of the rates due. It is estimated that the total cost of mandatory reliefs for 2018/19 will be £1,773,247 (2018/19: £1,783,545).
- 5.4 **Unoccupied property relief.** Some empty properties qualify for 100% relief. In 2019/20, the total cost of unoccupied property relief will be £3,458,287 (2018/19: £3,875,972).
- 5.5 **Discretionary reliefs.** The Council has the power to give relief to certain classes of ratepayers. In the case of charities and community amateur sports clubs, the Council can top up all or part of the 20% rates not covered by mandatory relief. It can also grant up to 100% discretionary relief for not for profit organisations. For 2019/20 it is estimated that the total cost of discretionary reliefs will be £404,860 (2018/19: £404,130).
- 5.6 **Discretionary reliefs funded through S31 grant.** These are reliefs that have been announced by the government and, whilst the Council has full discretion over whether to apply them, the cost of providing the reliefs are fully compensated by the government. The estimated cost of the reliefs in 2019/20 is £926,838 (2018/19: £157,663). New reliefs announced in 2019/20 means that the figure provided is not directly comparable to the 2018/19.

- 5.7 **Losses in collection.** It is proposed that for 2019/2020 the provision for bad debts be set at 0.8% of net rates collectable, £1,047,084 (2018/19: 0.8%, £1,023,170). This has been based on the level of losses in recent years. The vast majority of bad debts are as a result of insolvencies.
- 5.8 **Allowance for cost of collection.** This is an allowance that is paid from the Collection Fund to the Council and is set each year by the government. For 2019/20 it has been set at £212,145 (2018/19: £201,945).
- 5.9 **Adjustment for estimated change due to appeals.** It is proposed that this will reduce the rates income by £4,757,769. This figure has been estimated from assumptions used by the government.
- 5.10 **Other figures.** There are a number of other figures in the return. These are either zero, because they don't apply in Crawley at the moment or relatively small technical adjustments.

## 6. Implications

- 6.1 The Council's share of the non-domestic rates income is estimated to be £24,773,652. However, the Council has to pay a tariff of £19,103,425 which would result in net funding of £5,670,227. The Council's funding target is £3,643,630. Any losses in funding are limited to 7.5% below the funding target (i.e. £3,370,358). The rest of the loss is met by the pool under the 'no-detriment' clause. The following table sets out the funding after other adjustments:

Council's share of non-domestic rates income	24,773,652
Tariff	-19,103,425
Rates on renewable energy	5,040
S.31 grants	681,942
Surplus/deficit from previous years	81,941
Transfer to business rates equalisation reserve	-905,631
Total scheme funding	<u>5,533,189</u>

- 6.2 A transfer to the business rates equalisation reserve has been budgeted for which will bring this reserve to £5m as per the budget strategy.
- 6.3 The above funding has been incorporated in the Council's budget for 2019/20. At the end of the year, the actual non-domestic rates income collectable will be used to make an adjustment: these are expected to be applied to future periods (2020/21 and 2021/22).
- 6.4 **Sensitivity analysis.** There are a number of uncertainties in predicting the non-domestic rates income, particularly in the current economic climate. The impact of appeals also has a high degree of uncertainty. The following table shows the impact on the Council's finances if rates are 5% higher or lower than projected:

	+5%	-5%
Council's share of non-domestic rates income	26,012,335	23,534,969
<b>Difference</b>	<b>+1,238,683</b>	<b>-1,238,683</b>

## **7. Background Papers**

Local Government Finance Act 1988

Local Government Finance Act 2012

Non-Domestic Rating (Rates Retention) Regulations 2013