

RELIEF/EXEMPTIONS AVAILABLE

Disabled Relief - granted to organisations where half or more of the floor space of the property is used either solely or partially for the provision of:

- Residential accommodation for the care or after care of individuals who are disabled, or who are suffering from or have suffered from illness.
- Training facilities for individuals who are disabled, or who are suffering from or have suffered from illness.
- Welfare services for disabled persons.
- Facilities for employment or work on their own account for disabled persons, or the provision of sheltered employment (a workshop or other facilities) by the local authority in accordance with the appropriate sections of the Disabled Persons (Employment) Acts.

The reduction depends on the rateable value of the area used for those purposes.

Discretionary Relief - allows the Council to award up to a 100% reduction in the charge payable. Examples of groups that may qualify for discretionary relief are:

- A non profit making organisation or society occupying premises to advance its goals.
- A non-profit making society such as a sports club.

Entitlement to this relief is determined by the Council's Policy and Resources Committee.

Mandatory Relief - allows the award of an 80% reduction in the charge payable. An award of mandatory relief and/or discretionary relief may be made if a property is occupied by an organisation which is not established or conducted for profit and whose main objects are charitable or are otherwise philanthropic or religious, or concerned with education, social welfare, science, or literature or the fine arts. The maximum statutory amount of mandatory relief that may be awarded is 80% of the net rates payable.

An award of discretionary relief may also be made to those organisations that are already eligible for mandatory relief. The maximum amount of discretionary relief that may be awarded in conjunction with an award of mandatory relief, is 20% of the net rates payable.

Any decisions made regarding your application will be in accordance with the Non Domestic Rates Local Government (Financial Provisions etc) (Scotland) Act 1962.

- A charity must be registered with the Office of the Scottish Charity Regulator (OSCR) and occupy the premises to advance its charitable aims and objectives.

New Start Scheme – from 1st April 2013 an exemption is offered for new build properties which remain empty and are constructed in the next 3 years for a maximum period of 15 months.

New Start Relief is offered for new build properties built in the next 3 financial years beginning 1 April 2013. The relief offered is for a maximum period of 15 months and up to a maximum of 100%.

The relief can be applied if all the following circumstances are met, as the property must be:

- entered onto the valuation roll between 1 April 2013 and 31 March 2016; and
- unoccupied at the time of entry on the valuation roll; and
- a new entry which is not as a result of a combination or division of an existing entry on the valuation roll or due to the refurbishment or change of an existing entry on the valuation roll (including conversion of a domestic property or a property previously exempt from rating).

The exact level of relief awarded will depend on:

- a) whether or not the property is eligible for one of the existing rate relief schemes; and
- b) the level of other public sector assistance received by your business (see: State Aid below)

Please be aware that for the period New Start is awarded, no other relief can be awarded.

Fresh Start Scheme – The Scottish Government introduced Fresh Start Relief from 1st April 2013.

Fresh Start Relief offers 50% relief for a period of 12 months and may be applied if all of the following circumstances are met, as the property has:

- previously been in receipt of empty property relief for a continuous period of at least 12 months; and
- a rateable value of up to £65,000 from 1st April 2014 (£45000 from 1st April 2013); and
- when last occupied, been used as a shop, office hotel, public house or restaurant (as defined in The Non Domestic Rating (Unoccupied Property) (Scotland) Amendment Regulations 2013 & 2014) OR is intended to be used as one of the above if never previously been occupied.

The exact level of relief awarded will depend on:

- a) whether or not the property is eligible for one of the existing rate relief schemes; and
- b) the level of other public sector assistance received by your business (State Aid)

Please be aware that for the period Fresh Start is awarded, no other relief can be awarded.

Renewable heat or power generation - a sliding scale of rates relief is available for premises performing functions designated by law.

The Non-Domestic Rates (Renewable Energy Generation Relief) (Scotland) Regulations 2010, permits local authorities to reduce the sums payable in rates for properties in Scotland used for the generation of renewable heat or power (or both).

The qualifying conditions for this scheme state that a ratepayer may qualify if it owns, leases or is entitled to occupy, business properties in Scotland which are solely concerned with the generation of heat or power (or both) from the following sources:

- bio fuels; • biomass; • fuel cells; • geothermal sources; • photovoltaic's; • solar power; • wind; or water (including waves and tides, but excluding production from the pumped storage of water).

The level of renewable energy generation rate relief available depends on the rateable value of your business's eligible property and is set out in the table below:

Rateable value of property	Percentage relief
Up to £145,000	100%
£145,001 to £430,000	50%
£430,001 to £860,000	25%
£860,001 to £4,000,000	10%
Greater than £4,000,000	2.5%

The level of relief awarded will depend on:

- the rateable value of the property which your business occupies;
- whether or not the property is eligible for one of the existing rate relief schemes;
- the level of other public sector assistance received by your business (see State Aid)

Life Sciences Enterprise - if your property is situated in a designated area and you are undertaking a specified activity you may be entitled to rates relief. Relief is awarded on a sliding scale and is dependent on your property's rateable value.

Assessing Eligibility for Relief

In general, when assessing eligibility for Enterprise Area (EA) relief, four criteria need to be considered for each business:

- a) whether the property falls entirely within the red line map for the EA concerned
- b) whether the property is either new build or is an existing property which has been vacant for at least 3 months prior to occupation.
- b) whether business activity at the property in the EA is concerned with the activities listed for that area (see list of activities above);
- c) whether the property is in receipt of any other relief
- d) the level of other public sector assistance received by the business (in order to determine compliance with the State aids de minimis limit

Rural Relief - was introduced by the Government to help general stores, Post Offices, petrol filling stations, public houses and hotels in designated rural communities with their rates. Qualifying properties may be eligible for relief on all or part of their rates.

The Scottish Ministers have designated Moray as a rural area except the following localities:

Buckie Keith Forres Elgin Lossiemouth

Relief can only be considered if a property meets the conditions detailed below.

Mandatory Rural Relief

- The property is within a settlement of less than 3,000 population;
- The property is a Post Office (within the meaning of the Post Office Act 1953) and/or a shop mainly selling both food for human consumption (excluding confectionary) and general household goods;
- The property is the only Post Office and/or general store in the settlement and the rateable value of the property does not exceed £8,500;
- The property is the only petrol filling station, small hotel and public house in the settlement and the rateable value does not exceed £12,750;

Discretionary Rural Relief

- The property is within a settlement of less than 3,000 population;
- The rateable value of the property does not exceed £17,000;
- The local authority is satisfied the property is used to benefit the local community;
- The local authority is satisfied that it would be in the interests of persons liable to pay Council Tax to make an award of relief.

Statutory Relief

There is provision in rating legislation for a property occupied by a religious body and used for worship, to be exempted from payment of rates.

A property must be used for one or all of the following:

A building occupied by a religious body and used for religious worship.

A church/chapel hall or similar premises used by a religious body.

Any premises occupied by a religious body and used by it

- a) as an office or for the purposes ancillary to office use
- b) for carrying out administrative or other activities relating to the organisation of the conduct of religious worship

Empty Property Relief

If a business property is completely vacant and unfurnished, 3 months 100% relief followed by 10% relief can be given from the date the property became vacant. Only one period of 3 months full relief can be granted in any vacant period, regardless of any change to the ratepayer during this period. The definition of unfurnished is cleared of all moveable items, otherwise the property is considered to be used for storage. Certain properties are exempt from the 90% charge; examples are listed buildings, industrial properties and properties with a Rateable Value of less than £1700 (ie £1699 and below)

Exemption from Unoccupied Charge

If a property is unoccupied and is already in receipt of Empty Property Relief and satisfies one of certain conditions, we may be able to award exemption from the unoccupied charge.

Properties with a rateable value of £1,700 or more that are unoccupied, can qualify for 100% relief for a period of up to three months. After three months a reduction of 10% can be awarded providing the property remains vacant.

Properties with a rateable value of less than £1,700 can also qualify for 100% relief for three months. After three months they can be made exempt providing the property remains vacant.

Exemption from the 90% unoccupied charge can be applied to properties that fall into the categories below:

- Industrial properties.
- Properties with a rateable value less than £1,700.
- Properties which are subject to a building preservation notice.
- Properties which are included in the Ancient Monuments and Archaeological Areas Act 1979, (for example, listed buildings).
- Properties in the possession of:
 - a trustee under a trust deed for creditors;
 - a trustee under an award of sequestration;
 - an executor of the estate of a deceased person;
 - a liquidator appointed by virtue of an order made under section 112 or 145 of the Insolvency Act 1986;
 - a company which is subject to a winding-up order made under the Insolvency Act 1986 or which is being wound up voluntarily under that act.
- Properties prohibited by law from being occupied.
- Properties being kept vacant because of action being taken by or on behalf of the Crown or any local or public authority, with a view to prohibiting the occupation of them or to acquiring them.

Small Business Bonus Scheme Relief

The Scottish Government introduced the **Small Business Bonus Scheme**. This scheme, which replaces Small Business Rates Relief, came into effect on 1st April 2008. It progressively reduces the rates burden for small businesses with properties (whether occupied or not).

The rateable value thresholds and bandings of the scheme have been increased to reflect the 2010 Revaluation and these are set out below:

Combined rateable value (RV) of all business properties in Scotland	Percentage of relief available from 2010 subject to eligibility
Up to £10,000	100%
£10,001 to £12,000	50%
£12,001 to £18,000	25%
Upper limit for cumulative (RV)* £35,000**	25%

The exact level of relief for each business will depend on:

- The **combined** rateable value of **all** properties in Scotland for which a person is liable to pay rates
- Whether or not each property is eligible for one of the existing rates relief schemes

*This will allow a business with two or more properties with a cumulative rateable value up to £35,000 to qualify for relief at 25% on individual properties with a rateable value of £18,000 or less

** £25000 prior to 1st April 2014