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Town Hall, Rose Hill, Chesterfield, Derbyshire S40 1LP

DX 12356, Chesterfield Email democratic.services@chesterfield.gov.uk



<u>The Chair and Members of Employment and General Committee</u>

Please ask for Donna Cairns

Employment and General Committee

Direct Line 01246 345277 Fax 01246 345252

19 January 2015

Dear Councillor,

Please see attached the report for Agenda Item 4 of the meeting of the EMPLOYMENT AND GENERAL COMMITTEE to be held on MONDAY, 26 JANUARY 2015, the agenda for which has previously been set out.

4. Approval of Business Rates Tax Base 2015/16 (Pages 3 - 18)

Yours sincerely,

Local Government and Regulatory Law Manager









FOR PUBLICATION

NON-DOMESTIC RATES ESTIMATES FOR 2015/16

MEETING: EMPLOYMENT & GENERAL COMMITTEE

DATE: 26TH JANUARY 2014

REPORT BY: HEAD OF FINANCE

WARD: ALL

COMMUNITY

FORUM:

FOR PUBLICATION

BACKGROUND PAPERS FOR PUBLIC

REPORTS:

None

1.0 PURPOSE OF REPORT

1.1 To approve the National Non-Domestic Rates (NNDR) estimates and NNDR1 Return for 2015/16.

2.0 **RECOMMENDATIONS**

- 2.1 That the estimated National Non Domestic Rates estimates as recorded on the NNDR1 Return (Appendix A) be approved.
- 2.2 That delegated authority be given to the Chief Finance Officer to make any subsequent changes to the NNDR1 return that are identified before the final submission date of the 30th January.

3.0 BACKGROUND

3.1 The Local Authorities (Calculation of Tax Base) Regulations 1992 (as amended) require the Borough Council as Billing authority to calculate the Tax Base for the Borough and the Parishes and to notify the Major Precepting Authorities (Derbyshire County Council and Derbyshire Police Authority), and those Parishes which request it, by 31st January each year.

- 3.2 Section 84 of the Local Government Act 2003 amended the tax setting regulations so that the tax base calculation no longer has to be approved by the full Council. The calculation of the tax base is a procedural matter which, should be delegated to a non-executive committee. The Council agreed (17th December 2003) to delegate the function to the Employment and General Committee.
- 3.3 With the introduction of the Business Rates Retention Scheme from April 2013 there is a new requirement for the Council to formally approve the Business Rates Tax Base. The approval process must be the same as that used for the approval of the Council Tax Base. The estimate of the Business Rates base and yield is included in a return to the Government known as the NNDR1 return. The NNDR1 return shows have the estimated yield is to be distributed, including the amount to be retained by the Council.

4.0 NNDR INCOME ESTIMATES

- 4.1 The Local Government Finance Act introduced the part-retention of income from Business Rates from April 2013. The income generated is to be shared between the Government (50%), the County Council (9%), the Fire Authority (1%) and the Borough Council (40%). The Council will then have to pay a tariff from its share of the income into a national pool (£11,049,252 in 2015/16). If Council's share of the income is above a specified threshold (£3,061,874 in 2015/16) the excess amount is then subject to a Levy at the rate of 50%. For 2015/16 the Council has joined a Derbyshire Pool which will have the benefit of retaining the Levy within the County rather than paying it to Central Government.
- 4.2 The Council must complete and approve a form, known as the NNDR1 Return, which shows how the estimated income has been calculated and how it is to be shared. The form must then be sent to those entitled to a share of the income by 31st January (i.e. the County Council and the Fire Authority).
- 4.3 The copy of the NNDR1 return for approval is included as **Appendix A**. Completing the form has again been difficult this year due to the ongoing uncertainties around estimating the likely impact of back dated rating appeals. Appendix A is, therefore, based on the best available information at this point in time and may have to be revised if further changes are identified after this meeting but prior to submission on 31st January 2014.

- 4.4 Parts of the NNDR1 form are based on factual data at a given point in time but officers have been required to make their own estimates about future events such as new buildings, demolitions and the outcome of appeals, both new and outstanding. The amount to be retained and paid over to other to those entitled to a share of the income will be fixed at the start of the year based on the estimate on the NNDR1 return, therefore, it is important that the income forecast is not over stated. It is anticipated that the forecasting of income will improve in future years as experience is gained, as the current back log of appeals is cleared and as a result of the change introduced in the 2014 Autumn Statement to limit refunds on appeals received after 31st March 2015 to the current year only i.e. no back dating.
- 4.5 The NNDR1 return (Appendix A) shows that the estimated net rate yield is £36.6m (Part 1A, Line 14) and that this will be shared as follows:

Table 1: 2015/16 Share of BR Income and Fund Deficit			
Paid to:	Income Part 1B Line 14 £'000	Fund Deficit Part 1B Line 22 £000	Share %
Central Government	18,316	936	50%
Retained by CBC	14,653	749	40%
Derbyshire County Council	3,297	169	9%
Derbyshire Fire Authority	366	19	1%
Total	36,632	1,873	100%

4.6 From the Council's retained share of £14,653k it will have to pay a Tariff of £11,049k to the Government and a Levy of £690k into the Derbyshire Pool. It will receive grant income of £1,070k (Part 1C Line 30) towards the cost of various reliefs to leave a retained amount of £3,984k. For budget purposes it has also been assumed that £260k of the Levy paid into the Derbyshire Pool will be returned to the Council.

4.7 Collection Fund Surplus/Deficit

Billing Authorities are required to calculate the estimated surplus or deficit on the NNDR element of the Collection Fund each year.

The estimated surplus or deficit must be allocated to the organisations in the same proportions and the major preceptors should then take this surplus/(deficit) into account when calculating their Council Taxes for the following financial year.

The NNDR element of the Collection Fund is estimated to be a deficit of £1,873k by the 31st March 2015. The table in para. 4.5 shows how the estimated deficit will be shared, with the Council being charged 40% of the total i.e £749k.

5.0 **LEGAL IMPLICATIONS**

5.1 Paragraph 43 Schedule B of the Local Government Finance Act 1988 requires the Council to formally approve details of the provisional contributions for NNDR each year using the statutory NNDR1 form by 31st January. The form has been completed in accordance with the relevant regulations.

6.0 RISK MANAGEMENT

6.1 The key risks associated with the setting of the tax bases are summarised in the table below:

Description of risk	Current Risk Rating Impact / Likelihood	Mitigating Actions	Target Risk Rating Impact / Likelihood
		Prudent assumptions are built into income forecast.	
Business rate income under/over estimated	High / Likely (4 x 4 = 16) (Red)	The income will be monitored during the year. The Council's required Working Balance has been reviewed to take account of this risk.	Medium / Possible (3 x 3 = 9) (Amber)

7.0 **RECOMMENDATIONS**

- 7.1 That the estimated National Non Domestic Rates estimates as recorded on the NNDR1 Return (Appendix A) be approved.
- 7.2 That delegated authority be given to the Chief Finance Officer to make any subsequent changes to the NNDR1 return that are identified before the final submission date of the 30th January.

8.0 ALTERNATIVE OPTIONS TO BE CONSIDERED

8.1 None

9.0 REASONS FOR RECOMMENDATION

9.1 To fulfil the statutory requirements to approve the estimated Business Rates income. The information is required by the Government and by the Council and the other precepting authorities to enable them to set their Council Taxes.

B. DAWSON HEAD OF FINANCE



NATIONAL NON-DOMESTIC RATES RETURN - NNDR1 2015-16 Please e-mail to: nndr.statistics@communities.gsi.gov.uk by no later than 31 January 2015. In addition, a certified copy of the form should be returned by no later than 31 January 2015 to the same email address All figures must be entered in whole £ Please check the Validation tab and answer the validation queries that need to be answered Select your local authority's name from this list: Authority Name Chesterfield E-code Local authority contact name F1033 Mrs Carolyn Szadura Local authority contact number 01246 345495 Local authority e-mail address Ver 1.1a PART 1A: NON-DOMESTIC RATING INCOME **COLLECTIBLE RATES** 37,031,424 1. Net amount receivable from rate payers after taking account of transitional adjustments, empty property rate, mandatory and discretionary reliefs and accounting adjustments TRANSITIONAL PROTECTION PAYMENTS 0 2. Sums due to the authority 3. Sums due from the authority 0 COST OF COLLECTION (See Note A) 164,495 4. Cost of collection formula 5. Legal costs 0 164,495 6. Allowance for cost of collection SPECIAL AUTHORITY DEDUCTIONS 0 7. City of London Offset: Not applicable for your authority DISREGARDED AMOUNTS 8. Amounts retained in respect of Designated Areas 231,563 3,856 9. Amounts retained in respect of Renewable Energy Schemes (See Note B) 10. sums retained by billing authority 3,856 11. sums retained by major precepting authority 0 NON-DOMESTIC RATING INCOME 12. Line 1 plus line 2, minus lines 3 and 6 - 9 36,631,510

NATIONAL NON-DOMESTIC RATES RETURN - NNDR1

2015-16

Please e-mail to: nndr.statistics@communities.gsi.gov.uk by no later than 31 January 2015. In addition, a certified copy of the form should be returned by no later than 31 January 2015 to the same email address

All figures must be entered in whole £

Please check the Validation tab and answer the validation queries that need to be answered Local Authority : Chesterfield Ver 1.1a PART 1B: PAYMENTS This page is for information only; please do not amend any of the figures The payments to be made, during the course of 2105-16 to: i) the Secretary of State in accordance with Regulation 4 of the Non-Domestic Rating (Rates Retention) Regulations 2013; ii) major precepting authorities in accordance with Regulations 5, 6 and 7; and to be iii) transferred by the billing authority from its Collection Fund to its General Fund, are set out below Column 3 Column 1 Column 2 Column 4 Column 5 Central **Derbyshire County** Derbyshire Fire Chesterfield Total Council Government Authority **Retained NNDR shares** 13. % of non-domestic rating income to be allocated to each authority Non-Domestic Rating Income for 2015-16 36,631,510 18.315.755 14.652.604 3.296.836 366.315 14. Non-domestic rating income from rates retention scheme 15. (less) qualifying relief in Enterprise Zones 0 0 18,315,755 14,652,604 16 TOTAL: 3,296,836 366,315 36,631,510 Other Income for 2015-16 17. add: cost of collection allowance 164,495 164,495 231,563 231,563 18. add: amounts retained in respect of Designated Areas 19. add: amounts retained in respect of renewable energy schemes 3,856 3,856 20. add: qualifying relief in Enterprise Zones 0 21. add: City of London Offset: Not applicable for your authority 0 **Estimated Surplus/Deficit on Collection Fund** -1,872,931 22. Estimated Surplus/Deficit at end of 2014-15 TOTAL FOR THE YEAR 17,379,289 14,303,346 347,586 23. Total amount due to authorities 3,128,272 35,158,493

NATIONAL NON-DOMESTIC RATES RETURN - NNDR1
2015-16
Please e-mail to: nndr.statistics@communities.gsi.gov.uk by no later than 31 January 2015.
In addition, a certified copy of the form should be returned by no later than 31 January 2015 to the same email address

All figures must be entered in whole ${\mathfrak L}$

Please check the Validation tab and answer the validation queries that need to be answered

Local Authority : Chesterfield				Ver 1.1a	
PART 1C: SECTION 31 GRANT (See Note C) This page is for information only; please do not amend any of the figures Estimated sums due from Government via Section 31 grant, to compensate authorities for the cost of changes to the business rates system announced in the 2013 & 2014 Autumn Statements Column 2 Column 3 Column 4 Column 5					
	Chesterfield	Derbyshire County Council	Derbyshire Fire Authority	Total	
2015-16 Multiplier Cap 24. Cost of 2% cap on 2015-16 small business rates multiplier	£ 217,117	£ 48,079	£ 5,342	£ 270,538	
Small Business Rate Relief 25. Cost of temporary doubling of SBRR	548,494	123,412	13,712	685,618	
26. Cost to authorities of maintaining relief on "first" property	1,162	262	30	1,454	
"New Empty" Property Relief 27. Cost to authorities of giving relief to newly-built empty property	0	0	0	0	
"Long Term Empty" Property Relief 28. Relief on occupation of "long-term empty" property	0	0	0	0	
Retail Relief 29. Relief provided to retail properties	301,241	67,780	7,532	376,553	
TOTAL FOR THE YEAR 30. Total amount of Section 31 grant due to authorities	£ 1,068,014	£ 239,533	£ 26,616	£ 1,334,163	
Certificate of Chief Financial Officer / Section 151 Officer					
I confirm that the entries in this form are the best I can make on the information available to me and amounts are calculated in accordance with regulations made under Schedule 7B to the Local Government Act 1988. I also confirm that the authority has acted diligently in relation to the collection of non-domestic rates.					
Name of Chief Financial Officer or Section 151 Officer :					
Signature :					
Date :					

$\frac{\text{PROVISIONAL NATIONAL NON-DOMESTIC RATES RETURN - NNDR1}}{2015\text{-}16}$

All figures must be entered in whole £

Please check the Validation tab and answer the validation queries that need to be answered

Ver 1.1a

Local Authority : Chesterfield					
PART 2: NET RATES PAYABLE You should complete columns 1 & 2 only	Column 1 BA Area (exc. Designated areas)	Column 2 Designated areas	Column 3 TOTAL (All BA Area)		
GROSS RATES PAYABLE (All data should be entered as +ve unless specified	Complete this column	Complete this column	Do not complete this column		
otherwise) 1. Rateable Value at 31/12/2014	88,863,796	£	88,863,796		
2. Small business rating multiplier 48.0 for 2015-16 (pence)					
3. Gross rates 2015-16 - (RV x multiplier)	42,654,622	0			
 Estimated growth/decline in gross rates (+ = increase, - = decrease) 	327,760	233,902			
5. Forecast gross rates payable in 2015-16	42,982,382	233,902	43,216,284		
TRANSITIONAL ARRANGEMENTS (See Note E) - Not 6. Revenue foregone because increases in rates have been deferred (Show as -ve)	applicable in 2015-16	0	0		
7. Additional income received because reductions in rates have been deferred (Show as +ve)	0	0	0		
Net cost of transitional arrangements	0	0			
9. Changes as a result of estimated growth / decline in cost of transitional arrangements (+ = decline, - = increase)	0	0			
10. Forecast net cost of transitional arrangements	0	0	0		
TRANSITIONAL PROTECTION PAYMENTS (See Note 11. Sum due to/(from) authority	F) - Not applicable in 2015-	16	0		
MANDATORY RELIEFS (See Note G) (All data should be entered as -ve unless specified otherwise)					
Small Business Rate Relief 12. Forecast of relief to be provided in 2015-16	-2,705,918	0	-2,705,918		
13. of which: relief on existing properties where a 2nd property is occupied	-2,867	0	-2,867		
14. Additional yield from the small business supplement (Show as +ve)	946,903	0	946,903		
15. Net cost of small business rate relief (line 12-line 14	-1,759,015	0	-1,759,015		
Charitable occupation 16. Forecast of relief to be provided in 2015-16	-1,406,985	0	-1,406,985		
Community Amateur Sports Clubs (CASCs) 17. Forecast of relief to be provided in 2015-16	Page 120051	0	-30,951		

PROVISIONAL NATIONAL NON-DOMESTIC RATES RETURN - NNDR1 All figures must be entered in whole £ Please check the Validation tab and answer the validation queries that need to be answered Ver 1.1a **Local Authority: Chesterfield PART 2: NET RATES PAYABLE** You should complete columns 1 & 2 only Column 2 Column 1 Column 3 TOTAL BA Area (exc. Designated Designated areas) areas (All BA Area) Rural rate relief -3,303 0 -3,303 18. Forecast of relief to be provided in 2015-16

PROVISIONAL NATIONAL NON-DOMESTIC RATES RETURN - NNDR1 2015-16

All figures must be entered in whole £

Please check the Validation tab and answer the validation queries that need to be answered

	b and answer the validation qu		Ver 1.1a
Local Authority : Chesterfield			
PART 2: NET RATES PAYABLE You should complete columns 1 & 2 only	Column 1 BA Area (exc. Designated areas)	Column 2 Designated areas	Column 3 TOTAL (All BA Area)
19. Forecast of mandatory reliefs to be provided in 2015-16 (Sum of lines 15 to 18)	-3,200,254	0	
20. Changes as a result of estimated growth/decline in mandatory relief (+ = decline, - = increase)	0	0	
21. Total forecast mandatory reliefs to be provided in 2015-16	-3,200,254	0	-3,200,254
UNOCCUPIED PROPERTY (See Note H) (All data sh	ould be entered as -ve unles	s specified otherwise)	
· · · · · · · · · · · · · · · · · · ·	ould be efficied as -ve uffics	s specified otherwise;	
Partially occupied hereditaments 22. Forecast of 'relief' to be provided in 2015-16	0	0	0
Empty premises 23. Forecast of 'relief' to be provided in 2015-16	-1,520,362	0	-1,520,362
24. Forecast of unoccupied property 'relief' to be provided in 2015-16 (Line 22 + line 23)	-1,520,362	0	
25. Changes as a result of estimated growth/decline in unoccupied property 'relief' (+ = decline, - = increase)	0	0	
26. Total forecast unoccupied property 'relief' to be provided in 2015-16	-1,520,362	0	-1,520,362
DISCRETIONARY RELIEFS (See Note J) (All data sh	ould be entered as -ve unles	s specified otherwise)	
Charitable occupation 27. Forecast of relief to be provided in 2015-16	-38,511	0	-38,511
Non-profit making bodies 28. Forecast of relief to be provided in 2015-16	-41,115	0	-41,115
Community Amateur Sports Clubs (CASCs) 29. Forecast of relief to be provided in 2015-16	-1,257	0	-1,257
Rural shops etc 30. Forecast of relief to be provided in 2015-16	0	0	0
Small rural businesses 31. Forecast of relief to be provided in 2015-16	0	0	0
Other ratepayers 32. Forecast of relief to be provided in 2015-16	0	0	0
33. Relief given to Case A hereditaments34. Relief given to Case B hereditaments	Page 14 0	of which:	

$\frac{\text{PROVISIONAL NATIONAL NON-DOMESTIC RATES RETURN - NNDR1}}{2015\text{-}16}$

All figures must be entered in whole £

Please check the Validation tab and answer the validation queries that need to be answered

Ver 1.1a

Local Authority: Chesterfield

PART 2: NET RATES PAYABLE

You should complete columns 1 & 2 only

Column 1
BA Area (exc.
Designated areas)

Column 2

Designated

areas

Column 3 TOTAL (All BA Area)

PROVISIONAL NATIONAL NON-DOMESTIC RATES RETURN - NNDR1 2015-16

	2010-10		
All figures must be entered in whole £			
Please check the Validation tab and answer the validation queries that need to be answered Ver 1.1a			
Local Authority : Chesterfield			
PART 2: NET RATES PAYABLE			
You should complete columns 1 & 2 only	Column 1 BA Area (exc.	Column 2 Designated	Column 3 TOTAL
	Designated areas)	areas	(All BA Area)
35. Forecast of discretionary relief to be provided	-80,883	0	
in 2015-16 (Sum of lines 27 to 32)			
36. Changes as a result of estimated growth/decline in discretionary relief	0	0	
(+ = decline, - = increase)			
37. Total forecast discretionary relief to be provided in 2015-16	-80,883	0	-80,883
provided in 2010 to			
DISCRETIONARY RELIEFS FUNDED THROUGH SEC	CTION 31 GRANT		
(See Note K) (All data should be entered as -ve unler "New Empty" properties			
38. Forecast of relief to be provided in 2015-16	0	0	0
"Long term empty" properties 39. Forecast of relief to be provided in 2015-16	0	0	0
Retail relief		<u> </u>	
40. Forecast of relief to be provided in 2015-16	-742,282	0	-742,282
44. Foregoet of discustion on valiety funded through	-742,282	0	
41. Forecast of discretionary reliefs funded through S31 grant to be provided in 2015-16 (Sum of lines 38 to 40)	1-12,202		
	0	0	
42. Changes as a result of estimated growth/decline in Section 31 discretionary relief (+ = decline, - = increase)			
43. Total forecast of discretionary reliefs	-742,282		-742,282
funded through S31 grant to be provided in 2015-16	1-12,202		142,202
NET RATES PAYABLE			
44. Forecast of net rates payable by rate payers after	£ 37,438,601	£ 233,902	£ 37,672,503
taking account of transitional adjustments, unoccupied property relief, mandatory and discretionary reliefs			
Checked by Chief Financial / Section 151 Officer :			

PROVISIONAL NATIONAL NON-DOMESTIC RATES RETURN - NNDR1 2015-16 All figures must be entered in whole ${\bf \pounds}$ Please check the Validation tab and answer the validation queries that need to be answered Ver 1.1a **Local Authority: Chesterfield** PART 3: COLLECTABLE RATES AND DISREGARDED AMOUNTS Designated areas You should complete columns 1 & 2 Column 1 Column 2 Column 3 Column 4 TOTAL BA Area (exc. Designated areas) **Sheffield City Region** (All BA Area) Do not complete this Do not complete this Complete this column Complete this column column **NET RATES PAYABLE** £ 37,672,503 1. Sum payable by rate payers after taking account of 37,438,601 233,902 0 transitional adjustments, empty property rate, mandatory and discretionary reliefs (LESS) LOSSES 2. Estimated bad debts in respect of 2015-16 rates -374,386 -2,339 0 -376,725 3. Estimated repayments in respect of 2015-16 rates -264,354 0 0 -264,354 payable **COLLECTABLE RATES** 36,799,861 231,563 0 37,031,424 4. Net Rates payable less losses DISRERGARDED AMOUNTS 5. Renewable Energy 3,856 0 0 3,856 6. Transitional Protection Payment 0 0 7. Baseline 0 0 Total DISREGARDED AMOUNTS **Designated Areas** 8. Total Disregarded Amounts 231,563 0 231,563 Checked by Chief Financial / Section 151 Officer :

PROVISIONAL NATIONAL NON-DOMESTIC RATES RETURN - NNDR1 2015-16

All figures must be entered in whole £

All lightes thus be effected in whole £			
Please check the Validation tab and answer the validation queries that ne	ed to be answered	Ver 1.1a	
Local Authority : Chesterfield			
PART 4: ESTIMATED COLLECTION FUND BALANCE			
OPENING BALANCE 1. Opening Balance (From Collection Fund Statement)	£	£ -1,104,452	
CREDITS 2. Total amount credited, or to be credited, to the Collection Fund in 2014-15	36,744,796		
3. Transitional protection payments received, or to be received in 2014-15	210,000		
4. Transfers/payments to the Collection Fund for end-year reconciliations	0		
5. Transfers/payments into the Collection Fund in 2014-15 in respect of a previous year's deficit	0		
6. Total Credits		36,954,796	
CHARGES 7. Total amount charged, or to be charged, to the Collection fund in 2014-15	-1,662,914		
8. Transitional protection payments made, or to be made, in 2014-15	0		
9. Payments made, or to be made, to the Secretary of State in respect of the central share in 2014-15	-17,889,496		
10. Payments made, or to be made to, major precepting authorities in respect of business rates income in 2014-15	-3,577,899		
11. Transfers made, or to be made, to the billing authority's General Fund in respect of business rates income in 2014-15	-14,311,597		
12. Transfers made, or to be made, to the billing authority's General Fund; and payments made, or to be made, to a precepting authority in respect of disregarded amounts in 2014-15	-166,169		
13. Transfers/payments from the Collection Fund for end-year reconciliations	0		
14. Transfers/payments made from the Collection Fund in 2014-15 in respect of a previous year's surplus	-115,200		
15. Total Charges		-37,723,275	
16. Adjustment for 5-Year Spread - not applicable for your authority		0	
ESTIMATED SURPLUS/(DEFICIT) ON COLLECTION FUND IN RESPECT OF FINANCIAL YEAR 2014-15		_	
17. Opening balance plus total credits, less total charges		£ -1,872,931	
Checked by Chief Financial / Section 151 Officer :			