

**MINUTE OF THE SCOTTISH
RATEPAYERS' FORUM (SRF)
Held at Victoria Quay,
Edinburgh EH6 6QQ
On 16 November 2018 at 11 am**

Present

Marshall Bain (Scottish Licensed Trade Association), Gary Bennett (SAA Secretary), Katy Dickson (Scottish Land & Estates), Kevin Fraser (IRRV), Philip Glenwright (UKPIA), Neil Hemings (Scottish Government Water Unit), Alastair Kirkwood (SAA Vice President), David Lonsdale (Scottish Retail Consortium), Ian Milton **Chair** (SAA President), Stephen McIntosh (Scottish Water), Ian Storrie (Scottish Government), David Thomson (SAA Past President), Gareth Williams (Scottish Council for Development of Industry).

1. Apologies

Linda Battison (Scottish Self Catering Association), Marc Crothall (Scottish Tourism Alliance), Hew Edgar (RICS), Mike Lancaster (Chemical Industries Association).

2. Minute of Previous Meeting of 22 June 2018

2a. Accuracy

The minute of previous meeting was approved without any amendments. It was noted that the approved minutes are published on the SAA Portal.

2b. Matters Arising not on Agenda

Nothing raised at the meeting.

3. 2005 & 2010 Revaluation and 2010 Running Roll

3a. Appeals Update

I. Milton advised that the 2010 Running Roll appeals are due to be disposed of by the end of December this year.

3b. Lands Tribunal Update and Cases

I. Milton advised that there are currently 386 telecoms appeals and circa 100 non telecom appeals outstanding and he encouraged all parties to engage with a view to seeking resolutions to these outstanding 2005 and 2010 appeals. I. Milton further advised that the matter had also been raised at the recent meeting with the Scottish Business Ratepayers Group.

In response to a question, I. Milton advised that in relation to the recent Court of Appeal decision in England in respect of ATMs, there were no outstanding 2010 Valuation Roll ATM appeals in Scotland.

3c. Lands Valuation Appeal Court Cases

Nothing to report.

4. 2017 Revaluation

4a. Appeal Progress

I. Milton advised the meeting that similar progress in respect of appeal disposal is being made to that of the 2005 and 2010 Revaluation in that circa 35% of properties under appeal have now been resolved. The statistics in relation to appeals are published on the Scottish Government website, with a link to the statistics on the saa.gov.uk website, under 'Statistics'.

D. Lonsdale advised that it is the wish of the larger retailers, i.e., supermarkets, that appeals are dealt with as quickly as possible. The SAA representatives advised that they would take this request back to the SAA. However, it was believed that dialogue is ongoing with agents for supermarkets in respect of the 2017 appeals.

Following a request in relation to appeal statistics, primarily for the licensed trade, it was agreed that the SAA reps would circulate statistics on the Revaluation appeals by category to SRF members.

K. Dickson raised, in connection with shooting entries, that it appears factual matters are not being dealt with while an appeal is outstanding in some Assessors' offices. The SAA reps advised that they would raise this issue with Assessor colleagues and that there was generally no reason why factual matters couldn't be dealt with even where an appeal was outstanding. She further raised the issue of a lack of consistency in the application of rates relief for such subjects. I. Storrie asked if he could be provided with specific details of this matter and he would look into.

4b. Scotvac Website

It was generally acknowledged that VAC decisions were beginning to appear on the Scotvac website. It was agreed that the link to the website will be issued to SRF members by the SAA reps.

5. Barclay Review of Non Domestic Rating

5a. SAA Action Plan

I. Milton advised that the SAA action plan in relation to the Barclay Review of Non Domestic Rating is on the SAA Portal.

In respect of what information ratepayers would like to see as part of the future Revaluations, detailed discussions were undertaken. There was caution expressed by ratepayers in respect of information returned by ratepayers being displayed on a more public platform. I. Milton asked attendees if they could give consideration as to what information they would like to see at future Revaluations as part of their rateable value notification.

K. Dickson asked if it was possible to extend summary valuations to all subjects. I. Milton advised that this was being currently looked at by the SAA, however, there would be a requirement for significant IT development, and in turn cost implications. I. Milton further advised that summary valuations can however be requested and will be provided by Assessors.

S. McIntosh further requested if it was possible that the history of summary valuations could be available for public display and the SAA reps advised that this would likely require IT development but would however raise with Assessor colleagues.

5b. Barclay Implementation Advisory Group

I. Storrie advised the meeting that he now has a full team in place to deal with non-domestic rating that consists of himself as head of the team, Carol Sibbald, Anouk Berthier and James Messis. I. Storrie expressed his thanks to Marianne Barker and Dougie McLaren for their extensive input over the years to the Non Domestic Rating Team, both of whom had moved on to other roles. I. Storrie further advised that Katie Forbes MSP, as new minister for Public Finance and Digital Economy, is responsible for taking forward the new Bill which will be introduced as a result of the Barclay Review Recommendations. He went on to advise the meeting that the consultation in relation to the Barclay Review is now closed and circa 150 responses had been received, analysis of which is being undertaken. He advised that generally the results of that analysis will be published within 12 weeks from receipt of the final report.

I. Storrie advised that the Barclay Implementation Appeals Sub Group had met 6 times and that a final report was being prepared. He acknowledged the difficulties in finding an appeal system which deals with the more frequent Revaluations and a one year tone date and work was still ongoing to find a way forward in respect of this. He also advised that there is a Billing Sub Group which has met 4 times and is looking at matters such as standardised billing, and that advice is being given to ministers as a result of the discussions of the Barclay Implementation Group and Sub Groups. He advised that the next stage is to finalise advice to ministers who will seek Cabinet agreement within the next 6-7 weeks and the intention is that the Bill will be prepared for March 2019 with it expected to be enacted following due process in January/February 2020. I. Storrie advised that the growth accelerator had received strong support in the responses to the consultation, however there was some resistance to out of town levy. There was also strong support for dealing with outstanding debt and standardised billing. There was also general support for further information gathering power for Assessors and support for stronger anti rates avoidance measures. He further advised that consideration was being given to second homes, a matter raised in the Barclay Non Domestic Review, with consideration being given to Local Authority discretion in respect of these subjects.

In respect of standardised billing, I. Storrie advised that a lot of work has been undertaken and hopefully that for the forthcoming financial year, 2019/2020, standardised billing will be in place, in some councils with others following suit as quickly as existing contractual arrangements allow. He further advised that he was particularly keen on spatial based information being available in respect of Assessors data and the provision of more information for ratepayers in respect of their calculated rateable values as produced by Assessors. He expressed the view that the culture of bulk appealing at revaluations presented an issue in respect of moving to shorter revaluation cycles with a one year tone date and advised that the requirement to lodge fees with appeals and appeals surrounding the public sector are currently under consideration as part of a raft of measures to ensure that the appeals system moving forward is a workable model.

In respect of the small business rates relief scheme, I. Storrie advised that external evaluation will commence early in the New Year. In respect of the review into small hydros, which has been undertaken as a result of the Barclay Review, he advised that conclusions are still to be finalised, however the 60% rates relief introduced for

hydros will remain for the next financial year. The wider review into plant and machinery is awaiting the conclusion of the hydro review. He advised that he is keen to look at provision of statistical information for ratepayers and asked what specifically ratepayers would like to see. He advised that the Scottish budget will be published on 12 December 2018 and that transitional relief is to be in place until the next revaluation. He further advised that no decisions as yet have been made from ministers in respect of the Barclay Recommendations given that a number of the groups are still discussing them.

D. Lonsdale raised the issue of the out of town levy and in particular the taxation of online companies to which I. Storrie advised that the out of town levy and the matter of taxation of online companies is still under consideration.

6. Scottish Water

N. Hemings advised that a consultation on the principles of charging for the water industry for 2021-27 had closed and currently circa 100 responses were being analysed. While the consultation contained proposals in relation to the discounts applied to the household charges, the consultation did not propose any changes to the use of RV in water industry charging.

7. Scottish Government

7a. Policy Update

I. Storrie advised that he had covered matters under item 5b.

K. Fraser advised that the growth accelerator relief is currently being under claimed and encouraged all ratepayers that where they believed that the relief should be applicable then a claim should be made.

7b. Valuation Roll P/T/O Address Information

A. Kirkwood advised that there was no change in relation to the matter of P/T/O address information.

8. AOCB

I. Milton advised that a Land Practice Note is being developed by Assessors and is part of a consultation exercise. A link will be sent to SRF members.

At the meeting it was noted that the SAA would seek to encourage pre agreement of values prior to revaluations and this should help assist in dealing with appeals in a shorter revaluation timescale. I. Milton advised that the SAA meet with their counterparts at the VOA and the Valuation Offices in Ireland and Northern Ireland as part of harmonisation meetings.

9. Date of Next Meeting

22 January 2019.