

**MINUTE OF THE SCOTTISH
RATEPAYERS' FORUM
HELD AT THE OFFICE OF THE
GLASGOW ASSESSOR, 78 QUEEN
STREET, GLASGOW ON
14TH NOVEMBER 2006**

Present: Jim Hughes (SLTA); Roger Littlewood (Interbank Rating Forum); A Watson (Federation of Small Businesses); G Clark (Scottish Chambers of Commerce); Laura Sexton (Scottish Executive); J Gilmour (Scottish Executive); Alan Traynor (IRRV); William Sommerville, **Chairman**, (President SAA); Mike Lithgow (Secretary SAA); H Munro (SAA)

1.0 Welcome & Introductions

The Chairman extended a warm welcome to all members.

2.0 Apologies

2.1 Ken McCormack, (James Barr representing CBI/RICS); Fiona Moriarty (British Retail Consortium); Neil Stuart (Federation of Small Businesses); D Gillespie (Vice-President SAA); A McConochie (SAA).

3.0 Minutes of the Meeting of 16th May 2006

3.1 The minute was approved without amendment. Forum minutes are posted on the Assessors' Portal which can be accessed using: <http://www.saa.gov.uk>

4.0 Matters arising from the Minute of the Meeting of 16th May 2006

4.1 (4.1 Scottish Water Presentation)

M Lithgow had made further contact with Scottish Water but had not received presentation. It was agreed that this need not be pursued further.

(6/7.2 Smoking Ban) An article penned by A McConochie offering guidance on the subject of rating appeals arising from the smoking ban had been published in a Licensed Trade publication, copies of which had been circulated to Assessors.

J Hughes commented that there were mixed views on the effect of the smoking ban with some mainly food led operations suggesting an increase in turnover. This contrasted with the position experienced by more traditional liquor only outlets where drops of up to 35% in turnover had been reported.

The LTA were continuing to advise members to wait till nearer the end of the 2006/2007 financial year before lodging appeals.

(6/7.3 Glass Ban) J Hughes advised that the proposals for the implementation of a 'glass ban' in Glasgow licensed premises had been shelved on the grounds that it contravened Human Rights legislation.

(Annual Returns) Rates of return of Annual Return forms to Assessors had not been good despite the efforts of J Hughes in urging members of the LTA to complete and return the forms.

(11.1 Summary Valuations) W Sommerville advised that the SAA were carrying out a feasibility study in relation to the provision of summary valuations on the Assessors' Portal. Issues relating to the legalities of publishing on the internet together with the technicalities surrounding data transfer and formatting would be considered.

R Littlewood made reference to a feasibility study which the VOA had carried out prior to publication of summary valuations on their web-site, which in the context of banks had included consideration of issues relating to security. These issues had been discussed at the time and mutually satisfactory outcomes for dealing with them had been agreed between the parties.

R Littlewood expressed the view that all business users of the VOA web-site found the publication of summary valuations useful and that he would like a similar facility to be developed in Scotland. Other business representatives present at the meeting were also generally supportive of this view.

W Sommerville reiterated the commitment on the part of the SAA to issue summary valuations at the 2010 revaluation but that he would revert back to the next meeting of the Ratepayers' Forum on the outcome of the feasibility study.

5.0 Consultation Paper – Discussion of Proposed Recommendations

In response to concerns about dwindling attendance at recent meetings of the Scottish Ratepayers' Forum (SRF), the Scottish Assessors' Association (SAA) had carried out a consultation with members of the SRF which had sought views on the future format of the Forum. The recommendations contained in the report were discussed and agreed.

In relation to the recommendation that meetings are reduced to a biannual frequency and rotated on a trial basis, it was agreed that the Scottish Executive would host the next meeting in Edinburgh.

In relation to the recommendation that a check be carried out to ensure that all appropriate business organisations were invited to meetings, it was agreed that M Lithgow would liaise with the Scottish Executive and the VOA.

It was agreed that the Scottish Assessors' Association and A Traynor would be happy to contribute to proposed biannual newsletter.

It was agreed that use of the Assessors' Portal for Scottish Ratepayers' Forum purposes could be expanded to include the proposed newsletter and legislation.

6.0 SAA Portal – General Update

W Sommerville clarified that the Portal carries information relating not only to non-domestic rating and council tax, but also electoral registration.

Under development was a facility to display valuation histories. It is intended that the 31st March 2005 net annual value will be displayed followed by a history of every change to the valuation with effect from the date of the 2005 Revaluation from 1st April 2005. Changes to Proprietors Tenants and Occupiers would not be held.

A feasibility study in relation to summary valuations was being undertaken. (See paragraph 4 above).

It is intended that L Walker (chairman of the Portal Board) will be invited to the next meeting of the Ratepayers' Forum to address members on Portal issues.

Agenda items 7 and 8 were taken together

Revaluation – General Issues/Appeals Progress/Timetable for Disposal

Appeals Timetable

W Sommerville advised that the concerns which had been raised by some agents in relation to the rate of disposal of appeals across Scotland (reported in the minute of the Meeting of the Ratepayers' Forum of 16th May 2006) had since then resulted in a meeting between the agents, the SAA Executive and the Royal Institution of Chartered Surveyors. Comparative statistics showing the numbers of appeals lodged and disposed of, or intended to be disposed of, at equivalent periods in the 2000 and 2005 revaluation cycles had been presented. It had been clear from this that across Scotland, both in terms of the actual numbers of appeals lodged, and the actual numbers and percentage of appeals dealt with, that the figures were significantly lower in 2005 compared with 2000.

R Littlewood appealed for greater flexibility in particular cases. He instanced the case of agents acting for his organisation where a significant percentage of their overall Revaluation Appeals workload had been cited within a narrow three month period.

While recognising that the paramount objective of clearing the appeal workload in accordance with the Statutory timetable could not be compromised, assurances had been given by the SAA to the effect that agents who had particular difficulties with the volume or timing of appeals would be treated sympathetically.

W Sommerville undertook to report these issues to Assessors and to seek their cooperation.

9.0 BIDS

L Sexton advised that the legislation which would institute BIDs was making steady progress through the Scottish Parliament and that the first 6 pilot BIDs were on track to be implemented from 1st April 2007.

The next meeting of the BIDs Steering Group was due to take place on 30th November. G Clark expressed the view that business was generally supportive of the BIDs concept provided they demonstrated enough 'additionality' in terms of improvements to the environment, services etc. The Federation of Small Businesses remained opposed to BIDs as a matter of policy.

A Traynor drew attention to outstanding issues in relation to the balloting process and the potential for names held on the Valuation Roll to be out of date or inaccurate. G Clark sought clarification on when the Scottish Executive would respond to issues which had been raised in the consultation.

10.0 Finance issues

10.1 Best Practice Guide

A Traynor explained that the issue of the legality of bills which had been raised at previous meetings by R Littlewood was not an issue in Scotland so far as he was aware. The issue south of the Border largely related to the inclusion of arrears on bills which was contrary to statute. A system of single year billing operates in Scotland under which it is not possible for arrears to appear on an annual bill.

A Traynor also clarified that the Transitional Relief Scheme in Scotland is different from that in England and again issues relating to billing arising from TR do not arise in Scotland.

10.2 Small Business Rates Relief

A Traynor confirmed, in relation to a specific issue raised by J Hughes at the last meeting of the Forum concerning the application of the Small Business Rates Relief Scheme, that where premises were owned and occupied by different legal entities, even if there were common directors, the rule, that in determining entitlement to rates relief the cumulative rateable value of all the premises occupied by ratepayer would be taken into account, would not apply.

11.0 Freedom of Information

W Sommerville advised that the Tayside case now been decided by the Scottish Information Commissioner in favour of the Tayside Assessor. To the extent that the Commissioner had decided the case having regard only to the costs of provision of the information, and had not addressed the issues of exemptions Data Protection and Human Rights put forward by the Tayside Assessor, the SAA considered the decision disappointing.

12.0 AOCB

12.1 Local Government Finance Review Committee (BURT)

W Sommerville in noting that the Burt Committee had now reported, confirmed that the report contained no recommendations for change to the non-domestic rating system.

12.2 New Legislation

J Gilmour drew attention to the following intended new legislation;

- The Non-Domestic Rating (Scotland) Order
- The Non-Domestic Rating (Scotland) Levy Order
- The Non Domestic Rating (Rural Areas and Rateable Value Limits) Amendment (Scotland) Order
- The Valuation Timetable (Scotland) Amendment Order
- The Valuation Appeal Committee (Electronic Communications) (Scotland) Order

12.3 Edinburgh Tram System

A Watson sought clarification on whether businesses affected by the construction of the Edinburgh Tram system would receive any rates reduction for the duration of the construction period. It was agreed that A Watson should e-mail the details to M Lithgow who would take the matter up with the Lothian Assessor.

A Traynor advised in relation to hardship relief that this is dealt with by councils on a case by case basis having regard to the facts and circumstances of hardship and difficulty as they affect individual taxpayers.

12.0 Dates for Next Meetings

To be advised

M Lithgow
November 2006