

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL**

**Cabinet**

**6 August 2024**

<b>TITLE:</b>	<b>Review of Council Tax &amp; Business Rates Relief, Reductions and Levies Policy, and Corporate Debt Recovery Policy</b>
<b>PORTFOLIO HOLDER:</b>	<b>Councillor C Wood - Portfolio Holder for Finance</b>
<b>CONTACT OFFICER:</b>	<b>Martin Owen – Executive Director (Resources) Joanne Wheeldon - Head of Revenues and Benefits</b>
<b>WARDS INVOLVED:</b>	<b>N/A</b>

**Appendices Attached**

- Appendix A – Business Rates Relief Policy**
- Appendix B – Council Tax Discounts, Disregards and Exemption Policy**
- Appendix C – Empty and Second Home Premium and Exception Policy**
- Appendix D – Corporate Recovery Policy**
- Appendix E – Recovery Flowchart**
- Appendix F – Enforcement Agents Code of Conduct**
- Appendix G – Civil Enforcement Fees**

- 1. Reason for the Report**
  - 1.1 The purpose of this report is to update the above existing policies.
- 2. Recommendation**
  - 2.1 That the Cabinet approve the updated policies.
- 3. Executive Summary**
  - 3.1 The above policies have been updated to reflect any changes made by the Government around reliefs for Business Rates, and Council Tax discounts and premiums.

3.2 The Corporate Recovery Policy has also been updated to include information about the signing of the Citizens Advice Council Tax Protocol and the increase in summons costs from 1 April 2024.

3.3 These policies include all mandatory and discretionary reliefs for completeness and the process for recovery action following non-payment of Council Tax, Business Rates, Sundry Debt and Benefit Overpayment. Each policy is designed to provide clarity and guidance to officers, residents and business ratepayers.

#### 4. **How this report links to Corporate Priorities**

4.1 **Aim 1:** Help create a safer and healthier environment for our communities to live and work

Improve residents' access to benefits and financial support

Review the Debt Recovery Policy to ensure recognition of vulnerable people

**Aim 2:** Use resources effectively and provide value for money.

#### 5. **Alternative Options**

5.1 The recovery of Council debt is statutory with some areas of discretion. There are no options in regard to mandatory reliefs and discounts available are set by Government. However, Government allows authorities to make discretionary decisions in respect of the amount of Business Rates and Council Tax due.

#### 6. **Implications**

6.1	<u>Community safety, including safeguarding and prevention of terrorism</u> None
6.2	<u>Workforce</u> None
6.3	<u>Equality and Diversity/Equality Impact Assessment</u> The report has been prepared in accordance with the Council's Diversity and Equality Policy.
6.4	<u>Financial Considerations</u>  The establishment of the correct reliefs and the recovery of debt is an important factor in balancing the Council's finances.
6.5	<u>Legal</u> The statutory guidance for the collection and recovery of Council Tax is Schedule 2 and Schedule 4 of the Local Government Finance Act 1992 and the Council Tax (Administration and Enforcement) Regulations 1992 (SI.1992/613).

	<p>The statutory guidance for the collection and recovery of Business Rates is Local Government Finance Act (1988), The Non-Domestic Rates (Collection &amp; Enforcement) Regulations, SI 1989/1058 and the Tribunal, Courts and Enforcement Act (2007).</p> <p>Local Government Finance Act 1992 section – schedule 1, sections 11A,11B, 13A.</p> <p>Local Government Finance 1988 Sect 44a, 43, 45, 47, 49.</p>
6.6	<p><u>Climate Change and Sustainability</u> None</p>
6.7	<p><u>Conservation and Enhancement of Biodiversity</u> None</p>
6.8	<p><u>Consultation</u> Not applicable</p>
6.9	<p><u>Risk Assessment</u> The granting of discretionary relief and discounts will, in the main involve a cost to the Council. Any Business rates discretionary relief amount granted will be borne in accordance with the Business Rates Retention Scheme share.</p>

Martin Owen  
**Executive Director (Resources)**

**Web Links and  
Background Papers**

**Contact details**

Joanne Wheeldon  
Head of Revenues and Benefits  
joanne.wheeldon@staffs Moorlands.  
gov.uk

## 7. **Detail**

- 7.1 Council Tax and Business Rates is a form of local taxation which is the main source of revenue for County Councils, Borough Councils and Local Parish Councils. The tax is a way for local people and businesses to contribute to the area where they live or work by helping to meet the cost of providing a range of local services. There are a number of reductions to reduce the amount of Council Tax or Business Rates paid, and it is important that these are made available to the public and awarded to those eligible.
- 7.2 Council Tax is payable by most adults who are resident or own properties within the District. Each property is placed into one of eight Council Tax bands (A-H) by the Valuation Office.
- 7.3 Business Rates, also referred to as Non-Domestic Rates, are payable by businesses. Local authorities collect the rates and a percentage of the money collected is retained to support the local economy financially. The amount a business pays is dependent upon the rateable value of the property which is determined by the Valuation Office.
- 7.4 Income is also generated from services that the Council provides, referred to as Sundry Debt. A list of the services provided is contained within the policy with this report.
- 7.5 The Council also has a duty to recover any overpayment of Housing Benefit where overpayments arise through changes in benefit entitlement. The Council has processes to minimise overpayment and to ensure that where they do occur, they are identified promptly and, if recoverable, this is done using the most appropriate method of recovery. In all cases where an overpayment has arisen, the Council will consider whether an official error has caused or contributed towards the overpayment.
- 7.6 The Corporate Recovery Debt Policy allows us to bring all the individual debt collection processes within one document, to provide guidance for staff and to give transparency to our customers about how the Council will collect and recover outstanding debt.