

WEST DUNBARTONSHIRE COUNCIL
MEMBER/OFFICER WORKING GROUP ON NATIONAL NON-DOMESTIC RATES

Note of Meeting of the Member/Officer Working Group on National Non-Domestic Rates held in the Pend meeting room, Council Offices, 16 Church Street, Dumbarton on Wednesday, 25 September 2019 at 11.37 a.m.

Present: Councillor John Mooney (Chair)
Bailie Denis Agnew
Chris Johnstone, Lay Member of Audit Committee
Stephen West, Strategic Lead – Resources
Ryan Chalmers, Section Head (Revenues & Benefits)
Elaine Chisholm, Team Leader, Finance Service Centre
Michelle Lynn, Assets Co-ordinator
Nigel Ettles, Section Head (Litigation), Regulatory Services
Craig Stewart, Committee Officer, Regulatory Services

NOTE OF PREVIOUS MEETING

The Note of Meeting of the Member/Officer Working Group on National Non-Domestic Rates held on 12 June 2019 was submitted for information and noted.

COLLECTION OF NON DOMESTIC RATES AND LICENSING

A report was submitted by the Section Head - Licensing providing the working group with information on licensing law that informed of the current legal position on the legality of restricting someone's ability to obtain a Licence where non domestic rates have not been paid and a clear example of 'phoenixing' was known.

After discussion and having heard the Section Head (Litigation) and relevant officers in further explanation of the report and in answer to Members' questions, the working group agreed:-

- (1) to note the terms of the report that there was currently no legal mechanism to restrict someone's ability to obtain a licence where non domestic rates have not been paid and a clear example of 'phoenixing' was known;
- (2) when reporting to the Council's Audit Committee, to recommend that the Committee consider asking the Scottish Government to propose amendments to the licensing legislation so that failure to pay non-domestic rates may become a relevant matter in a licensing context; and

- (3) otherwise to note the terms of the discussion that had taken place in respect of this matter.

SCOTTISH GOVERNMENT RELIEFS AND COUNCIL POWER TO VARY RATES

A report was submitted by the Strategic Lead – Resources providing the working group with information on reliefs that are available to rate-payers to encourage economic activity and regeneration that are funded by the Scottish Government; and to advise on the powers available to the Council to vary rates to encourage regeneration, etc.

After discussion and having heard the Team Leader, Finance Service Centre and relevant officers in further explanation of the report and in answer to Members' questions, the working group agreed:-

- (1) to note the terms of the discussion that had taken place in respect of this issue, and that a paper would be brought by the Assets Co-ordinator to the next meeting of the group for consideration on the size and location of vacant units, in terms of local reliefs and reductions, etc.;
- (2) that a paper providing an update on empty property relief would be submitted by the Strategic Lead – Resources to the next meeting of the group;
- (3) that as the NDR Bill 2020 was to be used to devolve the awarding of Non-Domestic Rates Empty Property Relief and Exemptions, in full to Local Authorities from 2022, a paper should be prepared for consideration at the next meeting of the group on this proposal;
- (4) with regard to the proposed sale of Clydebank Shopping Centre and discussion around the majority owners selling their share to West Dunbartonshire Council, it was noted that officers were looking into the issue and, in due course, may be subject to a future report to the Infrastructure, Regeneration and Environment (IRED) Committee; and
- (5) otherwise to note the content of the report and appendices.

DETAILS OF PROPERTIES CURRENTLY RENTED OUT BY WDC AND RATES PAYABLE

A report was submitted by the Strategic Lead – Regeneration providing details of properties currently rented out by WDC and the rates payable.

Having heard the Assets Co-ordinator, the working group agreed to note the details contained in Appendix 1 to the report.

DATE OF NEXT MEETING

It was agreed that the next meeting of the working group would follow on from the conclusion of the Audit Committee scheduled to be held on 20 November 2019.

The meeting closed at 12.40 p.m.

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