

ASSESSOR'S PROGRESS REPORT TO THE LOTHIAN VALUATION JOINT BOARD

5 February 2024

1.0 PURPOSE

1.1. To provide members with an overview of current service delivery, priorities, risks, and future direction.

2.0 ELECTORAL REGISTRATION – MAINTENANCE

1.1 Since the last progress report to the Board in November 2023 all maintenance tasks supporting the registration process have continued.

1.2 Processing volumes continue to be steady. The number of additions/deletions by council area is shown as Appendix (A). From the publication of the last Electoral Register, the electorate increased by a total of 1661 electors.

3.0 POSTAL VOTES/PROXY VOTES.

3.1 The number of electors currently choosing to vote by post remains consistent from previous reports. See Appendix (B)

3.2 There have been changes to postal vote and proxy vote provisions which will impact on UK Parliamentary elections. These changes have resulted in a divergence in the legislation governing devolved and reserved elections.

3.3 Postal Vote divergence between UK and Scottish Elections will involve resource coming under significant pressure. This has been recorded in our service risk register and is being monitored closely.

4.0 ELECTORAL REGISTRATION ENGAGEMENT

4.1 We continue to engage with electors and promoting the functions of the Electoral Registration office to include home movers, prisoners and foreign nationals. This includes regularly attending British citizenship ceremonies.

5.0 ELECTORAL REGISTRATION – VOTER AUTHORITY CERTIFICATES

5.1 The volumes are still at a minimal level and have not increased since the last Board Report. Communications on the requirement for voter ID were made throughout canvass, which did result in a small increase in the volume of applications received.

6.0 CANVASS

6.1 The 2023 canvas began with the data matching process on 14 June. This resulted in a total of 337525 properties in Route 1, 1011621 properties in Route 2, and 14486 properties in Route 3. The Electoral Registers were published on their due date in December.

7.0 UK GENERAL ELECTION

7.1 Training for Property Assistants is being scoped to create a flexible additional resource in readiness for the General Election. Property Assistants provide an invaluable staffing reserve during major electoral events.

8.0 VALUATION ROLL – MAINTENANCE

8.1 Since the last report to the Board, the cumulative total of key value changes made to the valuation roll for the period 1 April 2023 to 31 December 2023 currently stands at 1939. Of that total of running roll activity, 57% of the changes have been actioned within 3 months of them becoming effective. That compares with 47% within 3 months for the equivalent period in the previous year which had fewer alterations to the roll as a result of other competing 2023 revaluation work. The breakdown of the nature of the 1939 changes is 472 amendments to existing entries, 914 deletions from the roll and 553 inserts onto the roll. That has been spilt down further and is shown by county in the table below.

	Edinburgh	Midlothian	W. Lothian	E. Lothian	Total
Inserts	333	53	85	82	553
Deletions	660	43	143	68	914
Amendments	279	66	76	51	472

8.2 The comparatively high proportion of deletions from the roll (particularly within the City of Edinburgh) will be due to, but not exclusively, a significant number of Self Catering Units that have now reverted back to the valuation list following changes to the legislation in 2022, which added a further qualification for them to remain on the roll. There have been around 300 deletions of those subjects within the city of Edinburgh valuation area alone. The recent introduction of the licensing of these subjects will have also accounted for a number of these being removed from the roll and placed back on the list. The merger of separate entries into a single unum quid entry of either a positive value or a no value, in the case of premises entries under reconstruction, predominantly account for those other instances.

9.0 VALUATION ROLL – APPEALS

9.1 R2017 Valuation Roll Appeals Update

9.2 As stated in the last report, we continue to await confirmation from the SCTS Local Taxation Chamber as to how many appellants have indicated that they wish to maintain their pursuit of the outstanding R17 Covid appeals following their write-out in June 2023. As has been outlined in previous reports, we remain hopeful that the final numbers will not be significant, and we continue to monitor this situation closely.

9.3 There are now approximately 800 non Covid Revaluation 2017 appeals that must be disposed of by 31st December 2024. In respect of these appeals, First Tier Tribunal Hearings continue to be set by the SCTS Local Taxation Chamber with Hearings set for 24th January, 8th February and 29th February. As mentioned in previous reports, part of the ongoing changes to the organisation developed through agile working has involved the creation of a team of staff working exclusively on the resolution of these appeals, and they are currently working not only on those appeals which have already been cited for Hearing by the FTT, but also engaging with ratepayers and unrepresented appellants with outstanding R17 appeals on an uncited basis. It is hoped that resolving as many of these appeals as we can, as early as we can, will leave us in a strong position to deal with R23 proposals later in the year.

9.4 Of particular note, LVJB were involved in a non-domestic R17 appeal case on 30th November 2023. Not only was this the first NDR case for Lothian to go before the Tribunal, it was also the first case of this type appear before the Tribunal in Scotland. I am pleased to say that the LVJB was successful in the case.

9.5 2023 Revaluation Proposal Update

9.6 In respect of the c. 3,500 R23 Proposals received, the focus has now switched to the timetable for the setting of Proposal Determination Dates (PDD's) having engaged and co-ordinated with the Scottish Assessors Association in relation to those subjects valued by reference to national Practice Notes. We have a timetable of PDD's for the year and have been planning the resources around meeting the dates for each category, particularly those for which Lothian will take the lead on national discussions. Our first PDD Notices, for Schools, will be issued in late January with a Proposal Determination date of 15th May 2024 – we are working closely with other Assessors in respect of this category of property. Planning around the issue of PDD's for those categories of subjects which are not valued by reference to national Practice Notes (examples being shops, offices and industrials) is also continuing and engagement with professional agents in respect of Industrial properties valued by reference to the Lothian Practice Note has already commenced.

10.0 COUNCIL TAX APPEALS

10.1 A significant number of Council Tax appeal cases proceeded before the First Tier Tribunal in November and December, and we have been successful in each of the cases for which we have had the decisions to this point. December was also significant in that it saw the first involvement of Divisional Valuers in the role of Assessor Advocate in these cases. We have further Hearings set for 6th February, 16th February and 11th March and written submissions also continue to be provided regularly to the First Tier Tribunal in respect of Invalid Council Tax appeals which do not require live remote Hearings. Finally, a Permission to Appeal to the Upper Tier Tribunal case was heard on the 21st November and the LVJB was again successful in this case.

10.2 Also worth noting is that several technicians have now appeared as expert witnesses for the Assessor for the first time and this again represents a great success for our Agile Working workstream and further emphasises our aspiration of right person, right job.

10.3 A proposal to look at creating two Lead Technician posts to deal with alleviating the backlog in verification of Council Tax work is currently under consideration within our Agile Working project. These posts will also support the transition of Technicians becoming more involved in non-domestic valuation activity. The proposal will be to also delete two existing technician posts as a result of this and any increase in costs is expected to be minimal and financed by Barclay funding.

11.0 COUNCIL TAX – MAINTENANCE

11.1 Over the period 1st April 2023 to 31st December 2023, 4386 new houses have been added to the list, this compares to 4638 for the same period in 2022/23.

Band	Edinburgh	Midlothian	West Lothian	East Lothian	Total
A	305	3	17	2	327
B	263	63	48	22	396
C	222	85	149	110	566
D	411	96	162	164	833
E	340	103	84	161	688
F	260	159	203	194	816
G	313	136	110	160	719
H	29	5	5	2	41
Total	2143	650	778	815	

11.2 There are currently 205 outstanding Council Tax appeals, as compared to 269 in October 2023. We are in the process of reviewing the status of all appeals and anticipate this number will shortly reduce further. Council Tax hearings are taking place regularly, with 21 cases currently cited for dates before the end of March. All FTTS decisions to date have resulted in the refusal of the appeal.

11.3 The Government has laid new Regulations which will make the annual review of self catering properties more effective which is welcome.

12.0 REVENUE BUDGET 2023-2027

12.1 I note the content of the Treasurer’s Revenue Budget Report. I have now reached the position, which has been repeatedly forecast for several years now, where I am faced with a significant shortfall in funding. My organisation, having maintained a flat cash budget position since 2009/10, is now ultimately placed in a situation where a request for increased requisition must be made. I hope it is evident to Board members, that I have utilised, and will continue to do so, all options at my disposal to meet the financial challenges that we are now confronted with. Unfortunately, I must now seek this additional funding to continue to deliver the high level of service delivery expected by LVJB. It should be added that I am acutely cognisant of similar challenges amongst my Constituent Councils and across Local Government as a whole. I can assure the Board, and all my stakeholders, that I will resolutely

continue to seek efficiencies and improvements wherever practically possible to further demonstrate my organisations commitment to weather these increasingly difficult times.

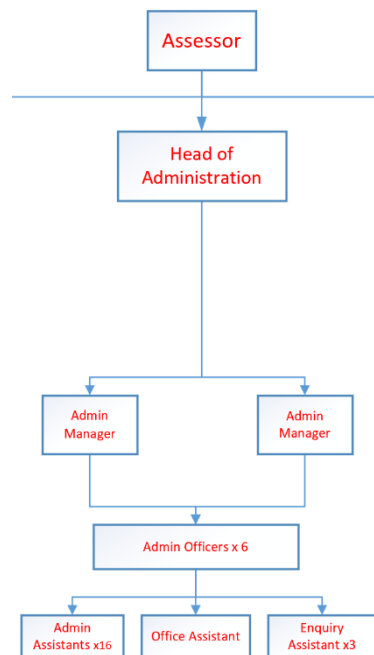
13.0 GOVERNANCE STRATEGY GROUP

13.1 The latest Governance Strategy Group meeting was held on the 22nd of January 2024. Topics discussed were the LVJB budget and the requirement for increased requisition and Phase 2 of the CIP Programme.

14.0 CONTINUAL IMPROVEMENT PROGRAMME

14.1 CIP update

14.2 Following a recent retiral, I have appointed a new Head of Administration, Niall MacGalloway. This has provided the opportunity to assess my Administration team and undertake some streamlining at management level, with the removal of one of our previous 3 Admin Managers. The new structure is shown below;



14.3 This currently realises savings in the region of £41K. To prepare for the forthcoming major electoral event and to deal with postal vote divergence, I intend to re-invest some of these savings to fill a vacancy at Admin Officer and Admin Assistant level to ensure high quality service levels continue to be delivered in this area.

14.4 To further release budget strain, we continue to actively pursue our accommodation options. We have received agreement in principle from our landlord (CEC) to consent to a sub lease option and are awaiting additional advice from CEC legal to confirm that LVJB as an organisational body have the lawful right to do so.

14.5 We are currently investigating the potential introduction of an electric car salary sacrifice scheme. Not only does this provide positive staff benefits in purchase and tax reductions, but it also conforms to

our commitment in reducing our carbon footprint and may lead to other organisational cost saving opportunities.

- 14.6** Our evaluation and trial of agile working continues. To date, it has been invaluable in enabling the organisation to adapt to the new proposals and tribunal service. We will continue to assess the outcomes of this way of working as it underpins our ability to provide sustained levels of service with a reduced work force.
- 14.7** We recently introduced LEADS (LVJB, Education and Development Sessions) to replace our previous wider leadership team briefings. LEADS are open to all staff and are designed to be a compact, instructive way of increasing awareness of changes, new objectives or information sharing that individuals may not usually be involved in. The latest topic was on the recent changes to self-catering legislation and was well received by staff.
- 14.8** Our latest Business Continuity Plan (BCP) tabletop test took place at the end of January. Once again, we used one of the National Cyber Security Centre (NCSC) exercise in a box online tools. It enables the organisation to evaluate and improve cyber attack response procedures and increases staff and stakeholder awareness of critical cyber incidents. Simulations of this type are essential preparation for forthcoming major events and peak activity periods.

15.0 CORPORATE AND SERVICE PLAN

- 15.1** My Corporate and Service Plan for 2024 – 2025 is shown at appendix 2.

The Plan details required service delivery outcomes for our statutory duty of maintaining the Valuation Roll, Council Tax List and Electoral Register. Key challenges this year include ensuring compliance with the Scottish Courts Tribunal Service in the disposal of proposals, ensuring all necessary systems and procedures are operational to meet the requirements of postal vote divergence, and undertaking a series of internal workshops on our Management of Capability Procedure to enable organisational performance targets to be met.

16.0 RECOMMENDATION

- 16.1** The Board is asked to note the content of this report and to approve the paper at Appendix 2.

Michael Wilkie
ASSESSOR & ERO

Attached:

Appendix 1- Electoral Statistics

Appendix 2- Corporate and Service Plan

Appendix 1- Electoral Statistics

Appendix (A) Table Registration Changes by month – April 2023 to January 2024 inclusive

<u>Update Date</u>	<u>Council</u>	<u>Additions</u>	<u>Deletions</u>
3.4.23	City of Edinburgh	3055	1944
2.5.23	City of Edinburgh	3225	2181
1.6.23	City of Edinburgh	3245	3891
3.7.23	City of Edinburgh	3100	2989
1.8.23	City of Edinburgh	3458	2361
1.9.23	City of Edinburgh	5349	5204
2.10.23	City of Edinburgh	5497	9342
1.11.23	City of Edinburgh	6107	9213
3.1.24	City of Edinburgh	1938	1177
3.4.23	East Lothian	543	286
2.5.23	East Lothian	670	374
1.6.23	East Lothian	514	400
3.7.23	East Lothian	425	325
1.8.23	East Lothian	575	346
1.9.23	East Lothian	754	1310
2.10.23	East Lothian	729	391
1.11.23	East Lothian	778	1036
3.1.24	East Lothian	372	264
3.4.23	Midlothian	436	232
2.5.23	Midlothian	419	226
1.6.23	Midlothian	488	308
3.7.23	Midlothian	556	234
1.8.23	Midlothian	442	272
1.9.23	Midlothian	577	1296
2.10.23	Midlothian	618	298
1.11.23	Midlothian	691	959
3.1.24	Midlothian	257	161
3.4.23	West Lothian	820	487
2.5.23	West Lothian	770	483
1.6.23	West Lothian	686	535
3.7.23	West Lothian	641	450
1.8.23	West Lothian	810	479
1.9.23	West Lothian	1215	1556
2.10.23	West Lothian	1244	714
1.11.23	West Lothian	1469	2647
3.1.24	West Lothian	447	297

(B) Table-Postal Voters and Total Electorate at 1 June 2023

<u>Council Area</u>	<u>Postal Voters</u>
City of Edinburgh	91873
East Lothian	21560
Midlothian	17438
West Lothian	29878