

Finance and Resources Committee

10am, Friday 10th March 2023

Non-Domestic Rates - Empty Property Policy

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 To note the Council's Non-Domestic Rates – Empty Property policy, that will operate from 1 April 2023, and that a further report will be brought forward considering potential changes later in the year.

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Report

Non-Domestic Rates – Empty Property Policy

2. Executive Summary

- 2.1 This report details the Council's Non Domestic Rates Empty Property policy, that will operate from 1 April 2023. Empty property reliefs and exemptions for properties will continue to operate at current levels, mirroring the Scottish Government scheme that ends on 31 March 2023, when these powers devolve to local authorities in Scotland.
- 2.2 A further report on potential options will be brought to Committee before the summer recess.

3. Background

- 3.1 From 1 April 2023, Local Authorities in Scotland will be able to adjust Empty Property Relief (EPR) within the Non-Domestic rating system. Section 19 of the Non-Domestic Rates Act (Scotland) 2020 repeals the existing provisions for award of relief (Section 24 to the Local Government (Scotland) Act 1966).
- 3.2 The Finance and Resources Committee on 10 November 2022 noted the devolution of Non-Domestic Rates Empty Property Relief to Local Authorities in Scotland from April 2023. The Committee requested further information to explore options on setting this relief and the possible implications for businesses and the Council

4. Main report

- 4.1 This report details the Council's Non Domestic Rates – Empty Property policy, that will apply from 1 April 2023. This policy exactly mirrors the Scottish Government scheme that ends on 31 March 2023, when the power for these reliefs devolves to local authorities in Scotland. The policy is summarised at Appendix 1.
- 4.2 In November 2022, Committee requested further information to explore options on setting this relief. To inform these options, discussions have been held with Scottish Government to establish the financial treatment of any changes to reliefs and exemptions. This matter has recently been confirmed and the potential implications are being assessed. Discussions are also ongoing with other Scottish local authorities on the potential for a common approach. Once this work is concluded a further report will be presented to Committee

5. Next Steps

- 5.1 The Council's Non Domestic Rates – Empty Property policy will apply from 1 April 2023, with a further report on options to follow.

6. Financial impact

- 6.1 There is no direct financial impact as a result of this report, with the policy mirroring the current Scottish Government scheme. The Council's revenue grant funding settlement for 2023/24 includes funding sufficient to meet these existing liabilities in full.

7. Stakeholder/Community Impact

- 7.1 There is no direct impact on stakeholders or community arising from this report.

8. Background reading/external references

- 8.1 [Finance and Resources Committee – 10 November 2022](#)

9. Appendices

- 9.1 Appendix 1 – Non Domestic Rates – Empty Property policy

Appendix 1 Non Domestic Rates Empty Property Reliefs & Exemptions

Empty Property Relief	Relief Description	%	Duration
Empty Property Relief 50%	Standard empty property relief for the first 3 months of a property being unoccupied	50	3 Months
Empty Property Relief 10%	Standard empty property relief after initial 3 months of 50% has come to an end	10	No time limit
Void Industrial Property	Unoccupied industrial properties	100	6 months
Empty Property Exemption	Exemption Description	%	Duration
Ground/land - no buildings	Applies to vacant ground entries with no infrastructure on them	100	No time limit
Listed Buildings	Applies to vacant listed buildings	100	No time limit
Building Preservation Notice	Unoccupied property subject to a building preservation order	100	No time limit
Rateable Value < £1700	Unoccupied properties with RVs less than £1,700	100	No time limit
Administrator	Unoccupied properties where liable party is in administration	100	No time limit
Company being wound up	Unoccupied properties where liable party is subject to a winding up order	100	No time limit
Occupation prohibited by law	Properties prohibited from being occupied law e.g., asbestos removal	100	No time limit
Vacant Crown/L.A. action	Unoccupied properties subject to crown / LA acquisition, e.g., compulsory purchase order	100	No time limit
Liquidator	Unoccupied properties where liable party is in administration	100	No time limit
Executor in deceased estate	Vacant properties where person entitled to possession is executor of a deceased person's estate	100	No time limit