

# NATIONAL NON-DOMESTIC RATES HARDSHIP RELIEF

## General Information

Section 49 of the Local Government Finance Act 1988 gives Mendip District Council, as a billing authority, discretion to reduce or remit payment of rates where it is satisfied that the ratepayer would sustain hardship if it did not do so, and where it is reasonable for Mendip District Council to do so having regard to the interests of its Council Tax payers.

In making decisions on whether to grant relief, Mendip District Council considers guidance issued by the Communities and Local Government Department (CLG). The CLG has said that whilst it is for each billing authority to decide on the facts of each case whether to exercise its powers under Section 49 – and to judge the extent of those powers – authorities may wish to bear in mind the following guidance:

- i. Although authorities may adopt rules for the consideration of hardship cases, they should not adopt a blanket policy either to give or not to give relief, each case should be considered on its own merits;
- ii. Reduction or remission of rates on grounds of hardship should be the exception rather than the rule;
- iii. The test of 'hardship' need not be confined strictly to financial hardship; all relevant factors affecting the ability of a ratepayer to meet its liability for rates should be taken into account;
- iv. 75 per cent of the cost of any hardship relief granted is offset against the authority's payment to the national non-domestic rate pool, 25 per cent is borne locally and met by the local authority;
- v. The 'interests' of Council Tax payers in an area may go wider than direct financial interests. For example, where the employment prospects in the area would be worsened by a company going out of business, or the amenities of an area might be reduced by, for instance, the loss of the only provider of a service in the area; and
- vi. Where the granting of relief would have an adverse effect on the financial interests of Council Tax payers, the case for a reduction or remission of rates payable may still on balance outweigh the cost to them.

## How to apply for Hardship Relief

- ◆ Please complete the attached application form as fully as possible. If you have any difficulties completing the form, please contact the rates department on 0300 303 8588.

# NATIONAL NON-DOMESTIC RATES

## APPLICATION FOR RELIEF UNDER SECTION 49 OF THE LOCAL GOVERNMENT FINANCE ACT 1988 (HARDSHIP RELIEF)

1. Name of Ratepayer	
2. Business Rates account number	
3. Address of property to which this hardship application relates	
4. Address for correspondence if different from 3. above	
5. Please describe the nature of the business / organisation (i.e. what sort of goods and / or services do you provide?).	
6. How long has the business / organisation been established?	
7. Please state the number of staff employed by the business / organisation at the property.	Full Time: <span style="margin-left: 150px;">Part Time:</span>
8. How many of these employees live in Mendip District Council?	Full Time: <span style="margin-left: 150px;">Part Time:</span>

<p>9. Please state the days and hours that the property is open for business / in use.</p>	
<p>10. Please state the period for which hardship relief is being sought.</p>	
<p>11. How long do you expect the circumstances giving rise to this application for hardship relief to last?</p>	
<p>12. Any hardship relief granted will normally be for a short fixed period only. Please explain how you plan to keep your business / organisation viable and meet your business rate and other liabilities in the future.</p> <p>(This is particularly important if your business rates rose in the last financial year as it is likely that they will rise again.)</p>	
<p>13. Please give as much information as possible regarding the reasons why you consider that your business / organisation would sustain hardship if the Council does not reduce or remit the rates due (please use additional sheets of paper if necessary).</p>	

<p>14. Does the business / organisation provide a service to the local community which is not provided by any other local business / organisation? If so please explain what this service is.</p>	
<p>15. Please provide copies of the last two years' audited accounts for the business / organisation (if audited accounts are not available, please provide un-audited ones).</p>	
<p>16. Please provide an up to date copy of your trading account showing the current financial position of the business / organisation.</p> <p>If no trading account is available, please provide other paperwork, such as copies of bank statements, till receipts and VAT returns for the period for which relief is being sought in order to demonstrate the hardship suffered.</p>	

**I certify that to the best of my knowledge and belief the foregoing statements are correct.**

**I HEREBY CERTIFY THAT I WILL NOTIFY THE COUNCIL OF ANY CHANGES TO THESE PARTICULARS SHOULD THEY OCCUR.**

**DATE:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**CAPACITY IN WHICH SIGNED:** \_\_\_\_\_

**Once completed, this form should be returned to:**

**Mendip District Council, Business Rates Section, Cannards Grave Road, Shepton Mallet, BA4 5BT**

*Please note that Rates are payable as billed while applications for discretionary relief are considered. If the Council decide to grant relief, a refund will be issued, or the remaining instalments will be reduced accordingly.*