



Renfrewshire Valuation Joint Board

Report to: Renfrewshire Valuation Joint Board

Meeting on: 15th September 2023

Subject: Non-Domestic Rates Reform Update

Author: Assessor & Electoral Registration Officer

1. Background

It was agreed that the Board should be updated at each meeting on developments and expenditure arising from the Barclay Review.

The Non-Domestic Rates (Scotland) Act 2020 and associated Regulations are the main legislative means for introducing the Non-Domestic Rates reforms recommended by the Barclay Review

There are six main Barclay recommendations which are reflected in the Act, these are listed below:-

- i. The change of the revaluation cycle from 5 yearly to 3 yearly (starting 2023)
- ii. New property markers to be shown against properties in the Valuation Roll (April 2021)
- iii. Changes to valuation of properties within a Park (April 2023)
- iv. From the 2023 Revaluation going forward access will be given to a list of comparative subjects used to value a particular entry in the Valuation Roll
- v. The existing Appeals system to be changed to a two-stage appeal system (April 2023)
- vi. Information Gathering powers to be strengthened with Assessors issuing Civil Penalties to those who do not respond (April 2021)

The Scottish Assessor's Association (SAA) has had regular contact with the Scottish Government and has replied to consultations and appeared at committees as appropriate to ensure a consistent approach. Assessors will continue working jointly to ensure delivery of all these new duties and will also support ongoing development of the SAA Portal which provides information to ratepayers and their agents.

Assessors were asked to submit plans showing what actions and preparations Assessors were planning to carry out to ensure all the Barclay recommendations were fully implemented and delivered within the legislative timelines. These plans have been submitted and approved by the Scottish Government and they cover the period up to 2025 by which time all the recommendations of the Barclay review will be in place.

2. Staffing

As previously reported, recruitment of qualified valuation staff has been difficult in recent times and several recent rounds of advertising have not proven successful. At this moment in time we currently have vacancies for a Property Assistant and a Valuer / Senior Valuer being advertised and we will shortly be advertising for a trainee Valuer.

3. 2023 Non-Domestic Revaluation

The Non-Domestic Revaluation came into force on 1st April 2023, with a Tone Date of 1st April 2022. The Tone date is the date to which all valuations are tied, to ensure all non-domestic properties are valued at the same point in time. In line with the statutory requirements the 2023 Revaluation Roll was delivered to the Local Authorities on 15th March 2023 and Revaluation Notices were issued to all Proprietor, Tenants and Occupiers on the 29th March.

On the 1st of April there was a substantial update to the Assessors portal (www.saa.gov.uk) to publish the Revaluation Roll. Across East Renfrewshire, Inverclyde and Renfrewshire just under 90% of the published values have a valuation showing the make up of the value available to view on line and many properties also have a rented property list showing rental comparisons that have been used to arrive at the valuation. The Assessors portal also published over 100 Practice Notes. Each Practice Note details how a property type should be valued and covers properties as diverse as Shops, Prisons, Bingo Halls and Golf Courses. Members of our team authored a number of these Practice Notes and contributed to many others.

The Assessors portal was also upgraded to allow aggrieved Proprietor, Tenants or occupiers to submit a proposal against the new Revaluation entry. The original deadline for submitting a proposal was 31st July 2023 and on the 20th July, the Scottish Government enacted the Valuation (Proposals Procedure) (Scotland) Amendment Regulations 2023 which amended the deadline for Revaluation proposals to 31st August 2023. As at 5th September just under 1,000 proposals had been received although these are still going through the verification process and final number of Revaluation proposals will be reported at the next Board meeting.

4. Changes to the Appeals System

The transfer of the Local Appeal Committees into the Scottish Courts and Tribunals Service (SCTS) took place on 1st April 2023.

The Valuation (Proposals Procedure) (Scotland) Regulations 2022, Valuation Timetable (Scotland) Order 2022, Valuation Roll and Valuation Notice (Scotland) Order 2022, The First-tier Tribunal for Scotland Local Taxation Chamber (Rules of Procedure) Regulations 2022 and The Upper Tribunal for Scotland (Local Taxation Rules of Procedure) Regulations 2022 were laid in the Scottish Parliament in mid-December 2022. Further, The First-tier Tribunal for Scotland (Transfer of Functions of Valuation Appeals Committees) Regulations 2023 were made on 21st February 2023. These Orders and Regulations provide detail on the new two stage proposal / appeal process that came into force on 1st April 2023.

Upgrades to the SAA portal to allow submission of proposals online were put in place and we have been engaging with the SCTS to ensure the smooth transfer over of existing appeals that became their responsibility from April 2023.

Most of the Non-Domestic appeals transferred to the SCTS had a disposal deadline of 31st December 2023, however the Valuation Timetable (Scotland) Amendment (No.2) Order 2023 came into force on 15th June and has amended the last date for disposal by the First Tier Tribunal to 31st December 2024.

5. Self-Catering Properties

The legislation relating to self-catering properties changed with effect from 1st April 2022. To be classed as a non-domestic property the owner of a self-catering property will now be required to provide evidence of 70 days actual letting as well as 140 days intention to let. The letting must be on a commercial basis with a view to making a profit. I wrote to the owners of all self-catering properties within the RVJB area last year to inform them of the change. I have requested the required evidence from each operator and this is being reviewed. Any operators that fail to respond or don't fulfill the new criteria will have the entry in the Valuation Roll deleted and an entry made within the Council Tax list.

6. Information Gathering powers

The new powers allow the Assessor to issue Assessor Information Notices (AINs), which if not responded to can lead to the Assessor issuing a Civil Penalty on the non- responder(s).

With assistance from Renfrewshire Council's Sundry Debt Team, processes are now agreed to assist in the collection of any Civil Penalties raised through these powers for all three of the Board's councils.

When civil penalties are issued the revenue raised is due to be paid into the Scottish Governments Consolidated Fund (net of any costs). These processes will be kept under review and Scottish Government will be updated regularly on any monies raised which are due to them via the Consolidated Fund.

7. IT Valuation System

Development of this system continues with the aim of going live at a suitable time for service delivery.

8. Recommendations

- i. The Board notes this report.

Robert Nicol
Assessor and Electoral Registration Officer
6th September 2023

For further information please contact Robert Nicol at 07483921232
or via e-mail at robert.nicol@renfrewshire-vjb.gov.uk