



## **Renfrewshire Valuation Joint Board**

### **Minute of Meeting Renfrewshire Valuation Joint Board.**

<b>Date</b>	<b>Time</b>	<b>Venue</b>
Friday, 10 June 2022	14:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

#### **Present**

Councillor Annette Ireland, Councillor Andrew Morrison, Provost Mary Montague and Councillor David Macdonald (East Renfrewshire Council); Councillor Graeme Brooks, Councillor Paul Cassidy and Councillor James Daisley (Inverclyde Council); and Councillor Graeme Clark, Councillor Audrey Doig, Councillor John Hood, Councillor Sam Mullin, Councillor Jim Paterson (substitute for Councillor Bruce MacFarlane), Councillor Kenny MacLaren, Councillor Mags MacLaren, and Councillor Andy Steel (Renfrewshire Council).

#### **In Attendance**

R Nicol, Assessor & Electoral Registration Officer and L Hendry, Assistant Assessor & Electoral Registration Officer (both Renfrewshire Valuation Joint Board); M Conaghan, Clerk, K Campbell, Assistant Chief Internal Auditor, C McCourt, Head of Finance & Business Services, R Devine and E Gray, both Senior Committee Services Officers, K Festorazzi, Principal Accountant, T McGowan, Senior Accountancy Assistant and J Barron and D Cunningham, both Assistant Committee Services Officers (all Finance & Resources, Renfrewshire Council); and M Ferris, Senior Audit Manager (Audit Scotland).

Prior to the start of the meeting the Clerk welcomed members to the first meeting of the Joint Board following the local government elections in May 2022 and advised that this meeting of the Joint Board would be recorded and that the recording would be available to view on the Council's website.

## 1 **Appointment of Convener**

The Clerk asked for nominations for the post of Convener of the Joint Board.

Councillor Steel, seconded by Councillor Ireland, moved that Councillor Audrey Doig be appointed as Convener of the Joint Board.

There being no further nominations, it was agreed that Councillor Audrey Doig be appointed as Convener of the Joint Board.

**DECIDED:** That Councillor Audrey Doig be appointed as Convener of the Joint Board.

### **Chair**

Councillor Audrey Doig thereafter took the chair.

### **Apology**

Councillor Bruce MacFarlane.

### **Declarations of Interest**

There were no declarations of interest intimated prior to the commencement of the meeting.

## 2 **Appointment of Depute Convener**

The Convener asked for nominations for the post of Depute Convener of the Joint Board.

Councillor Mullin, seconded by Councillor Clark, moved that Councillor Cassidy be appointed as Depute Convener of the Joint Board.

There being no further nominations, it was agreed that Councillor Cassidy be appointed as Depute Convener of the Joint Board.

**DECIDED:** That Councillor Cassidy be appointed as Depute Convener of the Joint Board.

## 3 **Membership of the Joint Board**

There was submitted a report by the Clerk detailing the appointment of members to the Joint Board by the constituent authorities.

**DECIDED:** That the appointments be noted.

## 4 **Who we are and what we do**

There was submitted a report by the Assessor & Electoral Registration Officer providing information for members on the Joint Board.

The report advised that the Joint Board had been established in terms of the Valuation Joint Boards (Scotland) Order 1995 and provided details of its main functions.

The report provided information on the membership of the Joint Board, the role of the Assessor and staff, the valuation roll, the Council Tax Valuation list, the register of electors, and governance.

**DECIDED:** That the report be noted.

## 5 **Minute**

There was submitted the Minute of the meeting of the Joint Board held on 25 February 2022.

**DECIDED:** That the Minute be approved.

## 6 **Unaudited Annual Accounts 2021/22**

There was submitted a report by the Treasurer relative to the unaudited annual accounts for the Joint Board 2021/22, a copy of which were appended to the report.

The report intimated that the accounts for the year ended 31 March 2022 would be submitted to Audit Scotland in advance of the statutory deadline of 30 June 2022. It was noted that the Joint Board had ended the 2021/22 financial year with an overspend of £3,000.

The report advised that the management commentary within the accounts provided an overview of the Joint Board's financial performance during 2021/22, together with a summary of risks and the outlook for the future. Further, that underspends were experienced across many budget lines during the year and that as a result, the budgeted drawdown from reserves of £80,000 was not required. The final usable reserves balances as at 31 March 2022 was £672,000 which included a sum of £24,000 newly earmarked to fund one-off spend in 2022/23 on economic modelling related to Fixed Line Telecommunications, as outlined in the revenue estimates 2022/23 to 2024/25, reported to the Joint Board in February 2022.

The report further advised that the unaudited accounts were required to be formally considered by the Joint Board no later than 31 August with the Annual Governance Statement being formally approved at this time. Once considered, the accounts would be subject to external audit by Audit Scotland by 30 November 2022 and it was noted that the 2021/22 audited annual accounts were scheduled to be submitted to the meeting of the Joint Board scheduled to be held on 18 November 2022 for approval and signing by the Convener, the Assessor & Electoral Registration Officer and the Treasurer, in accordance with the regulations.

**DECIDED:**

(a) That the unaudited annual accounts for 2021/22 be noted;

(b) That the Annual Governance Statement be approved; and

(c) That the final budget monitoring and reserves position for 20221/22 be noted.

## 7 **Internal Audit Annual Report 2021/22**

There was submitted a report by the Chief Auditor relative to the Internal Audit annual report on the Renfrewshire Valuation Joint Board 2021/22.

The report intimated that the Public Sector Internal Audit Standards required that the Chief Auditor prepare an annual report on the internal audit activity's purpose, authority and responsibility, as well as performance relative to its plan. The report required to also provide an audit opinion on the overall adequacy and effectiveness of the internal control system of the audited body.

The annual report for the Joint Board was attached as an appendix to the report and outlined the role of internal audit, the performance of the internal audit team and the main findings from the internal audit work undertaken in 2021/22 and contained an audit assurance statement.

**DECIDED:** That the Internal Audit annual report for 2021/22 be noted.

## 8 **Internal Audit Engagement - Records Management**

There was submitted a report by the Chief Auditor relative to the audit of the Joint Board's records management plan processes.

The report intimated that in line with the Public Sector Internal Audit Standards, Internal Audit must communicate the results of each engagement to the Joint Board. It was noted that the Chief Auditor would submit summary reports of completed audit engagements to the Joint Board on the conclusion of each engagement for formal consideration by members in line with best practice.

The summary for the internal audit review of the records management plan processes, completed in April 2022, was appended to the report and detailed the overall assurance rating and the number of recommendations in each risk category.

**DECIDED:** That the summary for the internal audit review of the Joint Board's records management plan processes, appended to the report, be noted.

## 9 **Electoral Update Report**

There was submitted a report by the Assessor & Electoral Registration Officer relative to the current position in relation to electoral registration.

The report intimated that the local government election on 5 May 2022 had been planned and delivered in the context of COVID and the various restrictions and guidance that were in place during the months leading up to election day; the successful delivery of the election was made possible by robust internal preparations; Household Notification Letters (HNLs) had been issued in the early part of 2022 detailing who within the household was registered to vote and whether they currently had a postal vote and providing guidance on the action to be taken if the information required to be updated; all deadlines for the supply of data to allow the issue of poll cards and postal voting packs to be issued had been achieved; and advised that on election day, the Joint Board office had been staffed throughout the hours of the poll with 13 emergency proxies being issued, mainly due to COVID isolation and that six clerical errors were corrected on the day. The report provided the details of the final electorate and postal vote statistics per constituent authority area.

The report advised that the 2022 canvass would start on 4 July 2022 with the publication of the revised register due to take place by 1 December 2022; the start of the canvass national data matching of the register to DWP records took place on 6 June 2022, with local data matching following; where an email address was held, the initial contact would be by email followed up by letter with the final stage being household visits where

no response had been received and it was noted that this stage would begin at the end of August.

The report further advised that the Elections Act 2022 received Royal Ascent on 28 April 2022 with the provisions of the Act coming in force at various times. It was noted that the main provisions that would impact the Joint Board would be the requirement for voter ID for UK parliamentary elections, coming into force on 1 December 2022, changes to the postal voting application for UK parliamentary elections and changes to the eligibility to be registered as an overseas voter.

On behalf of the Joint Board, the Convener thanked staff for the work undertaken in dealing with electoral registration.

**DECIDED:** That the contents of the report be noted.

## 10 **Strategic Service Plan 2021/24 - Annual Update**

There was submitted a report by the Assessor & Electoral Registration Officer relative to the annual update of the three-yearly Strategic Service Plan 2021/24, a copy of which was appended to the report.

**DECIDED:** That the report be noted.

## 11 **Performance Report**

There was submitted a report by the Assistant Assessor & Electoral Registration Officer providing an update on the current performance and workload issues facing the Joint Board together with the Valuation Roll and Council Tax performance statistics for 2021/22.

The report detailed the performance in Council Tax and non-domestic valuation against set targets. In relation to Council Tax valuation, it was noted that the addition of new houses to the Valuation List and the deletion of demolished houses remained a priority with the time taken to enter new houses into the Valuation (Council Tax) List exceeding the target of 95% within three months by achieving 98.07% and 97% within six months by achieving 99.19%.

The report also detailed the average number of days taken to add a house in each constituent authority area between 1 April 2021 and 31 March 2022 and also the number of deletions from the Valuation (Council Tax) List between 1 April and 31 March during 2020/21 and 2021/22 by constituent authority area.

The report set out the time taken to make statutory amendments to the Valuation Roll, excluding appeal settlements and amendments to the prescribed entries, between 1 April 2021 and 31 March 2022 by constituent authority area, which fell below the targets of 50% to be actioned within three months and 75% within six months.

The report noted that the performance targets for statutory amendments in relation to the Valuation List for Council Tax had been exceeded and staff were to be commended for managing to achieve this level of service with a record number of dwellings being added despite the constraints imposed as a result of the pandemic. However, the Valuation Roll performance was substantially less than normal standards and this was due to the pressures of core vacancies and restrictions on the ability to provide a normal level of service as a result of Covid-19 restrictions.

In relation to performance targets for 2022/23, the management team had reviewed the targets for Council Tax and non-domestic valuation in light of the demands placed on staff and resources and proposed that the 2021/22 performance targets be retained for 2022/23 for both Council Tax and non-domestic valuation.

The summary of performance returns 2012/13 to 2021/22 was appended to the report.

On behalf of the Joint Board, the Convener thanked staff for the work undertaken in dealing with statutory amendments to the Valuation List for Council Tax and the Valuation Roll.

**DECIDED:**

- (a) That the report be noted;
- (b) That the performance targets for 2021/22 be approved; and
- (c) That the publication of the summary report, appended to the report, be approved.

## **12 Non-domestic Rates Reform Update**

Under reference to item 7 of the Minute of the meeting of this Joint Board held on 25 February 2022, there was submitted a report by the Assessor & Electoral Registration Officer relative to developments and expenditure arising from the Barclay Review.

The report intimated that the Non-Domestic Rates (Scotland) Act 2020 and associated Regulations were the main legislative means for introducing the non-domestic rates reforms recommended by the Barclay Review and the six main Barclay recommendations reflected in the Act were detailed in the report.

The report further intimated that the Scottish Assessor's Association (SAA) had regular contact with the Scottish Government to ensure a consistent approach. Assessors would continue to work jointly to ensure delivery of all new duties and would support ongoing development of the SAA Portal which provided information to ratepayers and their agents. Assessors had submitted plans to the Scottish Government detailing the actions being taken to ensure that all Barclay recommendations would be fully implemented and delivered within legislative timelines. These plans had now been approved and covered the period up to 2025 by which time all the recommendations of the Barclay review would be in place.

In relation to staffing, the report advised that a senior surveyor had left the employment of the Joint Board; a senior valuer had resigned; two property assistants had intimated their intention to retire at the end of June and replacements had been recruited; two valuers had been promoted to senior valuer; arrangements were being made to recruit a senior surveyor; and that the successful progression through training and Assessment of Professional Competence of trainees would be a key factor in the ability to successfully implement non-domestic rates reform in the coming years.

The report advised that the next non-domestic revaluation was due in April 2023 with a tone date of April 2022, the date to which all valuations were tied to ensure all non-domestic properties were valued at the same point in time; work was underway to ensure that local systems were in place to assist the valuation staff in undertaking the analysis of rental information and the revaluation of the 14,000 non-domestic subjects within valuation rolls of the Joint Board area; the Valuation Timetable Amendment Order 2022 came into force on 6 May 2022 which added the requirement to publish a draft

Valuation Roll on 30 November in the year preceding a Revaluation; the Non-Domestic Rates (Valuation Notices) (Scotland) Regulations 2022 had been laid before the Scottish Parliament and if enacted would place a duty on the Assessor to issue draft Valuation Notices after 30 November; and that work was ongoing to identify lands and heritages within public parks that were exempt from entry in the valuation roll due to section 19 of the Local Government (Financial Provisions) (Scotland) Act 1963 that might no longer be exempt once section 5 of the Non-domestic Rates (Scotland) Act 2020 comes into force on 1 April 2023. Further that the Assessor continued to contribute to and benefit from working with other Assessors throughout Scotland via the Scottish Assessors Association (SAA) to establish values for properties where the valuation evidence was national rather than local.

The report noted that the transfer of the Local Appeal Committees into the Scottish Courts and Tribunals Service was due to take place from 1 January 2023. The outcome of the Scottish Government consultation on this together with the consultation on the draft regulations to introduce a two-stage appeals system was awaited and a report on the outcomes would be submitted to a future meeting of the Joint Board. Further, that the Judicial Appointments Board for Scotland was currently recruiting 39 Ordinary members and had recently recruited Legal and Surveyor members. It was noted that Ms Jacqui Taylor, Secretary of the Renfrewshire Valuation Appeal Panel, had been appointed as the temporary President of the Local Taxation Chamber of the First-tier Tribunal for Scotland.

In relation to self-catering properties, it was noted that the legislation changed with effect from 1 April 2022 and that, to be classed as a non-domestic property, owners would now be required to provide evidence of 70 days actual letting as well as 140 days intention to let and must be on a commercial basis with a view to making a profit. In this regard, the Assessor wrote to owners of all self-catering properties within the Joint Board area to inform them of the change and would be requesting the required evidence towards the end of 2022.

It was noted that the Assessor now had powers to issue Assessor Information Notices (AINs) which, if not responded to, could lead to the Assessor issuing a Civil Penalty to the non-responder(s). The issuing of these AINs had begun and return of these would be closely monitored with Civil Penalties being issued where necessary. Renfrewshire Council's sundry debt team would assist in the collection of any Civil Penalties with the revenue raised being paid to the Scottish Government's Consolidated Fund, net of costs. These processes would be kept under review and the Scottish Government would be advised of any monies due to them.

The report further intimated that development of the IT valuation system continued with the aim of going live during 2022/23.

**DECIDED:** That the report be noted.

## 13 **Non-domestic Appeals**

There was submitted a report by the Assistant Assessor & Electoral Registration Officer advising on the appeal process and progress on disposal of revaluation appeals and running roll appeals received since the 2017 revaluation.

The report intimated that a five-yearly revaluation process had been introduced by the Valuation and Rating (Scotland) Act 1956 and this required the Assessor & Electoral Registration Officer to value, or revalue, all the lands and heritages in the valuation area. These valuations were totally fresh and need bear no relation to the value applied

in the preceding seven years.

The revaluation brought with it a fresh right of appeal which had to be exercised within a six-month period starting from 1 April in the year of the revaluation or within six months of the date of issue of the Valuation Notice, whichever was later. These appeals must be disposed of within time limits prescribed in the Timetable Order which currently stated by the end of the third year following revaluation, this being 31 December 2020. However, the Scottish Government had extended the disposal date for 2017 revaluation appeals until 31 December 2021. It was noted that the Assessor had discharged this statutory duty with only a small number of outstanding revaluation appeals being referred to the Lands Tribunal prior to the disposal date.

The report provided an update in relation to the right of appeal; negotiation of appeals; the Local Valuation Appeal Committee; revaluation appeals; the disposal of 2017 revaluation appeals; the disposal of running roll appeals; and the disposal of other outstanding appeals.

Appendix 1 to the report detailed the number of revaluation appeals received, disposed of and outstanding by constituent authority and the Joint Board area as at 31 March 2022. Appendix 2 to the report detailed the number of running roll appeals received on or after 1 March 2020, outlining those dealt with in each constituent authority and the Joint Board area as at 31 March 2022.

The report advised that the disposal of appeals was a major component of the work undertaken by the Assessor's valuation staff and was work that could be stressful due to the strict legislative timetables and the adversarial nature of the negotiations. The report congratulated staff in disposing of the 2017 revaluation appeals within the statutory disposal date of 31 December 2021 with the small number of appeals being referred to the Lands Tribunal and thanked them for their commitment and professionalism in rising to this challenge and successfully delivering the service.

It was noted that, despite legislation being laid before the Scottish Government to ensure that no account could be taken of any matter occurring on or after 2 April 2020, whether directly or indirectly attributable to coronavirus, it would be a challenge to dispose of the outstanding Covid MCC appeals. The management team would ensure all required support was available to staff to assist them in this highly unusual set of circumstances.

**DECIDED:** That the contents of the report be noted.

#### 14 **Accounts Commission Report on Orkney and Shetland Valuation Joint Board**

There was submitted a report by the Assessor & Electoral Registration Officer relative to Audit Scotland's 2020/21 audit report and financial statements for Orkney and Shetland Valuation Joint Board which highlighted significant issues in relation to governance and decision making within that Joint Board. A copy of the audit report was appended to the report.

The report intimated that the Assessor, Clerk and Treasurer of Renfrewshire Valuation Joint Board had considered the audit report and there were no immediate actions arising, however, officers would continue to monitor the position and bring new and revised policies and procedures to the Joint Board for approval, as appropriate.



**DECIDED:** That the content of the report prepared by the Controller of Audit on the 2020/21 audit of Orkney and Shetland Valuation Joint Board be noted.

## 15 **Timetable of Meetings**

There was submitted a report by the Clerk relative to the setting of dates for meetings of the Joint Board for the five-year period August 2022 to March 2027.

The report intimated that, arrangements for ordinary meetings of the Joint Board were governed by the provisions of Standing Order 5 of the Joint Board's Procedural Standing Orders which stated that "The Joint Board will agree the dates, times and places for its ordinary meetings. The Joint Board will meet from time to time in each constituent authority and will normally hold at least four meetings a year."

Further, that at the meeting of the Joint Board held on 19 November 2021, it had been decided that future meetings of the Joint Board be hybrid meetings and that arrangements be made to hold these meetings in the Council Chamber in Renfrewshire House, allowing members to either attend meetings 'in person' or join remotely using Microsoft Teams, and that the Clerk, in consultation with the Convener and Depute Convener, be requested to develop a protocol for the conduct of hybrid meetings. The protocol for the conduct of hybrid meetings was approved at the meeting of the Joint Board held on 25 February 2022 and had been issued to members with the agenda for this meeting.

Following discussion around meetings of the Joint Board returning to be held in venues in the areas covered by the Joint Board, it was proposed that the Clerk, in consultation with the Convener, investigate whether hybrid meetings could be facilitated in both East Renfrewshire Council and Inverclyde Council offices and submit a report to the next meeting of the Joint Board.

### **DECIDED:**

(a) That meetings of the Joint Board be held at 2.00 p.m. on 16 September and 18 November 2022; 24 February, 26 May, 15 September and 17 November 2023; 23 February, 24 May, 13 September and 15 November 2024; 21 February, 23 May, 12 September and 14 November 2025; 20 February, 22 May, 18 September and 13 November 2026; and 19 February and 18 June 2027; and

(b) That the Clerk, in consultation with the Convener, investigate whether hybrid meetings could be facilitated in both East Renfrewshire Council and Inverclyde Council offices and that the Clerk submit a report to the next meeting of the Joint Board.