



Renfrewshire Valuation Joint Board

Minute of Meeting Renfrewshire Valuation Joint Board.

Date	Time	Venue
Friday, 18 November 2022	14:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present

Councillor Andrew Morrison and Councillor David Macdonald (East Renfrewshire Council); Councillor Paul Cassidy (Inverclyde Council); and Councillor Graeme Clark, Councillor Audrey Doig, Councillor Bruce MacFarlane, Councillor Kenny MacLaren, Councillor Mags MacLaren and Councillor Andy Steel (Renfrewshire Council).

Chair

Councillor Audrey Doig, Convener, presided.

In Attendance

R Nicol, Assessor & Electoral Registration Officer, L Hendry, Assistant Assessor & Electoral Registration Officer and B Aitchison, Divisional Assessor (all Renfrewshire Valuation Joint Board); C McCourt, Head of Finance & Business Services, E Currie and E Gray, both Senior Committee Services Officers, K Festorazzi, Principal Accountant and T McGowan, Senior Accountancy Assistant (all Renfrewshire Council); and M Ferris, Senior Audit Manager (Audit Scotland).

Apologies

Councillor Annette Ireland and Provost Mary Montague (both East Renfrewshire Council) and Councillor Graeme Brooks (Inverclyde Council).

Declarations of Interest

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

1 **Minute**

There was submitted the Minute of the meeting of the Joint Board held on 16 September 2022.

DECIDED: That the Minute be approved.

2 **Revenue Budget Monitoring**

There was submitted a revenue budget monitoring report by the Treasurer in respect of the Joint Board for the period 1 April to 14 October 2022.

The report intimated that at the end of period 7, the Joint Board was underspent by £155,000 and was projected to underspend by £70,000 against budget by the end of the financial year, as detailed in section 4 of the report.

It was noted that there had been no budget adjustments since the start of the financial year.

DECIDED: That the report be noted.

3 **Annual Audit Report on the Annual Accounts 2021/22**

Under reference to item 6 of the Minute of the meeting of this Joint Board held on 10 June 2022, there was submitted a report by the Treasurer relative to the audited annual accounts for the Joint Board for the year ended 31 March 22.

The report intimated that the Local Authority Accounts (Scotland) Regulations 2014 required the audited accounts to be approved for signature no later than 30 September each year. It was noted that for 2021/22, the Local Governance Finance Circular 6/2022: Extension to Accounts Approval and Publication Dates for 2021/22 provided flexibility and this deadline had been extended to 30 November 2022.

The report noted that Section 10 of the Regulations required the Joint Board to consider any report made by the appointed auditor before deciding whether to sign the audited accounts. The findings of the Joint Board's appointed auditor, Audit Scotland, were presented in the annual audit report, which formed Appendix 1 to the report, and included details of one significant adjustment made to the accounts during the course of the audit, which amounted to £80,000, relative to the disclosures of pension liability in connection with guaranteed minimum pension rules; and other minor and presentational changes made to the annual accounts. The Joint Board's 2021/22 audited annual accounts formed Appendix 2 to the report.

On behalf of the Joint Board, the Convener thanked staff for the work undertaken on the Joint Board's annual accounts.

DECIDED:

(a) That the findings of the 2021/22 audit as contained in the annual audit report, which formed Appendix 1, be noted; and

(b) That the 2021/22 audited annual accounts for the Joint Board, which formed Appendix 2, be approved for signature.

4 **Electoral Update Report**

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

In relation to the 2022 canvass, the report intimated that the canvass commenced 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 and if no response was received, this would be followed up by letter with the final stage being household visits where no response had been received. It was noted that where all the electors in a household were data matched, a CCA letter had been issued and that this letter did not require a response unless the information was incorrect. A total of 101,639 CCA letters had been issued. In circumstances where not all the electors in a household were data matched, a CCB letter had been issued which required a response and 39,680 CCB letters had been issued. The final stage of the canvass was a visit to a property for those households where a response was required but not received. The report noted that this stage began in August 2022 and would involve visits to 23,246 properties and as at 8 November 2022, only 1,132 visits had still to be completed.

The report noted that no other elections were scheduled, however, this would be kept under review and staff would be able to deliver should circumstances require.

In relation to the Elections Act 2022, the report advised that the Act received Royal Assent 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 and the postal voting application process for UK Parliamentary election and changes to the eligibility to be registered as an overseas voter. The secondary legislation which detailed how the new voter ID measures would work in practice had been laid before the UK Parliament on 3 November 2022, with this requirement applying in Scotland to UK Parliamentary by-elections from early May 2023 and to UK Parliamentary general elections taking place after 5 October 2023. It was noted that applications for the voter authority certificate (VAC) could be made online or by a paper application form from early January 2023 and would only be required if an elector did not have another approved form of photo ID as set out in the Act. Work was being undertaken to ensure that the online application portal, being created by the Department for Levelling Up, Housing and Communities, was fit for purpose and was compatible with the Joint Board's electoral management system to allow applications to be processed efficiently. Details of the funding for this new burden were expected in the near future.

In relation to the absent vote identifier refresh, the report noted that there would be approximately 6,300 signature refresh notices issued to electors who had a postal or proxy vote where the signature on record was more than five years old.

On behalf of the Joint Board, the Convener thanked staff for the work undertaken.

DECIDED:

(a) That the contents of the report be noted; and

(b) That the Assessor & Electoral Registration Officer submit a report to a future meeting of the Joint Board in relation to the funding received from the Department for Levelling Up, Housing and Communities.

5 Non-domestic Rates Reform Update

Under reference to item 7 of the Minute of the meeting of the Joint Board held on 16 September 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 the retention and recruitment of valuation staff remained a challenge and that, since the last meeting, two property assistants had now become trainee technicians and that two new property assistants had recently been recruited; the recruitment process for a valuer/senior valuer during October did not receive any applications by the closing date, therefore the position had been readvertised; and that discussions were continuing with Renfrewshire Council's HR advisers to identify ways in which posts within the Joint Board could be more attractive, however, it was noted that this was an issue facing all Valuation Joint Boards.

The report advised that the next non-domestic revaluation was due in April 2023 with a target 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 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 which placed a new duty on the Assessor to issue draft valuation notices after 30 November and it was noted that as of 8 November, approximately 600 draft valuations remained to be completed with the Joint Board being on target to publish the draft valuation roll on 30 November; 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; following publication of the draft valuation roll, attention would turn towards the 2023 revaluation roll and maintenance of the Council Tax list and valuation roll which had paused for a period of time. 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.

In relation to changes to the appeals system, the report advised that the transfer of the Local Appeal Committees into the Scottish Courts and Tribunals Service was due to take place from 1 January 2023 but that due to a delay in the Regulations necessary to transfer the duties, this would now be 1 April 2023; and that the Valuation (Proposals Procedure) (Scotland) Regulations 2022, Valuation Timetable (Scotland) Order 2022 and Valuation Roll and Valuation Notice (Scotland) Order 2022 were scheduled to be laid before Parliament mid-December 2022 and would, amongst other things, provide clarity on the new two-stage proposal/appeal process.

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 of self-catering properties would 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. 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 in the coming weeks.

In relation to information gathering powers, it was noted that the Assessor now had new 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 at a suitable time for service delivery.

On behalf of the Joint Board, the Convener thanked staff for the work undertaken.

DECIDED: That the report be noted.

6 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 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 30 September 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 30 September 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 the challenge faced since March 2020 and successfully delivering the service.

The report further advised that despite the legislation 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.

7 **Performance Report**

There was submitted a report by the Assistant Assessor & Electoral Registration Officer providing an update to the reporting of performance for the first six months of the rating year to inform on the current performance and workload issues facing the Joint Board.

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 targets of 95% within three months and 97% within six months, by achieving 98.67% and 99.33% respectively.

The report also detailed the average number of days taken to add a house in each constituent authority area in the period 1 April to 30 September 2022 and also the number of deletions from the valuation (council tax) list between 1 April and 30 September during 2021 and 2022.

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 and 30 September 2022 by constituent authority area, which exceeded the targets of 50% to be actioned within three months and 75% within six months. The Assistant Assessor & Electoral Registration Officer advised that figures detailed in the report should be 61.38% and 91.46% respectively.

The report noted that the current performance was above the targets set for this year however, this might diminish as staff were involved with discharging the statutory duty of preparing and publishing the draft valuation roll for the 2023 revaluation.

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: That the content of the report be noted.

8 **Date of Next Meeting**

DECIDED: That it be noted that the next meeting of the Joint Board would be held at 2.00 pm on 24 February 2023 and that this be a hybrid meeting in the offices of Renfrewshire Council.