

Business rates relief for businesses that are temporarily occupying and using a space whilst a new development project is being completed (meanwhile activities)

Under Section 47 of the Local Government Finance Act (1988),¹ Haringey Council has the discretionary power to award relief on business rates where “it is satisfied that it would be reasonable for it to do so, having the regard to the interests of persons liable to pay council tax set by it.”

A discount on business rates may be considered for businesses that are temporarily occupying and using a space that is to become part of a new development project (meanwhile activities).

In these circumstances, Haringey Council will make decisions on whether to use its discretion to offer business rates relief to the temporary occupier (including the amount given and for what length of time) on a **case by case basis**.

The following criteria and principles will guide Haringey Council in making this decision:

CRITERIA	REQUIREMENTS FOR OCCUPIER TO SATISFY
Part A - Pre-qualifying conditions for all applicants	To be eligible to be considered for discretionary relief, the occupier must be: <ol style="list-style-type: none"> 1. Occupying rateable premises in Haringey 2. Not subject to investigation by the relevant regulator 3. <ol style="list-style-type: none"> a) If the applicant is a limited company, able to evidence that accounts are up to date and filed with Companies House b) If the applicant is structured in another way, able to evidence a robust business plan which highlights how premises would assist in the delivery of the organisation’s objectives 4. Not already receiving discretionary relief on the premise occupied from Haringey Council 5. Not receiving more public-funded aid than EU State Aid de Minimus rules permit (an organisation must not have received public-funded aid to support commercial activities exceeding a total of 200,000 Euros over a 3 year period – this includes all reliefs, grants, subsidies and guarantees received from public bodies)
Part B – they are occupying space that will become part of a new development site	The space / site that the business is temporarily occupying must be part of a new development project or initiative. This is likely to have been: <ul style="list-style-type: none"> ➤ Outlined in a development framework / area action plan that has been agreed by Haringey Council OR ➤ Received planning permission from Haringey Council to be

¹ As amended by Section 69 of the Localism Act (2011)

	<p>developed OR</p> <ul style="list-style-type: none"> ➤ Has been identified by local traders forums and Haringey Council as an area or site suitable for temporary meanwhile activities, with the expectation that the site/area would be developed in the future <p>The business may temporarily occupy or use the space whilst it is laying vacant before works on the new development begins, or during the development and construction period</p>
<p>Part C – compliance with conditions for using the site</p>	<p>The temporary initiative that the occupier intends to use the space for must abide by any conditions for using the development site. This may include:</p> <ul style="list-style-type: none"> ➤ Planning conditions ➤ Licensing conditions and other trading regulations ➤ Environmental and maintenance conditions attached to approval for the temporary/meanwhile initiative to go ahead
<p>PART D – Contributing value for residents and to the local area</p>	<p>Haringey Council will consider the following:</p> <ul style="list-style-type: none"> ➤ Would the temporary initiative provide activities for local residents to enjoy in and around the area? The initiative should be public facing – i.e. something that the public can access ➤ Would the initiative help make the area more vibrant for residents and contribute to plans to improve local high streets and economic regeneration areas? ➤ Does the initiative promote opportunities for smaller, independent traders, community organisations or start-ups, who intend to build their business base in Haringey? ➤ Does the initiative lend support to Haringey Council’s Corporate Plan priorities? ➤ Would the initiative avoid adding any extra costs to local residents and businesses? (for example through increased service charges)
<p>Part E – financial case for applying relief</p>	<p>Haringey Council would also consider:</p> <ul style="list-style-type: none"> ➤ The cost of applying the relief through loss of immediate business rates revenue, and whether the financial case is balanced against the future increase of business rates income expected from the new development project once complete

There would be an expectation that an occupier receiving discretionary relief on their business rates under this criteria would engage and work positively with Haringey Council on helping to provide value for residents and support corporate priorities. Before making the offer of relief, an initial meeting will be arranged between appropriate Haringey Council officers (with an economic

development and regeneration focus) and the occupier to discuss how both parties can work together going forwards to bring value and benefits for local residents.

Making the decision over offering discretionary business rates relief

Haringey Council will set out an application process for discretionary business rates relief that all organisations wanting to be considered will have to undertake. The application form and process will be reflective of the criteria and guidance outlined in this policy document.

If after assessing an application Haringey Council decides not to offer discretionary business rates relief, it will give its reasons for not doing so in writing to the applicant.

Under the Local Government Finance Act (1988) there is no right of appeal against the Council's use of discretionary powers. However the Council will accept a ratepayer's written request for a further review of the decision if the applicant has concerns that the decision has not been made within the framework set out in this policy document, and that this is supported by further written information or evidence and made within one calendar month of the decision.

Any review would be taken by a different person from the person who made the decision to which the review relates, and shall normally be carried out within 28 days from the date that the review request is received by the Council.