Dear Sir/Madam,

The Cabinet Member for Finance and Civic Affairs (Councillor D. Harvey) is to consider the following reports and make decisions on Monday, 22nd October, 2012 at 6.00 p.m. in Interview Room A, Town Hall, Nuneaton.

Yours faithfully,

ALAN FRANKS
Managing Director

A G E N D A

PART 1
PUBLIC BUSINESS

1. **EVACUATION PROCEDURE**

A fire drill is not expected, so if the alarm sounds please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside the Yorkshire Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.
2. **PUBLIC CONSULTATION** - Members of the public will be given the opportunity to speak on specific agenda items if notice has been received.

3. **DECLARATIONS OF INTEREST** - To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members’ Code of Conduct.

   **Note:** Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

   Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

   Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

   **Note:** Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

   Where a Member has a Deemed Disclosable Interest, the Council’s Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.


5. **EXCLUSION OF THE PUBLIC AND PRESS**

   **RECOMMENDED**

   **THAT** under section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items, it being likely that there would be disclosure of exempt information of the description specified in paragraph 7 of Part I of Schedule 12A to the Act.

   **PART 2**

   **EXEMPT ITEMS**

Report Summary Sheet

<table>
<thead>
<tr>
<th><strong>Date:</strong></th>
<th>22nd October 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Subject:</strong></td>
<td>Discretionary Rate Relief</td>
</tr>
<tr>
<td><strong>Portfolio:</strong></td>
<td>Leader – Cllr D. Harvey</td>
</tr>
<tr>
<td><strong>From:</strong></td>
<td>Director - Finance and Procurement</td>
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**Summary:**
To consider requests for Discretionary Rate Relief from charitable and other organisations and to approve or reject the applications. Details of applications are set out in appendices.

**Recommendations:**
That for the reasons detailed in the reports, the following application for Discretionary Rate Relief be approved:

- Bulkington Community Library
- Keresley Community Library
- Nuneaton & Bedworth Leisure Trust

**Reasons:**
As set out in the individual reports

**Options:**
None

**Subject to call-in:**
Yes
<table>
<thead>
<tr>
<th>Category</th>
<th>Impact</th>
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</thead>
<tbody>
<tr>
<td>Forward plan</td>
<td>No</td>
</tr>
<tr>
<td>Corporate priorities</td>
<td>Aim 1, Priority 4</td>
</tr>
<tr>
<td>Relevant statutes or policy:</td>
<td>Rate Relief under Sections 43, 44, 47 and 48 of the Local Government Finance Act 1988 (Mandatory and Discretionary Rate Relief)</td>
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<tr>
<td>Equal Opportunity Implications:</td>
<td>None</td>
</tr>
<tr>
<td>Human Resources Implications:</td>
<td>None</td>
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<tr>
<td>Financial Implications:</td>
<td>The amount of the discretionary relief applied for, and recommended, and the associated costs to the Council are set out in the appendices.</td>
</tr>
<tr>
<td>Health Inequalities Implications:</td>
<td>None</td>
</tr>
<tr>
<td>Risk Management Implications:</td>
<td>None</td>
</tr>
<tr>
<td>Environmental Implications:</td>
<td>None</td>
</tr>
<tr>
<td>Legal Implications:</td>
<td>No other specific legal implications</td>
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</tbody>
</table>

Contact Details: Sue Trahern ☎:7637 6146
1. **Purpose of Report**

To consider requests for Discretionary Rate Relief from charitable and other organisations and to approve or reject the applications. Details of the applications are set out in the appendices.

2. **Background**

2.1 **Rate Relief under Section 43, 44, 47 and 48 of the Local Government Finance Act 1988 (Mandatory and Discretionary Rate Relief).**

2.2 Mandatory rate relief of 80% of the Non-Domestic Rate (NDR) generally applies where:
   a) properties are occupied and used for charitable purposes by charities and almshouses;
   b) shops are used by charities and the proceeds from sales (after deductions of any expenses) are applied for the purposes of the charity.

2.3 Charitable organisations, which qualify for the mandatory rate relief of 80% from the non-domestic rates, may also apply to the Council for additional discretionary rate relief. Upon application, the Council will consider any such case and has the discretion to grant additional rate relief up to a further 20% of the total non-domestic rates payable.

2.4 Certain other similar organisations, which are not established or conducted for profit and which do not qualify for mandatory rate relief of 80%, may also apply to the council for discretionary rate relief. Upon application, the Council will consider any such case and has the discretion to grant rate relief of any amount up to 100% of the total non-domestic rates payable.

2.5 Where applicable, mandatory relief is paid by the NDR Pool and does not fall on the Council’s taxpayers. However, where discretionary relief is granted in addition, 25% of the relief is met by the NDR Pool and the remaining 75% has to be met by the Council’s taxpayers. Where discretionary relief only is given, then 75% is met by the NDR Pool and 25% by the Council’s taxpayers.
3. **Applications**

3.1 Applications have been received from the following charitable and other organisations, summary details and recommendations are set out in the appendices:

- Appendix A: Take A Break Warwickshire Ltd
- Appendix B: Continyou
- Appendix C: The Air Ambulance Service
- Appendix D: Bulkington Community Library
- Appendix E: Keresley Community Library
- Appendix F: IT4CH
- Appendix G: YMCA
- Appendix H: Nuneaton & Bedworth Leisure Trust
- Appendix I: Positive About Young People

4. **Financial Implications**

4.1 The amount of the discretionary relief applied for, and recommended, and the associated costs to the Council are set out in Appendix J.

5. **Recommendations**

That, for the reasons detailed in the reports, the following applications for Discretionary Rate Relief be:

a) approved: Bulkington Community Library
   Keresley Community Library
   Nuneaton & Bedworth Leisure Trust

b) rejected: Take A Break Warwickshire Ltd
   Continyou
   Air Ambulance Service Trading Ltd
   IT4CH
   YMCA
   Positive About Young people

**SIMONE DONAGHY**
DISCRETIONARY RATE RELIEF

Take A Break Warwickshire Ltd

Ward Relevance:
Exhall

**Address:**
- Canterbury House
- Exhall Grange Campus
- Easter Way
- Coventry

**Description:**
Offices & Premises

**Charge:**
- 13/05/11 – 31/03/12: £2261.54
- 01/04/12 – 31/03/13: £2702.20
- Less Mandatory Rate Relief: (£3970.99)
- 992.75

**Aims and Objects of Organisation:**
"The provision of respite care for children and adults who are either disabled or life threatened"

**Accounts:**
Financial statements for year ended 31st March 2011 have been submitted with the application.

**Cost to Nuneaton and Bedworth Taxpayers:**
If the additional 20% discretionary rate relief were granted, the cost to the taxpayers of Nuneaton and Bedworth would be £744.56

**Commentary:**
The applicant has been registered with the Charity Commission since May 2001 although they have only moved to their current premises in May 2011. The premises at Easter Way are used for office accommodation to further the applicant's objectives. It has 49 employees together with 20 volunteers. The area of benefit has not been defined but operates within the county of Warwickshire. The balance sheet for year ended 31st March 2011 shows Reserves of £121,690

**Recommendation:**
That no additional discretionary rate relief be granted.
Appendix B

DISCRETIONARY RATE RELIEF

Continyou

Ward Relevance:
Poplar

Address:  
Unit C1
Grovelands Industrial Estate
Coventry Road
Exhall

Description:  
Office & Premises

Charge:  
£
01/04/11 – 31/03/12  8876.50
01/04/12 – 31/03/13  9389.00
Less Mandatory Rate Relief (14612.40)
3653.10

Aims and Objects of Organisation:
The objects of the Organisation “are for the public benefit – in particular but not limited to the advancement of education of the public in general and the fostering of learning to improve and enhance peoples lives; and to further such other exclusively charitable purposes according to the law of England and Wales”.

Accounts:
Financial statements for year ended 31st March 2011 have been downloaded from the Charity Commission’s website.

Cost to Nuneaton and Bedworth Taxpayers:
If the additional 20% discretionary rate relief were granted, the cost to the taxpayers of Nuneaton and Bedworth would be £2739.82

Commentary:
Continyou was formed in November 2003 following a merger of ‘Community Education Development Centre (‘CEDC’) and Education Extra. (‘CEDC’ had applied for the additional 20% discretionary rate relief on two separate occasions but was refused both times). The organisation has 55 employees and operates nationally throughout England and Wales. The balance sheet for the year ended 31st March 2011 shows reserves of £780,433

Recommendation:
That no additional discretionary rate relief be granted.
DISCRETIONARY RATE RELIEF

The Air Ambulance Service

**Ward Relevance:**
Abbey

**Address**
12 Bridge Street
Nuneaton

**Description**
Shop & Premises

<table>
<thead>
<tr>
<th>Charge</th>
<th>£</th>
</tr>
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<tbody>
<tr>
<td>07/12/11 – 31/03/12</td>
<td>2971.10</td>
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<tr>
<td>01/04/12 – 31/03/13</td>
<td>9226.62</td>
</tr>
<tr>
<td>Less Mandatory Relief</td>
<td>(9758.18)</td>
</tr>
<tr>
<td></td>
<td>2439.54</td>
</tr>
</tbody>
</table>

**Aims and Objects of Organisation**
"The objects of the Charity are the relief of sickness and injury and the protection of human life principally (but not exclusively) by the provision of an air ambulance service (whether or not in conjunction with other parties from time to time) mainly but not exclusively within the areas of Warwickshire and Northamptonshire and Derbyshire Leicestershire and Rutland".

**Accounts**
Financial statements for the year ended 31st December 2010 have been submitted with the application.

**Cost to Nuneaton and Bedworth Taxpayers**
If the additional 20% discretionary rate relief were granted, the cost to the taxpayers of Nuneaton and Bedworth would be £1829.66

**Commentary**
The premises at 12 Bridge Street, Nuneaton are used as a charity shop,. Similar applications from charitable organisations for discretionary rate relief have previously been refused as the trading activities do not appear to solely benefit the residents of the Borough.

**Recommendation**
That no discretionary rate relief is granted.
MANDATORY AND DISCRETIONARY RATE RELIEF

Bulkington Community Library CIC

Ward Relevance:
Bulkington

<table>
<thead>
<tr>
<th>Address</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Road</td>
<td>Library &amp; Premises</td>
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<tr>
<td>Bulkington</td>
<td></td>
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</tbody>
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Charge £
01/04/12 – 31/03/13 6637.50

Aims and Objects of Organisation
“The objectives of the Company are to carry on activities which benefit the community and in particular (without limitation) to provide Bulkington residents and the wider area with the facilities of Community Lending Library and Information Service, an important community resource available to all – whatever your age or interest. It will provide lending and reference facilities, access to computers and information facilities. This would be enhanced by improved children’s services within the building”.

Accounts
The applicant was incorporated on 31st August 2011 and only started trading from 1st April 2012. There are therefore no available accounts as yet. Income and expenditure forecasts have been provided.

Cost to Nuneaton and Bedworth Taxpayers
If 100% discretionary rate relief were granted, the cost to Nuneaton and Bedworth taxpayers would be £1659.38

Commentary
The applicant has taken over a service previously provided by Warwickshire County Council and one which appears to be of benefit to the local community.

Recommendation
You may think it appropriate to grant 100% discretionary rate relief.
MANDATORY AND DISCRETIONARY RATE RELIEF

Keresley Community Library Ltd

Ward Relevance:
Exhall

<table>
<thead>
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<th>Address</th>
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<tbody>
<tr>
<td>Bennetts Road North</td>
<td>Library &amp; Premises</td>
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<tr>
<td>Keresley End</td>
<td></td>
</tr>
<tr>
<td>Coventry</td>
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</table>

<table>
<thead>
<tr>
<th>Charge</th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td>01/04/12 – 31/03/13</td>
<td>2,520.00</td>
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</table>

Aims and Objects of Organisation
“To provide a much needed Community run library with volunteers”.

Accounts
The applicant was incorporated on 16th February 2012 and only started trading from 1st April 2012. There are therefore no available accounts as yet. Income and expenditure forecasts have been provided.

Cost to Nuneaton and Bedworth Taxpayers
If 100% discretionary rate relief were granted, the cost to Nuneaton and Bedworth taxpayers would be £630.00

Commentary
The applicant has taken over a service previously provided by Warwickshire County Council and one which appears to be of benefit to the local community.

Recommendation
You may think it appropriate to grant 100% discretionary rate relief.
DISCRETIONARY RATE RELIEF

IT4CH
(I.T. for Children in Hospital)

Ward Relevance:
Poplar

Address
Unit D
Grovelands Industrial Estate,
Coventry Road,
Exhall.

Description
Warehouse & Premises

Charge
£
31/01/12 – 31/03/12 5,611.62
01/04/12 – 29/04/12 2,710.98
Less Mandatory rate relief (6658.08)
1664.52

Aims and Objects of Organisation
“The relief of sickness, the protection and preservation of health and the advancement of education of children and young people”.

Accounts
Financial statements for the year ended 31st December 2010 have been submitted with the application.

Cost to Nuneaton and Bedworth Taxpayers
If the additional 20% discretionary rate relief were granted, the cost to the taxpayers of Nuneaton and Bedworth would be £1248.39

Commentary
The applicant has stated that it “provides new I.T. equipment to sick children in hospital and provides refurbished I.T. equipment to sick, disadvantaged and disabled children at home. This enables the children to keep up to date with school work and to keep in contact with friends and family. The applicant also trains young, unemployed people how to refurbish second hand I.T. equipment, enabling them to gain employment through qualifications”.

The charity operates throughout England and Wales and also supports cancer and HIV/AIDS programmes in New York.

The applicant has recently vacated the unit at Coventry Road, Exhall

Recommendation
That no discretionary rate relief be granted.
DISCRETIONARY RATE RELIEF

Y.M.C.A.

Ward Relevance:
Abbey

Address
11 Market Place
Nuneaton

Description
Shop & Premises

Charge

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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<tbody>
<tr>
<td>24/05/12 – 31/03/13</td>
<td>£23,294.00</td>
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<tr>
<td>Less Mandatory rate relief</td>
<td>(18,635.20)</td>
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<tr>
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<td>£4,658.80</td>
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</tbody>
</table>

Aims and Objects of Organisation
"YMCA is a Christian Charity committed to helping young people, particularly at times of need regardless of gender, race, ability or faith"

Accounts
Financial statements for the year ended 2009/10 and 2010/11 have been submitted with the application.

Cost to Nuneaton and Bedworth Taxpayers
If the additional 20% discretionary rate relief were granted, the cost to the taxpayers of Nuneaton and Bedworth would be £3494.10

Commentary
The premises at 11 Market Place, Nuneaton are used as a charity shop, with 98% of goods being donated. Similar applications from national charitable organisations for discretionary rate relief have previously been refused as the trading activities do not appear to directly benefit the residents of the Borough.

Recommendation
That no discretionary rate relief is granted.
MANDATORY & DISCRETIONARY RATE RELIEF

Nuneaton & Bedworth Leisure Trust

Ward Relevance:
Abbey

Addresses: Description:
112 Abbey Street Shop & Premises
Nuneaton

Charges: £
31/05/12 – 31/03/2013 6,219.08
Less Mandatory Rate Relief (4,975.26)
1,243.82

Aims and Objects of Organisation:
“To provide or assist in the provision of facilities and services for recreational, sporting or other leisure time occupation in the interests of social welfare to the public at large or to any section or sections of the public who may have need of such facilities and services by reason of their youth, age, infirmity or disability or social and economic circumstances”. Also, “to promote and preserve good health through community participation in healthy recreation”.

Accounts:
The Annual Report and Financial statements for the year ended 31st March 2012 have been obtained from the Charity Commission’s website.

Cost to Nuneaton and Bedworth Taxpayers:
As a registered charity, the applicant is entitled to receive 80% mandatory rate relief. If the additional 20% discretionary rate relief were granted, the cost to the taxpayers of Nuneaton and Bedworth would be £932.87

Commentary:
Nuneaton and Bedworth Leisure Trust was formed as a Not-for-Profit Distribution Organisation (NPDO) with charitable objectives. It is a stand-alone organisation that manages leisure services with the Council. Relief has already been granted on other buildings occupied by the Leisure Trust. (The applicant attained charitable status on 13th June 2005).

The applicant uses this commercial unit as a ladies Gym.

Recommendation:
You may think it appropriate to grant the additional 20% discretionary rate relief.
DISCRETIONARY RATE RELIEF

Positive About Young People

Ward Relevance:
Bede

Address
14 Croxhall Street
Bedworth

Description
Community Centre & Premises

Charge £
13/04/12 – 31/03/12 3100.60
Less Mandatory Relief (2480.48)
620.12

Aims and Objects of Organisation
The applicant has stated that it’s objects are specifically restricted to the following:
To act as a resource for young people principally though not exclusively aged 8 to 13 years living in identified targeted areas of need in the United Kingdom by providing advice and assistance and organising programmes of physical, emotional, spiritual, pastoral and alternative educational and other activities as a means of:
- Advancing citizenship and community development
- Relieving those in need by reason of youth, age, health disability, financial hardship or other disadvantages
- Providing support and activities for young people which develop their skills, capacities and capabilities to enable them to participate in society as mature and responsible individuals.

Accounts
Financial statements for the period 11th February 2011 to 31st March 2012 have been submitted with the application.

Cost to Nuneaton and Bedworth Taxpayers
If the additional 20% discretionary rate relief were granted, the cost to the taxpayers of Nuneaton and Bedworth would be £465.09

Commentary
The applicant was set up over 10 years ago under the umbrella of Warwickshire County Council. However, cut backs in funding meant that its future as part of the County Council was in doubt. A new company was therefore created in February 2011 in order to continue delivering a programme of services to young people and to implement a business plan to secure the charity’s long term viability. These objectives have both been achieved and they are actively expanding into Coventry and other areas beyond Warwickshire.
At 31st March 2012, total funds were showing as £306,197

Recommendation
That no additional discretionary relief be granted.
## DISCRETIONARY RATE RELIEF APPLICATIONS

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Claimed%</th>
<th>Period to 31/3/13</th>
<th>Future Annual Cost *</th>
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<tr>
<td></td>
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<td>Reduction £</td>
<td>Cost to NBBC £</td>
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<tr>
<td></td>
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<td>Reduction £</td>
</tr>
<tr>
<td>Take A Break Warwickshire Ltd</td>
<td>20</td>
<td>922.75</td>
<td>744.56</td>
</tr>
<tr>
<td>Continyou</td>
<td>20</td>
<td>3653.10</td>
<td>2739.82</td>
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<td>932.87</td>
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<td>Positive About Young People</td>
<td>20</td>
<td>620.12</td>
<td>465.09</td>
</tr>
</tbody>
</table>

**TOTAL CLAIMED**

|            |          | 24360.15       | 20963.76            |

**TOTAL RECOMMENDED**

|            |          | 10401.32       | 3222.25             | 10620.00             | 3386.26             |

* Based on 2012/13 figures
** Since vacated