



REPORT TO: MORAY COUNCIL ON 5 SEPTEMBER 2018

SUBJECT: PROPOSED RESPONSE TO THE SCOTTISH GOVERNMENT CONSULTATION ON IMPLEMENTATION OF THE BARCLAY REVIEW OF NON DOMESTIC RATES IN SCOTLAND

BY: CORPORATE DIRECTOR (CORPORATE SERVICES)

1.0 REASON FOR REPORT

- 1.1 To consider a response to the Scottish Government's consultation on the implementation of the provisions of the Barclay Review.
- 1.2 This report is submitted to the council in terms of Section III (A) (8) of the council's Scheme of Administration relating to the administration of the levy, collection, payment and recovery of Non-Domestic Rates.

2. Recommendation

2.1 The council is invited to consider:

- (i) **the contents of this report; and**
- (ii) **determine whether the content of the Appendix represents a reasonable response to this consultation.**

3. Background

- 3.1 The Scottish Government previously appointed Ken Barclay to lead a review into non-domestic rating in Scotland. He was given a remit: *"To make recommendations that seek to enhance and reform the non-domestic rates system in Scotland to better support business growth and long term investment and reflect changing market places, whilst still retaining the same level of income to deliver local services upon which businesses rely."*
- 3.2 The Barclay Commission presented its report to the Scottish Government on 22 August 2017. It made thirty recommendations. On 12 September 2017

The Cabinet Secretary for Finance and the Constitution, Derek MacKay, MSP, responded to the report, accepting most of its recommendations, some of which have already been implemented by the government.

3.3 A number of the recommendations selected to be taken forward will require primary legislation; these are the subject of the consultation to which a response is being sought.

3.4.1 The Scottish Government's consultation closes on 17 September 2018.

4.0 Consultation

4.1 Summary of Consultation

4.1.1 The recommendations of the Barclay Commission which are supported by the Scottish Government and are now subject to public consultation include:

- Business Growth accelerator;
- timing of revaluations;
- pilot scheme for out of town rates;
- greater information gathering powers for assessors
- penalties for non-provision of information to local authorities;
- enabling quicker debt recovery;
- introduction of anti-avoidance measures;
- amendment of charity, empty property, and sports reliefs; and
- revision to treatment of commercial activities in public parks.

4.2 Summary of Consultation Response

4.2.1 A proposed response to the Scottish Government's consultation is attached as the **Appendix** to this report.

5. SUMMARY OF IMPLICATIONS

(a) Moray 2026: A Plan for the Future and Moray Corporate Plan 2015 - 2017

No council/community planning priority implications for the local authority arise from the content of this report.

(b) Policy and Legal

No policy implications for the local authority arise directly from any decision made by Members in response to this report.

(c) Financial Implications

No financial implications for the local authority arise directly from any decision made by Members in response to this report.

(d) Risk Implications

No risk implications for the local authority arise from the content of this report.

(e) Staffing Implications

No staffing implications for the local authority arise from the content of this report.

(f) Property

No property implications for the local authority arise from the content of this report.

(g) Equalities

No equalities implications for the local authority arise from the content of this report.

(h) Consultations

No consultation has been carried out in the preparation of this report.

6. CONCLUSION

6.1 This report is laid before Members so that they may determine the council's response to the Scottish Government's consultation on the implementation of the provisions of the Barclay Commission.

Author of Report: James Taylor, Taxation Manager (ext. 3160).
Background Papers Scottish Government Consultation:
<https://consult.gov.scot/local-government-and-communities/non-domestic-rates/>

Ref.: JGT/LJC/