Non-Domestic Rates

Draft Relief Policy (2026-2031)

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Dumfries and Galloway Council

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Introduction

Below is a summary of the Non-Domestic property rates and main reliefs for the financial year 2026–27 which runs from 1 April 2026 to 31 March 2027. Rates and reliefs for subsequent financial years are announced annually in the Scottish Budget, usually published in December, the policy will be updated annually to reflect the current year values. Rates and reliefs are generally set out in legislation and are subject to Scottish Parliament scrutiny. Non-Domestic rates are sometimes called 'business rates', and are charged on private, public and charitable organisations.

Non-Domestic Rates 2026-27

Entities for Non-Domestic rates are referred to as lands and heritages as they may not contain a physical building. They shall be referred to as properties for ease of reference in the Policy. Property's rateable values can be found on the Scottish Assessors Association website (https://www.saa.gov.uk/)

The non-domestic rates (NDR) bill before any relief that may be applied, is the rateable value of the property multiplied by the non-domestic rate or 'poundage'.

For instance, if the property's rateable value is £50,000, the bill is £50,000 x 0.481 = £24,050.

Basic Property Rate (properties with a rateable value up to and including £51,000)	48.1p
Intermediate Property Rate (properties with a rateable value between £51,001 and £100,000)	53.5p
Higher Property Rate (properties with a rateable value above £100,000)	54.8p

There are several reliefs available for specified types of property under Scottish law that can be claimed by non-domestic rates (NDR) payers. Most reliefs are application-based, unless stated otherwise Eligibility to relief can be checked on the Council's website. (https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts)

There are 2 types of relief: **-**
Mandatory Relief where the criteria is set nationally and there is no local discretion on the qualifying criteria and there is no cost to the Local Authority; and

Discretionary Relief where Local Authorities have discretion on the criteria. Only a percentage (typically 75%) of the costs of Discretionary Relief granted is met by the Scottish Government. The balance of the relief (typically 25%) is met by the Local Authority, i.e. the Council Taxpayers.

This document sets out the criteria for awarding all relief and the policy of Dumfries and Galloway Council with regards to Discretionary and Empty Relief.

Ratepayer Responsibilities

State Aid

Ratepayers applying for, or in receipt of, Non-Domestic Rates relief must provide accurate and complete information to enable the Council to assess compliance with subsidy control requirements. This includes declaring any relevant public financial assistance received during the current and previous two financial years, including subsidies or reliefs awarded by UK, Scottish or local authorities, and any support received by linked or associated enterprises where a “single undertaking” relationship exists. Ratepayers must notify the Council promptly of any change in circumstances that may affect eligibility or cumulative subsidy thresholds. Failure to provide required information, or the provision of false or misleading information, may result in relief being reduced, withdrawn or recovered in accordance with legislation and guidance

Rateable Occupation

Entitlement to Non-Domestic Rates relief (except Empty Property Relief) is dependent on the applicant being in rateable occupation of the property (lands and heritages) concerned. In determining whether a ratepayer is in rateable occupation, the Council will have regard to established legal principles, including whether the occupation is actual, exclusive, beneficial and not transient in nature. The property must be in active use for the purposes claimed, and the occupation must be genuine and substantive rather than artificial or created solely to obtain rates relief. The Council reserves the right to withhold, withdraw or recover relief where it is not satisfied that these criteria are met, including in circumstances where occupation is minimal, intermittent or contrived to secure a financial advantage. Evidence of occupation and use may be requested at any time to support an application or ongoing entitlement to relief.

Acceptable Evidence of Occupation

Background

Entitlement to Non-Domestic Rates reliefs is dependent upon the ratepayer being in rateable occupation of the property. In determining whether this requirement is met, the Council will have regard to established legal principles, including whether occupation is actual, exclusive, beneficial and not transient in nature.

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Council Policy
The Council will require sufficient and appropriate evidence to demonstrate that the ratepayer is in genuine rateable occupation of the property. Evidence must support that occupation is:

- **Actual** – the property is in physical use;
- **Exclusive** – the ratepayer has control over the use of the premises;
- **Beneficial** – the occupation provides a tangible benefit to the ratepayer; and
- **Not transient** – the occupation is ongoing and not temporary, sporadic, or contrived.

The Council will not accept arrangements that appear artificial or created primarily for the purpose of securing Non-Domestic Rates relief.
All evidence will be assessed on a case-by-case basis, and the Council reserves the right to determine the weight to be applied to each item provided.

Acceptable Evidence
To demonstrate that the above criteria are met, the Council may accept a combination of the following evidence types. The list is not exhaustive:

- **Lease, licence or ownership documentation** demonstrating a legal right to occupy and control the premises (supporting exclusivity)
- **Utility consumption records** (electricity, gas, water) indicating consistent usage (supporting actual and ongoing occupation)
- **Photographic evidence** showing the premises fitted out and in active use (supporting actual occupation)
- **Business activity records**, including invoices, accounts, bookings or transaction records (supporting beneficial use)
- **Staffing or operational evidence**, such as payroll records, rotas or opening hours (supporting active and continuous use)
- **Insurance policies** covering the occupied premises
- **Service contracts**, including waste collection or maintenance agreements (supporting ongoing occupation)
- **Stock, equipment or delivery records** consistent with the stated business use
- **Digital or physical trading presence**, including websites, listings or advertising linked to the premises
- **Official registrations, licences or permissions** relevant to the use of the property

Verification and Assessment
The Council may:

- Request additional or updated evidence at any time to confirm continued occupation;
- Cross-check information held internally or obtained from external agencies;
- Undertake announced or unannounced site inspections; and
- Consider the nature, frequency and continuity of use when assessing whether occupation is genuine and non-transient.

Evidence will be considered holistically, and no single document will, in isolation, confirm entitlement.

Insufficient or Unacceptable Evidence
The following will not normally be sufficient to demonstrate rateable occupation:

- Minimal, infrequent, or intermittent use of the premises;

- Storage of goods without evidence of active business use;
- Arrangements lacking demonstrable business activity or purpose;
- Occupation that is temporary, token, or designed primarily to obtain relief;
- Evidence that is inconsistent, incomplete, or contradictory.

Failure to Provide Evidence

Where sufficient evidence is not provided, or where the Council is not satisfied that the requirements of rateable occupation are met, relief may be:

- refused;
- withdrawn; and/or
- recovered from the date on which entitlement is determined not to have been met.

1. Mandatory Relief

1.1. Transitional Relief

Background

Transitional relief schemes are used to limit large increases in Non-Domestic Rates bills arising from revaluation or other targeted areas. From 1 April 2026, the Scottish Government has introduced transitional reliefs linked to the 2026 revaluation, including

(i) General Revaluation Transitional Relief (for all property types where the revaluation increase exceeds the cap)
(ii) Revaluation Transitional Relief for eligible self-catering holiday accommodation, and
(iii) Small Business Transitional Relief for eligible properties that lose or see a reduction in certain reliefs at 1 April 2026.

Council Policy

The Council will apply Transitional Relief in accordance with current Scottish Government legislation and guidance. General Revaluation Transitional Relief should be applied automatically where the gross rates bill increase due to the 2026 revaluation exceeds the relevant cap and is applied before other reliefs. Where the ratepayer is eligible for Self-catering holiday accommodation Revaluation Transitional Relief or Small Business Transitional Relief, these are application-based schemes, and the Council will require a completed application and supporting evidence before applying relief. Small Business Transitional Relief applies after other reliefs (including any Revaluation Transitional Relief) when calculating the capped net bill increase.

Eligibility

Eligibility depends on the transitional relief scheme:

General Revaluation Transitional Relief (2026 revaluation) – available for all property types where the increase in the **gross** rates bill due to the 2026 revaluation would otherwise exceed the cap. The cap is a percentage of the amount payable at 31st March 2026 and applies **before** other reliefs. Caps on bill increases are based on the property's rateable value at 1st April 2026:

Rateable value at 1 April 2026	2026–27	2027–28	2028–29
Up to £20,000	15%	22%	38%
£20,001 to £100,000	30%	44%	75%
Over £100,000	50%	75%	113%

Note: The caps above are applied **year-on-year** to gross bills (before other reliefs), where the increase is the result of changes in rateable value at the 2026 revaluation. Additional conditions apply if the property is split or re-organised with effect from 1st April 2026.

Worked examples (illustrative)

The examples below are for illustration only and show how the cap is applied to the **gross** bill (before other reliefs) where the increase is the result of changes in rateable value at the 2026 revaluation.

Example 1 – General Revaluation Transitional Relief does not apply (increase below cap)
Gross bill for 2025–26 (before reliefs): £9,960.
Gross bill for 2026–27 (after revaluation): £12,025.
Increase = £12,025 − £9,960 = £2,065 (20.73%).
If the cap for the property band in 2026–27 is 30%, the increase (20.73%) is below the cap, so no General Revaluation Transitional Relief is applied.

Example 2 – General Revaluation Transitional Relief applies (bill increase capped)
Gross bill for 2025–26 (before reliefs): £9,960.
Gross bill for 2026–27 (after revaluation): £16,835.
Increase = £16,835 − £9,960 = £6,875 (69.03%).
If the cap for the property band in 2026–27 is 30%, the maximum permitted increase is £9,960 × 30% = £2,988.

Capped gross bill for 2026–27 = £9,960 + £2,988 = £12,948.
Revaluation Transitional Relief reduces the bill from £16,835 to £12,948 (a reduction of £3,887), before any other reliefs are applied.

Example 3 – Small Business Transitional Relief (net increase phased)
Assume the net bill in 2025–26 was £0 because the property was in receipt of SBBS/Hospitality/Rural relief and the property meets the eligibility criteria for Small Business Transitional Relief.

After revaluation and after any other reliefs are applied (including any Revaluation Transitional Relief), assume the **net** bill that would otherwise be payable in 2026–27 is £3,367.

Small Business Transitional Relief phases in the increase: in 2026–27 the ratepayer pays 25% of the net increase: £0 + (£3,367 × 25%) = £841.75.
If the net bill (after other reliefs) remained at £3,367 in later years, the phased amounts would be: 2027–28: £0 + (£3,367 × 50%) = £1,683.50; 2028–29: £0 + (£3,367 × 75%) = £2,525.25.

Self-catering Revaluation Transitional Relief – caps increase in **gross** bills due to the 2026 revaluation for eligible self-catering holiday accommodation at **15% year-on-year** for 2026–27 (whatever the rateable value of the property). Eligible properties must have obtained the requisite short-term let licence. An application is required for this relief. Properties that do not qualify for this relief, but whose gross bills would otherwise rise above the relevant cap set out under General Revaluation Transitional Relief may automatically receive General Revaluation Transitional Relief.

Small Business Transitional Relief – may apply where, on 1st April 2026, the property is no longer eligible for (or has reduced eligibility for) the Small Business Bonus Scheme, is no longer eligible for Rural Rate Relief, was in receipt of Hospitality Relief on 31st March 2026, or was in receipt of Small Business Transitional Relief in the 2023 revaluation cycle. This scheme phases in the **net** bill increase after other reliefs (including any Revaluation Transitional Relief): eligible ratepayers pay 25% of any net increase in 2026–27, 50% in 2027–28 and 75% in 2028–29. Properties that require a short-term let licence to operate but have not obtained one are not eligible.

Evidence and Verification

Where an application is required, the Council may require supporting evidence to confirm eligibility and ongoing entitlement. This may include evidence of rateable value and occupation, details of any reliefs previously awarded, confirmation that any relevant short-term let licence has been obtained, and any other information reasonably required to verify that the statutory conditions for the relevant transitional relief scheme are met. The Council reserves the right to request further information, undertake verification checks, and withhold, withdraw or recover relief where sufficient evidence is not provided, or the qualifying conditions are not met.

Application Process

No application is required for **General Revaluation Transitional Relief**; where eligible it will be applied automatically.

An application is required for **Self-catering holiday accommodation Revaluation Transitional Relief** and for **Small Business Transitional Relief**; ratepayers must submit the Council's application form and any supporting evidence needed to confirm eligibility.

Where an application is required, it can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts. Alternatively, a paper form can be requested by contacting Revenues Services. Applicants should note that different transitional relief schemes may be subject to separate national eligibility conditions and time limits; applications should be made as soon as practicable to allow the Council to apply relief to the account.

Self-catering holiday accommodation Revaluation Transitional Relief is considered de-minimis aid in terms of EU State Aid rules

1.2 Charitable Relief

Background

Registered Charities or Trustees for a charity that use its business premises wholly or mainly for the purposes of the charity may be eligible for an 80% reduction in their Rates bill. This is awarded in accordance with Section 4(2) and (8) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962.

Council Policy

The Council will award 80% Mandatory Relief where the eligibility criteria below are met, and the requirements of the application process are satisfied. Mandatory Relief is subject to the statutory conditions set out in the relevant legislation, including the requirement that the premises are occupied and used wholly or mainly for the purposes of the charity.

Eligibility

The following conditions must be met before the Council can consider an application:

- The property must be **occupied** by a charity or a trustee of a charity listed on a register maintained by the Office of the Scottish Charity Regulator (OSCR).
- The organisation must **use** the premises for charitable purposes i.e.
    I. the relief of poverty,
    II. the advancement of religion,
    III. the advancement of education,
    IV. other purposes beneficial to the community.
- The Council will determine whether occupation is wholly or mainly for charitable purposes. A trading arm of a charity, which is itself a separate entity that is not a charity, may not be eligible for mandatory relief.
- Entitlement is reviewed periodically, and on any change of occupation and/or use, relief may be curtailed.
- For charity shops to be eligible, their use must be wholly or mainly used for the sale of goods donated to the charity. To inform this consideration the relative proportion of new and donated goods sold on the premises should be requested from the ratepayer. Officers should be satisfied that goods which are not donated are less than 50% of the stock in the shops.

Evidence and Verification

The Council may require supporting evidence to determine eligibility for Charitable Relief and to verify ongoing entitlement. This may include confirmation of charity registration, governing documents, financial statements, details of the occupation and use of the premises, information about trading activity where relevant, lease or ownership documentation, and any other information reasonably required to establish that the property is occupied and used wholly or mainly for charitable purposes. The Council reserves the right to request further information, undertake verification checks or site visits, and review entitlement at any time.

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Application Process

Applications can be made online https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and **all** relevant supporting evidence must be provided before the Council can determine entitlement.

- A copy of the organisation's constitution.
- The last 2 years financial statements in respect of the property for which relief is being applied. If the organisation has not started to occupy the property, a statement of the anticipated income and expenditure in respect of the first 12 months.
- A copy of the letter from the HMRC stating acceptance as a charity for tax purposes, if applicable. Where the council already hold this information, this will not be required.

The Council may also require ratepayers to provide any other information it sees as reasonable when considering an application for relief.

1.3 Rural Rates Relief

Background
The key legislation is the Non-Domestic Rating (Rural Areas and Rateable Value Limits) (Scotland) Order 2005 and Schedule 2 to the Local Government and Rating Act 1997 as well as the Non-Domestic (Rural Areas) (Scotland) Regulations 2017. This legislation made provision that certain types of businesses located within a rural settlement with a population below 3,000, and in an area designated as rural by Scottish Ministers, may be eligible for Mandatory and or Discretionary relief of rates.

Local Authorities are also required to compile a Rural Settlement List, which must include areas where:

- Population is not more than 3,000, AND
- Within an area designated by the Scottish Government as a rural area

Council Policy
The Council will award 100% Rural Rates Relief where the eligibility criteria below are met, and the requirements of the application process are satisfied. The cost of Mandatory Rural Rates Relief is fully met through national non-domestic rates arrangements.

Eligibility
Mandatory Relief of 100% is given to all eligible businesses in rural settlement areas providing that they are the only such business of that type in the settlement area.

The types of business that may qualify for this relief are:

Type of Business	Maximum Rateable Value
Village Shops	£8,500
Post Offices	£8,500
Small Food Stores	£8,500
Filling Stations	£12,750
Hotels	£12,750
Public House	£12,750

Evidence and Verification
The Council may require supporting evidence to confirm that the property is situated within a qualifying rural settlement, that it is the only qualifying business of its type in the settlement where this is a condition of relief, and that the rateable value and use of the premises satisfy the statutory criteria. Supporting evidence may include details of the business activity, plans or descriptions of the premises, proof of occupation, and any other information reasonably required to determine or review entitlement. The Council reserves the right to request further information and undertake verification checks where necessary.

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Application Process

Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement.

1.4. Disabled Persons Relief

Background
Relief of up to 100% is available to establishments where nursing care is provided within the terms of the Rating (Disabled Persons) Act 1978.

Council Policy
The Council will award Disabled Persons Relief (up to 100%) where the eligibility criteria below are met, and the requirements of the application process are satisfied. The cost of this Mandatory Relief is fully met through national non-domestic rates arrangements.

Eligibility
Relief of non-domestic rates can be granted for an organisation that provides training, welfare or care for disabled persons. Local Authorities can grant relief where half or more of the floor area is used exclusively for one or more of the following purposes:

- Provision of residential accommodation for the care or aftercare of disabled persons or people suffering from an illness
- Provision of training or activity facilities for disabled persons or persons suffering illness
- Provision of welfare services for disabled persons
- Provision of employment or work facilities for disabled persons
- Provision of workshop or other facility under the *Disabled Persons (Employment) Act 1958* – Care in this context does not include medical, surgical, or dental treatment.

Evidence and Verification
The Council may require supporting evidence to establish the nature and extent of the qualifying use of the premises and the proportion of floor area used for eligible purposes. This may include floor plans, details of residents, service users or activities carried out at the property, registration or inspection information where applicable, and any lease, ownership or occupancy documentation reasonably required to verify entitlement. The Council reserves the right to request further information, undertake verification checks or site visits, and review entitlement at any time.

Application Process
Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement, including details of the type and number of residents and a floor plan where required.

1.5. Small Business Bonus Scheme

Background

The Small Business Bonus Scheme was introduced on 1 April 2008 and replaced the Small Business Rates Relief Scheme.

The Small Business Bonus Scheme provides a discount of between 0 and 100 per cent on bills for occupied eligible business properties with a cumulative rateable value of £35,000 or less subject to availability.

Council Policy

The Council will award Small Business Bonus Scheme (SBBS) relief where the eligibility criteria below are met, and the requirements of the application process are satisfied. The cost of this relief is fully met through national non-domestic rates arrangements.

Eligibility

The level of relief under the Scheme for each individual ratepayer will depend on:

- The cumulative rateable value of all properties in Scotland of which the business is in rateable occupation or (if vacant) which the business is entitled to occupy
- Whether or not each property is eligible for one of the existing relief schemes

Rateable value	Relief (Single Property)
Up to £12,000	100% (no rates payable)
From £12,001 to £15,000	Scales from 100% to 25%
From £15,001 to £20,000	Scales from 25% to 0%

Total Rateable value	Relief (Multiple Properties)
Up to £12,000	100% (no rates payable)
From £12,001 to £15,000	25% on each individual property with a rateable value of £15,000 or less
From £15,001 to £35,000	Scales from 25% to 0% for individual properties with rateable values from £15,001 to £20,000

To qualify for SBBS:

- The combined rateable value of all properties in Scotland occupied by, or which the business is entitled to occupy, must not exceed £35,000;
- Each individual property must have a rateable value not exceeding £20,000; and
- Relief is only available in respect of **occupied properties**.

Certain property types are excluded from eligibility, including advertisements, car parks, betting shops and payday lending businesses.

From **1 April 2026**, properties entered in the Valuation Roll as **shootings or deer forests will not be eligible for Small Business Bonus Scheme relief**, except where Scottish Government policy or regulations specifically provide otherwise. Any such property will be treated as an excluded property type for the purposes of determining eligibility and entitlement.

In addition, from 1 April 2026, premises requiring a short-term let licence which do not hold a valid licence are not eligible for relief.

From 1 April 2020, SBBS is not available for unoccupied properties. Where a property is vacant, the ratepayer must apply for Empty Property Relief where appropriate.

Evidence and Verification

The Council may require supporting evidence to confirm eligibility for the Small Business Bonus Scheme and to verify ongoing entitlement. This may include

- details of all properties in Scotland occupied by, or which the business is entitled to occupy,
- confirmation of rateable values,
- evidence of occupation and use,
- information relating to any excluded property types,
- and any other information reasonably required to determine the level of relief.

The Council reserves the right to request further information, undertake verification checks, and withhold, withdraw or recover relief where the qualifying conditions are not met or the information provided is incomplete or inaccurate.

Application Process

The Small Business Bonus Scheme is application-based and businesses must apply to each local authority area in which they have a property. Applications can be made over the phone or online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement. All properties in Scotland occupied by, or which the business is entitled to occupy, must be declared on the application form.

1.6. Community Amateur Sports Clubs

Background

Section 98 of the Charities and Trustee Investment (Scotland) Act 2005 provides for 80% mandatory relief from rates for registered Community Amateur Sports Clubs (CASCS). The Council also has **discretion** under section 4(5) of the Act to top up the relief to 100%.

Sports clubs play a valuable role in their communities. The CASC scheme recognises this important role by distinguishing between clubs and businesses for rates and tax purposes ensuring money is kept in sports clubs. Both property and non-property-owning clubs can significantly benefit from the scheme. The key benefits of CASC registration include:

- 80% mandatory business relief. Dumfries and Galloway Council can top up relief to 100% with Discretionary Relief.
- The ability to raise funds from individuals under Gift Aid. A registered CASC can reclaim up to £25 in tax for every £100 donated, though at the moment this does not apply to all types of donations.
- CASCs are exempt from Corporation Tax on profits derived from trading activities if their trading income is under £30,000 per annum.
- Profits derived from property income are also exempt for CASCs if gross property income is under £20,000 per annum, of particular relevance following the abolition of the nil band rate.
- CASC's whose income does not exceed these thresholds will no longer be required to complete an annual Corporation Tax return.

Council Policy

The Council will award 80% Community Amateur Sports Club (CASC) Relief where the eligibility criteria below are met, and the requirements of the application process are satisfied. The Council may award an additional 20% discretionary top-up to 100%, details covered in Section 2.3 and 2.4

Eligibility

The club requires to be registered with HM Revenues and Customs as a Community Amateur Sports Club and relief can only be awarded from the date the club was first registered.

CASCS are entitled to relief from rates on any non-domestic property that is wholly or mainly used for the purposes of that club, or of that club and of other such registered clubs.

Evidence and Verification

The Council may require supporting evidence to confirm that the club is registered with HM Revenue and Customs as a Community Amateur Sports Club, that the premises are occupied and used wholly or mainly for the purposes of the club, and that the statutory conditions for relief are met. This may include governing documents, registration confirmation, financial information, details of the use of the premises, and any lease, ownership or occupancy documentation reasonably required to verify entitlement. The Council reserves the right to request further information, undertake verification checks or site visits, and review entitlement at any time.

Application Process

Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement.

1.7. Renewable Energy Relief

Background

The renewable Energy Generation Relief Scheme will provide non-domestic rates relief to renewable producers who are solely concerned with the production of heat or power (or both) from the following sources:

- Biomass
- Biofuels
- Fuel Cells
- Photovoltaics
- Water (including waves and tides but not production from pumped storage)
- Wind
- Solar Power
- Geothermal sources

The amount of relief depends on the total rateable value of the property/properties

Combined rateable value of all business properties in Scotland	Relief
Up to £145,000	100%
From £145,000 to £430,000	50%
From £430,001 to £860,000	25%
From £860,001 to £4,000,000	10%
Greater than £4,000,000	2.5%

Council Policy

The Council will award Renewable Energy Relief where the eligibility criteria are met, and the requirements of the application process are satisfied. It is subject to the relevant state aid/de minimis limits and cannot be awarded alongside Hydro Energy Relief.

Eligibility

We need to consider a number of criteria for each business when assessing eligibility for Renewable Energy Generation relief,

- Whether the business is solely concerned with the generation of heat or power by the means listed above.
- Whether the property currently receives any other relief (state aid limits apply)
- If the business receives any other public sector assistance
- The combined rateable value of all properties in Scotland of which the business is in rateable occupation or (if vacant) which the business is entitled to occupy.
- If, in return for investment within the project by a community organisation, they will be given entitlement equivalent to:
    - At least 15% of the annual profit of the project
    - Annual profit attributable to 0.5 megawatt of the total installed capacity of the project

Evidence and Verification

The Council may require supporting evidence to confirm that the business is solely concerned with the generation of heat or power from qualifying renewable sources, the combined rateable value of all relevant properties in Scotland, and compliance with any applicable subsidy control or de minimis limits. Supporting evidence may include technical information about the generation source, details of public sector assistance received, confirmation of community benefit arrangements where relevant, and any lease, ownership or occupancy documentation reasonably required to verify entitlement. The Council reserves the right to request further information, undertake verification checks, and withhold, withdraw or recover relief where the statutory conditions are not met.

Application Process

Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement.

1.8. Hydro Energy Relief

Background

Came into force on 1st April 2018. 60% relief may be awarded but cannot be awarded along with renewable energy relief.

To qualify:

- Lands and heritages are solely used for the generation of renewable energy from water (this includes waves and tides but excludes production from the pumped storage of water)
- The rateable value is under £5 million

Council Policy

The Council will award Hydro Energy Relief (60%) where the eligibility criteria are met, and the requirements of the application process are satisfied. Hydro Energy Relief is subject to the relevant state aid/de minimis limits and cannot be awarded alongside Renewable Energy Relief.

Eligibility

We need to consider a number of criteria for each business when assessing eligibility for Hydro Energy relief,

- New lands and heritages used for generation of renewable energy from water
- Water includes waves and tides but excludes production from the pumped storage of water
- Must have an RV of £5 million or under
- Lands and heritages must be used solely for the purpose
- Can't have relief under both schemes only 1 can apply
- Any renewable energy relief determined must be awarded before award of other relief.
- Subsidy Control Rules would be deemed to be present, in which case this relief may be offered as a Minimum Financial Assistance (MFA) subsidy under the Subsidy Control Act 2022.

Evidence and Verification

The Council may require supporting evidence to confirm that the lands and heritages are used solely for the generation of renewable energy from water, that the rateable value does not exceed the applicable limit, and that the property is not receiving incompatible relief. Supporting evidence may include technical information about the installation, valuation information, details of any public financial assistance received, and any lease, ownership or occupancy documentation reasonably required to verify entitlement and compliance with subsidy control requirements. The Council reserves the right to request further information, undertake verification checks, and review or recover relief where appropriate.

Application Process

Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement.

1.9. Fresh Start Relief

Background

Business Rates Relief is available for new occupation of a previously unoccupied property through the Fresh Start Scheme. From 1st April 2018 the scheme has been extended to include any type of property (except those used for payday lending, advertisements, car parks, and betting shops, properties requiring a short-term let licence to operate but which have not obtained one and shootings with certain exceptions) that has been continuously unoccupied for a period of 6 months.

Relief is granted at 100% for a maximum period of 12 months.

Council Policy

The Council will award Fresh Start Relief where the eligibility criteria are met, and the requirements of the application process are satisfied. Fresh Start Relief is subject to any restrictions on receiving multiple reliefs and, where applicable, the relevant state aid/de minimis limits. From 1 April 2023, the rateable value upper threshold in order to qualify for Fresh Start Relief increased from £95,000 to £100,000.

Eligibility

You can qualify if, all of the below criteria are met:

- the property has previously been in receipt of empty property relief for a continuous period of at least 6 months immediately prior to the applicant’s occupation.
- the property has a rateable value of under £100,000; and
- the property is not used for pay-day lending, advertisements, car parks, and betting shops, properties requiring a short-term let licence to operate but which have not obtained one and shootings with certain exceptions.

Fresh start cannot be awarded alongside other rates relief to the same property. However, if one of several properties with the same occupier is eligible for Fresh Start, then the others may be eligible for different rates reliefs.

The relief is mandatory and 100% funded by the Scottish Government.

As the activity is commercial in nature and the recipients receive an advantage on a selective basis due the sectoral restrictions that apply, State aid is deemed to be present and accordingly the relief can only be awarded as *de minimis.*

Evidence and Verification

The Council may require supporting evidence to confirm that the property has been continuously unoccupied for the required qualifying period immediately before occupation, that the new occupier has taken up rateable occupation, that the rateable value falls within the relevant threshold, and that the property is not excluded from the scheme. Supporting evidence may include previous occupation history, lease or tenancy documentation, evidence of occupation and use, and declarations relating to subsidy control or de minimis limits where applicable. The Council reserves the right to request further information, undertake verification checks or site visits, and withhold, withdraw or recover relief where the qualifying conditions are not met.

Application Process

Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement.

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1.10. Day Nurseries

Background
100% Day Nursery Relief can be awarded for eligible standalone nurseries in the public, private and charitable sectors, where the premises are used wholly or mainly as a day nursery.

Council Policy
The Council will award Day Nursery Relief where the eligibility criteria below are met, and the requirements of the application process are satisfied. Day Nursery Relief is treated as de minimis aid and is subject to the relevant state aid/de minimis limits.

Eligibility
In order to qualify, the property must meet the following criteria:

The property must be used wholly or mainly as a nursery as defined in Section 135 of the Education (Scotland) Act 1980 and which also provides day care as defined in paragraph 13 of Schedule 12 of the Public Services reform (Scotland) Act 2010.

This relief is considered de-minimis aid in terms of EU State Aid rules.

Evidence and Verification
The Council may require supporting evidence to confirm that the premises are used wholly or mainly as a qualifying day nursery and that the statutory definitions are met. This may include registration or inspection information, details of the services provided, plans or descriptions of the premises, evidence of occupation and use, and declarations relating to subsidy control or de minimis limits where applicable. The Council reserves the right to request further information, undertake verification checks or site visits, and review entitlement at any time.

Application Process
Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement.

1.11. Business Growth Accelerator (BGA) Relief

Background
The key legislation is the Non-Domestic Rates (Levying and Miscellaneous Amendments) (Scotland) Regulations 2021. From 1 April 2021, Business Growth Accelerator Relief (also known as New and Improved Properties) may be available to ratepayers of new build property and to those expanding or making improvements to an existing property.

Council Policy
The Council will award Business Growth Accelerator (BGA) Relief where the eligibility criteria below are met, and the requirements of the application process are satisfied. BGA Relief is subject to the statutory conditions set out in the relevant legislation and to the property being identified on the valuation roll for the scheme (for example, by the Assessor placing the relevant indicator).

Eligibility
Where a property is being built, expanded, or improved the ratepayer (or tenant) may be eligible for Business Growth Accelerator Relief.

-New Build Properties
From 1 April 2021, unoccupied new build premises that are entered onto the Valuation Roll will be able to claim Business Growth Accelerator Relief for up to four years or to the date the property becomes occupied whichever is sooner.

-Expanded or Improved Properties
Where premises are expanded or improved, and the rateable value increases as a result of this, ratepayers will not pay this increase for 12 months.

Evidence and Verification
The Council may require supporting evidence to confirm that the property has been identified on the valuation roll as qualifying for Business Growth Accelerator Relief and that the statutory conditions for the relevant part of the scheme are met. This may include valuation information from the Assessor, details of the new build, expansion or improvement works, dates of completion or occupation, lease or ownership documentation, and any other information reasonably required to verify entitlement. The Council reserves the right to request further information, liaise with the Assessor, and review or amend entitlement where necessary.

Application Process
Where an application is required, it can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. Where the Assessor has identified the property on the valuation roll as potentially qualifying for Business Growth Accelerator Relief, Revenues Services may issue an application to the ratepayer. A fully completed application form and any relevant supporting evidence must be provided before the Council can determine entitlement.

1.12. Telecommunications new fibre infrastructure

Background

From 1 April 2019, 100% relief is available from business rates to any provider of new fibre infrastructure for telecommunication. This relief is available for a period of 10 years from 1st April 2019 to 31st March 2031.

Council Policy

The Council will award Telecommunications New Fibre Infrastructure Relief where the eligibility criteria below are met, and the requirements of the application process are satisfied. This relief is subject to the statutory conditions set out in the relevant legislation and is available for the nationally set period.

Eligibility

In order to qualify for this relief, Ratepayers must meet the criteria under the legislation. The Non-Domestic Rates (Telecommunications New Fibre infrastructure) (Scotland) Order 2019:

Telecommunications new fibre infrastructure is:

- New fibre used for the purposes of Facilitating the transmission of communications by any means involving the use of electrical or electromagnetic energy
- A proportion of any poles, posts, towers, masts, mast radiators, pipes, ducts and conduits, and any associated supports and foundations on the lands and heritages, used in connection with new fibre, apportioned using the proportion that notional rateable value bears to the rateable value, and
- any parts of the lands and heritages which are exclusively occupied by new fibre

The fibre of that infrastructure:

- Is “new” if it was not laid, flown, blown, affixed or attached before April 2019.
- Is not “new” if it replaces existing fibre, unless it upgrades what was previously provided.

Evidence and Verification

The Council may require supporting evidence to confirm that the infrastructure constitutes qualifying new fibre under the legislation and that the statutory conditions for relief are met. Supporting evidence may include technical specifications, installation dates, plans or descriptions of the infrastructure, valuation information, and any lease, ownership or occupancy documentation reasonably required to verify entitlement. The Council reserves the right to request further information, undertake verification checks, and liaise with the Assessor where necessary.

Application Process

Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement.

1.13. Reverse Vending Machine Relief

Background

From 1 April 2020, 100% Relief is available for sites wholly or mainly used to provide Reverse Vending Machines (RVMs).

Council Policy

The Council will award Reverse Vending Machine Relief where the eligibility criteria below are met, and the requirements of the application process are satisfied. This relief is subject to the statutory conditions and definitions set out in the relevant regulations.

Eligibility

In order to qualify for this relief, Ratepayers must meet the criteria under the legislation. The Non-Domestic Rates (Reverse Vending Machine Relief) (Scotland) Regulations 2020:

The purpose of these Regulations is to provide for a 100% non-domestic rates relief from 1 April 2020 for sites wholly or mainly used to provide Reverse Vending Machines (RVMs), defined as a device that is designed to receive, identify and process used relevant containers and provides a means for refund of the deposit paid on a used relevant container received by the device. Relevant containers are defined as sealed containers designed for a single use supply of a drink to a consumer, the supply of which includes a refundable deposit.

Evidence and Verification

The Council may require supporting evidence to confirm that the site is wholly or mainly used to provide qualifying reverse vending machines and that the statutory definitions are satisfied. This may include details of the machines installed, plans or descriptions of the premises, evidence of occupation and use, and any lease, ownership or occupancy documentation reasonably required to verify entitlement. The Council reserves the right to request further information, undertake verification checks or site visits, and review entitlement at any time.

Application Process

Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement.

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1.14. Retail, Hospitality and Leisure Relief (RHL)

Background

Retail, Hospitality and Leisure Relief (RHL) is a national relief scheme which is amended on an annual basis, the current scheme is available from 1 April 2026 to 31 March 2029. Eligible properties receive 15% relief where the property is wholly or mainly used for qualifying retail, hospitality or leisure purposes and is **not** a licensed hospitality premises or music venue. Eligible licensed hospitality premises and music venues on the mainland may receive 40% relief. Eligible hospitality businesses on islands (as defined in legislation) and in specified remote rural areas may receive 100% relief. RHL relief is available only where the property's rateable value is **up to and including £100,000** and is capped at **£110,000 per business per year**.

Council Policy

The Council will award RHL relief where the national eligibility criteria are met and the requirements of the application process are satisfied. RHL relief is subject to the statutory conditions set out in the relevant regulations and to the annual cap of £110,000 per business; ratepayers may be required to make a declaration to confirm that they will not exceed the cap. The Council may withdraw and recover relief where it has been incorrectly awarded. RHL relief may also be subject to subsidy control rules.

Eligibility

- **Mainland (15%)**: property is wholly or mainly used for qualifying retail, hospitality or leisure purposes; is not a licensed hospitality premises or music venue; has a rateable value up to and including £100,000.
- **Mainland (40%)**: property is a qualifying licensed hospitality premises or music venue; has a rateable value up to and including £100,000.
- **Annual cap**: total RHL relief is capped at £110,000 per business per year across all eligible properties.

Evidence and Verification

The Council may require supporting evidence to confirm the qualifying use of the property, the rateable value, whether the premises fall within any of the categories eligible for the applicable percentage of relief, and whether the annual cap of £110,000 per business would be exceeded. Supporting evidence may include descriptions of the business activity, licensing information where relevant, declarations relating to the annual cap and subsidy control, and any lease, ownership or occupancy documentation reasonably required to verify entitlement. The Council reserves the right to request further information, undertake verification checks, and withhold, withdraw or recover relief where the qualifying conditions are not met.

Application Process

Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and any supporting evidence required to confirm property use, eligibility and compliance with any annual cap or declaration requirements must be provided before the Council can determine entitlement.

This relief is considered de-minimis aid in terms of EU State Aid rules.

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1.15. Church

Background
Mandatory relief of 100% is available where the property is used wholly or mainly for public religious worship and is occupied by a religious body. In addition, relief may be granted in respect of church halls or similar buildings used in connection with a place of public worship, subject to statutory provisions.

Council Policy
The Council will award Mandatory Relief in accordance with legislation where the qualifying criteria are met.

Eligibility
In order to qualify, the property must be occupied by a religious body and used wholly or mainly as a place of public religious worship.
Relief may also apply to church halls or similar premises used in connection with a place of worship and for purposes related to the organisation.

Evidence and Verification
The Council may require supporting evidence to determine eligibility for relief and to verify ongoing entitlement. This may include, but is not limited to:

- Confirmation of the organisation's status (e.g. constitution, governing document, or charity registration where applicable)
- Details of the use of the premises, including timetables of services, activities, and community use
- Floor plans or descriptions demonstrating the extent of areas used for public worship or associated purposes
- Lease, ownership or occupancy documentation confirming the applicant's interest in the property
- Any additional information necessary to establish that the property is used wholly or mainly for qualifying purposes

The Council reserves the right to request further information, undertake site visits, or review entitlement at any time. Relief may be withheld, reduced, withdrawn or recovered where sufficient evidence is not provided, or where the Council is not satisfied that the qualifying conditions continue to be met.

Application Process
Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement.

1.16. Lighthouse

Background
Mandatory relief of 100% is available for properties classified as lighthouses which are exempt from Non-Domestic Rates in accordance with statutory provisions. Lighthouses are generally removed from rating where they are used for the purposes of navigation and safety at sea and are operated by recognised lighthouse authorities.

Council Policy
The Council will apply exemption from Non-Domestic Rates for lighthouse properties where the statutory criteria are met. As this is a statutory exemption rather than a discretionary relief, no application is required where the property is correctly identified within the Valuation Roll. The Council will ensure that any such properties are treated in accordance with legislative requirements and relevant valuation practice.

Eligibility
In order to qualify, the property must meet the following criteria:

- The property must be classified as a lighthouse and used for the purpose of providing navigational aid or maritime safety.
- The property must fall within the categories prescribed as exempt from rating under relevant legislation.
- The use of the property must be consistent with its designation as a lighthouse and not primarily for alternative or commercial purposes.

Evidence and Verification
- Confirmation of the property's classification within the Valuation Roll
- Documentation identifying the operator (e.g. Northern Lighthouse Board or other recognised authority)
- Evidence of the operational purpose of the property as a navigational aid
- Supporting plans or descriptions of the premises and their use

The Council reserves the right to seek further information, liaise with the Assessor, or undertake verification checks where necessary. Where a property is found not to meet the statutory criteria, liability for Non-Domestic Rates may be reinstated with effect from the relevant date.

Application Process
No Application is required for this relief. Contact with the operator will be made when appropriate to determine the qualifying conditions are met.

1.17. ELECTRIC VEHICLE CHARGING POINTS (EVCP) RELIEF

Background

EVCP relief is available for ten years from 1 April 2026 to 31 March 2036 where the property consists wholly or mainly of an electric vehicle charging point and associated bay, and the charging point is available for use by members of the public.

Council Policy

The Council will apply exemption from Non-Domestic Rates for Electric Vehicle Charging Points where the statutory criteria are met. Subsidy control cover for this relief is provided by the Scottish Public Charge Point Parking Bay Relief Scheme (ref: SC11474).

Eligibility

In order to qualify, the property must meet the following criteria:

- The property must be classified as an Electric Vehicle Charging Point and
- Available for use by members of the public.

Evidence and Verification

The Council reserves the right to seek further information, liaise with the Assessor, or undertake verification checks where necessary. Where a property is found not to meet the statutory criteria, liability for Non-Domestic Rates may be reinstated with effect from the relevant date.

Application Process

Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement.

2. Discretionary Relief

Background

The power to grant Discretionary Rating Relief is governed by the provisions of the Local Government (Financial Provisions Etc) (Scotland) Act 1962, as amended.

Under the terms of the 1962 Act a Rating Authority may grant Discretionary Rate Relief in respect of:

- Any lands and heritages which are occupied by, or by trustees for, a charity and are wholly or mainly used for charitable purposes (whether of that charity or of that and other charities).
- Any lands and heritages occupied for the purposes of one or more institutions or other organisations (whether corporate or unincorporated) which are not established or conducted for profit and whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, Science, literature or the fine arts.
- Any lands and heritages occupied for the purposes of a club, society or other organisation not established or conducted for profit, and which are wholly or mainly used for the purposes of recreation.

Where there is no entitlement to a mandatory relief Discretionary Relief entitlement will be considered under the following categories.

Dumfries and Galloway Council

2.1. Charitable/Non-Profit-Making Organisations

Background

The primary purpose of discretionary relief is to provide assistance where the property does not qualify for mandatory relief, although discretionary relief can also be given to "top" up cases where ratepayers already receive mandatory relief in specific circumstances.

Council Policy

Discretionary Relief can be awarded to top up the relief awarded to organisations, including Social Enterprises and Inspired Community Enterprise Trusts who already qualify for 80% mandatory Charitable relief to top up relief to 100%, or award the full 100% relief where the qualifying criteria is met, as follows:

- The organisation is entitled/or could be entitled to mandatory Charitable Relief.
- The premises are **used** for the benefit to residents in the area.
- The use of the premises relieves the Council from providing similar facilities.
- The organisation provides special facilities to certain priority groups such as elderly, disabled, minority group, disadvantaged groups?

Eligibility

The following conditions must be met to be eligible for Discretionary Relief:

- The premises must not be used for commercial purposes where the takings exceed 50% of the total gross income of the organisation's total turnover from the premises.
- The organisation must **use** the premises for charitable purposes, i.e.
    i. the relief of poverty,
    ii. the advancement of religion,
    iii. the advancement of education,
    iv. other purposes beneficial to the community.

100% Relief is applied for 2 years and then will be subject to review and evidence that the organisation continues to meet the qualifying conditions.

Evidence and Verification

The Council may require supporting evidence to determine eligibility for discretionary relief and to verify ongoing entitlement. This may include governing documents, financial statements, details of how the premises are used, information about membership, services or beneficiaries, proof of occupation, and any other information reasonably required to establish that the organisation is not established or conducted for profit and that the use of the premises meets the policy criteria. The Council reserves the right to request further information, undertake verification checks or site visits, and review entitlement at any time.

Application Process

Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form, all relevant supporting evidence and any other information the Council reasonably requires must be provided before the Council can determine entitlement.

Where an applicant is applying for 100% charitable relief we require:

- A copy of the organisation’s constitution or articles and Memorandum of Association of the organisation.
- A copy of the latest audited account, in respect of the property for which relief is being applied. In the case of a new organisation, a statement of the anticipated income and expenditure in respect of the first 12 months.
- A copy of the letter from the HMRC stating acceptance as a charity for tax purposes, if applicable. If the organisation is registered with OSCR we do not require the letter from the HMRC

The Council may also require ratepayers to provide any other information it sees as reasonable when considering an application for relief.

2.2. Sports Clubs

Background

Section 4(5)(c) of the Local Government (Financial Provisions etc) (Scotland) Act 1962 provides Councils with discretionary powers to award relief where a property is wholly or mainly used for purposes of recreation, and all or part of it is occupied for the purpose of a club, society or other organisation not established or conducted for profit.

Sports clubs may be awarded 100% relief. This typically applies to golf clubs, bowling clubs etc.

Section 98 of the Charities and Trustee Investment (Scotland) Act 2005 provides for 80% mandatory relief from rates for registered Community Amateur Sports Clubs (CASCS). The Council also has discretion under section 4(5) of the Act to top up the relief to 100%.

Council Policy

Under this policy, the Council will award Sports Club Relief where the premises meet the definition below and the requirements of the application process are satisfied. Sports Club Relief will not be awarded where the premises are used for commercial activities or where the club does not operate on a non-commercial basis as set out in the definition below.

"Land and Heritages occupied exclusively or principally for athletic or sporting purposes by a Members Club, Association or Company operated on a non-commercial basis where no profits are distributed in any way other than for the benefit of the members and where the sale or supply of alcohol or liquor is merely a social adjunct to the said principal athletic or sporting purposes; and the income derived from such sale or supply is used solely for the said purpose".

100% Sports Relief will be awarded in respect of applications from licensed and unlicensed sports clubs that fall within the definition above and meet the eligibility criteria specified below and fulfil all the requirements of the application process.

Eligibility

Community Amateur Sports Clubs qualify for mandatory relief but do not meet the eligibility criteria for an additional 20% top-up discretionary relief.

Where sports clubs do not meet the Community Amateur Sport Club requirement, and are not registered charities, discretionary relief can be granted where the property is wholly or mainly used for purposes of recreation and all or part of it is occupied for the purpose of the club, society or other organisation not established or conducted for profit. The following criteria must also be met.

- Membership is not unduly restricted and available to the general public. Where a membership exists for an organisation, it should be open to all sections of the community and subscriptions should not be set at a high level to exclude the general community. Membership should also be actively encouraged from particular groups e.g. young people, older age groups, people with disabilities, etc.

- Facilities should not be unduly restricted and be available to the general public including e.g. schools, open public sessions, training or education sessions for young people, the disabled and retired people.
- The organisation is affiliated where appropriate to a local or national organisation e.g. local sports or national representative body.
- Consideration should also be given to whether the facilities provide either a valuable service to the community or facilities which indirectly relieves the Authority of the need to do so.
- The premises are **not** used for commercial activities

Evidence and Verification

The Council may require supporting evidence to confirm that the club operates on a non-commercial basis, that the premises are used wholly or mainly for qualifying sporting or recreational purposes, and that the policy criteria for licensed or unlicensed sports club relief are met. This may include the club constitution, financial statements, details of membership and community access, information about any licensing or bar income, affiliation to governing bodies where relevant, and any lease, ownership or occupancy documentation reasonably required to verify entitlement. The Council reserves the right to request further information, undertake verification checks or site visits, and review entitlement at any time.

Application Process

2.2.1. Recreational Sports Clubs - Unlicensed

Applications for unlicensed recreational or sports club relief can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form, together with the club constitution, latest audited accounts and any other relevant supporting evidence, must be provided before the Council can determine entitlement.

2.2.2. Recreational Sports Clubs – Licensed

Applications for licensed recreational or sports club relief can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form, together with the club constitution, latest accounts and any other relevant supporting evidence, must be provided before the Council can determine entitlement.

2.3. Hardship Relief

Background

Hardship relief can be awarded under Section 156 of the Local Government etc. (Scotland) Act 1994). The Local Authority would need to consider the following: -

- Are the circumstances exceptional?
  - Do the circumstances mean the applicant will suffer hardship?
- Does the business have a viable business plan, so they remain a viable business going forward?
  - Is it fair to other businesses in the Council Area?
  - Is it reasonable and of benefit for Council Taxpayers to meet the cost of relief (25%)?

Council Policy

Under this policy, the Council may award Hardship Relief where the eligibility criteria below are met, and the application requirements are satisfied. Under national non-domestic rates arrangements, 25% of any Hardship Relief award is met by the Council. Hardship provisions have only been used once within Dumfries and Galloway, when support measures were put in place to assist businesses most affected by the Foot and Mouth outbreak.

Eligibility

On application by a ratepayer, the Council may award hardship relief where they are satisfied that the ratepayer would otherwise suffer hardship and that the interests of council taxpayers in the Dumfries and Galloway Council area would be best served by awarding relief.

In considering whether the interests of council taxpayers are being best served, Revenues Services may consult with other Services as appropriate and will assess the extent to which an award safeguards employment, alleviates poverty and promotes local economic development.

As an alternative to the award of Hardship Relief, Revenues Services may, where it is considered appropriate, first offer to put in place a payment arrangement in respect of any Non-Domestic Rates arrears. This would allow the business to spread the repayment over a longer period of time. Any arrangement would require future rating liability to be paid concurrently with the arrear's repayments.

Application Process

In order to make an application for Hardship Relief a letter must be submitted with supporting evidence as detailed below:

- Documentary evidence that hardship has occurred in the business, e.g. a drop in sales has occurred or perhaps where a major customer has recently folded leaving a significant debt that is legally non-collectable
- Details of any cash-flow / liquidity problems that have occurred providing documentary evidence of such
- A copy of the last three years Financial Accounts
- A copy of the business's Monthly Management Accounts for the current financial year

- A copy of the business's most up to date future business plan
- A statement explaining what action has been taken to avoid hardship
- Details of any other assistance the business may have received, or has currently applied for, and in particular assistance to overcome business difficulties
- Details of the number of employees they employ locally
- A statement outlining how an award of rates relief would serve the interests of Council Taxpayers in the Dumfries and Galloway Council area
- A statement outlining the impact on the business should rates relief not be awarded

Period of Award

Hardship Relief is normally only considered as short-term help and we would apply relief for a maximum period of between 6 to 12 months. A new application would be required if the applicant feels that relief should be awarded in subsequent years.

2.4. Short Term Part Empty Relief

Background

Under S.155 of the Local Government Finance Etc Act 1994, S.24 of the 1966 Act has been amended such that rating authorities have discretion to afford relief of rates in respect of properties partly occupied for a short time only.
This relief is affected by the authority requesting the Assessor to apportion the rateable value between the occupied and unoccupied parts.

The value so apportioned to the occupied part is treated as if it were the rateable value of the property in the valuation roll; relief is effectively given to the extent of rates payable according to the rateable value apportioned to the unoccupied part.

Council Policy

The relief commences from the later of the date upon which the property became partly occupied or the beginning of the financial year in which the authority requested the Assessor to apportion the rateable value and continues until the earliest of the following events:

1. that relief only be granted to those subjects which are, or were previously used as an industrial property;
2. that all claims be for a period in excess of 1 month but not more than 6 months;
3. that only one claim be accepted in respect of a subject or part thereof, in each financial year;
4. that all applications for relief be submitted within 1 month of that part of the property became unoccupied to which the application relates and no relief be granted in respect of any period prior to the day of application;
5. that where relief was claimed, all applications be supported by a plan showing the areas involved.

Evidence and Verification

The Council may require supporting evidence to confirm that part of the property is unoccupied on a short-term basis only and that the policy conditions for relief are met. This may include a plan showing the occupied and unoccupied areas, dates of occupation and vacation, details of the business use of the premises, and any lease, ownership or occupancy documentation reasonably required to support a request to the Assessor for apportionment. The Council reserves the right to request further information, undertake verification checks or site visits, and refuse or withdraw relief where sufficient evidence is not provided.

Application Process

Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and the supporting evidence required for the request, including a floor plan of the area concerned, where applicable, must be provided before the Council can determine entitlement.

2.5. Rural Rates Relief

Background

The key legislation is the Non-Domestic Rating (Rural Areas and Rateable Value Limits) (Scotland) Order 2005 and Schedule 2 to the Local Government and Rating Act 1997 as well as the Non-Domestic (Rural Areas) (Scotland) Regulations 2017. This legislation made provision that certain types of businesses located within a rural settlement with a population below 3,000, and in an area designated as rural by Scottish Ministers, may be eligible for mandatory relief of rates.

Eligible premises are entitled to mandatory 100% relief. Councils also have discretionary powers to grant up to 100% rate relief to properties within a rural settlement with a rateable value of £17,000 or less, used for the purposes that are beneficial to the community.

Local Authorities have a Rural Settlement List, which includes areas where:

- Population is not more than 3,000, AND
- Within an area designated by the Scottish Government as a rural area

Council Policy

Where a property is located in a rural settlement and its rateable value does not exceed the statutory maximum for rural rates relief, the Council may award Discretionary Rural Rates Relief, provided that the property is being used for purposes which benefit the local community and the award of relief will generally serve the interests of Council Taxpayers.

Eligibility

After consultation with rural businesses, members also agreed to award 100% Rural Discretionary Rates Relief to certain types of property. These are detailed below: -

- Relief to all other (rural) post offices and general stores
- Relief to all (rural) filling stations
- Relief to the petrol sales element (only) of other rural businesses
- Schools, libraries, public conveniences and public halls

Evidence and Verification

The Council may require supporting evidence to confirm that the property is located within a qualifying rural settlement, that the rateable value does not exceed the applicable threshold, and that the use of the property benefits the local community in accordance with the policy. Supporting evidence may include details of the business or community use, proof of occupation, financial or operational information where relevant, and any other information reasonably required to verify entitlement. The Council reserves the right to request further information, undertake verification checks or site visits, and review entitlement at any time.

Dumfries and Galloway Council

Application Process

Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement.

2.6. Empty Property Relief

Background
From April 2023 Relief for Empty Non-Domestic Properties is enacted under powers conferred in Section 3A to the Local Government (Financial Provisions etc) (Scotland) Act 1962 as amended by Section 140 to the Community Empowerment (Scotland) Act 2015.

Council Policy
Under this policy, the Council will award Empty Property Relief in accordance with the Council's adopted Empty Property Relief policy (effective from 1st April 2024), where the eligibility criteria below are met and the requirements of the application process are satisfied. Empty Property Relief is subject to any statutory exclusions and any exclusions set out in the Council's adopted policy.

Eligibility

From 1st April 2024, all Unoccupied business property can apply for a reduction as follows: -

Occupancy conditions and periods	Relief percentage
Lands and heritages not in use (first 3 months)	50%
Lands and heritages not in use (next 9 months)	10%
Lands and heritages not in use (after 12 months)	0%

Evidence and Verification
The Council may require supporting evidence to confirm that the property is unoccupied, the date from which it became unoccupied, the period for which it has remained out of use, and whether any statutory or policy exclusions apply. Supporting evidence may include lease or ownership documentation, inspection findings, photographs, utility information, marketing information where relevant, and any other information reasonably required to verify entitlement. The Council reserves the right to request further information, undertake verification checks or site visits, and withhold, withdraw or recover relief where the qualifying conditions are not met.

Application Process
Applications can be made online at https://www.dumfriesandgalloway.gov.uk/business-licences-permits/business-rates/business-rates-discounts.. Alternatively, a paper form can be requested by contacting Revenues Services. A fully completed application form and all relevant supporting evidence must be provided before the Council can determine entitlement.

Dumfries and Galloway Council

Application of Policy

Appeals
In respect of all Mandatory and Discretionary Reliefs, once an application has been processed, the ratepayer will be notified in writing of the decision. If the ratepayer disagrees with the decision, they can request an internal review in the first instance. They should state clearly in writing the reasons they disagree with the decision by writing to the Revenues and Benefits Operational Team Leader. Where a ratepayer is still dissatisfied with the decision they appeal further to a convened Rating Appeal Sub-Committee to review the decision. If the ratepayer still remains dissatisfied, the next step is **Judicial Review** in the **Outer House of the Court of Session**.

Please note appeals in relation to the rateable value assigned to the lands and heritages are separate and follow a 2-stage process:

1. Proposal to the assessor
2. Appeal to the Local Taxation Chamber, First Tier Tribunal for Scotland

Backdating
Where a charity, sports club or similar body makes an application for relief in the first 6 months of the financial year, then relief can be backdated to the start of the previous financial year provided the organisation satisfied the requirements at that time.

Where an application is made after the first 6 months of the financial year the relief can only be granted from the start of that year.

Review Period
The award period for new and renewal applications will be for a period no longer than two years.

Financial Implications
In respect of Mandatory Reliefs, Sports Club Relief and Short-Term Part Empty Relief there are no financial implications for the Council as under the National Rates pooling arrangements all costs are met by the Scottish Government.

Under the National Rates pooling arrangements, 25% of the cost of all other Discretionary Relief and Hardship Relief must be met by the Local Authority. Based on premises with Non-Domestic Rates discretionary relief in 2025/26 the current costs of these reliefs are as follows:

Dumfries and Galloway Council **APPENDIX**

Discretionary Relief Type	No of Awards	Value of Relief	Cost to Council (25%)
Discretionary Relief Top Up 20%	208	£304,320	£76,080
Discretionary Relief Up To 100%	22	£215,504	£53,876
Licensed Sports Club	18	£204,901	£51,225
Unlicensed Sorts Club	4	£31,378	£7,845
Rural Discretionary Relief	62	£173,710	£43,428
Total	314	£929,813	£232,453

	Annandale and Eskdale		**Nithsdale**		**Stewartry**		**Wigtown**		**Total**	
Type of Exemption or relief	Num.	Value	Num.	Value	Num.	Value	Num.	Value	Num.	Value
Discretionary Relief Up To 100%	4	£35,682	10	£101,615	2	£14,467	6	£63,541	22	£215,305
DISCRETIONARY TOP UP RELIEF	30	£32,205	94	£171,721	41	£46,058	43	£48,241	208	£298,225
LICENSED SPORTS CLUB	5	£47,310	7	£91,980	2	£14,865	4	£50,746	18	£204,901
UNLICENSED SPORTS CLUB	1	£2,744	1	£10,757	2	£17,878			4	£31,379
RURAL Discretionary Relief	14	£48,182	14	£39,068	17	£50,323	17	£36,137	62	£173,710
Grand Total	**54**	**£166,122**	**126**	**£415,140**	**64**	**£143,591**	**70**	**£198,665**	**314**	**£923,813**

Dumfries and Galloway Council

Empty Property Relief (EPR)

Empty Relief Type	No of Awards	Value of Relief
Empty with Relief	116	£168,989

Area	Value of EPR
Annandale and Eskdale	£18,616
Nithsdale	£82,204
Stewartry	£10,052
Wigtown	£9,614
Closed as at end of 202526	£48,503
Grand Total	**£168,989**

Review of Policy

This is a 5-year Policy and will be updated each financial year to reflect any changes to guidance and values. Any changes that impact on the discretionary policy will be brought back to elected members for review as required.