



# HARTLEPOOL BOROUGH COUNCIL

## MANAGING DIRECTOR'S DECISION RECORD

Date of Decision:	19/03/21
Department:	Resources and Development
Division:	Finance
Officer Making Decision:	Managing Director, in consultation with the Leader (or in his absence the Deputy Leader), Chair of the relevant Committee (or in his absence Vice Chair) and Monitoring Officer.
Subject / Description & Reason for Decision:	<p>At the Budget on 3 March 2021, the Chancellor announced that the Government would provide additional business rates support for eligible retail, hospitality, leisure and nursery businesses in England occupying a qualifying property:</p> <ul style="list-style-type: none"> <li>• The Expanded Retail Discount (2020/21) will be extended for three months for eligible properties, at 100% relief, uncapped, for the period 1 April 2021 to 30 June 2021.</li> <li>• From 1 July 2021 to 31 March 2022, the Expanded Retail Discount would apply at 66% relief for eligible properties in the scheme, with a cash cap of £2m for businesses that were required to close as at 5 January 2021, and up to £105,000 for business permitted to open at that date.</li> <li>• The Nursery Discount 2021 would also be extended for three months, at 100%, uncapped, for the period 1 April 2021 to 30 June 2021.</li> <li>• From 1 July 2021 to 31 March 2022 the Nursery Discount would apply at 66% relief for eligible properties, with a cash cap of £105,000.</li> <li>• For the Expanded Retail Discount 2021/22 and Nursery Discount 2021/22, businesses may choose to opt out of support by providing billing authorities notification of their request to refuse support, per eligible hereditament.</li> </ul>

In order to avoid the requirement for new legislation, Local Authorities are expected to use their discretionary relief powers (under section 47 of the Local Government Finance Act 1988 as amended) to grant these discounts in line with the relevant eligibility criteria above. Authorities will be compensated for the cost of granting the discount through a section 31 grant from Government

The proposal is therefore to roll forward the existing 100% scheme for three months only to 30 June 2021 and agree that for the period 1 July to 31 March a 66% relief will apply to eligible ratepayers. The proposal is also to ensure the scheme includes the option for ratepayers to refuse the discount.

Affected ratepayers have yet to receive a bill for the 2021/22 financial year. The intention is to write to ratepayers prior to 31 March 2021 notifying them of the extended relief, making it clear that the 100% relief only applies for the first three months of the financial year and that 66% relief will apply to eligible ratepayers from 1 July to 31 March. Billing would then reflect this position.

**Type of Decision:**

In accordance with Article 12 – 12.3 - the decision is not defined as a Key decision for the following reason:-  
The Expenditure is inevitable as a result of the Government providing a Section 31 grant ('New Burden' Funding) to help fund the impact of specific legislative commitments where there is no in year cost, or future commitment for the General Fund. Details of any Section 31 grants and the commitments which need to be funded will be reported to the Finance and Policy Committee and the relevant Policy Committee as soon as is reasonably practicable thereafter.

**Nature of Delegation Being Exercised:**

Constitution Reference – CE15 – urgent decisions normally reserved to a Committee. The Managing Director (or in his/her absence the Director of Resources and Development) may take a decision normally reserved to Full Council or a Committee where:

- (a) Failure to take the decision quickly would, or would be likely to, harm the interests of the Council and the public.
- (b) The decision is so urgent that it cannot wait until the next meeting of the Committee at which the decision would normally be taken

Alternative Options  
Considered &  
Rejected:

No alternative options were considered. The government has used Section 47 for expediency and Councils are expected to implement the reliefs as part of discretionary policy accordingly.

Any Declared  
Register of Interest

No  
If Yes, specify:

(delete as appropriate)

Signatures for retained copy only

Managing Director – Denise McGuckin

Decision made in consultation with:

Leader of the Council - Cllr Shane Moore

Chair of Regeneration Services Committee –  
Cllr Christopher Akers-Belcher

Chief Solicitor and Monitoring Officer –  
Hayley Martin