

Our Ref: EMPTY RELIEF
Contact: Revenues Team
Tel: 01698 403213
E-mail: businessrates@northlan.gov.uk



Ratepayer Name & Address:

Chief Executive's Office
Elaine Kemp
Chief Officer (Finance)
Civic Centre
Windmillhill Street
Motherwell ML1 1AB
www.northlanarkshire.gov.uk

Subject Address:

Rates Reference Number:

Period of Account

From: _____ **To:** _____

Non-Domestic Rates Application For Remission Of Rates

The Non-Domestic Rating (Unoccupied Property)(Scotland) Amendment Regulations 2016

Dear Sir/Madam

I refer to your request for a Remission of Rates application form for the above property.

The following criteria should be met before an application can be accepted:-

- There should be no physical occupation by any person, for any purpose
- All moveable stock has been removed from the property
- There should be no furniture, equipment tools or moveable equipment/machinery left in the property

Retail Properties

50% relief may be awarded for the first 3 months that the property is lying empty, thereafter, 10% relief will be awarded.

Industrial Properties

100% relief may be awarded for the first 6 months that the property is lying empty, thereafter, 10% relief will be awarded.

If an empty property claim has been made for a period prior to 1st April 2016, this period will be taken into account when calculating the percentage of relief due.

N.B. The amount of relief awarded is based on the property and not the ratepayer. Therefore, if you are a new occupier claiming for empty property relief, and the previous occupier has also claimed for empty relief, this may affect the amount of relief you will be awarded.



Empty Property Relief Application Form

Also, following an award of the empty exemption where, a claim is accepted for a period immediately prior to your claim period, then you may lose all or some of your exemption.

Please complete and return the attached form enclosing documentary evidence to support your application.

The documentary evidence should be in the form of:

- Zero or minimal fuel bills. The fuel consumption must be a detailed actual reading and not a customer estimated reading. Where the consumption is not zero, earlier or later bills must be supplied for comparison. The fuel bills must cover over 50% of the empty period.
- Dated receipts or invoices for work carried out in the refurbishment of the property. These must show the date of the work for the subject address.
- Copy of a "To-Let" advert showing the date of the publication and the subject address of the property.
- Any other evidence which independently verifies that the property is/was unoccupied during the period of the claim, subject to acceptance by us.

Photographs maybe supplied as additional evidence with at least one of the above listed criteria. These must show both the inside and outside of the property and must demonstrate the date taken. Most digital cameras will automatically stamp the date on the photograph; otherwise, a daily newspaper must be visible in the photograph with its date also visible.

The documentary evidence should cover the full period of your claim and confirm that the property was unoccupied **and** unfurnished.

Yours faithfully



E Kemp
Chief Officer (Finance)

Empty Property Relief Application Form

Please note: -

- Until such times that you are advised of the outcome of your application, payments should be made in terms with the demand notice or follow-up notice issued.
- If you are awarded 100% relief of rates and your account has already been passed to an external agency for collection, you will be liable for any additional fees.

Section A

The Empty Property Rate does not apply to the categories of properties listed below. 100% rates relief will be awarded for full empty period.

- (1) Properties with Rateable Values of less than £1,700
- (2) Properties unoccupied due to death
- (3) Properties unoccupied due to insolvency
- (4) Properties which are prohibited by law from occupation.
- (5) Properties which are under a compulsory purchase order
- (6) Properties which have a Preservation Order, Listed Buildings and Ancient Monuments
- (7) Properties unoccupied due to Administration

If you consider that your property falls in to one of these categories, please provide details below: -

Section B

1. Please confirm the exact date the property became unoccupied:

2. Please confirm the exact date the premises will be occupied
(If the full period is unknown, please provide your best estimate):

3. Reason for the premises not being occupied:

4. It may be necessary to inspect your premises to substantiate your claim. Please supply the following contact details: -

Name:

Telephone Number:

E-mail Address:

Empty Property Relief Application Form

5. If any change has taken place since the subject became 'empty' please complete below as relevant.

Owner

If you have bought/sold the subject address, please complete the following:

Name of New Owner:

Date of sale / purchase:

Your Solicitors Details

Name:

Address:

Post Code:

Telephone Number:

E-mail address:

Details of Seller/Buyers Solicitors

Name:

Address:

Post Code:

Telephone Number:

E-mail address:

Tenant

If there is a new tenant/sub-tenant, please confirm the date the tenancy commenced:

Sole Trader

Forename:

Surname:

Trading Name:

Telephone Number:

E-mail address:

Alternative address:

NB. If sole trader then trading name is not sufficient. Please provide the name of the person or persons who have signed the lease agreement

Limited Company or Partnership

Company Name:

or Partnership Details:

Trading Name:

Telephone Number:

E-mail address:

Registered Office address:

Empty Property Relief Application Form

I Understand That:-

The council is under an obligation to manage public funds properly. Accordingly, information that you provide the council will be used to ensure all sums due to the council are paid timeously. The information may also be used to prevent and detect fraud. It is possible that this information may be shared for the same purposes with public bodies, including councils and other organisations which handle public funds.

I Agree That:-

You may take enquiries necessary to check the information I have provided. I understand that any relief awarded to me as a result of misleading statements deliberately given on this form, will be recovered in full and that I may be liable to legal action.

I Declare That:-

The information I have given on this form is true, complete, and correct. I understand that the deliberate provision of false information in order to achieve financial gain is a criminal offence.

Company Stamp (where applicable)

Applicant's name (block capitals):

Position Held:

Signature:

Date:

Telephone No:

IT IS YOUR DUTY TO INFORM THE COUNCIL OF ANY CHANGE IN CIRCUMSTANCES WHICH MAY AFFECT YOUR ELIGIBILITY FOR THE RELIEF.

Contact details for the Non-Domestic Rates Team are on the first page of the application form.

Empty Property Relief Application Form

PRIVACY NOTICE

Who we are?

North Lanarkshire Council is a local authority established under the Local Government etc. (Scotland) Act 1994. Its head office is located at Civic Centre, Windmillhill Street, Motherwell, ML1 1AB and you can contact our data protection officer by post at this address or by email at DataProtection@northlan.gov.uk

Why may we require your personal information and what do we do with it?

In order to administer non-domestic rates bills and determine for instance eligibility for non-domestic rates reliefs, we may require personal information relevant to your non-domestic property.

We may also use your information, as required, to verify your identity, contact you by post, email or telephone and to maintain our records.

In order to increase transparency around the use of public funds for non-domestic rates relief awards, information associated with the awarding of the non-domestic rates reliefs will be published on the local authority's website. This information may include the liability holder (company or sole trader name), non-domestic property information (including relevant property reference numbers), the date of the relief award, type of relief award, gross bill and net bill.

This information may also be analysed internally to help us improve our services.

This data sharing is in accordance with our Information Use and Privacy Policy and covered in our full privacy statement on our website. It also forms part of our requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011.

Legal basis for using your information

You can find more details about this on our website at www.northlanarkshire.gov.uk. Processing your personal information may be necessary for the awarding of the relief. If you do not provide us with the information we have asked for then we may not be able to provide this service to you.

Who do we share your information with?

We are legally obliged to safeguard public funds so we are required to verify and check your details internally for fraud prevention. We may share this information with other public bodies (and also receive information from these other bodies) for fraud-checking purposes. We are also legally obliged to share certain data with other public bodies, such as other local authorities or Her Majesty's Revenue and Customs and will do so where the law requires this. In order to meet our legal obligations and to promote openness & transparency around the use of public funds and the awarding of non-domestic rates reliefs, relief recipients should be aware that the details of all relief awards will be published on the Local Authority website.

We will also generally comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate. Your information is also analysed internally to help us improve our services. This data sharing is in accordance with our Information Use and Privacy Policy and covered in our full privacy statement on our website. It also forms part of our requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011.

Your information will be shared with the Scottish Government for the purposes of analysis. This data-sharing is in accordance with our Information Use and Privacy Policy and covered in our full privacy statement on our website. It also forms part of our requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011. The Scottish Government may also publish compiled lists of relief award recipients.

How long do we keep your information for?

We only keep your personal information for the minimum period amount of time necessary. Sometimes this time period is set out in the law, but in most cases it is based on the business need. We maintain a records retention and disposal schedule which sets out how long we hold different types of information for. You can view this on our website at www.northlanarkshire.gov.uk or you can request a hard copy from the contact address stated above.

Your rights under data protection law?

- **access to your information** – you have the right to request a copy of the personal information that we hold about you.
- **correcting your information** – we want to make sure that your personal information is accurate, complete and up to date. Therefore you may ask us to correct any personal information about you that you believe does not meet these standards.
- **Deletion of your information** – you have the right to ask us to delete personal information about you and where:

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- I. you think that we no longer need to hold the information for the purposes for which it was originally obtained
- II. you have a genuine objection to our use of your personal information – see Objecting to how we may use your information below
- III. our use of your personal information is contrary to law or our other legal obligations.

Objecting to how we may use your information

You have the right at any time to tell us to stop using your personal information for direct marketing purposes.

Restricting how we may use your information

In some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or we are assessing the objection you have made to our use of your information. This right might also apply if we no longer have a basis for using your personal information but you don't want us to delete the data. Where this right is realistically applied will mean that we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Please contact us as stated above if you wish to exercise any of these rights.

Information you have given us about other people

If you have provided anyone else's details on this form, please make sure that you have told them that you have given their information to North Lanarkshire Council. We will only use this information to process and administer your claim. If they want any more information on how we will use their information they can visit our web site at www.northlanarkshire.gov.uk or by email at DataProtection@northlan.gov.uk

Complaints

We aim to directly resolve all complaints about how we handle personal information. If your complaint is about how we have handled your personal information, you can contact the Council's Data Protection Officer by email at DataProtection@northlan.gov.uk .

However, you also have the right to lodge a complaint about data protection matters with the Information Commissioner's Office, who can be contacted by post at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. By phone on 0303 123 1113 (local rate) or 01625 545 745. Visit their website for more information at- <https://ico.org.uk/concerns>