Gedling Borough Council

Report to Portfolio Holder for Corporate Resources and Performance

Subject: National Non-Domestic Rates - Discretionary Relief Application – Sneinton ABC CIC - Unit 8, Quayside Court, Colwick Business Park, Private Road No 2, Colwick, Nottingham, NG4 2SR.

Date: 4th March 2026

Author: Revenues Services Team Leader

Wards Affected

All

Purpose

The purpose of this report is to seek approval for discretionary relief under section 47 of the Local Government Finance Act 1988

Key Decision

This is not a key decision.

Recommendation(s)

THAT:

The application for discretionary relief under section 47 of the Local Government Finance Act 1988 is allowed at a rate of 100% of the annual National Non-Domestic Rates due.

1 Background

1.1 An application for discretionary relief was received on 12th January 2026 from Sneinton ABC CIC of The Greenway Centre, Trent Lane, Sneinton, Nottinghamshire, NG2 4DF for the premises Unit 8, Quayside Court, Colwick Business Park, Private Road No 2, Colwick, Nottingham, NG4 2SR. (Appendix 1)

1.2 The legislation governing the application for charitable relief from National Non-Domestic Rates is sections 43, 45 and 47 of the Local Government Finance Act 1988.

1.3 Under section 47(2)(c) discretionary relief may be granted as long as the hereditament is not an excepted hereditament, it is wholly or mainly used for the 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.

1.4 A Practice Note issued by the Department for the Environment and the Welsh Office jointly in 1990 recommends that although authorities may wish to have readily understood policies for deciding whether or not to grant relief, and for determining the amount of relief to grant, they should not adopt a policy or rule which allows a case to be disposed of without any consideration as to its individual merits.

1.5 The billing authority may not award discretionary relief unless it is satisfied that the hereditament is used for purposes which are of benefit to the local community and that it would be reasonable for the billing authority to award relief, having regard for the interests of the persons liable to pay its Council Tax.

2. Proposal

2.1 Sneinton ABC CIC is a registered Community Interest Company (Number 15252418) (Appendix 2).

2.2 The application form at (Appendix 1) states the CIC's main objective is the sport of boxing to focus on 1. Youth development and crime prevention 2. Physical and mental wellbeing 3. Community inclusion and accessibility 4. Education and mentorship and 5. Sporting excellence.

2.3 The hereditaments for which relief is requested is used to host boxing training sessions, mentoring sessions, tutoring sessions and a wide range of youth outreach activities.

2.4 The financial accounts published for 2024 are included (Appendix 3).

2.5 It is proposed that relief is allowed in this case at a rate of 100% of the National non-domestic Rate chargeable, as it is considered that the objectives of this charity are in line with the Council's objectives to enable a resilient, empowered, connected, inclusive and healthy community as stated in the Gedling Plan 2023-2027.

3 Alternative Options

3.1 An alternative to the proposal would be to refuse relief.

3.2 Another alternative to the proposal would be to grant relief at a different rate to the proposed 100%. Relief could be granted at any rate between 1% and 100%. This alternative is not proposed as it is considered that the CIC's objectives are suitably aligned with the Council's plan to afford a grant of relief at 1000%.

4 Financial Implications

4.1 Under the arrangements for local business rate retention in England, the cost of all reliefs is split between the Government, Gedling Borough Council and the major precepting authorities.

4.2 The rates payable are £2,522.68 for the financial year 2025/26. The rates payable if the 100% discretionary relief were applied would be zero.

4.3 The accounts of the CIC have been scrutinised by one of the Council's Accountants and advice has been given that the CIC has no excess surplus or debt.

4.4 Copies of the CIC's accounts and documents showing the CIC's current financial standing are held on file by the Revenues Services team.

5 Legal Implications

5.1 Section 47 of the Local Government Finance Act 1988 permits the billing authority to grant discretionary rate relief. Regard has been given to relevant government guidance in relation to discretionary relief when coming to this recommendation.

5.2 Discretionary rate relief could amount to financial assistance governed by the Subsidy Control Act 2022. A subsidy refers to a grant, a tax relief, a loan, or other form of financial assistance paid from public resources. The new statutory subsidy control regime introduced on 4th January 2023 replaced the EU state aid rules, which applied in the UK until the end of the transition period in December 2020 and the Trade and Cooperation Agreement (TCA). The updated scheme rules do not apply retrospectively. The United Kingdom remains bound by its international commitments, including subsidy obligations set out in the TCA with the EU. Business rates discretionary relief and grants to ratepayers could amount to subsidy. Any relief provided by Local Authorities under these schemes will need to comply with the UK's domestic and international subsidy control obligations.

5.3 Financial assistance will be considered a subsidy where it satisfies all four limbs of the subsidy test. The second limb of the test is to establish whether or not an entity is carrying out an economic activity. If it can be said that the entity is not carrying out economic activity, then it is not an 'Enterprise' and no subsidy will arise. Section 7 (2) of the Subsidy Control Act 2022 provides that "an activity is not to be regarded as an economic activity if or to the extent that it is carried out for a purpose that is not economic." Provided the entity receiving financial assistance is not considered to be an enterprise the entity may receive public support without giving rise to subsidy control, under the Subsidy Control Act 2022. A charity performing a charitable function not for profit, receiving tax relief from a public body would not give rise to a subsidy

A signed MFA form has been completed (Appendix 4).

6 Equalities Implications

6.1 There are no equalities implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

7.1 There are no carbon reduction/sustainability implications arising from this report.

8 Appendices

8.1 Appendix 1 – Application Form

8.2 Appendix 2 – CIC Overview

8.3 Appendix 3 – 2024 Published Accounts

8.4 Appendix 4 - MFA

9 Background Papers

9.1 None identified

10 Reasons for Recommendations

10.1 The main objectives of the organisation are aligned with the Council's objectives to enable a resilient, connected, inclusive and healthy community as stated in the Gedling Plan 2023 – 2027.

Statutory Officer approval **Approved by:** **Date:** **On behalf of the Chief Financial Officer** **Approved by:** **Date:** **On behalf of the Monitoring Officer**