

**Discretionary business rates relief, new or
expanding business application form**



**Hinckley & Bosworth
Borough Council**

General information

Key criteria considered by the council in awarding up to 50% discretionary relief for the first two years of trading to new or expanding businesses are based on:

- 1) The establishment of a new business or company within the HBBC area
- 2) The creation of new or additional employment opportunities in the area
- 3) The relocation of an existing business to a larger premise within the District
- 4) No applications can be made in retrospect, i.e. all applications need to be submitted before relocation or investment has taken place, unless agreed as part of pre-occupation negotiations.

In considering applications that meet the above essential criteria, priority consideration will be given to the following factors:

- The impact of the business on the local community and environment, is the business one that the council feels is desirable to have in the area
- Whether the organisation provides a significant number of jobs which are likely to result in the recruitment of local people, and will be advertised locally
- Whether the organisation currently has or plans to provide skills and training for its staff, particularly to upskill its staff and where possible provides apprenticeship opportunities
- Whether the organisation provides inward investment from a country outside the United Kingdom and is one of the initial companies from that country locating in the HBBC area

Note: To be eligible for relief the applicants will also have to agree if they leave the area or cease trading within five years they will have pay the council the level of relief given.

An applicant may not be expected to deliver against all of these criteria but will be required to demonstrate that they will make an impact on the economy of the borough and bring community benefit through their combined delivery against these criteria.

The level of any Small Business Rate Relief Scheme discount and any other discounts that the business may be entitled to, will be taken into account in determining the level of additional business rates discount under this scheme.

In addition to the criteria set out in the table above, to avoid businesses relocating from other district areas within Leicester and Leicestershire, the scheme would be that the new or expanding businesses should normally:

- Represent a new economic activity for the company within Leicester and Leicestershire
- Represent net new jobs within Leicester and Leicestershire
- Not create jobs that have a significant risk of displacing similar employment from existing businesses in the area

An exception to the considerations, where relief can be used to prevent businesses leaving the Leicestershire area as part of either a planned expansion of an existing business, or a relocation of an existing business, which would have a negative impact for the economy and employment of the area.

Please provide brief details of how you meet the key criteria and priority considerations noted in the general information section above.

Note, applications will not be considered in retrospect (See key criteria 4 above).
Feel free to add additional sheets if needed.

A large, empty rectangular box with a thin black border, occupying the central portion of the page. It is intended for the applicant to provide details on how they meet the key criteria and priority considerations mentioned in the text above.

Contact details

Business Rates account number: (if known)	
Business Rates property address: (Property address where you are applying for Business Rate Relief) If you are occupying more than one property, please provide address for each	
Company name:	
Contact name:	
Address for correspondence: (if different from the property address above)	
Contact telephone number:	
Contact email address:	

About your business/company

Is the company a limited company? Please mark an 'x' as appropriate	Yes	No
If yes, please provide your company number:		
If the organisation is part of a group or holding company, please provide brief details of the group's structure in the box below: Please use a separate sheet if required.		
Is the organisation a registered charity? Please mark an 'x' as appropriate	Yes	No

If yes, please state:	Registration No:	Date registered:
If the business is not a registered company/charity, what is your trading status (for example, sole trader, partnership or self-employed)? Please give name/s of sole trader/partners and trading name:		
Does the business/organisation occupy other premises? Please mark an 'x' as appropriate	Yes	No
If you answered yes, please provide the full address of each of them. Please use a separate sheet if required		

The property where you are applying for relief

If you own the property, please state the date of purchase (dd/mm/yy):		
If you hold a lease/tenancy agreement, please state:	Date of commencement (dd/mm/yy):	
	Term of the agreement:	
Have you moved into the property? Please mark an 'x' as appropriate	Yes	No
If yes, when did you move in? (dd/mm/yy)		
If no, when do you expect to move in? (dd/mm/yy)		
If you are a tenant, please give your landlord's name and address. Please note you must be the rate payer to receive the relief.		
What will the property be used for? For example, restaurant or retail sot furnishing		

Key criteria check – Please mark an 'x' as appropriate

The establishment of a new business or company within the HBBC area	Yes	No
The creation of new additional employment opportunities in the area	Yes	No
The relocation of an existing business to a larger premises within the district	Yes	No
If the business/organisation already exists in Hinckley and Bosworth Borough, the level of the discretionary relief may be applied to the difference between the previous rates paid and the increased rates relating to the new business. If the new property has a lower rateable value, than the prior business address then the application for relief may be refused.		

State Aid De Minimis declaration

State Aid is financial support that is provided by the State to business organisations.

State Aid rules exist to avoid public funded interventions distorting competition within the European Union. Business Rates Relief is State Aid. Generally State Aid is prohibited and unlawful. However there are a number of exemptions, which if they apply, render the State Aid lawful and permitted. The relevant exemption in respect of this application is De Minimis Aid. For your application to be successful it must fall within the De Minimis Aid criteria. The relevant regulation is the Commission Regulation (EC) No 1998/2006 (De Minimis Regulations).

Under the De Minimis Aid criteria there is a De Minimis Threshold. Where an applicant, parent company or subsidiary receives aid, over a three year period that exceeds the threshold, they will not be entitled to De Minimis Aid.

To decide whether your application is eligible for De Minimis Aid we need to know if you or any company in your group of businesses have received State Aid or if you expect to receive any State Aid in the current financial year or the previous two financial years. Usually where De Minimis Aid has been provided, you will have received a letter informing you that the assistance you were given was given under De Minimis Regulations.

Please note that any Discretionary Business Rate Relief awarded is included in the De Minimis Threshold.

Generally the De Minimis Threshold is €200,000 over the current financial year and the two previous financial years. However, the threshold for undertakings involved in road transport is €100,000. If some aid has been received by the undertaking in previous years but this does not exceed the De Minimis threshold then a partial business rate relief may be granted up to the De Minimis threshold level. The threshold applies to all aid received by a parent company/group of businesses rather than just a subsidiary.

For exchange rate purposes, the Commission's exchange rate should be used as it is or was on the day the aid was granted.

Where the de minimis aid has been applied incorrectly then recovery will be for the full amount of the aid regardless of whether only part of it exceeds the threshold.

De Minimis Aid cannot be given in certain circumstances, these include:

- Aid to enterprises in road haulage operations for the acquisition of road freight transport vehicles.
- Aid towards the same costs that are being supported under another block exemption or notified scheme. It is unlawful to provide De Minimis Aid for costs being funded under the State Aid cover of an exemption or notified scheme, if it means the specific allowable aid intensity will be exceeded.
- Aid to enterprises in the agricultural sector (with the exception of those active in processing and marketing of agricultural products).
- Aid to enterprises active in the coal sector.
- Aid to undertakings in difficulty.
- Aid for export-related activities, namely aid directly linked to the quantities exported, to the establishment and operation of a distribution network or to other current expenditure linked to the export activity.

You also need to be aware that if the European Commission considers that you are not eligible for De Minimis Aid the amount of aid awarded will be recoverable from you; with interest. It is therefore important that you are confident that you meet the De Minimis Aid criteria.

The following is not a comprehensive list of all possible forms of State Aid. However, it should give you an indication of common forms of State Aid which you may have been given over the past three years. If you are in any doubt as to whether previous assistance received would constitute State Aid, please raise your concerns with us as soon as possible.

- Business rate reliefs on properties elsewhere in England
- State grants
- Interest rate relief
- Tax relief
- Tax Credits
- State guarantees or holdings
- Direct subsidies
- Tax exemptions

Relevant information and State Aid De Minimis regulations are available at: www.gov.uk/state-aid

Please complete and sign one of the following two State Aid De Minimis declarations. Your application will not be considered without this declaration being completed. This application must be signed by the ratepayer, or where the ratepayer is a company, by an employee of that company – either a director or partner. Without exception, any refund of business rates as a result of this application will be made directly to the ratepayer and not to a third party.

Either

I confirm that the business/organisation or any holding or subsidiary companies has not received/will not be receiving any other De Minimis State Aid for the previous three financial years (this being the current financial year and the previous two financial years)

I acknowledge that I am authorised to sign on behalf of

Name of undertaking (business name):-----

I understand the requirements of De Minimis (EC Regulations 1998/2006).

By signing below, I confirm that I represent

Name of undertaking (business name): -----

I also confirm that the information set out above is accurate for the purposes of the De Minimis exemption.

Signature: ----- Name: -----

Business name: ----- Position: -----

Or

I confirm that the business/organisation or any holding or subsidiary companies has received/will be receiving other De Minimis State Aid for the previous three fiscal years (this being the current fiscal year and the previous two fiscal years).

Please provide details below.

Organisation providing the assistance/aid:

Value of assistance/aid obtained:

Date of assistance/aid:

Nature of assistance/aid:

I acknowledge that I am authorised to sign on behalf of

Name of undertaking (business name): -----

I understand the requirements of De Minimis (EC Regulations 1998/2006).

Name of undertaking (business name): -----

is not a business 'in difficulty' as defined at 2.1 of the Community Guidelines and State Aid for Rescuing and Restructuring Firms in Difficulty (2004/C22/02) at the date of this declaration.

By signing below, I confirm that I represent

Name of undertaking:

I also confirm that the information set out above is accurate for the purposes of the De Minimis exemption.

Signature: Name:

Business name: Position:

How we will use your information

Your information will be used so that we can administer your Business Rates in accordance with The Non- Domestic Rating Act 1992. Under Article 6(1) (e) of the General Data Protection Regulations, we are permitted to use data for our tasks; data Protection law describes this legal basis for handling your information. It will be used by Hinckley & Bosworth Borough Council and our partners to deliver and improve services and fulfil our statutory duties. We will not disclose any personal information to any other third parties unless required or allowed to do so by law. For more information about how we use personal data, visit www.hinckley-bosworth.gov.uk/privacy (opens in a new window or tab).Or write to the council at: Hinckley & Bosworth Borough Council, Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR. Telephone: 01455 238141

Declaration

Please complete and sign this declaration. Your application will not be considered without this declaration being completed. This application must be signed by the ratepayer, or where the ratepayer is a company, by an employee of that company – either a director or partner.

- I declare that the information given in this form is complete and accurate to the best of my knowledge and belief
- I declare any change that may affect entitlement to this relief will be notified to the council.
- I realise it is a criminal offence for a ratepayer to give false information when making an application for Business Rate Relief and may result in criminal prosecution

Name: Position:

Signature: Date: