

Appendix B to the RICS/IRRV/RSA Rating Consultancy Code of Practice:

Information for ratepayers in Scotland

This document contains important information. It must be provided to a ratepayer as part of the written confirmation of the Terms of Engagement for Rating Consultancy advice.

Your non-domestic rates bill, which may be a substantial part of your outgoings, is calculated by applying a non-domestic rate poundage to your property's rateable value. A rateable value is an estimate made by the Assessor of the property's rental value at a particular date specified for each general revaluation. You may challenge the rateable value but not the non-domestic rate which is set annually by the Scottish Executive. Following a revaluation the Executive may provide for adjustments to rate liability by phasing increases and decreases in rates payable. These transitional arrangements are governed by complex statutory regulations and may affect your rate liability.

Your rating consultant will be able to explain the effect of the procedures in your particular circumstances, but to help you to understand some of them this document, which is not intended to be a comprehensive statement of the law, gives you outline information.

A general revaluation of rating assessments is normally undertaken every five years. New rateable values came into effect on 1 April 2010 and the next general revaluation is due to take place on 1 April 2015. The Assessor may alter your assessment at any time to keep it up to date and to reflect the results of appeals made and will notify you of any alteration to your assessment. Challenges to individual rateable values, called appeals, can only be made within certain time limits which are generally within six months of the issue of a Valuation Notice or the date you acquired an interest in the property. If your property has been affected by a material change of circumstances, for example, a physical change to the property or its locality which affects its value, you may have a right of appeal.

Briefly, a rating valuation may be challenged by writing to the appropriate Assessor. After a valid appeal is lodged there will be an opportunity to discuss the valuation with the Assessor but if agreement is not possible the matter can be determined following a hearing by a local Valuation Appeal Committee, or, in certain cases, the Lands Tribunal for Scotland. The Valuation Appeal Committee has the power to dismiss an appeal, or amend the valuation by reducing it. There is a further right of appeal from the Valuation Appeal Committee or the Lands Tribunal for Scotland to the Lands Valuation Appeal Court only on a point of law. There are no charges made by either the Assessor or the Valuation Appeal Committee, but administration fees are payable for appeals to the Lands Tribunal and the Lands Valuation Appeal Court, and additional fees will be charged by your professional advisers and legal representatives.

You have to continue paying full rates until any appeal is determined.

Following the agreement, or determination, of an appeal the rating authority will be notified by the Assessor of the decision and will recalculate the rates payable including transitional arrangements if they apply. Your consultant will usually explain

what effect a change to the rateable value will have on your bill and estimate the amount of any refund to which you may be entitled.

Your consultant must provide written Terms of Engagement which set out the minimum information required by the RICS/IRRV/RSA *Rating Consultancy Code of Practice*. The proposed terms for providing rating consultancy advice must make it clear whether the contract, and fee liability, will apply to just a single Valuation Notice or otherwise and whether it includes assessment alterations that may occur between revaluations. Where ratepayers seek professional assistance in the challenging of a rating assessment they will be responsible for any fees that may arise in accordance with the Terms of Engagement. Your consultant is required to explain to you, in the written Terms of Engagement, how the fees will be calculated and when they are payable.

The provision of this information complies with the requirements of the RICS/IRRV/RSA *Rating Consultancy Code of Practice*. A copy of the *Code of Practice* will be provided by your rating consultant on request.

The Royal Institution of Chartered Surveyors (RICS) represents over 100,000 individually qualified professional members worldwide who provide expert advice on all land, property, and construction issues. The Institute of Revenues Rating and Valuation (IRRV) represents practitioners in the valuation, administration and adjudication of local property tax and business rate matters. Rating consultancy is a specialist service provided by some members of RICS and IRRV. Membership of the Rating Surveyors' Association (RSA) is generally restricted to members of RICS with a minimum of three years' specialist experience.