

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

Information for ratepayers (England and Wales)

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

Your business rates bill, which may be a substantial part of your outgoings, is calculated by applying a national multiplier, known as the 'uniform business rate', to your property's rateable value. A rateable value is an estimate made by the Valuation Officer, representing HM Revenue and Customs, of a property's rental value at a particular date specified for each general rating revaluation. You may challenge the rateable value but the uniform business rate is set annually by central government. Following a revaluation, the government may provide for adjustments to rate liability by phasing increases, and decreases, in rates payable. These transitional arrangements are governed by very complex statutory regulations and may affect your rate liability calculation.

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 2005, and the next general revaluation is expected in 2010. The Valuation Officer may alter your assessment at any time to keep it up to date and to reflect the results of appeals and will notify you of any alterations to your assessment, including their effective date. Challenges to individual rateable values, known as 'proposals', can usually only be made against the assessment which is in force at the time the proposal is made. 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. A proposal may also be made challenging an assessment alteration listed by the Valuation Officer.

Briefly, a rating assessment may be challenged by completing a standard 'proposal' form and sending it to the appropriate Valuation Officer who will acknowledge it. After a valid proposal is made there will be an opportunity to discuss the assessment with the Valuation Officer but if agreement is not possible the matter will be determined at a Valuation Tribunal hearing. The Valuation Tribunal may dismiss an appeal, or amend the assessment, including increasing it in exceptional circumstances. There is a further right of appeal from the Valuation Tribunal to the Lands Tribunal and, on points of law, to the higher courts. There are no charges made by either the Valuation Officer or the Valuation Tribunal, but fees are payable for appeals to the Lands Tribunal and the higher courts, and additional fees will be charged by your professional advisers and legal representatives.

You should be aware that appeals are rarely dealt with immediately. When the Valuation Officer receives a valid proposal you will be advised of the timetable for negotiation. You have to continue paying full rates until any appeal is determined.

Following the agreement, or determination by the tribunals, of a rateable value, the local billing authority will be notified by the Valuation Officer of the revised value and will recalculate the rates payable, having regard to the consequential transitional arrangements if they apply. You should be aware that even if the rateable value is reduced there is still a possibility that, where transitional arrangements apply, the rates payable will not necessarily reduce and in very limited circumstances may increase. 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 general rating revaluation or several, 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 110,000 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 restricted to members of RICS with a minimum of five years' specialist experience.