**Attachment 8**

Business Rates – Challenge, Check and Appeal (CCA)

No details have been published of any regulations following the close of the consultation (11 October 2016). The main concern is proposed ‘blunting’ provisions which relate to a proposal from DCLG to limit the extent to which assessments can be amended. If an assessment is within the bounds of reasonable professional judgement no alteration would be made. This may be contrary to the right to have a specific assessment and may also be a breach of Article 6 under the ECHR.

Currently, various trade and professional bodies are considering options. The first may be to seek an opinion from a leading QC and AR along with other trade bodies (REVO, BPF BRC etc.) may be asked to give financial support. Other options include approaching members of the House of Commons/House of Lords to table an early day motion and possibly also to consider an objection when the matter comes before the Commons Committee that deals with Statutory Instruments.

The principle concern at present relates to the design of an electronic system that requires users to have individual log in details, to confirm agent(s) instructed and a requirement to verify on which properties from a portfolio relate to that instruction.

The current understanding is that CCA may not be implemented in Wales principally due to the significantly lower numbers of proposals and appeals that are logged in Wales. The Valuation Tribunal Wales does not operate procedural rules in the same way that the Valuation Tribunal for England has. The Valuation Tribunal in England is looking to simply the procedures but in doing so there is a risk of summary judgements if the directions are not followed.

AR willcontinue to monitor this issue. Regarding the seeking of counsel’s opinion, it will consider this once there is visibility as to potential costs and options.