

**HIGHLAND AND WESTERN ISLES VALUATION JOINT BOARD**

**18 February 2025**

Agenda Item	5
Report No	VAL/3/25

**Departmental Report**

**Report by the Assessor and Electoral Registration Officer**

**Summary**

This report outlines the main business of the office of the Assessor and Electoral Registration Officer (ERO) since the last meeting of the Board.

**1. General**

The business for the valuation section since the last meeting of the Board has involved, the continued audit of self-catering subjects, the disposal of revaluation proposals and the remaining legacy 2017 appeals. A hydro case in Highland was called for a case management hearing before the Upper Tribunal for Scotland with a further hearing set for March. The main business for electoral staff has been the finalising of the annual canvass, publication of the new register, and a by-election.

**2. Electoral Registration**

Since the last Board meeting, the electoral section has been finalising the annual canvass of electors. Telephone canvassing began week commencing 11 November 2024 and in total, 1,944 telephone calls were made, with 16,546 properties identified for household visits. The ERO has lost three canvassers during the canvass period and a recruitment campaign will be undertaken shortly. Some advertising was carried out through The Highland Council Elections Team however, this did not receive any interest from potential candidates. The ERO is looking to appoint at least 12 more electoral canvassers for the Highland area to bring number of canvassers in Highland and Western Isles to 25.

The total number of electors that were added during the annual canvass period is noted below:

Highland	8,451
Western Isles	851

Unfortunately, the ERO is unable to confirm if these electors were added as a result of the annual canvass or as part of the monthly notice of alteration additions.

The revised register was published as at 1 February 2025. Proformas for elected members will be issued through Committee Services at The Highland Council and Comhairle nan Eilean Siar in the coming days. Elected members can request copies of the full register and monthly updates for their respective Wards.

The ERO is now using new software for secure upload of registers to recipients. The introduction of this software not only makes delivery of registers more secure but delivers savings for the ERO as one Ward register can be uploaded and sent to several recipients at one time instead of sending individual e-mails with follow up e-mails with passwords or sending printed copies. More information will be available on the proforma, but paper copies of the register and monthly updates will still be made available on request.

A by-election was held on 21 November 2024 in Ward 21 (Fort William and Ardnamurchan). This was a successfully run election with no clerical errors.

The five yearly absent vote signature refresh for devolved electors commenced on 17 January 2025 with reminders issued on 7 February 2025. Cancellation notices are due for issue on 28 February 2025. In total, 4,326 initial forms were issued with 1802 reminders sent.

### **3. Valuation for Rating**

Valuation staff are continuing to work through the 2023 Revaluation proposals. The legacy 2017 running roll appeals have now been concluded - the statutory disposal date for these was 31 December 2024, which presented a challenge toward the end of the year as significant numbers of cases were listed for several hearing dates, although, ultimately, only a single case proceeded to a short hearing.

By the end of 2024, valuation staff had cleared a large number of proposals for subjects such as shops, offices, self-catering units, retail warehouses, shooting rights, hostels and visitor attraction, leaving over 1,000 2023 Revaluation proposal cases to be dealt with by the statutory determination date of 30 September 2025. Of these, over 400 are in respect of sewage treatment works and it is currently expected that these will be resolved with the benefit of an agreed amendment to the valuation scheme. Other bulk category subject proposals may be settled in a similar manner.

Proposal Determination Dates (PDDs) of mid-May have recently been set for industrial subjects and it is proposed that licensed premises and hotels will be allocated PDDs shortly, giving proposers and their agents 105 days' notice of the PDD.

The scheduling of PDDs for outstanding proposals will continue over the coming months and it is expected that this will present a busy and challenging workload in the run up to the end of September.

At the time of writing, the proposal decision notices issued have resulted in 12 appeals to the First-tier Tribunal. These cases currently sit with the Tribunal and notification of hearing is awaited.

The second year of the audit of self-catering units (SCUs) is continuing, covering the financial year 2023/24. To date, 473 properties within the Highlands and Western Isles have been transferred back to the Council Tax Valuation List due to insufficient, late or non-return of information, and records currently indicate the potential for up to 1,000 further property transfers. These transfers have resulted in backdated Council

Tax bills being issued. The response has been significant, with numerous enquiries received on a daily basis, resulting in the submission of over 200 additional Council Tax proposals at the time of writing. While the proposals are being considered, property owners have been given the opportunity to provide the necessary evidence for the year 2024/25, in an effort to mitigate the impact of the audit transfers pending resolution of proposals.

It is now clear that the recent amendment to the Regulations, which requires returns of SCU audit information to be made within 56 days, has had a significant impact on how the audit must operate and has heavily affected both the workload of the department and the implications for property owners of a late or non-return.

The various Scottish Assessors' Association (SAA) standing committees and working groups have continued to meet on a regular basis with the focus being 2026 Revaluation preparation work. Working group and committee activity will increase over coming months, with contributions from all Assessors and their staff as schemes of valuation and practice notes for 2026 are developed. Valuation staff within the department will also be engaged in market analysis to determine rental values at the Revaluation tone date of 1 April 2025. The draft Revaluation roll is due to be completed by the end of November 2025.

Balancing the various demands of maintenance of the current Valuation Roll, preparation for the 2026 Revaluation, continued disposal of 2023 Revaluation proposals and the SCU audit will undoubtedly pose a major challenge for valuation staff.

Following the case management hearing in relation to the hydroelectricity subject appeal held before the Upper Tribunal for Scotland, grounds of appeal and the Assessor's response have now been lodged. The parties now have two weeks to finalise these, with a further case management hearing scheduled for 17 March, at which arrangements for the evidential hearing are likely to be agreed. The Assessor and Depute Assessor continue to commit time to the disposal of this case.

#### **4. Council Tax**

The number of new entries in the Council Tax Valuation List for newly completed houses in the current financial reached the 1,000 mark by the end of December 2024. With overall new entries for the year 2024/25 previously estimated at between 1,300 and 1,500, the existing rate of new additions should see at least the lower end of the range being achieved by the end of the financial year.

A First-tier Tribunal – Local Taxation Chamber hearing had been scheduled for 27 November 2024 to hear three Council Tax banding cases, however, the cases were settled prior to the hearing.

To date, the Tribunal has adopted a practice of dealing with out of time Council Tax appeals by way of written representations, with two such submissions by the Assessor due shortly. The written submissions route is widely considered to be an efficient method of disposing of out of time/invalid appeals as, thus far, each case has turned on the facts relating to whether the appellant had a right of appeal in terms of

the timescales provided by the relevant regulations. In addition, the first submission has been made in respect of a substantive banding appeal, which proceeded to written representations on the request of the appellant. The outcome of this appeal is awaited.

## **5. Administration**

The SharePoint project continues to progress with the focus turning to the valuation areas within the existing file server. Talks are continuing with The Highland Council's ICT service with a view to resolving the issue around files that interface with other systems.

Discussions are also continuing with ICT in respect of disaster recovery and business continuity plan testing with a further meeting to be held shortly. Regarding the move to cloud hosting, ICT have confirmed that the target for implementation is end March 2025.

We have had three complaints between 5 November 2024 and 1 February. One electoral, not upheld, and two valuation, both of which require responses and relate to the SCU audit. The next complaints report will be published at the end of February.

The Health & Safety working group continues to review and coordinate Health & Safety matters across the three Board offices and last met on 6 February 2025. Current issues being progressed include the acquisition of defibrillators for the Board offices and personal alarms for valuation and canvass staff.

The Depute Assessor & ERO continues to monitor staff training, and this is rolled out throughout the year as required on both an in-house and external provider basis as appropriate.

## **6. Staffing**

A graduate valuer will be going forward to sit their Assessment of Professional Competence (APC) in the spring and if successful will gain full professional status. There are a further four graduate valuers who are provisionally looking at sitting their APC in the autumn of 2025.

There are presently four vacancies within the Inverness Office: two Valuers, a Surveying Technician and a Clerical Assistant.

Discussions are ongoing with Human Resources regarding the review of valuation and clerical posts within the service. The Board will be kept up to date on progress.

Following the signing of an Occupational Health contract the VJB has joined The Highland Council's provider on the same terms and costs, but to fully engage a data sharing agreement needs finalised.

## 7. Section 24 Non-Domestic Rates (Scotland) Act 2020

Under section 24 of the Non-Domestic Rates (Scotland) Act 2020 a valuation joint board has a duty to report on the number of assessors and availability of resources. The report is based on the position on 1 April 2025 and laid before the Scottish Parliament by 31 May 2025. The period for the report lies between Board meetings and as such a format for producing the report prior to 31 May 2025 needs to be agreed.

Section 24 of the Act is set out below.

*s24 Duty to report on number of assessors and availability of resources*

*(1) Subsection (2) applies to—*

- (a) a joint valuation board established by an order under section 27(7) of the Local Government etc. (Scotland) Act 1994,*
- (b) a valuation authority from whom functions have not been delegated to such a board by virtue of section 27(8) of that Act.*

*(2) The board or authority must, in each reporting year, prepare a report on—*

- (a) the number of assessors and depute assessors appointed by the board or authority holding office on 1 April in that year,*
- (b) whether that number is sufficient for the proper exercise of the functions of those assessors and depute assessors in relation to non-domestic rates,*
- (c) whether the board or authority has sufficient resources for the proper exercise of its functions in relation to non-domestic rates,*
- (d) such other matters relating to non-domestic rates as the board or authority considers appropriate.*

*(3) A report under subsection (2) must be laid before the Scottish Parliament by 31 May in the reporting year.*

*(4) In this section, "reporting year" means 2025 and each third year thereafter.*

## **8. Recommendation**

The Board is invited to comment and otherwise note the recent activities of the department as set out in this report and agree on a format for reporting to the Scottish Parliament on item 7.

Designation: Assessor and ERO

Date: 10 February 2025

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