Stamp Duty Land Tax Working Together Steering Group
Notes of Meeting of 29 April 2013
100 Parliament Street, London, SW1A 2BQ

(Please note action points and comments are at the back of this document)

Attendees

Clive Barnett [CB](HMRC)
Martin Callan [MaC](ILE)
Paul Clark [PCl]
Peter Cosmetatos [PCo] (BPF)
Catherine Dampier [CD] (HMRC)
Jonathan Evans [JoE](BPF)
Warren Gordon [WG] (LSE&W)
Andrew Hewitt [AH] (HMRC)
Dianne McKenzie Boyle [DMB] (HMRC)
Jane Pittaway-Hampson [JPH] (HMRC)
Simon Sabel [SSa](CSP)
Jeremy Schryber [JSc](HMRC)
Brian Slater [BS] (COIT)
Kate Willis [KW] (CIOT)
Keith Brown [KB] (HMRC)
Tony Capp [TC](VOA)
Martin Corbett [MC](ROS)
Yvonne Clydesdale [YC] (HMRC)
Nick Davies [ND](LR)
Jane Ewart [EW] (HMRC)
Miles Harwood [MH](HMRC)
Diane Latter [DL] (LSE&W)
Gerald Moran [GM](STPG)
John St Clair [JSC] (SG)
Leigh Sayliss [LS](SHL)
Jon Sherman [JoS] (HMRC) (chair)
Ian Valentine [IV](CTIAA)
Sheila Southwick [SSo](HMRC) (note taker)

Apologies

Isobel d'Inverno
Jenny Ladbury
Tim Minshull
Jean Pounder
John Wilcox
Stephen Jewell
Lakshmi Narain
Nigel Popplewell
Elizabeth Thompson

1) Welcome

JoS introduced himself to the group as the new Head of Stamp Taxes.

2) Minutes and action points from the last meeting in January 2013

(APs - see Appendix 1)
The minutes from the last meeting were agreed and the action points were reviewed.

Power of Attorney information (AP3 and AP4 -Jan 13) - a document was issued in advance of the January meeting. Additional information was required to cover Scottish Powers of Attorney and therefore the guidance was sent to the office of the Advocate General for input. This information should be available shortly.
AP1 - April 13 SS will issue the revised Power of Attorney information to the group when it is available.

Payment issues (AP5 Jan 13) (JL, SJ and CB will discuss problems with payments). Prior to the meeting SJ had produced a paper about electronic payments for the group.
After discussion it was decided the group needed to understand the barriers that prevented agents from paying electronically.
SJ and CB will continue to research why agents are not paying electronically and they will provide an update at the next meeting.

3. Stamp Taxes Performance Stamp Duty Land Tax (SDLT) Current Turnaround Times

	Nov 2012	Dec 2012	Jan 2013	Feb 2013	March 2013
Returns					
Volumes of returns	97950	94883	80821	74550	82598
Volume of returns filed online	92152	89076	76238	70174	78397
% of returns filed online	94.08%	93.88%	94.33%	94.13%	94.91%
Volume of returns receiving an SDLT5 within 5 working days (incl SDLT5 suppressed)	95840	92508	79062	73060	81242
Submissions % of returns receiving an SDLT5 within 5 working days	96.26%	97.04%	97.82%	98.00%	98.36%
Volume of returns receiving an SDLT8 (paper or e-filing)	1154	1148	923	911	925
% of returns receiving an SDLT8 (paper or e-filing)	1.18%	1.21%	1.14%	1.22%	1.12%
Volume of filers who receive a SDLT8 within 5 days	126	46	54	73	83
% of filers who receive an SDLT8 within 5 days	0.13%	0.05%	0.07%	0.10%	0.10%
Volume of all filers who receive a response within 5 days (5 or 8)	95966	92554	79116	73133	81325
No of all filers who receive a response within 5 days (SDLT 5 or 8)	97.97%	97.55%	97.89%	98.10%	98.46%
Paper returns only					
Volume of paper returns	5798	5807	4583	4276	4201
Volume of paper returns needing SDLT8	1154	1148	923	911	925
No of paper returns with missing info – SDLT8 issued	19.90%	19.77%	20.14	20.82%	22.02%
Telephone Contact					
Number of call attempts	13615	9214	16303	11008	11694
Busy messages	165 – 1.3%	117 – 1.3%	356 – 2.3%	167 – 1.6%	291 – 2.5%
Calls handled by IVR	1887 – 13.9%	1323 – 14.4%	2310 – 14.2%	1525 – 13.9%	1684 – 14.4%
Calls answered	11180 – 82.1%	7526 – 81.7%	13270 – 81.4%	9029 – 82%	9360 – 80%
Time to answer calls	00.03	0.03	0.04	0.03	0.05
Average call length	5.11	4.36	4.37	4.13	3.53
Number of callers	10739	7247	12308	8747	7854

The group discussed current operational performance as set out in the table above.

CB explained that many calls to the Helpline were about 'unmatched' payments, where the tax was still outstanding but the agent states the money has been paid. Agents tend to pay by cheque and Stamp Taxes receive approximately twelve hundred cheques per year without a UTRN.
AP2 – April 13 CB and SJ will have an agenda item at the next SDLT meeting on 1 July 2013, regarding the various ways of paying SDLT and what can go wrong with payments.

AP3 - April 13 CB, will identify the peak times for the Helpline and cascade this information to the group.

4. Deregulation
EW explained she would like the group to suggest potential priorities for future deregulation by the end of July if possible. EW asked for suggestions to be:

- prioritised, listed in order of importance
- impact assessed e.g. of the effect of the change, how many tax payers would be affected

LS thanked HM Revenue & Customs (HMRC) staff for the work they had done on variable or uncertain rent - adjustments in line with RPI, this was in the Stamp Taxes Bulletin 1/2013.

5. Devolution
Draft guidance was circulated and comments were requested for the end of May 2013. KB is keen to gather from the group real examples of circumstances where the transition between the 2 taxes could give rise to complexity or uncertainty via the email box sdlt.devolution@hmrc.gsi.gov.uk.

The project was currently going through the IT Viability stage. The system will be built and tested nine months before it goes live. SSa will be involved in a workshop about the IT.

6. Implementation of Budget Legislation
There was discussion about this topic covering:

ATED – the need for further guidance was highlighted by the group (particularly as they thought the published Explanatory Notes did not really help people find their way through the new tax.

Eleven people expressed an interest in being involved with the user testing of forms for Annual Tax on Enveloped Dwellings (ATED) and they will be contacted shortly. **Update** The user testing of the Pre-return banding check (PRBC) forms went ahead and Stamp Taxes received some helpful comments. The PRBC form is now available to use and is on the ATED part of HMRC's website.

Pre-completion transaction/ sub sale relief – where members of the group highlighted the interaction with Land Registry practice and asked for clarification of how the registration process would work in the case of sub-sales under the new legislation. This was something HMRC were looking into with the Land Registry and would report back to the group.

Retrospective changes to section 45 FA03 - this is an anti-avoidance provision which retrospectively amends section 45 to close down two particular avoidance schemes that have emerged. The changes will have effect from Budget Day 2012, 21 March, until Royal Assent of Finance Bill 2012 when the rules on pre-completion transfer take effect. **Update** on 4 June 2013 the Government tabled an amendment to add a further scheme to the retrospective legislation.

7. Schedules of lettings
The Schedules of lettings enable the Valuation Office Agency (VOA) to gather information to update their internal lease register, for the purposes of its statutory valuation functions in support of council tax, nondomestic rates and other activities.

TC explained the value of the sub lease schedule information to the VOA but noted the concerns of some members about the time and resource needed to complete them in full. He agreed to consider this further, discuss the issue with those members who had raised concerns and report back to a future meeting of the WTSG

AP4 - April 13 TC, will discuss the possibility of simplifying the schedules within the VOA and will feed this information back to SSo who will cascade this information to the group.

8. GOV.UK
JHP delivered a presentation to the group, she explained that the HMRC website will close and all the information will transfer to GOV.UK Website.

GOV.UK has three settings:
Main stream
Detailed guidance
Inside government

There is a feedback facility within the GOV.UK website, this is located at the bottom of each webpage. A query was raised, that if you do a search within the SDLTM you cannot distinguish between the English and Scottish lease chapters.

The target date for all government departments to move to GOV.UK is March 2014. In two or three months we will understand how the manual information will look and feel.
Stamp Taxes will be one of the first business streams to move to GOV.UK.

JPH stated that although she could not make any promises, she asked the group to identify their top three key points which she will discuss with the Government Digital Service as the points were what our customers really want.

AP5 - April 13 All the group were asked to identify their top three key points which they wish to see within the new GOV.UK website to SSo to collect for JHP (ie facility to print out whole chapters of text).

9. Forward look – priorities for SDLT
Group members suggested that as the tax is in its tenth year, it would be a good time to step back and take a broader view of how the tax is working, and what the priorities were for improvement. Looking ahead, the development of the new tax in Scotland would raise some interesting points of comparison with SDLT.

There were also a number of micro issues that should be looked at, for example, HMRCs view on group relief where more certainty was needed.

The group also highlighted some areas where there were gaps in existing guidance:

- Partnership Chapter within SDLTM, there are still grey areas (ie what happens if a partner dies) and there is no guidance on FA03 Schedule 15 para 17 and 17a
- Linked transactions

Date of next meeting – 1st July 2013.

Action Point	April 2013 Meeting	For	Action By
AP1 - April 13	SSo will issue the revised Power of Attorney information to the group when it is available.	SS	30 June 2013
AP2 - April 13	CB and SJ will have an agenda item at the next SDLT meeting on 1 July 2013, regarding the various ways of paying SDLT and what can go wrong with payments.	SJ and CB	1 July 2013
AP3 April 13	CB, will identify the peak times for the Helpline and cascade this information to the group.	CB	1 July 2013
AP4 - April 13	TC, will discuss the possibility of simplifying the schedules within the VOA and will feed this information back to SSo who will cascade this information to the group. Since the meeting TC has explained he will look at what if any scope there is for streamlining information and by the end of July will have set up a discussion with SSa, PCo and WG.	TC	1 July 2013
AP5 - April 13	All the group were asked to forward their top 3 key points to SSo to collect for JHP. The group have done this and SSo has passed the information to JHP.	All	1 July 2013 **Discharged**

Appendix 1

APs from the January 2013 meeting

Action Point	January 2013 meeting	For	Action By
AP1 - Jan 13	CO will arrange to circulate information required for the PRBC form. The information was embedded in the January minutes	CO	By April 2013 **Discharged**
AP2 - Jan 13	CO agreed to investigate the possibility of user testing for the ARPT forms. *(covered during this April meeting by CO)*	CO	By April 2013
AP3 - Jan 13	SSo would forward the JL's email to Ian Bibbings (IB) regarding her comments on power of attorney (Email received 31/1/13 and passed to IB)	IB	By April 2013 **Discharged**
AP4 - Jan 13	SSo would work with Ian Bibbings to ensure the document about Power of Attorney also included Scottish Law until April 2015	IB	By April 2013 **Outstanding**
AP5 - Jan 13	JL, SJ and CB will discuss problems with payments. *(covered during this April meeting by CB)*	JL, SJ and CB	By April 2013
AP6 - Jan 13	SSo will arrange for Schedules to be an agenda item for the next WTSG meeting.	SSo	By April 2013 **Closed**
AP7 - Jan 13	NH will talk to the Head of the Digital Service (Linda Allen) about this and feed back to the group. *(covered within GOV.UK presentation at the April meeting by JHP)*	NH	By April 2013
AP8 - Jan 13	JPH will investigate whether a warning is required to direct viewers to more specialist areas of the GOV.UK site. *(covered within GOV.UK presentation at the April meeting by JHP)*	JPH	By April 2013
AP9 - Jan 13	NH will talk to Jenny Cowles from HMRC about this consultation to see whether members of the SDLT WTSG could be involved. (It was suggested there were workshops in February 2013) *(covered within GOV.UK presentation at the April meeting by JHP)*	NH	By April 2013