



# Factsheet: Relief for Public Toilets (Clause 9)

---

## What is relief for public toilets?

This measure would allow local authorities to grant discretionary business rate relief on public toilets that they own and maintain.

## What is the policy hoping to achieve and where are we now?

This provision would help support publicly owned lavatories and reduce the costs of maintaining these facilities, thus helping to preserve important amenities for local people, tourists and visitors. Local authorities already have powers to provide business rate relief to privately-run toilets that are available for public use. This measure aims to ensure that both private and public toilets can benefit from business rates relief in the same way. Where local authorities use these discretionary powers, the Government automatically meets 50% of the costs.

In recent years some district councils have passed responsibility for the maintenance of public lavatories to town and parish councils. This provision would help those town and parish councils to keep these toilets open without passing costs on to local taxpayers.

## Why is legislation needed?

Local authorities' discretionary powers are set out in Local Government Finance Act 1988. Section 47 gives billing authorities the power to grant discretionary relief against business rates liability. However a local authority cannot grant discretionary relief to properties that it occupies itself.

## How do we see this working in practice?

This discretionary power, if used by local authorities, will help create savings for parish and town councils who maintain these facilities, as they will have their business rates liability reduced or removed altogether. They will be compensated for the loss of business rates income, that local authorities otherwise would have retained under the business rates retention scheme, by central Government meeting 50% of the costs.

## Key questions & answers:

### Why does this measure just apply to publicly-owned toilets?

- Local authorities already have powers to provide such relief to privately-run toilets. The introduction of this measure is a means of levelling the playing field so that both private and public toilets can benefit from relief.

### Why can't the Government exempt all public toilets from business rates, rather than giving local authorities discretionary powers?

- The Government believes it is right that the decision over whether to provide business rate support for amenities in their area rests with local authorities. Where authorities use their discretionary powers, the Government meets 50% of the costs.

January 2017