

Education Rates Relief Legislation
Questions to be answered by Universities / Colleges

- The legislation applies to “Halls of Residence” which we can assume are college or university [university] buildings containing living quarters for students.
- The building must be owned or alternatively managed by the university. If not owned or managed a hall can still qualify if it is owned by a third party but is subject to an agreement allowing the university to nominate the majority of persons who are to occupy all the accommodation so provided.

Questions

Do the university own or manage the hereditament?

If not and it is owned by a third party is there an arrangement in place to allow the university to nominate the majority of persons who are to occupy the accommodation?

- The hall must be provided “predominantly” for the accommodation of persons who satisfy prescribed conditions. Predominantly is not defined but the dictionary definition is: most common or conspicuous; main or prevalent. As a working assumption accept that **predominantly** means **mainly**.
- The prescribed conditions relate to (1) education [para 7] and training [para 8]. If in doubt the full text of both paragraphs should be consulted but the following covers the main issues.
- To satisfy the education test the person occupying the accommodation must be: a student undertaking a full time or sandwich course at the university of a least one academic years duration.
- To satisfy the training requirements the person occupying the accommodation must be: a trainee undertaking an approved course of training at the university.
- The issue is – what criteria to use to justify “mainly”. Suggest the number of weeks per year occupied by persons satisfying the prescribed conditions.

Question

In relation to a hall of residence:

- 1. How many rooms are available?**
- 2. In relation to each room:**
 - a. For how many weeks was the room vacant**
 - b. For how many weeks was it occupied by students satisfying the educational or training requirements**
 - c. For how many weeks was it occupied for other purposes?**

Note that if groups of rooms have the same occupation pattern they can of course be dealt with as a block rather than singly.

- An overarching condition is that the amount of rates which would but for the regulations be chargeable in respect of the hereditament, less reasonable administrative costs, will be applied for the benefit of students who satisfy the educational or training requirements

Requirement

- 1. The university must provide a written statement of their intention to comply with the condition; and**
- 2. Provide a brief description as to how they intend to comply with the condition**

Alan Hanna
District Valuer