



**HM Revenue
& Customs**

Rocky Asset Management Limited Pension Scheme
FAO: Adam Yates
Venture Wales Building
Pentrebach Merthyr Tydfil
CF48 4DR

**Option to Tax National Unit
Business, Tax and Customs**

Ground Floor
Portcullis House
21 India Street
Glasgow
G2 4PZ

Tel 0300 200 3700
Monday - Thursday 09:00 to 17:00
Friday 09:00 to 16:30

Fax 03000 516251

www.hmrc.gov.uk

Date 10 July 2019
Our Ref OTT/R/19/08867/JOR
Your Ref
VAT Number: 321 7005 50

Email optiontotaxnationalunit@hmrc.gsi.gov.uk

Dear Mr Yates

Acknowledgement of Option to Tax

I acknowledge your notification dated **7 June 2019** received **11 June 2019**, regarding your option to tax, under **paragraph 20, Schedule 10 of the VAT Act 1994**, on the following land/property:

Address of land/property

Norec House
Fall Bank Industrial Estate
Dodworth Barnsley
S5 3LS

Effective date of option

31 May 2019

This option to tax covers all principles outlined in Public Notice 742A – Opting to tax land and buildings – paragraph 2.4. Please note an option to tax on a building includes the land on which the building stands (see Public Notice 742A paragraph 2.1 for full details)
Please note the following points.

- If your interest is restricted to one floor then only this floor will be affected by it. However, should you later acquire an interest in another floor it too will be covered by this option.
- Please check your records and VAT Notice 742A before making a supply of land/property to ensure the correct VAT liability is applied.
- **Input tax:** if your option to tax is restricted or made ineffective, your entitlement to recover input tax could be severely affected.
- Your option to tax may not make taxable a grant of the land/property which is, or is expected to become, a capital item as per **Regulations 112 to 116 of the VAT Regulations 1995**.
- If either you, a person funding your acquisition of the land/property, or a person connected to either of you intends to or expects to occupy the land/property for

anything other than mainly taxable business purposes, you should be aware of **paragraphs 12 to 16 and 34, Schedule 10 of the VAT Act 1994**, which may disapply your option to tax.

- Your option to tax will not have an effect on all land/property, for example, property intended for use as a dwelling or for relevant residential or charitable purposes. Please refer to Public Notice 742A, Section 3 for further details.
- **Regulation 31(1) of the Value Added Tax Act Regulations 1995** stipulates that all VAT registered persons are required to keep pertinent business records for a period of 6 years. However, as options to tax are valid for at least 20 years, as per **paragraph 25, Schedule 10 of the VAT Act 1994**, we recommend that all records pertaining to an election should be retained for no less than 20 years from the effective date given. HMRC would also suggest that you keep an electronic ledger of all opted land/property that should be consulted prior to any supply of that land/property.

Important Information

Please note that if the person who signed the relevant form or declaration is not an authorised signatory of the opter then any Option to tax so notified to HMRC will be invalid and the supplies being made will remain exempt from VAT. You may also be liable for the repayment of any input tax that has in such circumstances been incorrectly claimed by you. Please refer to section 7 of VAT Notice 742A –Opting to tax which explains who is responsible for making the decision and notifying the option to tax.

If you identify an issue you should contact this department in writing at the address shown above within 30 days of the date of this letter.

If you have any general queries relating to option to tax please refer to VAT Notice 742A a copy of which can be viewed on our web site: www.gov.uk

Yours sincerely



Joe O'Reilly
Assistant Officer of HM Revenue & Customs