

Report of	Meeting	Date
Director of Customer & Digital (Introduced by the Executive Member for Customer, Advice & Streetscene)	Executive Member Decision	October 2019

APPLICATION TO WAIVE A COUNCIL TAX LONG-TERM EMPTY PREMIUM: 5 MARTINS AVENUE, HEATH CHARNOCK, CHORLEY, PR7 4DH

PURPOSE OF REPORT

- To consider an application to waive the Council Tax Long-Term Empty Premium for 5 Martins Avenue, Heath Charnock.

RECOMMENDATION(S)

- It is recommended that the Council Tax Long-Term Empty Premium is waived for a period of 3 months.

EXECUTIVE SUMMARY OF REPORT

- From 1 April 2019 the Council's policy on Council Tax Local Discounts and Premiums allows the Executive Member (Resources) to consider waiving the Long-Term Empty Premium in special circumstances.
- An email requesting the premium is waived was received on 6 September 2019 from the owner of 5 Martins Avenue, Heath Charnock. Additional information to complete the application was received on 23 September 2019. The details of the application are outlined within this report.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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Reason Please bold as appropriate	1, a change in service provision that impacts upon the service revenue budget by £100,000 or more	2, a contract worth £100,000 or more
	3, a new or unprogrammed capital scheme of £100,000 or more	4, Significant impact in environmental, social or physical terms in two or more wards

REASONS FOR RECOMMENDATION(S) (If the recommendations are accepted)

- The combination of circumstances outlined within the application can considered to be

special to some extent. It is there appropriate to waive the premium for a period of 3 months.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

6. To refuse the application to waive the Long-Term Empty Premium.

CORPORATE PRIORITIES

7. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy homes and communities		An ambitious council that does more to meet the needs of residents and the local area	X

BACKGROUND

8. An amendment to the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Bill has given local authorities powers from 1 April 2019 to charge greater Council Tax premiums on homes that have been empty and unfurnished for more than 2 years.
9. In January 2019 the Council's Executive Cabinet approved that from 1 April 2019 an additional premium of 100% should be charged for properties that have been unoccupied and unfurnished for more than two years. This policy change demonstrates the Council's commitment to tackling the borough's shortage of housing and demand for affordable homes by encouraging owners of long-term empty properties to bring them back into use.
10. It was also approved that the Council's policy on Long-Term Empty Premiums should be amended to allow the Executive Member (Resources) to consider waiving the premium in special circumstances.
11. Waiving a Long-Term Empty Premium is treated as a change to the Council Tax Payer's liability and at this time, other than a negligible reduction in the Council Tax collectable net debit amount, there are no financial implications on the Council.
12. An application to waive the premium, for a period of 'at least 12 months' from its commencement date, of 14 July 2019, was received in September 2019 from the owner of 5 Martins Avenue, Heath Charnock, please see Appendix 1.
13. Should a decision be made to waive the premium for this period the property owner would benefit from a 25% discount and their Council Tax liability for 2019-20 would reduce by £1185.30.
14. This property has been unoccupied since 9 June 2017 when the protected tenant, who's family had been in residence since 1932, passed away. The tenant's family removed the furniture from the property a few weeks later, on 14 July 2017.
15. The property has benefitted from the following reductions until the Council Tax Long-Term Empty Premium became payable in July 2019:

Period	Type of reduction	Amount of reduction
9 June 2017 to 30 July 2017	Last occupier passed away	100% exemption
31 July 2017 to 15 January 2018	Empty, Unoccupied & Unfurnished	50% Discount
16 January 2018 to 11 March 2018	Long Term Empty (6-24 months)	25% Discount
12 March 2018 to 11 March 2019	Empty, Uninhabitable/Major Works	50% Discount
12 March 2019 to 13 July 2019	Long Term Empty (6-24 months)	25% Discount

16. The applicant has stated when the former tenant passed away the property required extensive refurbishment and unfortunately the builder, she initially selected to do the repair works, gutted the property then 'ran off with thousands of pounds' of her money.
17. Since then she has been unable to find a new builder willing to take on the work needed to bring the property back into use
18. In addition to these issues, the applicant's elderly mother, who is resident at another property in Chorley, has difficulties living independently. The applicant intended to relocate from Aberdeenshire, Scotland, and move into 5 Martins Avenue to be closer to her mother. Due to the outstanding repair works she has been unable to do this and commutes every week to support her mother so she can continue to live independently.
19. It has been estimated that the necessary works will take between 8 to 12 weeks or possibly longer depending on the weather. The applicant has requested the premium to be waived for up to 12 months to allow sufficient time for a builder to be secured then for the works to be scheduled in and completed. However, there are no guarantees that this will be achieved.
20. It is clear the property owner has faced challenges in their aspirations to renovate the property with a view to bringing it back into use.
21. Whilst the Council is committed to making quality, affordable and suitable housing available to Chorley residents at present there is no Local Authority funding available to support the property owner to complete the renovation works sooner.
22. One of the key principles of the policy change to the increase the Long-Term Empty Premium was to encourage owners of long-term empty properties to bring them back into use and any delay goes against the merits of this. However, based on the information available to the Council a combination of the property owner's circumstances can be considered to be special to some extent.
23. It is therefore recommended that premium is waived for a period of 3 months.
24. The outcome of this application is final and cannot be appealed.

COMMENTS OF THE STATUTORY FINANCE OFFICER

25. No comment.

COMMENTS OF THE MONITORING OFFICER

26. The report properly sets out the relevant considerations for this decision.

ASIM KHAN
DIRECTOR OF CUSTOMER & DIGITAL

Report Author	Ext	Date
Alison Wilding	***	30 September 2019

Following careful consideration and assessment of the contents of this report, I approve the recommendation(s) contained in Paragraph 2 of the report in accordance with my delegated power to make executive decisions.



Dated 13.02.20

Councillor Peter Wilson
Lead Member (Resources)