

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

APPLICATION TO WAIVE A COUNCIL TAX LONG-TERM EMPTY PREMIUM: 13 PRESTON ROAD CHORLEY PR7 1PW

PURPOSE OF REPORT

- To consider an application to waive the Council Tax Long-Term Empty Premium for 13 Preston Road, Chorley.

RECOMMENDATION(S)

- It is recommended that this application is refused.

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 application to waive the premium was received on 1 April 2019 in respect of 13 Preston Road, Chorley. 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)

- Based on the information available to the Council the circumstances are not considered to be special.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- To waive the Long-Term Empty Premium. This option was dismissed as the circumstances outlined in the application are not considered to be special.

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 from 1 April 2019 to 31 May 2019 has been submitted in respect of 13 Preston Road, Chorley, please see Appendix 1. Should a decision be made to waive this premium the property owner would benefit from a 25% discount for this period and their Council Tax liability would reduce by £331.09.
13. This particular property has been unoccupied and unfurnished since 28 October 2016, when the previous owner moved into a care home. The applicant purchased the property on 6 September 2018 'with a view to redevelopment, complementing their adjacent property', Calder House.
14. Initially the property owner benefitted from a discount of 25% discount until 28 October 2018 when the Council Tax Long-Term Empty Premium became payable.
15. On 24 October 2018 a planning application was submitted for the erection of a building, comprising divisible retail units (Class A1) including means of access and parking at Calder House. The original target date for the determination of the application was 24 December 2018.
16. Consultation with statutory consultees commenced on 6 November 2018 with objections received from Lancashire County Council (Highways) and the Coal Authority on 16 and 20 November 2018 respectively. Due to the time it took for the applicant to resolve these objections an extension until 8 March 2019 to determine the application was agreed with the property owner.
17. It is accepted that there was an extension to the Council's assessment of the application and its determination date. However, this was as a direct result of the objections received from statutory consultees and the length of time that it took for these objections to be resolved by the applicant.
18. It is also accepted that the applicant addressed the issues. Nevertheless, to mitigate any unexpected costs, property developers should factor in possible delays, including those due to the planning process, when setting the budget and project plan for new development sites.
19. An application for prior determination for the proposed demolition of 13 Preston Road was received on 27 March 2019. A decision approving the demolition was granted on 30 April

2019. However, a routine inspection of the property on 29 May 2019 confirmed the property remains in situ.

- 20. Based on the information available to the Council these circumstances are not considered to be special and it is therefore recommended that this application is refused.
- 21. The outcome of this application is final and cannot be appealed.

COMMENTS OF THE STATUTORY FINANCE OFFICER

- 22. No comment

COMMENTS OF THE MONITORING OFFICER

- 23. No comment

ASIM KHAN
DIRECTOR OF CUSTOMER & DIGITAL

Report Author	Ext	Date
Alison Wilding	5438	29 May 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 06.06.19 _____

Councillor Peter Wilson
Lead Member (Resources)