

Number: WG29958



Llywodraeth Cymru
Welsh Government

Welsh Government Consultation – summary of responses

Summary of Responses to the Consultation on Technical
Amendments to Council Tax Legislation to Reflect the Introduction of
Council Tax Premiums on Long-Term Empty Homes and Second
Homes

January 2017

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

What to do next –

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[IF you need a Welsh version – there is a Welsh version of the consultation document style to use.](#)

5. Arrange for your summary of responses to be put on line

Contents

| | | |
|----------|--------------------------------------|----------|
| 1 | Introduction | 1 |
| 2 | Responses to the Consultation | 2 |
| 3 | Summary of Responses | 3 |
| 4 | List of Respondents | 5 |
| 5 | Next Steps | 5 |

1. Introduction

The Housing (Wales) Act 2014 gives local authorities powers to charge a council tax premium on long-term empty homes and second homes in their areas from 1 April 2017.

In preparation for this, the Welsh Government launched a consultation to consider amendments to the existing council tax legislation to allow local authorities to administer the council tax premiums effectively. The consultation was designed to seek views on the amendments being proposed to:

- The Council Tax (Administration and Enforcement) Regulations 1992 (“the 1992 Regulations”).
- The Council Tax (Demand Notices) (Wales) Regulations 1993 (“the 1993 Regulations”).
- The Council Tax (Prescribed Classes of Dwellings) (Wales) Regulations 1998 (“the 1998 Regulations”).

The consultation ran for an eight week period from 6 October 2016 to 1 December 2016. It was available on the Welsh Government Consultation Portal and was communicated via email.

This document provides a summary of the responses to the consultation.

2. Responses to the Consultation

In total, 19 responses were received. Responses were received from the following categories of organisations and individuals.

- Local Authorities – 4
- Police and Crime Commissioners – 1
- Private Landlords – 2
- Individuals – 12

A full list of respondents is provided in Section 4.

The format, level of detail and subject matter of the responses varied and a summary of the main points raised is provided below.

3. Summary of Responses

1. Do you agree that the proposed amendments to the 1992 Regulations will allow for the effective administration of the council tax premiums?

Nine respondents agreed with the proposed amendments. One respondent commented that allowing the amendment of instalments to reflect the premium being charged was helpful. Another queried what would happen if a taxpayer did not notify the billing authority within 21 days that they did not believe their property should be subject to the premium.

Eight respondents said that they did not agree with the proposed amendments to the 1992 Regulations. None provided comments to substantiate this response, although one did comment that they did not understand what was being asked due to the technical nature of the question.

Two respondents did not indicate whether they agreed or disagreed with the proposed amendments.

2. Do you agree that the proposed amendments to the 1993 Regulations will allow for the effective administration of the council tax premiums?

Ten respondents said that they did not agree with the proposed amendments to the 1993 Regulations, whilst nine respondents agreed with them.

Only three responses commented further on whether the amendments allowed for the effective administration of council tax premiums. Two responses noted that the new legislation did not appear to prescribe what precepts (which include the local authority precept, the police precept and the community council precept) the premium should be applied to and that this should be clarified. This is provided for in the Local Authorities (Calculation of Council Tax Base) (Wales) (Amendment) Regulations 2016 and was explained in the accompanying consultation. Another respondent provided a technical comment regarding altering the legislation to reflect

the operation of billing software. This was not considered to be necessary and may have had implications for the software used by other authorities.

3. Do you have any views on the amendments made to the 1998 Regulations?

Only one respondent expressed views on the amendments to the 1998 Regulations and confirmed that the amendments would ensure consistency regarding the definitions for the prescribed classes of dwellings.

A number of respondents offered more general views on the introduction of council tax premiums on long-term empty homes and second homes.

Four respondents disagreed with the premiums on long-term empty homes, saying that it would damage the local economy and place a financial burden on landlords and act as a disincentive to invest in property in Wales.

Four respondents disagreed with the premiums on second homes. Some of these respondents said that if no-one was staying at a property, it should not be charged for services by the council. One respondent said that not all second homes were holiday homes but were used by people who work in the area and whose main home was elsewhere for family reasons. Another respondent did not believe there was an under-supply of affordable housing in the area where they have a second home.

Two respondents agreed with the premiums on second homes, commenting that second homes were forcing local people out of their village and had a direct impact on the community and use of the Welsh language.

The Welsh Government has previously consulted on the introduction of discretionary powers for local authorities to charge council tax premiums on long-term empty homes and second homes in their area, as well as the exceptions to the premiums that will apply. Local authorities wishing to charge a premium are also required to consult with local taxpayers before deciding to charge a premium and the level at which to set that premium.

4. List of Respondents

Responses were received from the following organisations.

Local Authorities

Pembrokeshire County Council
Isle of Anglesey County Council
Two anonymous

Police and Crime Commissioners

Police and Crime Commissioner for North Wales

Private Landlords

AA Properties Wales
One anonymous

Taxpayers

12 responses were received from private individuals.

5. Next Steps

Following the conclusion of the consultation, the relevant regulations will be laid before the National Assembly for Wales before 1 April 2017.