

Consultation on council tax charges on long-term unoccupied homes

Consultation Questions

Question 1 Do you agree with the proposed definitions of a long-term unoccupied home and an unoccupied home in the draft Variation for Unoccupied Dwellings regulations?

ALACHO is content with the definitions set out in the consultation paper

Question 2 Do you agree that:

a) only homes which owners can demonstrate are used for a minimum of 20 days per tax year should be classed as second homes?

Yes

b) an unoccupied home should need to be reoccupied for more than 20 continuous days before restarting the clock for the purpose of determining whether or not it is a long-term unoccupied dwelling?

Yes

Question 3 Do you agree that Councils should have the discretion to be able to apply a discount of between 10% and 50% for homes which have been unoccupied for between six and twelve months?

Yes

Question 4 Do you agree that owners actively seeking to sell or let their home should be protected from a council tax increase for up to two years after the home first becomes unoccupied?

Yes, subject to suitable evidence that owners are genuinely trying to sell the unoccupied home in question.

Question 5 Do you think that Councils should be given discretion to apply the council tax increase to certain categories of long-term unoccupied homes, but not others, based on their own local priorities? If so, what should those categories be?

ALACHO is content with the provision in the Regulations that Councils would be able to use powers to vary charges for unoccupied homes in different parts of their areas, according to their own published priorities.

Question 6 Do you think there should be any transitional provisions in the draft Variation for Unoccupied Dwellings regulations so the regulations would come into force on a phased basis? If so, please provide details.

ALACHO agrees with the suggestion in the consultation that transitional provisions are **not** needed in bringing these new provisions into force, for the reasons advanced in the consultation i.e. that Councils will be able to vary council tax charges when they are ready to do so.

Question 7 Do you agree with the other provisions set out in the draft Council Tax (Variation for Unoccupied Dwellings) (Scotland) Regulations 2013? (Please provide any comments on any issues in relation to these regulations which are not covered under questions 1 to 6.)

Question 8 Do you agree with the proposed requirements in the draft Council Tax (Administration and Enforcement) (Scotland) Amendment Regulations that:

a) owners, residents or managing agents should have to provide information to a Council if it is requested about whether or not a home is occupied?

Yes

b) owners should have to inform their Council if they have reason to believe they have been undercharged because the Council has misunderstood the occupation status of the home?

Yes

Question 9 Do you think there should be any transitional provisions in the draft Administration and Enforcement Amendment regulations so the regulations would come into force on a phased basis? If so, please provide details.

ALACHO is content that the changes to the regulations should come into force in April 2013. However we are happy to defer to colleagues elsewhere in local government with responsibility for implementing the regulations, who will no doubt respond taking into account any technical or other difficulties involved in meeting this date.

Question 10 Do you agree with the other provisions laid out in The Council Tax (Administration and Enforcement) (Scotland) Amendment Regulations 2013? If not, please provide comments.

Yes. As noted in our response to the earlier consultation on the proposals to increase council tax for long term empty homes, and in our written and oral evidence to the Scottish Parliament, ALACHO is firmly in agreement with the principles of this legislation. So too with the Regulations, subject to detailed comment on implementation from local authority council tax practitioners on the technical aspects of implementation.

Question 11 Do you agree with the provisions laid out in The Council Tax (Exempt Dwellings) (Scotland) Amendment Order 2013? If not, please provide comments.

We are content with the provisions of the draft order but here too will be happy to defer to the views of colleagues with responsibility for its implementation in practice.

Please complete the Respondent Information Form on the following page and e-mail this complete document to:

counciltaxemptyhomes@scotland.gsi.gov.uk

It must be received by 5pm on Friday 5 October 2012

Consultation on regulations to enable a council tax increase on long-term empty homes

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

ALACHO (Association of Local Authority Chief Housing Officers)

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

Hayton

Forename

Jim

2. Postal Address

c/o Chartered Institute of Housing

4th Floor

125 Princes Street

Edinburgh

Postcode

EH2 4AD

Phone 07795 090211

Email: jim.hayton@alacho.org

3. Permissions - I am responding as...

Individual

/ Group/Organisation

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate Yes No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

Yes

No