

**Y BWRDD GWEITHREDOL –  
21<sup>AIN</sup> MAWRTH 2016**

**PREMIYMAU'R DRETH GYNGOR**

**Y Pwrpas:**

Sicrhau bod Aelodau'r Bwrdd Gweithredol yn ymwybodol o'r pwerau newydd sy'n cael eu rhoi i awdurdodau lleol gynyddu swm y Dreth Gyngor sy'n daladwy mewn perthynas ag ail gartrefi/cartrefi gwyliau a phreswylfeydd sy'n wag ers cyfnod maith

**YR ARGYMHELLION / PENDERFYNIADAU ALLWEDDOL SYDD EU HANGEN:**

Argymhellir bod yr adroddiad amgaeedig yn cael ei nodi, a bod y Cyngor yn cynnal ymarfer ymgynghori cyhoeddus ac asesiad effaith ar gydraddoldeb cyn penderfynu ar ei bolisi mewn perthynas â phremiymau'r Dreth Gyngor.

**Y RHESYMAU:**

Mae'n rhaid i unrhyw benderfyniad terfynol mewn perthynas â phennu premiymau'r Dreth Gyngor gael ei wneud gan y Cyngor llawn.

Cyn gwneud penderfyniad:

1. Mae'n rhaid i Awdurdodau ystyried eu dyletswyddau statudol i gynnal asesiadau effaith ar gydraddoldeb
2. Mae cyfarwyddyd a gyhoeddwyd gan weinidogion Cymru yn argymhell yn gryf y dylai awdurdodau roi ystyriaeth i ymgysylltu ac ymgynghori â rhanddeiliaid allweddol, gan gynnwys y cyhoedd.

**Angen ymgynghori â'r Pwyllgor Craffu perthnasol - Amherthnasol**

Angen i'r Bwrdd Gweithredol wneud penderfyniad - OES

Angen i'r Cyngor wneud penderfyniad - NAC OES (dim ar yr adeg hon)

**Cyfarwyddiaeth: Gwasanaethau Corfforaethol**

**Yr Aelod o'r Bwrdd Gweithredol:**

Y Cyngorydd David Jenkins

**Awdur yr Adroddiad:**

John Gravelle

**Swydd:**

Rheolwr Gwasanaethau Refeniw

**Rhif ffôn:**

01267 228740

**Cyfeiriad e-bost:**

JGravelle@sirgar.gov.uk

# EXECUTIVE SUMMARY

## Executive Board – 21<sup>ST</sup> MARCH 2016

### Council Tax Premiums

1. The Housing Act 2014 introduces provisions that, with effect from 1<sup>st</sup> April 2017, allow authorities to apply a Council Tax Premium (or “surcharge”) of up to 100% in respect of:
  - a. long term vacant dwellings, and
  - b. dwellings classed as “second homes”.
2. Long Term Voids
  - a. Long term voids are currently charged 50% of the normal charge
  - b. For the purposes of the premium, a long-term empty dwelling is a dwelling which has been both unoccupied and substantially unfurnished for a continuous period of at least one year.
  - c. However, in determining whether a dwelling has been empty for one year, no account to taken of any period before 1 April 2016. Therefore the premium cannot be applied until 1<sup>st</sup> April 2017.
  - d. For premiums to come into effect from April 2017, a policy decision will need to be taken during 2016/17 after undertaking appropriate impact assessments and consultation if deemed necessary.
  - e. An authority may specify different percentages for different dwellings based on the length of time for which they have been empty.
3. Second Homes
  - a. For Council Tax purposes the term **second home** means a dwelling that is substantially furnished but “*not anyone’s sole or main residence*”. Actual second / holiday homes as well as other dwellings that been left unoccupied but furnished, therefore come under this heading.
  - b. Carmarthenshire has an existing policy of Nil Discount. For “second homes”. The owner is therefore liable to pay the 100% charge
  - c. The new provisions allow authorities to adopt a policy whereby for “second homes” the council tax payable is increased by up to 100% which would mean the liable person would be subject to double the full occupied charge.
4. The attached detailed report provides additional details in relation to the application of premiums

DETAILED REPORT ATTACHED?

Yes

# IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Chris Moore** Director of Corporate Services

|   |            |            |             |                        |                       |                 |
|---|------------|------------|-------------|------------------------|-----------------------|-----------------|
| Policy, Crime & Disorder and Equalities | Legal      | Finance    | ICT         | Risk Management Issues | Staffing Implications | Physical Assets |
| <b>YES</b>                              | <b>YES</b> | <b>YES</b> | <b>NONE</b> | <b>NONE</b>            | <b>NONE</b>           | <b>NONE</b>     |

## 1. Policy, Crime & Disorder and Equalities

Prior to any determination being made as to whether or not to charge one or both of the premiums, Council must give due consideration to its statutory duties to carry out equality impact assessments under the Equality Act 2010 and the Welsh Public Sector Equality Duties 2011 and to all other relevant considerations.

Consideration should also be given to engagement and consultation with key stakeholders, including the local electorate, before taking a decision.

## 2. Legal

Failure to undertake a public consultation in accordance with guidance issued by the Welsh Ministers would place any final determination by Full Council at risk of legal challenge.

## 3. Finance

In the event of a decision being made to apply premiums additional Council Tax revenue would arise, although it would be partly offset by the negative effect on RSG in the case of long term empty dwellings. (No effect on RSG in relation to any second homes premium)

# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Chris Moore

Director of Corporate Services

## 1. Scrutiny Committee

N/A

## 2. Local Member(s)

N/A

## 3. Community / Town Council

N/A

## 4. Relevant Partners

Consultation undertaken at officer level with colleagues in Housing Options & Advice Team, with views incorporated in the report.

## 5. Staff Side Representatives and other Organisations

N/A

## Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report:

### THESE ARE DETAILED BELOW

| Title of Document                              | File Ref No. | Locations that the papers are available for public inspection                       |
|--|--------------|---|
| <i>Prelim EB Report - Council Tax Premiums</i> | N/A          | <b>Council File Plan – Finance/Local Taxation/Council Tax/ Council Tax Premiums</b> |
|  |              |   |