

FULL EQUALITY IMPACT ASSESSMENT

Name of Policy, Decision, Strategy, Service or Function, Other: (please indicate)	Council Tax Discounts - Empty Properties	
Lead Officer Name(s) & Job Title(s) :	Phil Seddon, Head of Finance and Property Services	
Department/Service Area:	Finance	
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Date Assessment:	Commenced: December 2013	Completed: January 2014

We carry out Equality Impact Assessments (EIA) to analyse the effects of our decisions, policies or practices. The EIA should be undertaken/started at the beginning of the policy development process – before any decisions are made.

1. OVERVIEW

<p>The main aims/objectives of this policy¹ are:</p> <p>The Government has now extended the discretion available to local authorities in the amount of discounts and exemptions from Council Tax that are granted. The Government has also introduced the discretion for councils to levy a premium on properties that have been empty for over two years.</p> <p>As part of the Council's MTFS it must continue to meet its financial savings challenges and continue to deliver against its corporate priorities.</p> <ul style="list-style-type: none"> • Regenerating Rossendale • Responsive and value for money services • Clean and green Rossendale <p>The proposals set out how the Council will use these discretions, and has the following key aims:</p> <ul style="list-style-type: none"> • To encourage empty properties back into use • To generate a small amount of additional revenue on Council Tax until empty housing stock decreases in the borough. • To act as a driver for positive social and economic impact on local communities.

Is the policy or decision under review (please tick)

¹ Policy refers to any policy, strategy, project, procedure, function, decision or delivery of service.

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New/proposed

Modified/adapted

Existing

The main intended people or groups that will be most affected by this policy are:

Owners of second properties in the Borough with empty properties.

An increase in available property in the Borough will have a positive impact on people in need of property in the Borough.

Reduced empty properties can also have a positive impact on community cohesion and reducing the potential for anti-social behaviour.

This is not targeted at any specific protected equality group.

2. FINDINGS / EVIDENCE

FINDINGS/EVIDENCE: The following information/data has been considered in developing this policy/decision (including any consultation or engagement):	
Information/data obtained and/or Consultation/engagement carried out (please state who with)	What does this tell us? / What does it say?
MTFS	The maximum additional income generation is estimated to be no more than c £36k, albeit this will diminish in future years as the number of empty properties fall. The real driver in this change of policy is social and economic to local communities.
Existing policies and exemptions	<p>In addition to council tax discounts there are a number of “exemptions” already available to protect certain groups. Examples of “exemptions” related to unoccupied dwelling include, but not limited to the following – these will continue to remain in place which has relevance for some specific protected groups.</p> <ul style="list-style-type: none"> • Dwellings left empty by deceased persons (6 months from date of probate). • Left empty by someone receiving personal care by reason of old age, disablement, past or present alcohol or drug abuse. • An unoccupied dwelling which was previously the sole or main residence of a person who has moved into a hospital or care home. • Armed forces’ accommodation • An unoccupied dwelling which was previously the sole or main residence of a person who is the owner or tenant and who has moved to receive personal care. • An unoccupied dwelling which was previously the sole or main residence of a

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	<p>person who is the owner or tenant and who has moved in order to provide personal care to another person.</p> <ul style="list-style-type: none"> An unoccupied dwelling where the person who would otherwise be liable is a trustee in a bankruptcy. <p>In addition, the Council will continue to consider flexible and/or deferred payment option on a case by case basis particularly in case where there is a genuine desire to sell and property and is evidenced by the seller's solicitor.</p>
<p>Current Council Tax Exemption Data</p>	<p>As at w/c 27th January 2014 there are 31,188 domestic properties in Rossendale.</p> <p>Based on the last snapshot figures (early December 2013) there were:</p> <ul style="list-style-type: none"> 698 vacant under 6 months – the former class 'c' 104 under/needing major repair – the former class 'a' 139 'second homes' (unoccupied but furnished) 310 properties vacant continuously for more than 2 yrs
<p>Public Consultation [Appendix 3] 2nd December 2013 – 26th January 2014</p> <p>1288 paper questionnaires sent out based on a snapshot of people who had properties which were subject to the 2 former exemptions, 2nd homes and 2yrs + vacant lists.</p> <p>In addition the consultation questionnaire went to Rossendale citizen's panel, 382 email invitations and 360 paper surveys issued.</p> <p>And 8 emails to registered social landlords (Green Vale etc.).</p> <p>497 responses received.</p>	<p><u>Based on 497 responses:</u></p> <p><i>Discount change 1: Ending the Council Tax exemption for properties that are empty for up to six months and replacing it with a 50% discount.</i> Agree – 44.2% Disagree – 53.6% However, the majority 43.6% said this would have 'no impact at all' on them directly.</p> <p><i>Discount change 2: Ending the Council Tax exemption on empty properties that are undergoing major structural repair and replacing it with a 50% discount for up to 12 months.</i> Agree – 42.8% Disagree – 53.9% However, the majority 52.9% said this would have 'no impact at all' on them directly.</p> <p><i>Discount change 3: Ending the 10% discount on second homes which are furnished and unoccupied</i> Agree – 64.3% Disagree – 29.8% However, the majority 67.2% said this would have 'no impact at all' on them directly.</p> <p><i>Discount change 4: Introducing an additional 50% Council Tax charge for properties that have been empty for over 2 years. This means that owners of all properties that have been empty for over 2 years will have to pay 150% Council Tax for these properties.</i> Agree – 53.9% Disagree – 38.5% However, the majority 57.9% said this would have 'no impact at all' on them directly.</p> <p>When respondents were asked if they believed that having to pay more Council</p>

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	<p>Tax will encourage owners to bring such properties up to standard and back into use more quickly, the majority agreed. Agree – 57.9% Disagree – 34.6%</p> <p><u>Respondent type:</u> As would be expected, the overall results change when you look at the different types of respondent.</p> <table border="1" data-bbox="526 344 1568 726"> <thead> <tr> <th></th> <th></th> <th>DISCOUNT CHANGE 1</th> <th>DISCOUNT CHANGE 2</th> <th>DISCOUNT CHANGE 3</th> <th>DISCOUNT CHANGE 4</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Home Owners</td> <td>Agree</td> <td>53.4%</td> <td>49%</td> <td>70.3%</td> <td>62%</td> </tr> <tr> <td>Disagree</td> <td>44.6%</td> <td>47.8%</td> <td>25.3%</td> <td>34.5%</td> </tr> <tr> <td rowspan="2">Tenants</td> <td>Agree</td> <td>68.1%</td> <td>59.1%</td> <td>63.6%</td> <td>68.2%</td> </tr> <tr> <td>Disagree</td> <td>31.8%</td> <td>36.4%</td> <td>36.3%</td> <td>27.3%</td> </tr> <tr> <td rowspan="2">Private landlords</td> <td>Agree</td> <td>3.6%</td> <td>16.3%</td> <td>44.9%</td> <td>43.8%</td> </tr> <tr> <td>Disagree</td> <td>94%</td> <td>81.3%</td> <td>42.3%</td> <td>47.5%</td> </tr> <tr> <td rowspan="2">Housing association</td> <td>Agree</td> <td>60%</td> <td>60%</td> <td>60%</td> <td>40%</td> </tr> <tr> <td>Disagree</td> <td>20%</td> <td>20%</td> <td>20%</td> <td>40%</td> </tr> </tbody> </table>			DISCOUNT CHANGE 1	DISCOUNT CHANGE 2	DISCOUNT CHANGE 3	DISCOUNT CHANGE 4	Home Owners	Agree	53.4%	49%	70.3%	62%	Disagree	44.6%	47.8%	25.3%	34.5%	Tenants	Agree	68.1%	59.1%	63.6%	68.2%	Disagree	31.8%	36.4%	36.3%	27.3%	Private landlords	Agree	3.6%	16.3%	44.9%	43.8%	Disagree	94%	81.3%	42.3%	47.5%	Housing association	Agree	60%	60%	60%	40%	Disagree	20%	20%	20%	40%
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<p>Best practice and learning from other Local Authorities.</p>	<p>Many local authorities in Lancashire have already implemented such/similar Council Tax discount changes.</p> <p>Learning and best practice has been shared through professional networks which has informed Rossendale's Councils considered approach.</p>																																																		
<p>Empty Property Strategy</p>	<p>The proposed changes will support the council's vacant properties strategy details of which can be found at:</p> <p>http://www.rossendale.gov.uk/meetings/meeting/538/cabinet</p>																																																		

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3. EQUALITY IMPACT

Using the table below please indicate whether the policy/strategy/decision has a positive, negative or no impact from an equalities perspective on any of the protected equality groups listed below. **Please also give consideration to wider equality of opportunity and community cohesion impacts within and between the groups identified.** See EIA Guidance

Equality		Positive Impact (It could benefit)	Negative Impact (It could disadvantage)	Reason and any mitigating actions already in place (to reduce any adverse /negative impacts or reasons why it will be of positive benefit or contribution)	No Impact
Age	Older people	<input type="checkbox"/>	<input type="checkbox"/>	<p>Council Tax is payable by all groups and there is no evidence to suggest that particular groups own a disproportionately high number of empty properties.</p> <p>Some mitigation via existing exemptions are already in place for dwellings unoccupied due to moving to care homes or receiving personal care which may be utilised by older people.</p> <p>It is recognised that older people, or other people moving to sheltered accommodation out of necessity whilst not fully exempt, such properties would still be eligible under the proposed “unfurnished vacant dwellings: current 100% six months exemption for empty homes (previously Class C exemption) – retain 100% discount for the first month, thereafter 50% discount for a maximum 5 months”</p> <p>Based on the information available, no disproportionate impact has been identified. In addition, the Council will continue to consider flexible and/or deferred payment options on a case by case basis.</p>	<input checked="" type="checkbox"/>

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Equality		Positive Impact (It could benefit)	Negative Impact (It could disadvantage)	Reason and any mitigating actions already in place (to reduce any adverse /negative impacts or reasons why it will be of positive benefit or contribution)	No Impact
	Younger people and children	<input type="checkbox"/>	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Disability	Physical/learning/mental health	<input type="checkbox"/>	<input type="checkbox"/>	<p>Council Tax is payable by all groups and there is no evidence to suggest that particular groups own a disproportionately high number of empty properties.</p> <p>Based on the information available, no disproportionate impact has been identified.</p> <p>In addition, the Council will continue to consider flexible and/or deferred payment options on a case by case basis.</p>	<input checked="" type="checkbox"/>
Gender Reassignment	Transsexual people	<input type="checkbox"/>	<input type="checkbox"/>	<p>Council Tax is payable by all groups and there is no evidence to suggest that particular groups own a disproportionately high number of empty properties.</p> <p>Based on the information available, no disproportionate impact has been identified.</p> <p>In addition, the Council will continue to consider flexible and/or deferred payment options on a case by case basis.</p>	<input checked="" type="checkbox"/>
Pregnancy and Maternity		<input type="checkbox"/>	<input type="checkbox"/>	As above.	<input checked="" type="checkbox"/>
Race (Ethnicity or Nationality)	Asian or Asian British people	<input type="checkbox"/>	<input type="checkbox"/>	As above.	<input checked="" type="checkbox"/>
	Black or black British people	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

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Equality		Positive Impact (It could benefit)	Negative Impact (It could disadvantage)	Reason and any mitigating actions already in place (to reduce any adverse /negative impacts or reasons why it will be of positive benefit or contribution)	No Impact
	Irish people	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
	White British	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
	Chinese people	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
	Gypsies & Travellers	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
	Other minority communities not listed above (please state)	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Belief or Religion		<input type="checkbox"/>	<input type="checkbox"/>	<p>Council Tax is payable by all groups and there is no evidence to suggest that particular groups own a disproportionately high number of empty properties.</p> <p>Some mitigation via existing exemptions already in place for 'unoccupied clergy dwellings.'</p> <p>Based on the information available, no disproportionate impact has been identified.</p> <p>In addition, the Council will continue to consider flexible and/or deferred payment options on a case by case basis.</p>	<input checked="" type="checkbox"/>
Sex	Women	<input type="checkbox"/>	<input type="checkbox"/>	<p>Council Tax is payable by all groups and there is no evidence to suggest that particular groups own a disproportionately high number of empty properties.</p> <p>Based on the information available, no disproportionate impact has been identified.</p>	<input checked="" type="checkbox"/>

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Equality		Positive Impact (It could benefit)	Negative Impact (It could disadvantage)	Reason and any mitigating actions already in place (to reduce any adverse /negative impacts or reasons why it will be of positive benefit or contribution)	No Impact
				In addition, the Council will continue to consider flexible and/or deferred payment options on a case by case basis.	
	Men	<input type="checkbox"/>	<input type="checkbox"/>	As above	<input checked="" type="checkbox"/>
Sexual Orientation	gay men, gay women / lesbians, and bisexual people	<input type="checkbox"/>	<input type="checkbox"/>	As above	<input checked="" type="checkbox"/>
Marriage and Civil Partnership (employment only)		<input type="checkbox"/>	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

Contribution to equality of opportunity		<input type="checkbox"/>	<input type="checkbox"/>	<p>Council Tax is payable by all groups and there is no evidence to suggest that particular groups own a disproportionately high number of empty properties.</p> <p>Some mitigation via existing exemptions already in place for</p> <ul style="list-style-type: none"> • Dwellings left empty by deceased persons (6 months from date of probate). • Dwellings left empty by someone receiving personal care by reason of old age, disablement, past or present alcohol or drug abuse • An unoccupied dwelling which was previously the sole or main residence of a person who is the owner or tenant and who has moved to receive personal care. • An unoccupied dwelling which was previously the sole or main residence of a person who is the owner or tenant and who has moved in order to 	<input checked="" type="checkbox"/>
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			<p>provide personal care to another person.</p> <p>Based on the information available, no disproportionate impact has been identified.</p> <p>In addition, the Council will continue to consider flexible and/or deferred payment options on a case by case basis.</p>	
Contribution to fostering good relations between different groups (people getting on well together – valuing one another, respect and understanding)	<input type="checkbox"/>	<input type="checkbox"/>	As above.	<input checked="" type="checkbox"/>
Human Rights http://intranet/site/scripts/documents_info.php?categoryID=86&documentID=251	<input type="checkbox"/>	<input type="checkbox"/>	All Council decision will be carried out in line with the Human Rights Act 1998.	<input checked="" type="checkbox"/>

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4. OUTCOME OF EIA – COURSE OF ACTION TO BE TAKEN

What course of action does this EIA suggest you take? More than one of the following may apply	Please indicate
Outcome 1: No major change required. The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.	<input checked="" type="checkbox"/>
Outcome 2: Adjust the policy to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments will remove the barriers identified? If there is a negative impact identified, you must consider (and evidence/record) what mitigating actions you have or will put in place to reduce the negative impact where/if possible, and to enhance the positive impact. This might include any partnership discussions/working that needs to be undertaken. Complete EIA Action Plan as appropriate.	<input type="checkbox"/>
Outcome 3: Continue the policy despite potential for negative impact or missed opportunities to promote equality identified. You will need to ensure that the EIA clearly sets out the justifications for continuing with it. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact. This might include any partnership discussions/working that needs to be undertaken. Complete EIA Action Plan as appropriate.	<input type="checkbox"/>
Outcome 4: Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination or significant negative impact that can not be justified or mitigated against. <u>You must speak to the People and Policy Team immediately.</u>	<input type="checkbox"/>

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5 . EIA ACTION PLAN & REVIEW

Based on the impact assessment, findings/evidence and outcomes identified above, please complete the Action Plan below – these should be actions arising as a result of undertaking the EIA.

The Action Plan should address (not exhaustively):-

- Any gaps in findings/evidence research including any consultation or engagement regarding the policy and its actual/potential affects.
- How you will address any gaps.
- What practical changes/action will help reduce any negative impacts that you have identified.
- What practical changes/action will help enhance any positive contributions to equality.

Further Actions Required: Yes No X

EIA Action Plan

Issue	Action required	Lead officer	Timescale

Please add more rows if required.

Actions arising from the Impact assessment should form part of the business planning process for service areas.

Monitoring & Reviewing the Effect of the Policy

Please state how you will monitor the impact and effect of this policy and where this will be reported:

Monitoring of the impact and effect will be, amongst other things:

- New Homes Bonus
- Quarterly performance monitoring in relation to empty properties (Covalent)
- Homes and Communities Association's (HCA) Investment Management System

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