

Council Tax Discounts & Premiums Determination 2024-25	
Executive Summary	This report sets out the proposed level of council tax discounts which shall apply to classes of dwelling for the financial year 2024-25.
Options considered.	The recommendations enable the Council to take action, as a result of the reforms included in the Local Government Finance Act 2012 (as amended), to encourage homeowners to bring their homes back into use and generate council tax income.
Consultation(s)	<p>The legislation provides local authorities with the power to determine the level of council tax discount in relation to certain classes of property. The Council must approve its determinations for each financial year. The calculation of the tax base for 2024/25 will be made on the assumption that the determinations recommended below will apply.</p> <p>In accordance with the relevant legislation these determinations shall be published in at least one newspaper circulating in North Norfolk before the end of the period of 21 days beginning with the date of the determinations.</p>
Recommendations	<p>To support the Cabinet resolution to recommend to Full Council that under Section 11A of the Local Government Finance Act 1992 and in accordance with the provisions of the Local Government Finance Act 2012 and other enabling powers that:</p> <ol style="list-style-type: none"> 1) The discounts for the year 2024-25 and beyond are set at the levels indicated in the table at paragraph 3.1. 2) To continue to award a local discount of 100% in 2024-25 for eligible cases of hardship under Section 13A of the Local Government Finance Act 1992 (as amended). See the associated policy in Appendix B. 3) That an exception to the levy charges may continue to be made by the Revenues Manager in the circumstances laid out in section 3.2 of this report. 4) The premiums for the year 2024-25 and beyond are set at the levels indicated in the table at paragraph 4.2. 5) To continue to award a local discount of 100% in 2024-25 for eligible cases of care leavers under Section 13A of the Local Government Finance Act 1992 (as amended).

	<p>6) Those dwellings that are specifically identified under regulation 6 of the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 will retain the 50% discount as set out in paragraph 2.1 of this report.</p> <p>7) Those dwellings described or geographically defined at Appendix A which in the reasonable opinion of the Revenues Manager are judged not to be structurally capable of occupation all year round and were built before the restrictions of seasonal usage were introduced by the Town and Country Planning Act 1947, will be entitled to a 35% discount.</p> <p>8) The long-term empty-property premium of 100% is brought forward to increase from 12 months rather than 24 months from 1 April 2024.</p> <p>9) A new second homes premium of 100% as detailed in paragraph 4.3 is applied from 1 April 2025.</p>
Reasons for recommendations	To set appropriate council tax discounts and premiums which will apply in 2024-25 and to raise council tax revenue.
Background papers	Local Authorities are required to approve their Council Tax discount determinations each year. The legislation provides local authorities with powers to make changes to the level of council tax discount in relation to certain types of properties.

Wards affected	All
Cabinet member(s)	Cllr Lucy Shires
Contact Officer	Sean Knight Revenues Manger Sean.Knight@north-norfolk.gov.uk

Links to key documents:	
Corporate Plan:	Strong Responsible & Accountable Council.
Medium Term Financial Strategy (MTFS)	The discounts and premiums approved by Members will be used for calculating the tax base used in the budget setting and is part of the Medium-Term Finance Strategy.
Council Policies & Strategies	Budget Setting & Medium-Term Finance Strategy.

Corporate Governance:	
Is this a key decision	Yes
Has the public interest test been applied	Yes
Details of any previous decision(s) on this matter	October 2022, Council Tax Discounts & Premiums Determination 2023-24.

1. Purpose of the report

This report sets out the proposed level of council tax discounts which shall apply to classes of dwelling for the financial year 2024-25.

2. Introduction & Background

- 2.1 All billing authorities can reduce or end the nationally set 50% council tax discount for second homes. The exception to this rule is that billing authorities cannot change the discount for second homes of people who are liable for council tax on dwellings provided by an employer, i.e., tied accommodation, as established under regulation 6 of the Council Tax (prescribed classes of dwellings) (England) Regulations 2003.
- 2.2 It is for the billing authority to determine if changes on discounts apply to all or parts of its area. An area can be as small as one property (provided it can be defined geographically) and different discounts can apply in different parts of the area.
- 2.3 Properties that are classed as Long-Term Empty (those that have not been occupied for a period of 24 months) can be charged a premium on their Council Tax, which is currently 100% of the charge.
- 2.4 The Council also has powers under Section 13A of the Local Government Finance Act 1992 (as amended) to introduce discounts to particular taxpayers.
- 2.5 Since April 2013 North Norfolk District Council (as a billing authority) has had additional powers to vary the levels of council tax discount offered in the district. Reductions in the discounts offered or increases in the premiums charged will generate additional revenue for both the District Council and major preceptors.

3. Current Discounts and Premiums Proposed for 2024-25

- 3.1 The table below details the existing discounts which the Council has in place. This report proposes these discount levels remain the same for 2024-25.

Class	Description	2023/24 Discount	Proposed Discount from 1st April 2024
Class A	Dwellings which are not the sole or main residence, are furnished, but their continuous occupation is restricted by planning regulations to less than 28 days a year.	10% Discount	10% Discount
Class B	All other dwellings which are not the sole or main residence, are furnished, and their continuous occupation is not restricted by planning regulations to less than 28 days a year.	No Discount	No Discount
Class C	All dwellings which are unoccupied and substantially unfurnished.	No Discount	No Discount
Class D	Dwellings that are unoccupied and unfurnished and: <ul style="list-style-type: none"> • require or are undergoing major repair to make them habitable. • are undergoing structural alteration. • have undergone major repair work to render them habitable, if less than six months have elapsed since the date on which the alteration was substantially completed, and the dwelling has continuously remained unoccupied and unfurnished since that date 	50% Discount	50% Discount

The number of properties affected by the Class D discount is currently very low, the last few years are shown in the table below, however numbers were higher pre-2017 before the discount was removed (circa 100 to 150). The cost of applying this discount is not considered material for the Council at the current property numbers and level of properties can be reviewed annually when reviewing the discounts levels set to ensure the discount remains affordable. To put this into context the Council collects council tax from circa 56,000 properties.

Band	2021	2022	2023
A	-	4	14
B	3	3	13
C	-	4	11
D	2	1	7
E	4	2	6
F	1	-	6
G	1	-	1
H	-	-	0
Total	11	14	58

It is proposed to continue the 50% discount level applied in 2024-25.

- 3.2 In 2022-23 the Council introduced a new discount under Section 13A of the Local Government Finance Act 1992 (as amended) to give 100% relief to those experiencing hardship. It is proposed that this discretionary reduction and

associated policy and application process remains in place for 2024-25. To date there has been one claim provided through this discount in 2022-23.

4. Empty Homes Premium and Section 13A Discounts

- 4.1 Between 2013 and 2019 the Council has charged the maximum premium of 50% (on top of the usual 100% charge) on long term empty properties i.e., those that have been empty continuously for 24 months or more.

The Council currently has the legal powers to increase the levy premium level anywhere from 50% to 100%, which would effectively mean a 200% charge on qualifying properties. This has been in place since the 2019/20 financial year. In the 2020/21 financial year, the Council introduced a levy of 200% on properties unoccupied for longer than 60 months, and in the 2021/22 financial year a levy of 300% was introduced on properties that had been empty for 120 months.

- 4.2 The table below details the existing premiums which the Council has in place currently and this report proposes these discount levels remain the same for 2024-25. The premium is the amount above the existing 100% council tax charge, so for example a long-term empty property which has been empty for longer than 24 months will pay council tax at a 200% level (double the normal level).

Description	
Long term empty properties that have been empty for a consecutive period of longer than 24 months	100% premium
Long term empty properties that have been empty for a consecutive period of longer than 60 months	200% premium
Long term empty properties that have been empty for a consecutive period of longer than 120 months	300% premium

The levy premium cannot apply to homes that are empty due to the occupant living in armed forces accommodation for job-related purposes, or to annexes being used as part of a main property.

Currently there are just over 150 properties that fall within the bracket of long-term empty properties longer than 24 months within North Norfolk, so this is viewed as a policy tool to encourage efficient use of available housing within the district.

Officers are aware there are cases where long term empty properties are undergoing significant renovations to bring them back into use. It is proposed that to continue to encourage this that the continued discretion be given to the Revenues Manager to allow exceptions to the Levy charge in these cases. It is anticipated that there are only a small number of qualifying properties in the District, so it is not considered to be a significant financial risk to the Council.

Levelling-up and Regeneration Act 2023

The Levelling-up and Regeneration Act (introduced in the Queen's Speech in May 2022) became law on 26 October 2023, giving the Council additional powers to reduce the number of months from 24 months to 12 months to apply the empty property premium. If supported by Members, this would

mean council taxpayers would pay the increased 100% premium when a long-term empty property reaches the 12 months stage rather than 24 months as it is currently. If Members approve this, it would be effective from 1 April 2024. There are currently circa 200 of these empty homes in the North Norfolk area.

Proposed new Premium.

- 4.3 The Levelling-up and Regeneration Act gives billing authorities the power to charge a 100% premium on second homes.

Pursuant to this Act, a determination has to be made at least one year before the beginning of a financial year to which it relates. Therefore the earliest date that the Council could apply this premium is 1 April 2025.

It is proposed that the Council charges a 100% premium on second homes (council tax properties that are unoccupied and furnished) with effect from 1 April 2025. The Act requires billing authorities “to have a minimum period of 12 months between making its first determination and the financial year in which it takes effect, which is why approval is now being sought. There are currently circa 4,600 second homes in the North Norfolk area.

Care Leavers Discounts

- 4.4 The Council currently awards a local discount of 100% for eligible cases of care leavers under section 13A of the Local Government Finance Act 1992 (as amended). The costs of this are fully compensated by Norfolk County Council.

Classes of Property

- 4.5 The Regulations differentiate between classes of property as follows:
- “Class A” - properties are those which are not an individual’s sole or main residence, are furnished and have seasonal planning prohibition (i.e., preventing occupation for a continuous period of at least 28 days)
 - “Class B” - properties are those which are not an individual’s sole or main residence, are furnished and have no restrictions with regard to occupation.

In effect Class A properties are second homes where occupancy is restricted for a period of at least 28 days a year where Class B properties have no restrictions on occupancy.

Formal Determinations

- 4.6 The Council must approve its determinations for each financial year. It should be noted that the schedule of Class “B” property exceptions shown in Appendix A and referred to in recommendation 7 above, is believed to include all dwellings potentially entitled to retain a discount for the year commencing 1 April 2024 for the reason stated. Under the wording of the 2003 regulations, changes cannot be made to the schedule once the determinations have been made. Should further properties be notified to the Council for possible inclusion in the list for exemptions, they may only be added when the determinations for 2025-26 are introduced from 1 April 2025.

Corporate Plan Objectives

- 4.7 Local Homes for Local Need = Providing council tax discounts and premiums supports bringing homes back into use.
- 4.8 Financial Sustainability and Growth = Council tax premiums charged generate income to the Council and major preceptors to support financial sustainability.

5. Financial and Resource Implications

- 5.1 The discounts and premiums approved by Members will be used for calculating the tax base used in the budget setting and is part of the Medium-Term Finance Strategy.
- 5.2 The calculation of the tax base for 2024-25 will be made alongside the budget, based on the level of discounts and premiums approved by Members. The taxbase dictates the expected income to the Council from Council Tax in the following year. Any increase in discounts or decrease in premiums will reduce the taxbase, and therefore also income.

Comments from the S151 Officer:

The Council must approve its Determinations each year for the following financial year. The ones proposed in this report will provide a fair system that will encourage bringing homes back into use and will maximise income.

The approval of recommendation 9 will enable the Council to comply within the statutory timeframe so that the premiums detailed can be introduced from 1 April 2025.

6. Legal Implications

- 6.1 This report does not raise any new legal implications.

Comments from the Monitoring Officer

The Council has the power to make changes to the level of council tax discount and needs to approve such for each financial year. Legislation is now enacted which enables the Council to apply the premiums set out in the report. ,

7. Risks

- 7.1 This report does not raise any new risks.

8. Net Zero Target

- 8.1 This report does not raise any issues relating to Climate change.

9. Equality, Diversity & Inclusion

- 9.1 This report does not raise any new issues relating to equality and diversity.

10. Community Safety issues

- 10.1 This report does not raise any issues relating to Crime and Disorder considerations.

11. Conclusion and Recommendations

- 11.1 This report sets out the proposed level of council tax discounts which shall apply to classes of dwelling for the financial year 2024-25.

Recommend to Full Council that under Section 11A of the Local Government Finance Act 1992 and in accordance with the provisions of the Local Government Finance Act 2012 and other enabling powers that:

- 1) The discounts for the year 2024-25 and beyond are set at the levels indicated in the table at paragraph 3.1.
- 2) To continue to award a local discount of 100% in 2024-25 for eligible cases of hardship under Section 13A of the Local Government Finance Act 1992 (as amended). See the associated policy in Appendix B.
- 3) That an exception to the levy charges may continue to be made by the Revenues Manager in the circumstances laid out in section 3.2 of this report
- 4) The premiums for the year 2024-25 and beyond are set at the levels indicated in the table at paragraph 4.2.
- 5) To continue to award a local discount of 100% in 2024-25 for eligible cases of care leavers under Section 13A of the Local Government Finance Act 1992 (as amended).
- 6) Those dwellings that are specifically identified under regulation 6 of the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 will retain the 50% discount as set out in paragraph 2.1 of this report.
- 7) Those dwellings described or geographically defined at Appendix A which in the reasonable opinion of the Revenues Manager are judged not to be structurally capable of occupation all year round and were built before the restrictions of seasonal usage were introduced by the Town and Country Planning Act 1947, will be entitled to a 35% discount.
- 8) The long-term empty-property premium of 100% is brought forward to increase from 12 months rather than 24 months from 1 April 2024.
- 9) A new second homes premium of 100% as detailed in paragraph 4.3 is applied from 1 April 2025.