

Equality Impact Assessment

This document contains a template for an Equality Impact Assessment (EqIA). An EqIA is a working document that will inform decision-makers and those who come up with solutions about the impacts of your proposal on equality groups. They provide evidence of how we as a council have reached a decision and how we have factored in equalities the decision about a proposal.

An EqIA should be done when:

- **introducing a new service, policy or scheme (whether or not the service is statutory);**
- **proposing to remove all or part of a service, policy or scheme;**
- **making a change to a the way a service is provided;**
- **making any decision that will affect people's life or the quality of it.**



Equality Impact Assessment

Title of report or proposal	Council Tax Empty Property Discounts and Premiums		
Lead officer(s)	Andrea Griffiths – Revenues & Benefits Service Manager	Date	27/09/2023
Aims and desired outcomes of the proposal			
Are you trying to solve an existing problem?			
<p>Council Tax is a local tax on domestic properties which helps to pay for local services, such as education, parks, social services and refuse and recycling collections, as well as contributing towards police and fire services. The amount you have to pay depends on the property band your home is in, which is based on the value of your property. There are also a range of discounts and exemptions available to reduce liability.</p>			
<p>The Council Tax (Prescribed Classes of Dwelling) (Amendment) (England) Regulations 2012 have allowed billing authorities in England, to decide what level of Council Tax to charge owners of empty property, from April 2013.</p>			
<p>The Local Government Finance Act 2012 was also amended from April 2013, enabling billing authorities to charge an empty homes premium in respect of properties that have been unoccupied and substantially <u>unfurnished</u> for two years or more.</p>			
<p>This gives local authorities a legislative tool to incentivise owners to bring unoccupied dwellings back into use.</p>			
<p>Since April 2019, Stockport Council has no longer offered any discounts in relation to unoccupied properties. There are other mandatory exemptions that are available to reduce Council Tax liability in respect of an empty property, which include provision for people moving to a nursing home and time for probate to be granted following a death.</p>			
<p>Empty homes premiums are currently charged at the maximum rate allowable under the regulations. This is payable in addition to the amount of Council Tax that would be due if the property was occupied.</p>			
<p>The Levelling Up and Regeneration Bill received Royal Assent in October 2023, and gives additional discretionary powers to billing authorities to:</p>			
<ol style="list-style-type: none"> 1. Reduce the time period in which a Council Tax premium can be charged on empty homes from 2 years to 1 year from April 2024 2. Charge a premium in respect of empty properties that are unoccupied and <u>furnished</u> (often referred to as second homes) from April 2025. 			
<p>Local government budgets are facing significant pressures. In deciding the level of discounts available for empty properties and application of premium charges, the Council has taken in to account the financial savings required as part of the MTFP to continue to deliver a balanced budget, the need to deliver essential services and our ambitions for Stockport.</p>			
<p>The proposals to exercise the new discretionary powers put forward as part of the annual review of Stockport’s Business Rates and Council Tax Discount Schemes for 2024/25, has the following key aims:</p>			

- To encourage empty properties back in to use
- Ease housing supply pressures
- Reduce negative impacts, such as anti-social behaviour, reductions in rental & market values on surrounding properties, desirability of an area.
- Generate revenue that will be used to assist vulnerable residents with their Council Tax bills where financial hardship can be demonstrated, via a Discretionary Support Scheme

Scope of the proposal

Include the teams or service areas from the Council and outward-facing services or initiatives

Council Tax Billing & Collection Team

Contact Centre

Advice and support groups eg Welfare Rights and Debt Advice Teams

Finance

Council Taxpayers including individual home owners, social landlords and property developers

Major Precepting Bodies (Police and Fire)

What are the possible solutions you have been / will be exploring?

You should refer to any business cases, issues papers or options appraisals

It is not possible to know the makeup of those owners who will be directly impacted by the proposed changes, due to the limited information we are required to hold in our Council Tax systems. Empty properties do not form a person's main home and therefore there is no risk of homelessness. A wide range of alternative discounts are available where the property is empty for good reason such as the owner moving into a nursing home.

The government is taking steps to strengthen the existing rules by introducing a new second homes premium. However, it recognises that there are circumstances when it would not be appropriate for premium charges to apply. A public consultation was conducted throughout July and August 2023 on proposals to exempt certain categories of dwellings from either the long-term empty homes premium and/or the second homes premium, which may be related to the characteristics of the building, or to the circumstances of the person liable for Council Tax. These include:

1. Properties undergoing probate – it is recognised that the period after someone passes away is challenging, especially for those managing the estate. Therefore, it is not considered appropriate that such properties should become subject to a premium immediately following the grant of probate. A 12-month exception should apply once probate or letters of administration is granted.
2. Properties being actively marketed for sale or let - The government believes that where owners are using their best endeavours to bring a property back into productive use, then they should not be penalised through the imposition of the long-term empty or second homes premium. Those that are being actively marketed for sale or to let should be an exception to the Council Tax premiums, for up to a maximum of 6 months.

3. Empty properties undergoing major repairs - Homes that have remained empty for long periods may require extensive repair work to make it habitable. It is not considered appropriate for a premium to be charged as soon as the property has been empty for one year. Therefore, empty properties undergoing major repair works or structural alternations should be an exception to the premium for up to 6 months. This will also enable first time buyers to get on the property ladder without being faced with increased Council Tax charges. Point 2 will also apply where the property is then actively marketed for sale/let, giving rise to a further 6-month exception.

Under current legislation, two classes of property are already exceptions to the long-term empty homes' premium. It is proposed that these will be extended to the new second homes premium:

- a) homes that are empty where the occupant is living in armed forces accommodation for job-related purposes; or
- b) annexes being used as part of a main property.

The current localised discount and premium scheme for long-term empty properties, and implementation of the proposed changes as part of the Levelling Up and Regeneration Bill, may cause financial hardship for any owner. Section 13A(1)(c) of the Local Government Finance Act 1992 provides the Council with the discretionary power to reduce a Council Tax liability. This provision can be used in exceptional circumstances and where financial hardship is evidenced. It allows the Council discretion to give financial assistance to affected taxpayers.

Who has been involved in the solution exploration?

Please list any internal and external stakeholders

Revenues & Benefits Management
Corporate Leadership Team
Cabinet Member for Finance & Resources
Finance colleagues
Legal
Greater Manchester Authorities

What evidence have you gathered as a part of this EqIA? Which groups have you consulted or engaged with as part of this EqIA?

Sources can include but are not limited to: Statistics, JSNAs, stakeholder feedback, equality monitoring data, existing briefings, comparative data from local, regional or national sources.

Groups could include but are not limited to: equality / disadvantaged groups, VCSFE organisations, user groups, GM Equality panels, employee networks, focus groups, consultations.

Responses from the consultation carried out in 2018 which proposed a removal of all discounts for empty properties (where a mandatory exemption does not apply) and an increase in premium charges, were reviewed. This exercise did not identify any groups that would be adversely affected, and any financial impact was mitigated via the provision of discretionary support where appropriate. These changes apply to the same cohort of Council Taxpayers and therefore, conclusions drawn from the previous round of engagement remains valid.

As at March 2023, there were 132,402 properties in Stockport that are liable for Council Tax. During 2022/23, there were 383 dwellings that were classed as unoccupied and unfurnished where a 100% premium applied because it had been empty for two years. The proposals are therefore only likely to impact on a small proportion of the taxbase (0.3%). Similarly, there were 515 properties that were empty and classed as second homes, being 0.4% of the total.

It is reasonable to expect owners to take all reasonable steps to minimise the financial effect the changes may have and to make appropriate enquiries with the Council about possible Council Tax charges before any decision regarding property is made.

To date, no applications for a Council Tax reduction on the grounds of hardship have been made by owners of empty property.

Are there any evidence gaps that make it difficult or impossible to form an opinion on how the proposed activity might affect different groups of people?

None identified

Step 1: Establishing and developing the baseline

- To assess the impacts of your proposal, you first need to understand how things are now. This will vary depending on your proposal, but consider who will be affected by the proposed changes: for example, who currently accesses a service or lives in an area? What works well for them? Are you aware of any issues? Are there any groups that are underrepresented?

Characteristic	Demographic of residents / service users	What works well How does the current provision or service meet the needs of people in different protected characteristics?	Current problems / issues This could include low levels of access or participation from certain demographic groups in current service or scheme; or disadvantages or barriers for particular groups
Age	Over 18 with a Council Tax liability	A range of statutory discounts and exemptions are available including means tested support, single person discounts, disabled persons relief. These are not within the scope of these changes and so	None identified

Characteristic	Demographic of residents / service users	What works well How does the current provision or service meet the needs of people in different protected characteristics?	Current problems / issues This could include low levels of access or participation from certain demographic groups in current service or scheme; or disadvantages or barriers for particular groups
		<p>will continue to be awarded in respect of occupied properties, along with those that are relevant to homes that have been left empty, for example to provide or receive care.</p> <p>Discretionary support is available where hardship is demonstrated. This will still apply in respect of any changes to empty property charges.</p>	
Disability	Over 18 with a Council Tax liability	See 'Age'.	None identified
Gender reassignment	Over 18 with a Council Tax liability	See 'Age'.	None identified
Maternity and pregnancy	Over 18 with a Council Tax liability	See 'Age'.	None identified
Marriage and Civil Partnership	Over 18 with a Council Tax liability	See 'Age'.	None identified
Race	Over 18 with a Council Tax liability	See 'Age'.	None identified
Religion or Belief	Over 18 with a Council Tax liability	See 'Age'.	None identified
Sex	Over 18 with a Council Tax liability	See 'Age'.	None identified
Sexual orientation	Over 18 with a Council Tax liability	See 'Age'.	None identified
Socioeconomic status	Over 18 with a Council Tax liability	See 'Age'.	None identified
Other Please add in here any			

Characteristic	Demographic of residents / service users	What works well How does the current provision or service meet the needs of people in different protected characteristics?	Current problems / issues This could include low levels of access or participation from certain demographic groups in current service or scheme; or disadvantages or barriers for particular groups
additional relevant comments or feedback where the protected characteristic is not known			
You are encouraged to consider the below characteristics where you have relevant data, especially if your proposal is predicted to disproportionately impact one or more of these groups.			
Carers	Over 18 with a Council Tax liability	See 'Age'.	None identified
Those experiencing homelessness	Homeless people will not have a Council Tax liability and therefore are not within scope.	Not applicable	Not applicable
Veterans	Over 18 with a Council Tax liability	See 'Age'.	None identified
Asylum seekers and refugees	If refugee status is granted - Over 18 with a Council Tax liability	See 'Age'	None identified

Step 2: Identifying impacts the proposal will have compared with the baseline

To explore the impacts of your proposal, you should use your baseline as a comparison with how things would be after your proposal. Think about how this would differ from the baseline for people with each protected characteristic. Include any sources of data you have used (including desktop research and engagement activity).

Impact no.	Characteristic	Positive or negative impact	Impact source	Impact details and rationale	Additional information
<i>Add more rows</i>		<i>Is the impact positive or negative?</i>	<i>How have you become aware of an impact or inequality? Is it from</i>	<i>What is the impact or inequality that has been identified? What is the frequency of claim for it? What is the rationale behind the issue, inequality or impact claimed?</i>	<i>Is there any evidence to support or deny the claim? Provide full details. Has the inequality or impact claimed</i>

Impact no.	Characteristic	Positive or negative impact	Impact source	Impact details and rationale	Additional information
<i>where needed</i>			<i>research, have you been advised by another party, has a member of the public or a stakeholder made you aware, did someone from this or another characteristic make the claim?</i>		<i>been tested with people from the relevant characteristic? Have you researched the claimed issue? If yes, what has been learned and from what source(s)?</i>
1	Age – older people	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.
2	Age – younger people	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.
3	Disability Consider people with physical disabilities, sensory impairments, learning disabilities and mental health issues	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.
4	Gender reassignment	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.
5	Maternity and pregnancy	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.

Impact no.	Characteristic	Positive or negative impact	Impact source	Impact details and rationale	Additional information
6	Marriage and Civil Partnership	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.
7	Race	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.
8	Religion or Belief	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.
9	Sex	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.
10	Sexual orientation	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.
11	Socioeconomic status	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.
<p>You are encouraged to consider the below characteristics where you have relevant data, especially if your proposal is predicted to disproportionately impact one or more of these groups.</p>					
12	Carers	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.

Impact no.	Characteristic	Positive or negative impact	Impact source	Impact details and rationale	Additional information
13	Those experiencing homelessness	Positive	Financial penalty for owners of empty properties to bring them back in to use.	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	Incentive will potentially increase housing supply.
14	Veterans	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.
15	Asylum seekers and refugees	Not known	No data available	There is no evidence which would suggest that the changes will have a disproportionate impact on this group.	These characteristics are not gathered or held as part of the statutory Council Tax processing function.

Step 3: Identifying mitigating factors to minimise negative impacts

Step 2 identified potential impacts your proposal may have on people with different protected characteristics. If there are negative impacts, then you must consider how you could mitigate against (lessen) these negative impacts.

Impact no.	Impact summary	Suggested mitigation and rationale	Source of suggestion	Evidence for solution	Feasibility
	<i>Give a brief summary of the issue/inequality /impact</i>	<i>What is being suggested to mitigate for this. What is the rationale behind the suggestion?</i>	<i>Where does this suggestion come from? Have you consulted the characteristic(s) affected for solutions?</i>	<i>What evidence is there that the suggestion would solve the problem? How have you learned this? Has this been done elsewhere?</i>	<i>Within the financial envelope, how feasible is this solution? What are the cost implications? Could it indirectly affect anyone else? Can any other body help with the solution? If yes, how?</i>
1	An increase in Council Tax charges in respect of empty properties may cause financial difficulties for any owner	<ul style="list-style-type: none"> ○ Discretionary support is available where hardship is demonstrated. ○ Signposted to wider financial assistance/debt advice agencies. ○ Realistic payment arrangements will be agreed. ○ Help and advice is available from the Council on how to sell or let a property. ○ Details of unoccupied properties are shared with the Councils Strategic Housing and Environment Team who use it to work with owners to help bring properties back into occupation. 	Existing practices	Existing practices	The level of discretionary support available is agreed by members as part of the annual Business Rates & Council Tax Discounts review.
<p>Please state if there are any additional comments or suggestions that could promote equalities in the future.</p>					
<p> </p>					

Step 4: Conclusions and outcome

It is strongly recommended to engage with people with protected characteristics to sense-check your conclusions before you indicate an outcome in this EqIA. Including feedback from this engagement activity will ensure your baseline assessment and your impacts are accurate, and that your mitigating actions are helpful and the best use of resources. It ensures that the proposal has been designed so that it is fair as possible to everybody.

If you have <u>not</u> undertaken any community engagement for this EqIA, please indicate this and explain why.
<ul style="list-style-type: none">• No disproportionate impact on protected characteristics identified.• No statutory requirement.• Technical Reforms with consultation carried out by the Department for Levelling Up, Housing and Communities.• None carried out across Greater Manchester Authorities.• Community Engagement was last carried out in 2018 following changes to the level of discounts offered and premium charges from April 2019. This exercise did not identify any groups that would be adversely affected. The mandatory discounts/exemptions will remain and provide protection for the most vulnerable. The proposed Council Tax increases will apply to the same group of characteristics and therefore no change since the last consultation.
If there are impacts identified that cannot be mitigated against, are there any justifications for not taking any action to improve the negative impacts that have been identified?
Not applicable
Are there any adverse impacts that can be justified on the grounds of promoting equality of opportunity for one group, or for any other reason? Please state why.
None identified
Are there any other proposals or policies that you are aware of that could create a cumulative impact? This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else.
None identified

Based on your equality impact analysis, please indicate the outcome of this EqIA.

Please indicate the outcome of the EqIA and provide justification and / or changes planned as required.		
A.	No major barriers identified, and there are no major changes required – proceed.	<input checked="" type="checkbox"/>
B.	Adjustments to remove barriers, promote equality and / or mitigate impact have been identified and are required – proceed.	<input type="checkbox"/>
C.	Positive impact for one or more of the groups justified on the grounds of equality – proceed.	<input type="checkbox"/>
D.	Barriers and impact identified, however having considered available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice – proceed with caution, knowing that this policy or practice may favour some people less than others. Strong justification for this decision is required.	<input type="checkbox"/>
E.	This policy identifies actual or potential unlawful discrimination – stop and rethink.	<input type="checkbox"/>
Please describe briefly how this EqIA will be monitored.		
When will this be reviewed? What mitigating actions need to be implemented and when?		
The level of discounts and application of premium charges in respect of empty properties will be reviewed as part of the annual Business Rates & Council Tax Discount Report. This will include the monitoring of complaints and discretionary awards, where hardship has been demonstrated as a result of increased Council Tax charges.		