

Committee: Cabinet

Agenda Item

Date: 17 September 2014

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**Title: Flooding due to Adverse Weather – Council
Tax Discount Policy**

Portfolio Holder: Cllr Chambers

Key decision: No

Summary

1. The report recommends that the council adopts a Council Tax Adverse Weather Flood Relief Policy along the same lines as the government policy introduced to assist with the flooding which occurred during the winter of 2013/14.

Recommendations

2. It is recommended that
 - a. The Flooding due to Adverse Weather – Council Tax Discount Policy as attached at Appendix One is approved.
 - b. The policy start date is backdated to 1 July 2014

Financial Implications

3. As the discount is limited to six months the cost will be manageable within existing budgets.

Background Papers

4. None

Impact

Communication / Consultation	The public are aware of the scheme following press announcements.
Community Safety	None
Equalities	None.
Health and Safety	No issues.
Human Rights/Legal Implications	Under section 13A of the Local Government Finance Act 1992 local authorities can grant council tax discounts on properties affected by flooding. It allows local billing authorities the

	flexibility to grant reductions or exemptions on an individual basis or for a class of council taxpayers.
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None.

Situation

5. On 19 February 2014 the Prime Minister announced that funding would be available to local authorities in support of Council Tax Discounts for homes that had been flooded as a consequence of adverse weather conditions during the winter of 2013/14.
6. Approximately 10 households in Uttlesford received the discount which in line with the Class C unoccupied/ unfurnished discount had a maximum time span of 6 months.
7. Under section 13A of the Local Government Finance Act 1992 local authorities can grant locally determined council tax discounts on properties affected by flooding. It allows local billing authorities the flexibility to grant reductions or exemptions on an individual basis or for a class of council taxpayers.
8. It is the intention that this discount will be applied alongside any other appropriate empty property discount to enable a 100% discount for those households flooded due to adverse weather conditions, who are forced to leave their homes for a period of time.
9. The discount will be awarded from the date of vacation until the date of re-occupation or 6 months has elapsed whichever is the sooner.
10. To enable the residents of the district who were flooded overnight on the 27/28 July it is proposed that the policy start date is backdated to 1 July 2014

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
The cost of the policy becomes excessive	1- There are no significant risks arising from the proposal	1 - There are no significant risks arising from the proposal	The policy will be monitored and if necessary a report brought back to Cabinet

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Appendix One

Flooding due to Adverse Weather – Council Tax Discount Policy

If you are a householder whose house has been flooded due to adverse weather and as a consequence you have had to move out of the property you could be entitled to this discount. When applied alongside any other Empty Property Discount it will provide a cumulative 100% discount from Council Tax for the householder for a period of up to 6 months.

To obtain the discount the following criteria must be met

1. The property has been flooded in whole or part as a result of adverse weather conditions

AND

2. The property became unoccupied because of the flood

The discount will commence on the day the property met this criteria and will continue for 6 months or until the property became reoccupied whichever comes sooner.

The discount is for the impact of flooding from adverse weather conditions and not, for instance, from the failure of a water main, internal water system or the failure of a sewerage system (unless the failure itself was caused by adverse weather).

To apply for this discount please contact the Council Tax Department by email at revenues@uttlesford.gov.uk or by phone on 01799 510510.