

Scottish Empty Homes Partnership

HOUSING BILL VACANT DWELLINGS AMENDMENT BRIEFING

N.B. The Housing Bill has now been passed, the amendment below can be found at Part 14, Sec 143A. See: <http://www.scottish.parliament.uk/s3/bills/36-Housing/b36bs3-aspassed.pdf> to see text of the bill as passed.

The Amendment

The following amendment to the Housing Bill lodged by Jim Tolson MSP was passed unanimously by the Local Government and Communities Committee of the Scottish Parliament on the 6th October. The amendment also had the Minister's support.

After section 143, insert—

<Vacant dwellings: use of information obtained for council tax purposes

- (1) In paragraph 18A(1) of schedule 2 to the Local Government Finance Act 1992 (c.14)—
 - (a) for "A billing" substitute "An",
 - (b) after "Part 1", insert "or Part 2".
- (2) In section 129(8)(a) of the Local Government Act 2003 (c.26), the word "85, " is repealed.>

This amendment extends to Scottish Local Authorities the already existing express permission for English and Welsh local authorities to use council tax data for the purposes of identifying vacant dwellings and attempting to bring them back in to use.

The current text in Schedule 2 to the Local Government Finance Act 1992 (c. 14) (council tax: administration), is —

18A (1) A billing authority may use information it has obtained for the purpose of carrying out its functions under Part 1 of this Act for the purpose of —

(a) identifying vacant dwellings, or

(b) taking steps to bring vacant dwellings back into use.

(2) The power under sub-paragraph (1) above, so far as relating to personal information, extends only to information which consists of an individual's name or an address or number for communicating with him.

(3) In this paragraph— 'personal information' means information which relates to an individual (living or dead) who can be identified —

(a) from that information, or

(b) from that information and other information of the authority, and includes any expression of opinion about the individual and any indication of the intentions of any person in respect of the individual; 'vacant dwelling' means a dwelling in which no one lives and which is substantially unfurnished.

It is hoped that this amendment will clarify for councils their ability to use this data for these purposes.

Should you have any questions about the above amendment please contact Kristen Miller on 0344 515 2461.