

NOTICE OF DECISION OF CABINET MEMBER


Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me by the Leader, I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
Council Tax Support Fund	Agree the details for the Council Tax Support Fund	The Council Tax Discount Scheme was agreed at Full Council on the 21/11/12. The Cabinet Member for Cabinet Member for Resources and Transformation in consultation with the Director of Resources was given delegated authority to sign off the supporting documentation. The establishment of the Support Fund was agreed as part of the recommendations.	18 March 2013

I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.

Dated: 26/03/13
 Signed: 
 Councillor: N. DESMOND
 Cabinet Member

Dated: 20 March 2013
 Signed: 
 Director: Director of Resources

Council Tax Support Fund – Policy and Guidance

Introduction

Council Tax Support Fund is not payments of Benefit or Council Tax Discount. They are stand-alone payments made at the discretion of the local authority, subject to an annual cash limit, in cases where the local authority considers that extra help with Council Tax liability is needed as a result of the Council Tax Discount scheme introduced from April 2013. The Council Tax Support will sit outside of the Council Tax Discount Scheme.

Legislation

The Local Government Finance Bill was introduced to Parliament on 19th December 2011. The Bill makes provision for the localisation of council tax support in England by imposing a duty on billing authorities to make a localised council tax discount scheme by 31st January 2013 this new Council Tax Discount replaces Council Tax Benefit from April 2013.

Funding

The new council tax discount will not be met in full by the Government only 90% will be paid to local authorities – requiring local authorities to devise a local scheme which will make the relevant savings to meet the shortfall in funding from the Government.

In reality, this means that local authorities have no choice but to reduce the level of the new council tax discount that is awarded – however the Government have stipulated that Pensioners must remain protected from any reductions in Council Tax Discount and therefore any reductions in payments will be directed to working age Customers.

The funding of Council Tax Support Fund will be met by the County Council and local authority, it will be a set amount allocated within each financial year and this will have to be budgeted and monitored throughout the year to ensure sufficient funds are available to meet the financial hardship of working age Customers.

Policy

- The council will ensure that the Council Tax Support Fund is promoted, on the back of the council tax bills and on their website.
- Only Customers who are working age can make an application
- Only Customers already in receipt of council tax discount will be entitled to make an application
- Expenditure against the budget will be monitored
- There is no policy on the numbers of customers who will be able to apply for Council Tax Support Funding.
- We will use the Council Tax Support Fund to reduce potential council tax arrears and recovery action which would generate additional costs to the Customer.
- All Revenues, Benefits and Customer Service Staff will be aware of the Funding and be able to give appropriate advice

- In order that applications are considered on an equal basis Customers requesting Council Tax Support Funding will be asked to complete our Council Tax Support application form. (available on line)
- We will determine if the Customer has any special circumstances – e.g. single parent, disabled, unable to climb stairs, under threat of violence, children at local school etc
- We will compare expenditure costs with similar properties and family size if possible
- The duration and level of the award will be determined individually for each application
- Awards will be set at a daily amount, in line with liability for Council Tax
- When an award period comes to an end the claimant will be required to reapply for Council Tax Support Funding and their circumstances will be reviewed.

Factors that we will take into account will include:

- The extent of the shortfall, including whether the Customer has any capital or disregarded income which can be used to meet it or whether anyone else is able and willing to help to meet it
- What steps has the Customer taken to alleviate the problem?
- Is there cheaper suitable accommodation available in the locality to which the Customer can move?
- Does the Customer or anyone in his/her household suffer from a health problem illness, or disability which means that his/her choice of housing is restricted either temporarily or permanently?
- Does the Customer have other debts to pay which make meeting the shortfall more difficult?
- Does the Customer or anyone in his household have any unusual or unusually large expenses which make it harder than normal for the Customer to meet the shortfall (e.g. frequent travel to hospital)?
- Has there been a change in circumstances which makes it more difficult to meet the shortfall?
- Will the award of Council Tax Support Funding alleviate the financial hardship?
- Could the Customer reduce other outgoings and therefore reduce the hardship him/herself?
- It is reasonable to look at the Customers spending patterns in order to ascertain whether he is able to avoid any hardship.
- It may be reasonable to expect expenditure to be reduced on non-essential items (e.g. mobile phones, cable television other than main terrestrial channels, running a car, entertainment etc)

Administration of Applications

Applications for Council Tax Support Funding must be made on the Council Tax Support Funding Application Form.

When an application is approved the Customer will be issued with a revised Council Tax Bill and a covering letter to confirm the period and amount of award.

When an application is not approved the Customer will be advised by letter and given the opportunity to ask us to reconsider the decision, which must be made in writing.

Reconsidering Decisions

If a Customer disagrees with a decision we have made they will be given one calendar month to ask us to reconsider.

When we are asked to reconsider a decision the case will be passed to the Manager for re-consideration and will review the reasons for the original decision and take in to account any new information supplied. The Customer will then be informed in writing of the reviewed decision.

Repeat Applications

Where an application is granted, because each application will be considered on an individual basis, it may be necessary to agree and award further funding to the same Customer in one or more financial years.

Where the Customer could have taken action, but has failed to do so, then it is less likely that there will be a positive decision to pay a repeat award of Council Tax Support Funding in the following financial year.

In cases where the Customer is unable to reduce expenditure, and circumstances remain the same (or worse), generally the decision would be to continue to make further awards of Council Tax Support Funding in future financial years as long as the budget remains available.

Eligibility for Council Tax Support Funding

- Only Customers of working age status are eligible to make an application
- Only working age Customers who are in receipt of council tax discount can make an application
- The Council Tax Support Fund is only in respect of Council Tax and no other housing related costs.
- We must be satisfied that the Customer requires further help towards his/her council tax liability
- We must not exceed our overall Council Tax Support Fund Budget set by the Council each year

Applications and Awards

- There has to be an application for Council Tax Support Funding and applications will be accepted only using the pre-designed form
- The level and duration of the award is at our discretion. Consideration will be given to each case as to the most appropriate period and level of award.
- All awards will cease on or before 31st March each year, being the end of the financial year
- An award of Council Tax Support Funding must not exceed the shortfall of Council Tax liability
- There is no prescribed time limits for the supply of information in support of a Council Tax Support Funding application, but Customers should be advised that their applications may not always be backdated
- Payment will be credited to the Customers Council Tax account
- As this is a local discretionary Council Tax Support Fund and not dictated by Regulations, the date an application should be treated as made or the date that an award should start or end – each case will be considered on its merits, to include the request to backdate such awards.

Duties of the Customer

- The Customer must provide such information as we may require to make a decision or to look again at a decision.
- The Customer must notify us of any change in circumstances that may be relevant to the continuation of their Council Tax Support Fund award.
- The Customer must give us such other information as we may require in connect with their application.

Disputes

- There is no appeal rights against a decision made on a Council Tax Support Fund application.
- We can accept a “dispute” in writing within one calendar month of the Council Tax Support Fund notification letter.
- We will review a decision internally
- A different Officer to the one who determined the Council Tax Support Fund application will consider the dispute.