

Nuneaton & Bedworth



United to Achieve

Nuneaton and Bedworth Council
POLICY STATEMENT
Discretionary Council Tax Policy

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Under Section 13A Section 1 C of the Local Government Finance Act 1992, Local Authorities may consider awarding a discretionary council tax discount to those residents suffering from financial hardship. Each case will be decided on its individual merits, but must meet some or all of the following criteria for a case to be considered for this relief.

- There must be evidence of financial hardship or how an individual has been adversely affected to justify a reduction to Council Tax liability.
- The council taxpayer must satisfy the Council that they have taken all reasonable steps to mitigate their hardship such as:-
 - a) Applied for and been awarded any other eligible discounts or reliefs
 - b) Taken all reasonable steps to avoid a request being made (i.e.) must not have been personally negligent in contributing to their request.
 - c) Investigated all other legitimate means of resolving your situation.
- The Council Taxpayer must not have access to other assets that could reasonably be used to pay Council Tax Liability if based on financial hardship
- The Council's financial position allow for a reduction to be approved.
- The amount outstanding must not be the result of wilful refusal to pay or culpable neglect.
- In the case of an unoccupied property, it must not be the sole or main residence of a council tax payer.

Application Process

Applications must be

- Made in writing by the council taxpayer or by someone authorised to act on their behalf and ;
- Supported by any reasonable evidence which the council requires in support of the application.
- Separate claims must be made in respect of different dwellings and/or council tax accounts.

Decision Making

The Revenues Manager will make the initial determination of any application and gain approval of the Revenues & Benefits Manager of the decision before informing the Council Taxpayer.

Any award granted will cease at the end of the relevant financial year and a re-application will be required for consideration of an on-going discount.

Notification of Decision

The Council will notify a Council Tax Payer of its decision in writing within 14 days or as soon as reasonably practicable.

Review of decision

Section 16 of the Local Government Finance Act 1992 entitles the applicant to request a review of its decision. The evidence will be reconsidered by the original decision makers and reviewed by the Councils section 151 officer.

The decision will be notified in writing and if still aggrieved the Council Taxpayer has 2 months to appeal the matter directly to the Valuation Tribunal.

Fraudulent Claims

If a reduction has been made as a result of a fraudulent claim, the Council reserves the right to withdraw the award and may prosecute any applicant who makes a false statement or provides fraudulent evidence to support an application.