



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	DEPUTY LEADER AND CABINET MEMBER FOR FINANCE DECISION MEETING
Subject	DISCRETIONARY COUNCIL TAX DISCOUNT – APPLICATION I
Wards affected	Abbey
Accountable member	Cllr Mike Evemy – Deputy Leader and Cabinet Member for Finance Email: mike.evemy@cotswold.gov.uk
Accountable officer	Mandy Fathers – Business Manager, Environmental, Welfare and Revenue Service Email: democratic@cotswold.gov.uk
Report author	Chris Kent – Revenues Manager Email: democratic@cotswold.gov.uk
Summary/Purpose	To determine an application for Discretionary Council Tax discount submitted under Section 13A of the Local Government Finance Act 1992, as amended
Annexes	None
Recommendation(s)	That the: <ol style="list-style-type: none">1. Application for Discretionary Council Tax discount submitted under Section 13A of the Local Government Finance Act 1992, as amended, be approved.2. That the full amount of £379.47 outstanding for the financial year 2021/22 be awarded.
Corporate priorities	<ul style="list-style-type: none">• Deliver the highest standard of service
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Leader of the Council, Deputy Leader and Cabinet Member for Finance, Chief Executive Officer, Deputy Chief Executive, Interim Head of Legal Services, Monitoring Officer, Assistant Director for Resident Services,



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	Finance Business Partner. Finance Director (Publica)
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1. EXECUTIVE SUMMARY

- 1.1** Council Taxpayers who find themselves unexpectedly in difficult financial circumstances can apply for a discretionary reduction under Section 13A of the Local Government Finance Act 1992, as amended. The eligibility criteria is outlined in the Council's policy, which is published online.

The report outlines the circumstances of an application for this relief and the recommendation.

2. BACKGROUND

- 2.1** The Council has been approached by a resident in Cirencester, to request a Discretionary Discount be applied to the arrears on their Council Tax account of the property for the 2020/21 and 2021/22 financial years.
- 2.2** This is a Band A Council Tax property with a 2020/21 annual charge of £1,247.52. The outstanding amount for the year is £383.84. The 2021/22 annual charge was £1,308.08 and the outstanding amount for the year is £481.12. The total outstanding balance is therefore £864.96.
- 2.3** Under Section 13A of the Local Government Finance Act 1992, as amended, the Council can use its discretionary powers to reduce the liability for Council Tax in relation to individual cases where someone has found themselves in difficult circumstances.

3. MAIN POINTS

- 3.1** The applicant is a Care Leaver and received an exemption from Council Tax until their 22nd birthday on 4th October 2020. They are now a student and receiving an exemption from 27th September 2021 when their course started. The outstanding amount is for the time in between these exemptions – 4th October 2020 to 26th September 2021.
- 3.2** The applicant took the year out to work a “zero hours” contract and claimed Universal Credit during that time but did not apply for Local Council Tax Support as they were not aware they had to whilst claiming Universal Credit.
- 3.3** The applicant suffers with physical and mental health issues and their debts are causing them extreme anxiety.
- 3.4** The applicant has completed an Income and Expenditure form which displays that they are not living beyond their means and also has rent and utility arrears.



4. ALTERNATIVE OPTIONS

- 4.1 The Cabinet Member may decide not to permit any additional Council Tax discount or to only allow a percentage of the outstanding amount. Examples of the cost of alternative discount levels are set out below:

<i>Financial Year</i>	<i>Discount Award (£)</i>	
2020/21	100%	£383.84
	75%	£287.88
	50%	£191.92
2021/22	100%	£481.12
	75%	£360.84
	50%	£240.56

5. CONCLUSIONS

- 5.1 Taking the applicant's personal circumstances into consideration, they meet the criteria in the Council's 'Section 13A' Policy. Although it would not usually be recommended to grant Section 13A discount in the event that someone didn't know they had to apply for Council Tax Support, the applicant does not appear to have assets or savings they could use to pay Council Tax and they are now a student with the course not ending until July 2023. It is therefore unlikely that the applicant would be able to make payments towards the debt at this time.
- 5.2 It is recommended that Section 13A provisions are used to clear the amount outstanding for both 2020/21 and 2021/22 (£864.96).

6. FINANCIAL IMPLICATIONS

- 6.1 The full cost resulting from the granting of a local Discretionary Discount is met by the billing authority and there is no statutory right to pass on the cost to other major precepting authorities. The cost will be met from the Council Priorities Fund which includes an allocation for Council Tax Discretionary Relief/Exceptional hardship.

7. LEGAL IMPLICATIONS

- 7.1 Under Section 13A of the Local Government Finance Act 1992 (as amended by Section 76 of the Local Government Act 2003) the Council can award a discretionary Council Tax discount.



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8. RISK ASSESSMENT

- 8.1 There is a risk that approving this award may lead to setting a precedent for similar requests being made. However, each application should be considered on its own merits and the other circumstances the applicant may be experiencing.

9. EQUALITIES IMPACT

- 9.1 There are no unacceptable adverse effects on the protected characteristics covered by the Equalities Act 2010 that have been identified.

10. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 10.1 None

11. BACKGROUND PAPERS

- 11.1 None

(END)