

North East Derbyshire District Council

Cabinet

March 28th 2024

Council Tax – Section 13A Reduction Policy

Report of Councillor J Birkin, Portfolio Holder for Council Services

Classification: This report is public

Report By: Lee Pepper – Assistant Director – Communities

Contact Officer: Lee Pepper

PURPOSE/SUMMARY

Section 13A of the Local Government Finance Act 1992 provides the Council with a discretionary power to reduce the amount of Council Tax bill to a nil balance.

Legislation states that each Council Tax billing authority in England must create a scheme specifying the terms and eligibility for the reduction.

This Policy will set out the framework for eligibility, its application and implementation.

RECOMMENDATIONS

1. That cabinet endorses the implementation of the Section 13A Council Tax reduction scheme.

IMPLICATIONS

Finance and Risk Yes ✓ No

Finance

There is a financial implication to the council when reducing the amount of Council Tax liability, therefore any award will only be made in extreme circumstance where it is reasonable to do so and all other options have been exhausted. The cost implications will be minimal and overall insignificant.

Legal including Data Protection Yes ✓ No

The Council Tax – Section 13A Reduction Policy is developed within a legislative framework and reflects national statutory guidance and wider local policies and initiatives. Data protection will be in conjunction with the Councils existing policy and procedures and will be compliant with legislation, including data protection laws.

On Behalf of the Solicitor to the Council

Staffing

Yes ✓

No

This will be included within existing officer workloads.

On Behalf of the Head of Paid Service

DECISION INFORMATION

<p>Is the decision a Key Decision?</p> <p>A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p><i>NEDDC: Revenue - £100,000 <input type="checkbox"/></i></p> <p><i>Capital - £250,000 <input checked="" type="checkbox"/></i></p> <p><input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	<p>No</p>
<p>Is the decision subject to Call-In?(Only Key Decisions are subject to Call-In)</p>	<p>No</p>
<p>Has the relevant Portfolio Holder been informed</p>	<p>Yes</p>
<p>District Wards Affected</p>	<p>All - indirectly</p>
<p>Links to the Council Plan</p>	<p>A great place to access good public services</p>

REPORT DETAILS

1 Background

- 1.1 Section 13A of the Local Government Finance Act 1992 states liable Council Taxpayers are entitled to make an application for a discretionary Section 13A Council Tax Reduction.
- 1.2 To comply with legislation a Section 13A Council Tax Reduction Scheme needs to be put in place by Local Authorities responsible for Council Tax liability.

- 1.3 The Council Tax – Section 13A Reduction Policy is the Council’s framework for the scheme.
- 1.4 The Policy will ensure Council Tax reductions are implemented to those who are eligible and in most financial hardship when all other options have been exhausted.
- 1.5 The Council will consider making a Section 13A Reduction to persons who meet the qualifying criteria, as specified in this policy. All applications will be assessed on their individual merits.
- 1.6 Reductions will only be granted to Council Taxpayers in exceptional circumstances and will normally be for a short-term period.
- 1.7 All decisions will be made by the Revenues and Benefits Manager or a senior nominated officer within the Revenues and Benefits Team.
- 1.8 The policy also provides scope to recover any overpayments and seek to recover the value of any reduction that has been granted fraudulently.

3 Reasons for Recommendation

- 3.1 To implement the Section 13A Council Tax Reduction, the legislation states that each Council Tax billing authority in England must make a scheme specifying the terms and eligibility for the reduction.
- 3.2 The Policy complies with legislation and provides a framework for the Section 13A Reduction Scheme.

4 Alternative Options and Reasons for Rejection

- 4.1 An alternative option was not to have a policy, this was rejected as the Council would fail to comply with legislation and would not be able to implement the Section 13A Council Tax Reduction

DOCUMENT INFORMATION

Appendix No	Title
1	Council Tax – Section 13A Reduction Policy
Background Papers	
None	
Report Author	Contact Number
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