

REPORT TO COUNCIL ON 13 DECEMBER 2012**ITEM 63 - COUNCIL TAX SUPPORT - PROPOSED FINAL SCHEME**LIST OF AMENDMENTS TO APPENDIX 4

When Appendix 4 was circulated, it was mentioned that further checks of these documents were ongoing and additional regulations were expected shortly, so it might be necessary to circulate amendments. These are listed below and the Council is requested to agree to incorporate them in the text of the main scheme and discretionary scheme when it makes its decisions on the proposals.

In relation to the financial amounts in Annexes 4 and 5, these are based on the draft Regulations published this week. Council is requested to approve the scheme on the basis that if there are any changes in the Regulations as made, the amount in the Regulations as made will be substituted.

NB UNLESS OTHERWISE STATED, PAGE REFERENCES BELOW ARE NOT TO THE OVERALL APPENDIX PAGE NUMBERS, BUT TO THE SECTION PAGE NUMBERING - WHICH IS ON THE LEFT AT THE BOTTOM OF EACH PAGE.

Part 1 – The Main Scheme, Section 1 – The Council Tax Reduction Scheme (Pensioners) (Brighton & Hove City Council) 2013

Part 1 Section 1 Various Pages – Alter the financial amounts to accord with the new amounts prescribed in amending regulations [see **Annex 4** below].

Part 1 Section 1 Page 6 – Renumber as “13” the second Part 4 item numbered “12”;

Part 1 Section 1 Page 15 – In (3)(a) add “or 19B” after “17A”;

Part 1 Section 1 Page 17 – In 4(2) amend “opposite sex” to “opposite sexes”;

Part 1 Section 1 Page 26 – In 7(1) add “amount” after “maximum council tax reduction”;

Part 1 Section 1 Page 33 – In (4) amend “will” to “must”;

Part 1 Section 1 Page 48 – In (15)(b) delete “(if relevant)” and, before “statutory paternity pay” add “ordinary or additional”;

Part 1 Section 1 Page 57 – In 37 add “calculated in accordance with this Part” after “The capital of an applicant”;

Part 1 Section 1 Page 63 – In (4) add “authority’s” before “scheme”;

Part 1 Section 1 Page 63 – In (5)(b) amend “sub-paragraph (b)” to “paragraph (b)”

Part 1 Section 1 Page 72 – In (2)(a) add “and” after “award”;

Part 1 Section 1 Page 75 – In 1 substitute for the start of the paragraph the wording in **Annex 2**;

Part 1 Section 1 Page 87 – In 9(1) amend “must” to “may”;

Part 1 Section 1 Page 91 – In (g) amend “the application” to “an application”;

Part 1 Section 1 Page 93 – Reinstate the omitted paragraph (3) [see **Annex 1** below];

Part 1 – The Main Scheme, Section 2 –The Council Tax Reduction Scheme (Persons who are not Pensioners) (Brighton & Hove City Council) 2013

Part 1 Section 2 Various Pages – Alter the financial amounts to accord with the new amounts prescribed in amending regulations [see **Annex 5** below].

Part 1 Section 2 Various pages –A number of amendments will be made to the footnotes, eg to correct date of Regulations from 2013 to 2012, but as the footnotes are not part of the scheme, the amendments are not listed here;

Part 1 Section 2 Page 6 – Move up the explanatory paragraph, currently after 2.16, so that it is between the main heading at 2.0 and the first sub heading at 2.1;

Part 1 Section 2 Page 8 – Correct the spelling of “separately” in the “Local Scheme Requirements paragraph”;

Part 1 Section 2 Page 9 – Add “and revisions and replacement” at 2.0;

Part 1 Section 2 Page 9 – Under 2.4 delete “Citation, commencement and application”;

Part 1 Section 2 Page 10 – Delete the heading at 39A;

Part 1 Section 2 Page 11 – In heading 47 add “amount” after “reduction”;

Part 1 Section 2 Page 11 – In heading 49 amend “G” to “F”;

Part 1 Section 2 Page 12 – In heading 95 amend “G” to “F”

Part 1 Section 2 Page 13 – In heading 100 add “F” after “to”;

Part 1 Section 2 Page 13 – Delete heading 107;

Part 1 Section 2 Page 16 – In the definition of earnings, add at the end “or 59 as the case may be”;

Part 1 Section 2 Page 17 – in the definition of “a guaranteed income payment” add after (c) “(injury benefits)” and after (a) “(death benefits)”

Part 1 Section 2 Page 24 – Add “(meaning of couple)” in 5(2) after “article 4”;

Part 1 Section 2 Page 27 – In 9(2) substitute for paragraph (b) the paragraph in **Annex 3**;

Part 1 Section 2 Page 32 – In 16(1) substitute “may” for “must”;

Part 1 Section 2 Page 46 – Amend 42(2) to read “Capital for the purposes of sub-paragraph (1) is to be calculated in accordance with Parts 15 to 17.”;

Part 1 Section 2 Page 49 – Add “amount” after “reduction” in the heading and in (1);

Part 1 Section 2 Page 50 – In 47B(1) add an “s” to paragraph”;

Part 1 Section 2 Page 50 - In 48(1) delete paragraph (c)

Part 1 Section 2 Page 52 – In 48A(1) amend “38A” to “39”;

Part 1 Section 2 Page 53 – In 49(2) delete “under article 47(1)”

Part 1 Section 2 Page 60 – In the definition of A amend “(treatment of student loans)” to “(costs of travel, books and equipment)”;

Part 1 Section 2 Page 68 – In (k) amend “2002” to “2011”;

Part 1 Section 2 Page 69 – In (h) delete “under section 71 of that Act”

Part 1 Section 2 Page 69 – In (12) amend “shall” to “is” and add “to” before “apply”;

Part 1 Section 2 Page 70 – In (13) add “to” before “apply”;

Part 1 Section 2 Page 70 – In (15) amend “woman” to “person”

Part 1 Section 2 Page 70 – In (15) and 15(a) amend “she” to “he”;

Part 1 Section 2 Page 70 – In 16(b) delete “(if relevant)”;

Part 1 Section 2 Page 80 – In 8(a)(i) and 8(a)(ii) amend “in council tax” to “under this scheme”;

Part 1 Section 2 Pages 93, 94, 95, 96, & 97 – Amend all references to “D to G” to “D to F”;

Part 1 Section 2 Page 98 – In the heading 100, add “F” after “to”;

Part 1 Section 2 Page 99 – In (4) add “(discounts)” after “11A”

Part 1 Section 2 Page 100 – Amend heading “Part 24” to “Part 23”;

Part 1 Section 2 Page 101 – In 1 amend “shall be” to “are”;

Part 1 Section 2 Page 101 – In 3 delete “be”;

Part 1 Section 2 Page 102 – In (2) amend “shall be” to “is”;

Part 1 Section 2 Page 103 – In 5 delete “be”;

Part 1 Section 2 Page 108 – In 12(3)(a) and (b) amend “64(11)(e)” to “64(11)(g)”;

Part 1 Section 2 Page 113 – In 28(4) add at the end “(applicable amounts).”;

Part 1 Section 2 Page 115 – In 2(b)(ii) add at the end “(statutory sick pay etc)”;

Part 1 Section 2 Page 115 – In 4(1) amend “shall” to “does”;

Part 1 Section 2 Page 116 - In (e) amend “shall” to “must”;

Part 1 Section 2 Page 125 – In 40 amend “shall” to “must”;

Part 1 Section 2 Page 127 – In (7) amend “shall” to “is to”;

Part 1 Section 2 Page 130 – In 4 amend “shall” to “is to”.

Part 2 – The Discretionary Scheme - The Discretionary Council Tax Scheme (Brighton & Hove City Council) 2013

Page 249 (of the overall Appendix numbering) – In paragraph 7.1 (“An application to the Council for a discretionary reduction must be made...”) amend “must” to “may”

ANNEX 1

The reinstated paragraph (3) is as follows:-

(3) In any case where paragraph 5(1)(a) (date on which application made: state pension credit comprising guarantee credit) applies, sub-paragraph (2) does not entitle a person to apply for a reduction under an authority's scheme in respect of any day earlier than three months before the date on which the claim for state pension credit is made (or treated as made by virtue of any provision of the Social Security (Claims and Payments) Regulations 1987).

ANNEX 2

The substituted start to paragraph 1 (which relates to war disablement pensions, war widows' pensions and similar sums) is as follows:-

"1. In addition to any sum which falls to be disregarded in accordance with paragraphs 2 to 6, £10 [but note that by concession under section 13A(1)(c) of the 1992 Act the authority will allow the whole rather than just the specified £10 to be disregarded] of any of the following, namely:-"

ANNEX 3

The substituted paragraph (b) is as follows:-

- (b) if the applicant is polygamously married—*
- (i) where the applicant has (alone or jointly with his partner) an award of universal credit, any—*
 - (aa) party to such a marriage other than the applicant's partner; and*
 - (bb) any child or young person who is a member of his household and for whom he or his partner or another party to the polygamous marriage is responsible; or*
 - (ii) in any other case, any partner of his and any child or young person who is a member of his household and for whom he or one of his partners is responsible;*
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ANNEX 4

The altered financial amounts of the Main Scheme, Section 1 – The Council Tax Reduction Scheme (Pensioners) (Brighton & Hove City Council) 2013 are:-

In paragraph 8 of Schedule 1 (non-dependant deductions)

- (a) in sub-paragraph (1)(a) for “£9.90” substitute “£10.95”;
- (b) in sub-paragraph (1)(b) for “£3.30” substitute “£3.65”;
- (c) in sub-paragraph (2)(a) for “£183.00” substitute “£186.00”;
- (d) in sub-paragraph (2)(b) for “£183.00”, “£316.00” and “£6.55” substitute “£186.00”, “£322.00” and “£7.25” respectively;
- (e) in sub-paragraph (2)(c) for “£316.00”, “£394.00” and “£8.25” substitute “£322.00”, “£401.00” and “£9.15” respectively.

In Schedule 2 (applicable amounts)

- (a) in column (2) of the Table in paragraph 1:-
 - (i) in sub-paragraph (1)(a) for “£142.70” substitute “£145.40”;
 - (ii) in sub-paragraph (1)(b) for “£161.25” substitute “£163.50”;
 - (iii) in sub-paragraph (2)(a) for “£217.90” substitute “£222.05”;
 - (iv) in sub-paragraph (2)(b) for “£241.65” substitute “£244.95”;
 - (v) in sub-paragraph (3)(a) for “£217.90” substitute “£222.05”;
 - (vi) in sub-paragraph (3)(b) for “£75.20” substitute “£76.65”;
 - (vii) in sub-paragraph (4)(a) for “£241.65” substitute “£244.95”;
 - (viii) in sub-paragraph (4)(b) for “£80.40” substitute “£81.45”;
- (b) in column (2) of the Table in paragraph 2 for “£64.99” in each place in which it occurs substitute “£65.62”;
- (c) in the second column of the Table in Part 4:-
 - (i) in paragraph (1)(a) and (b)(i) for “£58.20” substitute “£59.50”;
 - (ii) in paragraph (1)(b)(ii) for “£116.40” substitute “£119.00”;
 - (iii) in paragraph (2) for “£22.89” substitute “£23.45”;
 - (iv) in paragraph (3) for “£56.63” substitute “£57.89”;
 - (v) in paragraph (4) for “£32.60” substitute “£33.30”.

In column (1) of the Table in paragraph 1 of Schedule 3 (amount of alternative maximum council tax reduction)

- (a) in paragraph (b)(i) for “£180.00” substitute “£183.00”;

(b) in paragraph (b)(ii) for “£180.00” and “£235.00” substitute “£183.00” and “£239.00” respectively.

In paragraph 19(2) of Schedule 5 (amounts to be disregarded in the calculation of income: applicant is parent of student in advanced education) for paragraph (b) substitute

“(b) £56.80 less the weekly amount of any award, bursary, scholarship, allowance or payment referred to in sub-paragraph (1)(b).”.

ANNEX 5

The altered financial amounts of the Main Scheme, Section 2 –The Council Tax Reduction Scheme (Persons who are not Pensioners) (Brighton & Hove City Council) 2013 are:-

In paragraph 48 (non-dependant deductions)

(a) in sub-paragraph (1)(a) for “£9.90” substitute “£10.95”;

(b) in sub-paragraph (1)(b) for “£3.30” substitute “£3.65”;

(c) in sub-paragraph (2)(a) for “£183.00” substitute “£186.00”;

(d) in sub-paragraph (2)(b) for “£183.00”, “£316.00” and “£6.55” substitute “£186.00”, “£322.00” and “£7.25” respectively;

(e) in sub-paragraph (2)(c) for “£316.00”, “£394.00” and “£8.25” substitute “£322.00”, “£401.00” and “£9.15” respectively.

In Schedule 1 (applicable amounts)

(a) in column (2) of the Table in paragraph 1:-

(i) in sub-paragraph (1)(a) and (b) for “£71.00” substitute “£71.70”;

(ii) in sub-paragraph (1)(c) for “£56.25” substitute “£56.80”;

(iii) in sub-paragraph (2) for “£71.00” substitute “£71.70”;

(iv) in sub-paragraph (3) for “£111.45” substitute “£112.55”;

(b) in column (2) of the Table in paragraph 3, for “£64.99” in each place in which it occurs substitute “£65.62”;

(c) in the second column of the Table in paragraph 17:-

(i) in sub-paragraph (1)(a) for “£30.35” substitute “£31.00”;

(ii) in sub-paragraph (1)(b) for “£43.25” substitute “£44.20”;

- (iii) in sub-paragraph (2)(a) and (b)(i) for “£58.20” substitute “£59.50”;
- (iv) in sub-paragraph (2)(b)(ii) for “£116.40” substitute “£119.00”;
- (v) in sub-paragraph (3) for “£56.63” substitute “£57.89”;
- (vi) in sub-paragraph (4) for “£32.60” substitute “£33.30”;
- (vii) in sub-paragraph (5)(a) for “£22.89” substitute “£23.45”;
- (viii) in sub-paragraph (5)(b) for “£14.80” substitute “£15.15”;
- (ix) in sub-paragraph (5)(c) for “£21.30” substitute “£21.75”;

(d) in paragraph 23 for “£28.15” substitute “£28.45”;

(e) in paragraph 24 for “£34.05” substitute “£34.80”.

In column (1) of the Table in paragraph 1 of Schedule 5 (amount of alternative maximum council tax reduction)

(a) in paragraph (b)(i) for “£180.00” substitute “£183.00”;

(b) in paragraph (b)(ii) for “£180.00” and “£231.00” substitute “£183.00” and “£239.00” respectively.
