

**Tamworth Borough Council**  
**-Policy-**  
**Council Tax Discretionary Awards**

**Background**

A Discretionary Award of Council Tax is made at the discretion of the Local Authority under Section 13A(1)(a) of Local Government Finance Act 1992.

It is a lowering of your Council Tax liability for a short period to help customers pay their Council Tax. Any award given will reduce income levels for the Council and its preceptors and will therefore be granted sparingly.

It is not a payment under the Local Council Tax Reduction scheme, which is claimed via the Benefits Team.

The Council will consider all claims for a Discretionary Award on their individual merits and all customers will be treated equally and fairly.

**How to claim a Discretionary Award**

A claim for a Discretionary Award must be made in writing using one of Tamworth Borough Council's specially designed application forms, and signed by the customer. The form will be date stamped and will count as the date of claim. The customer will be required to submit the form to the Benefits Team without delay and will be encouraged to include any relevant supporting evidence.

We may make written requests for any evidence in support of an application and reserve the right to verify any information or evidence provided by the customer in appropriate circumstances.

**How do we decide whether or not to award a Discretionary Award?**

. Some or all of the following criteria should be met:

- There must be evidence of financial hardship or personal circumstances that justifies a reduction in the Council Tax liability.
- The taxpayer must satisfy the Council that they have taken all reasonable steps to resolve their situation prior to the claim.
- The taxpayer must have claimed a Local Council Tax Reduction and supplied any information or evidence requested by the Benefit Section in respect of that claim.
- The taxpayer must have applied for any appropriate discount or exemption and supplied any information or evidence requested by the Council Tax section in respect of that application
- The taxpayer does not have access to other assets that could be used to pay Council Tax.
- The Council's finances allow for a reduction to be made.

The initial decision regarding whether a reduction is awarded, and the level of the reduction will be made by the Benefits Team and endorsed by the Revenues Team.

### **Period of Award**

It depends on the circumstances because the amount of money available is limited. Anyone who is awarded a Discretionary Award for Council Tax cannot be guaranteed to be reconsidered for any further payments when their Discretionary Award period ends. Repeat applications within twelve months will not be considered for an award.

### **Change of Circumstances**

We will need to reconsider an award where the customer's circumstances have materially changed.

### **Notification of decision**

We will write to the customer to give them a decision, normally within 14 days of receiving the application and full supporting information.

### **Appeals about discretionary awards**

There is no formal right of appeal against the Council's use of its discretionary powers in individual cases. However, we will accept a written request within one month of the decision if it is supported by further information or evidence. The review will be made by a different person to whoever considered the original application.

### **Fraud**

The Council is committed to the fight against fraud. A customer who tries to fraudulently claim a Discretionary Award by falsely declaring their circumstances or by providing a false statement or evidence in support of their application may have committed an offence under the Theft Act 1968. Where we suspect that such a fraud may have occurred, the matter will be investigated as appropriate and this may lead to criminal proceedings being instigated.