



## Help with council tax

### What is council tax?

Council tax is a charge made by your local authority to cover services which they provide for you. It applies to England, Scotland and Wales. The amount of council tax that you must pay varies from authority to authority but all assessments are based on the property band that applies to your home.

Each dwelling in Great Britain is given a valuation then placed on a valuation list in one of eight broad valuation bands, starting with the lowest, band A to the highest, band H. The band that applies to your dwelling will be written on your council tax bill.

### Help with council tax bills

If you are liable to pay council tax you may be able to reduce the amount that you have to pay by claiming council tax benefit, a discount, a reduction for disability or an exemption.

#### 1. Council tax benefit

You can get two types of benefit.

- Main council tax benefit - You can get this if you are on a low income but your benefit tapers off instead of stopping altogether when your income goes above income support levels.
- Second adult rebate - This is also known as alternative maximum council tax benefit. It is paid if you have someone living with you, other than your partner, whose income is low (e.g. if he or she is on income support or in a low paid job). This benefit is assessed on their income not yours - even though it is actually paid to you.

You also have to pass the habitual residence test and have a right to reside to get either of these benefits.

#### The habitual residence test and the right to reside

The term "right to reside" is not defined but is dependent on your immigration status and nationality. You might have a right to reside under United Kingdom rules, EC law or because you are a British citizen.

The habitual residence test is a test to see if you normally live in the United Kingdom, the Channel Islands, the Republic of Ireland or the Isle of Man). The test will be applied if you have been living abroad.

There is no legal definition of 'habitual residence'. Relevant factors are where you normally live, where you expect to live in future, your reasons for coming to this



country, the length of time spent abroad before you came here, and any ties you still have with the country where you have come from.

However, the test should not be applied if someone:

- is an EC national with 'worker status', or the 'right to reside' (under EC worker legislation); or
- has refugee status; or
- has exceptional leave to remain or enter.

If these do not apply, a Decision Maker (DM) will decide whether you are habitually resident or not. Get advice if you fail this test.

### **How do I claim council tax benefit?**

You can claim council tax benefit at the same time as you claim income support, income-related employment support allowance, income-based jobseeker's allowance or pension credit. You can also claim using a form supplied by your local authority.

### **How much is council tax benefit?**

The amount you get will vary depending on your circumstances.

Your council tax benefit may also be affected if you have any other adults living with you apart from your partner.

It may also be affected by any work you do.

### **Finding work**

Your council tax benefit can continue at your old rate for four weeks if you find work and you were getting :

- employment and support allowance (ESA)
- incapacity benefit (IB)
- income support (IS)
- income-based jobseeker's allowance (JSA)
- severe disablement allowance (SDA)

To get council tax benefit extended payments you must have been on one of the above benefits for at least 26 weeks and your job must be expected to last at least 5 weeks. You do not need to make a claim to receive extended payments.



## **2. Council tax discounts**

A normal council tax bill assumes two occupiers. 50% of any charge is for the property itself and 50% is for these two occupiers.

You can get a discount of 25% off your bill if you are the only person living in your home or if all the other occupiers are disregarded for council tax purposes. You can get a 50% discount off your bill if you and all the other occupiers are disregarded for council tax purposes.

Those who are disregarded include:

- people who are 'severely mentally impaired' (see council tax exemptions below for what this means).
- carers.
- people in a hospital, a care home, or certain kinds of hostel.
- anyone whose 'sole or main residence' is elsewhere.
- young people, students, student nurses, youth trainees, apprentices, and others.

### **Second homes**

If you have a second home your property may have a discount of up to 50%. However your council has the power to give you a discount of less than 50%, or no discount at all.

### **How do I claim council tax discount?**

Contact your local authority – Great Yarmouth Borough Council 01493 846244.

## **3. Council tax reduction for disability**

You can get a reduction on your bill if you or someone in the home is substantially and permanently disabled and one of the following applies:

- he or she has a room which is used to meet their special needs e.g. for the purposes of dialysis, treatment or for the storage of equipment.
- he or she has a second bathroom or kitchen used to meet their special needs
- he or she needs to use a wheelchair to get around the house.

If any of these apply, the bill for your dwelling is reduced to the next lowest band. If you are already in a Band A property, and get a disability reduction, you will have your bill reduced by one sixth.



Disability reductions are available in all types of dwellings, including care homes and hostels.

There is no time limit for backdating this reduction.

### **How do I claim council tax reduction for disability?**

Contact your local authority – 01493 846244

### **4. Council tax exemptions**

Your property may be exempt from council tax charges altogether. Exemptions include:

- if you leave your property empty (whether furnished or not) because you are now resident in a hospital, a care home or a hostel where personal care is provided.
- if you leave your property empty (whether furnished or not) because you are now resident elsewhere for the purpose of receiving or providing personal care due to old age, disablement, illness, past or present alcohol or drug dependence, or past or present mental disorder.
- If you (and everyone else living with you) are severely mentally impaired and no one else in the property is liable to pay council tax. Severely mentally impaired means you have a 'severe impairment of intelligence and social functioning (however caused) which appears to be permanent'; and have a certificate from a registered medical practitioner confirming this. You must also be entitled to one of the following:
  1. disability living allowance (DLA) middle or highest rate care component.
  2. attendance allowance (AA), constant attendance allowance (paid as part of industrial injuries benefits or war pensions) or an equivalent benefit.
  3. employment and support allowance.
  4. incapacity benefit.
  5. severe disablement allowance.
  6. income support which includes a disability premium (or your partner has a disability premium for them included in their income-based jobseeker's allowance).
  7. you are over state pension age and would have been entitled to one of the above benefits if you were under state pension age.



- you live in a housing association trial flat for pensioners or for people with disabilities (this applies to Scotland only).
- your dwelling is one where one occupant is a 'dependent relative' of someone who is resident in another part of the property (this applies to England and Wales only).

## **5. Students and council tax**

If you are a full time student you do not normally have to pay council tax. If you have a non-student partner, although you are not liable to pay council tax, your partner is. He or she may be able to get council tax benefit for both of you or a discount.

If you live in a property which is wholly occupied by students (including students temporarily absent from their course) the property is exempt from council tax. You also do not have to pay council tax if you live in a student hall of residence.

If you share a property with non-students the non-students will be liable to pay council tax but you will not. For those non-students who do have to pay you are disregarded for council tax discount purposes (see the section on council tax discounts above).

### **Where can I get more help and information?**

DIAL Great Yarmouth

12a George Street

Great Yarmouth

Norfolk

NR30 1HR

01493 856900

Housing Advice & Welfare Services

Great Yarmouth Borough Council

Grey Friars House – telephone 01493 846179

Drop in Monday to Friday 9am and 12noon.