

1999 No. 347

COUNCIL TAX, ENGLAND AND WALES

WALES

**The Council Tax Reduction Scheme (Wales)
Regulations 1999**

<i>Made</i> - - - -	<i>15th February 1999</i>
<i>Laid before Parliament</i>	<i>17th February 1999</i>
<i>Coming into force</i>	<i>11th March 1999</i>

The Secretary of State for Wales, in exercise of the powers conferred on him by sections 13 and 113(1) and (2) of the Local Government Finance Act 1992(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Council Tax Reduction Scheme (Wales) Regulations 1999 and shall come into force on 11th March 1999.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Local Government Finance Act 1992;

“the 1994 Act” means the Local Government (Wales) Act 1994(b);

“section 10”, “section 11” and “section 12” mean section 10 of the Act, section 11 of the Act and section 12 of the Act, respectively;

“the Benefit Regulations” means the Council Tax Benefit (General) Regulations 1992(c);

“the Disabilities Regulations” means the Council Tax (Reductions for Disabilities) Regulations 1992(d);

“billing authority” means a Welsh billing authority;

“chargeable dwelling” means a chargeable dwelling in Wales;

“county” means a county in Wales established under the 1994 Act;

“county borough” means a county borough in Wales established under the 1994 Act; and

“the transferred parts of Bridgend and Coychurch Lower” means those parts of the communities of Bridgend and Coychurch Lower in the county borough of Bridgend transferred from the community of Ewenny or the community of Llangan in the Vale of Glamorgan, by the Bridgend and The Vale of Glamorgan (Areas) Order 1996(e).

(a) 1992 c. 14; see section 116(1) for the definition of prescribed.

(b) 1994 c. 19.

(c) S.I. 1992/1814; to which amendments have been made which are not relevant to these Regulations.

(d) S.I. 1992/554; relevant amendments are made by S.I. 1993/195.

(e) S.I. 1996/2915.

(2) Subject to regulation 3 below, in these Regulations “community area” means an area which is co-extensive with the area of a community as at 1st January 1999; and a community area identified in the Schedule to these Regulations by the name of a community in a county or county borough means the area which is co-extensive with the area of that community on 1st January 1999.

(3) In these Regulations, in relation to an amount a person is liable to pay in respect of council tax—

“the appropriate reduction” means the amount (if any) prescribed in the Schedule to these Regulations in relation to the relevant community area and the relevant valuation band;

“the relevant community area” means the community area in which the relevant chargeable dwelling is situated;

“the relevant chargeable dwelling” means the chargeable dwelling in respect of which the person is liable to pay the amount; and

subject to paragraph (4) below, “the relevant valuation band” means the valuation band shown as applicable to the relevant chargeable dwelling in the billing authority’s valuation list.

(4) In these Regulations, in relation to an amount a person who is an eligible person is liable to pay in respect of council tax—

(a) the amount ascertained in accordance with regulation 4 below shall be calculated as if in the definition of “A” in section 10 of the Act, there were substituted for the reference to the valuation band listed for the dwelling, a reference to the alternative valuation band applicable in that person’s case for the purposes of regulation 4 of the Disabilities Regulations,

(b) any reference to the relevant valuation band shall be construed as a reference to the alternative valuation band,

and in this paragraph an eligible person means an eligible person for the purposes of the Disabilities Regulations.

(5) In these Regulations any reference to a person who is liable to pay to a billing authority, in respect of a particular dwelling, an amount in respect of council tax (whether his liability is sole, or joint and several), includes, unless the context otherwise requires, a reference to a person who in the opinion of the authority will be so liable; and references to the amount which a person is liable to pay shall be construed accordingly.

Application to areas transferred by boundary orders

3. These Regulations shall apply to the transferred parts of Bridgend and Coychurch Lower as if those parts were community areas in the county borough of Bridgend.

Calculation of amount payable

4.—(1) Subject to paragraph (4) below, where—

(a) a person is liable to pay an amount (“the amount”) to a billing authority in respect of council tax for a day in the financial year beginning on 1st April 1999,

(b) the amount is determined under section 10, and

(c) the relevant chargeable dwelling is situated in a community area referred to in the Schedule to these Regulations,

the amount shall be reduced by deducting from it an amount calculated in accordance with the formula—

$$\frac{R}{365}$$

where R is the appropriate reduction.

(2) If the amount mentioned in sub-paragraph (1)(a) above is determined under section 10 read with section 11 or section 12, the deduction required by paragraph (1) above shall be made from the original amount.

(3) In paragraph (2) above “the original amount” is the amount which would be determined under section 10 read without section 11 and section 12.

(4) Where a determination awarding council tax benefit under the Benefit Regulations is effective as regards the chargeable dwelling and a day in respect of which a person is liable to pay the amount mentioned in sub-paragraph (1)(a) above in respect of that dwelling for that day, the amount which he is so liable to pay shall be—

- (a) the amount ascertained in accordance with paragraph (1) above, or paragraphs (1) and (2) above, as the case may be, for that day,
- (b) less the amount of his council tax benefit for that day.

Appeals

5.—(1) Where a billing authority makes a decision relating to the application or operation of these Regulations in relation to an individual, the authority shall, if requested in writing by the person so affected, provide him with a written statement of its decision and the reason for it; and any such statement shall be sent within 14 days from the date on which it is requested or as soon as is reasonably practicable thereafter.

(2) No appeal may be made to a valuation tribunal in respect of any decision of a billing authority relating solely to the application or operation of these Regulations; but a person aggrieved by such a decision may appeal to a review board appointed by the billing authority and constituted as mentioned in regulation 70(3) of the Benefit Regulations.

Notice of appeal

6. An appellant shall give notice of appeal under these Regulations in writing to the billing authority within 4 weeks of the date on which the statement referred to in regulation 5(1) above is sent by the billing authority to the appellant.

Procedure for appeals

7.—(1) Regulations 71(2) to (9) and 72(4) and (5) of the Benefit Regulations shall apply with the necessary modifications for the purposes of an appeal under these Regulations as they apply for the purposes of a further review.

- (2) A billing authority shall comply with any decision of its review board.

Signed by authority of the Secretary of State for Wales

15th February 1999

Jon Owen Jones
Parliamentary Under Secretary of State,
Welsh Office

SCHEDULE

Regulations 2, 3 and 4

PRESCRIBED AMOUNTS OF REDUCTION

<i>Community area(s)</i>	<i>Amount prescribed (appropriate reduction) (£)</i>							
	<i>A</i>	<i>B</i>	<i>C</i>	<i>Valuation band:</i>		<i>F</i>	<i>G</i>	<i>H</i>
				<i>D</i>	<i>E</i>			
In the county borough of BLAENAU GWENT: all community areas	197.10	229.95	262.80	295.65	361.35	427.05	492.75	591.30
In the county borough of BRIDGEND: the transferred parts of Bridgend and Coychurch Lower	11.76	13.72	15.68	17.64	21.56	25.48	29.40	35.28
4 In the county borough of CAERPHILLY: Abercarn, Argoed, Blackwood, Cefn Fforest, Crosskeys, Crumlin, Newbridge, Pengam, Penmaen, Pontllanfraith, Risca, Ynysddu	4.50	5.25	6.00	6.75	8.25	9.75	11.25	13.50
In the county of CEREDIGION: all community areas	1.38	1.61	1.84	2.07	2.53	2.99	3.45	4.14
In the county borough of MERTHYR TYDFIL: all community areas	158.04	184.38	210.72	237.06	289.74	342.42	395.10	474.12
In the county borough of NEATH PORT TALBOT: Cilybebyll, Cwmllynfell, Gwaun-Cae-Gurwen, Pontardawe, Ystalyfera	62.82	73.29	83.76	94.23	115.17	136.11	157.05	188.46

<i>Community area(s)</i>	<i>Amount prescribed (appropriate reduction) (£)</i>							
	<i>A</i>	<i>B</i>	<i>C</i>	<i>Valuation band:</i>		<i>F</i>	<i>G</i>	<i>H</i>
				<i>D</i>	<i>E</i>			
In the county borough of NEATH PORT TALBOT: Blaengwrach, Blaenhonddan, Briton Ferry, Clyne, Coedffranc, Crynant, Dyffryn Clydach, Glynneath, Neath, Onllwyn, Peledda, Resolven, Seven Sisters, Tonna	45.30	52.85	60.40	67.95	83.05	98.15	113.25	135.90
In the county borough of NEATH PORT TALBOT: Aberavon, Baglan, Baglan Bay, Bryn, Cwmavon, Glyncorrwg, Margam, Margam Moors, Port Talbot, Sandfields East, Sandfields West, Tai Bach	46.32	54.04	61.76	69.48	84.92	100.36	115.80	138.96
In the county borough of RHONDDA, CYNON, TAFF: Aberaman, Abercynon, Aberdare, Cwmbach, Hirwaun, Llwydcoed, Mountain Ash, Penrhiwceiber, Pen-y-Waun, Rhigos, Ynysybwl	87.24	101.78	116.32	130.86	159.94	189.02	218.10	261.72
In the county borough of RHONDDA, CYNON, TAFF: Cwm Clydach, Cymmer, Ferndale, Llwyn-y-pia, Maerdy, Pentre, Pen-y-graig, Porth, Tonypany, Trealaw, Trehafod, Treherbert, Treorchy, Tylorstown, Ynyshir, Ystrad	76.26	88.97	101.68	114.39	139.81	165.23	190.65	228.78

<i>Community area(s)</i>	<i>Amount prescribed (appropriate reduction) (£)</i>							
	<i>A</i>	<i>B</i>	<i>C</i>	<i>Valuation band:</i>		<i>F</i>	<i>G</i>	<i>H</i>
				<i>D</i>	<i>E</i>			
In the county borough of RHONDDA, CYNON, TAFF: Gilfach Goch, Llanharan, Llanharry, Llantrisant, Llantwit Fardre, Pont-y-clun, Pontypridd, Taffs Well, Tonyrefail	98.16	114.52	130.88	147.24	179.96	212.68	245.40	294.48
In the county of SWANSEA: all community areas	2.10	2.45	2.80	3.15	3.85	4.55	5.25	6.30

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out a scheme for reducing the liability of certain individuals in Wales to pay council tax for the financial year beginning 1st April 1999.

Regulation 4 provides for the reduction of a person's liability to be determined by reference to the appropriate reduction, if any, for the community area and the relevant valuation band for the chargeable dwelling.

Regulations 5 to 7 provide for appeals regarding the application or operation of these Regulations by billing authorities.

The Schedule sets out the community areas in relation to which a reduction is prescribed, together with the appropriate reduction for each council tax valuation band.

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