
STATUTORY INSTRUMENTS

2012 No. 3085

COUNCIL TAX, ENGLAND

The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012

Made - - - - *11th December 2012*
Laid before Parliament *17th December 2012*
Coming into force - - *10th January 2013*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 113(1) of, and paragraphs 2 and 4 of Schedule 1A to, the Local Government Finance Act 1992(1):

Citation and commencement

1. These Regulations may be cited as the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012 and come into force on 10th January 2013.

Amendments to the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

2. The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012(2) are amended in accordance with regulations 3 to 6.

3. 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.

(1) 1992 c.14. Section 113(1) was amended by paragraphs 2 and 9(a) of Schedule 1 to the Local Government Act 1999 (c.27); paragraphs 40 and 52 of Schedule 7 to the Local Government Act 2003 (c.26) and section 80 of the Localism Act 2011 (c.20); Schedule 1A was inserted by Schedule 4 to the Local Government Finance Act 2012 (c.17).

(2) S.I. 2012/2885.

4. 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”.

5. 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.

6. 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),”.

Amendments to the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012

7. The scheme set out in the Schedule to the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012(3) is amended as follows.

8. In paragraph 30 (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.

9. In Schedule 2 (applicable amounts: pensioners)—

(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 “£65.22”;

(c) in the second column of the Table in paragraph 12—

- (i) in sub-paragraph (1)(a) and (b)(i) for “£58.20” substitute “£59.50”;
- (ii) in sub-paragraph (1)(b)(ii) for “£116.40” substitute “£119.00”;
- (iii) in sub-paragraph (2) for “£22.89” substitute “£23.45”;
- (iv) in sub-paragraph (3) for “£56.63” substitute “£57.89”;
- (v) in sub-paragraph (4) for “£32.60” substitute “£33.30”.

10. In Schedule 3 (applicable amounts: persons who are not pensioners)—

(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”.

11. In column (1) of the Table in paragraph 1 of Schedule 4 (amount of alternative maximum council tax reduction)—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (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.

Signed by authority of the Secretary of State for Communities and Local Government

Brandon Lewis
Parliamentary Under Secretary of State
Department for Communities and Local
Government

11th December 2012

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (“the prescribed requirements Regulations”) and the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012 (“the default scheme Regulations”) made under Schedule 1A to the Local Government Finance Act 1992 (c.14) (“the 1992 Act”). Section 13A of the 1992 Act requires each billing authority in England to make a scheme specifying the reductions which are to apply to amounts of council tax payable by persons, or classes of persons, whom the authority considers are in financial need. The prescribed requirements Regulations set out matters that must be included in such a scheme in addition to matters set out in paragraph 2 of Schedule 1A. The default scheme Regulations set out a scheme which will take effect, in respect of dwellings situated in the area of a billing authority, if the authority fails to make its own scheme on or before 31st January 2013.

These Regulations amend the prescribed requirements and default scheme Regulations to increase certain of the figures which are used in calculating whether a person is entitled to a reduction and the amount of that reduction. The up-rated figures relate to non-dependant deductions (adjustments made to the maximum amount of reduction a person can receive to take account of adults living in the dwelling who are not dependants of the applicant) (*regulations 3 and 8*); the applicable amount in relation to an applicant for a reduction (the amount against which an applicant’s income is compared in order to determine the amount of reduction to which he or she is entitled) (*regulations 4, 9 and 10*), the income bands in relation to which the amount of a person’s alternative maximum council tax reduction is calculated (*regulations 5 and 11*) and a disregard that applies when calculating a person’s income (including inserting some words which were omitted from the prescribed requirements Regulations) (*regulation 6*).

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen. The impact on the public sector is minimal.