

WIRRAL BOROUGH COUNCIL

LOCAL COUNCIL TAX SUPPORT SCHEME REGULATIONS 2018 - 2019

REG	SUBJECT	PAGE NO
PART 1 - INTRODUCTION		
1	INTRODUCTION	1
PART 2 - INTERPRETATION		
2	INTERPRETATION	1
3	APPLICATION OF SCHEME: PENSIONERS AND PERSONS WHO ARE NOT PENSIONERS	9
4	MEANING OF COUPLE	10
5	POLYGAMOUS MARRIAGES	10
6	MEANING OF FAMILY	10
7	CIRCUMSTANCES IN WHICH A PERSON IS TO BE TREATED AS RESPONSIBLE OR NOT RESPONSIBLE FOR ANOTHER	11
8	HOUSEHOLDS	11
9	NON DEPENDANTS	12
10	REMUNERATIVE WORK	13
PART 3 – PROCEDURAL MATTERS		
11	PROCEDURE FOR REDUCTION APPLICATIONS AND APPEALS AGAINST REDUCTION DECISIONS	14
PART 4 – CLASSES OF PERSON ENTITLED TO A REDUCTION UNDER THIS SCHEME		
12	CLASSES OF PERSON ENTITLED TO A REDUCTION UNDER THIS SCHEME	14
13	CLASS A: PENSIONERS WHOSE INCOME IS LESS THAN THE APPLICABLE AMOUNT	14
14	CLASS B: PENSIONERS WHOSE INCOME IS GREATER THAN THE APPLICABLE AMOUNT	15
15	CLASS C: ALTERNATIVE MAXIMUM COUNCIL TAX REDUCTION – PENSIONERS	15
16	CLASS D: PERSONS WHO ARE NOT PENSIONERS WHOSE INCOME IS LESS THAN THE APPLICABLE AMOUNT	16
17	CLASS E: PERSONS WHO ARE NOT PENSIONERS WHOSE INCOME IS GREATER THAN THE APPLICABLE AMOUNT	16
18	-	17
19	PERIODS OF ABSENCE FROM A DWELLING	17
PART 5 – CLASSES OF PERSON EXCLUDED FROM THIS SCHEME		
20	CLASSES OF PERSON EXCLUDED FROM THIS SCHEME	21
21	CLASSES OF PERSON EXCLUDED FROM THIS SCHEME: PERSONS TREATED AS NOT BEING IN GREAT BRITAIN	21
22	CLASSES OF PERSON EXCLUDED FROM THIS SCHEME: PERSONS SUBJECT TO IMMIGRATION CONTROL	23
23	CLASSES OF PERSON EXCLUDED FROM THIS SCHEME: CAPITAL LIMIT	23
24	CLASSES OF PERSON EXCLUDED FROM THIS SCHEME: STUDENTS	24
PART 6 – APPLICABLE AMOUNTS		
24A	TRANSITIONAL PROVISIONS FOR RESTRICTIONS ON AMOUNTS FOR CHILDREN AND YOUNG PERSONS	24
25	APPLICABLE AMOUNT: PENSIONERS	25
26	APPLICABLE AMOUNT: PERSONS WHO ARE NOT PENSIONERS	26
27	POLYGAMOUS MARRIAGES: PERSONS WHO ARE NOT PENSIONERS	27
28	APPLICABLE AMOUNT: PERSONS WHO ARE NOT PENSIONERS WHO HAVE AN AWARD OF UNIVERSAL CREDIT	28
PART 7 – MAXIMUM COUNCIL TAX REDUCTION FOR THE PURPOSES OF CALCULATING ELIGIBILITY FOR REDUCTION UNDER THIS SCHEME AND AMOUNT OF REDUCTION		
29	MAXIMUM COUNCIL TAX REDUCTION AMOUNT UNDER THIS SCHEME: PENSIONERS AND VULNERABLE PERSONS	28

29A	MAXIMUM COUNCIL TAX REDUCTION AMOUNT UNDER THIS SCHEME: PERSONS WHO ARE NOT PENSIONERS AND VULNERABLE PERSONS	29
30	NON DEPENDANT DEDUCTIONS: PENSIONERS AND VULNERABLE PERSONS	30
30A	NON DEPENDANT DEDUCTIONS: PERSONS WHO ARE NOT PENSIONERS AND VULNERABLE PERSONS	32
PART 8 – ALTERNATIVE MAXIMUM COUNCIL TAX REDUCTION FOR THE PURPOSES OF CALCULATING ELIGIBILITY FOR A REDUCTION UNDER THIS SCHEME AND AMOUNT OF REDUCTION		
31	ALTERNATIVE MAXIMUM COUNCIL TAX REDUCTION UNDER THIS SCHEME: PENSIONERS	34
PART 9 – AMOUNT OF REDUCTION UNDER THIS SCHEME		
32	AMOUNT OF REDUCTION UNDER THIS SCHEME: CLASSES A TO E	34
PART 10 – INCOME AND CAPITAL FOR THE PURPOSES OF CALCULATING ELIGIBILITY FOR A REDUCTION UNDER THIS SCHEME AND AMOUNT OF REDUCTION		
<i>CHAPTER 1 – INCOME AND CAPITAL GENERAL</i>		
33	CALCULATION OF INCOME AND CAPITAL: APPLICANTS FAMILY AND POLYGAMOUS MARRIAGES	35
34	CIRCUMSTANCES IN WHICH INCOME AND CAPITAL OF NON-DEPENDANTS IS TO BE TREATED AS APPLICANTS	35
<i>CHAPTER 2 – INCOME AND CAPITAL: PENSIONERS IN RECEIPT OF GUARANTEE CREDIT OR SAVINGS CREDIT LAW IN FORCE</i>		
35	APPLICANT IN RECEIPT OF GUARANTEE CREDIT: PENSIONERS	36
36	CALCULATION OF APPLICANTS INCOME AND CAPITAL IN SAVINGS CREDIT ONLY CASES; PENSIONERS	36
<i>CHAPTER 3 – INCOME AND CAPITAL WHERE THERE IS AN AWARD OF UNIVERSAL CREDIT LAW IN FORCE</i>		
37	CALCULATION OF INCOME AND CAPITAL: PERSONS WHO ARE NOT PENSIONERS WHO HAVE AN AWARD OF UNIVERSAL CREDIT	37
<i>CHAPTER 4 - INCOME: OTHER PENSIONERS</i>		
38	CALCULATION OF INCOME AND CAPITAL WHERE STATE PENSION CREDIT IS NOT PAYABLE; PENSIONERS	38
39	MEANING OF 'INCOME': PENSIONERS	38
40	CALCULATION OF WEEKLY INCOME: PENSIONERS	41
41	EARNINGS OF EMPLOYED EARNERS: PENSIONERS	43
42	CALCULATION OF NET EARNINGS OF EMPLOYED EARNERS: PENSIONERS	44
43	CALCULATION OF EARNINGS OF SELF-EMPLOYED EARNERS: PENSIONERS	45
44	EARNINGS OF SELF-EMPLOYED EARNERS: PENSIONERS	45
45	NOTIONAL INCOME: PENSIONERS	46
46	INCOME PAID TO THIRD PARTIES: PENSIONERS	48
46A	CAPITAL TREATED AS INCOME: PENSIONERS	49
<i>CHAPTER 5 – INCOME: PERSON WHO ARE NOT PENSIONERS</i>		
47	AVERAGE WEEKLY EARNINGS OF EMPLOYED EARNERS: PERSONS WHO ARE NOT PENSIONERS	49
48	AVERAGE WEEKLY EARNINGS OF SELF-EMPLOYED EARNERS: PERSONS WHO ARE NOT PENSIONERS	50
49	AVERAGE WEEKLY INCOME OTHER THAN EARNINGS: PERSONS WHO ARE NOT PENSIONERS	50
50	CALCULATION OF WEEKLY INCOME OF EMPLOYED EARNERS: PERSON WHO ARE NOT PENSIONERS	51
51	EARNINGS OF EMPLOYED EARNERS: PERSONS WHO ARE NOT PENSIONERS	51
52	CALCULATION OF NET EARNINGS OF EMPLOYED EARNERS: PERSONS WHO ARE NOT PENSIONERS	52
53	EARNINGS OF SELF-EMPLOYED EARNERS: PERSON ARE NOT PENSIONERS	53
54	CALCULATION OF INCOME OTHER THAN EARNINGS: PERSONS WHO ARE NOT PENSIONERS	54

55	CAPITAL TREATED AS INCOME: PERSONS WHO ARE NOT PENSIONERS	56
55A	CAPITAL TREATED AS INCOME: PENSIONERS OR VULNERABLE PEOPLE	56
56	NOTIONAL INCOME: PERSON WHO ARE NOT PENSIONERS	56
<i>CHAPTER 6 – INCOME; FURTHER PROVISIONS APPLYING TO PENSIONERS AND PERSON ARE NOT PENSIONERS</i>		
<i>LAW IN FORCE</i>		
57	CALCULATION OF INCOME ON A WEEKLY BASIS	59
58	TREATMENT OF CHILD CARE CHARGES	60
59	CALCULATION OF AVERAGE WEEKLY INCOME FROM TAX CREDITS	65
60	DISREGARD OF CHANGES IN TAX, CONTRIBUTIONS, ETC	66
61	CALCULATION OF NET PROFIT OF SELF-EMPLOYED EARNERS	66
62	CALCULATION OF DEDUCTION OF TAX AND CONTRIBUTIONS OF SELF-EMPLOYED EARNERS	68
<i>CHAPTER 7 – CAPITAL</i>		
63	CALCULATION OF CAPITAL	69
64	INCOME TREATED AS CAPITAL: PERSONS WHO ARE NOT PENSIONERS	70
65	CALCULATION OF CAPITAL IN THE UNITED KINGDOM	70
66	CALCULATION OF CAPITAL OUTSIDE THE UNITED KINGDOM	70
67	NOTIONAL CAPITAL	71
68	DIMINISHING NOTIONAL CAPITAL RULE: PENSIONERS	73
69	DIMINISHING NOTIONAL CAPITAL RULE: PERSONS WHO ARE NOT PENSIONERS	76
70	CAPITAL JOINTLY HELD	78
71	CALCULATION OF TARIFF INCOME FROM CAPITAL: PENSIONERS	79
72	CALCULATION OF TARIFF INCOME FROM CAPITAL: PERSONS WHO ARE VULNERABLE PERSONS	79
PART 11 – STUDENTS		
<i>CHAPTER 1 - GENERAL</i>		
73	INTERPRETATION	79
74	TREATMENT OF STUDENTS	83
75	STUDENTS WHO ARE EXCLUDED FROM ENTITLEMENT TO A REDUCTION UNDER THIS SCHEME	83
<i>CHAPTER 2 – INCOME</i>		
76	CALCULATION OF GRANT INCOME	85
77	CALCULATION OF COVENANT INCOME WHERE A CONTRIBUTION IS ASSESSED	86
78	COVENANT INCOME WHERE NO GRANT INCOME OR NO CONTRIBUTION IS ASSESSED	86
79	RELATIONSHIP WITH AMOUNTS TO BE DISREGARD UNDER SCHEDULE 8	87
80	OTHER AMOUNTS TO BE DISREGARDED	87
81	TREATMENT OF STUDENT LOANS	87
82	TREATMENT OF PAYMENTS FROM ACCESS FUNDS	89
83	DISREGARD OF CONTRIBUTION	89
84	FURTHER DISREGARD OF STUDENT’S INCOME	89
85	INCOME TREATED AS CAPITAL	89
86	DISREGARD OF CHANGES OCCURRING DURING SUMMER VACATION	90
PART 12 – EXTENDED REDUCTIONS		
<i>CHAPTER 1 – EXTENDED REDUCTIONS: PENSIONERS</i>		
87	EXTENDED REDUCTIONS: PENSIONERS	90
88	EXTENDED REDUCTIONS (QUALIFYING CONTRIBUTORY BENEFITS): PENSIONERS	90
89	DURATION OF EXTENDED REDUCTION PERIOD (QUALIFYING CONTRIBUTORY BENEFITS): PENSIONERS	91
90	AMOUNT OF EXTENDED REDUCTION (QUALIFYING CONTRIBUTORY BENEFITS): PENSIONERS	91
91	EXTENDED REDUCTIONS (QUALIFYING CONTRIBUTORY BENEFITS) – MOVERS: PENSIONERS	91
92	RELATIONSHIP BETWEEN EXTENDED REDUCTION (QUALIFYING CONTRIBUTORY BENEFITS) AND ENTITLEMENT TO A REDUCTION BY VIRTUE OF CLASSES A TO C	92
93	CONTINUING REDUCTIONS WHER STATE PENSION CREDIT CLAIMED: PENSIONERS	92
<i>CHAPTER 2 – EXTENDED REDUCTIONS; PERSONS WHO ARE NOT PENSIONERS</i>		

94	EXTENDED REDUCTIONS: PERSONS WHO ARE NOT PENSIONERS	93
95	EXTENDED REDUCTIONS: PERSONS WHO ARE NOT PENSIONERS	93
96	DURATION OF EXTENDED REDUCTION PERIOD: PERSONS WHO ARE NOT PENSIONERS	94
97	AMOUNT OF EXTENDED REDUCTION: PERSONS WHO ARE NOT PENSIONERS	94
98	EXTENDED REDUCTIONS – MOVERS: PERSONS WHO ARE NOT PENSIONERS	95
99	RELATIONSHIP BETWEEN EXTENDED REDUCTION AND ENTITLEMENT TO A REDUCTION BY VIRTUE OF CLASSES D TO E	95
100	EXTENDED REDUCTIONS (QUALIFYING CONTRIBUTORY BENEFITS) PERSONS WHO ARE NOT PENSIONERS	95
101	DURATION OF EXTENDED REDUCTION PERIOD (QUALIFYING CONTRIBUTORY BENEFITS): PERSONS WHO ARE NOT PENSIONERS	96
102	AMOUNT OF EXTENDED REDUCTION (QUALIFYING CONTRIBUTORY BENEFITS): PERSONS WHO ARE NOT PENSIONERS	96
103	EXTENDED REDUCTIONS (QUALIFYING CONTRIBUTORY BENEFITS) – MOVERS: PERSONS WHO ARE NOT PENSIONERS	97
104	RELATIONSHIP BETWEEN EXTENDED REDUCTION (QUALIFYING CONTRIBUTORY BENEFITS) AND ENTITLEMENT TO A REDUCTION BY VIRTUE OF CLASSES D TO E	97
<i>CHAPTER 3 – EXTENDED REDUCTIONS: MOVERS IN THE AUTHORITY'S AREA</i>		
105	EXTENDED REDUCTIONS: APPLICANT MOVING INTO THE AUTHORITY'S AREA	98
PART 13 – WHEN ENTITLEMENT BEGINS AND CHANGES IN CIRCUMSTANCES		
106	DATE ON WHICH ENTITLEMENT BEGINS	98
107	DATE ON WHICH CHANGE IN CIRCUMSTANCES IS TO TAKE EFFECT	98
108	CHANGE OF CIRCUMSTANCES WHERE STATE PENSION CREDIT IN PAYMENT	100
PART 14 – APPLICATIONS (INCLUDING DUTIES TO NOTIFY AUTHORITY OF CHANGE OF CIRCUMSTANCES)		
109	MAKING AN APPLICATION	102
110	DATE ON WHICH APPLICATION IS MADE	103
111	BACK-DATING OF APPLICATIONS – PENSIONERS ONLY	105
112	-	106
113	INFORMATION AND EVIDENCE	106
114	AMENDMENT AND WITHDRAWAL OF APPLICATION	107
115	DUTY TO NOTIFY OF CHANGES OF CIRCUMSTANCES	108
PART 15 – DECISIONS BY AUTHORITY		
116	DECISION BY AUTHORITY	109
117	NOTIFICATION OF DECISION	109
PART 16 – CIRCUMSTANCES IN WHICH A PAYMENT MAY BE MADE		
118	PAYMENT WHERE THERE IS A JOINT AND SEVERAL LIABILITY	110
SCHEDULE 1 – PROCEDURAL MATTERS		
PART 1 – PROCEDURE FOR AN APPLICATION FOR A REDUCTION UNDER THIS SCHEME		111
PART 2 – PROCEDURES FOR MAKING AN APPEAL		112
PART 3 – PROCEDURES FOR APPLYING FOR A DISCRETIONARY REDUCTION		112
PART 4 -		113
SCHEDULE 2 – APPLICABLE AMOUNTS: PENSIONERS		
PART 1 – PERSONAL ALLOWANCES		113
PART 2 – FAMILY PREMIUM		114
PART 3 – PREMIUMS		115
PART 4 – AMOUNTS OF PREMIUMS SPECIFIED IN PART 3		119
SCHEDULE 3 – APPLICABLE AMOUNTS: PERSONS WHO ARE NOT PENSIONERS		
PART 1 – PERSONAL ALLOWANCES		120
PART 2 – FAMILY PREMIUM		121
PART 3 – PREMIUMS		122
PART 4 – AMOUNTS OF PREMIUMS SPECIFIED IN PART 3		128

PART 5 – COMPONENTS	130
PART 6 – AMOUNT OF COMPONENT	131
PART 7 - TRANSITIONAL ADDITION	131
PART 8 – AMOUNT OF TRANSITIONAL ADDITION	133
SCHEDULE 4 – AMOUNT OF ALTERNATIVE MAXIMUM COUNCIL TAX REDUCTION: PENSIONERS	134
SCHEDULE 5 – SUMS DISREGARDED FROM APPLICANTS EARNINGS: PENSIONERS	135
SCHEDULE 6 – AMOUNTS TO BE DISREGARDED IN TE CALCULATION OF INCOME OTHER THAN EARNINGS: PENSIONERS	140
SCHEDULE 7 – SUMS DISREGARDED FROM APPLICANTS EARNINGS: PERSONS WHO ARE NOT PENSIONERS	144
SCHEDULE 8 – SUMS DISREGARDED IN THE CALCULATION OF INCOME OTHER THAN EARNINGS: PERSON WHO ARE NOT PENSIONERS	149
SCHEDULE 9 – CAPITAL DISREGARDS: PENSIONERS	
<i>PART 1 – CAPITAL TO BE DISREGARDED</i>	162
<i>PART 2 – CAPITAL TO BE DISREGARDED ONLY FOR THE PURPOSES OF DETERMINING DEEMED INCOME</i>	170
SCHEDULE 10 - CAPITAL DISREGARDS: PERSONS WHO ARE NOT PENSIONERS	170