

## Consultation Response: Peterborough's Council Tax Reduction 2019-20

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Thank you for the opportunity to comment on the proposed new local Council Tax scheme. We are pleased to make the following comments. We appreciate the difficult position the local authority faces in bringing forward a local and relevant Council Tax benefit scheme, and doing so within the context of nationally reduced budgets. We strongly believe that improved strategies around debt recovery and more effective uptake of Council Tax Reduction (CTR) could help mitigate the effects of reduced national funding for the new scheme.

### Background

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The Welfare Reform Act 2012 put in place government policy to, among other things, removed Council Tax benefit and replace it with local Council Tax Reduction schemes. Under this legislation responsibility was passed to local authorities to administer and fund financial support around Council Tax. Peterborough City Council chose to provide a maximum Council Tax Reduction of 70% hitherto, however with further cost reductions required, the Council is now seeking consultation on how best to proceed.

### Key Points

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- Austerity and Welfare Reform are placing undue burden on some of the poorest people in our community.
- Vulnerable community members already pay higher costs for goods and services through the 'Poverty Premium'
- Peterborough being a full-service Universal Credit city negatively impacts on the resources of people working in poverty, families, carers and those unable to work through long term illness or disability. Any potential gains made from Universal Credit would be removed by a reduced allowance in the Council Tax Reduction Scheme and losses will be greater by an increased minimum contribution.
- Last year Citizens Advice Peterborough provided support to over 10,500 Peterborough citizens. Specifically, we gave advice on Council Tax benefit and Council Tax arrears to 1,174 people and 17.25% of our debt enquiries concerned arrears for Council Tax payments.
- We encourage the Local Authority to sign the updated LGA Council Tax Protocol (a revised collection of Council Tax arrears good practice protocol), as early intervention and engagement in proactive contact with people struggling with priority bill payments, as a means to boost recovery, reduce costs of collection and calls on local public services.

## Option 1 - Amending the calculation in respect of the 30% reduction

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**Case study 1: Mark** – applying the 30% reduction before the means test was applied:

Mark is a 35-year-old single father, earning minimum living wage, working 8 hrs a week part time, while his 4-year-old son is taking a free place at pre-school. He rents a 2-bedroom property from a housing association for 92.50 a week. He receives no child maintenance from his sons' mother.

With the current Council Tax Reduction scheme Mark gets **£13.97** support – see Appendix 1 for calculation

With Option 1 in place (having the reduction before the calculation of award), Mark would see his Council Tax Reduction of **£0.16** – see Appendix 2 for calculation

Amending the calculation of Council Tax Reduction so that the 30% reduction is applied before the means test, would only affect households in work with additional income other than means tested benefit. This penalises working households and does not appear to '*make work pay*' and therefore does not adhere to the Government principles for Universal Credit. This can have a massive impact of households that are just about managing; the case study below highlights.

## Option 2 - Limiting the maximum level of Council Tax Reduction to 69% from 1st April 2019 and then by a further 1% each year until the maximum level of Council Tax Reduction is 67%

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While any reduction is undesirable, incremental changes to the current scheme would reduce the impact on local households. However, this proposal is likely to most affect those receiving the highest level of support; meaning the people with the lowest income would be most affected. From our experience with clients, those who are receiving the maximum reduction are already struggling to maintain their priority payments. As a result, an increase in their Council Tax liability is likely to create increased financial pressure, potential debt and hardship. Case Study 2 below highlights the impact of the proposal on a couple looking for work.

**Case study 2: Richard and Tracy** – reducing the maximum amount of support:

Richard and Tracy are a working age couple, who were both working for a local company that recently went into administration. They are now both actively looking for work. They are living in a 1 bed flat costing £425 per calendar month (the cheapest 1-bedroom property currently available to rent in the private sector in Peterborough). Both Richard and Tracy are fit and healthy, have no dependants, and when employed they were just about managing financially. As a result, they have no savings, but equally, no debts.

The couple currently claim Universal Credit and Council Tax Reduction.

Universal Credit £ 897.74 – see Appendix 3 for breakdown of calculation

Council Tax Support £ 61.57 – see Appendix 4 for breakdown of calculation

**Total Income £959.31**

The couple have received support from Citizens Advice Peterborough to reduce their outgoings to be able to live within their means. This resulted in decreasing expenditure as follows;

They have no car costs and use public transport. They cancelled their TV packages, and as their mobiles were out of contract, switched to sim only deals with data allowances that allowed them to cancel their home broadband package but still allow them to access their digital Universal Credit journals online. They also switched energy providers to get a better deal, and cancelled pension contributions until they are back in work.

The couple have been able to reduce their spending to just cover the priorities, so each month the couple spend;

Rent	£425.00
Council Tax	£87.96
TV licence	£12.25
Utilities	£123.60
Transport	£36.94
Communication	£37.00
Food/housekeeping	£236.25
<b>Total outgoings</b>	<b>£959.00</b>

This leaves the couple with **£0.31 a month**

Reducing the current Council Tax Reduction as suggested in Option 2 would have the following impact on Richard and Tracy (Case Study 2);

**Council Tax Reduction of 69 %** - the couple would receive an award of **£ 60.69** and leave them with **[£0.57] outstanding** after all expenditure - See Appendix 5 for breakdown of calculation

**Council Tax Reduction of 68 %** - the couple would receive an award of **£ 59.81** and leave them with **[£1.45] outstanding** after all expenditure - See Appendix 6 for breakdown of calculation

**Council Tax Reduction of 67 %** - the couple would get and award of **£ 58.93** and leave them with **[£2.33] outstanding** after all expenditure - See Appendix 7 for breakdown of calculation

As case study 2 highlights, a couple with minimal outgoings who are striving to look for work are being forced into debt. With increased costs of living, and the cost of looking for work not included in the calculation, this proposal is adding to the hardship that Richard and Tracy are experiencing with a direct impact on health and wellbeing.

### **Option 3 - Limiting the maximum level of Council Tax Reduction to 65%**

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Limiting the maximum level of Council Tax Reduction to 65% would have the following impact on our couple from Case Study 2;

**Council Tax Reduction of 65 %** - the couple would get and award of **£ 57.17** and leave them with **[£4.09] outstanding** after all expenditure - See Appendix 8 for breakdown of calculation

### **Option 4 - Limiting the maximum level of Council Tax Reduction to 60%**

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Limiting the maximum level of Council Tax Reduction to 60% would have the following impact on our couple from Case Study 2;

**Council Tax Reduction of 60 %** - the couple would get and award of **£52.78** and leave them with **[£8.48] outstanding** after all expenditure - See Appendix 9 for breakdown of calculation

This highlights that, reducing the amount of Council Tax Reduction has the potential to lead to more Council Tax arrears, as less people will have the financial resources to pay their Council Tax liability.

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## **Option 5 - To set a minimum level of Council Tax Reduction at £1 or £2 per week**

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We have no comment to make on this option.

## **Option 6 - To restrict the maximum level of Council Tax Reduction payable to the equivalent of a Band C or a Band D charge**

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We would like to see published as part of this consultation the Council's Equalities Impact Assessment.

We are concerned that this proposal will have a disproportionate impact on people with disabilities, and families who need to occupy a larger home for health reasons. We think your proposals should ensure that people facing the additional costs of disability adaption to properties should be better protected.

We have concerns that this proposal may impact on people or families who are asset rich but cash poor and do not have the resource or support to downsize their property.

We are also concerned that this proposal would have a disproportionate impact on low income households. We think this proposal is likely to damage the overall equality of the Council Tax Reduction scheme by not protecting those that are vulnerable.

## **Option 7 - Increasing the existing Non-Dependant Deductions**

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We in general feel that the use of non-dependent deductions in both the housing benefit and council tax benefit system creates significant difficulties for many people. We are aware that currently this is a major contribution to the cause of Council Tax arrears we assist with.

Increasing the non-dependant deductions will increase the potential conflict in the household, as Council Tax payers negotiate contributions from non-dependants to make up for the reduction in their Council Tax Reduction award. From our experience, the majority of Council Tax payers often fail to recover costs from others living in their household following a non-dependant deduction. As a result, this may lead to increased household debt and the potential to create a hostile environment with the family/household potentially leading to the non-dependent presenting to the Council as homeless and seeking assistance.

## **Option 8 - Introducing a Minimum Income Floor for Self-Employed applicants**

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The Minimum Income Floor [MIF] does not deliver equal treatment between those self-employed and employees; it appears to have little regard for the reality of self-employment with peaks and troughs in income. As a result, self-employed people risk missing out on eligibility for support because their monthly income is not regular, as it is volatile and will vary from month to month.

For Universal Credit - The MIF applies to all gainfully self-employed Universal Credit claimants after a 12-month grace period, not just those in the first year of business. This actively assists a number of self-employed claimants during the first year of their claim (after that the MIF will be as burdensome as ever) but again it does not come into effect till January 2020 for managed migration; or September 2020 for people moving across through a change of circumstances.

As the proposal is to bring Council Tax Reduction "broadly in line with Universal Credit", will this MIF commence at the same time as it does for Universal Credit claimants?

If this option was to be considered further, we would recommend a proposal closely synchronised with Universal Credit regulations.

## **Option 9 - Removing Second Adult Reduction from the scheme**

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On balance we welcome this simplification of the Council Tax Reduction scheme.

We would recommend a more detailed proposal to provide transitional relief to people affected by this measure be implemented.

## **Option 10 - Removing the Extended Payment Provision from the scheme**

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We have no comment to make on this option.

## Option 11 - To take any Child Benefit paid to an applicant or partner into account in full in the calculation of Council Tax Reduction

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### Case study 1: Mark

Mark is a 35-year-old single father, earning minimum living wage, working 8 hrs a week part time, while his 4-year-old son is taking a free place at pre-school. He rents a 2-bedroom property from a housing association for 92.50 a week. He receives no child maintenance from his sons' mother.

Amending the calculation of Council Tax Reduction to include Child Benefit in the calculation would have the following impact on Mark (Case study 1);

With the current Council Tax Reduction scheme Mark receives **£13.97** support – see Appendix 1 for calculation

With Option 11 in its place (taking Child Benefit paid to Mark into account in full in the calculation of Council Tax Reduction), Mark would see his Council Tax Reduction of **£1.41** – See Appendix 10 for calculation

Mark would lose over £12.50 a month in his Council Tax Reduction entitlement as a result of Option 11, which is the equivalent of 14% of his Child Benefit payment.

Child benefit is a tax-free payment that is aimed at helping parents cope with the cost of bringing up children. As a result, we do not feel it is appropriate to reduce this payment, in Marks case by around 14% and therefore we overall strongly suggest against option 11s implementation as to the negative impact it could have on child poverty in the city.

## Option 12 - Including Child Benefit as an income for all applicants but excluding the payment for either the first or second child

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Amending the calculation of Council Tax Reduction to include Child Benefit regardless of how many children are excluded (first or second), is not appropriate. The two child rule for Universal Credit is already negatively impacting on large households, and this is another element that will further push these families into debt and impact child poverty.

## **Option 13 - Reducing the maximum capital limit from the existing £16,000 to £6,000**

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We have no comment to make on this option.

## **Option 14 - Increasing the Applicable Amounts and applying other annual up ratings in the scheme in line with those in Housing Benefit and the prescribed Council Tax Support regulations**

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We have no comment to make on this option.

## **Impact of localised Council Tax Reduction Schemes**

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The Institute for Fiscal Studies<sup>1</sup> in a recent report on Council Tax Reduction schemes throughout England, highlights that cuts to Council Tax Support have had the following impacts;

- Minimum Council Tax payments have led to a sizeable increase in the amount of Council Tax remaining uncollected
- Around a quarter of the additional Council Tax liability arising from cuts to Council Tax Reduction is not collected in the tax year it is due
- Difficulties in collecting the extra tax appear to be long-lasting, as Councils failed to collect a quarter of the additional liabilities created by minimum payments in 2017–18 even when the minimum payment had been in place since 2013–14
- Introducing a minimum payment in a LA also caused a significant increase in the number of people in that LA contacting Citizens Advice for support relating to Council Tax liabilities or Council Tax Reduction
- There are clear effects on the likelihood of households falling behind with their Council Tax payments and, as a result, on a LAs' ability to actually collect the extra Council Tax they intend as additional revenue

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<sup>1</sup> Institute for Fiscal Studies (2019) 'The impacts of localised council tax support schemes'  
<https://www.ifs.org.uk/publications/13827>

## Council Tax Protocol

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Citizens Advice Peterborough encourages Peterborough City Council to publicly sign up to the updated LGA Council Tax Protocol<sup>2</sup> (a revised collection of Council Tax arrears good practice protocol).

Council tax payers receive a better level of service when local authorities, enforcement agencies and debt advice agencies work closely together in an effective partnership. Early intervention and proactive contact with people struggling with priority bill payments can help prevent people incurring further default charges and help alleviate stress. It may also help reduce collection costs and calls on local public services, particularly mental health services. The good practice protocol makes several suggestions on how local partnerships can be strengthened and residents better supported to deal with their finances.

The protocol reflects best practice at local level and is intended to facilitate regular liaison on practices and policy concerning Council Tax debt collection. In setting down clear procedures and keeping them regularly under review, all parties can ensure that cases of arrears are dealt with appropriately, whilst complaints are handled efficiently. By signing the protocol and adopting the practices, local authorities, enforcement agencies and advice agencies can help taxpayers pay their Council Tax bills in a timely manner while accessing budgeting or debt advice when needed.

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<sup>2</sup> Citizens Advice (2017) 'Council Tax Protocol'

<https://www.citizensadvice.org.uk/Global/CitizensAdvice/campaigns/Council%20Tax/Citizens%20Advice%20Council%20Tax%20Protocol%202017.pdf>

**Our Recommendation:****To increase the global level of Council Tax to fund a Reduction Scheme**

Case study	Current situation	Increase C. Tax by 3.9%	Option 1	Option 2	Option 3	Option 4	Option 11
<b>Case Study 1</b>	£52.00	£52.76	£65.81	£52.38 £52.58 £52.78	£53.17	£53.99	£64.56
<b>Case Study 2</b>	£26.39	£27.41	£26.39	£27.27 £28.15 £29.03	£30.79	£35.18	£26.39

▲ Table 1 - The amount of Council Tax the Case Studies must pay after Council Tax Reduction is applied based on the options given in the proposal

The above table demonstrates that by increasing the level of global Council Tax, the Council Tax Reduction Scheme produces better outcomes and is preferable to the options proposed in this consultation. This global Council Tax increase helps to spread the burden of revenue constraints across the city, which results in no particular group or individual bearing the weight of any reduction in support. We feel this is a more just and equitable methodology to address the financial constraints faced by the Council but which at the same time also lessens the force of any negative impact on those poorest in our community.

## Appendix 1

### Case Study 1 - Breakdown of Council Tax Reduction now

Step 1: Calculate maximum Council Tax Reduction - This is determined by the local Council Tax Support scheme set by the local authority

- Council Tax liability £ 65.97
- Local Council Tax Support maximum £ 65.97
- Maximum Council Tax Support £ 65.97

Step 2: Calculate Maximum Universal Credit This is made up of elements based on household circumstances

- Adult £ 317.82
- Child £ 277.08
- Housing £ 400.83
- Maximum Universal Credit £ 995.73

Step 3: Calculate income

- Income for Universal Credit purposes £ 284.61
- Universal Credit £ 941.17
- Income for assessment £ 1225.78

Step 4: Deduction due to income & savings 20% of any income above Maximum Universal Credit is deducted from maximum CT support

- Maximum CT Support £ 65.97
- Minus 20% of income above Applicable Amount £ 46.01
- Council Tax Support £ 19.96

Step 5: Reduction due to Local Scheme The percentage of Council Tax Support awarded is determined by the scheme set by your local authority

Local scheme award percentage 70.00 %

AWARD £ 13.97

## Appendix 2

### Case Study 1 - Breakdown of Council Tax Reduction calculation proposed in Option 2

Step 1: Calculate maximum Council Tax Support This is determined by the local Council Tax Support scheme set by the local authority (accounting for the reduction due to Local Scheme The percentage of Council Tax Support awarded is determined by the scheme set by your local authority)

- Council Tax liability £ 65.97
- Local scheme award percentage 70.00 %
- Maximum Council Tax Support £ 46.179

Step 2: Calculate Maximum Universal Credit This is made up of elements based on household circumstances

- Adult £ 317.82
- Child £ 277.08
- Housing £ 400.83
- Maximum Universal Credit £ 995.73

Step 3: Calculate income

- Income for Universal Credit purposes £ 284.61
- Universal Credit £ 941.17
- Income for assessment £ 1225.78

Step 4: Deduction due to income & savings 20% of any income above Maximum Universal Credit is deducted from maximum CT support

- Maximum CT Support £ 46.179
- Minus 20% of income above Applicable Amount £ 46.01
- Council Tax Support £ 0.16

AWARD £ 0.16

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## Appendix 3

### Case Study 2 - Breakdown of Universal Credit

Step 1: Calculate any Housing Element

- Gross monthly rent £ 425.00
- Deduction due to ineligible services and charges £ 0.00
- Deduction due to maximum rent allowed (LHA) £ 26.15
- Housing Component £ 398.85

Step 2: Calculate Maximum Universal Credit This is made up of elements based on household circumstances

- Adult £ 498.89
- Housing £ 398.85
- Maximum Universal Credit £ 897.74

Step 3: Calculate income This is 63% of net earned income after application of the work allowance plus non-earned income & income from savings. Private pension contributions are deducted.

- Total income £ 0.00
- Income for assessment £ 0.00

Step 4: Deduction due to income & savings Deduct income from maximum Universal Credit

- Maximum Universal Credit £ 897.74
- Minus income for assessment £ 0.00

Award £ 897.74

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## Appendix 4

### Case Study 2 - Breakdown of Council Tax Reduction

Step 1: Calculate maximum Council Tax Support This is determined by the local Council Tax Support scheme set by the local authority

- Council Tax liability £ 87.96
- Local Council Tax Support maximum £ 87.96
- Maximum Council Tax Support £ 87.96

Step 2: Calculate Maximum Universal Credit This is made up of elements based on household circumstances

- Adult £ 498.89
- Housing £ 398.85
- Maximum Universal Credit £ 897.74

Step 3: Calculate income

- Income for Universal Credit purposes £ 0.00
- Universal Credit £ 897.74

Step 4: Deduction due to income & savings 20% of any income above Maximum Universal Credit is deducted from maximum CT support

- Maximum CT Support £ 87.96
- Minus 20% of income above Applicable Amount £ 0.00
- Council Tax Support £ 87.96

Step 5: Reduction due to Local Scheme The percentage of Council Tax Support awarded is determined by the scheme set by your local authority

- Local scheme award percentage 70.00 %

AWARD £ 61.57

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## Appendix 5

### Case Study 2 - Council Tax Reduction of 69 %

Step 1: Calculate maximum Council Tax Support This is determined by the local Council Tax Support scheme set by the local authority

- Council Tax liability £ 87.96
- Local Council Tax Support maximum £ 87.96
- Maximum Council Tax Support £ 87.96

Step 2: Calculate Maximum Universal Credit This is made up of elements based on household circumstances

- Adult £ 498.89
- Housing £ 398.85
- Maximum Universal Credit £ 897.74

Step 3: Calculate income

- Income for Universal Credit purposes £ 0.00
- Universal Credit £ 897.74

Step 4: Deduction due to income & savings 20% of any income above Maximum Universal Credit is deducted from maximum CT support

- Maximum CT Support £ 87.96
- Minus 20% of income above Applicable Amount £ 0.00
- Council Tax Support £ 87.96

Step 5: Reduction due to Local Scheme The percentage of Council Tax Support awarded is determined by the scheme set by your local authority

- Local scheme award percentage 69.00 %

AWARD £ 60.69

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## Appendix 6

### Case Study 2 - Council Tax Reduction of 68 %

Step 1: Calculate maximum Council Tax Support This is determined by the local Council Tax Support scheme set by the local authority

- Council Tax liability £ 87.96
- Local Council Tax Support maximum £ 87.96
- Maximum Council Tax Support £ 87.96

Step 2: Calculate Maximum Universal Credit This is made up of elements based on household circumstances

- Adult £ 498.89
- Housing £ 398.85
- Maximum Universal Credit £ 897.74

Step 3: Calculate income

- Income for Universal Credit purposes £ 0.00
- Universal Credit £ 897.74

Step 4: Deduction due to income & savings 20% of any income above Maximum Universal Credit is deducted from maximum CT support

- Maximum CT Support £ 87.96
- Minus 20% of income above Applicable Amount £ 0.00
- Council Tax Support £ 87.96

Step 5: Reduction due to Local Scheme The percentage of Council Tax Support awarded is determined by the scheme set by your local authority

- Local scheme award percentage 68.00 %

AWARD £ 59.81

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## Appendix 7

### Case Study 2 - Council Tax Reduction of 67 %

Step 1: Calculate maximum Council Tax Support This is determined by the local Council Tax Support scheme set by the local authority

- Council Tax liability £ 87.96
- Local Council Tax Support maximum £ 87.96
- Maximum Council Tax Support £ 87.96

Step 2: Calculate Maximum Universal Credit This is made up of elements based on household circumstances

- Adult £ 498.89
- Housing £ 398.85
- Maximum Universal Credit £ 897.74

Step 3: Calculate income

- Income for Universal Credit purposes £ 0.00
- Universal Credit £ 897.74

Step 4: Deduction due to income & savings 20% of any income above Maximum Universal Credit is deducted from maximum CT support

- Maximum CT Support £ 87.96
- Minus 20% of income above Applicable Amount £ 0.00
- Council Tax Support £ 87.96

Step 5: Reduction due to Local Scheme The percentage of Council Tax Support awarded is determined by the scheme set by your local authority

- Local scheme award percentage 67.00 %

AWARD £ 58.93

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## Appendix 8

### Case Study 2 - Council Tax Reduction of 65 %

Step 1: Calculate maximum Council Tax Support This is determined by the local Council Tax Support scheme set by the local authority

- Council Tax liability £ 87.96
- Local Council Tax Support maximum £ 87.96
- Maximum Council Tax Support £ 87.96

Step 2: Calculate Maximum Universal Credit This is made up of elements based on household circumstances

- Adult £ 498.89
- Housing £ 398.85
- Maximum Universal Credit £ 897.74

Step 3: Calculate income

- Income for Universal Credit purposes £ 0.00
- Universal Credit £ 897.74

Step 4: Deduction due to income & savings 20% of any income above Maximum Universal Credit is deducted from maximum CT support

- Maximum CT Support £ 87.96
- Minus 20% of income above Applicable Amount £ 0.00
- Council Tax Support £ 87.96

Step 5: Reduction due to Local Scheme The percentage of Council Tax Support awarded is determined by the scheme set by your local authority

- Local scheme award percentage 65.00 %

AWARD £ 57.17

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## Appendix 9

### Case Study 2 - Council Tax Reduction of 60 %

Step 1: Calculate maximum Council Tax Support This is determined by the local Council Tax Support scheme set by the local authority

- Council Tax liability £ 87.96
- Local Council Tax Support maximum £ 87.96
- Maximum Council Tax Support £ 87.96

Step 2: Calculate Maximum Universal Credit This is made up of elements based on household circumstances

- Adult £ 498.89
- Housing £ 398.85
- Maximum Universal Credit £ 897.74

Step 3: Calculate income

- Income for Universal Credit purposes £ 0.00
- Universal Credit £ 897.74

Step 4: Deduction due to income & savings 20% of any income above Maximum Universal Credit is deducted from maximum CT support

- Maximum CT Support £ 87.96
- Minus 20% of income above Applicable Amount £ 0.00
- Council Tax Support £ 87.96

Step 5: Reduction due to Local Scheme - The percentage of Council Tax Support awarded is determined by the scheme set by your local authority

- Local scheme award percentage 60.00 %

AWARD £ 52.78

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## Appendix 10

### Case Study 1 – Child Benefit counted as income

Step 1: Calculate maximum Council Tax Reduction - This is determined by the local Council Tax Support scheme set by the local authority

- Council Tax liability £ 65.97
- Local Council Tax Support maximum £ 65.97
- Maximum Council Tax Support £ 65.97

Step 2: Calculate Maximum Universal Credit This is made up of elements based on household circumstances

- Adult £ 317.82
- Child £ 277.08
- Housing £ 400.83
- Maximum Universal Credit £ 995.73

Step 3: Calculate income

- Income for Universal Credit purposes £ 284.61
- Income from Child benefit £ 89.70
- Universal Credit £ 941.17
- Income for assessment £ 1315.48

Step 4: Deduction due to income & savings 20% of any income above Maximum Universal Credit is deducted from maximum CT support

- Maximum CT Support £ 65.97
- Minus 20% of income above Applicable Amount £ 63.95
- Council Tax Support £ 2.02

Step 5: Reduction due to Local Scheme - The percentage of Council Tax Support awarded is determined by the scheme set by your local authority

Local scheme award percentage 70.00 %

AWARD £ 1.41

# Contact us

For more information please contact:

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