

Government Energy Bills Rebate Scheme: Council Tax rebate April 2022

Background

1. In February 2022, Government announced that households would receive financial support in view of rising energy costs, through the Energy Bills Rebate scheme. Local authorities have been asked to administer two elements of this support, as follows:
 - a. a £150 non-repayable rebate for households in England in council tax bands A to D, known as the Council Tax Rebate
 - b. support for households who are most in need, known as the Discretionary Fund.
2. This document summarises the **Council Tax Rebate**. Further detail is available in the [Government's guidance](#). A similar summary document covering the Discretionary Fund is available on the West Suffolk Council website. This information supplements that which was made available to liable council taxpayers and occupants as part of the 2022-23 council tax billing process.

Eligibility criteria

3. A £150 Council Tax Rebate will be paid to each household of a liable council taxpayer (or an occupant where the property is exempt from council tax) where they occupy a property which meets all of the below eligibility criteria on 1 April 2022. Only one £150 payment will be made under the core Council Tax Rebate for each household, regardless of the number of occupants or liable council taxpayers.
4. A property meets the eligibility criteria when:
 - It is valued in council tax bands A to D. This includes property that is valued in band E but has an alternative valuation band of band D, as a result of the disabled band reduction scheme. Householders can check their council tax band online at [GOV.UK - Check your Council Tax band](#)
 - It is someone's sole or main residence
 - It is a chargeable dwelling, or in exemption classes N, S, U or W (see table below). The Ministry of Defence will be in touch with residents of armed forces accommodation that is exempt under class O about corresponding cost of living support.

Exemption class	Description
N	A property that is occupied only by students or a student's non-student spouse or dependent, who is not a British Citizen and is prevented by the terms of their entry visa to the U.K. from taking employment or claiming benefits. (Should the property be left unoccupied during vacations the exemption will continue providing the students still have the right to occupy and intend to use the property as term-time accommodation).
O	A property owned by the Secretary of State for Defence and held for use as UK armed forces accommodation.
S	A property in which all the occupiers are under 18 years of age.
U	A property in which the only occupiers are severely mentally impaired persons who would otherwise be liable to pay the Council Tax.
W	A dwelling which is part of a single property containing at least one other dwelling (for example, a 'granny annexe') and is the main home of a dependent relative of a person resident in that other dwelling.

5. This means that:

- Where the council is aware that the liable council taxpayer does not occupy the property, they **will not** be eligible.
- Where a property is in exemption classes N (other than Houses in Multiple Occupation (HMOs) for council tax purposes), S, U or W and the council is able to contact an occupant, the occupant **will** be eligible for support.
- A property that meets all the criteria but has a nil council tax liability as a result of local council tax support, **will** be eligible.
- A property that has no permanent resident and is someone's second home **will not** be eligible.
- An unoccupied property (for the purposes of calculating council tax) **will not** be eligible.

6. For the purpose of the Council Tax Rebate, a household is a person or group of persons occupying a single dwelling, as defined in section 3 of the Local Government Finance Act 1992.

7. In line with Government guidance, in situations where the liable council taxpayer is a landlord who is liable as a company (corporate body) or other body such as a local authority, housing association or the government, rather than as an individual, no payment of £150 will be made. If tenants pay energy bills directly, they may be able to access support from the Discretionary Fund.

8. Eligibility will be determined based on the position at the end of the day on 1 April 2022. Where the council has reason to believe that the information held about the valuation list, liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 is inaccurate, it will withhold the payment and take reasonable steps to determine the correct information.

9. Where records relating to the liable taxpayer(s) or residents' circumstances in

respect of 1 April 2022 are retrospectively updated, the council will take reasonable steps to pay or clawback payments.

10. Where the property band recorded on a valuation list is amended retrospectively to 1 April 2022, for example as a result of a successful appeal made to the Valuation Office Agency (VOA) that concluded after this date, the council is not required to pay or clawback payments. The exception is where a property is a new-build and awaiting an official banding from the VOA. In these cases, eligibility will be determined based on the official band subsequently allocated by the VOA, where this has an effective date before or on 1 April 2022.
11. Where a review, proposal or appeal pre-dating the announcement on 3 February 2022 is successful after 1 April 2022 and as a result, a property would have been eligible for the rebate, support may be available from the Discretionary Fund.

Payments

12. Payments will be administered by Anglia Revenues Partnership, on behalf of West Suffolk Council. The arrangements for payments differ depending on whether the liable council taxpayer or occupant has a direct debit arrangement for payment of council tax.
13. Irrespective of the payment method, individuals who provide false information or make false representation in order to benefit from the Council Tax Rebate may be guilty of fraud under the Fraud Act 2006.

Payments where a live direct debit arrangement is in place

14. Where the name of at least one of the people liable for council tax at a property matches one of the names on the bank account from which at least one payment of council tax has been made by direct debit, a £150 payment will be made into that bank account.
15. Where a new direct debit has been set up since the announcement of the Council Tax Rebate, and no payments have yet been made from it, the £150 payment will be made direct into the relevant bank account, once a first council tax payment has successfully been made. This is a safeguard to ensure the bank details are correct and the £150 will arrive in the correct bank account. Where a Direct Debit is not successful, then the process set out at paragraph 18 below will be followed, as for non-Direct Debit payers.
16. Where there is no match between the names of the people liable for council tax and the bank account from which direct debit payments come, the arrangements for accounts with no live direct debit in place will be followed (see paragraphs 17-19). This is in order to ensure that the person who is living in the property and is responsible for energy bills receives the £150 and not a third party who lives elsewhere. This does not mean that the third party cannot be paid the £150 if they are also responsible for energy bills, but further checks are necessary to obtain consent from the eligible liable person. These provisions may be relevant to examples such as rented properties where a landlord pays council tax; or situations where a family member or carer administers bills on behalf of an individual who is unable to do so for reasons of frailty or disability.

17. Recipients of automatic payments will be invited to check their eligibility against this document, through messages on the council website and social media, and notified that they are required to pay back the £150 if they do not meet the eligibility criteria.

Payments where no live direct debit arrangement is in place

18. Where no live direct debit arrangement is in place, a letter will be sent to the person(s) liable for council tax (or person(s) who would be liable if the property were not exempt), including in it a link to an online application form. This will be supported by a social media campaign. Applicants will be asked to confirm their eligibility and provide their bank details within 28 days in order for a direct payment to be made into the bank account of their choice. Pre-payment checks will be undertaken prior to payment of any grant which is not awarded to a live direct debit holder.
19. The letter will also include information for people who are unable to use the online form facility, but who would like a direct payment. These customers will be able to call a dedicated phone line for support in completing the form or having it completed on their behalf over the phone.
20. If no response to the letter is received in 28 days, the £150 will be applied to the council tax account relating to the property, and a new bill issued. If following payment of the rebate the Council Tax account shows a credit balance, a follow-up process will then be initiated whereby the liable person is contacted by post and phone to help them claim a refund (a range of methods will be offered). No time limit has been set by Government for this process.

Relationship to other taxes and benefits

21. Payments made under the Council Tax Rebate scheme are disregarded for the purposes of calculating income-related support such as Local Council Tax Support and Universal Credit.
22. The payments are not taxable. Recipients do not need to inform HMRC of the amounts received and those who are self-employed do not need to report the amounts on their Self Assessment tax returns. As these payments are non-taxable they do not impact tax credits. Tax credits claimants do not need to report these payments as income to HMRC.

Questions over eligibility

23. Decisions over eligibility for the Council Tax Rebate are a matter for West Suffolk Council with reference to the [Government's guidance](#). The Government does not have a role in the case of disputes, which should be resolved through a billing authority's usual complaints processes. Any disputes about council tax banding should be resolved through the Valuation Office Agency's usual process for reviews, proposals and appeals [GOV.UK - Challenge your Council Tax band: Overview](#).