

Appendix 2

Exemptions / Special Dispensations in place

Service	Commentary	Action Required
Council Tax	<p>There are currently no specific discounts applied to households who have someone in services. Even Single Adult Occupier Discount (more commonly known as Single Person Discount) cannot apply while a member of a household is temporarily sited overseas on placement. This is because Council Tax charges are billed based on where someone's main residence is and even for someone in services their main residence remains their 'home' in the UK with the rest of their family. This situation has been tested in various tribunals and also in High Court and remains as above.</p> <p>A serving member of services or veteran can gain SPD in their own right though if there is no one else in their household, i.e they live alone.</p> <p>That said, there are 2 exemption classes which exist which do refer to service personnel but don't really affect the majority or our serving officers, and certainly don't impact on veterans. These exemption classes are defined in CTax regulations as follows...</p> <p>Exemption Class O: a dwelling of which the Secretary of State for Defence is the owner, held for the purposes of armed forces accommodation other than accommodation for visiting forces within the meaning of Part I of the Visiting Forces Act 1952</p> <p>Exemption Class P: (1) a dwelling in respect of which at least one person, who would be liable to pay council tax but for this article, satisfies the condition set out in para. 2:</p> <p style="padding-left: 40px;">(2) the condition referred to in para. (1) is that the person has a relevant association, within the meaning of Part I of the Visiting Forces Act 1952, with a body, contingent or detachment of the forces of a country, to which any provision in that Part applies on that day.</p> <p>To give you a bit more background on these 2 exempt classes:</p> <ol style="list-style-type: none"> 1. There is only one property now in Leeds with <u>exemption class O</u> applied because MOD has sold off all their other Leeds properties, and MOD is seeking to sell that last one once they can get the sitting tenants to move elsewhere. 2. Exemption Class P we have in the past applied to some properties on our north/north west boundary (around Otley / Wetherby areas) when we have had property occupied by visiting USAF staff stationed at Menwith Hill, (which is in Harrogate area) because they have taken up accommodation in our area and commute to Menwith from there. 	No
Adult Social Care	<p>We support the intention to deliver on the principle of "No disadvantage" to members of the Armed Forces Community and the initial commitments set out in the 2008 Service Command Paper (<i>The Nation's Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans</i>).</p> <p>There are no special arrangements, fast track or prioritisation of referrals for current or past armed forces personnel</p>	See joint LGA / ADASS & ADCS Response to Armed Forces Consultation.

<p>Housing & Council Tax Benefit</p>	<p>We do not treat war widows and war disablement pensions as income in the assessment of HB/CTB – it is totally disregarded. The DWP have a national scheme to disregard £10 and Leeds disregards the remainder of which we partial fund and we get partial funding from DWP – this arrangement has been in place for many years.</p> <p>Capital disregarded – National scheme</p> <ul style="list-style-type: none"> - lump sums received under the War Pensions are totally disregarded. - payments from the Armed Forces and Reserve Forces Compensation Scheme (AFRFCS) are also disregarded in full. 	<p>The estimated total expenditure for 11/12 is £396k we will get £297k back – This leaves a direct cost of £99k for Leeds.</p>
<p>Housing</p>	<p>Housing Services doesn't have joint working protocols with any Armed Forces barracks or stations and so each case is assessed when the person/family approaches for assistance.</p> <p>A person/family is threatened with homelessness if they are likely to lose their accommodation within a 28 day period.</p> <p>Most NCO families will live in service tenancies (accommodation linked to employment) and therefore will need to vacate this housing when the service member leaves the armed forces. Early notification of the housing need is therefore useful.</p> <p>Households with dependent children will have an automatic priority need reason for re-housing. Leaving an institution, including the armed forces, is a discretionary reason why someone might be deemed 'vulnerable' and therefore would have a priority need for re-housing. Being physically injured or the effects on a person's mental health of serving in a conflict situation are both reasons why a person might be deemed vulnerable.</p> <p>It is discretionary whether we apply a local connection test to the housing applications. As a general principle, we are flexible on this issue.</p>	