

# Council Tax Disregard Application - Severely Mentally Impaired Persons

	<b>Property Reference Number:</b>	
	<b>Account Reference Number:</b>	
	<b>Date of issue:</b>	

## Note for person assisting applicants:

### Please read the information on page 3

Please complete this application form and arrange for your GP to sign. You should then return it together with proof of entitlement to benefits, to **Council Tax, PO Box 1358, Maidstone, Kent ME14 9US** (working in partnership with Maidstone Borough Council).

	<i>Total number of adults resident in the property (ie everyone aged 18 years and over)</i>
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## Person to be disregarded

<b>Full name:</b>	
<b>Qualifying benefit (see the notes on page 3):</b>	
<b>Date benefit entitlement commenced:</b>	

## Declaration

I declare that the applicant is entitled to the benefit/s listed above and **I enclose proof of entitlement.**

Signature of person acting on applicant's behalf:	
Full name:	

Relationship to applicant:	
Address:	
Telephone number:	
Doctor's name in block capitals (This will normally be the applicant's GP):	
Address of surgery/hospital:	
Doctor's signature:	
Nature of impairment:	
Date condition effective from:	
Doctor's status:	
Date:	

### Our contact details:

**Address:** Council Tax, PO Box 1358, Maidstone, Kent ME14 9US

**Telephone:** 01892 526121 DX 3929

**Fax:** 01892 554133

**Website:** [www.tunbridgewells.gov.uk](http://www.tunbridgewells.gov.uk)

**Email:** [counciltax@midkent.gov.uk](mailto:counciltax@midkent.gov.uk)

The full Council Tax bill assumes that there are two or more adults residing in a dwelling. However, for Council Tax purposes, certain people will not be counted when looking at the number of adults in residence.

Below are answers to some questions about who should be disregarded, under this category, for the purpose of assessing Council Tax discount.

## How is 'severely mentally impaired' defined?

For the purposes of the Local Government Finance Act 1992, a person is severely mentally impaired if he/she has a severe impairment of intelligence and social functioning (however caused) which appears to be permanent in the opinion of their doctor.

## What does this mean in practical terms?

A person will be disregarded on the grounds of being severely mentally impaired if they meet the criteria in Q1 and are entitled to **one** of the following benefits:

- incapacity benefit (IB) (either long-term IB, short-term IB or long term IB for widows and widowers)
- attendance allowance (AA)
- severe disablement allowance (SDA)
- the highest or middle rate care component of disability living allowance (DLA)
- an increase in disablement pension for constant attendance
- disabled person's tax credit, but only if this is because of the prior receipt of IB or SDA or from 1 April 1997
- unemployability supplement (this was abolished in 1987 but existing claimants remain entitled)
- constant attendance allowance payable under the industrial injuries or war pension schemes
- unemployability allowance payable under the industrial injuries or war pension schemes
- from 1 April 1994, income support which includes a disability premium because of the claimant's incapacity to work.

- Employment and Support Allowance - Support Group (ESA & SG)
- Personal Independence Payments (PIP)
- Armed Forces Independence Payments (AFIP).

**Notes** – from 1 April 1996 a person who would have been entitled to one of the above benefits, except for the fact that she/he has reached pensionable age, still qualifies for the discount.

From 8 January 1997, a person also qualifies if she/he is the partner of a person in receipt of income-based jobseeker's allowance which includes a disability premium or higher pensioner premium because:

- she/he gets IB long-term rate
- was either in receipt of long-term IB up to pensionable age and is still alive, or is entitled to AA/DLA but has been in hospital for more than 28 days.

## How do I apply?

Complete the form on page 1 and return it to your doctor, who should complete it without delay, and return it to the address shown. Once it has been assessed you will be notified of the Council's decision.

## For how long will the discount be allowed?

For as long as there are fewer than two adults in the property who are not disregarded. If there is any change in circumstances then you must notify us at the address shown on page 1. Failure to do so may result in a penalty being imposed.

## Data Protection Act 1998

Maidstone Borough Council/Tunbridge Wells Borough Council takes its obligations under the Data Protection Legislation very seriously, and will not disclose information to any unauthorised person. Information may be shared with other services within the Council or disclosed to other Local and Public Authorities or Government agencies that have a legitimate reason to request the disclosure e.g. the prevention and detection of fraud.

If you require this information in large print, on audiotape or in any other format, please contact us on 01892 526121