

EXPLANATORY NOTES

Occupation prohibited by law

Who can apply?

The person who is liable to pay the council tax needs to apply for this exemption.

When will an exemption be awarded?

An exemption may only be awarded once evidence that a property is unable to be occupied as it has been prohibited by law has been received and an application form has been completed. An exemption will apply if-

There are various reasons why occupation is prohibited by law and from 1st April 2007 this exemption was extended to an Order where a planning condition prevents occupancy.

A dwelling is exempt if its occupation is prohibited by law, or it is kept unoccupied by reason of action taken to prohibit occupation, or with a view to acquiring it, under powers conferred by any Act of Parliament. The exemption only applies where the property remains unoccupied. If a dwelling is occupied illegally, by squatters for example then the exemption would not apply. Prohibition on occupation does not include action between individuals or companies under contract law. Any prohibition on occupation in public law is relevant to this exemption. This will include dwellings deemed unfit for human habitation as well as holiday chalets and caravans during periods when they cannot be occupied by virtue of a condition applying to the relevant planning consent. With effect from the 1st April 2007 an amendment was made to ensure the exemption would apply where a planning condition prevents occupancy.

What happens next?

Once we receive your application with the supporting evidence we will assess it and if you are successful we will issue a reduced Council Tax bill.

Appeals

If the Royal Borough decides not to award a discount you can appeal in the first instance to the Council Tax office within 28 days of notice of the decision stating your reasons. However you may not appeal against the amount of the discount.

PLEASE NOTE:

Making an application for a discount is not grounds for non-payment of Council Tax. Payment must be made in accordance with the bill already issued until you have received confirmation that the request has been granted.

Class G – Occupation prohibited by law

Please read the supplementary notes before completing this form as you may need to provide supporting evidence/information that is not readily available.

Please note:-

Making an application for a discount or exemption is not grounds for non payment of Council Tax. Payment must be made in accordance with the bill already issued until you have received confirmation that the request has been granted.

Please provide the document (e.g Court Order) that you have stating that you are prohibited from entering the address by law.

Name
Address of property you are prohibited from entering
Address of where you are currently living
Council tax account reference number
Date occupation was prohibited
Reasons as to why occupation is prohibited
If the property is occupied please provide the names of current occupiers of the property

If the property is now unoccupied, please provide the name and forwarding address and their date of vacation (if other than yourself):

Signed:

dated:

Contact telephone number

Email address:

Declaration

Please read carefully before you sign.

I/we understand the information contained on this form is correct and complete and I/we agree to notify the Council Tax section immediately should there be a change in circumstances that may affect the discount.

I/we understand that anyone who provides false information or fails to notify a change of circumstances for the purpose of obtaining / retaining a Council Tax reduction discount is committing an offence and may be liable to prosecution.

The Royal Borough of Greenwich has a duty to protect the public funds it administers and may use the information you have provided on this form within this authority for the prevention and detection of fraud. We may also share this information with other bodies administering public funds which may include other councils and government departments.

I/We have read, understood and agree to comply with the declaration above.

Your signature

Date

Daytime telephone number

Email address

Please return this application form, with any supporting documents that may have been requested to;

Royal Borough of Greenwich

Revenues & Benefits Service

Director of Finance

The Woolwich Centre

35 Wellington Street

London SE18 6HQ