

Local Council Tax Support Appeals



Your Rights

All Councils in the County worked together with Essex County Council and have designed and delivered a framework for the Local Council Tax Support schemes. If you wish to view our policy then please visit our web page www.harlow.gov.uk.

When you receive an award letter from us it will give details of how we have worked out your Council Tax Support or why it has been refused. If you are unhappy with our decision you can ask us to look at it again.

What can I do if I am not happy with a decision?

You can ask us to explain our decision; you can do this by Visiting Contact Harlow at the Civic Centre in person, by phone, email or in writing. A phone call or visit is probably best because if you visit us or use the telephone number on the decision letter you will be speaking to a trained Benefit Officer. This means that they will be able to explain the decision more fully and answer any questions that you may have at the same time. If you are then still not happy with the explanation there are two other paths available to you.

Making an Appeal against a Local Council Tax Support decision;

1) If you disagree with a decision you can appeal. An appeal must be made in writing and you should state which part of our decision you are not happy with and why.

Once we have received your appeal we will consider your appeal and;

- Review the original decision, and
- Check that all evidence supplied has been used

2) If we decide the decision cannot be changed we will tell you so in writing and give you the reasons why.

3) If you remain dissatisfied you can appeal to the Valuation Tribunal Service direct within two months of our reply to appeal letter. Please visit there website www.valuationtribunal.gov.uk to complete an appeal form.

4) If you do not receive a reply from us you should make an appeal to the Valuation Tribunal Service direct within four months of your original appeal letter.

Once you have appealed to the Valuation Tribunal they will notify us in writing.

If the decision is changed in your favour at any point we will tell you so in writing giving you further appeal rights with the new decision and no further action will be taken. If your appeal is with the Valuation Tribunal we will notify them that your appeal has lapsed.

Please note that making an appeal does not allow you to withhold payment of your council tax. An adjustment will be made to your Council Tax account if your appeal succeeds.

Your opportunity to discuss your appeal

If you wish to discuss your appeal in person you can contact us to arrange a private interview with the Appeals Officer by phoning 01279 446462. If you cannot get into the Civic Centre a home visit may be available in certain circumstances.

What happens next?

If you make a formal appeal to the valuaition tribunal, they wil ask us to provide the reasons for our decision and details of the law and any other information that was used to make the decision. When you receive a copy of this you should read it carefully.

The Hearing

You or your representative (if you have one) may be invited to attend a hearing and it is in your best interests to be there. This gives you a chance to deal with any questions or issues that may arise. Harlow Council will send an officer to any hearing notified who will explain our case further and explain the law and policy used, you will be able to question them on the day.

When and where will my appeal be heard

You will be given at least two weeks notice of a scheduled hearing. The Hearings will be take place at a venue close to you – this will be decided and notified to you by the Valuation Tribunal.

The members of the Valuation Tribunal, the ‘panel’ - Usually, three members will hear your appeal. One of the members, the senior presiding member, will chair the meeting. The clerk will act as an adviser on points of procedure and law. It is possible that a First Tier Tribunal Judge may be part of the panel. A representative from Harlow Council will normally be present, you and/or your representative. The hearing is open to members of the public; however, usually the only other people who come to a hearing are those who are also waiting for their case to be heard. We can hear your appeal in private if the Valuation Tribunal agrees.

Can the Valuation Tribunal award costs?

No. There is no power to order one side to reimburse the expenses of the other, whatever the outcome. Both parties to appeal have to meet their own expenses in preparing their case and attending the hearing.

Withdrawing the appeal

If you wish to withdraw your appeal you must make your request in writing and send it to the Valuation Tribunal, you can

do this at any time prior to the hearing. If you wish to withdraw your appeal on the day you must tell the Tribunal Clerk.

The Tribunals Decision on your appeal

The Chairman will make their decision on your appeal at the end of the hearing. You will be given the decision in writing either on the day of the hearing or by post. It will include notes about what happens next and what to do if you are not happy with the decision. A copy of the tribunal decision notice is sent to the council so that we can make any changes necessary as a result of their decision.

When you receive the decision if you want to know more details about how the decision was made you can request a statement of reasons from the Tribunal Service within two weeks of the decision notice.

Enquiries about making a Valuation Tribunal Appeal or to discuss your appeal

Telephone the Appeals Officer at Harlow Council on
01279 446462

Email hdc.benefits@harlow.gov.uk

The Valuation Tribunal Service has a set up a dedicated team who will take responsibility for receipt, registration and case management of all Council Tax Support appeals. This team will be based at the Doncaster office.

Council Tax Reduction Team, Valuation Tribunal Service, Hepworth House, 2 Trafford Court, Doncaster DN1 1PN

Phone number: 0300 123 1033

Email: appeals@vts.gsi.gov.uk

Web site: www.valuationtribunal.gov.uk

For free independent help and advice you can contact;

The Citizens Advice Bureau

15-17 West Gate, The High, CM20 1JP

Telephone; 0845 120 3717

Website www.advice.org.uk