
STATUTORY INSTRUMENTS

1991 No. 230

**The Personal Community Charge
(Reductions) (England) Regulations 1991**

PART V

PERSONS IN SHELTERED ACCOMMODATION

Persons to whom Part V applies

21.—(1) Subject to regulation 6, a person is an eligible person for the purposes of this Part if on the relevant day—

- (a) he is shown in a charging authority's community charges register as subject on 31st March 1990 to a personal community charge of the authority by reason of his residence in the authority's area in accommodation which is sheltered accommodation; and
- (b) subject to regulation 24(1) and (2), he is also shown in that register as subject on the relevant day to such a charge by reason of his residence in such accommodation; and
- (c) he is such a person as is mentioned in paragraph (3).

(2) For the purposes of this Part accommodation is sheltered accommodation if—

- (a) it is particularly suitable, having regard to its location, size, design, heating systems and other features, for occupation by persons of pensionable age or physically disabled persons (but is not accommodation residence in which exempts a person from liability to pay a community charge by virtue of paragraph 9 of Schedule 1 to the Act); and
- (b) there is provided in or in connection with the accommodation, and wholly or mainly for the purposes of assisting those persons, special facilities consisting of or including—
 - (i) the services of a resident warden; or
 - (ii) the services of a non-resident warden and a system for calling him; or
- (c) it is intended for occupation by a person providing such services as are mentioned in subparagraph (b)(i).

(3) The persons mentioned in this paragraph are—

- (a) a person for whose occupation sheltered accommodation is particularly suitable;
- (b) a person who is a resident warden of sheltered accommodation;
- (c) a relative of such a resident warden residing with the warden as a member of the warden's family.

Calculation of reduction

22.—(1) Subject to paragraphs (2) and (3) and regulation 23, the amount which an eligible person is liable to pay in respect of a personal community charge of the charging authority to whose personal community charge he is subject in a chargeable year shall (unless the product of the formula is a

negative amount) be calculated as if the authority had set a charge equal to the set charge less the product of the formula—

$$C - \left[\frac{RV \times ARP + \pounds 52}{P} \right]$$

where C, RV and ARP have the same connotations as in regulation 8(2); and

P is the total number of persons shown in the charging authority's register on the relevant day as subject on 31st March 1990 to a personal community charge of the authority by reason of their residence in that or other sheltered accommodation which comprises or forms part of the relevant hereditament.

(2) In the case of an eligible person whose sole or main residence on 31st March 1990 was, or was part of, such a hereditament as is mentioned in regulation 8(3), paragraph (1) shall apply as if for the formula set out in that paragraph there were substituted the formula—

$$C \left[\frac{W - \pounds 52}{P} \right]$$

where

C has the same connotation as in regulation 8(2), W has the same connotation as in regulation 8(4) and P has the same connotation as in paragraph (1) above.

(3) This regulation does not apply to a person in the chargeable year beginning 1st April 1992 unless his liability was reduced under this regulation in respect of the chargeable year beginning 1st April 1991 or would have been so reduced but for regulation 6 or 23.

Exceptions, etc.

23. Regulation 10 applies in relation to regulation 22 as it applies in relation to regulation 14.

Termination of reduction

24.—(1) Regulation 11(2) to (4) applies in relation to regulation 21 as it applies in relation to regulation 8: save that references in paragraph (2) of regulation 11 to a different residence do not include references to sheltered accommodation in the area of the charging authority to whose personal community charge the person in question was subject on the relevant day.

(2) Regulation 12 applies in relation to this Part as it applies in relation to Part II.