



**THE LANDS TRIBUNAL
UPPER TRIBUNAL
(LANDS CHAMBER)**

www.landstribunal.gov.uk

**FEE CONCESSIONS INFORMATION
BOOKLET**

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Introduction

The Lands Tribunal is committed to ensuring access to justice is not denied to people on very low income.

Cases before the Tribunal require payment of fees at various stages of the proceedings as set out in the schedule of fees in the Upper Tribunal (Lands Chamber) Fees Order 2009. A copy of the Fees Order may be viewed online or requested from our office. Our office address is: **43-45 Bedford Square, London WC1B 3AS**. Our website address is: www.landtribunal.gov.uk

This guidance is designed to let you know whether, given your circumstances, you qualify for a concession on those fees and to assist you in completing the fee concession application form, LTFC.

There are three types of fee concessions available to those on a very low income. Concessions 1 and 2 provide a full remission or waiver of the Tribunal fee if you are in receipt of a means-tested benefit or you have a gross annual income below a certain amount. Concession 3 provides a part remission or contribution toward the Tribunal fee if you would suffer financial hardship if you had to pay the fee.

Please read this guidance carefully before completing form LTFC. This booklet contains all the information you need to understand your entitlements and what evidence the Tribunal needs to process your request.

If you would like more information please contact the staff at the Tribunal. They can assist you with the procedures and help you complete the form **but they cannot tell you what to write or give you legal advice.**

Completing Form LTFC

You must complete a separate LTFC application each time you are required to pay a fee during the proceedings.

Section 1: About the Case

Case Number: This is normally found in the top right hand corner on a Tribunal document. If it relates to a new case, you will not have a case number so leave this blank.

Name of Claimant or

Appellant: The person(s) who starts the process or brings the action.

Name of Respondent or

Acquiring Authority: The person or the Authority who responds to the appeal or case.

Section 2: Your Details

Title, Surname/Family Name

and First Name: Please tick the box to select a title or, if 'other', state the title by which you are known. Please enter your full

name including any middle or secondary names.

Address and postcode:

Please enter the full postal address including postcode of your permanent home where you can be contacted. A 'care of' address is not permitted on this form.

Date of Birth: Please enter in DD/MM/YYYY form, e.g. 01/07/1963

Section 3: Full Remission based on permitted benefits - Concession 1

This concession is available to you if you can provide evidence that you receive any one of the following four means-tested benefits:

- Income-Support
- Income-Based Jobseeker's Allowance
- State Pension Guarantee Credit
- Working Tax Credit with no element of Child Tax Credit

If you are in receipt of one of the four means tested benefits, please tick the appropriate box and go to section 6.

If you are not in receipt of one of the four means tested benefits, please tick 'none of these' and go to section 4.

Evidence: If you have ticked 'Yes' you will be asked to provide evidence to support your application. The Tribunal Manager can only accept evidence in the form of:

- An original letter or entitlement notice, signed by a named member of staff from the appropriate benefit provider (details on page 3 - Useful Contacts) dated no more than **1 month old**. It must contain your full name, address, title and postcode.

If you receive State Pension Guarantee Credit or Working Tax Credit, your evidence letter can be dated up to **1 year old**.

Section 4: Full Remission based on gross annual income - Concession 2

This concession is available to you if you can provide evidence of your status, dependant children, name and address and show that your single or joint gross annual income does not exceed the limits set out in the tables below.

Children: Please tick Yes or No. If yes, state the number of children who are financially dependent on you.

Evidence:

- Current Child Tax Credit Award, or
- Current Child Benefit notification

Status: Please tick either single or part of a couple. A couple must reside at the same address. Please complete the details below the box you have ticked.

Evidence:

- Any original document stating full name(s) and address, such as a utility bill, bank statement etc

Gross Annual Income: This is your total earnings from all sources for the years, before any deductions such as tax or National Insurance, have been made.

Evidence:

If you are employed this can be:

- Original wage slips:
Paid monthly: last 3 months' wage slips no more than 4 months' old; or

Paid weekly: last full month of wage slips no more than 6 weeks' old; and

- Last 3 months' bank statements.

If you are self employed this can be:

- Most recent tax return (self assessment); or
- Most recent full year's profit and loss accounts; and
- Last 3 months' bank statements;
- Any other official document which shows any other income (e.g. statement of rent paid from other properties, permitted benefit entitlement letter, statement from ownership of stocks and shares etc.).

If you are single: Please look at the table opposite. The number of dependant children you have will determine the gross annual income limit available to you. Check the table to see if your gross annual

income is within the limit appropriate to your situation:

Number of Children	Total Gross Annual Income Limits
None	£12,000
One	£14,470
Two	£16,940
Three	£19,410
Four	£21,880

Additional Children: If you have more than four children, please add £2,470 for each extra child thereafter to the figure for four children.

E.g. If you are single with five children, add £2,470 to £21,880. Your gross annual income must not exceed £24,350.

If you are part of a couple: Please look at the table opposite. The number of dependant children you have will determine the gross annual income limit available to you.

Work out your joint total by adding together the gross annual income of you and your

partner. Check the table to see if your joint gross annual income is within the limit appropriate to your situation.

Number of Children	Total Joint Gross Annual Income Limits
None	£16,000
One	£18,470
Two	£20,940
Three	£23,410
Four	£25,880

Additional Children: If you have more than four children, please add £2,470 for each extra child thereafter to the figure for four children.

E.g. If you are part of a couple with five children, add £2,470 to £25,880. Your joint gross annual income must not exceed £28,350.

If your single or joint gross annual income does exceed the limits set out in the tables above, tick the declaration and go to section 5.

If your single or joint gross annual income does not exceed the limits set out in the tables above, tick the declaration and go to section 6.

Section 5: Part Remission based on a means test - Concession 3

This concession is available to you if you do not qualify for concessions 1 or 2. You may be entitled to a remission following a means test based on your income and expenditure. The Tribunal fee, in whole or in part may be payable if your disposable income is over a certain level.

Please state your monthly income and expenditure if applying as a single person.

If applying as part of a couple and residing at the same address, state all your separate monthly income and all your joint expenditure. Remember you or your partner may receive income from different sources. Each one must be stated. You will be asked to provide

evidence to support your application.

Please write your figures in the boxes provided on the form for each part that applies to you.

Monthly Income

Net Monthly Pay: Your actual 'take home' pay each month after deductions such as Income Tax and National Insurance.

Evidence:

If you are employed this can be:

- Original wage slips:
 - Paid monthly: last 3 months' wage slips no more than 4 months' old; or
 - Paid weekly: last full month of wage slips no more than 6 weeks old; and
- Last 3 months' bank statements.

If you are self employed this can be:

- Most recent tax return (self assessment); or

- Most recent full years profit and loss accounts; and
- Last 3 months' bank statements.

Income from people living with you: Amount received per month from people living at your address who pay you rent or board; a relative, lodger, or a non-dependant child.

Evidence:

- Rent book or receipts; or
- Statement from the person paying rent/board to confirm the amounts and arrangements in place.

Pension: Amount received per month from pension payments.

Evidence:

- Any official letter or entitlement notice.

Child Benefit and Other Benefits: Amount received per month from Child Benefit and any other benefit payments **excluding:**

- × Attendance Allowance
- × Back to Work Bonus

- × Budgeting Loan
- × Carer's Allowance
- × Cold Weather Payment
- × Community Care Grant
- × Constant Attendance Allowance
- × Council Tax Benefit
- × Crisis Loans
- × Direct Payments made under Community Care, Services for Carers and Children's Services
- × Disability Living Allowance
- × Exceptionally Severe Disablement Allowance
- × Financial support under an agreement for the care of a foster child
- × Funeral Payment
- × Housing Benefit
- × Income-based Jobseeker's Allowance
- × Income Support
- × Independent Living Fund Payments
- × Severe Disablement Allowance
- × State Pension Guarantee Credit

- × Working Tax Credits with no element of Child Tax Credit

Evidence:

- Current Child Benefit entitlement notice; or
- Any official letter or entitlement notice, dated no more than **1 month old**, for any permitted benefit given.

Total Monthly Income: Please add together all the figures you have entered and put the total in the box. If applicable, do the same for your partner's total monthly income.

Monthly Expenditure

Monthly housing costs: The total you pay for a mortgage, rent or board per month. If applying as part of a couple, this figure will be your joint payment.

Evidence:

- Mortgage statement (if mortgage is on a flat, the housing costs will include extra costs for ground rents and service charges); or

- Tenancy Agreement for rented premises; or
- Rent book signed by the landlord; or
- Receipts from board payments; or
- Statement from landlord.

Monthly Fixed Allowances:

These are fixed allowances given to you for:

- **Partner:** £142 per month. Do not enter this figure if you are applying as a single person
- **Dependent Child:** £98 per month per child. Do not enter this figure if you do not have dependant children
- **General Living Expenses:** £279 per month

Monthly Child Maintenance: If child maintenance is paid state the figure in the appropriate box to reflect the terms under which the maintenance is paid; Tribunal order, voluntary arrangement or Child Support Agency (CSA).

Evidence:

- Sealed Tribunal order; or
- Signed voluntary arrangement; or
- CSA assessment

Child Care Expenses: If you have dependant children, childcare may be paid; nursery, child minder, after school care etc. **Childcare costs do not include school fees.**

Evidence:

- Receipts from a nursery; or
- Proof of payments to a pre-school or after-school club; or
- Receipts from a child minder or nanny.

Payments under a Tribunal Order: If you make monthly payments as a result of any Tribunal order or judgment (excluding child maintenance) please give details here.

Evidence:

- A sealed Tribunal order giving the payment details, and

- Receipts of payments made to a claimant or the Tribunal

Total Monthly Expenses:

Please add together all the figures you have entered and put the total in the box. The total amount must be either your single monthly expenditure or yours and your partner's joint monthly expenditure.

What happens next: You will be asked to provide evidence on each figure you have given.

Failure to provide evidence will result in the application not being processed and the full fee being payable if you want to proceed.

An officer of the Tribunal will calculate your disposable income based on the figures you have provided.

The Decision: The Tribunal Manager will tell you how much contribution you must pay, whether in full, part or none at all. You can appeal if you do not agree with the Tribunal Manager's decision. Please see page 12 for details of how to appeal.

Section 6: Refunds

If you have paid a fee within the **last 6 months** and now realise you could have applied for a remission; you can apply for a refund. Please tick the 'Yes' box, enter the date you paid and go to section 7.

Evidence:

- That **you** paid the fee you are requesting the refund of by way of:
- a receipt; or receipted documents giving details of the fee and date paid; and
- The date paid must be within the last 6 months; and
- Appropriate evidence for the concession you are applying for that would have allowed the Tribunal to accept it on the day you paid the fee. Benefit letters and other evidence should be dated for the period you paid the fee and not the date you apply for the refund.

Please note that refunds can only be made by cheque or paid direct in to your bank account.

If you are not applying for a refund, please tick the 'No' box and go to section 7.

Section 7: Declaration

All applicants must complete and carry out the request contained in the declaration. Failure or refusal to do so will result in the LTFC application not being processed. Tick all three boxes and go to section 8

Section 8: Statement of Truth

All applicants must sign and date the statement of truth to confirm all the information provided is true.

Only the applicant themselves can sign and date the statement of truth.

No third party information or signature is allowed except where an LTFC is completed on behalf of a minor.

The application will be refused if section 8 is unsigned or if any

figures entered on the LTFC are found to be false or that you cannot provide evidence to support your application.

The Procedure

Your LTFC application will be processed within 5 working days of receipt.

If the Tribunal allows a full remission, the papers in the case will be processed.

If the Tribunal allows a part remission a letter will be sent stating the contribution you should pay. Payment should be made within 7 days. The papers relating to your case will not be processed until the fee is received.

If the Tribunal refuses the application, the LTFC and supporting evidence will be returned to you explaining the reason for refusal and stating the fee payable.

If you do not agree with the decision, you can appeal.

How to appeal

What you need to do:

- Appeal in writing to the Tribunal Manager.
- Appeal by the date specified in the refusal letter (this will be approximately 4 days from the date you receive the letter).
- Set out your grounds for appeal.
- Enclose your evidence and any further evidence that was not available to the original officer at the time of refusal.
- The Tribunal Manager will consider your appeal and notify you of the decision within 14 working days.
- **If the appeal is allowed**, the Tribunal will process the LTFC and Tribunal papers.
- **If the appeal is refused**, the Tribunal Manager will tell you the reasons why. You can appeal this decision to the Area Manager for Central London whose name and address will be supplied. You must follow the same procedure as set out above.

Alternatively, you can pay the fee, the amount of which will be set out in the Tribunal Manager's letter.

Useful contacts

Citizens Advice Bureau

Please go to the CAB website below to find out your nearest branch or check the Yellow Pages.

www.citizensadvice.org.uk

Community Legal Service Direct

Tel: 0845 3454345

www.clsdirect.org.uk

Department of Work and Pensions

www.dwp.gov.uk

Job Centre Plus

Tel: 0845 6060234

www.jobcentreplus.gov.uk

The Pension Service

Tel: 0845 6060265

www.pensionservice.gov.uk

Things to remember

- Administration staff cannot give legal advice. For free legal information, help and advice, contact Community Legal Service Direct or Citizens Advice Bureau (details opposite). You can also go to a Law Centre or Consumer Advice Centre, check the Yellow Pages for details.
- Please seek advice from Royal Mail before sending original documents in the post. The Tribunal is not responsible for original documents it does not receive.
- Applications for fee remissions will not be approved without the required documentary evidence except when the application is deemed an emergency.
- We accept payment by cash, postal order or cheque, which should be made payable to Tribunals Service.
- If you pay by cheque and it is dishonored, the

Tribunal will take steps to recover the money. Non-payment will result in your case refused or even struck out.