

Scrutiny Committee Agenda



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Date: 6 April 2016
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A meeting of the

Scrutiny Committee

will be held on Thursday, 14 April 2016

at 7.00 pm

Meeting Room 1, 135 Eastern Avenue, Milton Park, Milton, OX14 4SB

Members of the Committee:

Councillors

Judy Roberts (Chairman)
Alice Badcock (Vice-chairman)
Edward Blagrove
Katie Finch
Debby Hallett

Vicky Jenkins
Monica Lovatt
Ben Mabbett
Chris Palmer

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A handwritten signature in black ink, appearing to read "M Reed".

Margaret Reed
Head of Legal and Democratic Services

Agenda

Open to the Public including the Press

Council's Vision

The council's vision is to take care of your interests across the Vale with enterprise, energy and efficiency.

1. Notification of substitutes and apologies for absence

To record the attendance of substitute members, if any, who have been authorised to attend in accordance with the provisions of standing order 17(1), with notification having been given to the proper officer before the start of the meeting and to receive apologies for absence.

2. Minutes and actions arising and referral

(Pages 4 - 9)

To agree and sign the minutes of the meetings held on 14 January and 11 February 2016 (attached).

To consider any actions arising and outcomes and referrals made to other bodies.

3. Declarations of interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

4. Urgent business and chairman's announcements

To receive notification of any matters, which the chairman determines, should be considered as urgent business and the special circumstances, which have made the matters urgent, and to receive any announcements from the chairman.

5. Statements, petitions and questions from the public relating to matters affecting the Scrutiny Committee

Any statements and/or petitions from the public under standing order 32 will be made or presented at the meeting.

6. Work schedule and dates for all South and Vale scrutiny meetings

(Page 10)

To review the attached scrutiny work schedule. Please note, although the dates are confirmed, the items under consideration are subject to being withdrawn, added to or rearranged without further notice.

REPORTS AND ISSUES FOR THE CONSIDERATION OF THE SCRUTINY COMMITTEE

7. Draft Corporate Plan 2016 - 2020

(Pages 11 - 19)

To receive the report of the head of corporate strategy (attached).

8. Council tax reduction scheme 2015/16 - the effects to date

(Pages 20 - 29)

To receive the report of the head of finance (attached).

Exempt information under Section 100A(4) of the Local Government Act 1972

None

Minutes

of a meeting of the

Scrutiny Committee

held on Thursday, 14 January 2016 at 7.00 pm

at the Meeting Room 1, 135 Eastern Avenue, Milton Park, Milton, OX14 4SB



Open to the public, including the press

Present:

Members: Councillors Judy Roberts (Chair), Alice Badcock (Vice-Chairman), Ed Blagrove, Katie Finch, Debby Hallett, Vicky Jenkins, Monica Lovatt, Ben Mabbett and Chris Palmer

Officers: Adrian Duffield, Sophie Horsley and Ron Schrieber

Also present: Mike Murray

Number of members of the public: 15

Sc.23 Notification of substitutes and apologies for absence

None

Sc.24 Minutes and actions arising and referral

The minutes of the meeting held on 22 October 2015 were agreed as accurate and were signed by the Chair, subject to the following amendments:

In Minute 22, Botley Supplementary Planning Document (SPD):

- Under "Consultation on the SPD", delete 8th and 9th bullet points which duplicated earlier text;
- Under "Vulnerable Residents", insert "(SVHA)" after "Sovereign Vale Housing Association".

Further to Minute 17, the strategic director reported that the head of housing services had met with representatives of Sovereign Vale Housing Association (SVHA) to outline concerns raised by councillors and to discuss proposals on improved joint working. The meeting had been productive but SVHA had not yet submitted a formal response.

Sc.25 Declarations of interest

None.

Sc.26 Urgent business and chairman's announcements

None.

Sc.27 Statements, petitions and questions from the public relating to matters affecting the Scrutiny Committee

These would be heard later in the agenda with the item on the Botley Centre Supplementary Planning Document.

Sc.28 Work schedule and dates for all South and Vale scrutiny meetings

The following items were added to work schedule with dates to be agreed:

- Grants scheme review
- Council/Sovereign Vale Housing Association joint working (SVHA representatives to be invited).
- Equalities report.

Sc.29 Botley Centre Supplementary planning document

The Committee considered the report from the head of planning on changes to the proposed Botley Centre Supplementary Planning Document (SPD) since the 30 October 2015 Cabinet meeting and additional public consultation.

Before discussing the issue, the Committee heard the comments and questions of members of the public who had registered to speak.

Mary Gill, a local resident, raised a number of concerns regarding the legality of the process of the preparation and consultation on the SPD, the apparent conflict of interest of the consultants and the proposed heights of the buildings.

Neil Rowley from Savills, the agent for Mace, spoke in favour of the development of the site and gave an update on the public response to Mace's proposals.

Dr Stephen Parkinson asserted his view that that the process was unlawful as it did not comply with the requirements of the Town and Country Planning Act. He also expressed concern that Sovereign Vale Housing Association (SVHA) had not been asked to comment on the proposals even though Field House was included in the development area. In his opinion the process reflected badly on the council.

Riki Therivel asked if the SPD would be part of the forthcoming Local Plan or only of the extant Core Strategy. She also asserted that the sustainability appraisal was not legally compliant.

Mike Murray, the Cabinet member for planning, Adrian Duffield, head of planning and Sophie Horsley, planning policy manager, came to the committee to present the report and answer questions.

In response to the issues raised by members of the public they reported that:

- The planning officers were satisfied that the process was lawful;
- The aims of the SPD were to create a flexible strategy to guide development that supported the existing and future local community and attracted investment to serve the wider district and meet local regeneration aspirations.
- The planning policy framework of relevance to the SPD consisted of two tiers: at national level, the National Planning Policy Framework and the National Planning Practice Guidance; at local level, the Vale's Local Plan 2011;

- The planning consultants had produced evidence for the SPD but had had no involvement in the decision making process so there was no conflict of interest;
- There had been two periods of public consultations on the SPD, giving SVHA ample opportunity to comment on the proposals;
- The SPD was guidance, not policy. As such, officers would need to assess the weight to be given to it and other guidance, such as the Vale's design guide, when considering the proposed heights of buildings. It would then be for members to consider the officer recommendations when determining planning applications.

In response to further questions and issues raised by the committee, it was reported that:

- Once the 2031 Local Plan was adopted, it would be necessary to refresh the SPD;
- The SPD was prepared in isolation from any proposed planning application;
- Whether the anticipated Mace planning application succeeded or fell, the SPD, if adopted, would continue to apply to any future planning applications within the study area.

Following further discussion, the committee debated whether, given that the SPD had been subject to delay, there were concerns about its legality and it would need to be rewritten once the 2031 Local Plan was adopted, there was any benefit in it being adopted by the Cabinet. However, it came to the majority view that the recommendation to Cabinet to adopt the SPD to the saved planning policies of the adopted Vale of White Horse Local Plan 2011 should be supported.

The meeting closed at 8.15 pm

Minutes

of a meeting of the

Scrutiny Committee

held on Thursday, 11 February 2016 at 7.00 pm

at the Meeting Room 1, 135 Eastern Avenue, Milton Park, Milton, OX14 4SB



Open to the public, including the press

Present:

Members: Councillors Judy Roberts (Chair), Alice Badcock (Vice-Chairman), Ed Blagrove, Debby Hallett, Vicky Jenkins, Monica Lovatt, Ben Mabbett and Chris Palmer

Officers: David Buckle, Susan Harbour and Simon Hewings

Also present: Councillor Matthew Barber

Number of members of the public: 0

Sc.30 Notification of substitutes and apologies for absence

Apologies were received from Councillor Katie Finch.

Sc.31 Minutes and actions arising and referral

The minutes were not available for consideration and would come to the next meeting.

Sc.32 Declarations of interest

There were no declarations.

Sc.33 Urgent business and chairman's announcements

There was no urgent business and no Chair's announcements.

Sc.34 Statements, petitions and questions from the public relating to matters affecting the Scrutiny Committee

There were no statements, petitions or questions from the public.

Sc.35 Work schedule and dates for all South and Vale scrutiny meetings

Grants review was added to the work programme.

Sc.36 Vale Council 0216 Revenue Budget 2016-17 and Capital Programme to 2020-21

Matthew Barber, Cabinet member for finance; William Jacobs, head of finance and Section 151 officer, and Simon Hewings, chief accountant were present to introduce the item and to answer questions from the committee.

The committee considered the head of finance's report on the revenue budget 2016/17 and the capital programme to 2020/21. The report brought together the relevant information upon which Cabinet had recommended a budget and capital programme to Council on 17 February 2016. Supplementary paper appendix E setting out the prudential indicators for Cabinet's recommendation to Council, had been circulated in advance of the meeting. All councillors had been invited to a budget briefing earlier in the month.

The committee asked questions of clarification. A summary of the key issues raised during the question and answer session is below:

- Under the new leisure contract with GLL "Better", the Council receives a fee from the contractor, but pays for capital works;
- Costs between Vale and its partner council, South Oxfordshire District are split according to use of particular contractors/services;
- An increase of 0.5 FTE for the air quality officer would enable proactive responses to action plans;
- Additional financial resource to support housing strategies would provide an additional resource to support neighbourhood plans;
- The housing strategy is not aimed specifically at housing an additional number of families but at providing a strategy for the proper mix of housing, managing the waiting list and prioritising the right people;
- Although the Housing Benefit bad debt budget looks high in numerical terms, it is a very small proportion of the overall budget;
- The collection rate for council tax is ultimately over 99.9 percent;
- The revenue growth bid for the business innovation strategy would support growing small business and help to identify what the council could do to provide practical support.

There followed a lengthy discussion around the renovation of the Charter car park in Abingdon. This included, *inter alia*, the feasibility of expanding car parks in Abingdon, Wantage, Faringdon, Grove and Botley; and also the council's commitment to public transport and bicycles.

RESOLVED

To agree that cabinet recommend to council that it:

- a. Sets the revenue budget for 2016/17 as set out in appendix A.1 to the report in this agenda pack;

- b. Approves the capital programme for 2016/17 to 2020/21 as set out in appendix D.1, together with the capital growth bids set out in appendix D.2 of the report in this agenda pack;
- c. Sets the council's prudential limits as listed in appendix E, which was supplementary to this agenda;
- d. Approves the medium term financial plan to 2020/21 as set out in appendix F.1 to the report in this agenda pack.

The meeting closed at 7.55 pm

Agenda Item 6

Schedule for Scrutiny Committees 2016/17

(further items to be added to schedule as required)

Meeting date and venue	Type and chair	Agenda items	Cabinet members	Strategic director
Tues 12 April Milton Park 6.00	South	-Corporate Plan	Will Hall	SB
Thurs 14 April Milton Park 7.00	Vale	-Corporate Plan -Review CTRS	Matt Barber Matt Barber	AR
Tues 24 May	Joint	-Review of Biffa & Sodexo contracts -Temporary Accommodation Strategy	Tony Harbour/Elaine Ware Elizabeth Gillespie/Roger Cox	DB
<i>Tues 24 May</i>	<i>South</i>	<i>Only if needed, as Joint</i>		<i>DB</i>
<i>Thurs 26 May</i>	<i>Vale</i>	<i>Only if needed as Joint</i>		<i>SB</i>
Thurs 28 July	Vale	-Review of Wantage Independent Advice Centre & S & V CAB, prior to grant award -Leisure Provision Strategy -Review of CG & NHB grants		AR
Tues 2 August	South			SB
Thurs 15 Sept	Joint	-Review of GLL & Capita contracts		SB
Tues 27 Sept	South	-Draft Local Plan		AR
Thurs 29 Sept	Vale	-Local Plan report		AR
Thurs 24 Nov	Vale			
Tues 29 Nov	South			
Thurs 26 Jan	Vale	-Review of Final Draft Budget		
Tues 31 Jan 17	South	-Review of Final Draft Budget		
Thurs 9 Mar 17	Joint	-Community Safety Partnership		
Thurs 30 March	Vale			
Tues 4 April 17	South			

Strategic Directors

AR = Anna Robinson

DB = David Buckle

SB = Steve Bishop

Meeting Start times:

Joint: 6:30; South: 6:00; Vale: 7.00

Scrutiny Committee



Report of Head of Corporate Strategy

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To: Scrutiny Committee

DATE: 14 April 2016



Corporate Plan 2016 - 2020

Recommendation

Scrutiny Committee is invited to consider and comment on the draft Corporate Plan 2016 – 2020, prior to its consideration by Cabinet on 15 April 2016.

Purpose of Report

1. The purpose of this report is to consider the council's draft corporate plan for the period 2016 – 2020, and provide feedback to Cabinet on the draft plan. Scrutiny Committee's comments will be reported to Cabinet on 15 April. Final approval of the plan will be by Council on 11 May 2016.

Strategic Objectives

2. The development of the council's corporate plan is fundamental to the way that the council manages its business effectively. The purpose of the plan is to identify the strategic objectives and priorities, which will drive the council's business during a four year period and help to guide decisions on the allocation of resources. The draft corporate plan for the period 2016 - 2020 proposes a set of new objectives and priorities to replace those set out in the current corporate plan, which ends in 2016.

Background

3. In May 2015, the council began work on a fundamental review of the current corporate plan.

4. Evidence considered as part of the review includes results from recent biennial residents' surveys; demographic and other data about the district prepared by the District Data Service, recent board reports and the annual addendum report.
5. The attached represents the Cabinet's draft plan for the period 2016 – 2020.
6. The plan also includes the council's equality objectives, which we are required to publish under the Equality Act. These have been the subject of a stakeholder consultation. The objectives underpin all of the council's activities.
7. Subject to endorsement by Cabinet and final approval by Council on 11 May, the plan will be graphically designed prior to publication on the Councils website. Copies will be available on request to anyone who is unable to access it electronically.
8. The plan is a high-level statement of objectives and actions that the Cabinet wishes to achieve over the next four years. Further detail, including measures, targets and specific actions will be included in a corporate development plan, which will be reviewed by Cabinet annually, and annual reports on progress will be provided to Cabinet.

Financial Implications

9. There are no direct financial implications arising from this report although the corporate plan will be used to guide decisions on the allocation of resources.
10. Funding for some of the activity set out in the draft plan has been approved as part of the 2016/17 budget, the financial implications of other specific actions or of progressing any of the ambitions contained in the plan will be considered as part of more detailed planning and consideration of future years' budgets.

Legal Implications

11. There are no legal implications arising from this report. Any legal implications connected with specific actions in the plan will be considered as part of detailed planning for implementation.

Risks

12. Risks will need to be identified specific to individual corporate priorities and included in the operational service area risk register. The key corporate risks arising from this report are reputational ones of demonstrating listening to feedback we received in the residents' survey and reflecting the views of residents in our plan; and of agreeing a final plan that we can deliver on.

Other Implications

13. A high level equality impact check has been carried out on the draft plan and no adverse implications have been identified at this stage. Any potential equality implications in relation to specific actions will be considered where relevant as part of detailed planning for implementation.

Conclusion

14. We have carried out a major review of the corporate plan and developed, a draft plan for 2016-2020 setting out new objectives and priorities for the next four years. The plan will provide a focus for the council's work and will also guide decisions on the allocation of resources.
15. Scrutiny Committee is invited to consider and comment on the draft Corporate Plan 2016 – 2020, prior to its consideration by Cabinet on 15 April 2016.

VALE DRAFT CORPORATE PLAN 2016 - 2020

HOUSING AND INFRASTRUCTURE

Through an ambitious housing strategy we will

- deliver the right balance of types and tenure of new homes to meet housing need and support economic growth
- develop a range of starter home and low cost home ownership initiatives, that provide entry points to home ownership
- ensure a good supply of affordable rented homes for those unable to buy
- promote self-build and custom build initiatives, ensuring land is made available for this purpose
- promote exemplar housing design through our planning policies
- work with developers and other partners to develop a protocol that will ensure high quality, sympathetic design across our district
- actively work to bring forward development where we see gaps in provision, using council resources and delivery vehicles as appropriate

We will reduce homelessness by

- assisting households to remain in their home through mediation and enforcement of their rights to occupy
- providing a holistic housing advice service, in partnership with other agencies, to maximise the housing options for all households
- helping low income families to access affordable rented accommodation through Deposit Bonds, Rent-In-Advance loans and tenancy support

We will tackle infrastructure challenges by

- providing funding towards work on temporary flood barriers in South Hinksey and for the investigation of options to manage flood risks at sites in Abingdon, including Hillview Road on the River Stert; St Helen's Mill on the River Ock and a more comprehensive scheme for the River Ock
- working with infrastructure partners to find solutions to flooding problems across the district
- maximising contributions from housing development towards road improvements and public transport, ensuring that funding is directed towards the most effective schemes
- seeking to maximise the amount of business rates income from our two Enterprise Zones towards infrastructure projects in Vale

SUSTAINABLE COMMUNITIES AND WELLBEING

We will facilitate sustainable communities by

- supporting and resourcing the development of neighbourhood plans for our towns and villages
- supporting community groups and community events through our grants scheme
- assisting voluntary and community groups that provide important services to residents to attract volunteers

We will increase participation in sport and leisure through

- continuous improvement programmes for our leisure centres and facilities
- investing in our parks and gardens, including Abbey Gardens and Wantage Park
- building a new leisure centre at Grove

- expanding the range and quality of activities at The Beacon in Wantage

We will continue to improve our environment by

- maintaining our position as a top-performing council on waste collection and recycling
- carrying out district-wide deep cleans of pavements and public footpaths
- tackling fly tipping by clearing fly tips quickly and taking tough action against the perpetrators
- working positively with developers and applicants through the planning process to minimise breaches of planning control that could otherwise lead to enforcement action

BUILDING AN EVEN STRONGER ECONOMY

We will create the right conditions for economic growth, so that businesses, residents and workers can prosper

- We will directly address matters that fetter growth within our control, such as housing supply and provision of affordable housing. We will work with partners to seek to overcome infrastructure bottlenecks that impact adversely on business competitiveness
- We will support enterprising small and medium sized businesses to grow, ensuring the right package of initiatives is available on demand, including the potential for business rate discounts
- We will work with UKTI, the Local Enterprise Partnership, business parks and others to ensure inward investment is maximised
- We will take a strong lead on delivery of our two Enterprise Zones in Science Vale, to maximise growth and inward investment and create high value jobs for residents. We will seek to capture the business rates growth from the Enterprise Zones for reinvestment in Vale
- We will invest in land and property where appropriate to achieve our corporate objectives

We will optimise employment opportunities by

- working with delivery partners to ensure a good supply of appropriate business premises for start-ups and small and medium enterprises
- ensuring the skills needs of our employers are identified and that training programmes are in place to provide a skilled labour force
- working with developers to introduce local apprenticeship and local workforce schemes that benefit our young people
- looking for opportunities to extend local development orders which simplify and speed up the planning process to encourage business growth in Vale
- supporting and encouraging business collaboration through the Vale4Business brand

We will support tourism in Vale by

- promoting Vale as a must-see visitor and cultural destination, providing up to date information on amenities and events
- enabling the development of additional hotel accommodation to encourage more overnight visitors

We will ensure the success of our town centres by

- improving car parking by increasing the number of parking spaces where possible, refurbishing the Charter multi-storey car park in Abingdon, and maintaining the two-hour free parking period
- working with providers and partners to improve broadband access, mobile phone reception and public access to wi fi in our town centres
- securing the redevelopment of the West Way shopping centre area in Botley
- exploring the potential for redevelopment of the Charter area in Abingdon, building on the success of the Bury Street redevelopment
- expanding our Town Teams to support our thriving town centres of Wantage and Faringdon
- supporting the successful operation of the Abingdon Business Improvement District

RUNNING AN EFFICIENT COUNCIL

We will maintain high levels of resident satisfaction with how the council runs things by

- keeping council tax low
- continuing to work in partnership with South Oxfordshire district council to develop new ideas for improving service delivery including moving to a unitary council covering southern Oxfordshire
- continuing to reduce our operational costs, particularly energy costs, through efficiency measures

ADDITIONAL TEXT TO BE ADDED AT THE END

In delivering on the commitments in this Corporate Plan we will provide fair and accessible services and employment opportunities that meet the needs of everyone, and positively promote inclusion, in line with the Equality Act.

The Council's agreed equality objectives are to:

- continue to improve physical access to council owned or leased buildings or land
- ensure new projects, policies or strategies, changes to services, and communication take account of the needs of all users
- increase our understanding of the communities we serve, through consultation, engagement and using existing evidence (e.g. census data) to inform the decisions we make
- continue to monitor the impact of our employment policies and practices to ensure all groups have access to employment opportunities
- support communities to deliver better outcomes for disadvantaged groups and encourage community cohesion

- seek to improve access to major new developments and town centres in South Oxfordshire and the Vale for people with disabilities, carers and older people

Scrutiny Committee Report



Report of Head of Finance

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To: Scrutiny Committee

DATE: 14 April 2016

Council tax reduction scheme 2015/16 – the effects to date

Recommendation

That Scrutiny Committee considers the report and reports any observations to the Cabinet member for Finance

Purpose of Report

1. The purpose of this report is to update members on the effect the council tax reduction scheme (CTRS) has had on its council taxpayers during **2015/16**. This is following the report taken to the Scrutiny Committee on 26 March 2015. The report also includes an Appendix (1) which includes the comments of the equalities officer on the discretionary hardship allowance criteria (which was previously circulated to the committee members in September 2015).

Strategic Objectives

2. The council is required by statute to adopt a reduction scheme to help those on low incomes to meet their council tax liability. In accordance with the strategic objective “excellent delivery of key services”, by having a scheme, we should achieve the corporate priority of delivering a high quality value for money service.

Background

3. Prior to April 2013 there was a national scheme of financial assistance called “**council tax benefit**” which was available to taxpayers on low incomes to help them meet their council tax liability. This scheme had been in operation since 1993.
4. Following changes introduced by the Local Government Finance Act 2012, this council adopted its own local “council tax reduction scheme” to take effect from 1 April 2013. This was against a backdrop of reduced Government funding of approximately ten per cent compared to the funding given for the previous council tax benefit scheme.
5. In common with the other district councils in Oxfordshire, the local scheme more or less mirrored the previous council tax benefit scheme which meant that no residents saw a reduction in their entitlement.
6. The ten per cent reduction in Government funding was counteracted by the council’s implementation of technical reforms to the council tax system whereby more council tax was charged on empty properties and second homes.
7. The final scheme that was adopted was for one year only and the council was therefore required to formally adopt a scheme for 2014/15.

The scheme since 2014/15

8. It was proposed that the scheme adopted for 2014/15 should require everyone (**excluding those of Pension Age and certain protected groups - people with disabilities, war widows and war disabled pension recipients**) to pay **at least 8.5 per cent** of their council tax (around £129.00 per year, based on a Band D property in 14/15 and **£133 in 2015/16**). This would mean that the maximum reduction that anyone could receive would be **91.5 per cent** of their council tax liability.
9. Cabinet believed that the reduction in Government funding mentioned in paragraph 6 above should be spread fairly across all council tax payers (apart from the protected groups mentioned above), not just those who were not claiming a reduction. Cabinet’s rationale being that the proposed reduction scheme **should encourage unemployed people to seek work** - which was a stated Government policy intention for localising council tax support in the first place
10. In addition to a flat 8.5 per cent reduction across the board, Cabinet also proposed that some further modifications should be made to entitlement in respect of specific categories of claimant. This had the effect of further reducing entitlement for some claimants. However, the scheme would also increase entitlement for those who find work e.g. in the 2013/14 scheme, when an unemployed claimant took up a new job, we continued to give a reduction for four weeks after the new job began, at the same rate they were on before starting work. This was so they were not faced with having to pay an increased council tax bill immediately. Under the new scheme it was proposed to continue giving

the same level of reduction for **thirteen weeks** - to help people even more with the transition into work.

11. Following the comments received from an eight week public consultation and feedback from Scrutiny committee, Cabinet adopted the following scheme:

- entitlement for working age claimants would be capped at **91.5** per cent of their council tax liability, except for these protected groups - people with disabilities, war widows and war disabled pension recipients
- removal of the second adult rebate scheme
- entitlement for properties in bands F, G and H would be capped to band E council tax levels
- the four week “run on” entitlement would be extended to thirteen weeks when a claimant moves into work
- personal allowances and non-dependent deductions for working age claimants would be uprated by one per cent each financial year commencing 1 April 2014

12. In addition, Cabinet decided to introduce a discretionary hardship fund (DHF) to help those claimants experiencing financial hardship and the costs of the fund would be shared by the Vale and the major precepting authorities i.e. County Council and the Police and Crime Commissioner (Thames Valley).

Financial Implications

13. By reducing claimants’ entitlement it has obviously reduced the scheme costs. To date the current predicted savings are:

Table 1

Group	Numbers affected	(Saving)/Cost
Reducing maximum entitlement to 91.5 per cent (i.e. 8.5 per cent reduction)	1,491 (1,749 in 14/15)	(£152,136)
People who receive a reduction because they live with another adult who is on a low income	5 (15 in 14/15)	(£2,163)
People who will have their entitlement capped to a band E rate	15 (26 in 14/15)	(£6,553)
People who move into work and continue to receive the same level of reduction	69 (167 in 14/15)	£12,112
NET SAVING		(£148,740)

14. These savings will be apportioned between the Vale, Oxfordshire County Council and the Police and Crime Commissioner (Thames Valley). It was originally estimated that the savings to be gleaned from the modifications would be **£220,000 p.a.** However, the **CTRS caseload has reduced significantly** over the last two years which is good news as this means the overall **CTRS bill has reduced** and more residents are paying council tax.

15. The modifications to the CTRS has had the following direct financial impact on individual claimants as follows:

Table 2

Group	Average annual (reduction)/increased award	Highest annual (reduction)/increased award
Reducing maximum entitlement to 91.5 per cent (i.e. 8.5 per cent reduction)	(£102)	(£175)
People who receive a reduction because they live with another adult who is on a low income	(£433)	(£499)
People who will have their entitlement capped to a band E rate	(£436)	(£723)
People who move into work and continue to receive the same level of reduction	£176	£391

Collection rates and debt recovery implications

16. The impact on the council tax collection rate (as at 29 February 2016) is as follows:

	Net debit	Payments received	Percentage collected
Accounts without CTRS	£76,047,091	£74,508,869	97.98%
Accounts with CTRS	£1,690,326	£1,414,223	83.67%

17. It can be seen from the table that the collection rate from CTRS taxpayers (**83.67 per cent**) is significantly lower than non-CTRS cases. However, this is **actually better** than South Oxfordshire District Council (**83.59 per cent**) which has **not** modified its scheme. Historically, the collection rate comparisons between CTRS/old council tax benefit cases and non-CTRS cases have always shown this trend, but the interesting point as far as Vale is concerned is that the modified scheme has not really affected collection rates.
18. As at March 2016 there are **5,294** live CTRS claimants (5,424 in 2014/15) whilst **1,491** are working age claimants (1,604 in 2014/15) who are liable to pay **8.5 per cent** of their council tax (the remainder being pensioners and other protected groups such as disabled claimants).
19. There has been post reminder council tax recovery action (**i.e. Magistrates court action**) against **119** (187 in 2014/15) of the taxpayers who were previously in receipt of 100 per cent council tax help and are now liable to pay **8.5 per cent** of their council tax. These taxpayers have been subjected to summons costs of £65 (as a minimum) and further costs of £45 where Magistrates have issued liability orders in the council's favour. **25** (72 in 2014/15) council taxpayers paid in full after court action whilst **94** (115 in 2014/15) still have a balance outstanding. **It should be noted that these are all working age council taxpayers who received prior notice of the council's revised CTRS scheme** and have been sent bills and notices (which also prompts them to contact the council) prior to court action.
20. There are a further **135** cases (150 in 2014/15) which have not been subjected to post reminder recovery action as of yet, but still have outstanding balances. These will in the main, be taxpayers who have contacted the council and agreed payment plans to clear their liabilities.
21. The additional administration surrounding the management of CTRS taxpayer accounts was highlighted during the design of the scheme and, the council's contractor, Capita, has been paid £43,600 for this, which effectively covers work such as additional postage and printing; additional contact centre costs; and, general council tax work. This has been funded by the County Council (£9,000); the Police (Thames Valley) (£1,200), with the Vale funding the remainder (£33,400) from the CTRS "new burdens" grant it received.

Discretionary Hardship Fund (DHF)

22. As mentioned above, a discretionary hardship fund of **10 per cent** of the anticipated overall savings was agreed. This originally equated to **£22k** and was funded by the County Council (**£18k**); the Police (**£2,400**) with Vale (**£1,600**). However, as the savings have reduced, and demand for funding has not materialised, contributions were reduced in 2015/16.
23. During 2015/16 we only received **one** DHF application. The applicant was awarded **£92**. This compares to 20 applications being received in 2014/15 with 13 applicants receiving £882.

Legal Implications

24. There are no legal implications arising from this report.

Risks

25. There are no risks arising from this report.

Equality implications

26. Please refer to **Appendix 1** and to the comments of the Equalities Officer (which was previously circulated to committee members in September 2015).

Conclusion

27. In accordance with the Local Government Finance Act 2012, the council adopted a council tax reduction scheme for 2014/15 and rolled the same scheme forward into 2015/16. The rationale of the scheme was to introduce a scheme that is fair on all residents; protects the vulnerable; and, **encourages residents back to work by the inclusion of work incentives**. The same scheme will apply in financial year 2016/17.

Vale of White Horse District Council

Council Tax Reduction Scheme

Discretionary Hardship Awards (DHA)

1. Background

From 31 March 2013, Council Tax Benefit (CTB) was abolished. Council Tax Benefit was a national scheme where the Government funded the amounts paid out in CTB awards in full. In its place, each council had to design its own Council Tax Reduction Scheme (CTRS) for working age claimants. In the financial year 2013-14, the council decided not to make any changes to the old CTB scheme and keep it as its local CTRS. For the financial year 2014-15, the council decided that, with the exception of disabled people, people in receipt of war disability pensions and war widows, the maximum amount of benefit which can be received was reduced to 91.5% of their council tax and anyone in Council Tax bands F, G and H would have their reduction assessed on a band E equivalent. Second Adult Reduction was also abolished.

Due to the above changes, the council has introduced a hardship scheme for those who may suffer financial hardship because of them. The main features of the scheme are that

- the scheme is purely discretionary; a claimant does not have a statutory right to a payment.
- applications will only be considered from council taxpayers who were resident at a property as at 31 March 2014 (i.e. applications from new occupants from 1 April onwards will not be considered).
- only applications from claimants who have been affected by the changes to the CTRS will be accepted.
- the amount that can be paid out in any financial year is cash limited.
- the administration of the scheme is for the Revenues and Benefits Client Team to determine.
- DHA's can only meet the maximum Council Tax liability.
- DHA's are not payments of council tax reduction .

Comment [CR1]: General comment: In order to check on an ongoing basis that we are awarding DHA fairly and not discriminating against any particular groups of people (e.g. ethnic minority people), it would be good if we could put a process in place to monitor who we are awarding /declining their application. Please consider how this could be done.

Comment [CR2]: Why, are we saying it is their fault if they move to a new property they cannot afford to pay the council tax in the new property? Bearing in mind that they may be moving to a property within the same council tax band or lower, this appears too restrictive, may want to consider opening the scheme to anyone affected taking account the reasons why people have moved, so that there is still some discretion to refuse if it is felt they do not need to move to a property with a high council tax band.

Comment [CR3]: Did we write to the affected people to explain about the hardship fund when we advised them of the changes to the scheme? If not, you could consider making contact now.

2. The Revenues and Benefits Service Protocol relating to DHA

2.1 Purpose

The purpose of this protocol is to specify how the council operates the scheme and to indicate some of the factors that will be considered when deciding if a DHA can be made. Each case is treated strictly on its merits and all customers will be treated equally and fairly when the scheme is administered. The council is committed to working with the local voluntary sector, social landlords and other interested parties in the district to maximise entitlement to all available state benefits and this will be reflected in the administration of the scheme. Where the evidence provided indicates that a claimant is not claiming another state benefit that they may be entitled to, the council will advise them to make such a claim and provide details of other agencies in the district who may be able to help them with such a claim.

2.2 Statement of objectives

The Revenues and Benefits Client Team will consider making a DHA to claimants who meet the qualifying criteria as specified in this guidance. The Revenues and Benefits Client Team will treat all applications on their individual merits and will seek through the operation of this policy to:

- alleviate poverty.
- encourage and sustain people in employment.
- help those who are trying to help themselves.
- keep families together.
- support vulnerable members of the local community.
- help claimants through personal and difficult events.
- support young people in the transition to adult life.

The Revenues and Benefits Client Team considers that the DHA scheme should be seen as a short term emergency fund. It is not and should not be considered as a way round any current or future entitlement restrictions set out within the Council Tax Reduction Scheme.

2.3 Claiming a Discretionary Payment

A claim for a DHA should be made in writing (an application form will be provided) signed by the claimant. However in certain exceptional circumstances an award could be made without an application being received – this is at the discretion of the Revenues and Benefits Client **Team**. Claims may be accepted from someone acting on behalf of the person concerned where written authorisation for that person to act on behalf of the claimant is held.

Comment [CR4]: I understand that Suzanne would help applicants to complete the form if they were unable to do so themselves and that RSLs/CAB are made aware of this. Perhaps the policy should publicise this.

2.4 Period of Award

In all cases, the Revenues and Benefits Client Team will decide the length of time for which a DHA will be made on the basis of the evidence supplied and the facts known. The award will be limited to the financial year in which the application was made and will not roll over into the following financial year.

2.5 Making a Discretionary Award

In deciding whether to make a DHA the Revenues and Benefits Client Team will take into account:

- the amount by which council tax reduction has dropped due to the introduction of the 2014/15 revised CTRS.
- the financial circumstances of the claimant, their partner and any dependants and any other occupants of the claimant's home.
- the income and expenditure of the claimant, their partner and any dependants or other occupants of the claimant's home.
- any savings or capital that might be held by the claimant or their family.
- the level of indebtedness of the claimant and their family.
- the exceptional nature of the claimant and their family's circumstances.
- the amount available in the DHA budget at the time of the application.
- the effects of other welfare benefit changes affecting the claimant.
- DHA can only be considered for a period where council tax reduction is payable.
- Any other special circumstances brought to the attention of the Revenues and Benefits Client Team.

Comment [CR5]: Whilst recognising that generally speaking first come first served is a fair approach. It could be very distressing for the person/people trying to seek support to be told that there is not enough funds left to help them. What is the likelihood of there not being enough to pay DHA to all those that apply? Would it be possible to monitor payments throughout the year, with the view to putting in a growth bid for further finance if it looks like the budget will not meet demand?

2.6 Changes of Circumstances

The Revenues and Benefits Client Team may need to revise an award where the claimant's circumstances have materially changed.

2.7 The right to seek a review

Discretionary Awards are not payments of council tax reduction and are therefore not subject to the statutory appeals mechanism.

The Revenues and Benefits Client Team will operate the following policy for dealing with appeals about (i) a refusal to make a DHA, (ii) a decision to award a reduced amount or, (iii) a decision that there has been an overpayment.

- A claimant (or their appointee or agent) who disagrees with a decision relating to DHA's may dispute the decision. A request for a review shall

Appendix 1

be made in writing within one calendar month of the written decision about the DHA being issued to the claimant.

- The review will be carried out by the Revenues and Benefits Client Manager.
- Where the Revenues and Benefits Client Manager decides not to revise the original decision he will notify the claimant of his decision in writing, setting out the reasons for the decision.
- The decision of the Revenues and Benefits Client Manager will be final and binding. The claimant may challenge whether the correct amount of DHA has been applied to the council tax account to the Valuation Tribunal for England. Any other aspect of the decision making may only be challenged via the judicial review process (or by complaint to the Local Government Ombudsman if maladministration is alleged).

2.8 Overpayments

The council will consider and seek to recover any DHA found to be overpaid. Normally this will involve issuing an invoice to the claimant.

Comment [CR6]: Would they be given a period of time to pay it back i.e. in instalments? Particularly if it is not the claimants fault

2.9 Fraud

The council is committed to the fight against fraud in all its forms. A claimant who tries fraudulently to claim a DHA by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under the Theft Act 1968. Where the council suspects that such a fraud may have occurred, the matter will be investigated as appropriate and this may lead to criminal proceedings being instigated.