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OVERVIEW AND SCRUTINY COMMITTEE

Date: Monday, 24 July 2023

Time: 6.00pm,

Location: Council Chamber, Daneshill House, Danestrete, Stevenage

Contact: Lisa Jerome (01438) 242203

committees@stevenage.gov.uk

Members: Councillors: L Martin-Haugh (Chair), P Bibby CC (Vice-Chair), S Booth, R Broom, J Brown, F Chowdhury, M Downing, B Facey, C McGrath, S Mead, M Notley, R Parker CC, C Veres, A Wells and C Parris

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES OF THE PREVIOUS MEETING

To approve as a correct record the minutes of the meetings of the Overview and Scrutiny Committee held on 20 June 2023.

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3. PART I DECISIONS OF THE EXECUTIVE

To consider the following Part I Decisions of the Executive taken on 18 July 2023:

2. Minutes
3. Minutes of the Overview and Select Committees
4. Station Gateway Area Action Plan: Preferred options Report – Public Consultation Feedback
5. Equality, Diversion and Inclusion Action Plan (2023 – 2024)
6. Housing Under – Occupation Policy Review
7. Local Lettings policy for Specialist Accommodation (Older People)
8. Corporate Performance Quarter 4 2022/23, Annual Report 2022/23 and Corporate Performance Suite 2023/24
9. 4th Quarter Revenue Monitoring 2022/23 – General Fund and Housing Revenue Account
10. 2022/23 Capital Expenditure Outturn

Notice of Decisions to follow

PLEASE BRING YOUR AGENDA AND REPORTS FOR THE EXECUTIVE MEETING HELD ON 18 JULY 2023

4. COUNCIL TAX SUPPORT SCHEME

To consider the latest available information around the current local Stevenage Council Tax Support (CTS) scheme and whether any changes to the scheme should be considered for the financial year 2024/25

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5. URGENT PART I DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE

To consider any urgent Part I Decisions authorised by the Chair of the Overview and Scrutiny Committee

6. URGENT PART I BUSINESS

To consider any Part I business accepted by the Chair as urgent

7. EXCLUSION OF PRESS AND PUBLIC

To consider the following motions:

1. That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in paragraphs 1 – 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.
2. That Members consider the reasons for the following reports being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

8. PART II MINUTES - OVERVIEW AND SCRUTINY COMMITTEE

To approve as a correct record the Part II Minutes of the meeting of the Overview and Scrutiny Committee held on 20 June 2023.

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9. PART II DECISIONS OF THE EXECUTIVE

To consider the following Part II Decisions of the Executive taken on 18 July 2023.

13. Part II Minutes – 14 June 2023
14. Regeneration Programme Update and SG1 programme Implementation

Notice of Decisions to follow

PLEASE BRING YOUR AGENDA AND REPORTS FOR THE EXECUTIVE MEETING HELD 18 JULY 2023.

10. URGENT PART II DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE

To consider any urgent Part II Decisions authorised by the Chair of the Overview and Scrutiny Committee

11. URGENT PART II BUSINESS

To consider any Part II business accepted by the Chair as urgent

Agenda Published 14 July 2023

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STEVENAGE BOROUGH COUNCIL
OVERVIEW AND SCRUTINY COMMITTEE
MINUTES

Date: Tuesday, 20 June 2023

Time: 6.00pm

Place: Council Chamber, Daneshill House, Danestrete, Stevenage

Present: Councillors: Lin Martin-Haugh (Chair), Rob Broom, Jim Brown, Forhad Chowdhury, Michael Downing, Bret Facey, Graham Lawrence CC (substitute), Conor McGrath, Andy McGuinness (substitute), Sarah Mead, Margaret Notley, Robin Parker CC, Carolina Veres and Anne Wells.

Start / End Time: Start Time: 6.00pm
End Time: 6.56pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillors Phil Bibby CC and Stephen Booth. Councillor Graham Lawrence CC was substituting for Councillor Bibby and Councillor Andy McGuinness was substituting for Councillor Booth.

There were no declarations of interest.

2 MINUTES - 21 MARCH 2023

It was **RESOLVED** that the Minutes of the Overview & Scrutiny Committee held on Tuesday, 21 March 2023 be approved as a correct record and signed by the Chair.

3 TERMS OF REFERENCE

The Committee received and noted its terms of reference, as approved at the Annual Council Meeting on 24 May 2023.

4 PART I DECISIONS OF THE EXECUTIVE

2. Minutes – 15 March 2023

Noted.

3. Minutes of Overview & Scrutiny Committee and Select Committees

Noted.

4. Implementation of Building Safety Act 2022

The Committee was informed that the Executive had raised no questions and

had approved the recommendations set out in the report.

In reply to a Member's questions, the Operations Manager (Investing in Homes & Properties) confirmed that the costs of implementation of the Act would fall on the Housing Revenue Account. In terms of staffing, the proposed draft structure indicated some new posts, although there could be some flexibility about using existing staff, and this would be looked at in more detail as the project progressed.

5. DLUHC Future Councils Grant Award

The Committee was advised that the recommendations in the report had been approved by the Executive.

In reply to a number of Members' questions, the Head of Customer & Digital Services responded as follows:

- the benefits of the use of the Grant Award of £750,000 would be in improved resilience and more effective service delivery. For example, the housing IT system would be migrated into the cloud, which would provide quicker access to information/records for housing officers when operating in the field;
- it was acknowledged that the value added to the end service needed to be visible, and a report back on the overall Transformation Programme was to be submitted to the September 2023 meeting of the Executive;
- "Agile" project management was defined as being able to bring forward elements of an overall IT package at an earlier stage, rather than the traditional method of waiting until the whole package was ready before going live. The "agile" method allowed evaluation of the early elements of the package before other elements were added: and
- The Programme would be delivered by a mix of internal and external resources (eg. for cybersecurity). The work on migration to the cloud would be undertaken by a mix of internal resource and one-off external support.

5 URGENT PART I DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE

None.

6 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2023/24

The Committee considered a report in respect of its Work Programme for 2023/24.

In respect of the Scrutiny Review items for 2023/24, the Scrutiny Officer advised that, subject to consultation with the Assistant Director (Technology), he was hoping to bring the one-off performance review of ICT item forward from early 2024 to September/October 2023.

A Member felt that there should be a specific focus for this review, and that a

specific list of concerns should be drawn up in advance for consideration at the meeting. Another Member was of the view that part of the focus should be on how IT affected the way the public communicated with the Council, and how this could be improved and simplified. A comment was made that the information collected via IT systems was important, but equally important was the speed and efficiency of officers in responding to such information (both to the public and Members).

In relation to consideration of the 2021 Census Data for Stevenage, it was noted that the scope of the review could look at local and wider socio-economic issues. A comparison was drawn with the Council's Residents' Surveys, which was less representative than the Census and not did not always identify residents' priorities.

The Strategic Director (TP) commented that the information in the Census could be compared with other data sets held by the Council, as well as the information coming out of the Equalities Commission work on the Equality, Diversity and Inclusion Strategy.

In respect of the Committee's Action Tracker, the Scrutiny Officer confirmed that this was last updated in July 2022, and that an updated Tracker would be prepared in the near future.

The Scrutiny Officer concluded by referring to the Budget and Policy Framework items to be considered by the Committee during 2023/24.

A Member asked how the work of the Council's Financial Security Group would feed into the Committee's scrutiny of the Making Your Money Count Budget Options for 2023/24. The Strategic Director (TP) stated that he would request the Strategic Director (CF) to provide a written response to this question.

With regard to pre-scrutiny of the Council Tax Support Scheme (CTSS) for 2024/25, the Chair explained that this was now scheduled to take place in July 2023, although the method of pre-scrutiny was yet to be determined. The Scrutiny Officer agreed to ask appropriate officers to provide Committee Members with details of the proposed CTSS as soon as possible.

It was **RESOLVED** that the Overview & Scrutiny Committee Work Programme for 2023/24, as set out in the agenda, be noted.

7 **URGENT PART I BUSINESS**

None.

8 **EXCLUSION OF PRESS AND PUBLIC**

It was **RESOLVED**:

1. That, under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as described in Paragraphs 1 to 7 of Part 1 of Schedule 12A of the Act, as

amended by SI 2006 No. 88.

2. That having considered the reasons for the following item being in Part II, it be determined that maintaining the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

9 **PART II MINUTES - OVERVIEW AND SCRUTINY COMMITTEE - 21 MARCH 2023**

It was **RESOLVED** that the Part II Minutes of the meeting of the Overview & Scrutiny Committee held on 21 March 2023 be approved as true record of the proceedings and signed by the Chair.

10 **PART II DECISIONS OF THE EXECUTIVE**

9. **Appointment of Developer at Brent Court Garages and Shephall View Development Sites**

The Committee asked a number of questions regarding this item, which were answered by the Housing Development Delivery Manager.

11 **URGENT PART II DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE**

None.

12 **URGENT PART II BUSINESS**

None.

CHAIR



Meeting: OVERVIEW AND SCRUTINY-
POLICY

Agenda Item:

Portfolio Area: RESOURCES AND
TRANSFORMATION

Date: 24 July 2023

TITLE OF REPORT: COUNCIL TAX SUPPORT SCHEME

Authors – Su Tarran Ext. 01279 502075

Contributor – Clare Fletcher

Lead /Contact Officers – as above

1 PURPOSE

- 1.1 To consider the latest available information around the current local Stevenage Council Tax Support (CTS) scheme and whether any changes to the scheme should be considered for the financial year 2024/25

2 RECOMMENDATIONS

- 2.1 Overview and Scrutiny consider whether other options around scheme design should be explored further for Stevenage's local Council Tax Support scheme for April 2024.
- 2.2 That a policy Overview and Scrutiny meeting is held post Full Council in May 2024 to determine whether there has been a transition to Universal Credit and a need to adapt the existing scheme as set out in section 4.4-4.5
- 2.3 To confirm that the Council continues to use the directive contained in the Social Security Administration Act 1992 to disregard, in full, awards of War Widows, War Disablement and Armed Forces Compensation when determining entitlement for housing benefit and/or council tax support.

3 BACKGROUND

- 3.1 The Government made provision within the Local Government Finance Bill to replace the former national Council Tax Benefit (CTB) scheme from 1st April 2013 with localised schemes for Council Tax Reduction Schemes (CTS) devised by individual local authorities (LA's). The schemes are valid

for one year and must be approved by Council before the 11th March immediately preceding the financial year in which it is to take effect.

- 3.2 The Government require that major preceptors (County and Police) are consulted each year, and if there is any change to the scheme a full consultation open to all taxpayers in the district is required. There is no specific timescale prescribed but the period must allow for meaningful consultation.
- 3.3 Additionally, consideration must be given to providing transitional protection where the support is to be reduced or removed. The financial impact of any decision on Council Tax Support also needs to be included when setting the budget and Council tax levels.
- 3.4 Since the introduction of CTS in April 2013 a number of changes to the scheme have been explored, but the scheme has remained unchanged. This means that CTS scheme for all working age claimants (WAC) will be based on 91.5% of their Council tax liability and that a WAC on maximum benefit will only have to pay 8.5% of their Council tax bill. Elderly claimants are protected in law and those on maximum benefit are exempt from making any contribution.
- 3.5 The cost of the CTS scheme is included in the council tax base, in the same way as other discounts which reduce the collectable debit and reduce the amount collectable.
- 3.6 The history of the Council Tax support scheme and options considered at Stevenage is detailed in Appendix A.

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

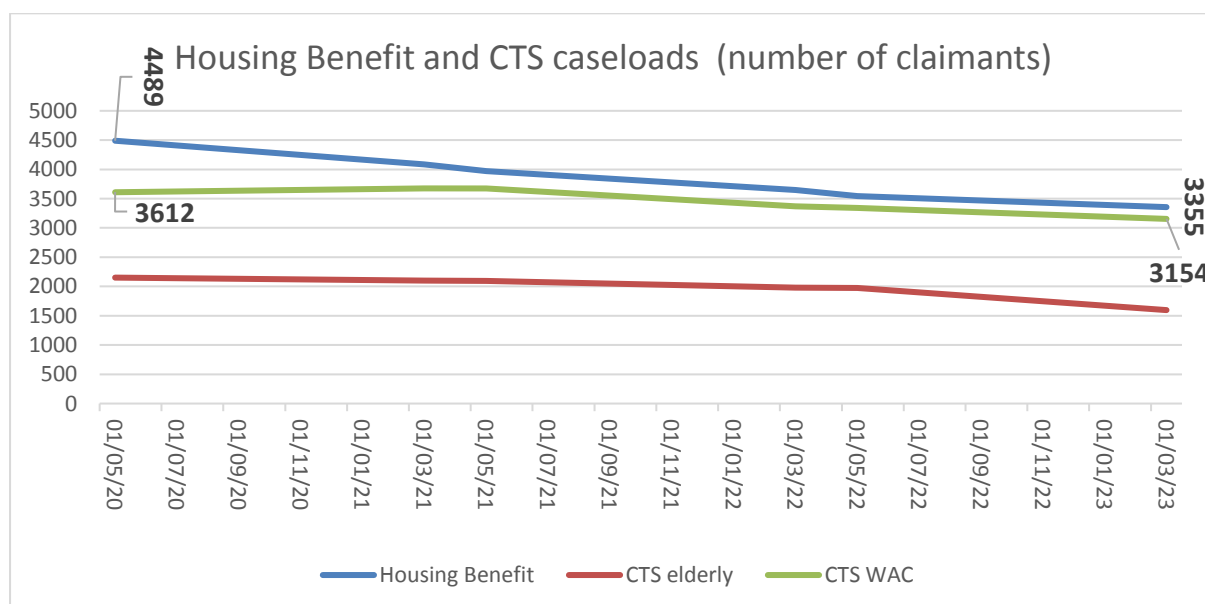
- 4.1 This report details the current position on Council Tax Support and seeks support to continue the current scheme for 2024/25 after considering the information contained in sections 4.4-4.7.
- 4.2 The CTS scheme for 2023/24 can be summarised as follows:
- That the CTS scheme for all working age claimants will be based on 91.5% of their Council tax liability;
 - Elderly CTS claimants are protected in law from any restriction to the liability used in CTS calculations. Their awards will always be based on 100% of the council tax charge.
 - All local discretions currently in place continue e.g. war pension disregards;
 - Other aspects of the Council Tax Support scheme mirror the previous Council Tax Benefit scheme.

4.3. The current CTS scheme works and protects the most vulnerable customers by the use of applicable amounts and income disregards. However, the challenges and opportunities introduced by Universal Credit (UC) prompted a review of the structure of the scheme (see section 4.4 below), but conclude that until the majority of claimants are in receipt of UC, any alternative would add further complexity.

4.4 **The impact, challenges and opportunities of Universal Credit.**
 Universal credit full service roll out took effect in this area in October 2018. This means that customers who would previously have applied for Housing Benefit (HB) and CTS are now applying for UC and CTS. The DWP's various pilots to move existing HB claimants on to UC has only achieved a small change in caseload. The DWP are continually reviewing and occasionally piloting a transition, before seeking government approval for further managed migration. The greatest impact on Housing benefit caseloads therefore still remains the shift in new claims for most applicant groups accessing support through UC.

4.4.1 There are certain groups of HB claimant that will not, in the foreseeable future migrate to UC, as they are deemed too complex by the government. This includes new claimants in these groups, so in addition to the pensioner case load there will be a residual working age caseload for the Council to manage.

4.4.2 There is therefore no information available currently to determine when this Council's existing working age HB caseload will move to UC. The HB caseload has reduced by 25% since 1 May 2020, but there are still more than 3,000 claimants receiving Housing Benefit, (the CTS caseload has also reduced which could also be an indication of lower residents eligible to claim or conversely not realising they can claim once moved to UC).



- 4.4.3 Customers claiming UC who apply for Council Tax Support do not require the Council to carry out means testing on their circumstances. They need only provide their UC entitlement letters (details of which can be confirmed through LA's access to the DWP systems). These claims are already means tested and have differential applicable amounts applied by the DWP and the only income element that is needed for an award of CTS is earnings. Consideration has to be taken of any deductions being made for overpayments or recovery of advances, but essentially this means that if most claimants are already assessed the current scheme could lead to be a simplified assessment and processing system that could be incorporated into a discount/banded scheme.
- 4.4.4 The reduction in new claims for HB might seem to reduce the services CTS workload, however as the current scheme for pensioners, and non UC claimants requires the same preparation and processing to award a CTS claim as a HB one, no saving has been realised. Currently claims or changes in circumstances are prepared and input and both awards (HB & CTS) are processed simultaneously. Claims not requiring an HB assessment simply produce one output (CTS award) rather than two. The caseload reduction has however enabled the service to reduce by 1.8 FTE staff from 1 April 2023.
- 4.4.5 UC claimants have to apply to the Council for CTS entitlement. There is a common misunderstanding among claimants, who have not previously claimed benefit from the Council, that it is all covered by their claim for UC. The Council therefore often only gets to engage with these new customers when their Council tax account is in arrears, and additional recovery action has to be taken. The Strategic Director - Chief Finance officer and Head of the Shared Service have been promoting the scheme through various media to ensure that those entitled take up the support.
- 4.4.6 Universal Credit is reassessed monthly (unlike HB), and those customers who are working (nationally this is estimated at more than 40%) are likely to experience variations in the UC entitlement each month. This is attributed to salary and wages frequencies affecting the 'monthly' assessments. Each time there is a change in the UC award, their entitlement to CTS has to be reassessed. Every time the CTS is reassessed, it produces a new Council Tax Bill. These constant changes in bills and amounts due are not only confusing to the customer trying to budget, but it also resets any recovery action being taken for non-payment on the previous assessment and making collection of arrears very difficult.
- 4.4.7 While the caseload for HB has reduced, the service has experienced a significant increase in workload from these monthly changes. They are received electronically from the DWP. However, ongoing progress has been made in automating the processing of many types of changes, and this is helping to mitigate the impact.
- 4.5 Identifying and acknowledging these challenges from UC requires, any potential change to the CTS scheme to consider;

- 4.5.1 **The potential for automation of UC notices** on live CTS claims, thus reducing the new increased workflow. Progress has been made in the last year to automate increasing numbers of these changes, and work continues to include more types of changes into the automatic updates. In 2022/23 over 87% of the 33k notifications were automated.
- 4.5.2 **Mitigations for changes in UC entitlements to revise Council tax liability**, and thus avoid resetting recovery action. This could be achieved if the CTS scheme set bands of entitlement, or fixed periods in which changes in income would not result in a change in entitlement, within the scope of a set range.
- 4.5.3 These options have the potential to be very expensive. The software supplier is estimating a cost in excess of £25k for each Council moving towards a banded CTS scheme. The Council would be requiring other preceptors to pay a proportion of the total cost proportionate to their share of council tax. Any changes to the scheme require full and meaningful consultation with all taxpayers in the district and there are significant costs associated with this level of consultation. It is proposed to hold a Policy Scrutiny meeting each year to determine whether the transition to UC has been significant enough to warrant a change in the scheme as set out above.
- 4.6 Response to the challenges and opportunities of UC.**
Work has previously been carried out to develop a banded scheme for all working age claimants. This included modelling of current claimants into a banded scheme, to assess the impact and identify any unintended consequences.
- 4.6.1 As it is not currently possible to have a separate scheme for just UC cases, all current working age claimants would have to be included. After testing the data it was clear that the intended simplicity of a banded scheme would be compromised as the need to differentiate between all the many and varied disability premiums and incomes would require too many bands for each category of household, to ensure sufficient protection for these non UC groups.
- 4.6.2 In addition there would be all the costs of changing the scheme but no savings in administration, or increased simplicity for the customer.
- 4.7 Conclusion in relation to Universal Credit.**
- 4.7.1 Whilst the number of monthly changes is increasing, the improvement in automation of these changes is balancing the demand for resources. It is still recommended therefore that a two stage approach be followed as we move forward. Firstly, instead of looking to change the current scheme in

the short term, we continue to introduce further automation of UC change notices. Secondly, once actual caseload migration is timetabled, consideration of a banded scheme or a discount scheme is revisited.

4.8 Other options that could be considered in redesigning a scheme

4.8.1 There are a number of options that could be considered when redesigning the current scheme, although all revisions would affect working age customers only, given that pensioners have to be fully protected by our scheme.

4.8.2 The Government continues to make changes to the Housing Benefit regulations which are not currently mirrored in the CTS regulations. This means the schemes are no longer aligned. The frequency of changes to Housing Benefit and Universal Credit schemes, make it impossible to mirror these in the CTS scheme, not least of which because of the difference in timing. The Housing Benefit and Universal Credit schemes are changed when needed during the year, and the CTS scheme can only be revised annually.

4.8.3 Consideration was been given previously to align some of the more significant differences between Housing Benefit and Council Tax support but the financial implications across the caseload have been assessed as small, and the changes would have required a full consultation exercise, to achieve only a temporary alignment, and therefore these were not recommended by members.

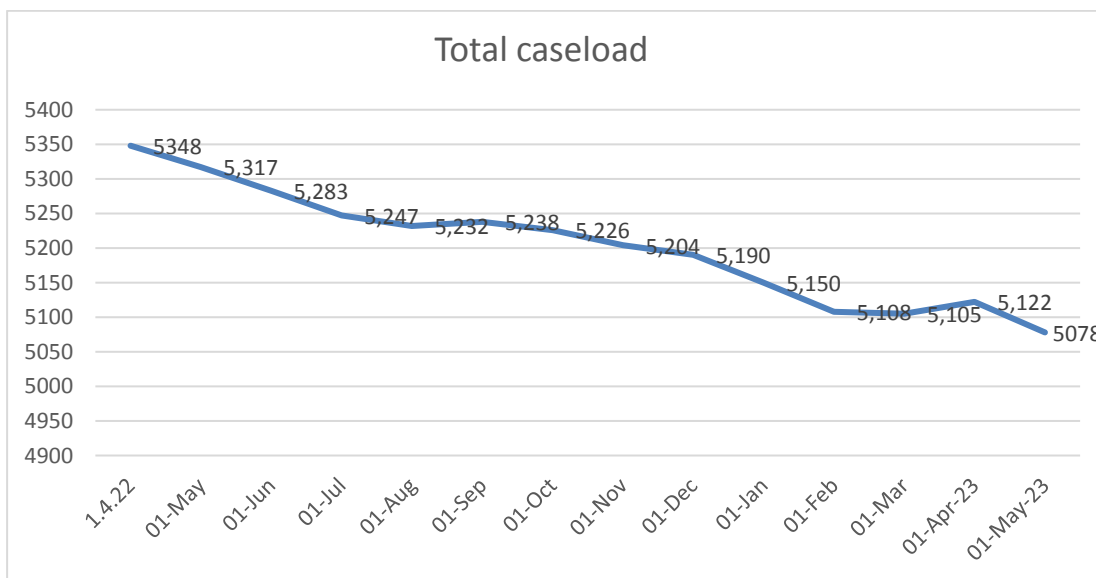
4.8.4 Consideration has also previously been given to each of the following changes, but each relies on the basic scheme construction remaining the same and members did not recommend any of these.

a) Changing the level of “minimum payment” for all working age customers

- I. The current scheme assumes that all working age customers are asked to pay at least something towards their Council Tax, and as described earlier the minimum payment is 8.5% of liability. The Council could consider making a change to that amount but in doing so, the full impact of that decision needs to be considered.
- II. If the Council chose to increase this minimum payment to say 10%, this does not mean a straight line increase in the amount of additional council tax that preceptors would collect. For individuals already finding it difficult to pay at the current level, it can be seen that increasing this amount could increase their hardship levels further, especially as these customers are likely to be receiving other benefits, which have been affected by the on-going Welfare reforms and increase the level of bad

debt provision included in the overall collection rate.

- III. Given the latest information shows that the collection rate for those working age customers in receipt of CTS is already significantly lower than the overall rate,. Having done some indicative modelling, it is estimated that increasing the minimum payment to 10% could result in an increase in Council Tax collected by approximately £55.1k. But, this would be virtually wiped out by the need to increase bad debt provision based on the current levels of CTS council tax collected. In addition, with the potential increasing caseload as result of the war in Europe and the increase in energy fuel costs, this could exacerbate losses further and cause further hardship.
- IV. Conversely, if the Council were to consider reducing the minimum amount to be paid by the claimant, this would increase the cost of the scheme to preceptors, plus there is a real risk that the CTS caseload may increase. Although SBC pays less than 12% of the overall scheme with the County paying the largest share, the war in Europe and the increased energy fuel costs could significantly increases the caseload then this could have a large impact on the taxbase and collectable Council tax at a time when Councils are struggling to meet the cost of higher inflation. On current estimates, the additional burden on the taxbase could be upwards of £308k on the current caseload, in addition and customers currently not entitled would also be eligible to apply. Members should note that the SBC scheme is one of the lowest in the County at 8.5%.
- V. The CTS caseload trend is summarised below.



This is showing a slightly less linear reduction than in recent years, but the trend is still downwards, with the caveats around economic conditions cited above

b) Introducing a band cap (so limiting the amount that we would pay to a value of a lower property band, for example Band C)

In some Local Authorities, they have introduced a band cap where the scheme will only pay up to the equivalent of say a Band C property, even if you are in a higher banded property.

This could disproportionately affect those with a requirement for a larger property as they have children, other dependents due to caring responsibilities or a disability. These groups could already have been hit by other areas of Welfare reform including the Benefit Cap and the Spare Room subsidy limitation.

Considering the current live caseload, these could impact on 206 households and reduce spend by £63k. The table below shows the potential loss in entitlement per year for those in bands D and above, both at the 91.5% liability and on those who receive a single person discount (SPD)

BAND 2023/24	Annual full charge	91.50%	with SPD	91.50%	Potential loss in entitlement if Band C cap applied	
					91.50%	with SPD
A	£ 1,383.96	£1,266.32	£1,037.97	£949.74		
B	£ 1,614.62	£1,477.38	£1,210.97	£1,108.03		
C	£ 1,845.28	£1,688.43	£1,383.96	£1,266.32		
D	£ 2,075.94	£1,899.49	£1,556.96	£1,424.61	£211.06	£158.29
E	£ 2,537.26	£2,321.59	£1,902.95	£1,741.19	£633.16	£474.87
F	£ 2,998.58	£2,743.70	£2,248.94	£2,057.78	£1,055.27	£791.46
G	£ 3,459.90	£3,165.81	£2,594.93	£2,374.36	£1,477.38	£1,108.04
H	£ 4,151.88	£3,798.97	£3,113.91	£2,849.23	£2,110.54	£1,582.91

c) Introducing a minimum amount that would be paid out

Some Councils have introduced a minimum level at which they will support residents. An example is that you have to be entitled to at least £5 a week to be supported. This means someone who is currently entitled to a lower amount, would not receive it, despite the fact that we have assessed them as currently requiring support. There are no real savings in terms of administrative costs because we would still have to undertake an assessment to find out that we wouldn't award. In

addition, the fact that they are currently entitled to support indicates that they are financially vulnerable and the likelihood of being able to collect that additional amount from those residents is low. Therefore the potential reduction in costs overall is minimal and outweighed by an increase in bad debt provision and recovery costs.

Considering the current caseload this would impact on 73 households and save £13.1k.

d) Changes around discretions for Disability, Children and other Dependents

- I. This would change the nature of the scheme overall. Stevenage, when setting its original scheme were clear that all would contribute equally as the core scheme already differentiates preferentially to those with disabilities, children etc.
- II. Any complexity that is added to the way in which we calculate entitlement, will make the administration of the scheme both more complex for our officers to manage both in terms of calculation but more importantly, to explain to our residents.
- III. This would also mean that the general working age population may need to pick up an even greater share of the cost if the scheme is to remain affordable and equitable.

e) Other adjustments

There include; income tapers, non-dependent deductions, income disregards etc. but all carry the same risk to bad debt provisions, potential recovery costs and costs of administration. The more complex the scheme, the more difficult it is to comply with and customers' levels of understanding could be compromised.

4.9 What others are doing

- Unfortunately SBC cannot replicate a scheme like this currently as the Council are unable to have two different live working age CTS schemes at the same time, as the Council along with many others moved away from the WA default scheme in 2013. Why? This was because the government transferred the cost of the scheme from subsidy to Revenue Support and Business Rates retained at only 10% of the cost of the scheme at that time and those with a higher level of elderly claimants meant that this proportion would pay nothing increasing the burden on the WAC. In addition since 2013 the level of funding has reduced significantly for Local Government.

- Other Councils are considering various options but anecdotally are awaiting more information around migration before changing current schemes, and are considering how reliable the last years data will be to base assumptions on due to the nature of the pandemic and impact of the energy crisis.

	Current scheme for maximum entitlement
North Herts	100% if income is below maximum bands. Bands are 10%, 75% 45% 25% and 0%. £50 disregard on earnings and £50 disregard on any disability benefit per household. Limited to 3 children. Cares allowance and ESA support component disregarded. Removed 2AR applications as no longer have a non dep deduction.
Dacorum	75%, and also restricted to band D (i.e. max is 75% of band D) however, 100% (with no band restriction) if customer is in a vulnerable group: child under 5; disabled; war pensioner; or disabled child
Welwyn Hatfield	75%
Broxbourne	75% Liability, 25% income taper, Band E restriction
Hertsmere	80% plus restrict to band D so it can be 80% of band D
St Albans	100%
Three Rivers	100%
Watford	100%
East Herts	91.5% - same scheme as Stevenage

4.10 **Other considerations in addition to the impact of universal credit.**

- 4.10.1 The impact of the war in Europe and the increase fuel costs on the economy in the short, medium or long term is as yet unknown.
- 4.10.2 In 2020/21 the Government allocated funding to enable a top up of up to £150.00 (limited by outstanding liability) to each working age claim. The balance of the funding has been rolled into a hardship fund for 2023/24 to support Council Tax payers suffering financial difficulty. At 1 April 2023 £173k is still available to be awarded.
- 4.10.3 The Government has also allocated funding of up to £25.00 for each household in receipt of CTS on 1 April 2023. The remaining funds are

being allocated to new claims for CTS after that date and the balance will be used for hardship awards during the year.

- 4.10.4 In previous years the cost of CTS on the taxbase has been reducing in real terms. This is demonstrated below, and has supported previous recommendations to retain the current scheme.

	Actual total cost	Change	
2013/14	£6,605,773		
2014/15	£6,137,922	-7.08%	
2015/16	£5,755,876	-6.22%	
2016/17	£5,683,162	-1.26%	
2017/18	£5,828,125	2.55%	The Band D value of the 2017/18 taxbase increased by 4.5% on 2016/17,
2018/19	£5,935,167	1.84%	The Band D value of the 2018/19 taxbase increased by 5.8% on 2017/18
2019/20	£5,779,820	-2.60%	
2020/21	£6,011,347	4.01%	The Band D value of the 2020/21 taxbase increased by 3.94% on 2019/20
2021/22	£6,047,385	0.60%	The Band D value of the 2021/22 taxbase increased by 4.18% on 2020/21
2022/23	£5,865,844	-3.00%	

- 4.10.4 The reduction in the cost of CTS between 2013/14 and 2022/23 has been achieved as a result of a reducing caseload, despite an increase in council tax and an increase in other discounts such as single person discount.
- 4.10.5 The taxbase for 2023/24 was calculated in October 2022, and assumed at that time a band D value of 3165.73. At 1 May 2023 the actual band D cost of Council Tax support was 2899.20, which is less than budgeted for.
- 4.10.6 The taxbase is also impacted by other variables, and changes in anyone of them can impact on its ability to generate the expected income levels on which the budget is set. The war in Europe and fuel cost increases

may also have a dampening effect on new builds coming into the taxbase which will further reduce its income raising capacity.

4.11 The impact of other factors on the ability to pay.

4.11.1 Many customers now claiming CTS have been affected by other factors. Not only do they find themselves with debts to their Council and landlord that were previously paid for them, but their ability to pay the debts is diminished. This is demonstrated in the Council Tax collection rates. The overall in-year collection rate for all working age CTS customers was 74.36% in 2022/23. In contrast to the all tax payers in-year collection rate of 94%.

4.11.2 The actual cost per week of Council Tax for those customers required to pay the minimum 8.5% contribution is demonstrated below and has been most impacted by the County and Police being able to increase beyond that of Districts.

2023/24	BEFORE OTHER DISCOUNTS (e.g single person)			
	BAND	Annual full charge	8.5% Weekly charge	8.5% Per annum
	A	£ 1,383.96	£2.26	£117.64
	B	£ 1,614.62	£2.63	£137.24
	C	£ 1,845.28	£3.01	£156.85
	D	£ 2,075.94	£3.38	£176.45
	E	£ 2,537.26	£4.14	£215.67
	F	£ 2,998.58	£4.89	£254.88
	G	£ 3,459.90	£5.64	£294.09
	H	£ 4,151.88	£6.77	£352.91

5 IMPLICATIONS

5.1 Financial Implications

5.1.1 As detailed in the report.

5.2 Legal Implications

5.2.1 As detailed in the report

5.3 Equalities and Diversity Implications

5.3.1 An Equality Impact Assessment will be undertaken if there are proposals to amend the Council Tax support scheme.

5.4 Risk Implications

5.4.1 As detailed in the report

5.5 Policy Implications

5.5.1 As detailed in the report

BACKGROUND PAPERS

GLOSSARY

IS	Income support
JSA (IB)	Job seekers allowance (Income based)
UC	Universal Credit
PC	Pension credit
GC	Guaranteed credit
SC	Savings credit
ESA (IR)	Employment support allowance (Income related)

Appendix A The history of Council Tax Support (CTS)

1. The history of Council Tax Support (CTS)

- 1.1 Before April 2013, local authorities (LA) administered Council Tax Benefit on behalf of the Government. This national scheme was specified in legislation and LA's were reimbursed by the Department of Work and Pensions (DWP) through a subsidy claim submitted annually and subject to audit.
- 1.2 The level of subsidy reimbursement varied dependant on whether benefit had been awarded, backdated or overpaid, but the point to note is that entitlement and subsidy were based on assessing entitlement on 100% of somebodies Council tax liability, net of discounts (like a single person discount).
- 1.3 The scheme was means tested and whilst the scheme differentiated between different client groups (providing extra support for disabled groups for example) there was little differential between Elderly and Working Age clients.
- 1.4 Clients fell into one of two groups, "passportd" and "standard claims." A passportd claim was one in which the DWP had already carried out a means test and then notified the Council that the customers income was at or below the minimum income level for their household composition. They would be automatically entitled to 100% of their Council Tax to be paid by Council Tax Benefit. A deduction would however be made from this entitlement where there were non dependants living in the home.
- 1.5 The second group were called 'standard claims'. These customers had their means testing done by the Council and awarded Council Tax benefit in accordance with the national scheme criteria. These customers had income above the minimum requirements and would be required to pay something towards their Council tax liability. A deduction would also be made from this entitlement where there were non dependants living in the home.
- 1.6 In very simple terms entitlement was determined by comparing eligible incomes against relevant applicable amounts. When income equalled or fell below applicable amounts, the maximum entitlement is achieved. If income exceeded applicable amounts, entitlement was reduced by 20% of the excess. The applicable amounts were determined by the DWP in respect of Housing Benefit claims.

1.7 In more complex terms, every income and capital source had to be assessed in accordance with its type, and then determined if it was included in the assessment. Child benefit, maintenance paid to a child, PiP and DLA, war pensions etc were fully disregarded, whilst earned income was calculated after tax & NI, and 50% of pension contributions, averaged over the relevant period. Payments to certain child care providers were disregarded, whilst capital (excluding the property occupied) included savings, shares etc and if the total exceeded £16k, the customer was excluded from entitlement.

1.8 In very general terms the full expenditure on the scheme was reimbursed by the DWP.

2 The impact of changes from 1st April 2013

2.1 The national scheme for Council Tax Benefit ceased, and Councils had to devise their own Council Tax Reduction Schemes for working age claimants. The Government continues to specify the scheme for Elderly customers through prescribed regulations.

2.2 Instead of the scheme being funded through a subsidy claim based on actual expenditure, the Government moved the funding into the Revenue Support Grant (RSG) settlement, fixing it at only 90% of the subsidy paid in a previous year. RSG was the amount of grant that Government gave to Councils to support their wider service delivery, and made up one part of the income of the Council in addition to Council Tax receipts, fees and charges and an element of Business rate collection. However the move away from RSG makes this funding element less obvious.

2.3 Each Council had to consider how to fund 100% of the cost of the Elderly 'national' scheme and provide a Working age scheme, whilst receiving 10% less funding.

2.4 Elderly (Pensioner) claimants are protected from changes through the provision of a statutory scheme.

2.5 Schemes must support work incentives.

2.6 The DCLG Policy Statement of Intent did not give a recommended approach to be taken, but indicated the scheme should not contain features which create dis-incentives to find employment. The current Stevenage scheme complies with this statement.

2.7 Local authorities must ensure that appropriate consideration has been given to support for other vulnerable groups, including those which may require protection under other statutory provisions including the Child Poverty Act 2010, the Disabled Persons Act 1986 and the Equality Act 2010, amongst others.

2.8 The DCLG issued Policy Statements that addressed a range of issues including the following:

- Vulnerable People and Key Local Authority Duties;
- Taking work incentives into account;
- Information Sharing and Powers to Tackle Fraud.

2.9 The Local Government Finance Bill stated that a Billing Authority must have regard to any guidance issued by the Secretary of State. The current scheme has sought to address these requirements.

3 Stevenage's Council Tax Reduction Scheme (CTS)

3.1 The Council initially devised a scheme which replicated the previous national scheme but limited the Council Tax liability that was used to assess entitlement to 90% for working age customers. The Government offered a one off transitional grant to Councils who would restrict the reduction to 91.5%, and accordingly the Council amended the proposal and took the one off transitional grant. The Council has maintained this position for the first 10 years of the scheme.

3.2 From 2014/15 the 90% grant that was included in the RSG was no longer individually identifiable. Therefore calculating the total cost of the scheme i.e. the cost of the CTS scheme versus the CTS grant given by Government is now impossible.

3.3 The caseload for CTS indicates that the proportion of working age customers compared to pensioners is changing over time very slightly. At 1.4.19 the proportion of Working Age customers reduced slightly against the proportion of Elderly customers for the first time. This may be attributed to new working age claimants claiming UC. The number of Elderly claimants has however also fallen since 1.4.2018.

Table 1: **Proportion of Working Age and Elderly claimants**

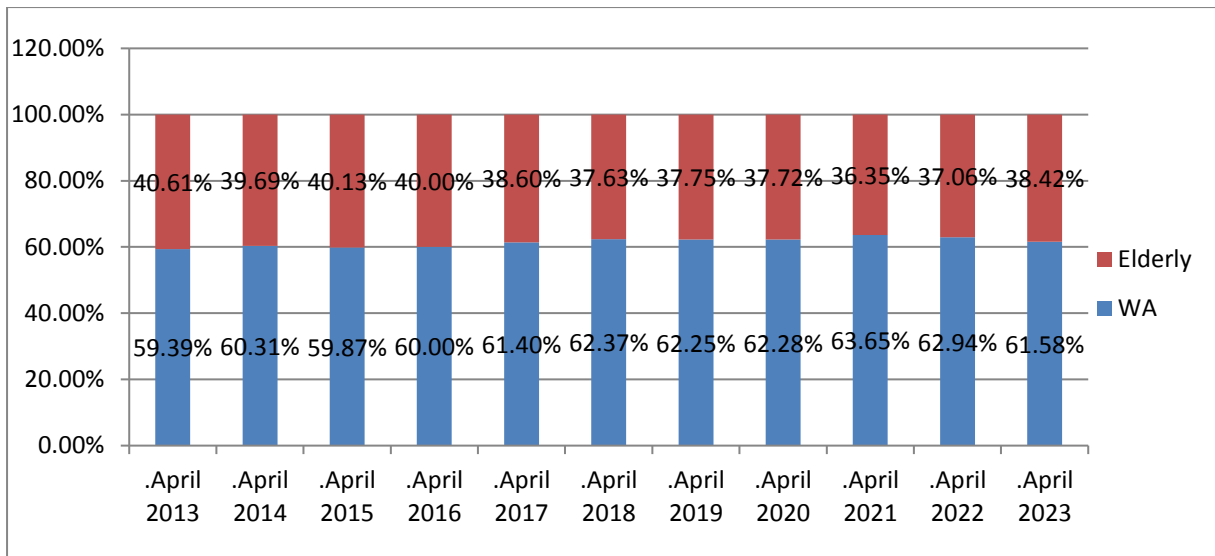
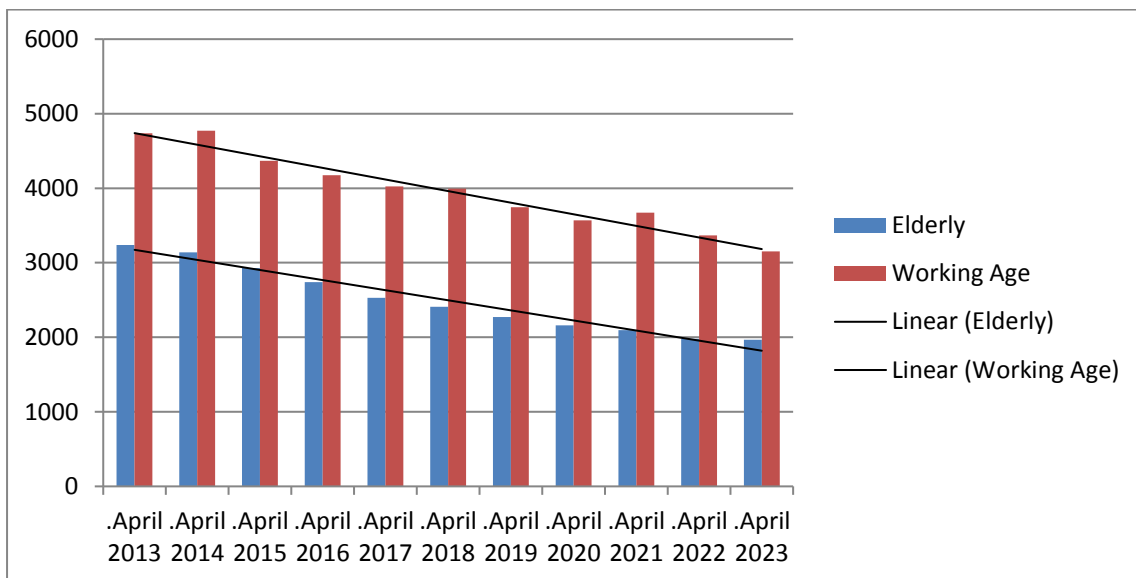


Table 2: Caseload Working Age and Elderly claims



3.4 Before the introduction of CTS there had been a number of years of constant case load increases, the caseload has since stabilised and reduced, alongside a growing taxbase due to new developments in the area. The impact on the cost of the scheme is demonstrated below.

	Actual cost	Change
2013/14	£6,605,773	
2014/15	£6,137,922	-7.08%
2015/16	£5,755,876	-6.22%
2016/17	£5,683,162	-1.26%

2017/18	£5,828,125	2.55%	The Band D value of the 2017/18 taxbase increased by 4.5% on 2016/17,
2018/19	£5,935,167	1.84%	The Band D value of the 2018/19 taxbase increased by 5.8% on 2017/18
2019/20	£5,779,820	-2.60%	
2020/21	£6,011,347	4.01%	The Band D value of the 2020/21 taxbase increased by 3.94% on 2019/20
2021/22	£6,047,385	0.60%	The Band D value of the 2021/22 taxbase increased by 4.18% on 2020/21
2022/23	£5,865,844	-3.00%	

- 3.5 What is certain however is that the level of spend on CTS has continued to reduce in real terms, mitigating in part the impact of overall reductions in income to the Council.
- 3.6 A large proportion of customers affected by the introduction of the CTS scheme had not previously had to pay anything towards their Council Tax bill. If they had been 'passported' under the Council Tax Benefit scheme their liability would have been discharged in full by a credit transfer onto their Council Tax account. Under the new arrangements all working age customer have to pay at least 8.5% towards their bill.
- 3.7 A publication (*Public Finance March 2019*) commented that in 2013-14 CTS schemes nationally provided 14% less support to working age households than the old national scheme, and that by 2018-19 it provided 24% less. Stevenage has maintained its scheme at 8.5% during this period.
- 3.8 It continues to be a challenge to support and educate these customers into a regular payment arrangement. We have;
- Offered flexible repayment options,
 - Given more time to pay,
 - Worked on a project with the Citizens advice Bureau to support customers with repeated arrears,
 - Promoted other debt and advice agencies.

- 3.9 The in-year collection rate for working age claimants who had only the minimum 8.5% liability to pay was 62.9% in 2014/15 and 75.25% for 2022/23
- 3.10 The overall in-year collection rate for all working age CTS customers was 70.7% in 2014/15, and 74.36% in 2022/23. In contrast to the all tax payers in-year collection rate, which for 2014/15 was 96%, and 94% in 2022/23.
- 3.11 Many of these same customers have been affected by other welfare reforms introduced ;
- the spare room subsidy scheme
 - the new Benefit CAP,
 - Reviews of disability benefits etc.
- Many families find that they have increasing debts with their Councils and landlords for bills that were previously paid for them.
- 3.12 We make assumptions in respect of the level of non-payment of Council Tax when determining the tax base, alongside assumptions over each of the variable elements of its composition. The in-year collection for all Council Tax payers was 94% in 2022/23, but this was dampened by only 74.36% collected from those working age customers in receipt of CTS. Those customers who under the old scheme would have not paid anything towards their Council tax (passported customers) paid only 75.25%
- 3.13 The liability not paid in-year becomes arrears on which a bad debt provision has to be established, which is a further cost to the Council. Where the outturn taxbase exceeds the estimated performance it generates a surplus on the collection fund, and conversely when the taxbase does not achieve its expected performance because of negative variations in the component elements, the collection fund would be in deficit. The Council is required to make precept payments during the year regardless of any in-year variations.
- 3.14 In recognition of the fact that the additional Council Tax liability is more difficult to collect, a collection rate of 98.25% has been assumed.
- 3.15 Currently (2023/24) 77.35% of the tax base income is precepted by County and Council and 11.46% by the Police, and accordingly they have a vested interest in the value of the CTS scheme as it directly impacts on their ability to raise funds. The lower the cost of the scheme, the higher the tax base on which they can precept.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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