

Notice of Meeting

Council

A meeting of the Test Valley Borough Council will be held on

Date: Wednesday 29 January 2020

Time: 5.30 pm

Venue: Crosfield Hall, Broadwater Road, Romsey, Hampshire SO51 8GL

when your attendance is required to consider the business set out in the agenda.



Head of Legal and Democratic Services

For further information or enquiries please contact:

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Legal and Democratic Service

Test Valley Borough Council,
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SP10 3AJ

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PUBLIC PARTICIPATION SCHEME

If members of the public wish to address the meeting they should notify the Legal and Democratic Service at the Council's Beech Hurst office by noon on the working day before the meeting.

Council

Wednesday 29 January 2020

AGENDA

**The order of these items may change as a result of members
of the public wishing to speak**

- 1 Prayers**
- 2 Apologies**
- 3 Public Participation**
- 4 Declarations of Interest**
- 5 To approve the minutes of the meeting of the Council
held on 20 November 2019**
- 6 Mayor's Announcements**
- 7 To receive and adopt Committee reports 4 - 39**

To receive and, where necessary, adopt reports of
Committees
- 8 Questions under Rule 11.1**
- 9 Questions under Rule 11.2**
- 10 Notice of Motion - Rule 12 40**

To consider a Motion proposed by Councillor Celia
Dowden, and seconded by Councillor Alan Warnes.
- 11 Appointments to Committees and Outside Bodies 41 - 42**

To consider appointments to Committees and Outside
Bodies.

ITEM 7 To receive and, where necessary, adopt reports of Committees

(Some reports may involve the disclosure of exempt information. If the Council wishes to debate them, for each individual case the Council will need to adopt a suitable motion).

7.1 To receive the minutes of the following meetings:

- 7.1.1 General Purposes Committee – 6 November 2019
- 7.1.2 Cabinet – 6 November 2019
- 7.1.3 Overview & Scrutiny Committee – 13 November 2019
- 7.1.4 Southern Area Planning Committee – 19 November 2019
- 7.1.5 Licensing Committee – 21 November 2019
- 7.1.6 Northern Area Planning Committee – 5 December 2019
- 7.1.7 Southern Area Planning Committee – 10 December 2019
- 7.1.8 Overview & Scrutiny Committee – 11 December 2019
- 7.1.9 Cabinet – 18 December 2019
- 7.1.10 Northern Area Planning Committee – 2 January 2020
- 7.1.11 Cabinet – 15 January 2020
- 7.1.12 Overview & Scrutiny Committee – 22 January 2020
- 7.1.13 Southern Area Planning Committee – 28 January 2020

(Note: in relation to 7.1.11, 7.1.12, and 7.1.13 these minutes are not included in the minute book and will be presented at the next Council meeting but members are able to ask questions on resolved items.)

7.2 To adopt recommendations from the following:

- 7.2.1 Licensing Committee – 21 November 2019
- 7.2.1.1 Schedule of Delegation for Officers of the Legal and Democratic Service (APPENDIX A)

Officers of the Legal and Democratic Service need to be specifically authorised under the various pieces of licensing legislation. If the Officers are not authorised under legislation they will not have the powers to take enforcement actions such as entering premises and land for the purposes of ensuring compliance with the legislation.

The current list of authorised Officers requires amendment to accurately reflect all of those officers that may take enforcement action.

Recommended:

That the post holders of the Legal and Democratic Service, listed in the Annex to the report be authorised to enter premises and carry out any act included in the legislation made there under, and any amendments thereto.

7.2.2 Cabinet – 18 December 2019

7.2.2.1 Council Tax Support Scheme 2020/21 (APPENDIX B)

Consideration was given to the report of the Finance Portfolio Holder which set out proposed changes to the Local Council Tax Support (CTS) Scheme for the 2020/21 financial year.

An extensive consultation exercise had been undertaken in relation to the proposals for the 2020/21 scheme. Overview and Scrutiny had considered the results of the consultation and had made a number of recommendations to Cabinet regarding changes to the CTS. The Portfolio Holder expressed her thanks to Members of Overview and Scrutiny for their valuable input.

Having considered the options and for the reasons set out in the report, Cabinet agreed to the following:

Recommended:

That with effect from 1 April 2020 the following changes be made to the Council's Council Tax Support Scheme.

- 1. That a fixed reduction of £4 per week should be introduced for non-dependant adults living in a property.**
- 2. That eligibility for Council Tax Scheme was restricted to applicants with less than £6,000 of eligible capital.**
- 3. That the Second Adult Rebate is removed from the Council's Council Tax Support Scheme.**

4. That extended payments were removed from the Council's Council Tax Support Scheme.

7.2.2.2 Council Tax Premiums on Long-Term Empty Properties (APPENDIX C)

Consideration was given to the report of the Finance Portfolio Holder which considered the options available to the Council for charging Council Tax Premiums on long-term empty and substantially unfurnished properties.

New legislation allows the Council to increase the premium charged on properties which have been empty for over two years. Introducing the proposed premiums would serve as a deterrent to property owners from keeping housing stock unoccupied.

Having considered the options and for the reasons set out in the report, Cabinet agreed to the following:

Recommended:

That with effect from 1 April 2020, the Council increases the Council Tax premium charged on long-term empty and substantially unfurnished properties in accordance with the amounts and effective dates shown in paragraph 3.1 of the report.

7.2.2.3 Council Tax Discount for Care Leavers (APPENDIX D)

Consideration was given to the report of the Finance Portfolio Holder which proposed the introduction of a Council Tax discount for care leavers.

It was estimated that there were approximately 25 care leavers that could be entitled to support in Test Valley. Young people leaving care and making the transition to adulthood were amongst some of the most vulnerable in the community. The scheme would support care leavers during this period.

Having considered the options and for the reasons set out in the report, Cabinet agreed to the following:

Recommended:

That the Council introduces a Council Tax discount for care leavers with effect from 1 April 2020.

- **That care leavers living alone be awarded 100% relief until their 25th birthday.**

- **That care leavers living with other adults be disregarded for Council Tax purposes until their 25th birthday.**

7.2.3 Cabinet – 15 January 2020

Recommendations to follow (if any)

7.2.4 Overview & Scrutiny Committee – 22 January 2020

Recommendations to follow (if any)

7.2.5 Southern Area Planning Committee – 28 January 2020

Recommendations to follow (if any)

APPENDIX A

Schedule of Delegation for Officers of the Legal and Democratic Service

Report of the Head of Legal and Democratic (Portfolio: Corporate)

Recommended:

That the post holders of the Legal and Democratic Service listed in the annex attached to this report be authorised to enter premises and carry out any act included in the legislation made there under, and any amendments thereto.

Recommendation to Council

SUMMARY:

- Officers of the Legal and Democratic Service need to be specifically authorised under the various pieces of licensing legislation. If the Officers are not authorised under legislation they will not have the powers to take enforcement actions such as entering premises and land for the purposes of ensuring compliance with the legislation.
- The current list of authorised Officers requires amendment to accurately reflect all of those officers that may take enforcement action.

1 Introduction

- 1.1 This report is before the Licensing Committee due to the need to ensure that Officers in the Legal and Democratic Service carrying out various licensing functions are properly authorised. The current list of authorised Officers does not list all of those that could potentially undertake enforcement action.

2 Background

- 2.1 The Scheme of Delegation to Officers sets out those post holders authorised to enter land and premises and carry out specific acts included in the legislation. The Scheme of Delegation forms part of the Council's Constitution.

3 Corporate Objectives and Priorities

- 3.1 The work of Officers who deal with licensing enforcement is not directly reflected in the Council's Corporate Plan. All of the licensing functions undertaken by the Council are statutory and ultimately contribute towards the safety of the public.

4 Consultations/Communications

- 4.1 The authorisation of Officers does not require stakeholder consultation.

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5 Options

- 5.1 As a Licensing Authority, Test Valley Borough Council is required to ensure compliance with the various pieces of licensing legislation and for enforcement action to be taken where contraventions are found. The Council would be failing in its statutory duties not to properly authorise Officers.

6 Option Appraisal

- 6.1 The authorisation of the post holders strengthens the enforcement capacity of the Licensing Team within the Legal and Democratic Service.

7 Resource Implications

- 7.1 There are no resource implications as a result of this recommendation.

8 Legal Implications

- 8.1 It is appropriate and necessary to properly appoint any Officer of the Council undertaking enforcement action. An unauthorised Officer cannot undertake statutory functions.

9 Equality Issues

- 9.1 There are no direct implications for equality issues arising from this recommendation.

10 Other Issues

- 10.1 Community Safety – none directly apart from the comments in paragraph 3.1 above.
- 10.2 Environmental Health Issues – none directly.
- 10.3 Sustainability and Addressing a Changing Climate – none directly.
- 10.4 Property Issues – none.
- 10.5 Wards/Communities Affected – the work of the post holders applies across the whole of the Borough.

11 Conclusion

- 11.1 The authorisation of the post holders is requested so that the Borough Council can meet its statutory duties as a Licensing Authority.

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<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	1		
Author:	Michael White	Ext:	8013
File Ref:	MW		
Report to:	Licensing Committee	Date:	21 November 2019

ANNEX

That the holders of the following posts be authorised to enter land or premises and to carry out any act included in the legislation and subordinate legislation made thereunder and any amendments thereto set out in the:

Gambling Act 2005

Health Act 2006 Part 1 Chapter 1 (insofar as they relate to fixed penalty notices and associated matters pertaining to the smoke free requirements)

House to House Collections Act 1939

Hypnotism Act 1952

Licensing Act 2003

Local Government (Miscellaneous Provisions) Acts 1976 and 1982

Police, Factories Etc. (Miscellaneous Provisions) Act 1916

Public Health Acts 1875 and 1936

Scrap Metal Dealers Act 2013

Town Police Clauses Acts 1847 and 1889

50361447 Licensing Manager

50361451 Senior Licensing and Local Land Charges Officer

50361449 Licensing and Local Land Charges Assistant

50361452 Licensing and Local Land Charges Assistant

50876924 Licensing and Local Land Charges Assistant

Council Tax Support Scheme 2020/21

Report of the Finance Portfolio Holder

Recommended:

- 1. That the following changes be made to the Council's Council Tax Support scheme for the 2020/21 financial year.**
 - **Reductions in respect of non-dependants are set at a fixed rate of £4 per week**
 - **That eligibility for Council Tax Support is restricted to claimants with less than £6,000 in eligible capital**
 - **That the second adult rebate is removed from the Council's scheme**
 - **That extended payments are removed from the Council's scheme**

Recommendation to Council

SUMMARY:

- On 1 April 2013 the national Council Tax Benefit Scheme was abolished and replaced with a locally determined scheme known as the Local Council Tax Support (CTS) scheme.
- Every council is required to have a CTS scheme and must approve it by 11 March each year.
- The Council made a number of significant changes to its CTS scheme in 2019/20. The initial impact of these changes was considered at the OSCOM Panel meeting in August 2019. That meeting also considered proposals for further, minor changes to the CTS scheme for 2020/21.
- The proposed changes were subject to a public consultation, details of which are included in Section 4 and Annex 1 of this report.
- OSCOM met on 13 November to consider the results of the consultation and receive the recommendations of the OSCOM panel. The OSCOM recommendations to Cabinet are included in this report.

1 Introduction

- 1.1 The Council is required to have a CTS support scheme to assist residents with their liability to pay Council Tax.

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- 1.2 The scheme must, as a minimum, meet the prescribed requirements published by Central Government for pensioner claimants. The scheme must also make provision for residents liable to Council Tax who are of working age.
- 1.3 A brief explanation of the terms used in this report and relating to its recommendations are as follows:
- (a) Non-Dependant Reduction – the amount of CTS you can receive can be reduced if an adult friend or family member lives with you. It is assumed that other adults living with you should contribute towards the rent and other household bills. The reduction applies whether that person is actually contributing or not. CTS is reduced by a set amount and is currently based on the non-dependant's weekly gross income. Non-dependant deductions start from the date the adult moves in or turns 18, but there are exemptions, for example if the non-dependant is a student.
 - (b) Eligible Capital is capital that is readily available to a claimant and can include cash, savings, shares, premium bonds, land and property. It does not include capital held in a property used as the claimant's home.
 - (c) A Second Adult Rebate is a reduction in Council Tax due to the fact that a second adult lives in the property and is on a low income. The second adult must be a non-dependant and cannot be a partner of the claimant. This can only be applied where the claimant is not eligible to receive CTS.
 - (d) An Extended Payment is an award of four weeks extra Housing Benefit and CTS, awarded when a claimant or their partner start work (including self-employment) or their hours or earnings from current employment increase. This does not apply in Universal Credit.
- 1.4 This report considers the options available to the Council for its CTS scheme for the financial year 2020/21.

2 Background

- 2.1 CTS was introduced on 1 April 2013 to replace the old Council Tax Benefit scheme.
- 2.2 Government funding for the new CTS was reduced by 10%, yet the pre-existing full support offered to pensioners was required to continue. Some Councils covered the shortfall by immediately introducing minimum charges to Working Age residents. Some, like Test Valley, took the decision to review their scheme once the actual impact of Universal Credit was more fully understood.
- 2.3 The Council was able to avoid introducing minimum charges in the early years of CTS as a result of making additional charges for long-term empty properties and a reducing CTS caseload.
- 2.4 However, from 1 April 2019 the point was reached where the cost of the CTS scheme could no longer be contained within its existing budget.

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- 2.5 The Council consulted on a range of options to take effect from 1 April 2019 and encouraged Council Tax payers, local partners, groups and organisations to submit a response.
- 2.6 A major change to the Council's scheme was implemented from 1 April 2019 with the introduction of a minimum charge for most working age claimants of 10%. Other changes were also introduced at that time and included an increase to the minimum CTS payment and a £30 per week earnings tolerance for changes in circumstances.
- 2.7 An initial review of the impact of those changes was reported and discussed at the OSCOM panel meeting in August 2019. It was recommended that further major changes to the CTS scheme are not considered until the impact of previous changes could be fully evaluated.
- 2.8 A number of comparatively minor proposals that aim to simplify the scheme for residents and reduce the administrative burden of the scheme were considered and consulted upon. Details of this consultation are included with section 4 and Annex 1 of this report.

3 Corporate Objectives and Priorities

- 3.1 A CTS scheme is a legislative requirement, however the Council is able to design and maintain a scheme which supports its own objectives and priorities.
- 3.2 The Corporate Plan 2019 to 2023, "Growing Our Potential", includes priorities to ensure people are able to live well and fulfil their aspirations. Maintaining the current levels of support within our CTS scheme helps protect the incomes of some of our most vulnerable residents.

4 Consultations/Communications

- 4.1 An extensive consultation exercise in relation to proposals for the 2020/21 CTS scheme was undertaken.
- 4.2 The consultation process included, writing directly to 177 households that would be affected by the changes being consulted on; promoting the consultation on the Council's website and social media channels; sending 1,000 leaflets to random customers with Council Tax Bills and CTS notifications; and through Citizens Advice who have promoted the consultation to their customers.
- 4.3 The number of households affected by each of the changes is shown below.
- 23 Second Adult Rebate cases
 - 41 cases with capital of £6,000+
 - 121 cases with non-dependant deductions
 - No cases are affected by proposals relating to extended payments

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Some households may be in more than one of the categories, hence the total adding up to 185.

- 4.4 In addition we have also completed a statutory consultation with regard to our CTS scheme with our major preceptors (Hampshire County Council, Police & Crime Commissioner and Fire Authority). They all confirmed their support for the proposals contained in the consultation.
- 4.5 A total of 136 responses was received. 24 of these were hard copies returned by customers that were written to directly. The remainder were submitted online.

5 Options

- 5.1 Options for changes to the Council's CTS scheme were debated by the OSCOM panel in August 2019. The panel's recommendations were agreed by OSCOM on 5 September and reported to Cabinet on 11 September.
- 5.2 A public consultation has taken place on those options and the results of that consultation exercise are summarised above and detailed in Annex 1.
- 5.3 The Council cannot introduce changes to its scheme that have not been consulted on. The options in this report are therefore limited as to whether to implement any or all of the four options that were subject to consultation
- 5.4 The four options consulted on were:
- Set a fixed reduction for non-dependants living in a property
 - Restrict the maximum eligible capital level to £6,000
 - Remove Second Adult Rebate (sometimes known as Alternate Maximum Council Tax Reduction) from the Council's scheme
 - Remove Extended Payments from the Council's scheme

6 Option Appraisal

Make no changes

- 6.1 It is becoming increasingly burdensome to administer CTS for working age claimants due to the increased flow of information from the DWP and the transition of claimants from Housing Benefit to Universal Credit.
- 6.2 Changes made last year (in particular, the implementation of a £30 earnings tolerance) have helped to mitigate some of this burden, but there are still opportunities to make the scheme simpler to understand for applicants as well as reducing the amount of time it takes to process claims.
- 6.3 The changes proposed in this report will affect a relatively small number of claims and will help to simplify the scheme. Therefore, this option is not recommended.

APPENDIX BSet a fixed reduction for non-dependants living in a property

- 6.4 The CTS scheme assumes that working non-dependant adults living in a property with a Council taxpayer will contribute to the Council Tax payable. A non-dependant could be, for example, a grown-up child of the taxpayer.
- 6.5 The Council cannot obtain non-dependant income from Universal Credit as this is not collected; instead DWP use a standard deduction amount regardless of income.
- 6.6 In calculating entitlement for CTS under our current scheme, the Council has to obtain details of earnings for non-dependants and then carry out a means related calculation when this information is received. The claim cannot be finalised until this information is received and it is an administratively cumbersome process compared to a standard deduction. The non-dependant's income also has to be kept under review to ensure that any changes in circumstance are reflected in the deduction made.
- 6.7 The current non-dependant deductions used in our scheme for working age claimants mirror those set for the national pensioner scheme. There is no deduction made if the non-dependant is a pensioner, student, in receipt of out-of-work benefits or Universal Credit. If they are working, a deduction from the Council Tax Support is made as follows:

Income	Weekly Deduction
£0.00 - £207.69	£4.00
£207.70 - £360.09	£8.10
£360.10 - £447.39	£10.20
£447.40 and above	£12.20

- 6.8 The council consulted on a fixed non-dependent deduction of £4.00 per week, in line with the minimum deduction applied in the 2019/20 scheme. This would remove the administrative burden of collecting the information and would also result in a quicker award of CTS to customers.
- 6.9 As £4 per week is the lowest deduction made in the current scheme, no claimants will be worse off as a result of this change.
- 6.10 This option will result in a small additional cost to the scheme, reflecting that higher deductions are currently made in cases where the non-dependant has higher earnings. However, this cost is expected to be offset by savings in administration costs if a standard non-dependant deduction is applied.
- 6.11 The recommendation of OSCOM is that a fixed non-dependant deduction of £4 per week be introduced from 1 April 2020.

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Restrict the maximum eligible capital level to £6,000

- 6.12 Under the current scheme, eligibility is limited to claimants whose capital is below £16,000. Where a claimant has between £6,000 and £16,000 in capital, a tariff income of £1 per week for every £250 (or part thereof) is assumed.
- 6.13 To simplify the scheme, the Council consulted on reducing the capital limit to £6,000. Savings below this amount will be disregarded and there will be no entitlement if over £6,000 is held in capital.
- 6.14 This would reduce administration costs as there would no longer be a requirement to obtain and monitor savings levels of claimants in the tariff income range. However, there would be an estimated 41 cases where customers currently eligible for CTS would become ineligible for support in 2020/21 because their savings are in excess of £6,000.
- 6.15 OSCOM have recommended that this change is implemented in the CTS scheme for 2020/21.

Remove the Second Adult Rebate from the scheme

- 6.16 This relief applies where there is an adult living in a property who would be ineligible for CTS (for example, because of excess savings) and there is a second adult living in the property who:
- receives either income support, income-related employment and support allowance, state pension credit or an income-based jobseeker's allowance or
 - has an income of less than £266 per week
- 6.17 The maximum amount of relief that can be awarded is 25% of the Council Tax charge.
- 6.18 In line with many other local authorities, the Council consulted on removing this relief. This will reduce both the cost and administration of the scheme as any working age claimant with a second adult would no longer be entitled to claim support.
- 6.19 This will have a negative impact on the 23 claimants currently receiving this relief. However, the second adult rebate is only applicable where the claimant is not eligible for support under the main CTS scheme, so it is expected that these households will have savings or income sufficient to meet the full Council Tax charge.
- 6.20 OSCOM recommended that the second adult rebate be removed from the Council's CTS scheme for 2020/21.

Remove Extended Payments from the scheme

- 6.21 Extended payments relate to the legacy Housing Benefit scheme and are not applicable to Universal Credit.

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6.22 Removing this from the scheme will not impact on any existing customers. It is not expected that there would be any eligibility for this in the future due to the transition of customers from Housing Benefit to Universal Credit.

6.23 OSCOM recommended that extended payments are removed from the CTS scheme for 2020/21.

7 Risk Management

7.1 An evaluation of the risks indicate that the existing controls in place mean that no significant risks have been identified at this time.

8 Resource Implications

8.1 CTS is a discount that is applied to the Council Tax charge of eligible customers, reducing the amount of Council Tax payable.

8.2 An estimate of the amount of CTS that will be awarded each year is included in the annual Council Tax base calculation. This is the calculation that sets the expected income that the Council will generate from Council Tax income each year.

8.3 When the tax base was set for 2019/20, the total estimated CTS for the year was £4.677M. This was based on the new rules being applied from 1 April 2019 and took into account the current trend of a reducing caseload.

8.4 The actual amount of CTS that was included in the annual Council Tax bills and the latest position are shown in the following table. The total cost of CTS is shared with other preceptors (HCC, Hampshire PCC and Hampshire Fire). TVBC's share of the total cost in 2019/20 is 10.74%.

	Total Cost £'000	TVBC share £'000
2019/20 forecast CTS in Council Tax base	4,677	502
Total amount of CTS reflected in bills in March 2019	4,860	522
Current estimated cost of 2019/20 CTS scheme as at 30 October 2019	4,675	502

8.5 The figures indicate that the changes that were made to the scheme in 2019/20 together with a continuing reduction in caseload will not lead to a further budget pressure for 2020/21.

8.6 The changes that are proposed affect only a very small number of claimants (177 out of a total caseload of 4,852) and are not expected to have a significant impact on the overall cost of the scheme in 2020/21.

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9 Legal Implications

- 9.1 The Council has a legal responsibility to create, maintain and renew its CTS scheme on annual basis. These powers are contained in Section 13A of the Local Government Finance Act 1992 as amended.

10 Equality Issues

- 10.1 An Equalities Impact Assessment has been carried out in relation the proposed changes to the Council's CTS scheme and is attached at Annex 2.
- 10.2 This has identified that there will be both positive and negative financial impact on the recipients of CTS. It is considered that the potential benefit of changes being proposed outweigh the negative impact against a very limited number of households.

11 Other Issues

Wards/Communities Affected

- 11.1 All wards are affected by the Council's CTS scheme and the changes recommended within this report will affect a limited number of working-age claimants.

12 Conclusion and reasons for recommendation

- 12.1 A public consultation has been carried out on four proposed changes to be made to the Council's 2020/21 CTS scheme. These options were initially recommended by the OSCOM panel following its scrutiny of the current scheme in August 2019.
- 12.2 The proposed changes are relatively minor, compared to the significant changes that were introduced in 2019/20 and have been designed to make the CTS scheme easier to understand for claimants as well as reducing the administrative burden on the Council.
- 12.3 Having considered the results of the public consultation exercise, it is recommended that the four proposals are all implemented with effect from 1 April 2020.

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<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	2	File Ref:	N/A
(Portfolio: Finance) Councillor M Flood			
Officer:	Michael Fisher	Ext:	8563
Report to:	Cabinet	Date:	18 December 2019

Council Tax Support Consultation Analysis

An extensive consultation exercise was undertaken in relation to proposed changes to the Council Tax Support (CTS) scheme for 2020-21.

The consultation process included, writing directly to 177 households that would be affected by the changes being consulted on; promoting the consultation on the Council's website and social media channels; sending 1,000 leaflets to random customers with Council Tax Bills and CTS notifications; and through Citizens Advice who have promoted the consultation to their customers.

The number of households affected by each of the changes is shown below.

- 23 Second Adult Rebate cases
- 41 cases with capital of £6k+
- 121 cases with non-dependant deductions

*Note: Some households may be in more than one of the categories, hence the total adding up to 185.

In addition we have also completed the statutory consultation with regard to our CTS scheme with our major preceptors (County Council, Police & Crime Commissioner & Fire Authority). They all confirmed they support the proposals contained in the consultation.

Consultation Response

The consultation closed at mid-day on 13th November. A total of 136 responses was received. 24 of these were hard copies returned by customers that were written to directly (separate analysis of these responses is shown on page 3). The remainder were submitted online.

In a large number of cases, not all the questions were answered by respondents. The figures shown below reflect the answers that were given to each area. Percentages relate to those respondents who answered the questions. The numbers in brackets () relate to the number of respondents.

	Yes %	No %	Don't Know %	Failed to Answer
I have read the background information	96.3 (131)	3.7 (5)	0 (0)	(0)
Introduce a fixed non-dependant reduction	51.3 (39)	23.7 (18)	25.0 (19)	(60)
Implement a £6,000 capital limit restriction	50.6 (40)	29.1 (23)	20.3 (16)	(57)
Removal of 2 nd adult rebate	34.2 (26)	42.1 (32)	23.7 (18)	(60)
Removal of extended payments	61.4 (46)	13.3 (10)	25.3 (19)	(61)

Breakdown of respondents in percentage terms for those who provided data.

Are you, or someone in your household, getting a Council Tax Reduction at this time?	
Answer Choices	Responses
Yes	49.3%
No	47.8%
Don't know	2.9%

Gender?	
Answer Choices	Responses
Male	39.1%
Female	56.5%
Prefer not to say	4.4%
Other	0.0%

What is your age?	
Answer Choices	Responses
16-24	0.0%
25-34	7.4%
35-44	17.4%
45-54	30.4%
55-64	21.7%
65+	18.8%
Prefer not to say	4.3%

Disability: Are your day to day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?	
Answer Choices	Responses
Yes	34.8%
No	59.4%
Don't know	1.5%
Prefer not to say	4.3%

Paper consultation results

- Those consulted upon directly via means of letter and paper consultation documentation responded more negatively to the proposed changes compared to those completed on-line. This is unsurprising as they will be directly affected by the changes. The return rate of paper consultations was 13.5%.

	Yes %	No %	Don't Know %	Failed to Answer
I have read the background information	100 (24)	0.00 (0)	0 (0)	(0)
Introduce a fixed non dependant deduction	45.5 (10)	31.8 (7)	22.7 (5)	(2)
Implement a £ 6,000 capital limit restriction	29.2 (7)	41.6 (10)	29.2 (7)	(0)
Removal of 2 nd adult rebate	17.4 (4)	47.8 (11)	34.8 (8)	(1)
Removal of extended payments	39.1 (9)	13.1 (3)	47.8 (11)	(1)

Equality Impact Assessment

Service:	Revenues
Officer(s) completing the assessment:	Michael Fisher
Date:	November 2019
Name of service, strategy, policy, project or function being assessed:	Council Tax Support Scheme for Working Age Applicants

1.	<p>What are the aims, objectives, outcomes, purpose of the service, strategy, policy, project or function that you are assessing?</p>	<p>The Council Tax Support (CTS) scheme provides support for certain taxpayers who have a low income. Where entitled, the scheme provides a reduction in liability for Council Tax.</p> <p>2019/20 saw the introduction of a 90% CTS cap for most working-age claimants. This was a significant change that has resulted in a number of households being asked to pay an element of their Council Tax charge, where previously they had not been required to do so.</p> <p>The proposals being considered for the 2020/21 scheme are less significant and are focused on simplifying the scheme for users. If implemented, less information will be required from applicants before a claim can be processed and CTS applied to an account.</p> <p>The replacement scheme is designed to:</p> <ul style="list-style-type: none"> • reduce the significant administrative requirements for applicants who are in receipt of Universal Credit within the area • reduce the time taken to process CTS claims. <p>The intention is to introduce the new scheme for working age applicants from 1st April 2020.</p> <p>The changes will not affect Pension Age applicants.</p>
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2.	<p>Who implements or delivers the service, strategy, policy, project or function?</p> <p>State if this is delivered by more than one service or team, including any external partners.</p>	<p>Revenues Service</p>
3.	<p>Who will be affected by the service, strategy, policy, project or function?</p>	<p>A small number of existing working age claimants of CTS. All potentially affected residents have been written to as part of the consultation process. There will be both positive, negative and neutral impacts.</p> <p>The changes will not affect Pension Age applicants who are protected under the Central Government Prescribed Scheme</p>
4.	<p>What are the likely positive impacts for the protected groups (see above)?</p> <p>Are any particular groups more affected and why?</p>	<p>Working Age applicants could be affected positively as follows:</p> <ol style="list-style-type: none"> 1. Residents living with a non dependent will either see their non dependent deduction remain the same or reduced. The deduction will be capped at £4 per week. 2. Residents would not need to provide evidence of non-dependant income to support their claim. This should speed up the time take to process claims.
5.	<p>What are the likely negative impacts for the protected groups (see above)?</p> <p>Are any particular groups affected more and why?</p>	<p>Working Age applicants could be affected negatively as follows:</p> <ol style="list-style-type: none"> 1. Working age applicants who have savings between £6,000 and £16,000 will see their entitlement to CTS end. 2. Working age claimants who currently receive Council Tax discount due to a 2nd adult living on a low income in the property. They will see their entitlement end, potentially increasing council tax payments by up to 25%. <p>This change is likely to affect, for example, lone parents with grown up children. The liable person will either have sufficient income to pay their Council Tax or will still be eligible under the main scheme to receive support with their Council Tax payments.</p>
6.	<p>What consultation and engagement has taken place (or is planned) with the affected groups and other</p>	<p>Consultation was carried out in accordance with the legislation. Major preceptors have been consulted as well as the public and interested groups.</p>

	interested parties?	<p>An open consultation process was undertaken for eight weeks regarding these changes to the CTS scheme. This has been publicised on the Council’s website and social media channels. Test Valley Citizens’ Advice also encouraged its customers to respond to the consultation.</p> <p>In addition, those directly affected by the proposed changes have been written to. The letter detailed the proposed changes and invited them to take part in the consultation process.</p> <p>1,000 publicity flyers were included with letters and notifications issued from the Revenues department during the consultation period.</p> <p>The results of consultation have been analysed and are detailed elsewhere in this report.</p>
7.	What plans do you have in place, or are developing, to mitigate the likely negative impacts, i.e. how will you reduce the impact on the protected groups?	The Council will use existing policies to alleviate any hardship caused by these changes.
8.	Please summarise or provide links to the information, data, research used in this assessment	<p>Outcome of the original consultation which sets out the Government priorities for CTS Schemes</p> <p>https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/8467/2053712.pdf</p> <p>Previous CTS Schemes - Also know as Council Tax Reduction are published on the Council’s website</p> <p>http://www.testvalley.gov.uk/benefitsandcounciltax/benefits/test-valley-borough-councils-council-tax-support-s</p>

What course of action does this EQIA suggest that you take? (tick one of the following options)	
<p>Outcome 1: No major change required The EQIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.</p>	

Outcome 2: Adjust the policy to remove barriers identified by the EQIA or better promote equality. Are you satisfied that the policy adjustments will remove the barriers identified?	
Outcome 3: Continue the policy despite potential for adverse impact or missed opportunities to promote equality identified. You should ensure that the EQIA clearly sets out the justifications for continuing with the policy. You should consider whether there are sufficient plans to reduce negative impact and/or plans to monitor the actual impact	X
Outcome 4: Stop and rethink the policy when the EQIA shows actual or potential unlawful discrimination	

Summary of your proposals - copy and paste into any report for Cabinet, Council or General Purposes Committee	
What are the key impacts - positive and negative?	
What course of action are you advising as a result of this EQIA?	
Are there any particular groups affected more than others?	
It is proposed that the current Council Tax Support scheme for working age applicants is changed with effect from 1 st April 2020 as follows:	
<ol style="list-style-type: none"> 1. That non-dependant reductions will be fixed at £4 per week irrespective of the level of income. 2. Working age applicants who have saving in excess of £6,000 will no longer be entitled to claim Council Tax Support. 3. The removal of entitlement to 2nd Adult Rebate from the CTS scheme. 4. Remove entitlement to extended payments under the scheme (no claimants affected by this amendment) 	

Head of Service sign off (name):	Carl Whatley Head of Revenues
Date:	25 th November 2019

Council Tax Premiums on Long-Term Empty Property

Report of the Finance Portfolio Holder

Recommendation:

That with effect from 1 April 2020, the Council increases the Council Tax premium charged on long-term empty and substantially unfurnished properties in accordance with the amounts and effective dates shown in paragraph 3.1 of the report.

Recommendation to Council

SUMMARY:

- The Council has charged a 50% Council Tax premium to the owners of long-term empty and substantially unfurnished properties since 2013.
- New legislation has been passed that allows the Council to increase the premium charged. The changes are being introduced over two years (2020/21 and 2021/22) and target those properties that have been empty the longest.

1 Introduction

- 1.1 This report considers the options available to the Council for charging Council Tax Premiums on long-term empty and substantially unfurnished properties.
- 1.2 The report is presented following the introduction of new legislation (*Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018*) that increases the amounts that Councils can charge on these properties.

2 Background

- 2.1 Legislation was introduced in 2013 that allowed local authorities to charge a 50% Council Tax premium on properties that have been 'unoccupied and substantially unfurnished' for more than two years.
- 2.2 The purpose of the legislation was to provide an incentive to owners of empty properties to bring them back in to use.
- 2.3 Test Valley Borough Council introduced the 50% premium in 2013, with the income generated used to partly offset the reduction in government funding that was associated with the introduction of Council Tax Support.

APPENDIX C

- 2.4 This report explains the new powers and considers the impact of implementing them.

3 Changes to powers

- 3.1 The increases to the new premiums are being introduced in a phased manner over the next two years. The following table sets out the maximum premiums that can be charged in each year.

	Empty period	Maximum Premium
Financial year 2020/21	2 – 5 years Over 5 years	100% 200%
Financial years from 2021/22	2 – 5 years 5 – 10 years Over 10 years	100% 200% 300%

4 Corporate Objectives and Priorities

- 4.1 The Corporate Plan 2019 to 2023, “Growing Our Potential”, includes priorities to ensure our town centres are attractive, vibrant and prosperous places and to work with our communities to deliver the supply of homes which reflects current and future housing needs. The recommendations in this report will contribute by encouraging owners of empty homes to bring them back into use and therefore, will directly contribute to achieving the aims of the Corporate Plan.
- 4.2 The Council’s current Housing Strategy includes actions to encourage owners of long term empty homes to bring them back into use and the Council is in the process of reviewing its approach to dealing with problematic empty homes.

5 Consultations/Communications

- 5.1 The Council has consulted with the major Council Tax preceptors (Hampshire County Council, Police and Crime Commissioner for Hampshire and Hampshire Fire & Rescue Service) about the proposed changes. They have issued a combined response that supports the recommended option.
- 5.2 If the change to the policy is approved, the Council will write to the owners of properties currently attracting the premium, or with properties that may attract the premium in 2020/21. This will give information about the increase to the policy and signpost to advice for bringing the property back in to use.

6 Options

- 6.1 The premiums shown in paragraph 3.1 are the maximum that can be charged. The Council can set premiums at a level it chooses up to those amounts.

APPENDIX C

6.2 The options are therefore:

- Option 1 – To make no change to the existing empty homes premium
- Option 2 (Recommended) – To implement the empty homes premium to the maximum amount allowed
- Option 3 – To increase the premium, but not to the maximum amounts allowed.

7 Option Appraisal

7.1 The main purpose of the premium is to serve as a deterrent to property owners from keeping housing stock unoccupied. The strengths and weaknesses of each option are largely focused on their ability to achieve that objective.

Option 1 – Make no changes to the current scheme

7.2 Option 1 would retain the current policy arrangements.

7.3 44 properties are currently charged the premium. 14 of these have been empty for more than ten years and a further 14 have been empty for between five and ten years. This would suggest that, for these properties, the current incentive is not strong enough to bring the properties back into use and that a stronger incentive may be necessary.

Option 2 (Recommended) – Apply the maximum permitted increase to the premium

7.4 The advantage of this option is that it would apply the maximum financial incentive possible to encourage owners of empty properties to bring them back into use. As noted above, more than half of the properties that are charged the premium have been empty for longer than 5 years and would be liable to a higher premium.

7.5 Introducing the premiums would also align the Council Tax practice as closely as possible with the Housing & Environmental Health Service's approach to tackling long-term empty homes.

7.6 The potential disadvantage of this option is that the higher the premium that is charged, the more likely it is that property owners will seek to find ways to avoid paying the premium. For example, this could be done by furnishing or occupying the property.

Option 3 – Increase the premium by less than the maximum allowed

7.7 This is a hybrid of options 1 and 2 and could be set at any level.

8 Risk Management

8.1 An evaluation of the risks indicates that the existing controls in place mean that no significant risks have been identified at this time.

APPENDIX C**9 Resource Implications**

- 9.1 As at 8 November 2019, there were 67 properties that were recorded as being empty and unfurnished for over two years.
- 9.2 The premium is being applied to 44 of those properties. The remaining 23 properties are exempted from the premium for reasons including; the building undergoing major repairs or structural improvements; or the owner has moved out to receive care.

Council Financial Implications

- 9.3 The following table shows an estimate of the amount the Council would generate in Council Tax premiums for long-term empty properties if the maximum premiums are applied. It assumes that the same 44 properties remain empty for the next two years and no other properties become liable to the premium. This also assumes no changes to the current Council Tax levels.

	2019/20 £'000	2020/21 £'000	2021/22 £'000
Total premium charged	35	119	149
TVBC share of Council Tax (10.74%)	4	13	16

- 9.4 The premium is applied to the overall Council Tax charge and therefore all other preceptors would also benefit from a change in the Council's policy. Increasing the premium from April 2020 is expected to generate additional Council Tax receipts of £84,000, of which £9,000 would be retained by the Council.
- 9.5 If the new powers were implemented, the additional income would originate in the Collection Fund through an increase to the overall tax base. The tax base is derived from a calculation that sets the expected number of chargeable Council Tax properties in the borough each year.

Council Taxpayer Implications

- 9.6 The following table shows an average Council Tax charge for each band of property in 2019/20. It also shows the amount after the 50% premium is applied and the potential charges if the maximum premium is introduced.

Band	2019/20 charge	Charge plus 50% premium	Charge plus 100% premium	Charge plus 200% premium	Charge plus 300% premium
A	1,125	1,688	2,250	3,375	4,500
B	1,312	1,968	2,624	3,936	5,248
C	1,500	2,250	3,000	4,500	6,000
D	1,687	2,531	3,374	5,061	6,748
E	2,063	3,095	4,126	6,189	8,252
F	2,438	3,657	4,876	7,314	9,752
G	2,813	4,220	5,626	8,439	11,252
H	3,375	5,063	6,750	10,125	13,500

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9.7 The table shows that the impact of increasing the premium from the current 50% to the maximum of 300% would be £4,217 per annum (£6,748 - £2,531) for a band D property. This would only apply to properties that have been empty for longer than ten years and would not be chargeable until April 2021.

9.8 The impact on a band D property that has been empty for between two and five years would be £843 (£3,374 - £2,531).

9.9 A review of the properties currently being charged the premium shows that recovery rates are high with little in the way of arrears.

10 Legal Implications

10.1 The additional powers discussed in this report are pursuant to the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

11 Equality Issues

11.1 An equalities impact assessment has been carried out.

11.2 This has identified that there will be a negative financial impact on the owners of properties affected by the increase in Council Tax premiums. It is considered that the potential benefit of bringing disused houses back into use outweighs this negative impact.

12 Conclusion and reasons for recommendation

12.1 The report sets out the changes to legislation that enable the Council to increase the Council Tax premiums it charges the owners of properties that have been empty and unfurnished for more than two years.

12.2 The premiums act as an incentive to bring empty properties back into use, aligning with existing Council policies for housing and homelessness.

12.3 For this reason it is recommended that the premium charged on empty and unfurnished property is increased in accordance with the maximum amounts set out in paragraph 3.1.

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<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	0	File Ref:	N/A
(Portfolio: Finance) Councillor M Flood			
Officer:	Carl Whatley	Ext:	8540
Report to:	Cabinet	Date:	18 December 2019

Council Tax Discount for Care Leavers

Report of the Finance Portfolio Holder

Recommendation:

That the Council introduces a Council Tax discount for care leavers with effect from 1 April 2020.

- **That care leavers living alone be awarded 100% relief until their 25th birthday.**
- **That care leavers living with other adults be disregarded for Council Tax purposes until their 25th birthday.**

Recommendation to Council

SUMMARY:

- The report considers the impact of introducing a Council Tax discount scheme for care leavers.
- It recommends that care leavers be entitled to receive a 100% Council Tax discount until their 25th birthday.

1 Introduction

- 1.1 In July 2016, the government published 'Keep on Caring', a guide to supporting young people from care to independence. One of the areas for consideration was whether care leavers should be exempted from paying Council Tax.
- 1.2 The Children and Social Work Act 2017 sets out seven corporate parenting principles that all local authorities should have regard to. These principles are to ensure that local authorities and their partners support looked after children and care leavers. One of the principles is 'to prepare those children and young people for adulthood and independent living'.
- 1.3 Anne Longfield, the Children's Commissioner for England, has encouraged Councils to follow the recommendations of The Children's Society's *Wolf at the Door* publication which recommends that Council Tax exemptions be introduced for care leavers.

2 Background

- 2.1 Following the release of the Keep on Caring guidance and corporate parenting legislation, Hampshire County Council sought to develop a county-wide care leaver scheme that could be used by any Hampshire district that wanted to adopt it.

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- 2.2 TVBC expressed an interest in the scheme and were willing to contribute to its development. However, in March 2019 it became clear that a county-wide scheme would not be delivered and that any Council wishing to offer Council Tax discounts to care leavers would need to develop their own scheme.
- 2.3 Winchester, Basingstoke and the Hampshire unitary authorities have already introduced schemes to award Council Tax relief to care leavers.

3 Care leavers in Test Valley

- 3.1 The definition of a care leaver, as provided by HCC in 2018, is a young person aged 16-25 who has been cared for by a local authority for at least 13 weeks since the age of 14.
- 3.2 Figures provided by HCC to the Council at that time estimated that there were approximately 25 care leavers that could be entitled to support in Test Valley.
- 3.3 At the same time, there were 350 care leavers living in Hampshire, of whom 76 were estimated to be paying Council Tax (21.7%). Extrapolating that figure across Test Valley would indicate that five or six care leavers would be likely to benefit from a local scheme.
- 3.4 It is expected that most, if not all, will be entitled to some form of discount from their Council Tax charge. This could be in the form of single person discounts, student exemptions or the Council's own Council Tax Support scheme. Any specific relief for care leavers would be applied after all other forms of support have been used.

4 Examples of other Councils' schemes

- 4.1 Both Winchester and Basingstoke introduced schemes to support care leavers from April 2019. Their schemes are published on their respective websites at the addresses shown below.
- 4.2 Winchester - <https://www.winchester.gov.uk/council-tax/discounts/care-leaver-discount>
Basingstoke - <https://www.basingstoke.gov.uk/council-tax-discount>
- 4.3 Winchester – 100% reduction if the care leaver is the sole occupant. If there are two or more residents in the property the care leaver will be disregarded for Council Tax purposes. As at 25 November 2019, there had been no applications for this relief.
- 4.4 Basingstoke – 100% reductions up to 22nd birthday, relief then reduces by 25% per year until 25th birthday. At any time up to age 25, if there is one other adult living in the property (who is not a care leaver), the bill will be reduced by 50% and if there are two or more adults living in the property (who are not care leavers), the bill will be reduced by 25%. The taper was used to help introduce the care leaver to paying for Council Tax over a number of years, gradually increasing the amount payable, rather than a full charge as soon as they turn 25.

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5 Corporate Objectives and Priorities

- 5.1 The Corporate Plan 2019 to 2023, "Growing Our Potential", includes priorities to ensure residents of Test Valley are able to live well and fulfil their aspirations.
- 5.2 The introduction of a Council Tax discount for care leavers will assist some of our most vulnerable residents to achieve this aspiration.

6 Consultations/Communications

- 6.1 During the review of the Council's Council Tax Support Scheme for 2020/21, the OSCOM Member Panel also considered whether Council Tax relief for care leavers should be introduced. Whilst not directly part of that panel's remit, the lead member was keen that the development of such a scheme be taken forward as a separate matter.
- 6.2 HCC have previously supported the development of Council Tax discount schemes for care leavers. However, as this is a locally funded scheme, there is no requirement to formally consult with major preceptors.
- 6.3 The delivery of a successful scheme will require new working relationships with HCC, particularly the case worker of each care leaver. It will be a requirement of any scheme that the care leaver gives permission for HCC to provide information necessary to support an application for relief.

7 Options

- 7.1 The introduction of a scheme to reduce or eliminate Council Tax charges for care leavers is a local decision and the Council is therefore free to set its own parameters.
- 7.2 Section 3 of the report identifies that there are likely to be a small number of recipients of relief from any scheme that the Council introduces. It is therefore recommended that any scheme should be as simple as possible to administer.
- 7.3 The recommended options are:
- Option 1 – Not to introduce a scheme for care leavers
 - Option 2 (Recommended) – To implement a scheme that offers 100% Council Tax relief to care leavers until their 25th birthday
 - Option 3 – To implement a scheme that reduces the amount of support a care leaver receives as they approach their 25th birthday.

8 Option Appraisal

Option 1 – Not to introduce a scheme

- 8.1 Care leavers are among the most vulnerable members of our community.

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The Joseph Rowntree Foundation has published a report, *Resilience and young people leaving care*, which explores the factors that affect young people leaving care and making the transition to adulthood. It highlights care leavers' vulnerability to unemployment, homelessness and their need for financial advice and assistance.

- 8.2 Not introducing a scheme would mean that the Council misses an opportunity to help vulnerable young adults transition from the care system to financially independent living.

Option 2 (Recommended) – To implement a scheme that offers 100% Council Tax relief to care leavers until their 25th birthday

- 8.3 This scheme would offer the greatest amount of support to care leavers.
- 8.4 The scheme would introduce a 100% Council Tax exemption for care leavers up to their 25th birthday where they are the only adult in a property. Where there are two or more adults living in the property, the care leaver would be disregarded for Council Tax purposes.
- 8.5 From an administrative perspective, this scheme is the simplest to operate. The relief will be the same until the care leaver's 25th birthday, so will not require an adjustment on each birthday.
- 8.6 This scheme will potentially be more expensive than Option 3; however, the resource implications section below shows that the total cost is expected to be small.
- 8.7 The Council will ensure that care leavers are made aware of their obligation to pay Council Tax from their 25th birthday. This will help to prepare them for becoming liable for a full Council Tax charge when they reach that milestone.

Option 3 – To implement a scheme that reduces the amount of support a care leaver receives as they approach their 25th birthday

- 8.8 This scheme would offer less support to care leavers because the amount of relief offered would reduce each year on the care leaver's birthday. 100% relief would be awarded until their 22nd birthday and would then reduce by 25% each year until their 25th birthday.
- 8.9 However, this approach is more in line with assisting care leavers to reach financial independence by gradually increasing their obligation to pay Council Tax and not introducing a full charge in one bill.
- 8.10 This scheme would result in less relief being awarded and therefore be cheaper to the Council. However, the additional administrative constraints of reviewing accounts each year on a care leaver's birthday would make it less simple to administer.

APPENDIX D**9 Risk Management**

- 9.1 An evaluation of the risks indicates that the existing controls in place mean that no significant risks have been identified at this time.

10 Resource Implications

- 10.1 A scheme to provide Council Tax discounts to care leavers would be introduced using powers in section 13A of the Local Government Finance Act 1992. This is a power to award Council Tax relief at a local level and means that the total cost of relief would be met by TVBC.
- 10.2 Essentially this means that TVBC would pick up 100% of the cost of the relief, rather than the 10-11% share of the Collection Fund that applies to most other reliefs.
- 10.3 HCC are not prepared to provide budgetary support for their 'share' of the cost.
- 10.4 The following table shows an estimate of the potential cost of the recommended option. The full charge is based on the 2019/20 Council Tax charge in Andover.

	Band A / living alone	Band A / living with another adult	Band B / living alone	Band B / living with another adult
Full charge	1,126	1,126	1,314	1,314
Single Person Discount	(282)	N/A	(328)	N/A
Maximum care leaver discount	844	282	986	328
Assume 50% CTS	(422)	N/A	(493)	N/A
Expected care leaver discount	422	282	493	328

- 10.5 A Council Tax Support (CTS) assumption has been made to reflect that care leavers in work are likely to be in the early part of their career development and earning relatively low pay. The 50% figure used above is purely for illustrative purposes and should not be relied upon as a budget guide.
- 10.6 Where the care leaver is living with another adult, the discount is equal to 25% of the charge. This is equivalent to a single person discount and means that if the care leaver is living with one other person, that person is not required to pay more Council Tax than they would if they were living on their own.

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- 10.7 Taking an average relief of £400 and multiplying by the estimated number of beneficiaries (see para 3.3), the cost to the Council is not expected to exceed £3,000.

11 Legal Implications

- 11.1 The introduction of a care leaver discount would be made using powers in Section 13A of the Local Government Finance Act 1992, which gives the Council a discretionary power to reduce the amount of Council Tax payable for a dwelling within its area by such amount as it thinks fit.

12 Equality Issues

- 12.1 An equalities impact assessment has not identified any negative impacts that will arise from the introduction of this policy.

13 Conclusion and reasons for recommendation

- 13.1 Care leavers are among the most vulnerable members of our community.
- 13.2 The introduction of a Council Tax discount for care leavers will help them as they move into adulthood and towards financial independence. The scheme will also demonstrate the Council's commitment to its corporate parenting responsibilities.
- 13.3 For these reasons, it is recommended that a Council Tax discount scheme for care leavers be introduced from April 2020.

Background Papers (Local Government Act 1972 Section 100D)

Keep on Caring – Supporting young people from care to independence
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/535899/Care-Leaver-Strategy.pdf

Joseph Rowntree Foundation Report, *Resilience and young people leaving care*
<https://www.jrf.org.uk/sites/default/files/jrf/migrated/files/185935369x.pdf>

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:	0	File Ref:	N/A
(Portfolio: Finance) Councillor M Flood			
Officer:	Carl Whatley	Ext:	8540
Report to:	Cabinet	Date:	18 December 2019

ITEM 10

Notice of Motion – Rule 12

Councillor Celia Dowden will move that:

That the Council adopt the Motor Neurone Disease Charter (MND). The Leader signs the Council up to the MND Charter and the Council formally commits to ensuring the council services are to be delivered in accordance with this Charter.

For further information about the Charter please visit: <https://www.mndcharter.org/>

Councillor Alan Warnes will second the motion.

ITEM 11 Appointments to Committees and Outside Bodies

Report of the Corporate Portfolio Holder

Recommended:

- 1. That Councillor Jeffrey be appointed to the Southern Area Planning Committee.**
- 2. That Councillor Burley be appointed to the Licensing Committee.**
- 3. That Councillor be appointed as the deputy Council representative to the Southampton International Airport Consultative Committee.**
- 4. That Councillor be appointed as the Council representative to the Lee Liaison Panel (Chilworth, Nursling and Rownhams).**

SUMMARY:

- Council approval is sought for the appointment of Members to the Council's Southern Area Planning and Licensing Committee.
- Council approval is also sought for the appointment of Members to two of the Council's Outside Bodies.

1 Background

- 1.1 Following the death of Councillor Anderdon, a number of vacancies have arisen on the Council's Committees and Outside Bodies. These vacancies are appointed to by Full Council.
- 1.2 Vacancies have arisen on two of the Council's Committees, the Licensing Committee and the Southern Area Planning Committee.
- 1.3 The Licensing Committee is appointed to reflect political proportionality and therefore it is required that a Conservative Member be appointed to fill this vacancy.
- 1.4 At a motion carried by Full Council on 26 June 2019 it was agreed that the membership of Northern Area Planning Committee and Southern Area Planning Committee reflect the representation of local Ward Members. Therefore it is required that a Conservative Member be appointed to fill this vacancy.
- 1.5 In order for the Council to continue to fulfil its obligations to its Outside Bodies, a Member is required to be appointed as the deputy representative to the Southampton International Airport Consultative Committee. Councillor Bundy is currently appointed to this outside body as the lead Member.

- 1.6 A Member is also required to be appointed to the Lee Lane Liaison Panel. The Member appointed to this Panel needs to represent the Chilworth, Nursling and Rownhams Ward within which Lee Lane Falls.

2 Risk Management

- 2.1 No risks are identified.

3 Resource Implications

- 3.1 There are no resource implications.

4 Legal Implications

- 4.1 There are no legal implications. A resolution of full Council is required to effect the replacement appointments.

5 Equality Issues

- 5.1 None are identified.

6 Conclusion and reasons for recommendation

- 6.1 It is recommended that Councillors are appointed to the vacancies on the Southern Area Planning and Licensing Committees.
- 6.2 It is recommended that Councillors are appointed as the Council's representatives to fill the vacancies to the Southampton International Airport Consultative Committee and the Lee Lane Liaison Panel Outside Bodies.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972 (as amended) and can be made public.			
No of Annexes:	None	File Ref:	N/A
(Portfolio: Corporate) Councillor T Tasker			
Officer:	Karen Dunn	Ext:	8401
Report to:	Council	Date:	29 January 2020

ITEM 12

Estates Property Matters

Report of the Finance Portfolio Holder

Recommended:

That the decision to approve the purchase of the properties identified in the Confidential Annexes be noted.

SUMMARY:

- Council has delegated authority to the Head of Property and Asset Management, in consultation with a Member Panel, to purchase property investments where the timing of the normal Council approval process would reduce the Council's ability to complete the purchase.
- The Head of Property & Asset Management, after consulting the Panel, has recently exercised his authority to progress the purchase of three properties.
- In accordance with the original delegated authority, this report is presented to update Council on the details of the purchases.

1 Introduction

- 1.1 The Council's Medium Term Financial Strategy (MTFS) 2020/21 – 2022/23 sets out that the Council will continue to seek out new investment opportunities through Project Enterprise.
- 1.2 The property investments included in this report will help to achieve that objective.

2 Background

- 2.1 In recognition of the fast pace of the local property market, Council has approved a delegated authority to the Head of Property and Asset Management, in consultation with a cross-party Member panel, to purchase property investments from a pre-approved capital budget. A sum of £3M was approved for this purpose.
- 2.2 The panel consists of Cllrs North, A Dowden, Flood, Rowles and Ward.
- 2.3 The panel was established as a means of enabling approval of property investments where the timing of the traditional Council approval process would reduce the Council's ability to complete the purchase.
- 2.4 A requirement of setting up the panel was that the details of any property approvals would be reported to a subsequent Council meeting.

- 2.5 The panel has recently confirmed its support for the purchase of two houses and one commercial property.

3 Corporate Objectives and Priorities

- 3.1 Project Enterprise was established to support the objectives of the MTFs by increasing the Council's income to reduce its reliance on government support. The income generated from the investments approved by the Member Panel will work towards achieving this objective.
- 3.2 The house purchases will also help to deliver the Corporate Plan objective to grow the potential of people to be able to live well and fulfil their aspirations.

4 The Properties

Property 1 – Domestic property in Andover

- 4.1 Property 1 was the subject of a report to the Member panel on 28 August 2019. A copy of the report and the marketing details are attached in Confidential Annex 1.
- 4.2 The building survey was carried out after the initial approval of the panel was received. This identified an increased budget requirement for repairs than was originally allowed in the business case.
- 4.3 An updated report was sent to the panel on 1 October and approval to proceed with the purchase was received on 4 October 2019. The shaded column of the table in paragraph 4.4 of Confidential Annex 1 shows the final approved budget for the purchase.
- 4.4 The purchase of the property has now been completed and the necessary maintenance works are nearing completion. It is anticipated that the property will be ready for letting during February 2020.

Property 2 - Domestic property in Andover

- 4.5 The report for property 2 was sent to the panel on 2 January 2020 and approval to proceed was received on Friday 3 January. A copy of the report and the marketing details are attached in Confidential Annex 2.
- 4.6 The survey of the property was undertaken on 7 January and confirmed that the property is in good condition. The conveyancing to complete the purchase is now underway.

Property 3 – Commercial property in Andover

- 4.7 The property was the subject of a report to the Member panel on 12 October 2019 and confirmation to proceed with the purchase was received on 18 October. A copy of the report to the panel is attached in Confidential Annex 3.
- 4.8 Heads of Terms have been agreed with the vendor for the purchase of the unit. The purchase price is less than the maximum budget contained in the panel report.

- 4.9 It is anticipated that exchange of contracts will be achieved in late January or early February. Completion is expected to take place before the end of the financial year, but is dependent on the occupational lease to the tenant being completed first.

5 Risk Management

- 5.1 An evaluation of the risks associated with the matters in this report indicates that further risk assessment is not needed because the issues covered do not represent significant risks.
- 5.2 The risks associated with the purchases are explained in the respective reports to the panel in the Confidential Annexes.

6 Resource Implications

- 6.1 The business case for each of the purchases is shown in more detail in section 4 of the Confidential Annexes.
- 6.2 The total amount approved to complete the purchases is £1.805M and will be financed from a pre-approved budget of £3M in the Council's Capital Programme.

7 Legal Implications

- 7.1 The conveyancing of property 1 was completed by the Council's Legal & Democratic Service, who will also prepare a lease to Valley Housing for the onward management of the property under existing delegated authority.
- 7.2 The Legal & Democratic Service will also undertake the conveyancing of property 2.
- 7.3 Due to the nature of the purchase of property 3 and the required timescales, external legal advisors have been appointed to oversee the purchase and lease arrangements. This is explained in more detail in section 2 of Confidential Annex 3.

8 Conclusion and reasons for recommendation

- 8.1 The Head of Property & Asset Management has exercised his delegated authority to progress the purchase of three properties after consultation with the cross-party Member panel established for that purpose.
- 8.2 This report provides Council with the details of that decision and the progress made since the decision was taken.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
<u>Report</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
<u>Annexes</u>			
It is considered that the annex contains exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended. It is further considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information relates to the financial or business affairs of both the Council and third parties.			
No of Annexes:	3	File Ref:	N/A
(Portfolio: Finance) Councillor M Flood			
Officer:	Carl Whatley	Ext:	8540
Report to:	Council	Date:	29 January 2020

ITEM 13

Exclusion of the Public

Recommended:

That, pursuant to Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting for the consideration of the following Annexes on the following matters on the grounds that they involve the likely disclosure of exempt information as defined in the following Paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, indicated below. The public interest in maintaining the exemption outweighs the public interest in disclosing the information for the reason given below:

Estates Property Matters

Paragraph 3

It is considered that this Annex contains exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended. It is further considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information relates to the financial or business affairs of the Council and third parties who are necessarily identified, which information is commercially sensitive and which by its disclosure would have an adverse effect upon the interests of those third parties and the Council as they seek to settle agreed terms of business.

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