
POLICY DEVELOPMENT AND REVIEW COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 26 October 2016 from 7.00 - 8.50 pm

PRESENT: Councillors Sarah Aldridge, Mike Baldock, Cameron Beart (Substitute for Councillor Andy Booth), Lloyd Bowen (Chairman), Katy Coleman, Nicholas Hampshire, James Hunt, George Samuel and Ben Stokes

OFFICERS PRESENT: Amber Christou, Zoe Kent, Kellie MacKenzie and Bob Pullen.

ALSO IN ATTENDANCE: Councillors Duncan Dewar-Whalley and Alan Horton.

APOLOGIES: Councillors Andy Booth and Harrison.

960 FIRE EVACUATION PROCEDURE

The Chairman drew attention to the Fire Evacuation Procedure.

961 MINUTES

The Minutes of the Meeting held on 28 September 2016 (Minute Nos. 895 – 899) were taken as read, approved and signed by the Chairman as a correct record subject to the following inclusion to Minute No. 898: Under the heading **Swale Green Grid Strategy** the following comment from a Member be included ‘the name ‘Green Grid’ did not truly reflect what it is and a better name should be considered’.

962 DECLARATIONS OF INTEREST

No interests were declared.

963 COUNCIL TAX SUPPORT SCHEME 2017/18

The Chairman welcomed the Cabinet Member for Finance and Performance, Head of Resident Services and Revenue and Benefits Manager (Technical and Financial) to the meeting. He explained that the Council Tax Support (CTS) Scheme was introduced in 2013 to replace Council Tax Benefit (CTB). The local scheme needed to be approved by Full Council by 31 January 2017. He explained that the purpose of the report was to note the outcome of the public consultation and he drew attention to Appendices I, II and III of the report.

The Cabinet Member for Finance and Performance stated that it had been a struggle to put the CTS Scheme together and thanked officers, in particular, the Revenue and Benefits Manager for her hard work on what had been a difficult task. He stated that the 85% payment from people on benefits was higher than he had expected and demonstrated that the Council had “got it right”. He spoke about the importance of ensuring that the scheme was easy for people to understand and also that the computer software was easy for staff to operate and process claims.

The Revenue and Benefits Manager explained that officers from Swale had worked with authorities across Kent to design a CTS scheme. In response to a query, she advised that it had been down to each Council to come up with their own recommendations and they varied across each authority.

In response to a query from a Member, the Revenue and Benefits Manager advised that the administrative fee paid by the major preceptors had not been withdrawn, but replaced. She explained that all authorities would receive a £70,000 fee, but Swale had a higher caseload, so was likely to receive an additional £74,000.

Q - A Member asked whether alternatives such as increasing Council Tax or using reserves had been considered?

The Cabinet Member for Finance and Performance stated that he was reluctant to use reserves and that it was important that people paid now. He also thought it would be dangerous to set a precedent now which could have consequences for the Council in the future.

The Chairman drew attention to Table 2 on page 5 of the report which set out proposed amendments to the CTS Options. Members considered each of the recommendations.

Option 1 – Reducing the maximum level of support for working age applicants from 85 % to 81.5% or 80%.

The Revenue and Benefits Manager introduced the item and Members raised the following questions:

Q – How much was the 81.5% to 80% figure guided by the tipping point of 21% to 25%

The Revenue and Benefits Manager reported that they were mindful of the limits and considered that this was a realistic figure.

Q – What would the increase in cost be for a person in a Band D property, if the charge was increased from 15% to 20%

Discussion ensued and the Revenue and Benefits Manager agreed to forward this information to the Committee.

Q – What effect would reducing the maximum level of support for working age applicants by up to 5% have on those on low incomes?

The Revenue and Benefits Manager advised that they would be affected but it would be manageable.

Members raised the following further points: suggested staggered level of 83% rather than 80% as a further £6 a week to find was too much, so maybe increase by 1%; and 90% of the respondents supported this Option. The Revenues and

Benefits Manager confirmed that the increase would not be an additional £6, that could be the amount charged per week.

A Member queried whether it was proposed to reduce the maximum level of support to 81.5% or 80%, as it was unclear in the report. The Revenue and Benefits Manager stated that it was 80% and she would amend the report to make this clear.

Members agreed that Option 1 should be implemented.

Option 2 – Removing the Family Premium for all new working age applicants.

The Revenue and Benefits Manager introduced the item.

Members agreed that Option 2 should be implemented.

Option 3 – Reducing backdating to one month.

The Revenue and Benefits Manager introduced the item.

In response to a query, the Revenue and Benefits Manager stated that the hardship scheme could be used to assist where required.

Members agreed that Option 3 should be implemented.

Option 4 – Using a set income for self-employed earners after 18 months in response to consultation feedback

The Revenue and Benefits Manager introduced the item.

A Member considered it was unacceptable to insist that the self-employed supply tax receipts. He considered that the H & M Revenue and Customs self-assessment forms were a much better way of gauging income as this could fluctuate.

The Revenue and Benefits Manager considered it not unreasonable to require details of accounts, especially if they had an accountant. She stated that it was important to ensure the scheme was fair for everyone and that it was not possible to use HMRC data. A form was available for claimants to use to declare their self-employment income and expenditure.

Members raised the following further points: risk that some will not remain self-employed; not realistic to implement the minimum wage; seems that you would be penalising a large number of people to target a small minority; and any issues with the proposal could be reviewed.

Members agreed that Option 4 be implemented with the amendment that the period be extended to 18 months.

Option 5 – Reducing the period for which a person can be absent from Great Britain and still receive Council Tax Reduction to four weeks

The Revenue and Benefits Manager introduced the item. She stated that they were unsure how this would be managed. Vulnerability could be addressed through the hardship scheme.

In response to a query, the Revenue and Benefits Manager advised that it referred to Great Britain, as the housing benefit legislation did not cover the United Kingdom i.e. Northern Ireland, Isle of Man etc.

A Member stated that he was surprised that those on a low income would be able to afford to be out of the country for a four-week period. He suggested the option be amended to two weeks rather than four.

The Revenue and Benefits Manager explained that it was unlikely to be working families and confirmed that it was four weeks at a time and not cumulatively. In response to a query from a Member, the Revenue and Benefits Manager advised that they were changing the way they dealt with persons occupying chalets, and they would now have to pay council tax if they occupied a chalet or caravan during the closed period.

A Member suggested amending the Option to “cumulative over a four week period”. Some Members considered this was over-complicating the issue and it would be easier for officers to “police” if four weeks at one time.

Members agreed that Option 5 be implemented.

Option 6 – To introduce a standard level of non-dependant deduction of £15 for all claimants who have non-dependants resident with them

The Revenues and Benefits Manager introduced the item.

A Member spoke against Option 6 which he considered would have an adverse impact on young persons who were trying to save to buy their own home. He stated that it was a “Poll Tax” on a select group of individuals and unfair.

Other Members considered it a fair approach and was in-line with responses from the consultation.

Members agreed that Option 6 be implemented with the proposed amendment.

Option 7 – to take any Child Maintenance paid to a claimant or partner into account in full in the calculation of Council Tax Reduction.

The Revenue and Benefits Manager introduced the item.

Q – What is the rationale for taking Child Maintenance and Child Benefit into account in the calculation of Council Tax Reduction?

Members raised the following points: unreliable basis to judge finances; there was a good reason that child maintenance was not previously considered; would be unfair to target those whose relationship had failed; and it was not the fault of the Council

if a partner did not pay maintenance, and needed to ensure the bill was paid by the right person.

In response to a query from a Member, the Revenue and Benefits Manager advised that Disability Living Allowance would not be included. If maintenance stopped officers would be able to re-assess claims and ensure claims were dealt with fairly.

The Head of Resident Services advised that Resident Services covered council tax, housing benefits and housing services and all of those services were working together to ensure that households were not suffering hardship.

Members agreed that Option 7 should be implemented.

Option 8 – To take any Child Benefit paid to a claimant or partner into account in full in the calculation of Council Tax Reduction

The Revenue and Benefits Manager introduced the item.

Members agreed that Option 8 should be implemented.

Option 9 – To remove second Adult Reduction from the scheme

The Revenue and Benefits Manager introduced the item.

Q – Was there not a risk that persons could be made homeless if this was implemented?

The Revenue and Benefits Manager stated that the person who was liable for Council Tax was not claiming because they were on a low income. If the second person in the home was working the reduction may be as low as 7.5% so it was not so likely that they would be made homeless because this was not awarded.

Q – How would it affect carers as they often lived with people on a temporary basis?

The Revenue and Benefits Manager stated that there were lots of exemptions for Carers and if they had another address they could apply for an exemption on that address.

Option 10 – To remove the Work Related Activity component in the calculation of Council Tax Reduction

The Revenue and Benefits Manager introduced the item.

Members agreed that Option 10 should be implemented.

Option 11 – To limit the number of dependant children within the calculation for Council Tax Reduction to a maximum of two.

The Revenue and Benefits Manager advised that this may not be brought into Housing Benefit Regulations, and if this was the case the Council could withdraw

Option 11. She advised that for twins it would be a maximum of three, triplets maximum of four etc.

Members considered that Option 11 should be implemented regardless of whether it was included within Housing Benefit Regulations.

Members considered the recommendations in the report:

Resolved:

- (1) That the outcome of the public consultation having taken consideration of the potential impact of the proposed changes on working age claimants with the protected characteristics of disability, age and sex under the Equalities Act 2010 be noted.**
- (2) That the changes to the current scheme as listed in paragraph 3.6 be agreed.**
- (3) That the new funding model from the major preceptors for the collection of Council Tax from Council Tax Support claimants during 2017/18 be agreed.**

Recommendation to Cabinet:

- (1) That Option 11 be implemented regardless of whether it is included within Housing Benefit Regulations.**

The Chairman thanked The Revenue and Benefits Manager for the report and for responding to questions. He also thanked the Cabinet Member for Finance and Performance and Head of Resident Services for attending.

964 COMMITTEE WORK PROGRAMME

The Policy and Performance Officer drew attention to the tabled report which set-out the policies, plans and strategies due to be reviewed by the Committee. He explained that a lot of policies were coming forward for consideration at the latter part of the municipal year.

The Chairman advised that as there were currently no items for consideration at the 29 November 2016 meeting, it was likely to be cancelled. There was also a strong likelihood that a new meeting would be arranged for either February/March 2017. The Chairman advised that he would liaise with the Policy and Performance Officer and update Members as soon as possible.

A Member requested a review on 10 and 12 month occupancy of holiday homes and clarity about why it varied across the Borough. The Policy and Performance Officer referred to the Terms of Reference (TOR) of the Committee and that it had no provision to instigate reviews of policies itself. He drew attention to paragraph (v) of the PDRC TOR which stated "provide pre-decision comment on policy decisions".

The Chairman agreed to liaise with the relevant Cabinet Member to see if he was happy to refer the item to the Committee for discussion.

Resolved:

(1) That the schedule of policies, plans and strategies due for review be noted.

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee/Panel