

**Cherwell District Council**  
**Budget Planning Committee**

**29 October 2019**

<b>Council Tax Reduction Scheme 2020-2021</b>
---

**Report of the Executive Director - Finance (Interim)**

This report is public

**Purpose of report**

To provide members with an update on the recent consultation process that has taken place on the options for a Council Tax Reduction Scheme for the financial year 2020-2021 and to seek a recommendation to Executive as to the scheme for 2020-2021.

To outline the Council Tax discounts for the financial year 2020-2021.

**1.0 Recommendations**

The meeting is recommended:

- 1.1 To note the contents of the report and any financial implications for the Council.
- 1.2 To recommend to Executive which option should be considered for the Council Tax Scheme for 2020-2021.
- 1.3 To review the proposed level of Council Tax discounts and premiums for 2020-2021 and make recommendations to Executive as follows:
  - Retain the discount for second homes at zero
  - Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter at zero.
  - Retain the discount for empty homes undergoing major repairs at 25% for 12 months and thereafter at zero.
  - Retain the empty homes premium of an additional 100% for properties that have remained empty for more than 2 years.

**2.0 Introduction**

- 2.1 In December 2018 members approved a Council Tax Reduction Scheme (CTRS) for Cherwell District Council for the financial year 2019-2020. The

scheme remained the same as in 2018-2019 and mirrors the previous Council Tax Benefit scheme.

- 2.2 The scheme for pensioners is set nationally and pensioners have not seen any change to the support they receive.
- 2.3 The Council Tax Reduction scheme is based on a fixed cash grant of approximately 90% of the previous Council Tax Benefit subsidy. This gives a funding shortfall for Cherwell of £742,430.
- 2.4 The funding shortfall is mostly offset by the changes to locally set Council Tax Discounts.

### **3.0 Report Details**

#### **Position so far**

#### **Council Tax Reduction Scheme**

- 3.1 As the funding for CTRS is a fixed cash grant the cost of any increase in the level of demand will be borne by the Council. The Council Tax Reduction caseload has been monitored and there has been a decrease in the number of live cases from 6,607 in June 2018 to 6,457 in May 2019. This may be because people claiming Universal Credit are less likely to make a separate claim for Council Tax Reduction. We are currently working with DWP and other stakeholders to establish if this is the case and if so what can be done to support customers who may not be receiving support that they are entitled to.

#### **Impact on Parish Councils**

- 3.2 Members may recall that the regulations for calculating the Council Tax Base were amended to reflect the Council Tax Reduction Regulations and had the effect of reducing the tax base for the billing authority, major preceptors, the Police and Crime Commissioner for Thames Valley and local preceptors. This is because Council Tax Reduction is a discount rather than a benefit and therefore, the Council does not collect the full amount of Council Tax from tax payers who qualify for Council tax Reduction. The impact of the reduced tax base was mitigated in part by changes made to discounts and exemptions. As this will be the eighth year of a Council tax Reduction Scheme parish councils should now have a clear understanding of the impact of CTR on their parish tax base.

#### **Impact of the changes to discounts and exemptions**

- 3.3 Members will also recall that the Local Government Finance Act 2012 abolished certain exemptions with effect from 1st April 2013 and replaced them with discounts which can be determined locally.

- 3.4 Council determined that furnished chargeable dwellings that are not the sole or main residence of an individual (i.e. second homes) should no longer receive a discount. They had previously received a discount of 10%. If we continue to set the discount at zero it is estimated that this will result in additional income of £91,053 for the 2020-2021 financial year.
- 3.5 Council also determined that the discount in respect of unoccupied and substantially unfurnished properties should be reduced to 25% for a period of six months and thereafter to zero. As at May 2019 it is estimated that the additional income from this will be £353,186.
- 3.6 Council further exercised its discretion to determine that chargeable dwellings which are vacant and undergoing major repair work to render them habitable should be given a discount of 25% for a period of 12 months. This is expected to result in additional income of £14,974 for the financial year 2020-2021.
- 3.7 Prior to 1<sup>st</sup> April 2013 billing authorities could charge up to a maximum of 100% council tax on dwellings that have been empty for more than two years. From April 2013 local authorities were given the powers to charge a premium of up to 50% of the council tax payable. New legislation was introduced in April 2019 which allows for 100% Empty Homes Premium to be levied and this was agreed by members in December 2018. The projected income for 2020-2021 from charging an Empty Homes Premium is £308,835

### **Impact of Council Tax Reduction Scheme on collection rates**

A Council Tax collection rate of 98.27% was achieved for 2018-2019 which was an improvement on the collection rates for the financial year 2017-2018 of 97.87%. Collection rates for the first two months of the 2019-2020 are on target. In considering the Council Tax Reduction Scheme for 2020-2021 members should be mindful that any changes to the scheme that reduce entitlement to CTRS could have an adverse impact on collection rates.

### **Council Tax Reduction Scheme 2020-2021**

- 3.8 Members will be aware that the national 10% reduction in government funding for Council Tax Reduction Schemes over the last six years has been offset in part by the additional income generated by changes to discounts and exemptions.  
The Government has not yet released indicative funding figures for 2020-2021. For the purposes of calculating the new Council Tax Reduction scheme for 2020-2021 an assumption has been made that funding will remain at the reduced rate.
- 3.9 In September 2019 members of Budget Planning Committee and Executive received a report providing an update on the current Council Tax Reduction Scheme (CTRS) and Council Tax discounts including the impact on collection rates. The report also provided members with the financial modelling for options for a new CTRS for the financial year 2020-2021 including a presentation which is shown at Appendix A of this report.

Members approved (for consultation purposes only) the option of a new income banded scheme. The consultation began on 3<sup>rd</sup> September 2019 and ran until 5<sup>th</sup> October 2019.

### **Consultation Process.**

- 3.10 Members agreed a detailed consultation process on the option of a new income banded scheme. The consultation documents outlined the background to the consultation, details of the banded scheme and other options that have been considered. The consultation included the following process:
- Detailed website information and an online survey
  - Social media promotion including Facebook and Twitter
  - Displays and customer drop-in sessions were arranged at Bodicote House (3<sup>rd</sup> September 2019 and 1<sup>st</sup> October 2019), Kiddlington (30<sup>th</sup> September 2019) and Bicester (24<sup>th</sup> September 2019).
  - Targeted consultation took place with 3,000 households selected at random (including residents who are in receipt of Council tax Reduction and households who are not). This was in the form of a letter sent on 3<sup>rd</sup> September 2019.
  - Proactive outgoing calls were made by members of the Revenues and Benefits team.
  - Consultation has also taken place with Oxfordshire County Council as a major preceptor.

### **Consultation results.**

- 3.11 The consultation was launched on Tuesday 3<sup>rd</sup> September 2019 and concluded on Friday 5<sup>th</sup> October 2019. Colleagues in the Performance and Insight team have analysed the results and have prepared a report to summarise the outcomes. A copy of the full report is attached at Appendix B of this report. A total of 111 responses were received and the main outcomes are as follows:
- The majority of the respondents (61%) are aged between 35 and 64
  - Just over 12% of the respondents have some sort of disability that limits their day to day activities.
  - 30 of the respondents (30%) are either in receipt of Council Tax Reduction or someone in their household is.
  - 89% of the people who took part in the consultation had read the background information on CTRS. 8% had not read the background information and the remaining respondents elected for didn't know.
  - 109 people responded to the question "do you think the Council should replace the existing scheme to help to reduce Council Tax bills and to help with budgeting". Of the 109 respondents 83% (91) agree that the Council should replace the existing scheme, 8% (9) did not agree with this proposal and 11 people didn't know. The majority of the additional comments made on this proposal were quite positive.
  - 73% of the respondents (78 people) agree that the Council should introduce an income banded scheme. 20% do not agree with the idea of an income banded scheme and 12 people did not respond or did not know.

- The consultation asked if respondents agree or disagree with the proposed income bands. 43% (45) agree with the proposed bands, 17% (18 respondents) disagree with the income bands proposed and a further 45 people did not know or didn't respond
- Just over a fifth of people feel that the Council should retain the current CTRS scheme and 59% do not feel that the current scheme should be.

## Options

### **Option 1 –A new banded income CTR scheme for those of working age.**

This is an income-banded scheme which will assess the maximum level of Council Tax Reduction based on the net income of the applicant and household members.

The main principles of the scheme are as follows:

- If the applicant or partner is in receipt of one of the main passported benefits (Income Support, Job Seeker's Allowance Income Based and Income Related Employment and Support Allowance or receiving War Widows or War Disablement Pensions they will automatically be placed in the highest band of the scheme and will receive 100% support.
- Working age households will receive a discount, depending on their level of income and the band that they fall into.
- Under this scheme, as part of our ongoing commitment to support disabled people, we will continue to disregard Disability Living Allowance, Personal Independence Payments, War Disablement Benefits and will also continue to disregard Child Benefit and child maintenance.
- A banded scheme will be simpler for residents to understand and any future changes to the value of awards can be achieved by simply adjusting the banding thresholds. The proposed model has a re-distribution effect from households in higher Council Tax bands to those in lower Council Tax bands.
- Although the proposed scheme only offers a very small reduction in costs it is likely to result in administrative savings.

Appendix A of this report shows a presentation offered to members of this Committee illustrating the suggested scheme and the impact on our residents.

**Option 2 – No change to current local Council Tax Reduction scheme or Council Tax discounts and uprating the Council Tax Regulations in line with DWP annual uprating.**

The 'change nothing' approach would mean retaining the current Council Tax Reduction Scheme. The only change required would be the minor changes to the Regulations. This option would continue the move further away from the Housing Benefit and Universal Credit legislation which as outlined earlier in this report is both confusing for residents and more costly for the Council

### **Option 3 – Revised Council Tax Reduction scheme with current Council Tax Discounts**

This option could include reducing support for working age people and would mean that all working age claimants would have to pay a percentage of their Council Tax liability regardless of their circumstances. Percentages of 100%, 91.5%, 90%, 85% and 80% can be modelled. This is effectively similar to Option 2 but with differing levels of support for our residents. As with Option 2 this would mean that the CTR scheme is increasingly different to the Housing Benefit legislation and this will only increase as Universal Credit replaces Housing Benefit. This leads to confusion for residents who will receive multiple bills and is administratively more of a burden for the Council.

### **Option 4 – To retain the current Council Tax Reduction scheme but to introduce a tolerance figure, whereby claims are not amended unless the change in income is over a set amount. No change to Council Tax Discounts**

This option would also mean that the CTR scheme is increasingly different to the existing Housing Benefit and Universal Credit legislation and although fewer changes would be actioned it would be confusing for residents and the administrative burden would remain.

### **Financial Summary of options 2- 4**

	<b>100%</b>	<b>91.5%</b>	<b>90%</b>	<b>85%</b>	<b>80%</b>
	£	£	£	£	£000
Overall funding loss	742,430	742,430	742,430	742,430	742,430
Second homes income	-91,053	-91,053	-91,053	-91,053	-91,053
Empty homes income with discount of 25% for 6 months	--353,186	--353,186	-353,186	-353,186	-353,186
Uninhabitable homes discount of 25% for 12 months	-14,974	-14,974	-14,974	-14,974	-14,974
Long term empty premium at 100%	-308,835	-308,385	-308,835	-308,835-	-308,835
Reduction in expenditure based on % liability	0	-413,785	-486,378	-727,420	-966,068
<b>Total funding gap (+) /additional income (-)</b>	-25,618	413,785	-511,996	--753,038	-991,686
<b>Funding gap (+) /additional income (-)for CDC based on 7%</b>	-1,793	-30,758	-35,840	-52,713	-69,418

The proposed income banded scheme has been modelled to redistribute the amount that would be paid out under the current 100% scheme.

Based on current modelling as at May 2019 the introduction of a banded scheme would offer a small reduction in expenditure of £4,393.47

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 From April 2013 Council Tax Benefit was abolished and replaced with a local Council Tax Reduction Scheme.
- 4.2 Members are asked to consider the results of the consultation and to make a recommendation to Executive as to a scheme for the financial year 2020-2021.

## **5.0 Consultation**

There is a requirement to consult with the public, major preceptors and other parties who may have an interest in the Council Tax Reduction Scheme on any material changes to the scheme.

Consultation has taken place with residents, stakeholders and with major preceptors.

## **6.0 Alternative Options and Reasons for Rejection**

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To not recommend any of the options for a scheme for 2020-2021. This would have financial implications for the Council and those residents affected by Welfare Reform.

## **7.0 Implications**

### **Financial and Resource Implications**

- 7.1 The financial consequences, which are laid out in the report, are broadly cost neutral, in line with approach discussed and agreed at the previous committee.

Comments checked by: Dominic Oakeshott, Assistant Director – Finance (interim). 0300 003 0110, [dominic.oakeshott@cherwell-dc.gov.uk](mailto:dominic.oakeshott@cherwell-dc.gov.uk)

### **Legal Implications**

- 7.2 The Council is required to review its Council Tax Reduction Scheme on an annual basis and if it determines to make changes then it must consult on the revised scheme. Failure to do so will adversely affect the reputation of the Council and will have a financial implication for residents as well as exposing

the Council to potential challenge for failing to comply with the legislative requirements of the Local Government Finance Act 1992.

Comments checked by:

Christopher Mace, Solicitor, 01295 221808

[Christopher.mace@cherwell-dc.gov.uk](mailto:Christopher.mace@cherwell-dc.gov.uk)

## 8.0 Decision Information

### Key Decision

**Financial Threshold Met:** **Not applicable**

**Community Impact Threshold Met:** **Not applicable**

### Wards Affected

All

### Links to Corporate Plan and Policy Framework

This links to the Council's priority of sound budgets and a customer focused Council

### Lead Councillor

Councillor Tony Ilott Lead Member for Financial Management

### Document Information

Appendix No	Title
Appendix A	<i>Presentation on modelling for a banded scheme – presented to Committee in July 2019</i>
Appendix B	<i>Report on the results of consultation</i>
Background Papers	
None	
Report Author	Belinda Green (Operations Director, CSN Resources)
Contact Information	Belinda Green: 01327 322182 <a href="mailto:Belinda.green@cherwellandsouthnorthants.gov.uk">Belinda.green@cherwellandsouthnorthants.gov.uk</a>