



## REPORT TO CABINET

6 February 2019

<b>Subject:</b>	Revenues and Benefits Policy Framework 2019/2020
<b>Presenting Cabinet Member:</b>	Councillor Steve Trow - Cabinet Member for Core Council Services
<b>Director:</b>	Executive Director – Resources – Darren Carter
<b>Contribution towards Vision 2030:</b> 	
<b>Key Decision:</b>	Yes
<b>Forward Plan (28 day notice) Reference:</b>	SMBC01/02/2019
<b>Cabinet Member Approval and Date:</b>	10 <sup>th</sup> January 2019
<b>Director Approval:</b>	8 <sup>th</sup> January 2019
<b>Reason for Urgency:</b>	This is not an urgent item
<b>Exempt Information Ref:</b>	
<b>Ward Councillor (s) Consulted (if applicable):</b>	
<b>Scrutiny Consultation Considered?</b>	Scrutiny has not been consulted.
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## **DECISION RECOMMENDATIONS**

### **That Cabinet:**

Approves the Revenues and Benefits Service's policy framework for 2019-2020.

### **1 PURPOSE OF THE REPORT**

- 1.1 To seek Cabinet's approval of the Revenues and Benefits Service policy framework for 2019-20.

### **2 IMPLICATION FOR THE COUNCIL'S AMBITION**

- 2.1 The policies cover a wide range of functions carried out by the Revenues and Benefits Service. These policies positively impact a number of the council's ambitions. In particular the policies aim to support our most vulnerable residents and local businesses.

### **3 BACKGROUND AND MAIN CONSIDERATIONS**

- 3.1 The existing Revenues and Benefits Policy Framework includes:

- Corporate Debt Recovery Policy (Appendix 1)
- Council Tax Award of Discount Policy (Appendix 2)
- Council Tax Discretionary Relief Policy (Appendix 3)
- Discretionary Housing Payments Policy (Appendix 4)
- Non Domestic Rates Discretionary Rate Relief Policy (Appendix 5)
- Local Welfare Provision Policy (Appendix 6)
- Non Domestic Rate Hardship Relief Policy (Appendix 7)
- Joint Policy for Establishing Eligible Support and Accommodation Charges (Appendix 8)
- Housing Benefit Overpayment Recovery Policy (Appendix 9)

- 3.2 The Local Council Tax Reduction Scheme Policy resolution was made by Full Council in January 2019 and is therefore not included in this report.

- 3.2 The annual review of the existing policies has taken place and there has been a change to the Council Tax Award of Discount policy. In the Council Tax Base report 2019/2020 which was approved by cabinet on the 12<sup>th</sup> December 2018, under 3.7 stated:

Legislation has now been passed which will allow for an empty home premium of 200% from 1<sup>st</sup> April 2019 for homes empty over two years, and this will be included in the Council Tax award of discount policy report

to Cabinet in February 2019. This will result in an increase in the amount of collectable Council Tax which has been taken into account when setting the Council Tax base for 2019/20.

The Council Tax Award of Discount Policy 2019/2020 now includes the following changes:

- From 1<sup>st</sup> April 2019 onwards, a 100% 'premium' will be applied for homes empty over 2 years, generating a Council Tax charge of 200%.
- From 1<sup>st</sup> April 2020 onwards, a 200% 'premium' will be applied for homes empty for over 5 years, generating a Council Tax charge of 300%.
- From 1<sup>st</sup> April 2021 onwards, a 300% 'premium' charge will be applied for homes empty for over 10 years, generating a Council Tax charge of 400%.

- 3.3 The NNDR Discretionary Relief Policy 2019/20 has been amended to include the new Retail Discount for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019/20 and 2020/21.

The value of discount to be applied should be one third of the bill and must be applied after mandatory reliefs and other discretionary reliefs funded by Section 31 grants have been applied.

To qualify for the relief the hereditament should be wholly or mainly being used as a shop, restaurant, café or drinking establishment and therefore hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief

- 3.4 There have been no changes to any of the other policy intentions except for some cosmetic changes.

## 4 THE CURRENT POSITION

- 4.1 The existing Revenues and Benefits policy framework was endorsed by Cabinet on 14<sup>th</sup> February 2018.

## 5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 Consultation has been carried out with stakeholders and the public in respect of the following policies:

- Council Tax Discretionary Relief Policy
- Discretionary Housing Payments Policy
- Non Domestic Rates Discretionary Rate Relief Policy

- Local Welfare Provision Policy
- Non Domestic Rate Hardship Relief Policy
- Joint Policy for Establishing Eligible Support and Accommodation Charges
- Housing Benefit Overpayment Recovery Policy
- Council Tax award of Discount Policy

Very limited responses have been received in respect of the above policies to warrant any amendments.

## **6 ALTERNATIVE OPTIONS**

- 6.1 The council is required to set out its application of areas of the legislation which allow local application of rules. The policy framework achieves this.

## **7 STRATEGIC RESOURCE IMPLICATIONS**

- 7.1 There is a direct cost to the local Council Tax payers for any Discretionary Rate Relief granted. The Council cannot refuse any applications, which comply with its Discretionary Rate Relief policy, on the grounds of unavailable resources.
- 7.2 There is a direct cost to the local Council Tax payers of any relief granted under the provisions of Section 49 of the Local Government Finance Act 1988.
- 7.3 The cost of any relief granted under Section 13A (Council Tax Discretionary Relief Policy) is borne by the local Council Tax payers.
- 7.4 The cost of Discretionary Housing Payments in excess of the Government Contribution is borne by the local Council Tax payers.
- 7.5 The Council Tax Award of Discounts Policy generates additional income for the council through Council Tax collection.

## **8 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 8.1 The policy on Section 49 of the Local Government Finance Act 1988 Hardship Relief, complies with appropriate legislation relating to the Council's powers with regard to awarding relief. The Council cannot refuse any applications which comply with its policy, on the grounds of unavailable resources.
- 8.2 The policy on Discretionary Rate Relief, complies with appropriate legislation relating to the Council's powers with regard to awarding Discretionary Rate Relief to businesses. The Council cannot refuse any

applications for Discretionary Rate Relief, which comply with its policy, on the grounds of unavailable resources.

- 8.3 The policy on Discretionary Housing Payments (DHPs), complies with appropriate legislation.
- 8.4 The Section 13A Council Tax Discretionary Relief Policy complies with appropriate legislation. The Council cannot refuse any applications for relief, which comply with its policy, on the grounds of unavailable resources.
- 8.5 The Council Tax Award of Discount Policy will comply with appropriate legislation to allow the Council to set locally prescribed levels of discounts for empty domestic properties.

## **9 EQUALITY IMPACT ASSESSMENT**

- 9.1 Equality impact assessments have been carried out on all policies and as existing policies have not changed new equality impact assessments are not required.

## **10 DATA PROTECTION IMPACT ASSESSMENT**

- 10.1 Not required.

## **11 CRIME AND DISORDER AND RISK ASSESSMENT**

- 11.1 Not required.

## **12 SUSTAINABILITY OF PROPOSALS**

- 12.1 Expenditure of the various awards outlined in the policies is monitored on a monthly basis and reviewed by the Revenues and Benefits management team.
- 12.2 Where awards are funded by the Council, intelligence has been gathered to predict expenditure and funding has been agreed with the Executive Director of Resources.
- 12.3 All known changes in legislation that may impact the policies have been taken into account.

**13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)**

13.1 A number of the policies provide additional financial support to some of our most vulnerable residents.

**14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND**

14.1 No impact.

**15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

15.1 That the contents of the Revenues and Benefits Service Policy Framework be approved.

**16 BACKGROUND PAPERS**

16.1 None

**17 APPENDICES:**

- Appendix 1 Council Tax Discretionary Relief Policy
- Appendix 2 Discretionary Housing Payments Policy
- Appendix 3 Non Domestic Rates Discretionary Rate Relief Policy
- Appendix 4 Local Welfare Provision Policy
- Appendix 5 Non Domestic Rate Hardship Relief Policy
- Appendix 6 Joint Policy for Establishing Eligible Support and Accommodation Charges
- Appendix 7 Housing Benefit Overpayment Recovery Policy
- Appendix 8 Council Tax Award of Discount Policy
- Appendix 9 Corporate Debt Recovery Policy

**Darren Carter**  
**Executive Director – Resources**