



# **Council Meeting**

## **Council Offices White Cliffs Business Park Dover**

Wednesday, 29 January 2020

Summons and Agenda

**Nadeem Aziz**  
Chief Executive





Democratic Services  
White Cliffs Business Park

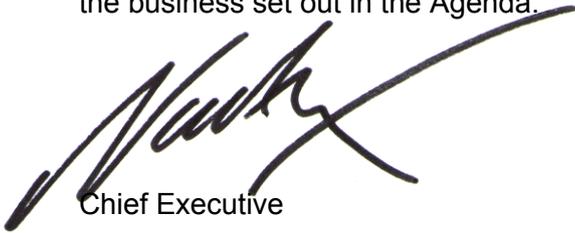
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21 January 2020

To the Members of the Council,

You are hereby summoned to attend a meeting of the **COUNCIL** to be held in the Council Chamber at these Offices on Wednesday 29 January 2020 at 6.00 pm for the transaction of the business set out in the Agenda.



Chief Executive

Members of the Council:

M D Conolly (Chairman)	S S Chandler	D P Murphy
D Hannent (Vice-Chairman)	N J Collor	O C de R Richardson
J S Back	D G Cronk	J Rose
T J Bartlett	J P Haste	M Rose
M Bates	M J Holloway	C A Vinson
D G Beaney	S J Jones	R S Walkden
S H Beer	P D Jull	P Walker
E A Biggs	L A Keen	H M Williams
T A Bond	N S Kenton	C F Woodgate
P M Brivio	S C Manion	C D Zossedder
J P J Burman	K Mills	

AGENDA

1 **APOLOGIES** (Page 7)

To receive any apologies for absence.

2 **MINUTES** (Pages 8 - 20)

To confirm the attached Minutes of the meeting held on 30 October 2019.

3 **DECLARATIONS OF INTEREST** (Page 21)

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

4 **ANNOUNCEMENTS** (Page 22)

To receive any announcements from the Chairman of the Council, the Leader of the Council, Members of the Cabinet or the Head of Paid Service.

5 **LEADER'S TIME** (Page 23)

To receive an oral report at the meeting from the Leader (and Cabinet) on the business of the Executive or on any topic or subject that it is felt should be brought to the attention of the Council.

In accordance with Council Procedure Rule 10 (Leader's Time):

- (a) The Leader (and Cabinet) shall have up to 15 minutes to make within this report any statements that they wish on any topic or subject that they feel should be drawn to the attention of the Council.
- (b) The Leader of the Main Opposition Group (or their nominee) shall be allowed up to 10 minutes to respond.
- (c) The Leader of the Council shall be allowed up to 5 minutes to exercise a right of reply (or 25% of the time given to the Opposition Group Leader(s), whichever is the greatest).

6 **SEAT ALLOCATION AND GROUP APPOINTMENTS** (Page 24)

To receive from Group Leaders any changes to seat allocations or appointments.

(Note: Any changes must be within the approved allocation of seats to political groups in accordance with the political balance rules (where applicable).)

7 **QUESTIONS FROM THE PUBLIC** (Page 25)

To receive answers in respect of questions from the public to Members of the Executive asked in accordance with Rule 11 of the Council Procedure Rules.

- (a) Questions will be asked in the order in which notice of them was received, except that the Chairman may group together similar questions.
- (b) The period for questions by the public shall be limited so that no further questions shall be put after the elapse of 15 minutes from the commencement of the first question.
- (c) A maximum of three minutes is allowed for the each question to be read.
- (d) A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply.
- (e) Afterwards, any other Member at the Chairman's discretion may speak for up to two minutes on a question or reply.

**Questions from the Public**

There were no questions from the public received within the notice period.

8 **CLIMATE CHANGE EMERGENCY** (Page 26)

To consider the recommendation of the Cabinet made at its meeting on 4 November 2019.

9 **COUNCIL TAX BASE 2020-21** (Pages 27 - 34)

To consider the attached report of the Strategic Director (Corporate Resources).

*In accordance with Procedure Rule 18.6 (voting on budget decisions) a recorded vote will be held in respect of this item.*

10 **COUNCIL TAX SUPPORT SCHEME 2020/21** (Pages 35 - 98)

To consider the attached report of the Strategic Director (Corporate Resources).

11 **AMENDED CALENDAR OF MEETINGS 2019-20** (Pages 99 - 103)

To consider the attached report of the Democratic Services Manager.

12 **DRAFT CALENDAR OF ORDINARY MEETINGS 2020-21** (Pages 104 - 110)

To consider the attached report of the Democratic Services Manager.

13 **MEMBERS ALLOWANCES SCHEME 2020-21** (Pages 111 - 146)

To consider the attached report of the Democratic Services Manager.

14 **QUESTIONS FROM MEMBERS** (Page 147)

Up to 60 minutes is allowed for this part of the meeting unless extended by the Chairman of Council on a motion moved, duly seconded and approved by the Council. Members may ask one supplementary question in addition to their original question.

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The questions received are set out in the agenda papers.

15 **URGENT BUSINESS TIME** (Page 148)

To consider any other items deemed by the Chairman of the Council to be urgent in accordance with the Local Government Act 1972.

**Access to Meetings and Information**

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on

the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.

- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website [www.dover.gov.uk](http://www.dover.gov.uk). Minutes will be published on our website as soon as practicably possible after each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Rebecca Brough, Democratic Services Manager, telephone: (01304) 872304 or email: [democraticservices@dover.gov.uk](mailto:democraticservices@dover.gov.uk) for details.

Large print copies of this agenda can be supplied on request.

**AGENDA ITEM 1: APOLOGIES**

To receive any apologies for absence.

**MINUTES OF PROCEEDINGS**

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday, 30 October 2019 at 6.00 pm.

Present:

Chairman: Councillor M D Conolly

Councillors:

J S Back	J P Haste	J Rose
T J Bartlett	M J Holloway	M Rose
D G Beaney	S J Jones	C A Vinson
E A Biggs	P D Jull	R S Walkden
P M Brivio	L A Keen	P Walker
J P J Burman	N S Kenton	H M Williams
S S Chandler	S C Manion	C F Woodgate
N J Collor	K Mills	C D Zosseder
D G Cronk	D P Murphy	
D Hannent	O C de R Richardson	

Officers: Chief Executive  
Strategic Director (Corporate Resources)  
Strategic Director (Operations and Commercial)  
Solicitor to the Council  
Head of Governance  
Licensing Team Leader  
Democratic Services Manager

30 APOLOGIES

Apologies for absence were received from Councillors S H Beer and T A Bond.

31 MINUTES

The Minutes of the meeting held on 24 July 2019 were approved as a correct record and signed by the Chairman.

32 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

33 ANNOUNCEMENTS

The Chairman of the Council, Councillor M D Conolly, made the following announcements:

- (a) To congratulate Councillor S S Chandler on being appointed as a Kent County Council Cabinet Member for Integrated Children's Services.
- (b) To note the resignation of Council Leader K E Morris from the Council and call upon Members of the Council to speak about his time on the Council.

Councillor S S Chandler praised him for his calm and measured approach during his time as Leader. In particular, he was a champion of young people and had made homelessness a priority.

Councillor K Mills acknowledged the work that Councillor K E Morris had done on International Women's Day and stated that each Leader brought something new to the role.

(c) To advise the Council of the death of former district councillor Gwladys Payne.

The Council stood in silence as a mark of respect at the passing of former district councillor Gwladys Payne.

34 ELECTION OF A LEADER

The Chairman called for nominations for the vacant position of Leader of the Council following the resignation of Councillor K E Morris.

It was moved by Councillor P D Jull, and duly seconded by Councillor D G Beaney, that Councillor T J Bartlett be nominated as Leader of the Council.

In the absence of any further nominations it was

RESOLVED: That Councillor T J Bartlett be elected as the Leader of the Council until the day of the next Annual Meeting of the Council following the ordinary election of all councillors in 2023.

35 COMPOSITION OF CABINET

Councillor T J Bartlett gave notice of his intention to appoint an Executive (Cabinet) comprising of the Leader of the Council and six members, including the Deputy Leader.

RESOLVED: (a) That the composition of the Cabinet be received and noted.

(b) That it be noted that the Leader of the Council had given formal notification to the Monitoring Officer of his intention to appoint the following portfolio structure:

- Leader of the Council
- Deputy Leader of the Council
- Portfolio Holder for Community and Tourism
- Portfolio Holder for Environment and Commercial Services
- Portfolio Holder for Housing and Health
- Portfolio Holder for Planning and Regulatory Services
- Portfolio Holder for Finance and Governance
- Portfolio Holder for Transport and Licensing

36 APPOINTMENT OF A CABINET

Councillor T J Bartlett gave notice of his intention to appoint the following Members to the following Portfolios:

1	Deputy Leader	M J Holloway
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2	Portfolio for Community and Tourism	M J Holloway
3	Portfolio for Environment and Commercial Services	O C de R Richardson
4	Portfolio for Housing and Health	D P Murphy
5	Portfolio for Planning and Regulatory Services	N S Kenton
6	Portfolio for Finance and Governance	S C Manion
7	Portfolio for Transport and Licensing	N J Collor

RESOLVED: That the appointment of Members to Cabinet Portfolios be received and noted.

37 LEADER'S TIME

The Leader of the Council, Councillor T J Bartlett, included the following matters in his report:

- (a) To update the Council on the progress of works at Deal Pier and advise that work had commenced on the landside shelter.
- (b) To highlight the success of the Dover Leisure Centre and its recent open day.
- (c) To advise that work was underway on the Kearsney Park Café and was due to be completed by June 2020. In addition, Kent County Council had commenced works on the new puffin crossing.
- (d) To advise that there would be a cross-party group formed for the refurbishment for Tides, Deal.
- (e) To advise that public consultation would be undertaken in November/December in respect of the design proposals for Maison Dieu. The Council was exploring funding opportunities for the work that needed to be undertaken and had already secured some match funding.

The Leader of the Opposition Labour Group, Councillor K Mills, included the following matters in his report:

- (a) To congratulate Councillor T J Bartlett on his appointment as Leader of the Council.
- (b) To urge the creation of a dedicated portfolio for the environment/green matters. He asked for a letter written to the Portfolio Holder for Planning and Regulatory Services, Councillor N S Kenton, to be circulated to Members and published on the Council's website.
- (c) To point out that the timetable for the Climate Emergency report had slipped.
- (d) To ask the Council to promote awareness of the impact of fireworks on animals and vulnerable people.
- (e) To point out that Persimmon had built roads in Aylesham that had no street lights.
- (f) To ask the Leader to organise a BREXIT Task Force meeting to update the Council's readiness for BREXIT. He asked that Members be updated on

what the Council had done so far in preparation for BREXIT and what its areas of concern were. Councillor K Mills also expressed concern over the potential adverse impact of Operation Perch on Dover's road network.

In response the Leader of the Council advised:

- (a) To advise that he supported the promotion of firework safety.
- (b) That he would investigate the issue of roads without street lighting in Aylesham.
- (c) To advise that officers had undertaken a lot of work in respect of BREXIT and that he would look to share that work with Members.

38 SEAT ALLOCATION AND GROUP APPOINTMENTS

Councillor T J Bartlett, duly seconded by Councillor S S Chandler, advised the following changes to Conservative Group appointments:

Committee	Change
East Kent Services Committee	T J Bartlett (replaces Vacancy)
East Kent Services Committee	M J Holloway (replaces S S Chandler)
East Kent Services Committee (Substitute)	D P Murphy (replaces T J Bartlett)
Electoral Matters Committee	T J Bartlett (replaces Vacancy)
Licensing Committee	P D Jull (replaces T J Bartlett)
Licensing Committee	J S Back (replaces N J Collor)
Overview and Scrutiny Committee	R S Walkden (replaces D P Murphy)
Overview and Scrutiny Committee	D G Beaney (replaces O C de R Richardson)

In addition, Councillor T J Bartlett was moved as the Chairman of the Electoral Matters Committee to replace the vacancy arising from the resignation of the previous Chairman, Councillor K E Morris.

RESOLVED: That the following changes to Conservative Group nominations be agreed:

Committee	Change
East Kent Services Committee	T J Bartlett (replaces Vacancy)
East Kent Services Committee	M J Holloway (replaces S S Chandler)
East Kent Services Committee (Substitute)	D P Murphy (replaces T J Bartlett)
Electoral Matters Committee	T J Bartlett (replaces Vacancy)

Licensing Committee	P D Jull (replaces T J Bartlett)
Licensing Committee	J S Back (replaces N J Collor)
Overview and Scrutiny Committee	R S Walkden (replaces D P Murphy)
Overview and Scrutiny Committee	D G Beaney (replaces O C de R Richardson)

Committee	Chairman
Electoral Matters Committee	T J Bartlett

39

#### QUESTIONS FROM THE PUBLIC

- (1) In accordance with Council Procedure Rule 11, Sara Gleave asked the Portfolio Holder for Planning and Regulatory Services, Councillor N S Kenton:

“Are the DDC new Local Plan team going to integrate the recommendations of the Town and Country Planning Association on how local authorities can plan for the climate crisis (Planning for Climate Change refers - with its examples of how councils can get low-carbon social housing and protect greenfield by means of robust dealing with volume developers) into the draft document before the document goes to public consultation in January 2020?”

In response, Councillor N S Kenton advised that climate change was a key issue and would be part of the local plan. Using the latest published material, discussions had already taken place with Officers from other Kent LPAs working in close partnership with the RTPI, Town & Country Planning Association and Climate Earth. Dover District Council was hosting a workshop with policy planners from across Kent in late November to discuss how Local Plans across Kent could take this matter forward on a county wide basis.

In accordance with Council Procedure Rule 11.8, S Gleave exercised the right to ask a supplementary question.

- (2) In accordance with Council Procedure Rule 11, Dominic Howden asked the Leader of the Council, Councillor T J Bartlett:

“Britain is currently at 50% food self-sufficiency, and dropping. How does Dover District Council plan to cope with food shortages in the very near future as an immediate consequence of Brexit, and in the longer term as a consequence of the Climate Emergency?”

In response Councillor T J Bartlett stated that for the immediate future and in terms of any potential future no deal Brexit, the council would explore with partners the possibility of hardship funds for vulnerable communities and residents. However, the real potential issue would be the supply chain which the council had no direct control over. With regards climate change, the Cabinet would be discussing a report in the near future to look at areas within its own remit/responsibility.

- (3) In accordance with Council Procedure Rule 11, Hamish Napier asked the Leader of the Council, Councillor T J Bartlett:

“At the last council meeting, then-leader Keith Morris talked about replacing polluting council vehicles with electric ones, as the leases naturally ran out. So, which is more important: Climate Emergency, or money?”

In response Councillor T J Bartlett advised that the Council had passed two motions relating to climate change at its meeting in July 2019. In response to those decisions Cabinet would be considering a report next week, which included a recommendation that the Council should declare a Climate Emergency in recognition of the challenge which we were all facing. As regards the use of electric vehicles by the Council, as the leases on the current vehicles run out, the Council already reviewed the availability of a suitable electric powered alternative. For example, the vehicles used by the enforcement team were switched to EV charging earlier this year. Looking ahead, he expected, where a suitable alternative was available, that the remainder of the Council’s vehicle fleet would follow suit over the coming years.

In accordance with Council Procedure Rule 11.8, H Napier exercised the right to ask a supplementary question.

- (4) In accordance with Council Procedure Rule 11, Tyler Howell-Bray asked the Leader of the Council, Councillor T J Bartlett:

“If I can draw your attention to Section 1.6c, Communication, Keys Asks, Short Term, of the DDC EU Exit Preparedness Report: you say you would like “assurances” from Kent County Council and the Government that they will “engage” with you regarding Brexit preparedness and the post-Brexit environment. I was under the impression that several DDC Members also sit on KCC. Are you that confident about communication, at this late stage, that you’re having to beg for them to talk to you?”

In response Councillor T J Bartlett advised that the Council had good communication channels and that he wanted to re-iterate that these would continue during any challenging times ahead. The council did not have a statutory responsibility for the road network, however it was important that it had the opportunity to raise any issues important to our businesses and communities.

In accordance with Council Procedure Rule 11.8, T Howell-Bray exercised the right to ask a supplementary question.

40 APPOINTMENT OF AN EAST KENT JOINT INDEPENDENT REMUNERATION PANEL

The Democratic Services Manager presented the report on the Appointment of an East Kent Joint Independent Remuneration Panel.

It was moved by Councillor S C Manion, duly seconded by Councillor S S Chandler, and

- RESOLVED: (a) That the Council's continued participation in the East Kent Joint Independent Remuneration Panel be approved until 30 November 2023.
- (b) That Mr W Ferrier and Mr A Goodall be appointed to the East Kent Joint Independent Remuneration Panel by Dover District Council for a four year term commencing 1 December 2019.
- (c) That the Democratic Services Manager be authorised to agree the arrangements for the administrative support of the East Kent Joint Independent Remuneration Panel.

41 2019 - 2022 REVISED STATEMENT OF POLICY AND PRINCIPLES ISSUED UNDER THE GAMBLING ACT 2005

The report proposed the adoption of the draft revised Statement of Policy and Principles issued under the Gambling Act 2005 following the consultation process.

It was moved by Councillor N J Collor, duly seconded by Councillor D P Murphy, and

RESOLVED: That the draft revised Statement of Policy and Principles under the Gambling Act 2005 be approved without modification.

42 QUESTIONS FROM MEMBERS

In accordance with Rule 12(1) of the Council Procedure Rules, Members of the Cabinet responded to the following questions:

- (1) Councillor R S Walkden asked the Portfolio Holder for Transport and Licensing, Councillor N J Collor:

"In view of recent days - on the 26th. and 27th. of July and the 10th. of August, when central Dover became gridlocked for hours, will the Portfolio for Transport and Licensing, please advise on discussions to keep Dover moving, that are associated with Brexit?"

In response Councillor N J Collor advised that the Council has been working with partners within the Kent Resilience Forum for more than a year now on the development of the plans known as Operation Brock to deal with the potential delays to freight traffic caused by Brexit. The importance of this was highlighted by the events in July and August, a matter of which he was acutely aware, living as close as he did to the A20. The Council has been lobbying all of the agencies involved in the development of these plans for many months and its concerns regarding the likely effectiveness of the Brock plans were well known.

Diverting port bound traffic to Manston was not a policy that the Council supported, and he remained convinced that if introduced it would quickly need to be abandoned, leading in all likelihood to the reintroduction of Operation Stack. More positively, the Council had been closely engaged with Kent County Council on developing plans to protect box junctions on key routes within Dover amongst other things and the Council had been seeking additional powers from government to allow it to enforce these regulations.

Kent County Council were also looking to improve the sequencing of traffic lights within the town and improve CCTV coverage of key junctions, which should help to improve traffic flows.

In accordance with Council Procedure Rule 12.5, Councillor R S Walkden exercised his right to ask one supplementary question.

- (2) Councillor P Walker asked the Leader of the Council, Councillor T J Bartlett:

“Could the Leader please provide a complete update of DDC employees, following on from that profile of 2016, where age profiles and grades are supplied in order to aid succession planning?”

In response the Chief Executive advised that the work referred to by Councillor Walker was originally undertaken in 2015 as part of a wider Workforce Planning exercise. It was then updated in 2017 but included only age ranges in respect of each department across the Council, not grades. The Council was currently undertaking work with East Kent Human Resources to produce an updated People Strategy, which included a specific strand looking at Skills for the Future, which will include work relating to succession planning.

Age profiling would be undertaken as part of this process and the Chief Executive advised that he was happy to arrange for this to be reported to a future meeting of the General Purposes Committee.

In accordance with Council Procedure Rule 12.5, Councillor P Walker exercised his right to ask one supplementary question.

- (3) Councillor H M Williams asked the Portfolio Holder for Housing and Health, Councillor D P Murphy:

“How is the air quality being monitored at Aycliffe and what type of sampling is currently being used for monitoring or has been done previously?”

In response Councillor D P Murphy stated that the Council was actively looking at opportunities to develop and acquire low energy homes for affordable housing. Subject to cabinet approval, an application was shortly to be made to Homes England to support the acquisition of 8 carbon zero flats in Dover for affordable rent. Officers and Members had already visited construction sites to see the installation in progress and completed properties. Further visits are in the pipeline, including a potential visit to the Norwich development.

In accordance with Council Procedure Rule 12.5, Councillor H M Williams exercised her right to ask one supplementary question.

- (4) Councillor E A Biggs asked the Portfolio Holder for Environment and Commercial Services, Councillor O C de R Richardson:

“How is the air quality being monitored at Aycliffe and what type of sampling is currently being used for monitoring or has been done previously?”

In response the Portfolio Holder for Planning and Regulatory Services, Councillor N S Kenton advised that a total of 17 sites were monitored for

Nitrogen Dioxide throughout the district using diffusion tubes. Monitoring had previously been carried out at three locations in Aycliffe, Dover during 2015 – 2017 due to concerns around the implementation of Dover Tap. All results recorded during that period showed levels below national Air Quality Objectives and all monitoring data was available to download on the Kentair website.

- (5) Councillor P M Brivio asked the Portfolio Holder for Planning and Regulatory Services, Councillor N S Kenton:

“Can the Portfolio Holder for Planning and Regulatory Services confirm if the council will include proposals in the Local Plan to adopt a code for standards of sizing of new properties.”

In response Councillor N S Kenton advised that it was the intention that the new Local Plan would adopt the nationally described space standard as set out in the Government’s Technical Housing Standards published in March 2015.

- (6) Councillor C D Zosseder asked the Leader of the Council, Councillor T J Bartlett:

“Can the Leader confirm that no important council business has been neglected or delayed while Brexit preparations take place? If they cannot confirm that this is the case, can they explain what particular decision have not been taken by the council as a result of the chaos going on at government level.”

In response Councillor T J Bartlett advised that to his knowledge that no council business had been neglected or delayed while BREXIT preparations were taking place.

In accordance with Council Procedure Rule 12.5, Councillor C D Zosseder exercised her right to ask one supplementary question.

- (7) Councillor J P J Burman asked the Portfolio Holder for Transport and Licensing, Councillor N J Collor:

“We understand that it is proposed, the platform at Sandwich Railway Station will be extended for the Open Golf in 2020 but after the event the platform extension will be closed off again. This means that the dangerous overcrowding of the station platform that occurs on a daily basis will continue. Will DDC use its influence to make sure the platform extension remains in use after the open Golf Event?”

In response Councillor N J Collor advised that it was correct that the platform extensions at Sandwich Station, which would enable 12 car High Speed trains to use the station without overhanging the main road access into Sandwich, had been designed and approved to be used for the duration of the 149th Open Championships having regard to the significant levels of use that would occur during the event or future events.

The extended platforms would not be used on a day-to-day basis as they would require significantly enhanced full access for all (lifts) beyond the special arrangements being put in place for the 149th Open Championships

which would mean that the costs would have been prohibitive. In relation to the suggestion that dangerous overcrowding of the platform occurs on a daily basis, both Southeastern and Network Rail did not share this view. Southeastern had not identified any risk to safety from day to day use at the station, which was less than 1000 passengers.

While it was recognised that there are times where the station becomes busier than normal, particularly at the end of the school day, when children from a couple of local schools used the station to travel home, this was common across the network. Network Rail was also of the view that they did not believe that there was 'dangerous overcrowding' on the platforms. If such a situation had been identified, it was expected that some form of restriction would be put in place to enable the trains to stop at Sandwich Station over and above passengers being required to stand behind the yellow lines on the platforms. The Council would lobby The Department for Transport, Network Rail and the train operating company for improvements to rail related infrastructure when future circumstances warranted such approach.

In accordance with Council Procedure Rule 12.5, Councillor J P J Burman exercised his right to ask one supplementary question.

#### 43 MOTIONS

(1) In accordance with Council Procedure Rule 13, Councillor P M Brivio moved the Motion of which she had given notice as followed:

"This year 25 years since the FAIRTRADE Mark was launched in the UK and Dover District Council notes that:

- Since 1994 consumer demand for Fairtrade has grown thanks to the efforts of grassroots campaigners and pioneering Fair Trade businesses.
- There are now over 600 Fairtrade Communities in the UK and more than 2,000 globally.
- As a result of Fairtrade commitments from mainstream brands and retailers, the UK Fairtrade market is now one of the biggest in the world.
- Global Fairtrade sales last year generated £142 million in Fairtrade Premium. Farmers in 73 countries have invested this money in their communities, increasing business productivity and contributing to the achievement of the global Sustainable Development Goals (SDGs).
- Despite this positive news, exploitation remains rampant in global supply chains. More than 40 million people are trapped in modern slavery, including forced labour, and 152 million young people in child labour. Hundreds of millions more are earning less than a living income or wage.

This council believes that:

- Fairtrade has a significant contribution to make towards ending exploitation in global supply chains.

- The recently agreed International Fairtrade Charter should be welcomed, with its vision of transforming trade to work for people and planet.
- The Fairtrade principles of paying a 'premium' that is wholly managed by farmers and workers themselves, and of minimum prices to protect producers from market volatility, are crucial to systemic change.
- Public bodies, including local authorities, should support ethical procurement policies, using their purchasing power to support Fairtrade and ensure their supply chains, at home and abroad, are free of exploitation, including modern slavery.
- Companies operating through global supply chains should go further and take steps to require the payment of living wages and achievement of living incomes for all.

This council resolves to:

- Commits to achieve 'Fairtrade Community' status.
- Actively promote Fairtrade locally, through support for local groups, in the media including social media, and events, including during Fairtrade Fortnight.
- Support local Fairtrade Schools, and actively promote Fairtrade teaching materials in local schools and educational institutions.
- Celebrate and incentivise businesses championing Fairtrade products in the local community.
- Review its procurement policy, including its catering offer, to ensure that Fairtrade produce is chosen wherever possible, and that Fairtrade considerations are included as a preference in any contracts going out to tender."

The Motion was duly seconded by Councillor S J Jones.

On being put to the vote it was

RESOLVED: This year 25 years since the FAIRTRADE Mark was launched in the UK and Dover District Council notes that:

- Since 1994 consumer demand for Fairtrade has grown thanks to the efforts of grassroots campaigners and pioneering Fair Trade businesses.
- There are now over 600 Fairtrade Communities in the UK and more than 2,000 globally.
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- Public bodies, including local authorities, should support ethical procurement policies, using their purchasing power to support Fairtrade and ensure their supply chains, at home and abroad, are free of exploitation, including modern slavery.
- Companies operating through global supply chains should go further and take steps to require the payment of living wages and achievement of living incomes for all.

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- Celebrate and incentivise businesses championing Fairtrade products in the local community.
- Review its procurement policy, including its catering offer, to ensure that Fairtrade produce is chosen wherever possible, and that Fairtrade considerations are included as a preference in any contracts going out to tender.

(2) In accordance with Council Procedure Rule 13, Councillor K Mills moved the Motion of which he had given notice as followed:

"We note that there are 8 million people in this country who have trouble putting food on the table according to the UN. Over 500,000 people used Foodbanks in the UK last year.

The Trussell Trust alone distributed over 1.3m three-day emergency food supplies of people in crisis in the financial year 2017/ 18. Three million children are at risk of hunger during the school holidays and around 10% of the NHS budget goes on treating diabetes and up to 1 million people live in food deserts in the UK.

We further note that the Government's commitment to the UN's 17 Sustainable Development Goals which apply internationally and domestically commits governments to ending hunger by 2030.

We resolve to ask the Council to commit to food justice in the Dover District area by nominating a Cabinet member/ Lead Member the responsibility of delivering food justice, setting up a food partnership, and asking Scrutiny to investigate the extent of the issue and what can be done to tackle it.”

The Motion was duly seconded by Councillor C D Zosseder.

Councillor S S Chandler duly seconded by Councillor T J Bartlett, moved an AMENDMENT to the final paragraph of the Motion as followed:

“We resolve to ask scrutiny to investigate the extent of the issue in the Dover District and what can be done to tackle it.”

Councillor K Mills, with the agreement of his seconder, agreed to accept the AMENDMENT and it became the SUBSTANTIVE Motion.

RESOLVED: We note that there are 8 million people in this country who have trouble putting food on the table according to the UN. Over 500,000 people used Foodbanks in the UK last year.

The Trussell Trust alone distributed over 1.3m three-day emergency food supplies of people in crisis in the financial year 2017/ 18. Three million children are at risk of hunger during the school holidays and around 10% of the NHS budget goes on treating diabetes and up to 1 million people live in food deserts in the UK.

We further note that the Government's commitment to the UN's 17 Sustainable Development Goals which apply internationally and domestically commits governments to ending hunger by 2030.

We resolve to ask scrutiny to investigate the extent of the issue in the Dover District and what can be done to tackle it.

#### 44 URGENT BUSINESS TIME

There were no items of urgent business for consideration.

The meeting ended at 7.27 pm

**Declarations of Interest**

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

**AGENDA ITEM 4: ANNOUNCEMENTS**

To receive any announcements from the Chairman of the Council, the Leader of the Council, Members of the Cabinet or the Head of Paid Service.

**AGENDA ITEM 5 - LEADER'S TIME**

To receive an oral report at the meeting from the Leader (and Cabinet) on the business of the Executive or on any topic or subject that it is felt should be brought to the attention of the Council.

In accordance with Council Procedure Rule 10 (Leader's Time):

- (a) The Leader (and Cabinet) shall have up to 15 minutes to make within this report any statements that they wish on any topic or subject that they feel should be drawn to the attention of the Council.
- (b) The Leader of the Main Opposition Group (or their nominee) shall be allowed up to 10 minutes to respond.
- (c) The Leader of the Council shall be allowed up to 5 minutes to exercise a right of reply (or 25% of the time given to the Opposition Group Leader(s), whichever is the greatest).

**AGENDA ITEM 6: SEAT ALLOCATION AND GROUP APPOINTMENTS**

To receive from Group Leaders any changes to seat allocations or appointments.

(Note: Any changes must be within the approved allocation of seats to political groups in accordance with the political balance rules (where applicable).)

## **COUNCIL –**

### **Questions Raised on Notice by Members of the Public**

- (a) Questions will be asked in the order in which notice of them was received, except that the Chairman may group together similar questions.
- (b) The period for questions by the public shall be limited so that no further questions shall be put after the elapse of 15 minutes from the commencement of the first question.
- (c) A maximum of three minutes is allowed for the each question to be read.
- (d) A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply.
- (e) Afterwards, any other Member at the Chairman's discretion may speak for up to two minutes on a question or reply.

### **Question(s)**

There were no questions from the public received within the notice period.

## CLIMATE CHANGE EMERGENCY

The Cabinet at its meeting held on 4 November 2019 made the following recommendation to the Council (CAB83(a)):

“It was agreed to recommend to Council that a climate change emergency be declared.”

In considering the recommendation from the Cabinet, Members are directed to the original report which can be found on the Cabinet agenda for [4 November 2019](#).

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<b>Subject:</b>	<b>COUNCIL TAX BASE 2020/21</b>
<b>Meeting and Date:</b>	<b>Council – 29 January 2020</b>
<b>Report of:</b>	<b>Mike Davis, Strategic Director (Corporate Resources)</b>
<b>Portfolio Holder:</b>	<b>Councillor Stephen Manion, Portfolio Holder for Finance and Governance</b>
<b>Classification:</b>	<b>Unrestricted</b>

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**Purpose of the report:** To set the Council Tax base for 2020/21 by 31 January 2020, in accordance with the Local Government Finance Act 1992.

To formally determine not to revise the reduction of Council Tax Discounts.

To note that the proposed changes to the council’s Council Tax Reduction Scheme are being considered by Council under a separate report.

To formally determine the “Long Term Empty Premium” for properties that have been left empty and substantially unfurnished:

- (a) for periods of more than 2 but less than 5 years, a Long Term Empty Premium to be charged at 100%; and
- (b) for periods of more than 5 years a Long Term Empty Premium to be charged at 200%.

**Recommendation:** It is recommended that Council:

1. Determine that for the financial year 2020/21, the empty homes discount for properties unoccupied and unfurnished remain at 0%, so that Council Tax will be payable in full on these properties.

2. Approve the District's Council Tax Base for 2020/21 as 39,029.75 and the tax base for the towns and parishes in the Council’s administrative area, as set out in the table at Appendix 2.

3. Formally determines the “Long Term Empty Premium” for properties that have been left empty and substantially unfurnished:

- (a) for periods of more than 2 but less than 5 years, a Long Term Empty Premium to be charged at 100%; and
- (b) for periods of more than 5 years a Long Term Empty Premium to be charged at 200%.

## 1. Summary

- 1.1 The Council Tax base for the coming year is set by Dover District Council, and is used by Kent County Council, the Police and Crime Commissioner for Kent, Kent and Medway Fire and Rescue Authority and the various town and parish councils when setting their Council Tax and their precepts.

## 2. Introduction and Background

- 2.1 The Council is required to set its tax base by 31 January every year, for the following financial year. The taxbase is defined mainly in terms of the number of Band D equivalent properties, but it is then adjusted to reflect various discounts.

- 2.2 The Council is also required on an annual basis:

- (a) To determine whether and, if so, the extent to which it will reduce or remove any Council Tax discounts;
- (b) To determine Long Term Empty Premium
- (c) To approve a Council Tax Reduction Scheme for the coming financial year. The scheme for 2020/21 is being considered on a separate report, on a separate agenda item at this meeting.

- 2.3 The tax base for 2020/21 has been prepared in accordance with the current regulations<sup>1</sup> which came into force on 30 November 2012. The calculations are shown in Appendix 1

- 2.4 As the Council Tax base is defined in terms of “Band D equivalent” dwellings, and Band D dwellings are treated as “average” houses, all other properties are defined as a ratio against Band D houses, and pay Council Tax in accordance with that ratio.

- 2.5 The table below illustrates how this works.

<b>Council Tax Band</b>	<b>Ratio to Band D</b>	<b>Number of Dwellings (based on the Valuation Office list)<sup>2</sup></b>
Band A	6/9	7,012

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<sup>1</sup> “Local Authorities (Calculation of Council Tax Base) Regulations 2012 (SI:2012:2194)”

<sup>2</sup> In the actual calculation this is adjusted for anticipated new build, demolitions, etc. expected during the year

<b>Council Tax Band</b>	<b>Ratio to Band D</b>	<b>Number of Dwellings (based on the Valuation Office list)<sup>2</sup></b>
Band B	7/9	16,789
Band C	8/9	13,994
Band D	9/9	7,206
Band E	11/9	4,317
Band F	13/9	2,373
Band G	15/9	1,485
Band H	18/9	75

2.6 The basis of the calculation is to multiply the number of dwellings in each band by their respective ratio, then add the totals together to produce a “Band D equivalent” total. This is followed by a number of adjustments for factors such as single person discounts, people in receipt of Council Tax Reduction Scheme discounts, etc. The total is then adjusted for the anticipated collection rate, in order to determine the tax base.

2.7 Based on these factors it is recommended that the tax base for 2020/21 is set at 39,029.75

### **3. Reduction of Council Tax Discounts**

3.1 From the year 2013/2014 and subsequently, the Council removed the following Council Tax Discounts in order to meet the cost of operating the chosen Council Tax Reduction Scheme:

- (a) Second Home discount of 10% removed;
- (b) Empty property exemption (Class C) removed.

3.2 Reductions in Council Tax discounts are required to be determined on an annual basis, and it is recommended that the existing Council Tax discounts are continued for the year 2020/21.

### **4. Council Tax Reduction Scheme**

4.1 The Welfare Reform Act 2012 abolished Council Tax Benefit from April 2013 and, in accordance with Section 13A of the Local Government Finance Act 1992 the Council approved a local Council Tax Reduction Scheme, with effect from 1 April 2014, adopting, as the scheme, the document cited as “the Local Council Tax Support Scheme – Dover District Council 2015 (“the 2015 scheme”).

4.2 The current scheme, which has been in place since April 2017 was agreed and approved at full council on 30th November 2016. A revised Council Tax Reduction Scheme is being proposed

for 2020/21, and this has been considered by Cabinet on 2 December 2019 and Scrutiny on 9 December 2019. Council have a separate report in front of them with details of the proposed new scheme. It should be noted that the new scheme, if approved, has no discernible affect on the tax base, as the overall projected council tax support expenditure under the new scheme is projected to be within 0.5% of current expenditure.

## **5. Long Term Empty Premium at, for properties empty for more than 2 years.**

5.1 Legislation was passed in 2017 to allow Councils to increase the Long Term Empty Premium currently being charged for domestic properties that have been left empty and substantially unfurnished for two years or more. This took effect from April 2019 and saw the premium increase from 50% to 100% extra Council Tax payable. This means that if a property is empty and unfurnished for two years or more, Council Tax was charged at 200% from April 2019.

5.2 Further legislation was passed allowing billing authorities to charge an increased amount for properties left empty and substantially unfurnished for longer periods. Public consultation undertaken in December 2018 resulted in respondents being in favour of further increasing the Long Term Empty Premium for properties empty for 5 years or more to 200%, with effect from April 2020. This means that for properties empty and substantially unfurnished for 5 years or more, Council Tax will be charged at 300% from April 2020. Whilst exact figures cannot be provided due to changes in circumstances, it is anticipated that there will be approximately 53 properties in Dover that will be affected by this change on 1 April 2020.

5.3 Results from the public consultation which took place in December 2018 were put to Full Council on 30 January 2019, and all increases were approved. The purpose of para 6.1 is to formally determine the charging of:

- (a) the 100% Long Term Empty Premium for properties empty and unfurnished for periods of more than 2 but less than 5 years and
- (b) the 200% Long Term Empty Premium for properties empty and unfurnished for between 5 years or more.

## **5.4 There are two exceptions**

First, where the property is left empty by a serving member of the armed forces, who is living elsewhere in accommodation provided by the Secretary of State for defence; or where the property is the sole or main residence of a serving member of the armed forces, who is subject to a job related discount at an alternative address provided by the Secretary of State for defence.

5.3 Second, empty Annexes are not subject to the Long Term Empty Premium.

## **6. Identification of Options for the Setting of the Council Tax Base**

6.1 The setting of the Council Tax base is mainly a mechanical process based on the projected number of properties, level of discounts and collection rates, and does not produce options

for Members to consider, except for the recommended empty home discounts and the long term empty property premium. Although Members do have the option to amend these discounts and the premium, it is recommended that Members approve them as recommended because:

- they send an important message to property owners about the use of property in a time of housing shortage;
- the discounts and premium are part of an overall package agreed with KCC and all Kent districts to introduce broadly equivalent schemes (when combined with the Council tax Support Schemes) in exchange for administrative / financial support from KCC, who are the main recipient of the Council Tax.

## **7. Corporate Implications**

7.1 Comment from the Strategic Director (Corporate Resources): The Director has been consulted in the preparation of this report and has nothing further to add.

7.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

7.3 Comment from the Equalities Officer: This report does not specifically highlight any equality implications however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>.

## **8. Appendices**

Appendix 1 – The Council Tax Base Calculation for 2020/21

Appendix 2 – The Council Tax Base for the Towns and Parishes

## **9. Background Papers**

Local Authorities (Calculation of Council Tax Base) Regulations 2012 (SI: 2012:2914)

Detailed calculations for District and Parish/Town Council Tax Bases

Contact Officer: Mark Gillmore, Revenues and Benefits Manager, Civica  
[mark.gillmore@civica.ekservices.org](mailto:mark.gillmore@civica.ekservices.org) or Sharon Harvey, Council Tax Manager, Civica  
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**The Council Tax Base Calculation for 2020/21**

Council Tax Base = A x B:

- (i) A is the total of the "relevant amounts" (or Band D equivalents) for that year for each of the valuation bands which is shown or is likely to be shown for any day in that year in the authority's valuation list as applicable to one or more dwellings situated in this area.
- (ii) B is the authority's estimate of its collection rate for that year (97.65%)
- (iii) The "relevant amount" for a valuation band is the amount found by applying the formula:  $(H - Q + E + J) \times (F/G)$
- (iv) H is the number of chargeable dwellings in the area of the Council (as billing authority) on calculated in accordance with the regulations at 30<sup>th</sup> November 2012
- (v) Q is the factor to take account of the discounts to which the amount of council tax payable was subject to that band, estimated in accordance with the regulations at 30<sup>th</sup> November 2012
- (vi) E is a factor to take into account any premiums, if any, to which the council tax payable was subject to that band, estimated in accordance with the regulations at 30<sup>th</sup> November 2012
- (vii) J is the estimated adjustments due to change in the number of dwellings, exemptions and discounts.
- (viii) Z is the total amount that the authorities estimates will be applied in relation to the Authorities council tax reduction scheme in relation to the band, expressed as an equivalent number of chargeable dwellings in the band.
- (ix) F is the number which is the proportion of dwellings in that band.
- (x) G is the number that, in that proportion, is applicable to dwellings in band D.

The amount calculated for Dover District Council's Council Tax Base in 2020/21 is 39,029.75 save for the following parts of the Council's administrative area where its Council Tax Base shall be the amounts shown against each part respectively.

Collection rate has been reviewed with regard to the changes, Council Tax Support discounts and exemptions. This report seeks the approval of the collection rate of 97.65%.

<b>Parish</b>	<b>2019/20 Tax Base - using collection rate</b>	<b>2020/21 Tax Base using collection rate</b>
Alkham	310.13	304.27
Ash	1152.87	1161.21
Aylesham	1474.03	1568.81
Capel-Le-Ferne	659.24	673.96
Deal	6750.79	6828.29
Denton-with-Wootton	172.51	171.43
Dover	8198.33	8299.07
Eastry	816.95	817.26
Eythorne	792.44	802.60
Goodnestone	174.81	174.43
Great Mongeham	268.83	274.27
Guston	399.09	403.13
Hougham-Without	182.30	180.70
Langdon	236.07	242.80
Lydden	251.67	257.00
Nonington	295.01	295.03
Northbourne	269.95	270.56
Preston	366.78	380.46
Ringwould-with-Kingsdown	1021.39	1028.01
Ripple	149.51	148.49
River	1488.97	1496.74
St Margarets-at-Cliffe	1294.76	1303.78
Sandwich	1917.37	1940.37
Shepherdswell-with-Coldred	757.31	765.48
Sholden	736.36	736.50
Staple	232.27	232.89
Stourmouth	116.29	116.46
Sutton-by-Dover	303.62	304.77
Temple Ewell	651.17	662.04
Tilmanstone	154.16	156.52
Walmer	3337.77	3340.57
Whitfield	1972.43	2039.52
Wingham	677.85	685.90
Woodnesborough	465.57	479.01
Worth	477.66	487.42
<b>Total</b>	<b>38,526.26</b>	<b>39,029.75</b>

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<b>Subject:</b>	<b>COUNCIL TAX SUPPORT SCHEME 2020/21</b>
<b>Meeting and Date:</b>	<b>Cabinet – 2 December 2019</b> <b>Overview and Scrutiny Committee – 9 December 2019</b> <b>Cabinet – 13 January 2020</b> <b>Council – 29 January 2020</b>
<b>Report of:</b>	<b>Mike Davis, Strategic Director (Corporate Resources)</b>
<b>Portfolio Holder:</b>	<b>Councillor Stephen Manion, Portfolio Holder for Finance and Governance</b>
<b>Decision Type:</b>	<b>Non-Key</b>
<b>Classification:</b>	<b>Unrestricted</b>

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**Purpose of the report:** To introduce a new banded Council Tax Support Scheme for 2020/21.

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**Recommendation:** It is recommended that:

1. Cabinet recommends to Council the adoption of the revised Council Tax Support Scheme as set out in this report.
2. Council approves adoption of the revised Council Tax Support Scheme (including the Exceptional Hardship Scheme) as set out in this report as Option C.

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**1. Summary**

1.1 The operation of Universal Credit, with frequent changes in entitlement based on changes in income from month to month, does not integrate well with the Council's current Council Tax Support Scheme where entitlement is based on an exact assessment of claimant income. As UC changes each month, so does the level of CTS to be awarded. This requires a recalculation of Council Tax payable, a rescheduling of Council Tax payments and a resubmission of Direct Debit requests to the banks.

1.2 This process has a number of problematic outcomes:

- (a) Uncertainty for the claimant
- (b) Direct debit deadlines missed and payments not made correctly
- (c) Arrears generated and recovery action required
- (d) Undue administrative effort, taking resources away from assisting claimants on more constructive work.

1.3 The proposed changes address these issues and are cost neutral.

**2. Background**

2.1 As the roll out of UC by the DWP continues, with the managed migration process (also referred to as "Move to UC") scheduled to be completed by December 2023, the issues highlighted in the summary above will be exacerbated.

- 2.2 The proposed new scheme will introduce a banding system which will provide more certainty and stability and greatly reduce the frequent recalculation of CTS, reduce arrears and recovery and release administrative time.
- 2.3 The proposed scheme has also been modelled to be cost neutral (no savings or extra costs of CTS), to minimise the impact on “winners and losers”, to ensure losses are proportionate to CTS (and other benefits) being received and to provide a hardship scheme to mitigate the effects and assist transition. Consultation on the changes has been undertaken and the outcome was support for the changes.
- 2.4 The proposed new CTS scheme was first raised when Cabinet received a report from the Strategic Director of Resources on 5 August setting out proposals for changes to the CTS scheme, and the reasoning behind them. That report is attached for reference as Appendix 1<sup>1</sup>.
- 2.5 CTS was introduced in 2013 to replace the national Council Tax Benefit scheme. Support for people needing help to pay their council tax was devolved to local government, and when Council Tax Benefit was abolished the funding provided to local authorities for CTS was subject to a 10% reduction from the previous amount paid under Council Tax Benefit. The amount included within central government Revenue Support Grant (RSG) funding to DDC has not been separately identified since 2013 and since then, central government has reduced its RSG funding virtually to nil and so the government provides no direct support for the CTS scheme. Expenditure on the CTS scheme has remained largely static and the costs fall on the Council and local Council Tax payers.
- 2.6 Whilst CTS is a local discount, the rules around pension age customers are nationally defined and the local authority has no discretion to vary that element of the scheme. However the scheme for working age customers is not nationally defined and each local authority has full discretion over the design of its scheme. This means that where there is a need to change the scheme, that change can only affect working age recipients.
- 2.7 Every year the following year’s CTS scheme must be agreed by Full Council by 11 March, to come in to effect from 1 April. In the event that a new scheme is not agreed, the previous year’s scheme will roll forward to the next year.
- 2.8 In the light of the issues set out in the summary above, DDC needs to review our CTS scheme to assess whether it is fit for purpose with the challenges and financial burdens that Universal Credit (UC) brings to the ongoing administration of CTS.
- 2.9 This report sets out:
  - (a) The current CTS Scheme
  - (b) The drivers for Change
  - (c) The proposed new CTS Scheme
  - (d) Consultation on the proposed new CTS Scheme
  - (e) Projected impact on claimants

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<sup>1</sup> For brevity the appendices to that report are not included, but the whole report remains available on the Council’s web site.

- (f) Proposed mitigations
- (g) Identification of options
- (h) Evaluation of options
- (i) Resource implications
- (j) Equalities assessment
- (k) Corporate implications

### 3. **The Current CTS Scheme**

3.1 The current Dover District Council scheme closely mirrors the former national Council Tax Benefit scheme and is administered in a similar way (and often at the same time) as an award of Housing Benefit (HB). In 2018-19 Dover District Council awarded £8.4m in CTS on behalf of all precepting bodies. The cost to Dover District Council of those awards was £865,000 which reflects DDC's share of Council Tax.

3.2 In the Dover district, working age claimants must pay at least 10% of their council tax liability (the same percentage applies in Canterbury and Thanet). This is amongst the most generous schemes and is applied to one of the lowest Council Tax levels in the county. The contribution from CTS recipients in East Kent is therefore the lowest in the county and is towards the lower end of the scale nationally. In the majority of Kent districts, customers are required to pay at least 20% of council tax. In 2018-19, Dover was one of around 40 local authorities with a minimum council tax payment of 10% or less, with more than 200 local authorities charging over 10% and some over 30%.

3.3 For Dover district in 2019-20, 10% of council tax for a band D property is £182 and the estimated costs of the scheme (shared by all preceptors in proportion to their share of the council tax) are:

- (a) Working Age recipients: £4,475,172
- (b) Pension age recipients: £3,833,175
- (c) Total cost all preceptors: £8,308,347

3.4 DDC currently operates a tapered scheme, which means that any change, however small, in a claimant's income causes their entitlement to CTS to change and the Council Tax bill to be recalculated. These repeated recalculations and repeated re-billings (which can happen to many claimants several times a year) can be confusing for claimants and are administratively burdensome.

### 4. **Drivers for Change**

4.1 The original report, attached as Appendix 1, sets out the main drivers for change. These are:

- (a) Simplifying the scheme to make it easier for claimants to understand and claim
- (b) Use bandings to reduce the number of changes in entitlement (often generated by relatively small changes in income), and therefore reduce the

number of recalculated council tax bills and payment schedules, that claimants will experience

- (c) Easier for claimants to budget and therefore avoid arrears and recovery action.
- (d) Protection of council tax collection

## 5. The Proposed new CTS Scheme Framework

- 5.1 The proposal is to implement a new scheme that addresses the drivers for change outlined above but is financially neutral for the council (no increased costs or savings) and that keeps the total cost of the scheme the same.
- 5.2 The proposed new scheme is a banded scheme. CTS recipients would be awarded CTS based on the ranges of income and their entitlement would only be amended if the income increases or decreases beyond the range of their current band. The banded scheme proposal, along with the other proposed changes, were the focus of the public consultation.
- 5.3 A banded scheme would reduce the number of CTS changes to entitlement and improve opportunities for billing and collection. Although the Council still needs to review each change this simplifies the assessment process for officers, treating CTS more as a discount and moving away from it being a benefit with traditional benefit rules.
- 5.4 A banded scheme is more transparent and predictable to claimants and would also enable them to more effectively budget their payments as the scheme would operate using a simpler formula that is easier to understand.
- 5.5 The proposed income bands are set by considering banded earnings based on the number of hours worked at the National Living Wage (NLW)<sup>2</sup>. The income bands are in a 4x5 grid and awards are set at a maximum 90% down to a minimum 30% at 15% intervals (90, 75, 60, 45, 30).
- 5.6 The grid is divided into four columns with different figures for the following household groups: single, couple, families/single parents with one child, families/single parents with two or more children and is set out below.

<b>Weekly Income and Council Tax Discount Band</b>					
	<b>Single person</b>	<b>Couple</b>	<b>Family/single parent with 1 child</b>	<b>Family/single parent with 2+ children</b>	<b>% discount on council tax bill</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>%</b>
band 1 income range	0 to 82.10	0 to 122.10	0 to 172.10	0 to 222.10	<b>90</b>

<sup>2</sup> The weekly income bands in the table below may appear to be oddly precise, but they are multiples of the NLW and the complete values, including pence, are shown.

band 2 income range	82.11 to 123.15	122.11 to 163.15	172.11 to 213.15	222.11 to 263.15	<b>75</b>
band 3 income range	123.16 to 164.20	163.16 to 204.20	213.16 to 254.20	263.16 to 304.20	<b>60</b>
band 4 income range	164.21 to 205.25	204.21 to 245.25	254.21 to 295.25	304.21 to 345.25	<b>45</b>
band 5 income range	205.26 to 246.30	245.26 to 286.30	295.26 to 336.30	345.26 to 386.30	<b>30</b>

5.7 The main elements of the scheme to continue unchanged, and the other proposed changes are set out in the paragraphs below.

5.8 The main elements in the existing CTS scheme to continue unchanged in the new scheme are:

- (a) 90% is the maximum discount available;
- (b) Capital held is limited to £6,000 (no entitlement to CTS if capital exceeds this limit);
- (c) CTS is restricted to Band D levels (properties banded E-H only receive support equivalent to D);
- (d) Child Benefit and child maintenance are fully disregarded<sup>3</sup> to protect lone parents/ families;
- (e) the housing element of UC is disregarded; and
- (f) war pensions and war disablement pensions are disregarded.

5.9 The other proposed changes to the scheme are:

- (a) to introduce a standard £10 a week non-dependant deduction (for each adult other than a partner living in the household);
- (b) to set a self-employed minimum income floor of 35hrs x NLW (removing the current 16hrs floor and aligning with the UC floor);
- (c) to apply a standard earnings disregard of £25 a week for all customers (so all the calculations above exclude the first £25 a week of earnings); and

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<sup>3</sup> “Disregarded” means “not taken into account”, so someone in receipt of Child Benefit, maintenance, a war pension etc will not have their CTS reduced as a result. It is therefore a benefit to those claimants.

- (d) to replace disability premiums like-for-like, to protect those with disabilities and prevent any losses.

5.10 In addition, an important procedural change, which will benefit claimants, is that when an application for UC is notified to the Council by the DWP, that will be deemed by the Council to be an application for CTS. This will remove the need for customers to apply to the DWP for UC and then to apply separately to the council for CTS. This will simplify the process for customers and make sure that take up of CTS is maximised.

## 6. Consultation of the proposed new CTS Scheme

6.1 Public consultation took place between 19 August and 30 September 2019. A letter was sent to every working age CTS claimant, and also to a randomly selected 5% of council tax payers<sup>4</sup>. All the major council tax preceptors were contacted, with no negative comments being received, as well as parish councils and local welfare agencies. The consultation was available on the council's website for the duration of the consultation period.

6.2 A total of 233 responses were received, with 60% of those being from a household where someone was already receiving CTS.

6.3 The table below sets out the responses. A full report can be found at Appendix 2.

Proposed change	Agree	Disagree	Don't know	No Reply
Do you agree with the proposed changes to the scheme?	48.9%	18.5%	30.9%	1.7%

6.4 As can be seen from these results, respondents were generally in favour of all the proposed changes, with more than twice as many agreeing to the proposal than disagreed.

6.5 Questions were also asked about covering the costs of the changes by either increasing Council Tax or by reducing the funding for other services:

Proposed change	No	Yes	No Reply
Increase Council Tax	69.5%	6.4%	24.1%
Cut other services	52.8%	19.7%	27.5%

6.6 From this we can infer there was overwhelming support for maintaining the existing service provision within the current budget.

## 7. Projected impact on Claimants

7.1 One of the aims of the new scheme design was to minimise the level of change between the old and new schemes. It is forecast that the proposed changes would mean that, as at November 2019:

<sup>4</sup> A total of 7,040 letters were sent. 4,982 to Council Tax Support working age claimants and 2,058 to the randomly selected 5% of Council tax payers.

- 4,159 working age recipients (66%) would see no change in the amount of CTS they receive
  - 1,178 (18.5%) would see an increase
  - 993 (15.5%) would see a reduction
- 7.2 For those positively affected, the average weekly gain would be £4.17, with the highest increase being £19.38 a week. For 63% of those positively affected the gain will be £5 or less.
- 7.3 For those negatively affected, the average weekly loss would be £4.76 and the highest £27.77 a week. For 62% of those negatively affected the loss will be £5 or less. A more detailed analysis of the impacts is provided in Appendix 7.
- 7.4 It was apparent from the consultation that the proposed changes to the scheme that are seen to be 'positive' changes (such as the total disregard of Carers Allowance, and the income allowance replacing lost disability premiums) generated a positive response from respondents. Proposed changes seen as 'negative' generated a less favourable response, and specific comments. For more detail please see Appendix 2.
- 7.5 Two proposed changes generating some concern were;
- Limiting support to a maximum of two children (through the income grid), and
  - Implementing a single self-employed minimum income floor (at 35hrs x national living wage)
- 7.6 The proposed scheme broadly aligns with the current rules for UC<sup>5</sup>. For the two-child limit, due consideration has been made to that within the Equalities Impact Assessment (at Appendix 3). Additionally, a separate document setting out the reasons for this proposed change can be found at Appendix 4. A similar document for the proposed change to self-employed minimum income floor can be found at Appendix 5.

## 8. Proposed Mitigations

- 8.1 The council recognises that if the new scheme is implemented some people will see a reduction in their CTS. For this reason, additional support will be available through an Exceptional Hardship Policy. The draft policy is attached at Appendix 6.<sup>6</sup>
- 8.2 The council will ensure that the EHP fund is readily available for claimants to apply. This fund will be available to offer relief for those claimants who experience hardship as a result of changes to the scheme. The cost to the council of any relief offered in 2020/21 via the EHP fund is approximately 10% of the overall cost, with the remainder being borne by the county council.

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<sup>5</sup> The DDC / EKS proposal also affects claimants with children born before 06.04.17, to help simplify the scheme. To help explain this rationale we have provided further information relating to that in Appendix 4.

<sup>6</sup> Para (2) 7 Schedule 1A Local Government Finance Act 1992 requires a council tax reduction scheme to specify "the procedure by which a person can apply to the authority for a reduction under section 13A(1)(c). This is the further power to reduce liability " to such extent (or, if the amount has been reduced under paragraph (a) or (b), such further extent) as the billing authority for the area in which the dwelling is situated thinks fit." This admits of a further reduction in liability in appropriate cases which is additional to that available under the Council Tax Support Scheme and the (EHP) which forms part of it.

## 9. Identification of Options

9.1 There are three options:

- (a) Do not approve the new scheme. Maintain the current scheme.
- (b) Implement an alternative scheme to that recommended.
- (c) Approve the new scheme (including the Exceptional Hardship Scheme)

## 10. Evaluation of Options

10.1 Option a - Do not approve the new scheme. Maintain the current scheme.

10.2 As this would be a decision to retain the current scheme, it would 'lock in' the existing issues created by Universal Credit, which would be exacerbated as the roll-out of UC continues.

10.3 If changes are not to be made to the CTS scheme to simplify it more claimants are likely to fall into arrears. In addition to the difficulties and distress this will cause for the claimants, this would also increase administrative costs, and collection rates for Council Tax are likely to fall, with more time spent on administering the scheme and less time available for Council Tax recovery.

10.4 This will reduce the resources this council and the preceptors will have available to fund services at a time when they are already having to manage difficult budget reductions due to central government funding cuts and increasing demands.

10.5 For these reasons, this option is not considered viable and is not recommended.

10.6 Option b – Implement an Alternative Scheme to that Recommended

10.7 The proposed scheme has been designed to meet the drivers for change, while making it simple and more predictable for claimants particularly as Universal Credit rolls out, minimising the impacts on claimants, providing a hardship scheme and ensuring the costs of the CTS scheme remain the same.

10.8 Detailed modelling of options has been undertaken and no alternative options have been identified that provide a better solution than the recommended scheme, Option c.

10.9 For these reasons, the option of an alternative scheme is not considered viable and is not recommended.

10.10 Option c - Approve the new scheme (including the Exceptional Hardship Scheme)

10.11 This will maximise the opportunity to meet the drivers for change set out earlier in this report. This option will make the scheme easier to understand, simpler to administer, and give claimants more chance to manage their finances effectively. It would help maintain Council Tax collection rates.

10.12 For those reasons, it is recommended that Cabinet seek Council's approval of this option.

## 11. Resource Implications

11.1 For 2019-20 the total costs of the CTS scheme are estimated to be £8.3m, of which DDC meets 10%.

11.2 The costs of the 2020-21 scheme will depend upon the claimant level and so can only be forecast based on estimated take-up. However, for an equivalent level and spread of claimants, the new CTS scheme changes are expected to be cost neutral and the overall costs are expected to be the same as the current scheme.

## 12. **Equalities Assessment**

12.1 An Equality Impact Assessment (EIA) is attached as Appendix 3 for consideration. This has been undertaken following the public consultation and has considered all responses received. The main points arising from the assessment at this stage are:

- (a) Age - the proposed changes only apply to working age customers as those of pension age are fully protected.
- (b) Disability - by disregarding some income types, and replacing disability premiums with 100% for people with disabilities, and carers, the result is that their entitlement to Council Tax Support is protected or increased.
- (c) Other groups - the new scheme may disadvantage some customers with more than two children. None of the details that form this proposal directly or specifically target or solely affect any one of the protected characteristics or any other identifiable groups. A supplementary document setting out matters considered under this proposal is attached as Appendix 4 to this report.

## 13. **Corporate Implications**

13.1 Comment from the Section 151 Officer: The Section 151 Officer has been involved in the production of this report and has nothing further to add. (MD)

13.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

13.3 Comment from the Equalities Officer: Following public consultation it is noted that an Equality Impact Assessment has been carried out which has resulted in no significant issues arising from this assessment. The main points arising out of assessment are outlined at paragraph 11.1.

13.4 In discharging their responsibilities, Members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>.

## 14. **Appendices**

Appendix 1 – DDC Council Tax Support Scheme 2020/21 Cabinet Report 5/8/19

Appendix 2 – Council Tax Support 2020/21 Consultation Analysis

Appendix 3 – Equalities Impact Assessment

Appendix 4 – Two-Child Policy Analysis

Appendix 5 – Self Employed Minimum Income Floor Policy

Appendix 6 – Exceptional Hardship Scheme

Appendix 7 – Impact Update - November 2019.

15. **Background Papers**

See Appendices.

Contact Officers:

Mike Davis, Strategic Director, DDC.

Mark Gillmore, Revenues and Benefits Manager, Civica.

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<b>Subject:</b>	<b>Council Tax Support Scheme 2020/21 consultation</b>
<b>Meeting and Date:</b>	<b>Cabinet – 5<sup>th</sup> August 2019</b>
<b>Report of:</b>	Mike Davis, Strategic Director of Resources
<b>Portfolio Holder:</b>	<b>Cllr Manion, Portfolio Holder for Finance and Governance</b>
<b>Decision Type:</b>	Key
<b>Classification:</b>	Unrestricted
<b>Purpose of the report:</b>	To start consultation on the proposed Council Tax Support Scheme for 2020/21 as set out in the report
<b>Recommendation:</b>	It is recommended that Cabinet: <ol style="list-style-type: none"> <li>1. approve consultation on the introduction of the proposed new Council Tax Support Scheme for 2020/21 as set out in Section 6 of this report; and</li> <li>2. delegate approval of the consultation material to the Strategic Director of resources in consultation with the Portfolio Holder for Finance and Governance.</li> </ol>

## 1. Summary

- 1.1 This report updates on the progress made on the review of the Council Tax Support Scheme (CTS) in liaison with other Kent authorities and proposes consultation on a new scheme for 2020/21.
- 1.2 The introduction of Universal Credit, with its frequent adjustments due to changes in claimant income is making the existing scheme increasingly complex for claimants and also complex and expensive to administer by the Council. The proposed simplified scheme for consultation is cost neutral, administratively simpler and should maintain take up by those eligible to receive support.

## 2. Introduction and Background

- 2.1 CTS is a means tested and locally defined Council Tax discount scheme introduced by Government in 2013 to replace Council Tax Benefit. The current Dover District Scheme<sup>7</sup> closely mirrors the former Council Tax Benefit and is administered in a similar way (and often at the same time) as an award of Housing Benefit. In 2018/19 Dover District Council awarded £8.4m in Council Tax Reduction on behalf of all precepting bodies. The cost to Dover District Council of those awards was £890,400<sup>8</sup>

<sup>7</sup> Dover, Canterbury and Thanet operate virtually identical schemes across East Kent. These schemes are the most generous in Kent to claimants, providing the highest levels of discount.

<sup>8</sup> Dover District Council only retains around 10% of Council Tax, hence the bulk of the costs of the scheme is borne by the other preceptors, and mainly by Kent County Council.

- 2.2 Whilst CTS is a local discount, the rules around pension age customers are nationally defined and mirror the old Council Tax Benefit. The local authority has no discretion to vary that element of the scheme.
- 2.3 However the scheme for working age customers is not nationally defined and each local authority has full discretion over the design of its scheme. This means that where there is a need to change the scheme, that change can only affect working age recipients.
- 2.4 Each year the CTS scheme must be agreed by Full Council by 11 March to come in to effect from 1 April of that year. In the event that a new scheme is not agreed, the previous year's scheme will roll forward to the next year.
- 2.5 When Council Tax Benefit was abolished in 2013, funding for CTS was added to the central government funding the Council receives, but was subject to an arbitrary 10% reduction from the previous amount paid under Council Tax Benefit. The amount included within central government funding has not been separately identified by central government since 2013 and since then, central government has reduced its funding considerably, whilst expenditure on the CTS scheme has remained largely static, so the cost of the CTS is largely borne by other Council Tax payers.
- 2.6 In the Dover district, working age claimants must pay at least 10% of their Council Tax liability (the same percentage applies in Thanet and Canterbury). The contribution from CTS recipients in east Kent is the lowest in the county, and is towards the lower end of the scale nationally. In the majority of Kent districts, customers are required to pay at least 20% of Council Tax. In 2018/19, DDC was one of around 40 local authorities with a minimum Council Tax payment of 10% or less, with more than 200 local authorities with a minimum over 10%, some with 30%+.
- 2.7 For DDC in 2019/20, 10% of Council Tax for a band D property is £181 and the estimated costs of the scheme (shared by all preceptors in proportion to their share of the Council Tax) are:
- Working Age recipients: £4,530,000
  - Pension age recipients: £3,870,000
  - Total cost all preceptors: £8,400,000
- 2.8 The scheme is underpinned by a Kent-wide agreement, which recognises that all the Kent districts (as the billing authorities) will seek to have a common platform. In return, the major precepting authorities (Fire, Police and KCC) agree to collectively pay to each district council an administration fee each year, for three years, to assist with the costs of delivering and managing the scheme. DDC currently receives £164,000 a year under this arrangement. This agreement is due to be renewed for a further three years from April 2020.
- 2.9 There is a need to review our CTS scheme to assess whether it is fit for purpose with the challenges and financial burdens that Universal Credit (UC) brings to the ongoing administration of CTS. We currently have a tapered scheme, which means that any change, however small, in a claimant's income causes their entitlement to change and the Council Tax bill to be recalculated and then new instalments calculated over the remaining year.
- 2.10 These pressures will only increase once the UC roll-out accelerates with the managed migration of claimants on legacy benefits (currently due to complete nationally by

December 2023). Therefore we need to have a new CTS that combines with UC in a fairer and more efficient way.

### 3. Drivers for change

3.1 UC is being rolled out by the Department for Work and Pensions (DWP) to working age people who are either unemployed or in work on low incomes. It is replacing the following six working age benefits and is paid as a single monthly payment:

- Child Tax Credit
- Housing Benefit
- Income-related Employment and Support Allowance (ESA)
- Income Support
- Income-based Jobseekers Allowance (JSA)
- Working Tax Credit

3.2 Dover Jobcentre Plus went live with UC Full Service in May 2017 This means that any new working age claimants that move into the area or any existing legacy benefit (as per the list above) claimants that have a qualifying change in their circumstances must make a claim for UC. This does not affect any other existing claimants yet, but they will eventually move on to UC in what DWP call managed migration.

3.3 Existing claimants currently receiving Housing Benefit and the other benefits listed above are referred to as legacy benefit claimants. These claimants will move on to UC as part of the managed migration once the timetable for this is confirmed by the DWP. We do not yet know when this will happen but it is due to be completed nationally by December 2023 (there is a six-month contingency built in to DWP plans, so the end point could in fact be June 2024), rather than the original national target date of 2017 for UC.

3.4 Research in areas where UC has already rolled out has identified three key trends:

- low take up of customers in receipt of UC applying for CTS;
- high numbers of change in circumstances - approximately 40% of UC cases will have an adjustment each month; and
- Council Tax collection difficulties are increased with the multiple demand notices being issued.

3.5 National trends indicate on average UC customers receive at least eight change notifications in a year. Under the existing scheme, each change to UC entitlement income would produce a change to CTS entitlement, which then requires a new Council Tax demand notice for the customer, amending their Council Tax instalments on a regular basis and making it difficult to collect Council Tax via Direct Debit.

### 4. Impact on residents

4.1 Multiple changes for the customer in receipt of UC result in multiple changes for the customer in their CTS award. Using the existing scheme, which is a calculation on tapered income, any small change to income can amend the CTS award.

4.2 Frequent instalment changes can make it difficult for a customer to use Direct Debit as payment method due to the lead in times that the council needs to advise the customer of a change before taking payment. Multiple demand notices can also be confusing for residents.

4.3 Frequent changes can also provide the customer with difficulties in budgeting as they would not have a regular payment amount known for their Council Tax. This can lead to difficulties in paying which leads to further action and potential costs to vulnerable residents.

4.4 Whereas previously customers applied for CTS at the same time as applying for housing benefit from the council, they are now applying for UC with the DWP and are not always aware that they also need to apply for CTS with the council (although the council has been working with Job Centre Plus to remind UC claimants). As a result, some customers who should receive CTS are instead being chased for payment of full Council Tax, which they cannot afford to pay.

## 5. Impact on the council

5.1 Multiple changes also have a significant negative impact on administration and billing for the local authority in areas where UC has already rolled out. Each change that results in a new demand notice will need to be administered by an officer and the demand notice will need to be produced, either by post or email, and sent to the charge payer.

5.2 If a resident has a monthly change it may not be possible to collect payments via Direct Debit due to the frequent changes. This has been recognised nationally where collection rates for CTS cases have reduced significantly. The worst reported figures are 55% collection and this would be a significant decrease on our current performance and a negative impact on collection and recovery teams as other payment methods are more expensive and additional recovery would be required to collect outstanding amounts. This burden is borne by those who do pay.

5.3 If a customer who is entitled to CTS does not apply for it then the council would have to bill them for their full Council Tax bill and would send reminder and recovery letters to them. It is much better administratively for CTS to be applied to a taxpayer's account as soon as they are entitled to receive it so that unnecessary recovery action is not instigated.

## 6. Proposed new scheme framework

6.1 The intention is to propose a new scheme for consultation that addresses the drivers for change outlined above but that keeps the total cost of the scheme the same.

6.2 The proposed new scheme is a banded scheme - CTS recipients would be awarded CTS based on the ranges of income and their entitlement would only be amended if the income increases or decreases beyond the range of their current band.

6.3 There is a country-wide move towards income-banded schemes as a result of the challenges and costs associated with UC. A total of 28 local authorities have this type of scheme in place for 2019/20 and many more are in the process of adopting this type of scheme for 2020/21. Examples locally include Folkestone and Hythe District Council, Sevenoaks District Council and Dartford Borough Council, which have all introduced banded schemes from 1 April 2019.

6.4 A banded scheme would reduce the number of CTS changes to entitlement and improve opportunities for billing and collection. Whilst the Council still needs to review each change this simplifies the assessment process for officers, treating CTS more as a discount and moving away from it being a benefit with traditional benefit rules.

- 6.5 A banded scheme is more transparent to residents and would also enable them to more effectively budget their payments as the scheme would operate using a simpler formula that will be easier to understand.
- 6.6 An income-banded scheme replaces benefit withdrawal tapers with a series of “plateaus and cliff-edges”. This means that variations in earnings that do not cause the claimant to cross an income band can be ignored, reducing administration. Across the councils that have adopted or are intending to adopt this type of scheme, there is no universal approach or agreed set of figures. We are proposing to adopt five income bands for four household types and to set our figures to be as generous as possible within the financial requirements of a cost-neutral scheme, and to minimise the number of customers who see a change in their level of CTS.
- 6.7 Where an applicant is in receipt of a relevant benefit such as income support, job seekers allowance (income based) and employment and support allowance (income related) they will continue to receive the maximum discount of 90%. All other discount levels are based on the applicant’s (and partner’s if relevant) net income.
- 6.8 The proposed income bands are set at National Living Wage (NLW). The income bands are in a 4x5 grid and awards are set at a maximum 90% down to a minimum 30% at 15% intervals (90, 75, 60, 45, 30).
- 6.9 The grid is divided into four columns with different figures for the following household groups: single, couple, families/single parents with one child, families/single parents with two or more children.

**6.10 Proposed weekly income bands and CTS discounts by household group**

	<u>Single person</u> £	<u>Couple</u> £	<u>Family/single parent with 1 child</u> £	<u>Family/single parent with 2+ children</u> £	<u>discount on Council Tax bill</u> %
<u>band 1 income range</u>	0 to 82.10	0 to 122.10	0 to 172.10	0 to 222.10	90
<u>band 2 income range</u>	82.11 to 123.15	122.11 to 163.15	172.11 to 213.15	222.11 to 263.15	75
<u>band 3 income range</u>	123.16 to 164.20	163.16 to 204.20	213.16 to 254.20	263.16 to 304.20	60
<u>band 4 income range</u>	164.21 to 205.25	204.21 to 245.25	254.21 to 295.25	304.21 to 345.25	45

	<u>Single person</u> £	<u>Couple</u> £	<u>Family/single parent with 1 child</u> £	<u>Family/single parent with 2+ children</u> £	<u>discount on Council Tax bill</u> %
<u>band 5 income range</u>	205.26 to 246.30	245.26 to 286.30	295.26 to 336.30	345.26 to 386.30	30

6.11 The amounts above are based on a calculation of hours multiplied by the National Living Wage (NLW) aged 25 and over rate, which is £8.21 per hour. The amounts would need to be inflated each year to take account of increases in the NLW.

6.12 Then, a standard amount (£40) is added for couples and for single parents, and for children (£50 per child, up to a maximum of 2 children).

6.13 The hours for each band start at 10 hours for 90% band, 15 hours for 75% band, 20 hours for 60% band, 25 hours for 45% band, and finally 30 hours for 30% band.

6.14 Worked examples

6.15 Single person column, 90% support (band 1) = 10 hours x NLW (£8.21) = £82.10

6.16 Single person column, 75% support (band 2) = 15 hours x NLW (£8.21) = £123.15.

6.17 Family/single parent with one child column, 60% support (band 3) = 20 hours x NLW (£8.21) = £164.20, plus £40 (because they are not the only person in the family unit), plus £50 (because they have one child) = £254.20.

6.18 Family/single parent with two children column, 30% support (band 5) = 30 hours x NLW (£8.21) = £246.30, plus £40, plus £100 (because they have 2 children) = £386.30.

6.19 The proposed scheme is also comprised of the following existing and new elements.

6.20 Elements in the existing CTS scheme to continue in new scheme:

- 90% is the maximum discount available;
- Capital held is limited to £6,000 (no entitlement to CTS if capital exceeds this limit);
- CTS is restricted to Band D levels (properties banded E-H only receive support equivalent to D);
- Child Benefit and child maintenance are fully disregarded to protect lone parents/families;
- the housing element of UC is disregarded; and
- war pensions and war disablement pensions are disregarded.

6.21 Proposed changes to the scheme:

- to introduce a standard £10 a week non-dependant deduction (for each adult other than a partner living in the household);
- to set a self-employed minimum income floor of 35hrs x NLW (removing the current 16hrs floor and aligning with the UC floor);
- to apply a standard earnings disregard of £25 a week for all customers (so all the calculations above exclude the first £25 a week of earnings); and
- to replace disability premiums like-for-like to protect those with disabilities and prevent any losses.

6.22 In addition, when a customer applies for UC, when the council is notified of that by the DWP that will be deemed to be an application for CTS. This will remove the need for customers to apply to the DWP for UC and then to apply separately to the council for CTS. This will simplify the process for customers and make sure that take up of CTS is maximised.

## 7. **Impact of the proposed new scheme**

7.1 The total cost of current scheme in 2018/19 was £8,400,509. The total forecast cost of the new scheme is £8,405,011 (additional cost of £4,502 or 0.05%).

7.2 The working age element of CTS in 2018/19 cost £4,530,304. The forecast working age CTS cost is £4,558,424 (additional cost of £28,120 or 0.6%).

7.3 These are estimates at a point in time and based on the proposed changes, which are subject to consultation. As UC is rolled out to more residents in the district it is expected the overall cost of the scheme will reduce back to 2018/19 levels and so the proposed changes should be broadly financially neutral for the Council and the preceptors.

### 7.4 Projected impact on customers

7.5 One of the aims of the new scheme design was to minimise the level of change between the old and new schemes. It is forecast that the proposed changes would mean that:

- 3,537 working age recipients (64%) would see no change in the amount of CTS they receive
- 1,116 (20%) would see an increase
- 867 (16%) would see a reduction

7.6 For those positively affected, the average weekly gain would be £4, with the highest increase being £20 a week. For 63% the gain will be £5 or less. Further details are set out in the tables below.

<b>Weekly Total Gain (£)</b>	<b>Number affected</b>
15-20	3
10-15	96
5-10	312
0-5	705

<b>Household type</b>	<b>Number affected</b>
Couple one or both over 18	45
Family one or both over 18	43
Lone parent aged over 18	209
Single person aged less than 25	2
Single person aged over 25	115
UC claimant	659
Passported Claimants	43

7.7 For those negatively affected, the average weekly loss would be £5 and the highest £29 a week. For 63% the loss will be £5 or less. Further details are set out in the tables below. Recipients negatively affected by the changes will be eligible to apply for the Council's Exceptional Hardship Payment fund (EHP), which was introduced in April 2017 and is money allocated specifically to support those who have been affected by changes to CTS schemes.<sup>9</sup>

7.8

<b>Weekly Total Loss (£)</b>	<b>Number affected</b>
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<sup>9</sup> Para (2) 7 Schedule 1A Local Government Finance Act 1992 requires a council tax reduction scheme to specify "the procedure by which a person can apply to the authority for a reduction under section 13A(1)(c). This is the further power to reduce liability " to such extent (or, if the amount has been reduced under paragraph (a) or (b), such further extent) as the billing authority for the area in which the dwelling is situated thinks fit."

<b>Weekly Total Loss (£)</b>	<b>Number affected</b>
25-30	5
20-25	11
15-20	25
10-15	66
5-10	217
0-5	543

7.9

<b>Household type</b>	<b>Number affected</b>
Couple one or both over 18	4
Family one or both over 18	214
Lone parent aged over 18	100
Single person aged less than 25	0
Single person aged over 25	12
UC claimant	506
Passported Claims	31

## 8. Consultation planned or undertaken

8.1 There will be a six to eight week consultation, provisionally to take place over July/August/September. As well as an open consultation on the website, all current recipients of working age CTS will receive a letter inviting them to respond to the consultation as will a sample of Council Taxpayers across the district. The Council will also be consulting with interested organisations locally such as the CAB and also needs to formally consult with the preceptors.

## 9. Identification of Options

- 9.1 Option 1. A decision to not consult on a new scheme would effectively be a decision to retain the current scheme.
- 9.2 Option 2. Alternatively the committee could support elements of the proposed new scheme for consultation but decide to amend others. This would require a remodelling exercise to understand how any amendments impact on customers and on the Council.

## 10. **Evaluation of Options**

Option 1. If changes are not to be made to the CTS scheme to simplify the scheme and hence contain administrative costs, then collection rates for Council Tax are likely to fall, as more time will be spent on administering the scheme and less time will be available for Council Tax recovery. This will reduce the resources this council and the preceptors will have available to fund services at a time when they are already having to manage difficult budget reductions due to central government funding cuts. There are three other options to consider to meet the funding shortfall:

- (a) Increase the level of Council Tax beyond that assumed in the four-year financial plan
- (b) Use council reserves to fund the scheme
- (c) Make reductions to services over and above the savings already identified in the financial plan

These are not currently recommended options, but for completeness they should be included in the consultation.

- 10.1 Option 2. The recommended option is to consult on the proposed banded scheme for CTS for the reasons set out under section 6 above - the proposed simplified scheme would result in fewer changes for customers as well as limiting the increase in administrative costs for the Council. Under the proposed scheme for consultation 87% of current CTS recipients would either see no change or an increase in their level of CTS.

A comprehensive consultation is planned and the results of this be fed back to this committee for consideration in the autumn.

## 11. **Resource Implications**

- 11.1 The costs of the new scheme in terms of CTS awarded are set out above. If after consultation the scheme is approved, there will be one-off costs for software upgrades and these costs would be reported when the final scheme is proposed for adoption. The cost of developing and implementing the scheme is being contained by Civica within their contract price.

## 12. **Corporate Implications**

- 12.1 Comment from the Section 151 Officer: The s151 Officer has been consulted in the production of this report and has no further comments to make (MD).
- 12.2 Comment from the Solicitor to the Council:

12.3 Comment from the Equalities Officer: This report does not specifically highlight any equality implications however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>. EKS have conducted a Stage 1 Equalities Impact Assessment for the proposed scheme and a copy is attached at Annex 1.

13. **Background Papers**

13.1 Modelling of alternative schemes held by Civica.

14. **Attachments**

14.1 Annex 1 – Equalities Impact Assessment for the CTS

Contact Officer: Mike Davis, Strategic Director of Resources

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## Council Tax Support scheme 2020/21 Consultation Questionnaire – Dover

Number of responses: 233

**Q1. Do you agree with the proposed changes to the CTS set out in this consultation?**

· Yes	114	48.9%
No	43	18.5%
Don't know	72	30.9%
No reply	4	1.7%

**Q2 If you disagree what alternatives or changes to the proposals would you prefer?**

A max of 50% discount. It is not appropriate for more discount to be obtained via this manner.

A system which is fair to everyone - even those who end up paying for other's benefits. To people who are in employment and who pay their fair share of taxes etc, it is annoying when they see that while they struggle with their income and expenditure balance, they are subsidizing people who are on benefit leading a very comfortable life and can still afford the latest iphone, visit nail parlours / tattooists / hairdressers, frequently use takeaways, smoke, drink, have Fathers not contributing to their child's upkeep, claiming disability while still being capable of manual work, claim while doing 'jobs on the side', etc etc. I am sure there are the needy who deserve society's support, but there are an awful lot who screw the system for all they can get and have no intention of financing their own life choices and paying their way.

All pensioners regardless of income should have a 50% discount per household!

As a part time worker and single person I receive only 25% discount , your scheme looks like it is only concerned with unemployment or low paid. As usual these people are the people that benefit the most as these are the people that have the new cars and 50 inch tv's. The increase should be more than 25%

As a widow I think it's unfair to take into consideration any income related legacy, often this is needed to pay debts funeral costs etc

Deal Town Council has discussed the consultation and feel that the scheme as proposed is appropriate in principle. Deal Town Councillors feel strongly that

provision should be made for existing rebate recipients to have no loss or reduction in their discount.

Discount for pensioners, not means tested, whatever the income

Foster carers should be exempt from council tax and this is not even mentioned

I agree with 1,3,4,5 & 6: However not 2 and 7 No 2 is quite drastic and will have big impact in finding the money to pay double. NB: for those over 60 its v. difficult to find new work due to age prejudice. Also in Dover/East Kent there are few job opportunities. Many jobs are not advertised and go to friends and family or arranged via foreign workers agencies who do not recruit the British. No 7 There will be many in start up phase which could last 2 yrs' where they will be earning less than national living wage but trying to make a go of it. Markets are tough and money is tight generally and new business in East Kent will be uphill work for quite some time. This may discourage some from trying to start up a business.

I agree with changes 1 to 6 however not 7. on 7 market is tough and self employed may be trying to start up business and sticking with it but not earning more than national living wage. You should not assume this.

I agree with simplifying the scheme. Income grid is a good idea and simple to administer, however if the main purpose is to save more money from the CTS pot, then I would prefer that all discounts are set to a maximum of 85%, meanings all households would have to pay at least 15% of their bill. This is more in line with the surrounding local authorities. I do not agree with the income being set at 35hrs x national living wage for all self employed applicants. If this were to go ahead, I would suggest a settling in period of 18 months whilst the business is set up, before expecting them to earn 35hours a week in profitable wage. Just because the government do it, doesn't mean we have to!

I agree with some of the changes but not with others. The income grid seems like a good idea as the more you earn the more you can afford to pay. However it does not encourage those who work minimum hours earning less money to work more hours and earn more of their own money. It would be an idea to group together the middle and low earners and cap the discount at say 75%. This way if the low earners were to increase their income of their own back then would not loose out on CTS. They would remain at 75% CTS regardless instead of dropping from 90% to 75%. The proposed scheme holds no incentive which encourages people to work. The only other change I don't really agree with is disregarding carers allowance as income. Although they face a challenging role carers receive a lot of money in benefit to be a carer. This is a fair income and can often be more than who those that work full time earn. I Don't see any reason as to why this should be disregarded.

I agree with the careers allowance side of this but I don't understand about the disabled part are you including dla as an income if you are it's wrong, make the elderly pay as well

I am a care in the community applicant and have a live in career and I really don't understand how this new scheme will work and what the increase will be for my live in career.

I am currently Self-employed and I am trying my best to work more hours and earn extra but at the moment it is not happening. My income is very low, I am behind on my Council Tax payments but I can not get any help towards my Council Tax. I would like to see that Council Tax Support should be available for people if they are self-employed as long as they are showing they are trying to find more work.

I am self employed but not earning the Universal Credits minimum income floor. I'd love to expand my business but I will get no help whatsoever to do this so the alternative seems that I have to give up. Surely it would be fairer if actual income was used for the calculations.

I am self employed, earning below the minimum income floor. Why should I be treated differently to those 'employed' and earning below the minimum income floor. Currently paying full council tax (-25% discount as living alone in owned property)

I disagree with s/emp level of 35 hours I'm s/emp.... This enables me to be working when both my children are at school, I'm home for them in half terms and before and after school, also checking on my elderly mother is essential ; how much more do you expect me to stretch???? You already presume I can work 16hours per week! I cant 52 weeks of the year! No holiday pay, No sick pay No benefit other than paying my way and looking after family. Everyone has different circumstances, stream lining over this will cause more problems to those who already try their best. Thank you for asking my opinion, and there you have it.

I do not understand it for my personal circumstances. It looks to me like my current 90% allowance will reduce dramatically to 25%. There is no way I would be able to afford that. And there is no way I'm going to prison because I can not afford to pay my council tax. If this happens I will kill myself.

I don't agree with this change because there are people who work on minimum wage and are still required to pay the full amount of council tax more so people with families that are already struggling an for the majority of us as a community are very worried about the uncertainty of these new changes how are some people expected to live on very low incomes I believe in my own personal opinion I think helping families with young dependants under the age of 5 should be substantial an begin to question why this system has become so broken an leaving extremely vulnerable people in a very worse of situation. An truly think that families with young dependants single parents are going to suffer more as they may not be in the position to go out to work until that child becomes of age to either start school an that is where some of the problems are going to occur.

I don't disagree or agree, however being a UC claimant I do understand that the recalculation part of it is silly. Having been affected by it for the last year. I would like the council to use which ever proposal is less likely to push my family and myself into further poverty and debt.

I don't really understand it. I get carers allowance so not sure if it will be better for me or worse.

I think people on benefits will be worse off

I work as self employed so I don't have to claim income support and I work to fit around school hours. I work on average 11 hours a week as some weeks and times of the year are quieter or busier. I'm already being penalised by the current system rule that assumes because I am self employed I must be working a minimum of 16 hours. If this goes up to a min of 36 hours I won't get any help at all and may as well not work.

I would advocate (#1) having a CTS support of 90% of the bill, beyond which 20p/£ is payable on 'excess income'. This should also apply for non-dependants (#2), like myself, to pay 20p/£ on 'excess income' beyond the £4p/w minimum currently payable. Any income disregards (#4) should be similar to the legacy system or UC as appropriate. I am happy with (#3), a CTS claim should be included in Universal Credit claims, (#5) for carers allowance and (#6) for disability premiums, regardless of any changes to the CTS scheme. The (#7) MIF from UC should not form part of the CTS scheme, claimants should be assessed based upon actual incomes, not estimates.

I'm a single disabled person living on my own as long as everything is easy to understand it should be ok

I'm between Yes and Don't know, as I like the fact that the new scheme is less complicated easy to understand but don't know how it really affects vulnerable people.

I'm self employed and on very low income but get no help what's so ever. I think self employed people need help

Is section one covering more help for working single parents only? Please include people in my situation who are single parents who find it difficult to work and juggle having to be a carer to a child with disabilities. One of my two children I have had to home school due to current situation with lack of school nhs and correct benefit support. Finding child care is also hard due to our situation. I already struggle financially as it is.

It a big Jump in cost if I'm right 120 to go up to 500 odd I think it's too much .I thought the government change the rules so each council keep the all council tax instead of a percentage were is it all going .but I'm sure u will put it up no matter what

It appears from your single person discount table that anyone earning over around £200 net per week will no longer receive the single person discount on their council tax. There is no explanation for this in your notes and no advantages or drawbacks listed, either, so it is unclear. I don't think single person households who work full time should have any discount withdrawn because they do not use the same level of facilities as a multiple person household. If I have misunderstood your proposal regarding single person households and the level of council tax relief, then can you please clarify this because your grid and explanatory notes are not clear.

It is really hard to understand I am not sure how this will personally affect me and my son?

It's fine as it currently is.

Keep it the same as your changes will put lives at risk as there will be too many mistakes and people won't be able to live

Lone occupants of which I am one will not get the 25% discount, if or one have to do extra hours at work to keep my head above water, this will now give me an additional need for overtime to pay my council tax bill, I don't get any help other than this and feel that because I bring home a wage topped up by overtime, that I wear myself out for, I am being penalised, this will lead to people getting g into more debt or making themselves ill stressing out about how they will pay it.

Making sure lone parents aren't penalised.

Mostly yes but you're still going to penalise disabled people of working age.

My household will lose out as I am single working mum with 4 kids.

No because you still don't help the low earning families , you just want to more money to line your cooperate pockets

No changes.

No one currently on CTS would financially be better off with any of the proposed changes. Make admin changes but don't reduce the discounts available. Simplify, but don't make higher demands.

Q1 does not allow for partial agreement with most of what is proposed. It is also quite a complex set of proposals. Are you implying that these are to be introduced as a package? Review proposal 7 re: self-employed people to take account of zero hours contracts. How many people may be affected by this?

RW GEORGE

Sceptical about the whole self employment universal credit arrangements after a year ie MIF. Hobby self employed is still hard work and maintains skills and gets you interviews. Any figures based on assumptions are unworkable, worrying and demoralising.

The alternatives are so complicated I have no idea. Even getting into the questionnaire was difficult.

The changes proposed still sound complex and still mean some people will fall through the net and be unsupported or worse off. I am a resident, so it is not my job to talk about changes! YOU are supposedly the experts and are paid by public money to come up with fair and appropriate proposals. Also, while I acknowledge finances are a priority, it would nice to think that once in a while Dover District Council were capable of kindness and empathy.

The income base levels are not low enough - a net of £0 per week should get 100% discount.

The income grid is incoherent. If someone currently has ESA or JSA benefit of £73 and their rent of £100 is paid direct to landlord they receive 90% of rent. But I suspect you will attempt to rip of claimants if they are moved onto Universal Credit as this would make the £73 benefit and £100 rent cost I suspect you would illegally and unlawfully say they have a weekly income of £173 when they do NOT, they still only have a weekly income of £73 as £100 of the £173 is rent benefit. You need to ensure the only income part is the actual income of the benefit and does NOT include the rent part so it's not £173 week's income but it is only £73 income and they receive 90% CTS and not as I suspect

45%, see your grid you need to ensure rent benefit payment costs are NOT included in weekly net income when person moves to Universal Credit.

The new grid system may work for some but it increases my payment by too much

The treatment of some self employed people who work really hard but don't always get paid properly or on time is really not helpful, you are assuming they are all earning loads when it is not so easy to get extra business

The trouble is when a person is self employed you never have a static fixed amount of income. This is even more difficult when there is only one person working as you never know what costs are coming your way.

The wording is confusing, the finances are worrying and illegible and when this happens, it usually means that the Council needs more money by any means available. I understand the necessity for more finances but every year Dover loses more and more e.g. children's play areas, funding for schools, dreadful road surfaces, Gateway offices, the list goes on. If all this bunkum means the Council needs more money then just say so without confusion. I have just started with Universal Credit and apart from the application forms being repetitive and badly worded, don't seem to be too bad but it is what happens to the application when DWP, Universal Credit and the Council get around to processing it. The admin cost is more likely to be caused by personnel making mistakes within the system and now you're thinking of changing the system again, good luck with that.

There should be no financial changes for people who currently receive CTS. If you make the new claimants who get Universal credit an easier system then I suppose that would be ok.

This scheme penalises families who are working and does not make clear the impact of future council tax increases for council tax payers who do not receive a subsidy. Furthermore, families who are not working do not seem to be affected and (in my opinion) this will only fuel the cycle of welfare dependence by subsidising low incomes to working families and failing to give an incentive to find work for individuals who already receive a multitude of state benefits.

Those on disability benefit should not have to pay as struggling on universal credit is hard enough to live without the added stress of council tax payments.

What I have just tried to read on my small mobile phone screen, as I do not own a computer and have no one who can help me, is way way way too complicated for me to understand all of this!!!! All I can say, is, like myself, everyone who qualifies for some Council Tax Support, needs to be judged on their own individual situation...

Will put more poor people into poverty do not agree with this new plan

Would like it to stay the same as don't have much income as it is

You should keep to the system you already have, there was a cost incurred when choosing the current system, now there's another cost for households for a 'new' system because of Universal Credit being rolled out across the region. If KCC are short of funds it should be asking central government for assistance, not pressurising more and more households in the region, central government

pushed UC onto people and central government should have the full cost of doing so.

**Q3 Do you think we should choose any of the following options rather than the proposed changes to the scheme?**

**Please select one answer for each source of funding.**

	<b>Yes</b>	<b>No</b>	<b>Don't know</b>	<b>No reply</b>
Increase the level of Council Tax to cover the additional administration costs	15	162	31	25
	6.4%	69.5%	13.3%	10.7%
Find the additional administration costs by cutting other council services	46	123	45	19
	19.7%	52.8%	19.3%	8.2%

**Q4 If you think there should be cuts to other council services, which services should that be?**

Additional admin costs should be absorbed otherwise let's see reductions in staff at the library for example (when I visit there it seems to have a generous amount of staff with little to do). Put parking charges on the car park at the council office this might produce funding at the same time may encourage staff to use public transport.

Administration costs

Anything not required

Ask for more money from Central Government or take it off those who CAN afford to pay! Hard working people and Disabled who CANNOT work should NOT be hit again!

Can't say as don't know enough about them

Cap the wage bills

Complex administration services such as setting up this questionnaire

Council office staff who persist in sending the same letter in one day to the said person more than once at the same time cutting cost plus make letter more easily to understand

Councillors allowances and trips

Councillors wages. Paid to much. That money could be spent else where. They don't need anymore than national minimum living wage like the rest of us.

Cuts to revenue spent in Dover with monies reallocated to Sandwich Area

Do not know.

Far too much is spent by DDC, paying the salaries of the top 10 executives, cut down on the amount of senior management.

From other areas a lot of money is wasted

Give households the opportunity to take their household rubbish & waste - with the exception of food waste to the disposal sites & be awarded a discount for doing so. Current waste services trucks & operatives cause waste & general litter on a collection day. By house-holders doing it it will be far neater & tidier than it currently is.

Giving money to help illegal immigrants while failing to help those who have paid the council tax

Here's an Idea, why not put all the non working migrants into employment with DDC, using them to maintain roads, parks, public areas, schools etc. Do not tell me that you cannot implement such a scheme because DWP are constantly pushing for British people to find employment which I think is Racist against the indigenous population of this country. Migrants should pay for what they use, I have to so what's the difference. I have seen prof of a Migrant receiving £590 a WEEK with NO rent or TAX. The administration cost of processing all these migrants with an Interpreter must have a high cost so give them employment, it works in Australia. Once our country is full to capacity, what happens then.

I could not live independently if things changed.

I don't know but a little on each would be better than all on one

I have read and understand you need to cover admin costs please if you do increase tax do so to the wealthy and not the poor. I know a lot of cuts have already been made. What other council services could be cut should be considered.

I really don't think that DDC should be asking us (the DDC 'Constituents') such important things like this I am completely confused, so I can NOT give you my opinions!!! What I can say though, is that like all Councils, DDC are very cash strapped, so it's totally fair to expect DDC to keep all their out goings to a minimum BUT hopefully NOT affect those in society who are vulnerable, like myself - who really need financial assistance I am widowed, physically Registered disabled and very poorly with physical and mental health problems So, PLEASE do not stop helping people like me! I try to 'survive' on Disability Benefits BUT completely rely on my Council Tax Support relief So, whatever 'you' have to do, PLEASE don't make cuts to those who REALLY need help Thank You (in hope)

I think all elected councillors should not be paid allowances has this cost thousand of pounds which could go to help cover cost

I think services such as shorter opening times of libraries and other council buildings would benefit and release more funds.

I think there are plenty of funds available, it is liquid gold that is scooped off before it gets to any services! There seem to be little accountability.

I think there should be greater efficiency in the running of the current council services. For example, if work practices used within the private sector were implemented - particularly with the procurement process, then money could be

saved. Suppliers could be benchmarked to ensure best value for money and, if not already done so, there could be closer collaboration with other local authorities to obtain economies of scale on goods and services.

I understand that you need to find the money from somewhere but I don't know how or where the relevant required money can or should come from.

I would rather pay a little bit more council tax than having less quality services for essentials eg; rubbish collection, public environment.....

If you would LOWER the cost of parking in many areas more people would park for LONGER and less illegally therefore reducing the amount of supervision needed to combat illegal parking and more money for you in the long run

Immigration housing costs and benefits are unfairly high in Dover as it's the port of entry. Start to think outside the norm to raise income as a council. One example would be fine all the lorries that park in the lay-bys along the A2/M20 corridor. Because their drivers hours have expired. Get rid of parking charges encourage more commerce in Dover. Let out the empty buildings rate free to encourage start ups .... the list goes on

Immigration illegal in Channel

Its not our fault you have introduced an unworkably complicated system.

Less money to local councils for events. Local councillors buy champagne at their meetings.

Libraries (Including mobile libraries) , Parks and Gardens, Social Care, Education, Councillor Expense Allowances, Public Toilets.

N/A

NA

No cuts - just pay to those who actually deserve this support and make savings by stopping payment to those who don't

No cuts, just don't give out as much in CTS, make the cap lower

No cuts.

No floral displays in public garden spaces. No street decorations in summer and winter.

No services should be cut because they are at an all time low as it is.

Overpaid, excessive number of councillors claiming excessive expenses

Police

Removal of public toilets - many people abuse facilities or introduce paid public toilets to help pay towards maintenance (Eastbourne as an example). Introduce more residential parking in roads around the town centre/pay per hour.

Road sweepers as my road is never done. Transport planning Libraries Highways

Road sweeping appears to be useless and could be removed. The sweepers usually cannot get to the kerbs due to parked cars. As a homeowner I am happy to keep my frontage clear as and when I can access it and I suggest other

residents could spend a few minutes a month clearing their kerbs if they want to keep their area tidy. At the moment a lot of streets have grass growing in the kerbs which is evidence that the formal road sweeping is not working.

Services are already limited in the dover area. Cuts would make things worse.

Services are already not meeting the needs of the area

Shut the public toilets and sell them off.

Social housing, subsidised services etc.

Stop charging residents the interest on the loans you took out LOBO we never asked for and never took out .. want , my money back . stop using council tax to fund your golden pensions ... we are on to you .

Stop paying the council leaders so much money!! It's disgusting the amount they get paid!

Stop wasting monies on corporate lunches and dining.

Street lighting

The council has a duty to the people of Dover district, not to people being sent down here by London boroughs and not people arriving illegally from France. Just one minor costs £70,000 pa in fostering fees etc. I never hear Dover Council tell us how much the new arrivals cost us. Stop looking after people not originating from Kent and save millions £.

The money that goes to mps, expenses, police chief, plus drop your business rents so people will actually fill up the empty shops and pay into the system

The Payments to council staff notably at the most senior levels has been generous year on year with pension payments maintained or increased. This seems unfair and ridiculous in an area of low employment and low skilled opportunities. If you can't improve the area for ALL then pay should not be increased nor pensions. Council workers should be motivated better to work productively on improving the services and the area for less. Negotiate better with providers. Too much is wasted on bad deals. Give me a paying job at senior level and I will show you.

Top heavy wages, people over the 150,000 mark

You will be paying less CTS so you don't need to make cuts

**Q5 If you have any further comments or questions to make regarding the CTS scheme that you haven't had an opportunity to raise elsewhere, please use the space below.**

As a 64 year old, disabled, widow...not much of the proposed change will affect me? However, anything that makes the system easier to understand would be welcome. I can't imagine how some families work out what the can/can't claim - even with the new proposals.

As an average person we don't know enough to comment

As an OAP who is relatively well off I believe that the older and wealthier members of our community who can often afford expensive holidays abroad

and pass on their estates to their off-spring can well be expected to contribute a little more for the good of the younger generations. This will be hard to sell and will need to be means tested, not just worked from the rateable value of their home. Many old people want to live in their homes to the end and are asset rich but cash poor. Also they will need to be promised something for future redemption, possibly help with care in old age, etc. Collect in the money now on the promise of future assistance. The old adage of not killing the golden goose.

As I'm a claimant with 1 grown up son who contributes and a severely disabled daughter who I care for I'm not quite sure with the way things have been set out how the new system would effect us

Been a carer is hard and what little money we are able to get through carers allowance is taken into consideration where council tax, housing benefit and universal credits are concerned. This made things harder for those unable to work on top. I think you not taking this into consideration will massively help those in this circumstance as some have no choice but to become carers which is not an easy job. So reducing stress like money issues will help greatly. Also maybe stop threatening court action from payment been few days late as money may be paid later than can be given.

Can't comment as I am not knowledgeable enough as I am happy for the council to make these decisions on my behalf

Carefully adhere to my comments of NOT including the rent element payment on universal credit, only the actual benefit so £73 universal credit and £100 rent = £173 but it's NOT £173 it's only £73 as now the rent is not included in calculation.

Change 1 looks the fairest to me

Change 1 would be a huge hit to me. I am on EESA and currently get 90% discount but new change would reduce that 45% and cost me £891.15 a year!! A huge increase from the £120 pa in paying now. No incentive for anyone on low pay to earn more money. No one gains financially - everyone will be paying more - apart from asylum seekers and other new arrivals.

Didn't the council tax used to be claimed with the rent rebate before Universal Credit was introduced.

Each case needs to be looked at carefully and consideration given to people who cannot work because of medical reasons. Some people can't help being on a benefit, some people have worked all their lives and only now do they need to apply for some help when they need it. You spend your life working and contributing but when you need some help its really hard to get that assistance.

Foster carers should be exempt from paying council tax

hope all migrants have to pay council tax and not keep living of all of us that have to pay

I agree in most part with the changes but am concerned that as a single parent working 16 hours with 3 children I could be worse off how does this work if 2 of my children are twins? my children's ages are 3 (twins boy girl) and a 6 yr old girl. it seems unfair to be 'capped' at 2 children like UC when they were born

before these new rules you want to apply and even before the UC credit rules. please can I have more of an explanation or will there be an issue were these circumstances are looked at? I would appreciate a personal response to the matter of multiple births to this 2 children issue my email is [alscott86@googlemail.com](mailto:alscott86@googlemail.com)

I already find it distasteful that the council have actively pressured UC claimants to accumulate an advancement of one months rent in case of problems with their claim in the future that may affect their ability to pay their rent on time, so to add your proposed nonsense to supposedly make the system easier and fairer to understand BECAUSE of UC is a joke, KCC is responsible for losing tens of millions of pounds yet always calls on the hard pressed to balance the books.

I am available to hire if you would like to hear anymore of my ideas .....

I am delighted you are disregarding carer's allowance. I have always felt it extremely unfair that it was taken into regard

I apologise for not being able to look at this questionnaire sooner - I received the letter about 12 days ago I don't own a computer, so reading everything (and trying to understand it all - which I can't!) and then having to type my answers, using my small mobile phone screen IS extremely difficult I know you can send out a paper version, but I can't get out to a Post Box easily, to send it back! I'm in the middle of trying to Sell my house + since receiving your letter, I've had the BIG tasks of renewing my disabled Blue Badge AND attending my ESA Benefit Assessment in Canterbury And, due to my very poor health, all these things AND this questionnaire, are all NOT easy for me to tackle... (+ I have no one to help me) It was extremely difficult finding this questionnaire also! I had to call DDC in the end! And even then, the very helpful lady gave me the wrong information! Luckily, she called me back - and I've tried my best to tackle this - BUT it's too complicated - sorry (10/09/19)

I can't see any problem with the current system. I claim benefits because I am too unwell to work, therefore my income is severely limited and any help I can get with day to day expenses is more than welcome and I can't see why the process of working out my payments should be problematic. Just another job for someone setting up another complicated system?

I do not find the current scheme complicated.

I don't think child benefit should be included in your weekly earnings ,because as the name suggests it should be spent on the child for clothes, food etc not on council tax.

I feel that the Council penalises the low income working families regardless how many hours they work. They expect to work 35 or more hours with a minimum wage. That doesn't happen in the real world.....

I fully support making it easier but I do not want to be worse off because of it or messed about.

I guarantee if you make changes then you will be responsible for deaths as people struggle now and couldn't afford to wait 6-8 weeks if there is a mistake

I really don't understand what these changes mean for me as although I am of working age I am disabled and will not be fit to work again. I didn't see anything in these proposals that cover this. Will my benefits stay the same or will I be further penalised for being disabled.

I really need it explained better. I'm a full time carer for my son but also help my parents as both are getting older and have illness where they need help so I need to be Available 24/7. Will I have to pay more if the new s home comes I

I think for single people and low income families this is going to help them I watch my mum at times struggle as she is now on her own after my dad passed away and she has a lovely house in Whitfield but pays a lot out in council tax but has a low income and at her age she should be slowing down but is having to work full time and do over time just to live and pay her bills so I know this would really help her out

I think it could work well and obviously easier for everyone to understand, so good on whoever devised the changes

I think making people aware very clearly that there is a hardship fund and how apply. And maybe raising the amount a person can apply for (and pay back less if this is applicable) depending on their situation. I am concerned about the part where there is a standard payment for a non dependant adult, like an adult offspring. If the adult offspring had a disability this could mean they are unable to contribute anything, or very little, to the household. This must be taken into consideration. Possibly if they are disabled that the standard is not included, or changeable in amount? Or the spiral of poverty would be very serious in cases.

I think that this new Tax system is a massive get out of jail free card for DDC, it looks complex, confusing with hidden agendas, so, when it all goes wrong you can say well it's your own fault because you voted for it. We didn't get a vote for Universal Credit and people lost there homes, with broken families, it was even on the news about the catastrophic financial effect on British families because of the incompetence of a few people without any indigenous humanitarian understanding. Do I really think that common people like me will have an input on something so fragile as Council Tax, really you shouldn't be asking the general public unless you regard my view as more professional and unbiased than your own, anyway you will do what ever you want weather we like or not.

I think what is being proposed is the right course of action. What I totally disagree with is your assertion in the opening explanation that it has to be complex to be fair. This is of course utter nonsense as anyone who has worked in business will tell you. If one wants one's business to grow and prosper, imagine telling one's clients yes, sorry, my pricing strategy is complex but it has to be complex to be fair. Don't think so.

I would like to see a simplification of CTS statements. They currently include the amount of support, but should also include the amounts payable and the total bill. The support scheme should also work according to a claimants payment frequency. Some claimants are paid weekly or fortnightly, in the case of UC it's monthly. A claimant should receive their statement at the same time as their payment, so they can see how much they are required to pay every month. To resolve the issue of fluctuating bills, the council should ignore

income increases below a certain threshold (e.g. £25pw). This is similar to the rules for WTC.

If UC is equated with a job we all need training days like the staff who still get it wrong. I had to change my rent date and am now paying extra pro rata which is leaving me short for a few months. We are not told what we may get and advised to budget accordingly when we go on it. We have to pretend we have money for the month which we used for the last month according the UC statements. I also had to fight against a penalty charge for the dentist which was poor dentistry anyway (chipped already) because the form does not say last complete assessment period and the criteria could actually be put on there not go to www... I worry about anything being matched to UC.

Increasing the council effects public sector workers like me and my wife. We are nhs and have a combined wage of £60k, it make sound good but after tax, pension, childcare and usual living costs we just stay afloat. Increasing our council tax is unreasonable as we already get taxed to the hilt to support welfare, we both strongly support welfare but it is in the middle that get hit the hardest. Should DDC cut services? I think austerity has cut too many services already and DDC like the NHS has made tremendous cuts but also managed to maintain good services. DDC is often criticised as a council but we see an innovative council that performs well considering the local economic issues. This scheme will support people struggling, ease the process for the disabled, this is a considerate scheme and demonstrates a real social conscience. Could the increases required to accommodate the plans be taken from high earners, big business? council tax payers could all pay slightly more. Thanks

It is good that the carers allowance will be disregarded.

It is jolly good you are considering helping the carers with the proposal to disregard their carers allowance. Hope you are able implement this!

It is very unfair and punitive on the genuine self-employed.

It seems very unfair to penalise single people who work full time by removing the single person's discount for those who earn above your cut off point, but still below average earnings. Some of us have to spend so many hours commuting and working that we rarely spend any time at home to be able to avail ourselves of some of the council services you offer - e.g. libraries because we're never at home when they're open.

Make the elderly start paying why should they get everything free. What about the disabled they don't ask to be disabled and unable to work yet you give it to them and make them suffer

Making further cuts to other council services which are already under strain is not the answer. making things simpler but ensuring the support scheme benefits reach the right people should in itself mean admin cost savings can be used to support the scheme itself and maybe even the other council tax services. I would fully support any changes that makes life simpler for the claimants.

N?A

No comments and questions.

Pay less for those who don't work but leave the ones who can't work alone. Take into account that people have higher travel cost to work as bus and train fares are constantly going up also fuel prices and parking are so high. I pay to use the Park and ride, am also taxed to drive my car, taxed on my fuel. Etc.

People with an income of £0 - £82.10 should NOT have to pay any Council Tax. The discount level should be 100% not 90%.

Reduce the levels of expensive 'management' within the council administration & with the savings employ more direct labour to carry out work in the community & then get rid of the contractors/sub contractors. A major regime change & management structure is needed. With SERVICE to the community being the main aim - not profiteering by contractors!!

The new scheme looks like a fairer and easier to understand change to council tax, my only worry would be people on lower wages could be worse off?

The people in charge should not have any pay increase and no bonuses. Introduce part time working for the administration departments and job share. This would get more people who have limited time back into part time work.

The proposed scheme would mean that as a single disabled person my council tax benefit discount entitlement would decrease by around 30% meaning I would have to pay an extra £30 a month. This is unacceptable. As a disabled person I already struggle to pay bills and rent. This would make my financial situation much more difficult and even put my life in danger during the winter months due to substituting heating bills for council tax payments. I have a chronic lung condition and this would poorly affect my quality of life. I am appalled by this proposed scheme and Sincerely hope it does not come to fruition.

The system should be aligned with universal credit, that makes sense to me. However, what you are proposing is complicated, although you have explained clearly how it should work.

The whole of DDC allocation of funds is heavily weighted towards Dover !!!!

There should not be cuts to other services or changes to this scheme until the council can prove no one will lose out. I do not believe your wording "will become more expensive to run". Why? Where is your evidence to prove the current scheme is more expensive to run? If it's an expensive way of running the scheme why are you only suggesting changes now? You also contradict yourselves, you claim at the beginning of your background notes that it isn't about funding or reducing the amount spent on the scheme but then proceed to mention every couple of lines, that either the current scheme is too expensive or the proposed changes will save money! Either you are spending the same or you are not. Be honest. Either you support residents are you don't. Once again I underline the fact that it is the Council's duty to prove their case and come up with proposals that work and are in budget. Some of your employees are paid fortunes of money to be the experts in finance and budgeting.

to be honest I find it all really complicated as do most people but if what you are proposing is easier then I think that will be better

Try to use less paper and send out fewer letters, that would save money.

unsure how this will affect someone with learning disability on income support allowance and disabled living allowance

What about part-time workers? Will the 16 hours per week still apply? The self employed rule makes no provision for holidays (those employed by companies receive paid holiday, some up to five weeks). As it stands the ruling assumes a self-employed person works 52 weeks a year!

Would be good to see how the claimants application form would look . For example are the forms difficult to fill in , to make a claim.

you also need to disclose where the money goes in the large portion of a council tax. ie - my bill shows small amount to local but over £ 900 to central council . undisclosed funds ...

You can't simply raise taxes anymore to raise funds. People only have a certain amount of money. There has to be a limit. I am on low income anyway and find that with relying on benefits finding the shortfall a struggle. Also being basically housebound I find I do not use a lot of services I am contributing to. Contact is a problem. I have no internet or telephone and rely on post. I find that assuming everyone has internet access very frustrating.

**Q6 Are you, or someone in your household, receiving CTS at this time?**

· Yes	140	60.1%
No	67	28.8%
Don't know/Not sure	15	6.4%
No reply	11	4.7%

**Q7 What is your sex?**

· Male	93	39.9%
Female	116	49.8%
Prefer not to say	14	6.0%
No reply	10	4.3%

**Q8 Age**

· 18-24	3	1.3%
25-34	20	8.6%
35-44	31	13.3%
45-54	51	21.9%
55-64	85	36.5%
65-74	22	9.4%
75-84	3	1.3%
85+	-	-
Prefer not to say	8	3.4%
No reply	10	4.3%

**Q9 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?**

· Yes	94	40.3%
No	108	46.4%
Don't know/Not sure	4	1.7%
Prefer not to say	16	6.9%
No reply	11	4.7%

**Q10 Ethnic Origin: What is your ethnic group?**

· Prefer not to say	19	8.2%
British	194	83.3%
Irish	-	-
Gypsy or Irish Traveller	-	-
Any other White background	6	2.6%
White & Black African	-	-
White & Black Caribbean	-	-
White & Asian	-	-
Any other multi mixed background	2	0.9%
Pakistani	-	-

Indian	-	-
Bangladeshi	1	0.4%
Chinese	-	-
Any other Asian background	2	0.9%
African	1	0.4%
Caribbean	-	-
Any other Black background	-	-
Arab	-	-
Other – please specify below:	-	-
No reply	8	3.4%

## DDC Equalities Impact Assessment - Stage 1 - CTS scheme 2020-21

<b>Date of initial assessment</b>	28/06/2019
<b>Proposal to be assessed</b>	The Council Tax Support scheme for 2020-21
<b>New or existing policy or function?</b>	Existing
<b>External (i.e. public-facing) or internal?</b>	External
<b>Statutory or non-statutory?</b>	Statutory
<b>Your name</b>	Mark Gillmore
<b>Your job title</b>	Revenues & Benefits Manager
<b>Your contact telephone number</b>	01227 862389
<b>Decision maker</b> (e.g. Full Council, Community Committee, Management Team etc.)	Full Council
<b>Estimated proposal deadline</b>	31/03/2020

<p><b>Please outline your proposal, including:</b></p> <ul style="list-style-type: none"> <li>● Aims and objectives</li> <li>● Key actions</li> <li>● Expected outcomes</li> <li>● Who will be affected and how</li> <li>● How many people will be affected</li> </ul>	<p><b>The Aims, Objectives and Expected Outcomes:</b></p> <p>Since 1st April 2013, the Council has maintained a local Council Tax Support scheme (CTS). This replaced the national Council Tax Benefit scheme, which ended on 31st March 2013. Council Tax Support helps provide support to Council Tax payers who have a low income. It supports the taxpayers by providing a reduction in the actual amount of Council Tax payable.</p> <p>The Council has the ability to determine the level of support given to working age applicants only. The scheme for pension age applicants is determined by Central Government and therefore the ability of the Council to vary that part of the scheme is limited and can only enhance the national scheme in any event.</p> <p>When Council Tax Support was first introduced, Central Government provided a specified level of grant, which was approximately 10% lower than the amounts previously given (pre 1st April 2013).</p>
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This has now been replaced by a general duty to provide a scheme and funding is not separately identified within the grants given to the Council.

After the original consultation, the Council decided to introduce a Council Tax Reduction scheme that differed from the original Council Tax Benefit in that instead of granting a maximum level of support of 100% it would limit the maximum support to 95%. In April 2017 (the current scheme) the maximum level of support was limited to 90%.

**The Proposed Scheme for 2020/21**

It has now been decided by the Council that a full review should be undertaken as to the effectiveness of the current Council Tax Support scheme and a public consultation will be undertaken to gather views as to whether the current scheme should be changed.

The Council is minded to make changes the working age scheme to ensure that it is fit for purpose with the challenges and financial burdens that UC brings to the ongoing administration of CTS. We currently have a tapered scheme which means that any change (however small) in a claimant's income causes their entitlement to change and the Council Tax bill to be recalculated. There is a need to have a scheme that deals with UC in a fairer and more efficient way.

These pressures will only increase once the UC roll-out accelerates with the managed migration of claimants on legacy benefits (currently due to complete by December 2023).

An income banded scheme replaces benefit withdrawal tapers with a series of plateaus and cliff-edges. This means that variations in earnings that do not cause the claimant to cross an income band can be ignored, reducing administration. Across the LAs that have or are intending to adopt this type of scheme there is no universal approach or agreed set of figures. We are proposing to adopt five income bands for four household types and to set our figures as generous as possible within financial requirements of a cost-neutral scheme.

	<p>As a result the figures in our income bands are set at National Living Wage (NLW) rates with an additional 20% premium for each figure. The income bands are in a 4x5 grid and awards are set at a maximum 90% down to a minimum 30% at 15% intervals (90, 75, 60, 45, 30).</p> <p><i>It should be noted that the changes, if made, would only apply to the working age scheme although the consultation will be open to all Council Tax payers.</i></p> <p>The main proposals of the scheme are detailed in the committee report. Any changes if adopted will be effective from 1st April 2020.</p>
<p><b>What relevant data or information is currently available about the customers who may use this service or could be affected?</b> Please give details; for example “x% of customers are female” or “x% of customers are aged over 60”</p>	<p><b>Scope of the Equality Impact Assessment</b></p> <p>It should be noted that Pensioners will continue to be protected under the rules prescribed by Central Government. These broadly replicate the Council Tax Benefit scheme, which existed prior to 1st April 2013.</p> <p>Central Government has not been prescriptive in how it does this but points to the Council’s existing responsibilities including the Child Poverty Act 2010, the Disabled Person Act 1986 and the Housing Act 1996 as well as the public sector equality duty in section 149 of the Equality Act 2010.</p> <p>Decision-makers are reminded of the requirement under the Public Sector Equality Duty (s149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups.</p> <p><i>Pension age claimants have not been included in the analysis as they are protected.</i></p>

	<p><b>Disability and Carer Characteristics</b> By disregarding some incomes and replacing disability premiums to 100% for people with disabilities and carers results in their entitlement to Council Tax Support being protected or increased.</p> <p><b>Sex and Age Characteristics</b> Eligibility for Council Tax Support is not based on a person's sex or age.</p> <p>We do not collect information about the following characteristics from claimants as it is not relevant to the calculation of council tax reductions:</p> <ul style="list-style-type: none"> <li>• Religion or belief</li> <li>• Sexual orientation</li> <li>• Gender reassignment</li> <li>• Marital or civil partnership status</li> <li>• Pregnancy or maternity</li> </ul> <p>We anticipate a neutral impact on these protected characteristics.</p>
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<b>Is the decision relevant to the aims of the Public Sector Equality Duty, which are listed below?</b>		
Guidance on the aims can be found in the EHRC's <a href="#">PSED Technical Guidance</a>		
Aim	Yes/No	Explanation
<b>Eliminate discrimination, harassment and victimisation</b>	No	
<b>Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it</b>	No	
<b>Foster good relations between persons who share a relevant protected characteristic and persons who do not share it</b>	No	

**Assess the relevance of the proposal to people with different protected characteristics, and assess the impact of the proposal on people with different protected characteristics.**

Your explanation should make it clear who the assessment applies to within each protected characteristic. For example, a proposal may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Relevance to proposal <b>High/Medium/Low/None</b>	Impact of proposal <b>Positive/Neutral/Negative</b>	Explanation
<b>Age</b>	Low	Neutral	This proposal affects those of working age only
<b>Disability</b>	Medium	Positive	By disregarding some incomes and replacing disability premiums to 100% for people with disabilities and carers results in their entitlement to Council Tax Support being protected or increased
<b>Gender reassignment</b>	None	Neutral	
<b>Sex</b>	None	Neutral	
<b>Marriage/ civil partnership</b>	None	Neutral	
<b>Pregnancy and maternity</b>	None	Neutral	
<b>Race</b>	None	Neutral	
<b>Religion or belief</b>	None	Neutral	
<b>Sexual orientation</b>	None	Neutral	
<b>Other groups:</b> for example – low income/ people living in rural	Medium	Positive	By disregarding some incomes and replacing disability premiums to 100% for people

<p>areas/ single parents/ carers and the cared for/ past offenders/ long-term unemployed/ housebound/ history of domestic abuse/ people who don't speak English as a first language/ People without computer access etc.</p>			<p>with disabilities and carers results in their entitlement to Council Tax Support being protected or increased. Please note that the new scheme may disadvantage some claimants with more than two children. None of the details that form this proposal directly or specifically target or solely affect any one of the protected characteristics or any other identifiable groups.</p>
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<p><b>Are you going to make any changes to your proposal as a result of these findings, in order to mitigate any potential negative impacts identified?</b> If yes, what are they? If no, why not?</p>	<p><b>Actions to mitigate any identified impacts</b> Claimants negatively affected by the changes will be eligible to apply for the Council's Exceptional Hardship Payment fund (EHP) which was introduced in April 2017 and is money allocated specifically to support those who have been affected by changes to CTS schemes. The design of the Exceptional Hardship Payment fund is that it will allow any claimant to apply for additional support. It will examine their overall circumstances; examine both income and expenditure with a view to determining whether exceptional hardship exists. Under the scheme, claimants will potentially be able to receive additional support up to the full level of their Council Tax.</p>
<p><b>Is there any potential negative impact which cannot be minimised or removed? If so, can it be justified?</b> (for example, on the grounds of promoting equality of opportunity for another protected characteristic)</p>	<p>It will affect those with protected characteristics as well as those without. Whilst negative impacts can be minimised or removed with the Exceptional Hardship Payment fund, the funding will be finite and therefore will not be able to mitigate negative impacts for all those affected. It can be justified as those most affected will have support available and people will be affected irrespective of whether or not they have protected characteristics.</p>

**What additional information would increase your understanding about the potential impact?**

The necessary information is available and will be analysed thoroughly to ensure that the potential impacts of this proposal are fully understood and communicated. None of the details that form this proposal directly or specifically target or solely affect any one of the protected characteristics.

## **DDC EIA Stage 2 - CTS scheme 2020-21**

**Name of Policy/Strategy/Service/Function Proposal:** The Council Tax Reduction Scheme for 2020/21

**Date of second stage assessment:** 31/10/2019

### **The Aims, Objectives and Expected Outcomes:**

Council Tax Reduction (referred to locally as Council Tax Support (CTS)) is a means tested, locally defined Council Tax discount and replaced Council Tax Benefit in April 2013. The current Dover District Council scheme closely mirrors the former Council Tax Benefit and is administered in a similar way (and often at the same time) as an award of Housing Benefit.

Whilst CTS is a local discount, the rules around pension age customers are nationally defined and the local authority has no discretion to vary that element of the scheme. However the scheme for working age customers is not nationally defined and each local authority has full discretion over the design of its scheme. This means that where there is a need to change the scheme, that change can only affect working age recipients.

### **Changes since 2013**

Since the introduction of Council Tax Reduction, the overall scheme adopted by the Council has remained broadly the same; primarily introducing a minimum payment for all claimants of working age, with only applicable amounts and non-dependant charges being uprated as well as minor changes being made to mirror changes to Housing Benefit and Universal Credit.

### **The Proposed Scheme for 2020/21**

It has now been decided by the Council that a full review should be undertaken as to the effectiveness of the current Council Tax Reduction scheme and a public consultation has been undertaken to gather views as to whether the current scheme should be changed. A summary of the results of the consultation are provided separately.

There is a need to review our CTS scheme to assess whether it is fit for purpose with the challenges and financial burdens that Universal Credit (UC) brings to the ongoing administration of CTS. We currently have a tapered scheme, which means that any change, however small, in a

claimant's income causes their entitlement to change and the Council Tax bill to be recalculated. There is a need to have a scheme that deals with UC in a fairer and more efficient way.

These pressures will only increase once the UC roll-out accelerates with the managed migration of claimants on legacy benefits (currently due to complete nationally by December 2023).

***It should be noted that the changes, if made, would only apply to the working age scheme.***

**The proposed changes to the scheme are as follows. Any changes if adopted will be effective from 1st April 2020:**

1. introducing an income 'grid' scheme for all working age applicants replacing the current means tested approach which was based on the previous Council Tax Benefit scheme. The grid will be limited to a maximum of two dependants.
2. Introducing a standard non-dependant deduction of £10 per week. This means that some households with an adult other than a partner (such as an adult son or daughter) will have £10 per week deducted from the amount of help they receive. Currently the amount deducted varies, with some deductions higher than £10 per week and others lower.
3. Changing the claiming process for all applicants who receive Universal Credit.
4. Removing the current earnings disregards and replacing them with a standard disregard of £25 a week. Earnings disregards are an amount of money that are not counted when working out the amount of help households receive. Currently this amount of money varies, with some lower than £25 a week and others higher.
5. Disregarding Carer's Allowance which is currently taken into account as income.
6. Replacing any lost disability premiums in the current scheme with an equivalent income allowance.
7. Setting a minimum income floor for all self-employed applicants at 35 hours per week multiplied by the National Living Wage to fully align with Universal Credit.

The Council also consulted on whether they should maintain the current scheme for working age applicants or whether it should consider the following alternatives: continuing with the current scheme, reducing funding to other council services to pay for extra running costs, using the council's reserves to keep the current scheme.

### **Scope of the Equality Impact Assessment**

The following identifies the potential impact on claimants and particular groups of claimants. It should be noted that Pensioners will continue to be protected under the rules prescribed by Central Government. These broadly replicate Council Tax Benefit scheme, which existed prior to 1st April 2013.

Central Government has not been prescriptive in how it does this but points to the Council's existing responsibilities including the Child Poverty Act 2010, the Disabled Person Act 1986 and the Housing Act 1996 as well as the public sector equality duty in section 149 of the Equality Act 2010.

Decision-makers are reminded of the requirement under the Public Sector Equality Duty (s149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. Pension age claimants have not been included in the analysis as they are protected.

Data has been analysed for those protected characteristics where we hold data: disability, carers, children The review has found that:

- 47% of claimants have a disability.
- 17% of claimants have a carer in the household.
- 36% of claimants have two children or less in the household.
- 13% of claimants have more than two children in the household.

### **Disability and Carer Characteristics**

Disregarding Carer's Allowance and replacing disability premiums to 100% for people with disabilities and carers results in their entitlement to Council Tax Support being protected or increased.

### **Sex and Age Characteristics**

- Eligibility for Council Tax Support is not based on a person's sex or age. This proposal affects those of working age only.

*We do not collect information about the following characteristics from claimants as it is not relevant to the calculation of council tax reductions:*

- Religion or belief
- Sexual orientation
- Gender reassignment
- Marital or civil partnership status
- Pregnancy or maternity\*

\*We anticipate a neutral impact on these protected characteristics. The exception to this is that claimants within the 'Pregnancy or maternity' grouping may be impacted by the limiting of support to two children if the addition(s) to the household result in there being more than two children in the household. The impact is neutral rather than negative because this group will not experience a reduction in their existing benefit as a result of any additional children, they will not receive additional support that they would do if the scheme did not change. Please refer to the separate 'Two child policy justification' document for further details about the reasoning behind this change.

### **Actions to mitigate any identified impacts**

The Council has an Exceptional Hardship Policy to assist persons who have applied for Council Tax Support and who are facing 'exceptional hardship'. This is to provide a further financial contribution where an applicant is in receipt of Council Tax Support but the level of support being paid by the Council does not meet their full Council Tax liability. We recognise the importance of protecting our most vulnerable customers. This policy is to ensure that we protect and support those most in need. The Exceptional Hardship Fund is intended to help in cases of exceptional financial hardship.

### **Current Council Tax Support caseload overview 2019**

<b>Working Age</b>	All Claimants	Disability	No Disability	Carer	Non Carer	More than two children	Two children or less	No children
Number of claimants	5,448	2,539	2,909	943	4,505	718	1,947	2,783
Proportion of claimants	100%	47%	53%	17%	83%	13%	36%	51%

## Two-child policy in Council Tax Support scheme

### Purpose

This document seeks to explain the proposal to apply a two-child limit within the council's Council Tax Support (CTS) scheme from 1 April 2020.

### Background

The council is seeking to redesign the existing CTS scheme. Various measures are being proposed and have been consulted upon. One of these measures is to apply a limit on the number of children that will be 'paid for' within the scheme. Currently, all children are effectively 'paid for' within the scheme.

### What is being proposed?

The proposed CTS scheme will be fundamentally different from the existing scheme. The existing scheme operates in a very similar way to how the previous Council Tax Benefit (CTB) scheme worked – via a series of allowances, and premiums, which created the claimant's 'Applicable Amount'. From this income was deducted (subject to various disregarded amounts), and then a 'taper' applied to the difference, which resulted in the claimant's weekly CTS entitlement. Each child attracted an additional allowance.

The proposed CTS scheme applies a limit on the number of children for which an allowance is made. This limit will not be applied by a direct removal of an amount for each child, rather the limit is applied by setting a maximum 'allowable income' which then dictates how much CTS a person can receive. The maximum allowable income is set via a table of amounts, where those amounts 'end' at families with two children. It therefore follows that any families with three or more children do not receive a higher 'allowable income'.

### Why is this 'limit' being proposed?

What has become known as the Two-Child Policy was among a package of welfare reforms announced at the July 2015 Budget. From April 2017 support provided to families through tax credits, Housing Benefit, or Universal Credit (UC) has been limited to two children. It was argued that this policy would put claimants in the same position as working households when considering the financial costs of having another child. In the July 2015 Budget (para 1.145) it was stated that:

On top of Child Benefit for every child, an out of work family with 5 children can currently claim over £14,000 a year in tax credits alone. The government believes that those in receipt of tax credits should face the same financial choices about having children as those supporting themselves in work'.

The proposed CTS scheme is being simplified, and in some aspects aligned to Universal Credit (UC). As stated above, within UC a two-child limit already applies.

### What is the justification for this proposed two-child limit?

There is a national policy of restricting support to two children (as outlined above). The proposal is not aimed as an 'anti-family' measure. It is being considered to align the local CTS scheme with national policy.

We have sought to ensure that this proposal also aligns with the local caseload. Analysis has shown where families are receiving CTS with an element for children, the median number of children within those families is 2. Having established that this national policy is also reflective in the local caseload this is a justifiable number of children at which to introduce the proposed limit.

### Won't this discriminate against families with large numbers of children?

Our financial modelling does indicate that those families with large numbers of children will be adversely affected. The reason for this is because those families receive allowances for each child within the other state benefits that they may be receiving.

It should be noted that the average annual household income for these cases exceeds the 2018 UK average household income of £28,400\* in the majority of cases ([ONS 2018 average household income](#) - disposable income after direct taxes: Income Tax, National Insurance and Council Tax).

Also, families with at least one parent in work are not affected by the benefit cap so they are not impacted by this aspect of welfare reform.

For example, a family with 6 children is currently forecasted to receive £29 per week less in CTS under the proposed new scheme. However, they receive £450 per week in benefit income and their total annual income is nearly £40,000.

We have undertaken research into the 20 families with more than 2 children who will lose the most under the proposed new scheme. Our analysis shows that whilst the sums being 'lost' are not insignificant, the amount of weekly income that those families receive is significantly above 'average wage' levels.

<b>CTS weekly Impact</b>	<b>No. of children</b>	<b>Total weekly income</b>	<b>Earned weekly income</b>	<b>Benefit weekly income</b>	<b>Annual income</b>
-£29	6	£761	£223	£538	£39,558
-£28	6	£742	£461	£282	£38,607
-£28	3	£632	£0	£632	£32,887
-£27	7	£556	£117	£439	£28,909
-£25	8	£907	£264	£643	£47,142
-£25	6	£525	£179	£347	£27,324
-£25	4	£475	£200	£275	£24,720
-£24	5	£514	£111	£402	£26,720
-£24	9	£897	£264	£633	£46,639
-£24	4	£491	£226	£265	£25,538
-£24	6	£542	£220	£322	£28,186
-£24	4	£515	£184	£331	£26,756

CTS weekly impact	No. of children	Total weekly income	Earned weekly income	Benefit weekly income	Annual income
-£23	4	£520	£178	£342	£27,031
-£22	4	£584	£190	£394	£30,388
-£21	6	£596	£264	£332	£30,993
-£21	6	£579	£215	£364	£30,132
-£19	4	£451	£223	£228	£23,461
-£19	4	£446	£164	£282	£23,199
-£18	5	£532	£161	£371	£27,645
-£18	3	£480	£226	£254	£24,941

*\*Earned and Benefit may not equal Total due to rounding with the removal of decimals/ pence*  
The current average wage for employed earners is £507 p/w, before tax and other deductions  
<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/bulletins/uklabourmarket/september2019>

An important point to bear in mind is that whilst state benefits are effectively paid as ‘net’ amounts, those in employment receive wages earned as ‘gross’ amounts. This means that for someone in employment to receive the equivalent amount of income as someone receiving state benefits, their wages would need to be significantly higher to be paid the same amount. Large families will continue to receive Child Benefit for each and every child in their household, and all of this Child Benefit is disregarded as income in the CTS scheme. The proposed measure should not be viewed solely in isolation – in fact, it is a by-product of the ‘allowable income’ measure (as described above). In fact, some families with one child, or even couples with no children, can find themselves entitled to no CTS, because their weekly income is too high.

#### Local caseload impact table of the proposed two child limit

	Dover District Council
Number of cases where award has reduced	269
Number of cases where award has increased	135
Number of cases where award is unchanged	314

	Dover District Council
Average reduction of award where award has decreased	-£8.32
Average increase of award where award is higher	£1.91
Average weekly liability in cases with 3 or more children	£25.24
Average reduction as a percentage of average liability	32.97%
Average increase as a percentage of average liability	7.56%

One thing to note about these figures is that currently those receiving Income Support, Income Related Employment and Support Allowance and income based Jobseeker's Allowance are being protected from the effect of the change.

Once they are migrated then they are likely to be negatively impacted in the same way existing Universal Credits are. There are 287 who are on these benefits.

#### **Is there any additional support available to those affected?**

The Council has an Exceptional Hardship Policy to assist persons who have applied for Council Tax Support and who are facing 'exceptional hardship'. This is to provide a further financial contribution where an applicant is in receipt of Council Tax Support but the level of support being paid by the Council does not meet their full Council Tax liability. We recognise the importance of protecting our most vulnerable customers. This policy is to ensure that we protect and support those most in need. The Exceptional Hardship Fund is intended to help in cases of exceptional financial hardship.

#### **Summary**

To summarise, these cases previously had high applicable amounts due to the number of children which allowed them to have full eligible CTS or high amounts of CTS. Under the proposed new scheme, when placed into the Family with 2 children category of the income grid their level of eligible income means that they are not entitled or entitled to a much reduced amount.

This aligns both with the national policy to align the behaviours, financial implications and decision-making of working and non-working households with children, as well as with the local caseload insight that demonstrates that the average number of children within CTS recipient households is 2.

The expectation of the taxpayer would be that working and non-working households should be treated comparably and subject to the same decision-making when considering the financial implications of increasing the size of the household with additional children before determining whether or not they had the sufficient level of income to do so (clearly they are exceptional and extenuating circumstances that sit outside of this rationale and these would be eligible to apply for additional support from the Council's Exceptional Hardship Fund). Parents within households that support themselves solely through work would not usually see their wages increase simply because of the addition of a new child in their family.

## Self-employed minimum income floor

### Purpose

This document seeks to explain the proposal to apply a single minimum income floor for claimants with self-employment as their sole or primary income within the council's Council Tax Support (CTS) scheme from 1 April 2020.

### Background

The council is seeking to redesign the existing CTS scheme. Various measures are being proposed and have been consulted upon. One of these measures is to have a single, full-time equivalent minimum income floor that replicates and aligns with Universal Credit. Currently, there are two minimum income floors within the scheme, one full-time (at 35 hrs x National Living Wage [NLW]) and one part-time (at 16 hrs x NLW).

### What is a minimum income floor?

The minimum income floor (MIF) in Universal Credit is an assumed level of earnings (working 35 hours at applicable wage) for those that are gainfully self-employed, based on what the Government would expect an employed person to receive in similar circumstances.

'Gainfully' stipulates that self-employment in a trade, profession or vocation should be their main occupation. It must also be organised, developed, regular, and carried out in expectation of profit.

It is calculated using the minimum wage for their age group (NLW if over 25, NMW if under 25) multiplied by the number of hours they are expected to look for and be available for work. If their self-employed earnings are below the MIF, the MIF will be used to work out their UC award instead of their actual earnings.

### What is being proposed?

The proposed CTS scheme change applies to self-employed claimants who are earning below the full-time equivalent of someone who is in employment (35 hours at NLW).

### Why is this change being proposed?

The proposed CTS scheme is being simplified, and in some aspects aligned to Universal Credit (UC). As stated above, within UC a single Minimum Income Floor already applies.

### What is the justification for this proposed change?

It is being considered to align the local CTS scheme with national policy.

### Won't this discriminate against the self-employed?

Recent case law ([Parkin v SSWP](#)) from September 2019 has determined that the minimum income floor is not unlawful and does not discriminate against the self-employed. Whilst the Judge established that the MIF does result in a difference in treatment between the self-employed and the employed, this is because they are not in relevantly analogous circumstances.

The Judge held that the MIF was not manifestly without reasonable foundation (MWRFF) as it cohered with the aim of encouraging those with persistently low self-employed earnings to carefully consider whether they should continue to be gainfully self-employed.

For similar reasons, the Judge rejected the common law irrationality challenge. The Secretary of State has had the necessary due regard for the equality objectives in formulating the MIF as she was entitled to assess the equality impacts of the scheme of UC (including the MIF) as a whole. Accordingly, the claim for judicial review was dismissed.

"One of its [the minimum income floor] primary aims is to influence behaviour, by giving claimants incentives either to enter employment, or to take up self-employment, but only where

self-employment enables them to be self-sufficient in the long term.” - Justice Laing (Parkin v SSWP)

**Local caseload impact table of the proposed single minimum income floor**

	Number	Percentage of total
Number of self-employed cases	27	100.00%
Cases whose first year of self-employment ends after 31/03/2020	2	7.41%
Number of cases currently using full time minimum income floor	21	77.78%
Number of cases using part time minimum income floor and will be impacted by the proposed change	4	14.81%

The current self-employed caseload as detailed in the table above has been split into three categories. The first who are currently in their first year of self-employment and that isn't due to change until the next financial year, so their award will be whatever the scheme is at that point.

The next are those who are currently having the full time minimum income floor applied, so their award will only be adjusted by the changes to minimum wage and will not be affected by the proposed change based on their current circumstances.

And the last are those who are currently on the part time minimum income floor, so would be impacted by the change to the scheme.

The minimum income floor for a full time person is £262.31 (net)

The minimum income floor for a part time person is £131.36 (net)

This means that the change would have the effect of potentially increasing a person's applicable income by £130.95.

This may not always be the amount of the increase as their part time work currently maybe above the £131.36 per week amount. That level of increase in weekly income is likely to result in a steep reduction in award.

**Is there any additional support available to those affected?**

The Council has an Exceptional Hardship Policy to assist persons who have applied for Council Tax Support and who are facing 'exceptional hardship'. This is to provide a further financial contribution where an applicant is in receipt of Council Tax Support but the level of support being paid by the Council does not meet their full Council Tax liability. We recognise the importance of protecting our most vulnerable customers. This policy is to ensure that we protect and support those most in need. The Exceptional Hardship Fund is intended to help in cases of exceptional financial hardship.

## **Summary**

To summarise, when a self-employed claimant earning below the minimum income floor is assessed according to the proposed new single minimum income floor they are not entitled or entitled to a much reduced amount. This aligns both with the national policy to align the behaviours, financial implications and decision-making of employed and self-employed households.

The expectation of the taxpayer would be that claimants choosing self-employment as their main employment should be treated comparably and subject to the same decision-making when considering the financial implications and viability of their chosen employment. Claimants should be responsible for determining whether or not they have the sufficient level of income from it to sustain themselves rather than being subsidised by the taxpayer if the self-employment is not profitable.

The aim of this proposed change is not to encourage a claimant in unprofitable self-employment to give up all employment, but rather, to give up that unprofitable self-employment as their main employment, and to look for better paid work.



# EKS

## **Council Tax Support Exceptional Hardship Scheme 2020 / 2021**

**Working in partnership with Canterbury City Council,  
Dover District Council and Thanet District Council.**

Canterbury City Council, Dover District Council and Thanet District Council have entered into a shared service agreement to allow joint working in the Customer Services, ICT, Benefits, Council Tax and Business Rates sections.

Where 'EK Services' and 'EKS' are mentioned this refers to the shared service between Canterbury City Council, Dover District Council and Thanet District Council.

Where references are made to 'EK Services Officers' these services are now being delivered by Civica UK Limited. Civica UK Limited provides benefit services, income collection services, council tax and business rates administration and collection services and customer contact services to the council.

## **1.0 Background**

1.1 An Exceptional Hardship Policy has been developed by EK Services, and approved by Canterbury City Council, Dover District Council and Thanet District Council, to assist persons who have applied for Council Tax Support and who are facing 'exceptional hardship'. This is to provide a further reduction in Council Tax liability where an applicant is in receipt of Council Tax Support but the level of support being allowed by the Council does not meet their full Council Tax liability. We recognise the importance of protecting our most vulnerable customers.. This policy is to ensure that we protect and support those most in need. The Exceptional Hardship Scheme is intended to help in cases of exceptional financial hardship.

1.2 The main features of the policy are as follows:

- The operation of the Scheme will be at the total discretion of the Council;
- The policy will be applied by EK Services on behalf of the Council;
- Exceptional Hardship falls within s13(A)(1a) of the Local Government Finance Act 1992 and forms part of the Council Tax Support scheme;
- Exceptional Hardship reductions will only be available for a Council Tax liability for the current financial year and will not be available for any other debt other than the current financial year's outstanding Council Tax; Exceptional Hardship must have been proven to have existed throughout the whole of the period requested and will only be backdated to the start of the financial year in which the claim is made;
- A pre-requisite to receive a reduction is that an application for Council Tax Support has been made;
- Exceptional Hardship reductions are designed as short-term help to the applicant only and will only be made for up to one financial year at a time;
- All applicants will be expected to engage with the Council and undertake the full application process. Failure to do so may mean that no reduction will be made.

## **2.0 Exceptional Hardship and Equalities**

2.1 The creation of an Exceptional Hardship Policy facility meets the Council's obligations under the Equality Act 2010.

2.2 The Council recognises the impact the changes to our Council Tax Support Scheme will have on our most vulnerable residents as well as those that have been disproportionately affected by the changes made in 2020. This policy therefore has an essential role in protecting from exceptional hardship those applicants most in need.

## **3.0 Purpose of this policy**

3.1 The purpose of this policy document is to specify how EK Services will operate the scheme, to detail the application process, and indicate a number of factors which will be considered when deciding if an Exceptional Hardship reduction can be made.

3.2 Each case will be treated on its own merits and all applicants will be treated fairly and equally.

## **4.0 The Exceptional Hardship Process**

4.1 As part of the process of applying for additional support, applicants must be willing to undertake all of the following:

- Make a separate application for a reduction under the Scheme . Where a joint Council Tax bill has been issued, the application must be made in joint names;
- Provide full details of their income and expenditure;
- Where a person is self-employed or a director of a private limited company, provide details of their business including supplying business accounts;
- Engage with and accept assistance from or third party debt advice agencies, and the council, to enable them to manage their finances more effectively - including the termination of non-essential expenditure and assessment of the potential for additional paid employment where applicable;
- Identify potential changes in payment methods and arrangements to assist them;
- Assist the Council to minimise liability by ensuring that all discounts, exemptions and reductions are properly granted; and
- Maximise their income through the application for other welfare benefits, cancellation of non-essential contracts and outgoings and by identifying the most economical tariffs for the supply of utilities and services generally.

4.2 Through the operation of this policy the Council will look to assist those in exceptional financial hardship by:

- Allowing a short period of time for someone to adjust to unforeseen short-term circumstances and to enable them to “bridge the gap” during this time, whilst the applicant seeks alternative solutions;
- Helping applicants through personal crises and difficult events that affect their finances;
- Helping those applicants who are trying to help themselves financially;
- Helping applicants disproportionately impacted by the Council Tax Support scheme introduced in April 2020, and
- Encouraging applicants to engage with Jobcentre Plus to obtain and sustain employment.

4.3 An Exceptional Hardship reduction will not be considered in the following circumstances:

- Where the full Council Tax liability is being met by Council Tax Support;
- Where the request for assistance is made for any other reason, other than to reduce Council Tax liability;
- Where the Council considers that there are unnecessary expenses/debts etc. and that the applicant has not taken reasonable steps to reduce them;
- Where the request covers arrears of Council Tax caused through the failure of the applicant to notify changes in circumstances in a timely manner or where the applicant has failed to act correctly or honestly;
- Where the request is to cover previous years’ Council Tax arrears;
- Where the applicant(s) is considered to have access to other assets that could be used to pay the Council Tax; or
- The applicant has not tried all other reasonable means to address the shortfall before making this application.

## **5.0 The award of an Exceptional Hardship Reduction**

5.1 The Council will decide whether or not to make an Exceptional Hardship reduction, and how much any reduction might be. When making this decision the Council will consider:

- The shortfall between Council Tax Support and Council Tax liability;

- Whether the applicant has engaged with the Exceptional Hardship process;
- The personal circumstances, age and medical circumstances (including ill health and disabilities) of the applicant, their partner, any dependants and any other occupants of the applicant's home;
- The difficulty experienced by the applicant, which prohibits them from being able to meet their Council Tax liability, and the length of time this difficulty will exist;
- The income and expenditure of the applicant, their partner and any dependants or other occupants of the applicant's home;
- All income received by the applicant, their partner and any member of their household irrespective of whether the income may be disregarded under the Council Tax Support Scheme;
- Any savings or capital that might be held by the applicant, their partner and any member of their household irrespective of whether the capital may be disregarded under the Council Tax Support Scheme;
- Other debts outstanding for the applicant and their partner;
- The exceptional nature of the applicant's and/or their family's circumstances that impact on finances, and
- The financial circumstances of the customer at the time the Council Tax charge or arrears accrued.

The above list is not exhaustive and other relevant factors and special circumstances may be considered.

5.2 An award of Exceptional Hardship reduction does not guarantee that a further reduction will be made at a later date, even if the applicant's circumstances have not changed.

5.3 An Exceptional Hardship reduction may be less than the difference between the Council Tax liability and the amount of Council Tax Support paid. The application may be refused if the authority feels that, in its opinion, the applicant is not suffering 'exceptional hardship' or where the applicant has failed to comply with the Exceptional Hardship process.

## **6.0 Publicity**

6.1 The Council will make a copy of this policy available for inspection and will be published on the Council's website.

## **7.0 Claiming an Exceptional Hardship Reduction**

7.1 An applicant must make a claim for an Exceptional Hardship award by submitting an application to the Council. The application form is available on the Council's website.

7.2 The application form must be fully completed and supporting information or evidence provided, as reasonably requested by the Council.

7.3 In most cases the person who claims the Exceptional Hardship award will be the person entitled to Council Tax Support. However, a claim can be accepted from someone acting on another's behalf, such as an appointee, if it is considered reasonable.

## **8.0 Changes in circumstances**

8.1 The Council may revise an award of Exceptional Hardship where the applicant's circumstances have changed which either increases or reduces their Council Tax Support entitlement.

## **9.0 Duties of the applicant and the applicant's household**

9.1 A person claiming an Exceptional Hardship payment is required to:

- Provide the Council with such information as it may require to make a decision; and
- Tell the Council of any changes in circumstances that may be relevant to their ongoing claim within 21 days of the change

## **10.0 The award and duration of an Exceptional Hardship Reduction**

10.1 Both the amount and the duration of the reduction are determined at the discretion of the Council, and will be done so on the basis of the evidence supplied and the circumstances of the claim.

10.2 The start date and duration of any reduction will be determined by the Council. The maximum length of the award will be limited to the financial year in which the claim is received.

10.3 In all cases an exceptional hardship award will end in the following circumstances:

- At the end of the financial year or a time specified by the Council;
- The liability to pay ends.
- The property becomes empty or unoccupied
- The customer enters any form of bankruptcy proceedings
- The customer's financial circumstances change. The customer must inform the Council of any changes to their circumstances within 21 days

## **11.0 Payment**

11.1 Any Exceptional Hardship reduction will be made direct onto the taxpayer's Council Tax account, thereby reducing the amount of Council Tax payable.

## **12.0 Overpaid Exceptional Hardship Reductions**

12.1 Exceptional Hardship reductions allowed in excess of entitlement will generally be recovered directly from the applicant's council tax account, thus increasing the amount of council tax due and payable.

## **13.0 Notification of an award**

13.1 The Council will notify the resident of the outcome of their application for an Exceptional Hardship reduction .

## **14.0 Appeals**

14.1 Exceptional Hardship reductions are granted under S13A(1a) of the Local Government Finance Act 1992 as part of the Council Tax Support scheme, as such the normal Council Tax appeal process applies and an appeal can be made at any time. The initial appeal should be made to the Council who will review any decision. Ultimately any decision can be considered by an independent Valuation Tribunal.

## **15.0 Fraud**

15.1 The Council is committed to protect public funds and ensure reductions are awarded to the people who are rightfully eligible to them.

15.2 An applicant who tries to fraudulently claim an Exceptional Hardship reduction by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under The Fraud Act 2006.

15.3 Where the Council suspects that such a fraud may have been committed, this matter will be investigated as appropriate and may lead to criminal proceedings being instigated.

## **16.0 Complaints**

16.1 The Council's 'Complaints Procedure' (available on the Councils website) will be applied in the event of any complaint received about the application of this policy.

## **17.0 Policy Review**

17.1 This policy will be reviewed on an annual basis and updated as appropriate to ensure it remains fit for purpose. However, a review may take place sooner should there be any significant changes in legislation.

## **18.0 Additional Assistance**

18.1 Section 13A(1)(c) makes provision for the Council to make further reductions in Council liability which are additional to those available under the Council Tax Support Scheme and the Exceptional Hardship Scheme which forms part of it. Applications for further relief under this provision should be made in writing to East Kent Services setting out the circumstances relied on and will be assessed on a case by case basis. It is expected that further reductions under this provision would only be made in the most compelling of circumstances.

## Impact Update – DDC

As at November 2019

Total Working Age CTS caseload: 6,331 (incl. Pending and Cancelled claims)

**No change (Claimant Unaffected)**

No change: 4,159 or 66% Working Age caseload unaffected

**Positive change (Claimant Gain)**Positive change: 1,178 or 18.5% Working Age caseload positively affected  
Benefit entitlement weekly gain (Average +£4.17 / Highest +£19.38 / Lowest +£0.01)

Weekly Total Gain (£)	No. Affected
20+	0
15-20	3
10-15	88
5-10	355
0-5	732

Household type	No. Affected
Couple one or both over 18	47
Family one or both over 18	39
Lone parent aged over 18	202
Single person aged less than 25	2
Single person aged over 25	105
UC claimant	776
Information not held	7

### **Negative change (Claimant Loss)**

Claimants negatively affected by the changes will be eligible to apply for the Council's Exceptional Hardship Payment fund (EHP) which was introduced in April 2017 and is money allocated specifically to support those who have been affected by changes to CTS schemes.

Negative change: 993 or 15.5% Working Age caseload negatively affected  
Benefit entitlement weekly loss (Average -£4.76 / Highest -£27.77 / Lowest -£0.01)

<b>Weekly Total Loss (£)</b>	<b>No. Affected</b>
30+	0
25-30	2
20-25	1
15-20	19
10-15	68
5-10	286
0-5	617

<b>Household type</b>	<b>No. Affected</b>
Couple one or both over 18	5
Family one or both over 18	202
Lone parent aged over 18	81
Single person aged less than 25	0
Single person aged over 25	16
UC claimant	614
Information not held	75

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<b>Subject:</b>	<b>AMENDMENT TO THE CALENDAR OF ORDINARY MEETINGS 2019-20</b>
<b>Meeting and Date:</b>	<b>COUNCIL – 29 JANUARY 2020</b>
<b>Report of:</b>	<b>DEMOCRATIC SERVICES MANAGER</b>
<b>Classification:</b>	<b>UNRESTRICTED</b>

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**Purpose of the report:** This report proposes alternative dates for the annual budget setting meeting of the full Council following a request from the Leader of the Council that the dates be reviewed.

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**Recommendation:** That Council approve the ratification of the amended Programme of Ordinary Meetings for 2019-20.

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**1. Summary**

1.1 At the Annual Meeting of the Council on 17 May 2019 a Programme of Ordinary Meetings was adopted for the municipal year 2019-20. At the request of the Leader of the Council a review of the dates of the annual budget setting meeting of the Council has been undertaken with a view to amending the currently adopted date.

**2. Introduction and Background**

2.1 The Programme of Ordinary Meetings for 2019-20 is based on a cycle that commences with a meeting of the Cabinet and ends with a meeting of the Council. In between those two points all other committee business takes place. However, as part of the Calendar of Meetings, there are two meetings whose dates are determined by legislation - the Annual Meeting and the Budget setting meeting.

2.2 While there is a significant amount of legislation relating to local authority financial planning and budget setting, the key piece of legislation in respect of the date of the budget setting meeting is the Local Government Act 1992. The Act requires that the budget setting meeting (which sets the Council's Budget and the Council Tax) must be held before 11 March immediately prior to the start of the financial year on 1 April.

**Proposed Amendments**

2.3 The budget setting meeting is currently scheduled for Wednesday 4 March 2020. This is the culmination of a budget setting cycle as follows:

- Cabinet – 3 February 2020 (to consider the draft budget)
- Overview and Scrutiny Committee – 10 February 2020 (to scrutinise the budget)
- Cabinet – 2 March 2020 (to consider the recommendations of scrutiny)
- Council – 4 March 2020 (to consider the recommendations of Cabinet and set a budget)

2.4 It is proposed that this be amended as follows to accommodate a move of the date for the budget setting meeting to Wednesday 26 February 2020:

- Cabinet – 3 February 2020 (no change)
- Overview and Scrutiny Committee - 10 February 2020 (no change)
- Cabinet – 24 February 2020 (change)
- Council – 26 February 2020 (change)

- 2.5 The amended budget cycle still provides two weeks for the Cabinet to consider any recommendations arising from the scheduled Overview and Scrutiny Committee meeting on 10 February 2020.
- 2.6 The amendments also avoid the KCC Half Term dates 17-21 February 2020.
- 2.7 In addition to this, if the Cabinet meeting on Monday 2 March 2020 is moved to Monday 24 February 2020, it is proposed that the meeting of the Overview and Scrutiny Committee scheduled for Monday 9 March 2020 be moved forward to Monday 2 March 2020.
- 3. Identification of Options**
- 3.1 There are three options available to the Council:
- 3.2 Option A – To make no changes to the adopted Calendar of Ordinary Meetings for 2019-20 agreed by Council on 17 May 2019.
- 3.3 Option B - To approve an amended Calendar of Ordinary Meetings for 2019-20 as set out in paragraph 2.4 of the report (see also Appendix 1).
- 3.4 Option C – To approve an amended Calendar of Ordinary Meetings for 2019-20 different from that set out in paragraph 2.4 of the report.
- 4. Evaluation of Options**
- 4.1 Option A: This reconfirms the existing Calendar of Ordinary Meetings for 2019-20.
- 4.2 Option B: This provides for an amendment with the least disruption to the overall Calendar of Meetings and is consistent with statutory budget setting deadlines.
- 4.3 Option C: Any other amendment must be consistent with statutory deadlines and provide for sufficient time for officers to implement any changes that may arise from the meeting of Cabinet on 3 February 2020 and the Overview and Scrutiny Committee meeting on 10 February 2020.
- 4.4 In the event that any Member wishes to propose amendments under Option C, it is requested that they contact the Democratic Services Manager prior to the date of the meeting at which this report is considered in order that the feasibility of any amendment to the meeting dates can be established.
- 5. Resource Implications**
- 5.1 There are no resource implications arising from this report as set out as the report maintains the existing overall number of meetings in the Calendar of Ordinary Meetings.
- 6. Corporate Implications**
- 6.1 Comment from the Section 151 Officer:
- 6.2 Comment from the Solicitor to the Council:
- 6.3 Comment from the Equalities Officer:
- 6.4 Other Officers (as appropriate): None
- 6.5 Others: As part of the process of preparing this report, consultation was undertaken with the Opposition Group Leader. He was not minded to support the proposed amendment.
- 7. Appendices**
- Appendix 1 – Proposed Amended Calendar of Ordinary Meetings 2019-20
- 8. Background Papers**

None

Contact Officer: Rebecca Brough, Democratic Services Manager 01304 872304

## CALENDAR OF COUNCIL MEETINGS 2019/20

Committee	Start at (B)	2019								2020				
		May (H)	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May (I)
Cabinet	11.00am		3	1		2	7	4	2	13	3 24	<del>2</del>	6	11
Council	6.00pm	17 <sup>(A)</sup>		24			30			29 <sup>(D)</sup>	26 <sup>(C)</sup>	<del>4<sup>(E)</sup></del>		13 <sup>(A)</sup>
Dover Joint Transportation Board	6.00pm		13			19		28				26		
Governance Committee	6.00pm		27	30 <sup>(E)</sup>		26			12			19		
Licensing Committee	varies <sup>(K)</sup>	28					30 <sup>(K)</sup>					4 <sup>(K)</sup>		13
Overview and Scrutiny Committee	6.00pm					9	14	11	9	20	10 <sup>(D)</sup>	2 9	20	18
Planning Committee	6.00pm	30	20	18	15	12	10	7	5	16	13	12	16	21
Regulatory Committee	10.00am	28	18	16		17		19		21		17		26
Joint Health, Safety & Welfare Consultative Forum Joint Staff Consultative Forum <sup>(G)</sup> <sup>(L)</sup>	2.30pm			9			16				5		15	
Publication of Notice of Forthcoming Key Decisions <sup>(J)</sup>	N/A	3 & 31		5	2	6	4	1	6	3 & 31		6	9	

### Footnotes

- |   |   |
|---|---|
| <p>(A) Denotes the Annual General Meeting of Council which will be held on a Friday in 2019. All other meetings of the full Council are held on a Wednesday.</p> <p>(B) All meetings generally commence at the times indicated but are subject to change.</p> <p>(C) Denotes Budget and Council Tax Setting Meeting</p> <p>(D) Council Tax Base</p> <p>(E) Final Accounts</p> <p>(F) Budget Scrutiny Meeting</p> <p>(G) Denotes that these meetings are not open to the public.</p> | <p>(H) The Dover District Council elections are scheduled for <b>Thursday 2 May 2019</b></p> <p>(I) The Kent Police and Crime Commissioner elections are scheduled for <b>Thursday 7 May 2020</b></p> <p>(J) This is not a committee meeting but the date of the publication of the Notice of Forthcoming Key Decision.</p> <p>(K) Licensing Committee start times to be agreed with the Chairman depending on the business to be conducted.</p> <p>(L) Meetings are only held as required. The meetings of the Joint Staff Consultative Forum will be held immediately upon the rising of the Joint Health, Safety and Welfare Consultative Forum if called.</p> |
|---|---|

**These meetings will be held at the Council Offices, White Cliffs Business Park, Dover CT16 3PJ unless otherwise indicated**

## CALENDAR OF COUNCIL MEETINGS 2019/20

Access to Meetings and Information	Democratic Services
<p>Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.</p> <p>All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.</p> <p>Agenda papers are published five clear working days before the meeting and all agendas, reports and minutes can be viewed and downloaded from our website <a href="http://www.dover.gov.uk">www.dover.gov.uk</a>. Alternatively, a limited supply of agendas will be available at the meeting, free of charge.</p> <p>All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting. The Council's website contains copies of most minutes and agendas from 2001 onwards.</p> <p>In addition to the Council's website, agendas and minutes can be downloaded to an Apple iPad, Android Device or Windows Device using the modern.gov App from the appropriate App Store and selecting Dover District Council from the list of authorities.</p> <p>The reporting of meetings by social media, photography and/or use of audio/visual recording devices is permitted at Council, Cabinet and Committee meetings that are open to the public in accordance with the provisions of the Openness of Local Government Bodies Regulations 2014. We would ask that if you wish to take photographs or use any means of audio/visual recording you notify Democratic Services as a courtesy in advance of the meeting.</p> <p>Requests to speak at Council meetings where public speaking is permitted should be sent to:</p> <p><b>Democratic Services – Public Speaking Requests</b> Telephone: (01304) 872303/872304/872305 Email: <a href="mailto:publicspeaking@dover.gov.uk">publicspeaking@dover.gov.uk</a></p>	<p>The Head of Governance is Louise May.</p> <p>If you require any further information about the contents of a Committee agenda or your right to gain access to agendas and minutes held by the Council, please contact a member of the Democratic Services team:</p> <p>Rebecca Brough Democratic Services Manager Telephone: (01304) 872304 Email: <a href="mailto:rebecca.brough@dover.gov.uk">rebecca.brough@dover.gov.uk</a></p> <p>Kate Batty-Smith Democratic Services Officer Telephone: (01304) 872303 Email: <a href="mailto:kate.batty-smith@dover.gov.uk">kate.batty-smith@dover.gov.uk</a></p> <p>Jemma Duffield Democratic Services Officer Telephone: (01304) 872305 Email: <a href="mailto:jemma.duffield@dover.gov.uk">jemma.duffield@dover.gov.uk</a></p> <p>Diana Dugard Civic Officer and PA to the Leader Telephone: (01304) 872003 Email: <a href="mailto:diana.dugard@dover.gov.uk">diana.dugard@dover.gov.uk</a></p> <p>Alternatively, Democratic Services can be contacted at: <a href="mailto:democraticservices@dover.gov.uk">democraticservices@dover.gov.uk</a></p>

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**Subject:** DRAFT CALENDAR OF ORDINARY MEETINGS 2020-21

**Meeting and Date:** COUNCIL – 29 JANUARY 2020

**Report of:** DEMOCRATIC SERVICES MANAGER

**Classification:** UNRESTRICTED

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**Purpose of the report:** The Constitution requires that the Calendar of Ordinary Meetings be set at the Annual Meeting of the Council.

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**Recommendation:** That the Draft Calendar of Ordinary Meetings for 2020-21 be approved in principle subject to final ratification at the Annual Meeting of Council on 13 May 2020.

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## 1. Summary

In order to provide Members, Officers, other partner local authorities and the general public with as much notice as possible, a provisional Programme of Ordinary Meetings is presented to the Council in January of each year prior to its final ratification at the Annual Meeting of the Council.

## 2. Introduction and Background

2.1 The Programme of Ordinary Meetings for 2020-21 is based on a cycle that commences with a meeting of the Cabinet and ends with a meeting of the Council. In between those two points all other committee business takes place.

2.2 Wherever possible efforts have been made to avoid school holiday dates and political party conferences.

2.3 The Council sets its meeting draft Calendar of Ordinary Meetings independently and usually in advance of those of the town and parish councils. However, in respect of DDC Calendar of Meetings for May 2020, these do not clash with any of the key town council Annual Meeting/Mayor Making dates as follows:

- Deal Town Council – 26 May 2020
- Dover Town Council – 25 May 2020
- Sandwich Town Council – 14 May 2020

2.4 It is intended that a copy of the draft dates for 2020-21 be provided to the town councils for information once approved in principle by the full Council.

2.5 It should also be emphasised that the calendar set out in Appendix 1 only applies to committees with scheduled meetings. It does not apply to any committees that are called on an ad-hoc basis as business warrants, such as the General Purposes Committee, or the meetings of any sub-committees or project advisory groups.

## 3. Identification of Options

3.1 There are three options available to the Council:

3.2 Option A – To approve in principle the Calendar of Ordinary Meetings for 2020-21 as set out in Appendix 1.

3.3 Option B – To approve in principle the Calendar of Ordinary Meetings for 2020-21 with amendments.

3.4 Option C – To not approve in principle the Calendar of Ordinary Meetings for 2020-21.

4. **Evaluation of Options**

4.1 The recommended option is Option A as this supports the existing decision route cycle and avoids wherever possible school holidays and political party conferences.

4.2 Options B and C are not the recommended options as they may require adjustments to the existing decision route cycle. If any Member wishes to propose an amendment to the proposed meeting dates (Option B) they are requested to discuss these with the Democratic Services Manager prior to the date of the Council meeting at which this report is considered in order that the feasibility of any proposals can be established.

5. **Resource Implications**

There are no resource implications arising from this report as set out. However, if significant changes were to be made to the Calendar of Ordinary Meetings then this may need to be re-evaluated.

6. **Appendices**

Appendix 1 – Calendar of Ordinary Meetings 2020-21

Appendix 2 – List of KCC School Holidays

Appendix 3 - Public Holidays 2020-21 and Party-Political Conference Dates 2020-21

7. **Background Papers**

None

Contact Officer: Rebecca Brough, Democratic Services Manager 01304 872304

## CALENDAR OF COUNCIL MEETINGS 2020/21

Committee	Start at (B)	2020								2021				
		May (H)	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May (I)
Cabinet	11.00am	11	1	6		7	5	2	7	11	1	1	12	10
Council	6.00pm	13 <sup>(A)</sup>		22			21			27 <sup>(D)</sup>		3 <sup>(C)</sup>		19
Dover Joint Transportation Board	6.00pm		11			10			3			18		
Governance Committee	6.00pm		25	30 <sup>(E)</sup>		24			10			11		
Licensing Committee	varies <sup>(K)</sup>	13 <sup>(K)</sup>					21					3		19 <sup>(K)</sup>
Overview and Scrutiny Committee	6.00pm	18	8	13		14	12	9	14	18	8 <sup>(F)</sup>	8	19	17
Planning Committee	6.00pm	21	18	16	20	17	15	19	17	21	25	25	22	27
Regulatory Committee	10.00am	26		21		29		17		19		23		26
Joint Health, Safety & Welfare Consultative Forum Joint Staff Consultative Forum <sup>(G)</sup> <sup>(L)</sup>	2.30pm			1			7			6			21	
Publication of Notice of Forthcoming Key Decisions <sup>(J)</sup>	N/A	1	5		7	4	2	6	10 & 23	29		12	9	

### Footnotes

- |  |  |
|--|--|
| <p>(A) Denotes the Annual General Meeting of Council which will be held on a Friday in 2019. All other meetings of the full Council are held on a Wednesday.</p> <p>(B) All meetings generally commence at the times indicated but are subject to change.</p> <p>(C) Denotes Budget and Council Tax Setting Meeting</p> <p>(D) Council Tax Base</p> <p>(E) Statement of Accounts</p> <p>(F) Budget Scrutiny Meeting</p> <p>(G) Denotes that these meetings are not open to the public.</p> | <p>(H) The Kent Police and Crime Commissioner elections are scheduled for <b>Thursday 7 May 2020</b></p> <p>(I) The Kent County Council elections are scheduled for <b>Thursday 6 May 2021</b></p> <p>(J) This is not a committee meeting but the date of the publication of the Notice of Forthcoming Key Decision.</p> <p>(K) Licensing Committee start times to be agreed with the Chairman depending on the business to be conducted. For the meetings in May 2020 and May 2021 it will be held immediately following the end of the Council meeting.</p> <p>(L) Meetings are only held as required. The meetings of the Joint Staff Consultative Forum will be held immediately upon the rising of the Joint Health, Safety and Welfare Consultative Forum if called.</p> |
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**These meetings will be held at the Council Offices, White Cliffs Business Park, Dover CT16 3PJ unless otherwise indicated**

## CALENDAR OF COUNCIL MEETINGS 2020/21

Access to Meetings and Information	Democratic Services
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August 2019						
MTWTFSS						
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

September 2019						
MTWTFSS						
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
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30						

October 2019						
MTWT			FS		S	
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
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November 2019						
MTWTFSS						
					1	2 3
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
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December 2019						
MTWTFSS						
						1
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30	31					

January 2020						
MTWTFSS						
	1	2	3		4	5
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27	28	29	30	31		

February 2020						
MTWT			FS		S	
					1	2
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	

March 2020						
MTWTFSS						
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April 2020						
MTWTFSS						
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May 2020						
MTWTFSS						
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June 2020						
MTWT			FS		S	
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July 2020						
MTWTFSS						
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August 2020						
M	T	W	T	F	S	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**INSET/ Non-contact days for teachers:**  
 Over a school year, pupils are required to attend for 190 days/380 sessions. In total, teachers may be required to be available for work on up to 195 days, with the additional days specified by individual schools as non-contact days. Schools may also require teachers to work additional hours before or after school sessions, as an alternative to full non-contact days, provided that any teacher is not required to work in aggregate more than 1,265 hours during a school year. Schools may therefore choose to require teachers to make up the full equivalent of the 5 non-contact days wholly through additional hours, or use a mixture of additional hours and non-contact days.

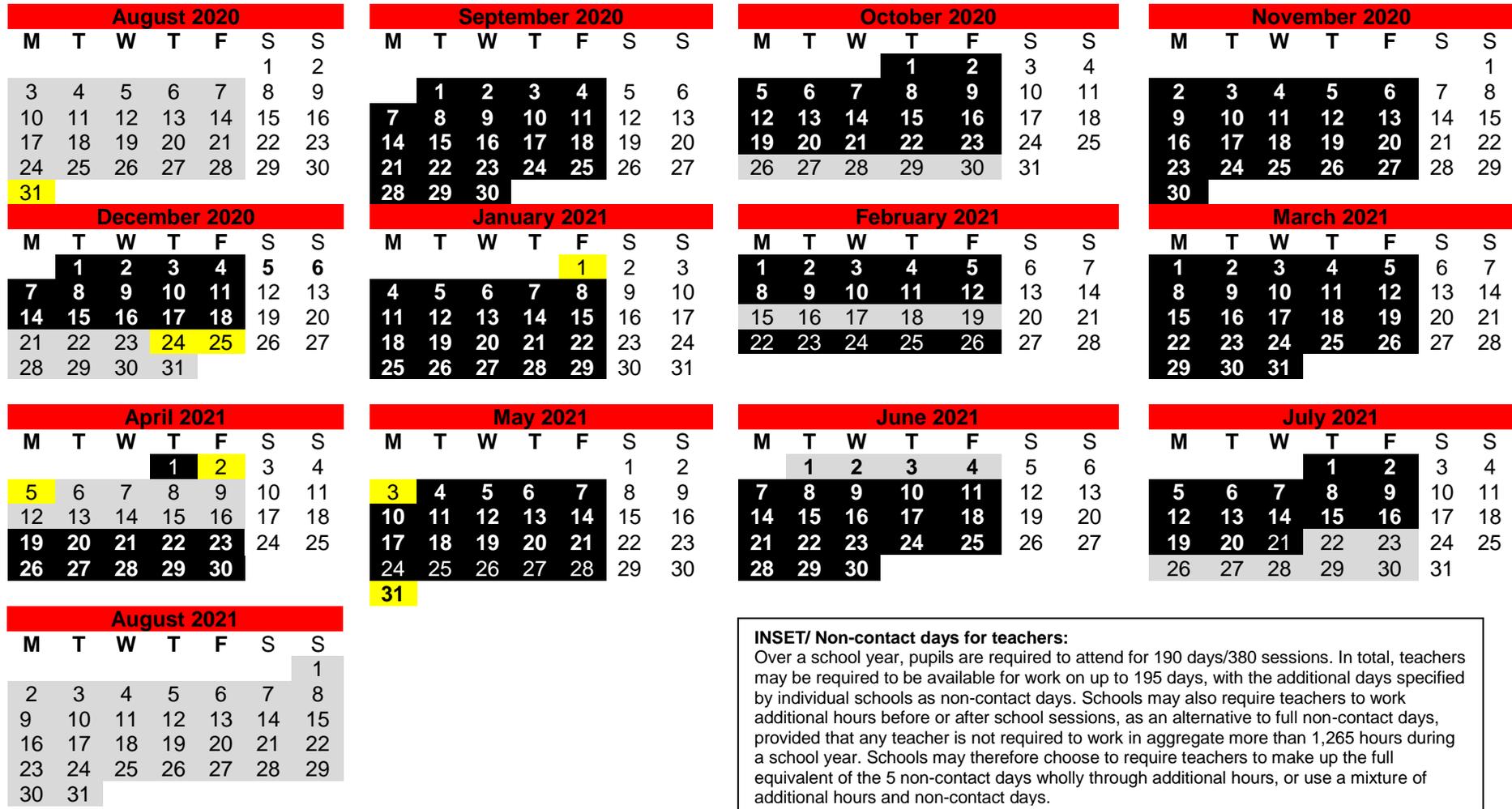
## 2019/20

Standard School  
 Year based on  
 6 terms with  
 additional INSET  
 days

Term 1	35 days	2/09/19 - 18/10/19
Term 2	38 days	28/10/19 - 18/12/19
Term 3	30 days	06/01/20 - 14/02/20
Term 4	28 days	24/02/20 - 01/04/20
Term 5	26 days	16/04/20 - 22/05/20
Term 6	38 days	01/06/20 - 22/07/20

	School day
	School holiday
	Bank holiday

# DETERMINATION DATES



**INSET/ Non-contact days for teachers:**  
 Over a school year, pupils are required to attend for 190 days/380 sessions. In total, teachers may be required to be available for work on up to 195 days, with the additional days specified by individual schools as non-contact days. Schools may also require teachers to work additional hours before or after school sessions, as an alternative to full non-contact days, provided that any teacher is not required to work in aggregate more than 1,265 hours during a school year. Schools may therefore choose to require teachers to make up the full equivalent of the 5 non-contact days wholly through additional hours, or use a mixture of additional hours and non-contact days.

## 2020/21

Standard School  
 Year based on  
 6 terms with  
 additional INSET  
 days

- Term 1 39 days 1/09/20 - 23/10/20
- Term 2 35 days 02/11/20 - 18/12/20
- Term 3 30 days 04/01/21 - 12/02/21
- Term 4 29 days 22/02/21 - 1/04/21
- Term 5 29 days 19/04/21 - 28/05/21
- Term 6 33 days 07/06/21 - 21/07/21

- School day
- School holiday
- Bank holiday

### List of Bank Holidays 2020-21

#### Bank Holidays (England and Wales)<sup>1</sup>

Early May Bank Holiday (VE Day)	Friday 8 May 2020
Spring Bank Holiday	Monday 25 May 2020
Summer Bank Holiday	Monday 31 August 2020
Christmas Day	Friday 25 December 2020
Boxing Day	Monday 28 December 2020 (Substitute Day)
New Year's Day	Friday 1 January 2021
Good Friday	Friday 2 April 2021
Easter Monday	Monday 5 April 2021
Early May Bank Holiday	Monday 3 May 2021
Spring Bank Holiday	Monday 31 May 2021

### List of Party-Political Autumn Conference Dates 2020-21

#### Party Political Conference Dates 2020-21

Political Party	Location	Dates (inclusive)
Conservative Party	Birmingham	4-7 October 2020
Labour Party	Liverpool	19-23 September 2020

<sup>1</sup> Source: GOV.UK (<https://www.gov.uk/bank-holidays>)

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**Subject:** MEMBERS' ALLOWANCES SCHEME 2020-21

**Meeting and Date:** COUNCIL – 29 JANUARY 2020

**Report of:** DEMOCRATIC SERVICES MANAGER

**Classification:** UNRESTRICTED

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**Purpose of the report:** To consider the Members' Allowances Scheme for 2020-21.

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**Recommendation:** To make the Members' Allowances Scheme for 2020-21.

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## 1. Summary

Under Regulation 10 of the Local Authorities (Members' Allowances) (England) Regulations 2003/1021 the Council is required to annually make a scheme for the payment of allowances to Members.

## 2. Introduction and Background

2.1 The Council is required to make its Members' Allowance Scheme on an annual basis. In making its Scheme the Council must give regard to the non-binding recommendations of its appointed Independent Remuneration Panel. However, other than having regards to these recommendations it may set its allowances at any level that it decides.

2.2 The allowances that are payable as part of the Members' Allowance Scheme are established in the Local Authorities (Members' Allowances) (England) Regulations 2003. In summary, this provides for the following allowances to be made to councillors:

- Basic Allowance (to be received by all Members of the Council);
- Special Responsibility Allowances (for specific positions);
- Travel and Subsistence Expenses
- Dependent Carers Allowance
- Co-Optees' Allowance

2.3 The Council can also decide to index link uplifts in allowances (for example, but not limited to, the Consumer Prices Index or the Retail Price Index). The Council has previously made such arrangements but at the meeting of the full Council held on 4 March 2015 reference to Index Linking was removed to reflect the current situation of static allowance levels since 2011-12.

2.4 The levels of allowance for the Independent Persons, the Chairman and Vice-Chairman are set out in the Scheme for transparency purposes but do not form part of it.

### **Review of Administrative Arrangements to the Members' Allowances Scheme**

2.5 As part of the annual review of the Members' Allowances Scheme, the framework governing the Scheme is also reviewed. The Cabinet at its meeting held on 7 October 2019 (Minute No. CAB70) agreed to cease appointing representatives to a number of outside bodies. Accordingly, references to Age Concern Deal (Liaison Committee), Dover District Volunteering Centre and Stagecoach Dover District Bus Users Group

have been deleted from Schedule 5 (Travelling and Subsistence Allowance) of the Members' Allowances Scheme.

- 2.6 These changes are set out in Appendix 1 and 2 (depending upon which version is adopted by Council) of this report.

### **Dependant Carers' Allowance**

- 2.7 The Council makes provision for a Dependant Carers' Allowance to contribute towards the care costs for a family member whilst a Member is undertaking approved duties. This has historically been set at the same hourly level as firstly, the National Minimum Wage and latterly, the National Living Wage.

- 2.8 The National Living Wage is due to increase on 1 April 2020 from £8.21 to £8.72 and it is proposed that the Dependant Carers' Allowance be adjusted accordingly for the Members' Allowances Scheme 2020-21.

### **3. Review of Members' Allowances Allowance Levels**

- 3.1 The Council most recently reviewed its Members' Allowances Scheme at its meeting on 30 January 2019. However, these allowances were determined based on the previous council size and committee structure and this report is the first review to be held since the reduction in council size at the May 2019 elections and the changes to the committee structure made at Council on 24 July 2019.

- 3.2 Accordingly, the Leader of the Council has asked that this opportunity be taken to consider how the savings resulting from the change in the council size could potentially be redistributed to increase allowances while remaining within the overall budget used in 2018-19 for Members' Allowances.

### **4. Identification of Options**

- 4.1 There are three potential options open to the Council in respect of the levels of allowances paid under the Members' Allowances Scheme. These are to (a) keep the current levels unchanged; (b) increase the allowances while staying within the original 2018-19 budget allocation for Members' Allowances; or (c) to increase/decrease allowances by some other level to be determined by the Council.

- 4.2 To assist Members in understanding the impact of any changes in the Members' Allowances Scheme a comparison with the levels at the other 11 Kent District/Borough Councils is set out in Appendix 3. A comparison between Options 1 and 2 is also set out in Appendix 3.

#### ***Option 1A: Maintain Current Levels***

- 4.3 The Members' Allowances Scheme for 2018-19 (the last full year of application) was based on 45 councillors with 6 Cabinet members (including the Leader and Deputy Leader), 8 Shadow Cabinet members (including the Leader of the Opposition and Deputy Leader of the Opposition) and 2 scrutiny committees.

- 4.4 The difference between the 2018-19 Members' Allowance Scheme and the current position is as follows:

	2018-19 (£)	Total Budget (£)	Jan 2020 (£)	Total Budget* (£)	Difference (£)
Basic Allowance	3,980 x 45	179,100	3,980 x 32	127,360	51,740
Cabinet Member	5,562 x 6	33,372	5,562 x 5	27,810	5,562
Shadow Cabinet	1,854 x 6	11,124	1,854 x 5	9,270	1,854
Scrutiny Chairman	3,708 x 2	7,416	3,708 x 1	3,708	3,708
Scrutiny Vice- Chairman	927 x 2	1,854	927 x 1	927	927
					£63,791

(\*) Based on a full year and not the pro-rata savings that resulted from the changes in July 2019.

4.5 If the levels of Basic and Special Responsibility Allowance (SRA) are maintained this would result in a saving of £63,791 per annum against the budget allocation for Members' Allowances in 2018-19 by virtue of the reduced council size, the smaller Cabinet and Shadow Cabinet and the reduction in the number of scrutiny committees. This saving was taken as part of the Medium-Term Financial Plan (MTFP) for 2019-20.

4.6 Option 1A: To make the Members' Allowances Scheme 2020-21 at the levels of 2019-20, as set out in Appendix 1. This would result in no changes to the allowance scheme. Members would make the Members' Allowances Scheme as set out in Appendix 1 for the municipal year 2020-21.

***Option 1B: Maintain Current Levels but increase Dependants' Carers' Allowance***

4.7 This is the same as Option 1A but with an increase in the Dependants' Carers' Allowance in line with the National Living Wage.

4.8 **Option 1B:** To make the Members' Allowances Scheme 2020-21 at the levels of 2019-20, as set out in Appendix 1 with an increase in the Dependants' Carers' Allowance to £8.72 per hour in line with the National Living Wage. This would result in minimal changes to the allowance scheme.

Members would make the Members' Allowances Scheme as set out in Appendix 1 for the municipal year 2020-21 subject to the increase in the Dependants' Carers' Allowance.

***Option 2A: Increase in Members' Allowances (within the 2018-19 Budget Allocation) with no increase in Dependants' Carers' Allowance***

4.9 In accordance with the request of the Leader of the Council, Options 2A and 2B look to identify how the saving in Members' Allowances that resulted from the reduction in Council size and the size of the Cabinet (in May 2019) and number of scrutiny

committees (in July 2019) could be applied to the Members' Allowances Scheme in 2020-21. The proposed change in the Basic Allowance also reflects the increase in ward sizes and/or workload arising from the change in council size. So long as any potential increase was kept under £63,791 it would be no greater expenditure on Members' Allowances than there was in 2018/19.

- 4.10 An example of such a potential increase in Members' allowances that remains within the 2018-19 budget allocation for Members' allowances is set out in Appendix 2. This is based on using £51,216.00 of the £63,791.00 difference highlighted at paragraph 4.2 of the report.
- 4.11 In identifying potential increases in the Members' Allowances Scheme care has been given to keep to the original framework adopted by the Independent Remuneration Panel. This uses a ratio for Special Responsibility Allowances (SRA) as a percentage of the Leader of the Council's Special Responsibility Allowance.
- 4.12 Apart from two exceptions, the proposed allowances set out in Appendix 2A are below the Kent Average. The two exceptions (Scrutiny and Governance) are higher than the Kent Average but have been kept in line with the SRA for the Chairman of the Planning Committee as under the framework used by the Independent Remuneration Panel all three bodies are equally 'major' committees.
- 4.13 The suggested Basic Allowance is based on using a level close to, but slightly below, the Kent average.
- 4.14 **Option 2A:** To make the Members' Allowance Scheme 2020-21 at the levels set out in Appendix 2.

Members would make the Members' Allowances Scheme as set out in Appendix 2.

***Option 2B: Potential Increase in Members' Allowances (within the 2018-19 Budget Allocation) with increase in Dependants' Carers' Allowance***

- 4.15 This is the same as Option 2A but with an increase in the Dependants' Carers' Allowance in line with the National Living Wage.
- 4.16 **Option 2B:** To make the Members' Allowance Scheme 2020-21 at the levels set out in Appendix 2, subject to an increase in the Dependent Carers Allowance to £8.72 per hour in line with the National Living Wage from 1 April 2020.

Members would make the Members' Allowances Scheme as set out in Appendix 2, subject to the amendment to the Dependent Carers Allowance.

***Option 3: Other Changes to the Members' Allowances Scheme***

- 4.17 Members could make the Members' Allowances Scheme make other changes to the Members' Allowances Scheme. In the event that Members agree to make a significant change to the current scheme it is recommended that Members request a further report to the next Council meeting setting out the changes and the resource implications arising.
- 4.18 **Option 3:** To make the Members' Allowances Scheme set out in Appendix 1 with amendments. This might include changes to the Basic Allowance, Special Responsibility Allowance and/or the Travel and Subsistence Allowances.

## **5. Evaluation of Options**

- 5.1 Option 1A is cost neutral and would result in no direct resource implications or changes to the existing Members' Allowances Scheme.
- 5.2 Option 1B would result in minimal resource implications. It amends the draft Scheme to increase the Dependent Carers Allowance from £8.21 per hour to £8.72 per hour in line with the National Living Wage. Based on the historic number of claims per annum against the Dependent Carers Allowance over the last 5 municipal years this would be sustainable within the current budget provision.
- 5.3 Option 2A would have an impact on the required 2020-21 budgetary provision, resulting in an increase against the expenditure during 2019-20. However, the proposed Members' Allowances Scheme set out in Appendix 2 is within the previous overall budget for the 2018-19 Members' Allowance Scheme.
- 5.4 Option 2B would have an impact on the required 2020-21 budgetary provision, resulting in an increase against the expenditure during 2019-20. However, the proposed Members' Allowances Scheme set out in Appendix 2 is within the previous overall budget for the 2018-19 Members' Allowance Scheme.
- 5.5 There would be minimal impact arising from the increase in the Dependents' Carers Allowance in line with the National Living Wage based on the historic number of claims over the last 5 municipal years.
- 5.6 Option 3 could result in an additional budgetary pressure for the 2020-21 budget depending on the exact nature of the changes. This option may also require a further consultation with the East Kent Joint Independent Remuneration Panel before it can be formally adopted depending on the nature of the proposed changes.

### **East Kent Joint Independent Remuneration Panel**

- 5.7 The East Kent Joint Independent Remuneration Panel (EKJIRP) is a joint body appointed by Dover District Council, Canterbury City Council and Thanet District Council in accordance with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003 (Regulation 20(b)). The Council must have regard to its recommendations in setting its Members' Allowances Scheme.

The East Kent Joint Independent Remuneration Panel has previously made a set of recommendations as to the levels of Basic and Special Responsibility Allowance that it felt were appropriate for Dover District Council. These are for reference set out at Appendix 3 of this report.

## **6. Resource Implications**

- 6.1 The resource implications outlined below assume that all Members will claim their full allowance entitlement in the event of any changes to the Scheme. It should be noted that in accordance with the provisions of the Members' Allowances Scheme any Member may elect to forego any part or the whole of their entitlement to an allowance(s). Any Member wishing to forego part or the whole of an entitlement must notify the S151 Officer in writing of that decision.
- 6.2 There are no direct resource implications if Option 1A is adopted and Option 1B incurs minimal resource implications that can be funded from within the existing budget

provision. If one of these options are adopted the annual saving of £64,000.00 incorporated into the 2019/20 budget would continue to be delivered.

- 6.3 Options 2A or 2B would remove the £64k reduction in budget achieved in 2019/20 due to the reduction in Council size through the increase in allowances.

7. **Corporate Implications**

- 6.1 The Council is required to make arrangements for a Members' Allowances Scheme.

8. **Appendices**

Appendix 1 – Draft Members' Allowances Scheme 2020-21 (As per Option 1A or 1B)

Appendix 2 – Draft Members' Allowances Scheme 2020-21 (As per Option 2A or 2B)

Appendix 3 – Comparison with other Kent district/borough authorities' allowances against Options 1A and 2A

Appendix 3 - Comparison of Options 1A and 2A

Appendix 4 – East Kent Joint Independent Remuneration Panel Recommendations in respect of the draft Members' Allowances Scheme 2020-21 (to follow)

9. **Background Papers**

Constitution of the Council – Issue 21

Contact Officer: Rebecca Brough, Democratic Services Manager, 01304 872304

## **Part 6**

### **Members' Allowances Scheme**

**2020/21**

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## **Members' Allowances Scheme**

### **1. Introduction**

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) requires local authorities to prepare schemes for the payment of allowances to their members.
- 1.2 The 2003 Regulations (as amended) stated that authorities must establish a scheme of allowances under those Regulations by 31 December 2003. Authorities making schemes are required to make provision for the payment of basic allowances and may also provide for the payment of special responsibility allowances, dependants' carers allowances, travelling and subsistence allowance and co-optees' allowances.
- 1.3 The Council has established an Independent Remuneration Panel in conjunction with Canterbury City Council and Thanet District Council. Authorities must have regard to the recommendations made by an independent remuneration panel before making or amending a scheme in accordance with the Local Authorities (Members Allowances) (England) Regulations 2003.
- 1.4 At the meeting of the Council held on 29 January 2020 the Council duly made its Members' Allowance Scheme as set out below.

### **2. Commencement and Period of Scheme**

- 2.1 This Scheme is made by Dover District Council pursuant to Section 18 of the Local Government and Housing Act 1989 (as amended by Section 99 of the Local Government Act 2000) and the Local Authorities (Members' Allowances) Regulations 2003.
- 2.2 This Scheme has effect from 1 April 2020 and applies to the payment of members' allowances from 1 April 2020 until 31 March 2021 and subsequent years thereafter (subject to any revocation or amendment).
- 2.3 The Scheme shall remain in force unless and until revoked by the Council with effect from the beginning of a year.
- 2.4 The Scheme may be amended at any time provided that regard is had to the recommendations of the independent remuneration panel.

### **3. Revocation of Previous Schemes**

- 3.1 All previous schemes made by the Council for the payment of members' allowances were revoked with effect from 1 April 2020.

### **4. Basic Allowances**

- 4.1 A Basic Allowance shall be paid to each Member of the authority who is a councillor in the amount set out in Schedule 1.

4.2 The Basic Allowance is intended to cover the full range of work expected of a ward councillor together with incidental expenditure on matters such as stationery, postage, telephone and broadband costs.

4.3 Where the term of office of a Member begins or ends otherwise than at the beginning or end of a year, his/her entitlement shall be to payment of such part of the Basic Allowance as bears to the whole the same proportion as the number of days during which his/her term of office as Member and councillor subsists bears to the number of days in that year.

## 5. **Special Responsibility Allowances**

5.1 Special Responsibility Allowances shall be payable to those Members of the authority who are councillors as hold those offices (which have special responsibilities in relation to the authority) as are specified in Schedule 2.

5.2 The amount of each Special Responsibility Allowance shall be as specified in Schedule 2.

5.3 Where a Member does not have throughout the whole of a year any such special responsibilities as entitle him/her to a Special Responsibility Allowance, his/her entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he/she has such special responsibilities bears to the number of days in that year.

5.5 No Member shall be entitled to more than one Special Responsibility Allowance. Where a Member holds more than one office, then the higher of the Special Responsibility Allowances shall apply.

## 6. **Appropriate Adjustments**

6.1 The Section 151 Officer shall be authorised to make provision for any appropriate adjustment if necessary in respect of any Basic Allowance or Special Responsibility Allowance which:

- (a) has already been paid under the previous scheme in respect of the remainder of the year from which this Scheme has effect; or
- (b) is to be paid in respect of any part of the year during which the previous scheme had effect.

## 7. **Travelling and Subsistence Allowance**

7.1 Travelling and Subsistence Allowance shall be available to Members of the Council (including Co-opted members) in such amount or amounts as may be specified in Schedule 5 and subject to such conditions as are set out therein and below.

7.2 Travelling and Subsistence Allowance shall only be payable to Members in respect of actual expenditure incurred in connection with or relating to the approved duties shown below. The scheme does not allow for travelling expenses to be paid to Members arranging meetings with officers or attending to Ward work as this is deemed to be part of the Member's role and Members' allowances paid are calculated to reflect these extra duties.

- 7.3 For the purposes of the payment of travel expenses, all travel will be deemed to have commenced from the Member's current address or, if this is not within the administrative area of the Council, from the address through which the Member qualified to stand for election.
- 7.5 For journeys outside Kent the second class rail fare is paid (irrespective of whether the Member chooses to use a car), although any taxi fares, parking charges and underground fares incurred as part of the journey may still be claimed for separately. Where it is impracticable for a Member to travel by train because the venue is difficult to get to within the time allowed, or to avoid an overnight stay, or extra passengers/luggage has to be taken, car mileage may be allowed at the appropriate rate provided that written self-certification explaining why it is impractical has been completed and submitted to Democratic Services prior to the journey.
- 7.6 Attendance at meetings of the Council or of any of its committees, sub-committees, working or liaison groups, appeal panels and ad hoc meetings recorded in official minutes to which a Member has been appointed or at which s/he is acting as a Substitute for another Member including representatives appointed to Neighbourhood Forums and their substitutes.
- 7.7 Attendance at meetings of the Cabinet or of any Committee of the Cabinet or policy or project advisory groups. Members of the Shadow Cabinet, Chairmen of Scrutiny Committees and recognised Group Spokespersons shall also be eligible to claim for attendance at meetings of the Cabinet.
- 7.8 Requested attendance at meetings of Overview and Scrutiny Committees.
- 7.9 Meetings pursuant to any Joint Arrangements with another or other local authorities whether appointed or established under the Local Government Act 2000 or any other enactment.
- 7.10 Official briefing meetings which relate to an approved meeting as set out in 1.1 and 1.2 above where officers have specifically invited the Member. This scheme does not allow for travelling expenses to be paid to individual Members arranging meetings with officers as this is deemed to be part of the Member's role and Members' allowances paid are calculated to reflect these extra duties. For example: visiting the Council offices to discuss with an officer a matter raised by a member of the public in the Member's Ward.
- 7.11 Site meetings approved in advance by the Council, a committee or sub-committee, and limited to members of the committee or sub-committee in question.
- 7.12 Attending the approved duties as set out in Table 1 of Schedule 5. (Travelling arrangements should be co-ordinated to avoid duplicate claims wherever possible, particularly in instances where a Council Officer is also attending).
- 7.13 There is also a general duty permitting the Leader or nominated deputy to represent the Council at formal meetings not specified elsewhere with other authorities, official bodies or agencies for the purposes of any function of the Council.
- 7.14 Training, induction courses and seminars arranged for Members.
- 7.15 Attending the Council offices to open tender documents in accordance with Contracts Standing Order 11.5 in Part 4 of the Constitution.

- 7.16 The performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises.
- 7.17 The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996.
- 7.18 The carrying out of any other duty approved by the Council, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Council or any of its committees or sub-committees. Provided always that the approved duties for which Members are eligible to claim travel and subsistence allowance shall not include cases where the Member is acting solely in his/her community role or carrying out ward business.
- 7.19 Co-opted and independent members of Committees, Boards and Panels receive travel allowances in the same way as elected members of the Council.
- 7.20 All claims for travel and subsistence allowances must be submitted to the Democratic Services Section within three months from the date on which the entitlement arises.

## 8. **Dependants' Carers' Allowance**

- 8.1 A Dependants' Carers' Allowance shall be available to Members of the Council (a) in such amount or amounts as may be specified in Schedule 6 and (b) subject to such conditions as are set out in Schedule 7 and below.
- 8.2 A Dependant's Carer's Allowance shall only be payable to Members in respect of actual expenditure incurred in connection with or relating to the approved duties as specified in Schedule 6.
- 8.3 A Dependant's Carer's Allowance shall only be payable to Members in respect of the expense of arranging for the care of a spouse, partner, child, parent, or a person who lives in the same household as the Member otherwise than by reason of being his/her employee, tenant, lodger or boarder.
- 8.4 The carer must not be a member of the claimant's immediate family i.e. spouse or partner, other children of the Member or Member's spouse, or any member of the Member's family who lives at the same address as the Member; nor should it be an employee, tenant, lodger or boarder who lives at that address.
- 8.5 Payment of the allowance shall only be made on satisfactory production of an invoice and receipt; forms are available from Democratic Services.
- 8.6 Such allowances paid to a Member shall be unlimited.
- 8.7 All claims for such allowances must be submitted monthly to the Head of Democratic Services.

## 9. **Index Linking**

- 9.1 NOT USED

## 10. **Back Dating**

- 10.1 Where an amendment of this Scheme is made which affects an allowance payable for the year in which the amendment is made, the Member's entitlement to such allowance as amended shall apply with effect from the beginning of the year in which the amendment is made.

## 11. **Repayment**

- 11.1 Where payment of any allowance has already been made in respect of any period during which the Member concerned is:

- (a) ceases to be a Member of the authority; or
- (b) is in any way not entitled to receive the allowance in respect of that period,

the Council may require that such part of the allowance as relates to any such period shall be repaid to the Council.

## 12. **Membership of More Than One Authority**

- 12.1 Where a Member of the Council is also a member of another authority, that member may not receive allowances from more than one authority in respect of the same duties.

## 13. **Electing To Forgo Allowances**

- 13.1 A Member may, by notice in writing given to the Section 151 Officer, elect to forego any part of his/her entitlement to an allowance under this Scheme.

## 14. **Claims and Payments**

- 14.1 No claim is required for basic allowances and special responsibility allowances. Basic allowances will be paid equally to all Members whilst special responsibility allowances will be paid to those Members who are entitled to them.

- 14.2 Basic allowances and special responsibility allowances will be paid as follows:

- (i) To enable Members to meet one-off expenses at the start of the year following the ordinary elections of the full Council, the basic allowance will be paid as follows:
  - (a) a payment of £500 at the commencement of the year
  - (b) the balance to be paid by equal monthly payments on or about the 19th day of each month.
- (ii) Special responsibility allowances will be paid by equal monthly instalments on or about the 19th day of each month.

For all subsequent years until the next ordinary elections of the full Council, the Basic Allowance and special responsibility allowances will be paid by equal monthly instalments on or about the 19<sup>th</sup> day of each month.

- 14.3 In the case of Travelling and Subsistence Allowance and Dependants' Carers' Allowance claims must be submitted on the appropriate form on a monthly basis and will be paid through the Council's payroll system. In order to facilitate payment, claim forms should be completed in full detail and any appropriate receipts or vouchers

must be attached. If the expenses are vatable, a VAT receipt should be enclosed if possible, to enable the Council to recover the VAT element. The declaration on the form must be completed and signed in every instance.

- 14.4 Members are requested to submit claims by not later than the 25th of each month for payment by direct credit to bank accounts on or about the 19th of the following month. A payment advice slip will be sent directly to Members and further claim forms are available from Democratic Services on request.
- 14.5 The following data must be provided to the Section 151 Officer in order to facilitate the payment:
- (i) Bank address and bank account number.
  - (ii) National Insurance number and, in the case of certain married women, a Certificate of Reduced Liability and, in the case of pensioners, a Certificate of Age Exemption, these certificates being provided by the Department of Work and Pensions.
- 14.5 In the case of a claim for Travelling and Subsistence Allowance or Dependants' Carers' Allowance such claim must be made to the Democratic Services Section within three months from the date on which an entitlement to the allowance arises.

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**SCHEDULE 1**

<b>Column 1 (Description)</b>	<b>Column 2 (Amount)</b>
<b>Basic Allowance</b>	£3,980 pa

**SCHEDULE 2**

<b>Column 1 (Description)</b>	<b>Column 2 (Amount)</b>
<b>Special Responsibility Allowances</b>	
Special responsibility allowances of the amounts shown in Column 2 (where indicated) shall be payable in respect of the following office holders:	
Leader of the Council	£14,832 pa
Deputy Leader of the Council	£7,416 pa
Other Cabinet Members	£5,562 pa
Chairman of Overview and Scrutiny Committee	£3,708 pa
Chairman of the Planning Committee	£3,708 pa
Chairman of the Governance Committee	£3,708 pa
Chairman of the Regulatory Committee	£927 pa
Chairman of the Licensing Committee	£927 pa
Chairman of the Dover Joint Transportation Board*	£927 pa
Chairman of the General Purposes Committee	£927 pa
Vice-Chairman of Overview and Scrutiny Committee	£927 pa
Vice-Chairman of the Planning Committee	£927 pa
Vice-Chairman of the Governance Committee	£927 pa
Vice-Chairman of the Regulatory Committee	£232 pa
Vice-Chairman of the Licensing Committee	£232 pa
Vice-Chairman of the Dover Joint Transportation Board*	£232 pa
Vice-Chairman of the General Purposes Committee	£232 pa

<b>Column 1 (Description)</b>	<b>Column 2 (Amount)</b>
Leader of the Main Opposition Group where the group has 10 or more members	£4,171 pa
Leader of an Opposition Group with a membership of between 5 and 9 members	£232 pa
Leader of an Opposition Group with less than 5 members	None
Deputy Leader of the Main Opposition Group where the group has 10 or more members	£1,854 pa
Deputy Leader of an Opposition Group with less than 10 members	None
Members of the Shadow Cabinet	£1,854 pa
Members of the Licensing Committee	£260 pa

(\* ) The Chairmanship and Vice-Chairmanship alternate between Kent County Council and Dover District Council.

### SCHEDULE 3

<b>Column 1 (Description)</b>	<b>Column 2 (Amount)</b>
Chairman of the Council	£5,300 pa
Vice-Chairman of the Council	£1,400 pa

### SCHEDULE 4

<b>Column 1 (Description)</b>	<b>Column 2 (Amount)</b>
Independent Person(s)	£927 pa

**SCHEDULE 5****Travelling and Subsistence Allowance**

List of approved duties attendance at which travelling and subsistence allowance may be claimed for:

Body	Number of representatives
Action with Rural Communities in Kent	2
Deal Fairtrade Steering Group	1
Deal and Sandwich Coastal Community Team	2
Dover Coastal Community Team	2
Dover Deal & District Citizens Advice Bureau	2
Dover Fairtrade Steering Group	1
East Kent Housing Board	1
East Kent Housing Dover Area Tenants' Board	2
East Kent Spatial Development Company	1
Industrial Communities Alliance	1
JAC Kent Downs AONB Partnership	1
Kent County Playing Fields Association	1
Kent Leaders' & Chief Executives' Forum	1
Local Enterprise Partnership Board and Executive	1
Local Government Association – General Assembly	1
Local Government Association – Rural Commission	1
Patrol (National Parking Adjudication Service)	1
Kent Police and Crime Panel	1
River Dour Partnership	1
River Stour (Kent) Internal Drainage Board	2
Sandwich & Pegwell Bay National Nature Reserve Management Committee	1
South East England Councils (Secretary & Executive)	1
Tourism South East	1

Travel expenses claims in respect of attendance at meetings of other bodies to which the Member has been appointed or any outside body to which the Member are appointed as a trustee would need to be submitted to relevant Charity/Trust not Dover District Council.

Conferences attended by Members:

Conference	Number of representatives

Local Government Association Annual Conference	3
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### Subsistence Allowances

Subsistence allowance shall only be paid for actual expenses incurred and with proper receipts and shall not exceed:

- (a) In the case of absence, not involving an absence overnight, from the Member's usual place of residence:

Allowance	Rate	Conditions
Breakfast Allowance	£6.45	Absence to exceed 4 hours before 11.00am
Lunch Allowance	£8.91	Absence to exceed 4 hours and to include the lunch period between 12 noon to 2.00pm
Tea Allowance	£3.53	Absence to exceed 4 hours and to include the period 3.00pm to 6.00pm
Evening Meal Allowance	£11.03	Absence to exceed 4 hours, period of time ending after 7.00pm

- (b) Members who are required to make overnight stays in the performance of their official duties should, wherever possible, pre-book accommodation of an appropriate standard and obtain approval from the Leader of the Council. Arrangements should be made for an invoice to be submitted directly to the Council. If this is not possible a detailed VAT receipt MUST be obtained to substantiate the claim. Alcoholic drinks may not be included in any claim.

### Travelling Allowances

The rate for travel by a Member's own car shall not exceed 40p per mile. Where a Member takes as a passenger another Member or person to whom a travelling allowance would otherwise be paid, the Member may claim an extra 1p per passenger (not exceeding 4) per mile.

- (a) The rate for travel by a Member's own solo motorcycle shall not exceed, according to the cylinder capacity of the engine, the following:

engines not exceeding 150cc	8.5 per mile
engines exceeding 150cc but not exceeding 500 cc	12.3 per mile
engines exceeding 500cc	16.5 per mile

- (b) The rate for travel by bicycle shall not exceed 20p per mile.
- (c) For journeys outside Kent the second class rail fare is paid (irrespective of whether the Member chooses to use a car), although any taxi fares, parking charges and underground fares incurred as part of the journey may still be claimed for separately. Where it is impracticable for a Member to travel by train because the venue is difficult to get to within the time allowed, or to avoid an overnight stay, or extra passengers/luggage has to be taken, car mileage may be allowed at the appropriate rate provided that a self-certification form explaining why it is impractical has been completed and submitted to Democratic Services prior to the journey.

- (d) Second class rail fares, bus fares, essential taxi fares and gratuities, car parking fees, tolls, etc. necessarily incurred may be claimed subject to the provision of receipts. Rail fares should be pre-booked wherever possible to achieve reduced fares.
- (e) All claims for travel and subsistence allowances must be submitted to the Democratic Services section within three months from the date on which the entitlement arises.

### SCHEDULE 6

Allowance	Index
<b>Index Linking</b>	
Basic and Special Responsibility Allowances and Co-optees Allowance	NOT USED
Travel and Subsistence Allowances	NOT USED
Dependants' Carers' Allowance	NOT USED

### SCHEDULE 7

Column 1 (Description and Conditions)	Column 2 (Amount)
<b>Dependants' Carers' Allowance</b>	£8.21 per hour

## **Part 6**

### **Members' Allowances Scheme**

**2020/21**

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## **Members' Allowances Scheme**

### **1. Introduction**

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) requires local authorities to prepare schemes for the payment of allowances to their members.
- 1.2 The 2003 Regulations (as amended) stated that authorities must establish a scheme of allowances under those Regulations by 31 December 2003. Authorities making schemes are required to make provision for the payment of basic allowances and may also provide for the payment of special responsibility allowances, dependants' carers allowances, travelling and subsistence allowance and co-optees' allowances.
- 1.3 The Council has established an Independent Remuneration Panel in conjunction with Canterbury City Council and Thanet District Council. Authorities must have regard to the recommendations made by an independent remuneration panel before making or amending a scheme in accordance with the Local Authorities (Members Allowances) (England) Regulations 2003.
- 1.4 At the meeting of the Council held on 29 January 2020 the Council duly made its Members' Allowance Scheme as set out below.

### **2. Commencement and Period of Scheme**

- 2.1 This Scheme is made by Dover District Council pursuant to Section 18 of the Local Government and Housing Act 1989 (as amended by Section 99 of the Local Government Act 2000) and the Local Authorities (Members' Allowances) Regulations 2003.
- 2.2 This Scheme has effect from 1 April 2020 and applies to the payment of members' allowances from 1 April 2020 until 31 March 2021 and subsequent years thereafter (subject to any revocation or amendment).
- 2.3 The Scheme shall remain in force unless and until revoked by the Council with effect from the beginning of a year.
- 2.4 The Scheme may be amended at any time provided that regard is had to the recommendations of the independent remuneration panel.

### **3. Revocation of Previous Schemes**

- 3.1 All previous schemes made by the Council for the payment of members' allowances were revoked with effect from 1 April 2020.

### **4. Basic Allowances**

- 4.1 A Basic Allowance shall be paid to each Member of the authority who is a councillor in the amount set out in Schedule 1.

4.2 The Basic Allowance is intended to cover the full range of work expected of a ward councillor together with incidental expenditure on matters such as stationery, postage, telephone and broadband costs.

4.3 Where the term of office of a Member begins or ends otherwise than at the beginning or end of a year, his/her entitlement shall be to payment of such part of the Basic Allowance as bears to the whole the same proportion as the number of days during which his/her term of office as Member and councillor subsists bears to the number of days in that year.

## 5. **Special Responsibility Allowances**

5.1 Special Responsibility Allowances shall be payable to those Members of the authority who are councillors as hold those offices (which have special responsibilities in relation to the authority) as are specified in Schedule 2.

5.2 The amount of each Special Responsibility Allowance shall be as specified in Schedule 2.

5.3 Where a Member does not have throughout the whole of a year any such special responsibilities as entitle him/her to a Special Responsibility Allowance, his/her entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he/she has such special responsibilities bears to the number of days in that year.

5.5 No Member shall be entitled to more than one Special Responsibility Allowance. Where a Member holds more than one office, then the higher of the Special Responsibility Allowances shall apply.

## 6. **Appropriate Adjustments**

6.1 The Section 151 Officer shall be authorised to make provision for any appropriate adjustment if necessary in respect of any Basic Allowance or Special Responsibility Allowance which:

- (a) has already been paid under the previous scheme in respect of the remainder of the year from which this Scheme has effect; or
- (b) is to be paid in respect of any part of the year during which the previous scheme had effect.

## 7. **Travelling and Subsistence Allowance**

7.1 Travelling and Subsistence Allowance shall be available to Members of the Council (including Co-opted members) in such amount or amounts as may be specified in Schedule 5 and subject to such conditions as are set out therein and below.

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- 7.3 For the purposes of the payment of travel expenses, all travel will be deemed to have commenced from the Member's current address or, if this is not within the administrative area of the Council, from the address through which the Member qualified to stand for election.
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- 7.7 Attendance at meetings of the Cabinet or of any Committee of the Cabinet or policy or project advisory groups. Members of the Shadow Cabinet, Chairmen of Scrutiny Committees and recognised Group Spokespersons shall also be eligible to claim for attendance at meetings of the Cabinet.
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- 7.15 Attending the Council offices to open tender documents in accordance with Contracts Standing Order 11.5 in Part 4 of the Constitution.

- 7.16 The performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises.
- 7.17 The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996.
- 7.18 The carrying out of any other duty approved by the Council, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Council or any of its committees or sub-committees. Provided always that the approved duties for which Members are eligible to claim travel and subsistence allowance shall not include cases where the Member is acting solely in his/her community role or carrying out ward business.
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- 8.1 A Dependants' Carers' Allowance shall be available to Members of the Council (a) in such amount or amounts as may be specified in Schedule 6 and (b) subject to such conditions as are set out in Schedule 7 and below.
- 8.2 A Dependant's Carer's Allowance shall only be payable to Members in respect of actual expenditure incurred in connection with or relating to the approved duties as specified in Schedule 6.
- 8.3 A Dependant's Carer's Allowance shall only be payable to Members in respect of the expense of arranging for the care of a spouse, partner, child, parent, or a person who lives in the same household as the Member otherwise than by reason of being his/her employee, tenant, lodger or boarder.
- 8.4 The carer must not be a member of the claimant's immediate family i.e. spouse or partner, other children of the Member or Member's spouse, or any member of the Member's family who lives at the same address as the Member; nor should it be an employee, tenant, lodger or boarder who lives at that address.
- 8.5 Payment of the allowance shall only be made on satisfactory production of an invoice and receipt; forms are available from Democratic Services.
- 8.6 Such allowances paid to a Member shall be unlimited.
- 8.7 All claims for such allowances must be submitted monthly to the Head of Democratic Services.

## **9. Index Linking**

- 9.1 NOT USED

## **10. Back Dating**

- 10.1 Where an amendment of this Scheme is made which affects an allowance payable for the year in which the amendment is made, the Member's entitlement to such allowance as amended shall apply with effect from the beginning of the year in which the amendment is made.

## 11. **Repayment**

- 11.1 Where payment of any allowance has already been made in respect of any period during which the Member concerned is:

- (a) ceases to be a Member of the authority; or
- (b) is in any way not entitled to receive the allowance in respect of that period,

the Council may require that such part of the allowance as relates to any such period shall be repaid to the Council.

## 12. **Membership of More Than One Authority**

- 12.1 Where a Member of the Council is also a member of another authority, that member may not receive allowances from more than one authority in respect of the same duties.

## 13. **Electing To Forgo Allowances**

- 13.1 A Member may, by notice in writing given to the Section 151 Officer, elect to forego any part of his/her entitlement to an allowance under this Scheme.

## 14. **Claims and Payments**

- 14.1 No claim is required for basic allowances and special responsibility allowances. Basic allowances will be paid equally to all Members whilst special responsibility allowances will be paid to those Members who are entitled to them.

- 14.2 Basic allowances and special responsibility allowances will be paid as follows:

- (i) To enable Members to meet one-off expenses at the start of the year following the ordinary elections of the full Council, the basic allowance will be paid as follows:
  - (a) a payment of £500 at the commencement of the year
  - (b) the balance to be paid by equal monthly payments on or about the 19th day of each month.
- (ii) Special responsibility allowances will be paid by equal monthly instalments on or about the 19th day of each month.

For all subsequent years until the next ordinary elections of the full Council, the Basic Allowance and special responsibility allowances will be paid by equal monthly instalments on or about the 19<sup>th</sup> day of each month.

- 14.3 In the case of Travelling and Subsistence Allowance and Dependants' Carers' Allowance claims must be submitted on the appropriate form on a monthly basis and will be paid through the Council's payroll system. In order to facilitate payment, claim forms should be completed in full detail and any appropriate receipts or vouchers

must be attached. If the expenses are vatable, a VAT receipt should be enclosed if possible, to enable the Council to recover the VAT element. The declaration on the form must be completed and signed in every instance.

- 14.4 Members are requested to submit claims by not later than the 25th of each month for payment by direct credit to bank accounts on or about the 19th of the following month. A payment advice slip will be sent directly to Members and further claim forms are available from Democratic Services on request.
- 14.5 The following data must be provided to the Section 151 Officer in order to facilitate the payment:
- (i) Bank address and bank account number.
  - (ii) National Insurance number and, in the case of certain married women, a Certificate of Reduced Liability and, in the case of pensioners, a Certificate of Age Exemption, these certificates being provided by the Department of Work and Pensions.
- 14.5 In the case of a claim for Travelling and Subsistence Allowance or Dependants' Carers' Allowance such claim must be made to the Democratic Services Section within three months from the date on which an entitlement to the allowance arises.

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**SCHEDULE 1**

<b>Column 1 (Description)</b>	<b>Column 2 (Amount)</b>
<b>Basic Allowance</b>	£5,000 pa

**SCHEDULE 2**

<b>Column 1 (Description)</b>	<b>Column 2 (Amount)</b>
<b>Special Responsibility Allowances</b>	
Special responsibility allowances of the amounts shown in Column 2 (where indicated) shall be payable in respect of the following office holders:	
Leader of the Council	£18,000 pa
Deputy Leader of the Council	£9,000 pa
Other Cabinet Members	£6,750 pa
Chairman of Overview and Scrutiny Committee	£4,500 pa
Chairman of the Planning Committee	£4,500 pa
Chairman of the Governance Committee	£4,500 pa
Chairman of the Regulatory Committee	£1,125 pa
Chairman of the Licensing Committee	£1,125 pa
Chairman of the Dover Joint Transportation Board*	£1,125 pa
Chairman of the General Purposes Committee	£1,125 pa
Vice-Chairman of Overview and Scrutiny Committee	£1,125 pa
Vice-Chairman of the Planning Committee	£1,125 pa
Vice-Chairman of the Governance Committee	£1,125 pa
Vice-Chairman of the Regulatory Committee	£281 pa
Vice-Chairman of the Licensing Committee	£281 pa
Vice-Chairman of the Dover Joint Transportation Board*	£281 pa
Vice-Chairman of the General Purposes Committee	£281 pa

<b>Column 1 (Description)</b>	<b>Column 2 (Amount)</b>
Leader of the Main Opposition Group where the group has 10 or more members	£5,061 pa
Leader of an Opposition Group with a membership of between 5 and 9 members	£232 pa
Leader of an Opposition Group with less than 5 members	None
Deputy Leader of the Main Opposition Group where the group has 10 or more members	£2,250 pa
Deputy Leader of an Opposition Group with less than 10 members	None
Members of the Shadow Cabinet	£2,250 pa
Members of the Licensing Committee	£260 pa

(\* ) The Chairmanship and Vice-Chairmanship alternate between Kent County Council and Dover District Council.

### **SCHEDULE 3**

<b>Column 1 (Description)</b>	<b>Column 2 (Amount)</b>
Chairman of the Council	£5,300 pa
Vice-Chairman of the Council	£1,400 pa

### **SCHEDULE 4**

<b>Column 1 (Description)</b>	<b>Column 2 (Amount)</b>
Independent Person(s)	£927 pa

## SCHEDULE 5

### Travelling and Subsistence Allowance

List of approved duties attendance at which travelling and subsistence allowance may be claimed for:

Body	Number of representatives
Action with Rural Communities in Kent	2
Deal Fairtrade Steering Group	1
Deal and Sandwich Coastal Community Team	2
Dover Coastal Community Team	2
Dover Deal & District Citizens Advice Bureau	2
Dover Fairtrade Steering Group	1
East Kent Housing Board	1
East Kent Housing Dover Area Tenants' Board	2
East Kent Spatial Development Company	1
Industrial Communities Alliance	1
JAC Kent Downs AONB Partnership	1
Kent County Playing Fields Association	1
Kent Leaders' & Chief Executives' Forum	1
Local Enterprise Partnership Board and Executive	1
Local Government Association – General Assembly	1
Local Government Association – Rural Commission	1
Patrol (National Parking Adjudication Service)	1
Kent Police and Crime Panel	1
River Dour Partnership	1
River Stour (Kent) Internal Drainage Board	2
Sandwich & Pegwell Bay National Nature Reserve Management Committee	1
South East England Councils (Secretary & Executive)	1
Tourism South East	1

Travel expenses claims in respect of attendance at meetings of other bodies to which the Member has been appointed or any outside body to which the Member are appointed as a trustee would need to be submitted to relevant Charity/Trust not Dover District Council.

#### Conferences attended by Members:

Conference	Number of representatives

Local Government Association Annual Conference	3
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### Subsistence Allowances

Subsistence allowance shall only be paid for actual expenses incurred and with proper receipts and shall not exceed:

- (a) In the case of absence, not involving an absence overnight, from the Member's usual place of residence:

Allowance	Rate	Conditions
Breakfast Allowance	£6.45	Absence to exceed 4 hours before 11.00am
Lunch Allowance	£8.91	Absence to exceed 4 hours and to include the lunch period between 12 noon to 2.00pm
Tea Allowance	£3.53	Absence to exceed 4 hours and to include the period 3.00pm to 6.00pm
Evening Meal Allowance	£11.03	Absence to exceed 4 hours, period of time ending after 7.00pm

- (b) Members who are required to make overnight stays in the performance of their official duties should, wherever possible, pre-book accommodation of an appropriate standard and obtain approval from the Leader of the Council. Arrangements should be made for an invoice to be submitted directly to the Council. If this is not possible a detailed VAT receipt MUST be obtained to substantiate the claim. Alcoholic drinks may not be included in any claim.

### Travelling Allowances

The rate for travel by a Member's own car shall not exceed 40p per mile. Where a Member takes as a passenger another Member or person to whom a travelling allowance would otherwise be paid, the Member may claim an extra 1p per passenger (not exceeding 4) per mile.

- (a) The rate for travel by a Member's own solo motorcycle shall not exceed, according to the cylinder capacity of the engine, the following:

engines not exceeding 150cc	8.5 per mile
engines exceeding 150cc but not exceeding 500 cc	12.3 per mile
engines exceeding 500cc	16.5 per mile

- (b) The rate for travel by bicycle shall not exceed 20p per mile.
- (c) For journeys outside Kent the second class rail fare is paid (irrespective of whether the Member chooses to use a car), although any taxi fares, parking charges and underground fares incurred as part of the journey may still be claimed for separately. Where it is impracticable for a Member to travel by train because the venue is difficult to get to within the time allowed, or to avoid an overnight stay, or extra passengers/luggage has to be taken, car mileage may be allowed at the appropriate rate provided that a self-certification form explaining why it is impractical has been completed and submitted to Democratic Services prior to the journey.

- (d) Second class rail fares, bus fares, essential taxi fares and gratuities, car parking fees, tolls, etc. necessarily incurred may be claimed subject to the provision of receipts. Rail fares should be pre-booked wherever possible to achieve reduced fares.
- (e) All claims for travel and subsistence allowances must be submitted to the Democratic Services section within three months from the date on which the entitlement arises.

### SCHEDULE 6

Allowance	Index
<b>Index Linking</b>	
Basic and Special Responsibility Allowances and Co-optees Allowance	NOT USED
Travel and Subsistence Allowances	NOT USED
Dependants' Carers' Allowance	NOT USED

### SCHEDULE 7

Column 1 (Description and Conditions)	Column 2 (Amount)
<b>Dependants' Carers' Allowance</b>	£8.21 per hour

## COMPARISON of OPTIONS 1(A&amp;B) and 2(A&amp;B)

	Number	Option 1 (per member)	Option 2 (per member)	Difference Option 1 v 2	Total Difference (Option 2)	EKJIRP Previously Proposed Level	Notes
Basic Allowance	32	£3,980.00	£5,000.00	+£1,020.00	£32,640.00	£7,590.00	Kent average is £5,164.61
Leader of the Council	1	£14,832.00	£18,000.00	+£3,168.00	£3,168.00	£18,974.00	All other allowances are a percentage of the Leaders
Deputy Leader	1	£7,416.00	£9,000.00	+£1,584.00	£1,584.00	£12,523.00	½ of the Leader's Allowance
Portfolio Holder	5	£5,562.00	£6,750.00	+£1,188.00	£5,940.00	£11,384.00	Approx. 1/3 of the Leader's Allowance
Major Committee Chairman <sup>1</sup>	3	£3,708.00	£4,500.00	+£792.00	£2,376.00	£9,487.00	¼ of the Leader's Allowance
Major Committee Vice-Chairman	3	£927.00	£1,125.00	+£198.00	£594.00	£3,795.00	¼ of the Chairman's Allowance
Minor Committee Chairman <sup>2</sup>	4	£927.00	£1,125.00	+£198.00	£792.00	£3,795.00	Equal to Vice-Chairman of a Major Committee
Minor Committee Vice-Chairman	4	£232.00	£281.00	+£49.00	£196.00	£1,897.00	¼ of the Minor Committee Chairman's Allowance
Licensing Committee Member	12	£260.00	£315.00	+£55.00	£660.00	£0.00	Same percentage increase applied as to other SRAs
Leader of Opposition Group (>10 members)	1	£4,171.00	£5,061.00	+£890.00	£890.00	£6,261.00	Maintains proportion to Leader's Allowance
Deputy Leader of Opposition Group (>10 members)	1	£1,854.00	£2,250.00	+£396.00	£396.00	£3,795.00	1/3 of the Cabinet Portfolio Allowance
Shadow Portfolio Holder	5	£1,854.00	£2,250.00	+£396.00	£1,980.00	£3,795.00	1/3 of the Cabinet Portfolio Allowance
					£51,216.00		

<sup>1</sup> A 'Major Committee' is defined as the Planning Committee, Overview and Scrutiny Committee and Governance Committee

<sup>2</sup> A 'Minor Committee' is defined as the Dover Joint Transportation Board, General Purposes Committee, Regulatory Committee and Licensing Committee

## COMPARISON OF THE MEMBERS' ALLOWANCE SCHEME 2019-20 AGAINST OTHER KENT AUTHORITIES

Authority	Basic Allowance	Leader's Allowance <sup>1</sup>	Deputy Leader <sup>1</sup>	Cabinet Member Allowance	Scrutiny Chairman	Planning Committee Chairman	Governance Committee Chairman <sup>2</sup>	Main Opposition Leader
Dover (Option 1)	3,980.00	14,832.00	7,416.00	5,562.00	3,708.00	3,708.00	3,708.00	4,171.00
Dover (Option 2)	5,000.00	18,000.00	9,000.00	6,750.00	4,500.00	4,500.00	4,500.00	5,061.00
Ashford	4,768.24	15,597.89	10,398.25	7,798.70	6,238.96	6,238.96	5,199.13	239.72 per member
Canterbury	5,584.62	19,416.89	5,851.70	n/a	n/a	5,851.70	531.95(x2)	142.57 per member
Dartford	5,000.00	31,339.00	16,714.00	8,357.00	2,090.00	5,014.00	2,090.00	8,357.00
Folkestone & Hythe	5,433.00	23,905.00	11,953.00	10,866.00	6,248.00	6,248.00	6,248.00	8,150.00
Gravesham	4,822.00	21,700.00	9,645.00	4,822.00	2,411.00	4,822.00	1,206.00	4,822.00
Maidstone	5,166.30	20,002.81	n/a	n/a	n/a	8,000.68	4,000.34	402.63 per member
Sevenoaks	5,466.00	16,400.00	6,833.00	6,833.00	2,187.00	3,281.00	2,187.00	1,358.00
Swale	5,217.61	19,304.62	11,582.77	11,582.77	5,791.91	6,756.36	1,930.98	5,791.91
Tunbridge Wells	5,500.00	19,250.00	11,000.00	11,000.00	1,375.00	5,500.00	1,375.00	275.00 per member
Tonbridge & Malling	5,283.00	18,384.00	8,400.00	8,400.00	2,500.00	2,500.00	2,500.00	1,250.00 plus 250.00 per member
Thanet	4,570.00	18,082.00	10,776.00	7,990.00	3,995.00	5,204.00	5,204.00	5,762.00

Authority	Basic Allowance	Leader's Allowance	Deputy Leader	Cabinet Member Allowance	Scrutiny Chairman	Planning Committee Chairman	Governance Committee Chairman*	Main Opposition Leader <sup>3</sup>
<b>Kent Average<sup>4</sup></b>	5,164.61	20,307.47	10,315.37	8,627.71	3,648.54	5,401.51	3,000.39	4,940.38

<sup>1</sup> Canterbury City Council and Maidstone Borough Council do not operate executive arrangements having opted to adopt a committee system model of governance. The Chairman and Vice-Chairman of the Policy & Resources Committee are used as the equivalent to the Leader and Deputy Leader respectively if no SRA is specified.

<sup>2</sup> Audit Committee used if no Governance Committee. Canterbury City Council splits the Audit and Governance functions into separate committees remunerated equally.

<sup>3</sup> Where a per member allowance is awarded the largest opposition party has been used to calculate the allowance at each authority (as at January 2020)

<sup>4</sup> All Kent District/Borough Councils with an allowance (excluding Dover District Council)



**Members' Allowance Scheme 2020/21**

The recommendations of the East Kent Joint Independent Remuneration Panel are to follow.

## COUNCIL – 29 January 2020

### Questions Raised on Notice by Members

(a) To Chairmen/Vice-Chairmen of Committees

There were no questions received for Chairmen/Vice-Chairmen of Committees.

(b) To the Executive

To receive answers in respect of questions from Members of the Council to a Member of the Executive asked in accordance with Rule 12 of the Council Procedure Rules.

- (1) Councillor P Walker will ask the Portfolio Holder for Community and Tourism, Councillor M J Holloway:

“Can the Portfolio Holder for Community & Tourism please update Members on what progress there has been on the District’s new Tourism Strategy?”

**URGENT BUSINESS**

To consider any other items deemed by the Chairman of the Council to be urgent in accordance with the Local Government Act 1972.