

Public Document Pack



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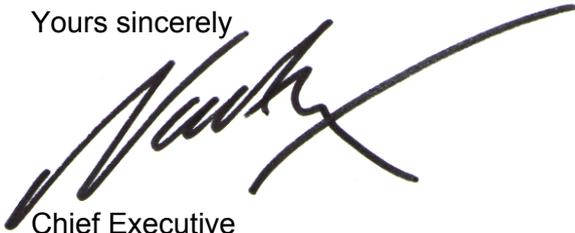
25 July 2019

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a special meeting of the **CABINET** will be held at these offices (Council Chamber) on Monday 5 August 2019 at 12.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Kate Batty-Smith on (01304) 872303 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely



Chief Executive

Cabinet Membership:

K E Morris	Leader of the Council
T J Bartlett	Portfolio Holder for Environment and Commercial Services
S S Chandler	Deputy Leader of the Council and Portfolio Holder for Housing and Health
N J Collor	Portfolio Holder for Transport and Licensing
M J Holloway	Portfolio Holder for Community and Tourism
N S Kenton	Portfolio Holder for Planning and Regulatory Services
S C Manion	Portfolio Holder for Finance and Governance

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **DECLARATIONS OF INTEREST** (Page 5)

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

3 **ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES**

To consider any issues arising from Overview and Scrutiny or other Committees not specifically detailed elsewhere on the agenda.

a Public Petition - EU Thinking Dover and Deal (Page 6)

To consider the attached recommendation of the Scrutiny (Policy and Performance) Committee.

b East Kent Housing Update (Page 7)

To consider the attached recommendations of the Scrutiny (Policy and Performance) Committee.

c Homeless Performance Monitoring (Page 8)

To consider the attached recommendation of the Scrutiny (Policy and Performance) Committee.

d Aylesham Village Expansion - Phase 2 (Page 9)

To consider the attached recommendation of the Scrutiny (Community and Regeneration) Committee.

e Bus Rapid Transit Project (Pages 10 - 11)

To consider the attached recommendations of the Scrutiny (Community and Regeneration) Committee.

EXECUTIVE - KEY DECISIONS

4 **CONSULTATION ON COUNCIL TAX SUPPORT SCHEME 2020/21** (Pages 12-28)

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

Responsibility: Portfolio Holder for Finance and Governance

EXECUTIVE - NON-KEY DECISIONS

5 **APPOINTMENT OF SANDWICH PORT AND HAVEN COMMISSIONERS** (Page 29)

To consider the attached report.

Responsibility: Leader of the Council

6 **EXCLUSION OF THE PRESS AND PUBLIC** (Page 30)

The recommendation is attached.

MATTERS WHICH THE MANAGEMENT TEAM SUGGESTS SHOULD BE CONSIDERED IN PRIVATE AS THE REPORT CONTAINS EXEMPT INFORMATION AS DEFINED WITHIN PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AS INDICATED AND IN RESPECT OF WHICH THE PROPER OFFICER CONSIDERS THAT THE PUBLIC INTEREST IN MAINTAINING THE EXEMPTION OUTWEIGHS THE PUBLIC INTEREST IN DISCLOSING THE INFORMATION

EXECUTIVE - KEY DECISIONS

7 **FIRE PRECAUTION WORKS - AWARD OF CONTRACT** (Pages 31-37)

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

Responsibility: Portfolio Holder for Housing and Health

8 **GAS SERVICING AND HEATING INSTALLATIONS - INTERIM ARRANGEMENTS** (Pages 38-41)

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

Responsibility: Portfolio Holder for Housing and Health

9 **GAS SERVICING AND HEATING INSTALLATIONS - EFFICIENCY CONTRACT 2019-2022** (Pages 42-50)

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

Responsibility: Portfolio Holder for Housing and Health

Access to Meetings and Information

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

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.

ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

PUBLIC PETITION – EU THINKING DOVER AND DEAL

Responsibility: Leader of the Council

Report of: Not applicable

Decision Route

Scrutiny (Policy and Performance) Committee	2 July 2019	Minute No 25
Special Cabinet	5 August 2019	

Scrutiny (Policy and Performance) Committee Recommendation

The Scrutiny (Policy and Performance) Committee, at its meeting held on 2 July 2019, considered a public petition and made the following recommendation to Cabinet:

- (a) That Cabinet considers developing a programme to communicate with local communities 4–6 weeks prior to BREXIT by a variety of methods and incorporates a facility for people to feedback concerns to the Council.
- (b) That it be acknowledged that this is building on the on-going work being undertaken by the Council.

ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

EAST KENT HOUSING UPDATE

Responsibility: Portfolio Holder for Housing and Health

Report of: Not applicable

Decision Route

Scrutiny (Policy and Performance) Committee	2 July 2019	Minute No 28
Special Cabinet	5 August 2019	

Scrutiny (Policy and Performance) Committee Recommendation

The Scrutiny (Policy and Performance) Committee, at its meeting held on 2 July 2019, received an update on East Kent Housing and made the following recommendation:

That it be recommended to Cabinet that it notes the concerns of the Scrutiny (Policy and Performance) Committee in respect of the underspend in the East Kent Housing capital programme for 2018/19 while welcoming the news of the accelerated programme in place to rectify this.

ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

HOMELESS PERFORMANCE MONITORING

Responsibility: Portfolio Holder for Housing and Health

Report of: Not applicable

Decision Route

Scrutiny (Policy and Performance) Committee	2 July 2019	Minute No 30
Special Cabinet	5 August 2019	

Scrutiny (Policy and Performance) Committee Recommendation

The Scrutiny (Policy and Performance) Committee, at its meeting held on 2 July 2019, received a homelessness update and made the following recommendation:

That it be recommended to Cabinet that, due to concerns that some performance indicators relating to homelessness are providing an inaccurate representation of performance, the Homelessness Project Advisory Group be requested to review the performance indicator targets in respect of homelessness to ensure that appropriate targets have been set.

ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

AYLESHAM VILLAGE EXPANSION – PHASE 2

Responsibility: Leader of the Council

Report of: Growth and Business Development Manager

Decision Route

Cabinet	1 July 2019	CAB 29
Scrutiny (Community and Regeneration) Committee	3 July 2019	Minute No 25
Special Cabinet	5 August 2019	

Scrutiny (Community and Regeneration) Committee Recommendation

The Scrutiny (Community and Regeneration) Committee, at its meeting held on 3 July 2019, considered Cabinet decision CAB 29 and made the following recommendation:

That it be recommended to Cabinet that the decision be deferred until Persimmon has completed its fire safety remedial work throughout the district.

Cabinet Decision CAB 29 of 1 July 2019

It was agreed:

- (a) That the terms of the eighth supplemental to the Aylesham Development Agreement, for the delivery of a revised Phase 2 Aylesham Village Expansion, be approved, and that the Growth and Business Development Manager be authorised to conclude the agreement, in consultation with the Chief Executive.
- (b) That the purchase of third-party land be approved, and that the Growth and Business Development Manager be authorised to conclude the agreement, in consultation with the Chief Executive.
- (c) That powers be delegated to the Growth and Business Development Manager to meet the Council's ongoing obligations within the Development Agreement, in consultation with the Chief Executive.

ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

BUS RAPID TRANSIT PROJECT

Responsibility: Portfolio Holder for Transport and Licensing

Report of: Strategic Director (Operations and Commercial)

Decision Route

Cabinet	1 July 2019	CAB 31
Scrutiny (Community and Regeneration) Committee	3 July 2019	Minute No 26
Special Cabinet	5 August 2019	

Scrutiny (Community and Regeneration) Committee Recommendation

The Scrutiny (Community and Regeneration) Committee, at its meeting held on 3 July 2019, endorsed Cabinet decision CAB 31 as follows:

- (a) That the project be approved in principle.
- (b) That the Strategic Director (Operations and Commercial), in consultation with the Portfolio Holder for Transport and Licensing, be authorised to:
 - (i) Act as the project sponsor and to establish a Project Board involving Dover District Council, Kent County Council, Homes England, Highways England and relevant land owners.
 - (ii) Negotiate, agree and accept the terms of the grant agreement.
 - (iii) Expend the grant for the purpose of delivering the Bus Rapid Transit project.
 - (iv) Enter into an infrastructure delivery contract with Kent County Council.
 - (v) Negotiate terms, enter into and execute the necessary land transactions, as long as the costs of such actions fall within the grant awarded by Homes England.

- (vi) Take all necessary steps to work with Kent County Council and the bus operator, with the purpose of developing a bespoke bus service between Whitfield and Dover.

Subject:	CONSULTATION ON COUNCIL TAX SUPPORT SCHEME 2020/21
Meeting and Date:	Special Cabinet – 5 August 2019
Report of:	Mike Davis, Strategic Director (Corporate Resources)
Portfolio Holder:	Councillor Stephen Manion, Portfolio Holder for Finance and Governance
Decision Type:	Key Decision
Classification:	Unrestricted

Purpose of the report: To start consultation on the proposed Council Tax Support Scheme for 2020/21 as set out in the report.

Recommendation: It is recommended that Cabinet:

1. Approves 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
2. Delegates approval of the consultation material to the Strategic Director (Corporate Resources), in consultation with the Portfolio Holder for Finance and Governance.

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 Scheme¹ 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 £890,400²

¹ 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.

² 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%+. Additionally, DDC Council Tax is the lowest in East Kent.
- 2.7 For DDC 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:
- 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/similar 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 as a result of the frequent UC changes.

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 a 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, arrears and potential recovery action which leads to further distress 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 4 x 5 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>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 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>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.

Worked Examples

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

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

6.16 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.

6.17 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.

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

6.19 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.

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.

6.20 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.

Projected Impact on Customers

7.4 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

7.5 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.

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

Household type	Number affected
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

7.6 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.³

7.8

Weekly Total Loss (£)	Number affected
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³ 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."

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

7.9

Household type	Number affected
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 Citizens' Advice Bureau 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 Cabinet 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 Council Tax payers will have a more volatile level of support as UC's frequent changes flow through to CTS, their payments will be disrupted and they are more likely to fall into arrears and difficulties. Additionally, 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 and therefore lower levels of arrears, 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: The Solicitor to the Council has been consulted and has no further comments. (HR).

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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DDC EIA Stage 1 - CTS scheme 2020-21

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

<p>Please outline your proposal, including:</p> <ul style="list-style-type: none"> ● Aims and objectives ● Key actions ● Expected outcomes ● Who will be affected and how ● How many people will be affected 	<p>The Aims, Objectives and Expected Outcomes:</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> <p>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.</p> <p>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</p>
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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.

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).

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.

The main proposals of the scheme are detailed in the committee report. Any changes if adopted will be effective from 1st April 2020.

<p>What relevant data or information is currently available about the customers who may use this service or could be affected? Please give details; for example “x% of customers are female” or “x% of customers are aged over 60”</p>	<p>Scope of the Equality Impact Assessment 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>Disability and Carer Characteristics 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>Sex and Age Characteristics 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"> • Religion or belief • Sexual orientation • Gender reassignment • Marital or civil partnership status • Pregnancy or maternity <p>We anticipate a neutral impact on these protected characteristics.</p>
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Is the decision relevant to the aims of the Public Sector Equality Duty, which are listed below?		
Guidance on the aims can be found in the EHRC's PSED Technical Guidance		
Aim	Yes/No	Explanation
Eliminate discrimination, harassment and victimisation	No	
Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	No	
Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	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 High/Medium/Low/None	Impact of proposal Positive/Neutral/Negative	Explanation
Age	Low	Neutral	This proposal affects those of working age only
Disability	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
Gender reassignment	None	Neutral	
Sex	None	Neutral	
Marriage/ civil partnership	None	Neutral	
Pregnancy and maternity	None	Neutral	
Race	None	Neutral	

Religion or belief	None	Neutral	
Sexual orientation	None	Neutral	
Other groups: for example – low income/ people living in rural 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.	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. 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.

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? If yes, what are they? If no, why not?	Actions to mitigate any identified impacts 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.
Is there any potential negative impact which cannot be minimised or removed? If so, can it be justified? (for example, on the grounds of promoting equality of opportunity)	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

for another protected characteristic)	be affected irrespective of whether or not they have protected characteristics.
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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.
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APPOINTMENT OF SANDWICH PORT AND HAVEN COMMISSIONERS

In February 2019 the Leader of the Council appointed four independent commissioners and two Dover District Council commissioners to serve on the Sandwich Port and Haven Commission (Leader Decision No LD04 of 14 February 2019 refers).

At the time of these appointments, Sandwich Town Council was not in a position to nominate two commissioners, but has now done so. Cabinet is therefore requested to approve the appointment of Sandwich Town Councillors Keith Heaven and Danielle Sivrikaya to serve as Sandwich Port and Haven Commissioners for terms of three years.

DOVER DISTRICT COUNCIL

NON-KEY DECISION

EXECUTIVE

SPECIAL CABINET – 5 AUGUST 2019

EXCLUSION OF THE PRESS AND PUBLIC

Recommendation

That, in accordance with the provisions of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the remainder of the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraph of Schedule 12A of the 1972 Act set out below:

<u>Item Report</u>	<u>Paragraph Exempt</u>	<u>Reason</u>
Fire Precaution Works - Award of Contract	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Gas Servicing and Heating Installations – Interim Arrangements	3	
Gas Servicing and Heating Installations – Efficiency Contract 2019-2022	3	

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item No 7

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item No 9

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of the Local Government Act 1972.

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