

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

RECORD OF DECISION TAKEN BY OFFICERS UNDER DELEGATED POWERS

This is a record of a decision taken by an officers under delegated powers and where necessary taken in consultation with members and officers.

COUNCIL TAX ENERGY REBATE DISCRETIONARY SCHEME

Delegated Power

Specify the particular delegated power being exercised by reference to the Delegation Scheme or Cabinet minute and date.

Council Constitution, Part 3 Responsibilities for Council Functions, Section 2 Functions Delegated to Cabinet Members and Officers - Scheme of Delegation, functions:

1.9 Public and Civil Emergencies

The Chief Executive in consultation with the Leader/Deputy Leader: To exercise any power to protect the interests and well-being of the inhabitants of the Borough in cases of emergency

In exercising the delegation an update to be made at Cabinet as soon as reasonably practical

7.12 Health improvement and promotion including public health and community care and LILY

The Chief Executive in consultation with the Portfolio Holder for People and Communities: day to day management

Decision Taken

Specify precise details of the decision taken

On 3 February 2022 the government announced a package of measures to assist households with the rising costs of energy. One of these was a £150 Council Tax Energy Rebate – a payment to be made directly to households in council tax bands A-D to assist with their energy bills.

The government has specified criteria for a main payment scheme and provided funding of £9,015,150. They have also given councils funding for local discretionary schemes to support people in their area who do not qualify for the main scheme and we have been awarded £319,800.

The discretionary scheme is designed to help those people who fall outside of the main scheme criteria, but who are still considered vulnerable or are on low incomes.

As 88% of households in the borough are in council tax bands A-D they will qualify for the main payment – a total of around 59,700 households receiving just under £9m. The discretionary scheme is therefore aimed at those households in Bands E-H who are considered vulnerable due to the circumstances of at least one of the residents, and those in all bands who are on low incomes, identified by council tax support (CTS) being in payment. It also includes certain groups who may not be eligible for the main scheme but who could be considered for a discretionary payment.

We have been awarded £319,800 for our discretionary scheme and the potential categories of eligible household have been modelled against this amount. The funding allows us to pay a more generous amount of £175 to households in all bands receiving CTS, £150 to vulnerable households in bands E-H, and £100 to households living in shared accommodation who are liable for their own energy bill. The discretionary scheme helps an additional 400 households and full modelling details are included at Appendix B.

A third-party provider is recommended for delivering the software to manage the application and validation process for non-direct debit payers, and validating details for direct debit payers. Where direct debit details are held for a household a bank account assurance check will be completed and we can then pay the £150 into the direct debit bank account. Non direct debit payers will complete an application form, and their details will be checked and validated by the software before a payment released. The software uses a risk score to allow us the quickly pay straightforward cases, and to highlight applications where more checks may be required.

The majority of our households are in council tax bands A-D and qualify for the main scheme, so our discretionary scheme provides additional help to all those on the lowest incomes and gives support to those in higher council tax bands who may be vulnerable.

The Council Tax Energy Rebate Discretionary Scheme for BCKLWN is detailed at Appendix A.

Delegated authority is given to the s151 Officer or Revenues and Benefits Manager, in consultation with the Leader or the Portfolio Holder for People and Communities for making exceptional awards under this discretionary scheme, future changes to the scheme, or new government schemes of a similar nature.

Delegating authority to decide these exceptional cases and discretionary criteria to the s151 Officer or Revenues and Benefits Manager, in consultation with the Council Leader or Portfolio Holder for People and Communities, means the criteria can be decided in timely manner, and help given to residents as quickly as possible.

Funding of £319,800 for our discretionary scheme has been awarded by central government. This has been modelled against the council tax database to identify how it can be fairly allocated to those most in need. Full details are included at Appendix B. As the funding is provided by central government there is no cost to us providing we remain within our allocation.

New Burdens Funding will be paid to by central government to cover the administrative and software costs of the Energy Rebate Schemes.

Reasons for the Decision

Specify all reasons for taking the decision

To ensure a Discretionary Energy Rebate Scheme is agreed so that help can be given to households as quickly as possible, and as required by central government. The Government guidance: Support for energy bills – the council tax rebate 2022-23: billing authority guidance states that all council tax rebate grants should be paid as soon as possible from April 2022.

To ensure decisions on the discretionary criteria for the scheme, now and in the future, can be made in a timely manner so payments can be made quickly to residents in financial need.

Options considered

Any declarations of interest and details of any dispensations granted in respect of interests.

List of Background papers

Support for energy bills – the council tax rebate 2022-23: billing authority guidance published 23 February 2022

[Support for energy bills - the council tax rebate 2022-23: billing authority guidance - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Authorisation

Post Held Chief Executive

Signature



Date **4 April 2022**

Consultation with members/officers

If the decision is taken following consultation with the members/officers, please give details:

Signed by Member as consulted:

Cllr Middleton



Cllr Sandell



Date **6 April 2022**

Pre-Screening Equality Impact Assessment

Borough Council of
King's Lynn & West Norfolk



Name of policy/service/function	Council Tax Energy Rebate Discretionary Scheme
Is this a new or existing policy/ service/function?	New
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	<p>The government has specified the criteria for a main Energy Rebate payment scheme and has given councils funding for local discretionary schemes to support people in their area who do not qualify for the main scheme.</p> <p>The discretionary scheme is designed to help those people who fall outside of the main scheme criteria, but who are still considered vulnerable or are on low incomes.</p> <p>The majority of our households are in council tax bands A-D and qualify for the main scheme, so our discretionary scheme provides additional help to all those on the lowest incomes and gives support to those in higher council tax bands who may be vulnerable.</p>

Question	Answer																																																							
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>	<table border="1"> <thead> <tr> <th></th> <th>Positive</th> <th>Negative</th> <th>Neutral</th> <th>Unsure</th> </tr> </thead> <tbody> <tr> <td>Age</td> <td></td> <td></td> <td>x</td> <td></td> </tr> <tr> <td>Disability</td> <td></td> <td></td> <td>x</td> <td></td> </tr> <tr> <td>Gender</td> <td></td> <td></td> <td>x</td> <td></td> </tr> <tr> <td>Gender Re-assignment</td> <td></td> <td></td> <td>x</td> <td></td> </tr> <tr> <td>Marriage/civil partnership</td> <td></td> <td></td> <td>x</td> <td></td> </tr> <tr> <td>Pregnancy & maternity</td> <td></td> <td></td> <td>x</td> <td></td> </tr> <tr> <td>Race Ukrainian</td> <td></td> <td></td> <td>x</td> <td></td> </tr> <tr> <td>Religion or belief</td> <td></td> <td></td> <td>x</td> <td></td> </tr> <tr> <td>Sexual orientation</td> <td></td> <td></td> <td>x</td> <td></td> </tr> <tr> <td>Other (eg low income)</td> <td>x</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Positive	Negative	Neutral	Unsure	Age			x		Disability			x		Gender			x		Gender Re-assignment			x		Marriage/civil partnership			x		Pregnancy & maternity			x		Race Ukrainian			x		Religion or belief			x		Sexual orientation			x		Other (eg low income)	x			
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Question	Answer	Comments
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	NO	
3. Could this policy/service be perceived as impacting on communities differently?	No	
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>		<p>Actions: Public opinion and outpouring of support locally, humanitarian crisis</p>
		<p>Actions agreed by EWG member: Name</p>

Assessment completed by: Name	Lorraine Gore
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Job title Chief Executive	Date 4 April 2022
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Appendix A

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK COUNCIL TAX ENERGY REBATE – DISCRETIONARY SCHEME

April 2022

1. THE DISCRETIONARY COUNCIL TAX ENERGY REBATE SCHEME

On 3 February 2022 government announced a package of measures to assist people with rising energy costs. Part of this package was a £150 council tax energy rebate for all households in council tax bands A to D, to be administered by local authorities. [Full guidance](#) for the scheme was issued on 23 February 2022 and [FAQs](#) were published on 16 March 2022.

The guidance confirms the following for the main Energy Rebate scheme:

- The £150 is a payment, not a discount on the council tax bill
- It is a payment, not a loan, and does not need to be repaid
- It is non-taxable and will not affect welfare benefits
- It is payable to households in bands A-D and those in band E who have a Disabled Band Reduction
- It is for properties which are someone's home – second homes and empty properties are not eligible
- Householders who pay by Direct Debit (DD) will have the payment automatically credited to their bank account. There will be an alternative process for non DD payers

Government has provided funding of £9,015,150 for the main Energy Rebate. It has also provided funding of £319,800 to allow us to design our own discretionary Energy Rebate scheme for those who are not eligible for the main scheme but who are vulnerable or most in need.

This scheme details the categories of households eligible for the discretionary Energy Rebate, and the rebate amounts. The vast majority (88%) of our households are in bands A-D and are eligible for the main Energy Rebate, so this scheme identifies those households in other bands who are on low incomes or who may be vulnerable, based on data already held in the council tax records. We also have sufficient funding to top up the main Energy Rebate for households receiving Council Tax Support.

2. ELIGIBLE HOUSEHOLDS

Eligibility is based on the qualifying date of 1 April 2022.

The following categories of household are eligible for the discretionary scheme:

- Those in bands A-D receiving Council Tax Support on 1 April 2022, who will receive a top up to the main Energy Rebate payment
- Those in bands E-H:
 - receiving Council Tax Support on 1 April 2022,

- eligible for an exemption as all members of the household are under 18, Severely Mentally Impaired, Students or dependent relatives living in an annexe,
- have a person in the household who is disregarded for council tax purposes in one of the following categories:
 - Severely Mentally Impaired
 - Live In Carers (Class 1)
- Those in bands F-H receiving Disabled Band Reduction
- Households in the following categories:
 - Where the council tax band is reduced to an eligible band as a result of an appeal made to the Valuation Office before 3 February 2022, and the new band is effective on 1 April 2022,
 - Households living in Houses of Multiple Occupation, where the householder is directly liable for paying their own energy from a recognised energy provider, and is named on the energy bill,
 - Those with refugee status who are an eligible household but who fall outside the main scheme criteria as they are not liable for council tax on 1 April 2022

Exclusions:

Any household who is eligible for the main payment, unless the discretionary payment is being paid as a top up amount (see section 3).

Any household living in a House of Multiple Occupation where the landlord is responsible for the energy bill.

3. PAYMENT AMOUNT

There are three levels of PAYMENT:

Households living in a House of Multiple Occupation	£100
Households not eligible for Council Tax Support on 1 April 2022	£150
Households eligible for Council Tax Support on 1 April 2022	£175*

The higher amount for households receiving Council Tax Support reflects the fact that these households are on the lowest incomes and are likely to be spending a higher proportion of their income on energy costs.

**This will be paid as £150 under the main scheme, and a top up of £25 under the discretionary scheme*

4. MEMBER DISCRETION

This scheme allows individual applications to be considered on an exceptional basis.

Awards will be made on a recommendation basis by the s151 Officer or Revenues and Benefits Manager, in consultation with the Council Leader or the Portfolio Holder for People and Communities and are wholly at the discretion of the Council.

5. APPLICATIONS

Where a household pays their council tax by Direct Debit, the Energy Rebate will be paid as a credit directly to this bank account, subject to validation checks. No application is required.

Where there is no Direct Debit in place, or where the validation checks are insufficient, households will be required to complete an online application form. Council staff will be able to assist with application forms if needed.

6. FRAUD AND MISREPRESENTATION

We will not accept fraudulent applications for the Energy Rebate and will carry out checks to ensure all applications for payments are accurate. We may refuse to pay the Energy Rebate if we suspect an application is fraudulent for any reason. We will check information at the time of application and may also carry out spot checks at a later date, including asking for further evidence. We will recover any payments found to have been claimed fraudulently.

Appendix B: Modelled Schemes

Main scheme	Number	Grant	Cost
All in Band A-D	59,808		
Band E with DBR	56		
Less HMOs	- 158		
Grand Total Main Scheme	59,706	150	8,955,900

Discretionary Scheme	Number	Grant	Cost
£25 Top Up for CTS Bands A-D	9,523	£ 25	£ 238,075
£175 For CTS Band E-H	158	£ 175	£ 27,650
£150 for those in Bands E-H in Class N,U,S or W	23	£ 150	£ 3,450
£150 for those receiving DBR in Bands F-H	61	£ 150	£ 9,150
£150 for Band E-H with a disregarded person	90	£ 150	£ 13,500
HMOs	50	£ 100	£ 5,000
Contingency - one off cases	-	£ -	£ 20,000
Grand Total Discretionary Scheme	9,855		£ 316,825
Funding			£ 319,800
Balance			£ 2,975