REPORT TO CABINET

Open	Would	Would any decisions proposed:					
especially affected Need to			irely within Cabinet's powers to decide YES o be recommendations to Council NO Key Decision NO				
Walus		13 11 4 11	cy De	,0131011		110	
Lead Member: E-mail: Cllr Chris Morley Cllr.chris.morley@west-norfolk.gov.uk				Other Cabinet Members consulted: Leader and Cabinet Other Members consulted: Corporate Performance Panel			
Lead Officer: Jo Stanton, Revenues and Benefits Manager E-mail: joanne.stanton@west-norfolk.gov.uk Direct Dial:01553 616349				er Officers consu I Officer	Ited:		
Implications Personnel Implications Assessment Management al					Consideratio ns NO		
considered to justify that is (are) paragraph				edule 12A of th	e 1972 Local G	sovernment Act	

Date of meeting: 1 August 2023

COUNCIL TAX SUPPORT: DRAFT SCHEME FOR WORKING AGE PEOPLE FOR 2024/2025

Summary

We operate a scheme to help working age people on low incomes with the cost of their council tax by reducing their council tax bill. This is known as the Council Tax Support (CTS) scheme. There is a national set of regulations for a CTS Scheme for customers who have reached pension age, but we are free to decide the rules for our own CTS schemes for working age people in our area, taking into account some government requirements. This report only refers to our CTS Scheme for working age people.

We must review and agree our CTS scheme for our working age residents for each financial year and there is a process to follow when deciding our CTS Scheme. We must first consult with Norfolk County Council and the Police and Crime Commissioner for Norfolk as they are affected by our scheme. Cabinet must then decide on draft a set of rules for our working age CTS scheme which are then open for public consultation for six weeks. Once the consultation closes we must review the responses and full Council must agree a final CTS scheme by March 2024, taking into account any comments made as part of the consultation.

Recommendation

Cabinet decide their preferred option from Section 2 for the draft set of Working Age CTS Scheme rules for 2024/2025 which will then be open for public consultation.

Reason for Decision

To ensure a CTS scheme for working age people for 2024/2025 is agreed by full Council by 11 March 2024.

1. Introduction

- 1.1. We operate a scheme known as Council Tax Support (CTS) to help working age people on low incomes with the cost of their council tax bills by awarding a discount on their bill. There is a national set of regulations for the CTS Scheme for customers who have reached pension age.
- 1.2. The CTS regulations¹ require us to decide our own CTS scheme for working age people which we must review and agree each financial year, taking into account the impact on vulnerable groups and incentivising work. The CTS regulations also set out the process we must following when reviewing and agreeing our scheme². We must first consult with our major Preceptors (Norfolk County Council and the Police and Crime Commissioner), then decide a draft CTS scheme to go to public consultation. consultation has closed the final CTS scheme must be agreed by full Council by March, before the start of the new financial year.
- 1.3. We are responsible for the CTS Scheme administration for both working age and pension age customers, but only for designing the scheme for working age customers. Central government contributes towards our administrative costs, but there is no separate funding for the CTS schemes themselves. CTS schemes are treated as a council tax discount and the financial impact is shown in Band D equivalent properties as part of our annual taxbase calculation, which then feeds into the Financial Plan. More information on the financial implications is at section 3.
- 1.4. Our current working age CTS scheme principles are included at Appendix B. These are based on the rules for the old national Council Tax Benefit (CTB) scheme which CTS replaced in 2013 and use many of the same principles as the ongoing Housing Benefit scheme. This makes the scheme easier for our customers to understand, and more straightforward for us to administer.
- 1.5. We also have our own categories of 'protected groups' where a customer's CTS is calculated using the national set of regulations, as these are currently more generous than our local scheme. This is intended to help people who would not be able to increase their income to cover the cost of their council tax bill by working. The protected groups include households with children under the age of five and those receiving Carer's Allowance. The full list is in Appendix B.
- 1.6. The CTS rules are complex, but our rules generally follow the national Pension Age Scheme rules. There are some exceptions to this where we have put our own local rules in place and these are shown below:

Our	Our Protected	National
Local	Scheme	Pension Age
Scheme		Scheme

¹ S13A(2) Local Government Finance Act 1992

² Schedule 1A 3(1) Local Government Finance Act 1992

Maximum Level of Support	84%	100%	100%
Capital Limit	£6,000	£16,000	£16,000
Weekly Deduction for a Non-Dependant:			
Not working	£10	£4.60	£4.60
Weekly Earnings under £236	£10	£4.60	£4.60
Weekly Earnings between £236-£410	£10	£9.40	£9.40
Weekly Earnings between £410-£511	£10	£11.80	£11.80
Weekly Earnings above £511	£10	£14.15	£14.15
Any other not included above	£10	£0	£0
Weekly Earnings Disregard:			
Single	£15	£15	£5
Couple	£20	£20	£10
Disabled or Carer	£30	£30	£20
Lone Parent	£35	£35	£25
Self-employed people – earnings used	Minimum	Actual	Actual
	income floor ³	earnings	earnings
Second Adult Rebate ⁴	None	Included	Included

- 1.7. Our overall CTS Scheme has remained largely unchanged since it started in 2013. Certain rules have been amended to reflect wider welfare reform changes, including amendments to the Housing Benefit rules and the introduction of Universal Credit, although there have been fewer changes in recent years as the pace of welfare reform has slowed. The maximum level of support under our Local Scheme was raised from 75 per cent to 84 per cent from 1 April 2022.
- 1.8. There have been no significant welfare reform changes in the current year that need to be reflected in the CTS for 2024/2025.

2. Options Considered

2.1. The CTS Scheme for working age people is a local scheme and we can decide on our own rules. There are several options which can be considered for the 2024/2025 scheme:

2.2. Option 1: Make the CTS Scheme more generous by using the Protected Scheme rules as the rules for the Local Scheme

 We could consider changes to the principles of the existing CTS scheme model to bring the Local and Protected Schemes in line and make our Local Scheme more generous. This would increase the maximum level of support under our CTS scheme from 84% to 100%.

⁴ Certain people who do not qualify for CTS can receive a discount of up to 25% if they have a second adult living with them who is on a low income.

³ Instead of using actual earnings we use an assumed earnings amount based on the number of hours worked, multiplied by the national minimum wage.

- There is a growing trend across England for local authorities to make their CTS schemes more generous in response to the cost of living crisis. In 2023/2024 29 authorities increased their level of support, and around a third of CTS schemes now cover up to 100% of a household's council tax bill
- Another reason to align the schemes is the wider rollout of Universal Credit (UC). People in protected groups are often identified by their entitlement to certain benefits, but over the next two years these benefits will end and be replaced by UC. This means we will not be able to identify these households as needing protection and they may lose out on support if the two schemes are not aligned.
- There are currently 5,240 working age households claiming CTS, and 3,700 (over 70%) of these are in a protected group, with 1,540 assessed using our Local scheme rules. This option would increase the CTS for these 1,540 households, reducing their council tax bills.
- The changes to bring the schemes for the two groups into line would include:
- Increasing the maximum weekly council tax bill that is paid under the scheme to 100%:

This would mean all working age people could receive CTS for up to 100% of their council tax bill (people who have excess income, for example if they have earnings above the disregard as shown in Appendix B, may receive less than 100% CTS).

Raising the Capital Limit:

Under our Local Scheme the maximum amount a household can hold in capital (money, shares and savings) is £6,000. Raising this to £16,000 would be in line with the Protected and Pension Age Schemes and would mean more people are able to claim CTS.

Changing Non-Dependant Deductions:

To align both schemes the non-dependant deduction rates will need to be changed. The deductions for the non-protected groups would be aligned with the two other schemes so the same deductions are applied to all customers.

Changing the treatment of Self-employed people:

The rules for earnings for self-employed people would be amended to mirror those for the protected groups and pension age schemes

Re-introducing Second Adult Rebate

The numbers of people qualifying for this discount are generally low, and it has been removed for our Local Scheme. This would be reinstated in line with the Protected and Pension Age schemes.

- Retaining the more generous Earnings Rules and War Pension rules
 The extra £10 weekly earning disregard would be retained for our
 Local scheme and we would continue to disregard War Pensions.
- Making these changes would mean that Non-Protected Groups would be assessed using the same rules as Protected Groups, so this distinction could be removed, simplifying the scheme for both staff and customers.

We would then have one single, more generous Local Scheme for all Working Age people and the separate national scheme for all Pension Age people.

- Making these changes will increase the amount of CTS awarded and will adversely impact on the taxbase. It is estimated the additional impact will be equivalent to 123.7 Band D properties. This could increase as more people are able to apply as they now meet the criteria, particularly with the increased capital limit.
- Further information on the financial implications of the additional awards is at section 3.

2.3. Option 2: Reduce the taxbase impact of the CTS Scheme by reducing the Protected Groups

- We could consider reducing the taxbase impact of the working age CTS scheme by reviewing who is included in a Protected Groups as listed in Appendix B (except for Pension Age people) and using the less generous Local CTS Scheme rules to calculate their CTS. This would mean they could only receive CTS to cover up to 84% of their council tax bill.
- The CTS regulations require us to consider the impact of our scheme on vulnerable groups, so removing some of the protections and paying less CTS would mean these households will have to pay more towards their council tax bills.
- To remove all the protections and limit the maximum amount of CTS to 84% for those in a protected group would increase the taxbase by an additional 360.5 Band D properties but would mean 3,700 households would have to pay more council tax. More information is at section 3.

2.4. Option 3: Alternative Models for Support

- There are also alternative CTS scheme models that can be considered for our working age scheme, such as a banded discount scheme, where a set percentage discount is awarded based on a person's income and household.
- Changing our scheme to an alternative model will involve significant changes and financial disruption for our customers, and inevitably there will be winners and losers. It would also mean the rules for working age customers were different to those for pension age customers, and different to the rules for Housing Benefit, adding administrative complexity. There would also be a direct cost for upgraded software and professional support.

2.5. Option 4: No change

• The CTS Scheme does not have to be changed and can continue with the same rules and principles as for 2023/2024.

3. Financial Implications of Proposal

3.1. Position for the 2023/2024 CTS Scheme

- The table below shows the impact of the CTS Scheme on the 2023/2024 taxbase. CTS is treated as a council tax discount and the financial impact is expressed in Band D equivalent properties as part of our annual taxbase calculation.
- The taxbase is the measure of how much council tax we can raise in the borough, so the calculation also includes an adjustment for other discounts and exemptions, including the 100% property exemptions and 25% single resident discounts. CTS is shown separately.
- The taxbase calculation for 2023/2024 is shown below:

	Borough
	Taxbase
	2023/2024
2023/2024 Taxbase	03/10/2022
Total Dwellings	74,810.0
Exemptions and Discounts	8,127.8
Dwellings after Exemptions and Discounts	66,682.2
Band D Equivalents	57,776.5
Band D Equivalents for Council Tax Support	5,172.6
Band D Equivalents after Council Tax Support	52,603.9
Band D Equivalent for Class O	380.5
Council Tax Base	52,984.4

 The taxbase then feeds into the Financial Plan and the calculation of our funding position:

	Proposed
	Estimate
	2023-24
Borough Spend	24,919,510
Contributions to/(from) General Fund Balance	(2,631,810)
Borough Requirement	22,287,700
Revenue Support Grant	(952,100)
Rural Service Delivery Grant	(485,690)
New Homes Bonus	(14,560)
Other Government Grants	(1,144,020)
Taxation	
Business Rates	(12,068,520)
Buisness Rates Reserves	0
Collection Fund Surplus	0
Council Tax Band D	£ 143.87
Council Tax Base	52,984
Council Tax	(7,622,810)
Funding Position	0

- The actual amount of CTS awarded, and therefore the financial impact on our income, can be calculated by multiplying the number of Band D properties by the Band D council tax charge.
- This can be calculated as a total figure, or for individual Preceptors by multiplying by their own band D council tax charge. These figures for the current year 2023/2024, reflecting the maximum level of support being set at 84% for non-protected groups, are shown below.

Current Scheme		Band D ouncil Tax	Bu	dget Impact
Reduction in Band D Equivalent Properties 2023/2024				5,172.6
Norfolk County Council	£	1,592.64	£	8,238,090
Police and Crime Commissioner	£	302.94	£	1,566,987
Borough Council	£	143.87	£	744,182
Parish / Town Councils	£	74.53	£	385,514
Total	£	2,113.98	£	10,934,773

3.2. Impact of the options outlined at section 2

 Option 1: Making the rules for the Local Scheme for non-protected groups the same as the more generous scheme for Protected Groups and increasing the maximum level of support to 100% will award an estimated additional £261,500 in CTS (our share £17,797) and reduce our taxbase by an estimated 123.7 band D properties. The financial impact for the Preceptors is shown below:

Option 1 - More Generous Scheme (see 2.1)		Band D	Budget Impact		
Option 1 - Additional Reduction in Band D Equivalent Propertie				123.7	
Norfolk County Council	£	1,592.64	£	197,010	
Police and Crime Commissioner	£	302.94	£	37,474	
Borough Council	£	143.87	£	17,797	
Parish / Town Councils	£	74.53	£	9,219	
Total	£	2,113.98	£	261,500	

• Option 2: Reducing the maximum CTS award for all Protected Groups from 100% to 84% reduces the CTS awarded by £762,000 (our share £51,859) and increases our taxbase by an estimated 360.5 band D properties. The financial impact for the Preceptors is shown below:

Option 2 - Reviewing the Protected Groups (see 2.2)		Band D	Budget Impact		
Option 2 - Increase in Band D Equivalent Properties			(360.5)		
Norfolk County Council	£	1,592.64	(£574,083)		
Police and Crime Commissioner	£	302.94	(£109,198)		
Borough Council	£	143.87	(£51,859)		
Parish / Town Councils	£	74.53	(£26,865)		
Total	£	2,113.98	(£762,000)		

- Option 3: It is not possible to estimate the impact on the taxbase of Option 3 without more extensive modelling work and incurring additional costs.
- **Option 4:** There would be no additional impact on the taxbase for Option 4.

- The estimated taxbase used in the Financial Plan for 2023/2024 is 52,984 Band D properties.
- The actual current taxbase figure for 2023/2024 is 53,593, 609 Band D properties more than the estimate. The projection for 2024/2025 is 53,284 band D properties and this will be reviewed in October 2023 for 2024/2025.
- The growth in the taxbase is due to an increase in new domestic properties being added to the council tax list plus changes to discounts and exemptions (284 Band D equivalent properties), and a reduction in the number of people claiming CTS (325 Band D equivalent properties).
- This growth is sufficient to offset any additional impact of changes to the CTS Scheme.

4. Council Tax Support Consultation

- 4.1. Norfolk County Council and the Norfolk Police and Crime Commissioner have been contacted for their comments on the scheme. Norfolk County Council responded on 6 July 2023 and their response is included at Appendix C. Norfolk Police and Crime Commissioner has not yet responded.
- 4.2. The draft CTS scheme public consultation will run for six weeks during September and October 2023. The consultation will primarily be online however paper copies of the questionnaire are available on request. The consultation will be publicised on our website, via email alerts and social media, and will also be sent to Members and Parish / Town Councils to draw to the attention of their local residents.
- 4.3. In response to feedback from the 2023/2024 scheme consultation, the consultation questions will be refreshed and reworded to make them easier to understand, and to attempt to promote more interest and responses.
- 4.4. The results of the consultation will be fed into the reports for the approval of the final CTS scheme. The final scheme still requires approval by full Council and will be taken to the Corporate Performance Panel and Cabinet before being recommended to Council.

5. Corporate Priorities

- 5.1. The CTS scheme supports the promotion of Social Mobility and Inclusion for our residents.
- 5.2. Recommending an option where the scheme is made more generous will increase the income of over 1,500 local residents but will adversely affect the Financial Plan. Alternatively making the scheme less generous will have a positive impact on our finances but would mean more people have to contribute towards their council tax bill.
- 5.3. Due to the budget setting timetable we must agree a CTS scheme for working age people for the 2024/2025 year by January 2024.

6. Any other Implications / Risks

- 6.1. The budget impact of the CTS scheme is based upon the household numbers described above which form the basis of the Financial Plan. The impact will be affected by the changing circumstances and demographic of our taxpayers; for example household welfare, age mix, additional households entering our tax base.
- 6.2. In the current economic climate the risk assessment cannot be neutral but it is considered that there is sufficient flexibility in our financial structure to withstand any adverse impact.
- 6.3. The impact of the CTS scheme is, and will continue to be, operationally reviewed monthly and reported to Members annually in October.

7. Equal Opportunity Considerations

- 7.1. The pre-screening Equality Impact Assessment (EIA) is included at Appendix B. A full EIA was completed as part of the Cabinet Report of 7 September 2016.
- 7.2. Members should be aware of the potential equality Impacts of changes to the scheme, and a summary of these is below.

7.3. **Option 1:**

- Maintains the more generous CTS support for those in vulnerable groups and those with relevant protected characteristics
- Will provide more help to customers not in vulnerable groups or covered by equality considerations
- Has a negative impact on the council's finances

7.4. **Option 2:**

- Reduces financial support available through CTS for those in vulnerable groups and potentially for those with relevant protected characteristics
- Maintains the same level of support for customers not in vulnerable groups or covered by equality considerations
- Has a positive impact on the council's finances

7.5. **Option 3**

 Equality impacts can only be explored if and when an alternative CTS Scheme model is chosen

7.6. Option 4

- No new equality considerations, however the rollout of UC may mean those who should be in a Protected Group can no longer be identified and lose out on a more generous level of support.
- 7.7. A further EIA will be completed as part of the reports for the final CTS Scheme for 2024/2025 after the consultation has closed.

8. Conclusion

8.1. Cabinet is asked to decide on their preferred option for a draft CTS Scheme for 2024/2025 to go to public consultation.

9. Personnel Implications

9.1. None

10. Environmental Considerations

10.1. None

11. Statutory Considerations

11.1. We are required to agree a CTS Scheme for the 2024/2025 financial year by 11 March 2024, although in practice it has to be agreed by January 2024 as it forms part of the council's taxbase and budget setting process.

12. Declarations of Interest / Dispensations Granted

12.1. None

13. Background Papers

14.2. None

Appendix A: Pre-Screening Equality Impact Assessment



Assessment	West Norfolk					
Name of policy/service/function	Local Council Tax Support Scheme 2024/2025					
Is this a new or existing policy/ service/function?	Continuation of, and updates to, an existing Policy					
Brief summary/description of the main aims of Policy being screened. Please state if this policy/service is rigidly constrained by statutory obligations	Council Tax Support is a discount given to residents on a low income to help with the cost of their council tax bill. The council is free to agree its own local scheme for the discount for working age people.					
Question	Answer					
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			Positive	Negative	Neutral	Unsure
particular needs, experiences, issues or priorities or in terms of ability to access the service?	Age		V			
•	Disability		√			
Please tick the relevant box for each group.	Gender				V	
	Gender Re-as	signment			V	
NB. Equality neutral means no negative impact on	Marriage/civil partnership				V	
any group.	Pregnancy & maternity				V	
	Race				V	
	Religion or belief				√	
	Sexual orientation Other (eg low income)				√	
			V	V		
Question	Answer	Comments	ı	1	1	
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	There are protections for those who had isability, caring responsibilities, children us 5 or are pension age.				
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	No	Actions agreed by EWG member:				
Assessment completed by: Job title	Joanne Stanton					
	Revenues and Benefits Manager					
Date	28 June 2023					

Appendix B: Principles of the 2023/2024 CTS Scheme

Our current CTS scheme assesses people's income against an allowed amount, called an 'applicable amount'. If their income is less than the applicable amount they receive full CTS, subject to a 25% contribution if they are working age and not in a protected group. If it is more than the applicable amount their CTS is reduced by 20p for every extra £1.

Our current CTS Scheme Principle:

An equal cut is made to everyone apart from those in a protected group.

The key points are:

- Working Age people have their CTS calculated based on 84% of their weekly CTS bill)
- A weekly £10 deduction is made for each non-dependent regardless of their income
- The maximum amount of Capital allowed is £6,000
- No Tariff Income is assumed for capital under £6,000
- Self Employed people are assumed to have an income of at least the minimum wage
- There is no Second Adult Rebate

To fulfil the requirement to consider vulnerable groups, CTS will be paid based on the national, more generous scheme for the following groups:

- Those who have reached the qualifying age for State Pension Credit (under central government rules)
- Households with at least one child under the age of 5
- Those entitled to the Disability Premium, the Disabled Child Premium or the Carer Premium as part of their needs calculation
- Those in receipt of Carer's Allowance, Attendance Allowance or Constant Attendance Allowance
- Those receiving Working Tax Credit including a disability element
- Those in the Employment and Support Allowance Support group
- Those in receipt of Disability Living Allowance or Personal Independence Payment
- Those in receipt of Carer's Allowance

The CTS scheme also includes incentives to find work. People are allowed to keep an extra £10 (above the national limit) before their CTS is affected. This is known as a disregard and the amounts are:

•	Single	£15
•	Couple	£20
•	Disabled or a Carer	£30
•	Lone Parent	£35

We also have a local income disregard as below:

• War Pensions will be fully disregarded in the income calculation

General CTS Scheme Rules

 In all other areas the CTS Scheme rules will follow the rules for working age Housing Benefit claims

Appendix C

Norfolk County Council - Consultation Response



Director of Financial Management County Hall Martineau Lane Norwich NR1 2DW

Joanne Stanton (via email)

Please ask for: Harvey Bullen

06 July 2023

Dear Joanne.

Norfolk County Council response to Borough Council of King's Lynn & West Norfolk 2024-25 Council Tax Support Scheme Consultation

Thank you for your email of 27 June 2023. The County Council appreciates the opportunity to input into the consultation. Our comments on the options are as follows –

Option 1 - Make our working age CTS Scheme more generous so it is the same as the national pension age scheme and awards up to 100% support

The County Council is sympathetic to the challenges facing local <u>tax payers</u> and the impact of the current cost of living crisis, but on balance opposes this proposal because it is essential to maintain council tax income levels to continue to provide vital services for the public. We would therefore have concerns about any proposal reducing the taxbase and the resulting reduction in council tax income to fund services.

Option 2 - Review our Protected groups (who receive more generous levels of CTS) and reduce the maximum support for some or all groups to 84%

The County Council is sympathetic to the challenges facing local <u>tax payers</u> and the impact of the current cost of living crisis, but on balance supports this proposal. We are supportive of changes that will increase taxbase and provide increases in council tax income to fund service delivery.

Option 3 - Consider an alternative model for our CTS scheme such as a banded discount scheme based on household composition and income bands

The County Council neither supports or opposes this proposal at this stage. It is difficult to comment without understanding the proposed approach and potential implications of any change.



Option 4 - No change - the current CTS scheme continues for 2024/2025

Norfolk County Council's position remains that its preference would be for all Norfolk billing authorities to move towards a consistent Council Tax Support Scheme across the county on the following basis:

- To limit Council Tax Support discount to occupants of properties no higher than Band D Council Tax.
- To work with district colleagues across the County to establish the cap for the Council Tax Support discount for working age claimants at a uniform amount in Norfolk, suggested at 75% of the maximum Council Tax charge.

I am aware that this harmonisation will not be delivered by the current <u>proposals</u>, <u>but</u> would encourage you to consider these principles again for any future revisions to the Council Tax Support Scheme. The County Council would be very happy to facilitate county wide discussions to achieve this objective.

Kind regards,

Harvey Bullen Director of Strategic Finance