

Open

Cabinet

Agenda

6pm
Tuesday, 13th November 2018
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Cabinet

The Cabinet Members and their responsibilities:-

Councillor M J Hart	Leader of the Council & Strategy
Councillor I Hardiman	Deputy Leader & Housing, Health & Well-being
Councillor R J Vale	Operational Services
Councillor N J Desmond	Resources
Councillor J Smith	Culture, Leisure & Community Protection
Councillor C Rogers	Economic Regeneration & Planning

Scrutiny of Decisions of the Cabinet

The Council has one Scrutiny Committee that has power to investigate policy issues and question members of the Cabinet who have special responsibility for a particular area of the Council's activities. The Cabinet also considers recommendations from this Committee.

In accordance with Section 10 of the Council's Constitution, Overview and Scrutiny Procedure Rules, and Standing Order 2.4 of Section 7, any item on this agenda may be scrutinised by the Scrutiny Committee if it is "called in" by the Chairman or Vice-Chairman of the Overview & Scrutiny Committee and any other three non-Cabinet members.

The deadline for "calling in" Cabinet decisions is 5pm on Friday 23rd November 2018.

Councillors wishing to "call in" a decision on this agenda should contact Louisa Bright, Principal Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster. Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

Urgent Key Decisions

If the Cabinet needs to take an urgent key decision, the consent of the Scrutiny Committee Chairman must be obtained. If the Scrutiny Committee Chairman is unable to act the Chairman of the Council or in his/her absence the Vice-Chairman of the Council, must give consent. Such decisions will not be the subject to the call in procedure.

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of the Council's constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

For further information

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Louisa Bright, Principal Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster. Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

Documents referred to in this agenda may be viewed on the Council's website - www.wyreforestdc.gov.uk/council/meetings/main.htm

WEBCASTING NOTICE

This meeting is being filmed* for live or subsequent broadcast via the Council's website site (www.wyreforestdc.gov.uk).

At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1998. The footage recorded will be available to view on the Council's website for 6 months and shall be retained in accordance with the Council's published policy.

By entering the meeting room and using the public seating area, you are consenting to be filmed and to the possible use of those images and sound recordings for webcasting and or training purposes.

If members of the public do not wish to have their image captured they should sit in the Stourport and Bewdley Room where they can still view the meeting.

If any attendee is under the age of 18 the written consent of his or her parent or guardian is required before access to the meeting room is permitted. Persons under 18 are welcome to view the meeting from the Stourport and Bewdley Room.

If you have any queries regarding this, please speak with the Council's Legal Officer at the meeting.

* Unless there are no reports in the open session.

Wyre Forest District Council

Cabinet

Tuesday, 13th November 2018

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
3.	Minutes To confirm as a correct record the Minutes of the meeting held on the 19 th September 2018 and the minutes of the Special Cabinet meeting held on 30 th October 2018.	7
4.	CALL INS a verbal update will be given on any decisions which have been "called in" since the last meeting of the Cabinet.	
5.	Items Requiring Urgent Attention To consider any item which, in the opinion of the Chairman requires consideration at the meeting as a matter of urgency.	
6.	Public Participation In accordance with the Council's Scheme for Public Speaking at Meetings of Full Council/Cabinet, to allow members of the public to present petitions, ask questions, or make statements, details of which have been received by 12 noon on 5 th November 2018 . (See front cover for contact details).	

7.		
7.1	<p style="text-align: right;">Councillor N Desmond</p> <p>Council Tax Reduction Scheme Review 2019/20</p> <p>To consider a report from the Revenues, Benefits & Customer Services Manager which provides information on the recent consultation to make changes to the Council Tax Reduction Scheme in 2019/20.</p> <p>To also consider recommendations from the Overview and Scrutiny Committee from its meeting on 1st November 2018.</p>	<p>16</p> <p>44</p>
7.2	<p>Write-off of Amounts Outstanding Report</p> <p>To consider a report from the Corporate Director: Resources which enables the Cabinet to give consideration to writing off the sum of £98,224.56 in respect of debts that cannot be collected.</p>	45

8.		
8.1	<p style="text-align: right;">Councillor I Hardiman</p> <p>Housing Assistance Policy</p> <p>To consider a report from the Head of Strategic Growth which seeks agreement for the policy that will be used to determine how the Disabled Facilities Grant (DFG) funding from central government will be spent. In 2018/18 the Council received £1.192m of capital funding via the Better Care Fund (BCF) to deliver its DFG programme and related services.</p> <p>To also consider recommendations from the Overview and Scrutiny Committee from its meeting on 1st November 2018.</p>	<p>49</p> <p>74</p>

9. Recommendations from Committees		
9.1	<p>Overview & Scrutiny Committee – 4th October 2018</p> <p>a) Wyre Forest Health and Wellbeing Plan Update</p> <p>b) Climate Change Update</p>	<p>75</p> <p>76</p>

10.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	
11.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

12.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	
-----	--	--

WYRE FOREST DISTRICT COUNCIL

CABINET

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

19TH SEPTEMBER 2018 (6PM)

Present:

Councillors: M J Hart (Chairman), N J Desmond, I Hardiman, C Rogers, J D Smith and R J Vale.

Observers:

Councillors: H E Dyke and F M Oborski MBE.

CAB.26 Apologies for Absence

There were no apologies for absence.

CAB.27 Declarations of Interests by Members

Councillor M Hart declared an Other Disclosable Interest (ODI) in relation to agenda item number 7.3 – Cookley and Caunsall Neighbourhood Area Designation Application that he was a member of Wolverley and Cookley Parish Council and he would rely on the dispensation from the Ethics and Standards Committee.

Councillor M Hart declared in respect of agenda item 9.1 – Transfer of Spennells Changing Rooms to 9th Kidderminster (Spennells) Scout Group, that he was involved in the Scout Association but he was not a trustee of that particular Scout Group and therefore could determine the strategic decision.

CAB.28 Minutes

Decision: The minutes of the Cabinet meeting held on 17th July 2018 and the minutes of the Cabinet Sub-Committee meeting held on 6th September 2018 be confirmed as a correct record and signed by the Chairman.

CAB.29 Call Ins

No decisions had been called in since the last Cabinet meeting.

CAB.30 Items Requiring Urgent Attention

There were no Items requiring urgent attention.

CAB.31 Public Participation

There was no public participation.

CAB.32 Worcestershire's Strategic Direction for Tackling Homelessness

A report was considered from the Head of Strategic Growth on the new Homelessness Strategy "Worcestershire's Strategic Direction for Tackling Homelessness 2018-2021" and provided an update on the responses to the strategy consultation.

The Cabinet Member for Housing, Health and Well-being presented the report and moved the recommendation for approval of the Worcestershire wide strategy. He advised that, under the Homelessness Act 2002, there was a requirement for housing authorities to have a strategy in place to deal with homelessness. The current strategy was developed in 2017 as part of the County wide Housing Partnership Plan; however the introduction of the Homelessness Reduction Act (HRA) which came into force in April 2018 placed additional responsibilities on the Council in tackling and preventing homelessness.

He said that the revised strategy, which was set out at appendix 1 of the report, included the new responsibilities of the Council and had been subject to public consultation from 24th April until 19th June 2018. He added that the strategy had been considered by the Council's Overview and Scrutiny Committee at its meeting on 6th September 2018, and recommended that the strategy be approved.

The Leader of the Council formally seconded the recommendation and said that, as a result of the statutory duties under the new act, this was a very sensible strategy document to have in place and one which should be endorsed.

The Chairman of the Overview and Scrutiny Committee said that, during the debate at the Overview and Scrutiny Committee, a question was asked about rough sleepers as this was a concern that was raised in various places particularly on social media. She added that Members were advised by Officers that there were between four and five rough sleepers within the district. She added that one rough sleeper was one too many; however the information provided had helped to dispel some of the rumours that there were vast numbers of rough sleepers across the district. She said that Members were reassured by the strategy and that as much as possible was been done to help people who were homeless or at risk of becoming homeless.

Decision: In line with the recommendations from the Overview and Scrutiny Committee, 6th September 2018;

The new Homelessness Strategy "Worcestershire Strategic Direction for tackling Homelessness 2018 – 2021" be approved.

CAB.33 Capital Receipts From Right To Buy

A report was considered from the Chief Executive which sought agreement to arrangements under which Community Housing Group (CHG) and the Council share receipts from preserved right to buy cases for the period from April 2019.

The Cabinet Member for Housing, Health and Well-being presented the report. He explained that, despite the significant reduction in scale now, the Council were still entitled to receipts from the sale of any of its former council housing stock under the right to buy procedure if any tenant of the CHG chose to follow that process. He said that in 2013 the Council and the CHG agreed to a 50:50 split for a five year period.

The Cabinet Member for Housing, Health and Well-being added that the CHG budgets for 15 right to buy cases a year which generates approximately £300,000. It uses its share to provide new affordable housing units. This equates to approximately 6 homes for rent a year. He said that, as part of its budget in February 2018, the Council agreed to use its share of the receipts through the Evergreen Investment Fund to support new investment opportunities including residential developments. He said based on 15 units a year an additional circa £750,000 per year could be generated over the next five year period of the agreement. He added that the current arrangements had served the Council well over the last five years and recommended that the arrangements be renewed on the same basis for a further five years from April 2019.

The Leader of the Council supported the proposal. He acknowledged that the right to buy receipts had substantially reduced. However they continued to assist the Council in enabling investment in capital projects through the Evergreen Fund, which was positive as the Council was using its own money as opposed to having to borrow in order to invest. He added that there was no sensible reason why the current arrangements should not continue and urged the Cabinet to support the recommendation.

Decision: The receipts (net of cost of disposals) should be shared 50:50 with Community Housing Group for a period of five years from 1 April 2019.

CAB.34 Cookley and Caunsall Neighbourhood Area Designation Application

A report was considered from the Corporate Director: Economic Prosperity and Place with sought approval for the designation of part of Wolverley and Cookley Parish as a Neighbourhood Area for the purposes of Neighbourhood Development Planning as shown on the map at appendix 1 of the report, in order that Wolverley and Cookley Parish Council could prepare a Neighbourhood Plan.

The Cabinet Member for Housing, Health and Well-being said he was very pleased to present the report as it was the first stage for part of the community in Wolverley and Cookley Parish to develop their own Neighbourhood Plan.

He said that the Parish Council proposed to bring forward the Neighbourhood Plan for part of their parish under the Localism Act 2011. The Neighbourhood Plan would then allow the local community to help develop a blueprint for how they wished their local area to be developed in the future in order for it to eventually become part of the adopted Development plan for the area. He added that, for the Council to be able to use it in its decision making, the

Neighbourhood Plan would have to comply with the Council's own local plan which is currently under review.

The Cabinet Member for Housing, Health and Well-being said that the first stage in bringing the plan forward required the District Council to agree for the area to be designated. He informed Cabinet that the proposal had already undergone public consultation between June and August 2018 and all of the 19 responses received supported the proposal. He said that the Council welcomed local engagement in the planning process and had already seen local communities in Chaddesley Corbett and Churchill and Blakedown bring forward Neighbourhood Plans for their areas. He welcomed the opportunity to formally move the recommendation for approval.

The Leader of the Council seconded the recommendation. He said that he thought it was very interesting that part of the parish had no desire for a Neighbourhood Plan and another part had a strong desire. He said that the Parish Council were supportive in allowing the plan to go ahead in one clearly defined part of the Parish. He echoed the comments made by the Cabinet Member for Housing, Health and Well-being that the Neighbourhood Plan would need to comply with the District Council's Local Plan and not the other way around.

Decision: In line with the recommendations from the Overview and Scrutiny Committee, 6th September 2018;

Part of Wolverley and Cookley Parish that includes the areas of Cookley and Caunsall as shown on the map in appendix 1 of the report be designated as a Neighbourhood Area.

CAB.35 Budget Monitoring First Quarter 2018-19

A report was considered from the Corporate Director: Resources which provide an update on the Council's financial performance for the period ending 30th June 2018 and presented the current projected outturn position for the 2018-19 financial year. It also provided forecasts on revenue, the capital programme 2018-19 and the final capital outturn for 2017-18 against programme.

The Cabinet Member for Resources led Members through the report and commented that this was a straightforward report which projected a small overspend of £34,000 against a net budget of £11.9m. He said at this stage of the financial year he was not concerned as the Council had a strong track record of producing under spends and he was confident the figures would change as the authority progressed through the financial year. He drew Members' attention to the lower income from car parks and the impact on the homeless budget as a result of the changes to the Homelessness legislation.

The Leader of the Council seconded the proposal. He said that, as it was the report for quarter one, he expected the final figures for the year to be different. He added that the temporary free car parking at Weavers Wharf may have had an impact on the Council's car parks as many people may have opted to park there as opposed to where they would have normally parked.

Decision:

- 1.1 The projected budget variations and comments outlined within the report and appendices 2 to 6 be noted.**
- 1.2 The request for a supplementary estimate of £65k for additional costs of Homelessness detailed in paragraph 7.1 of the report from general reserves, be approved.**

CAB.36 Transfer of Spennells Changing Rooms to 9th Kidderminster (Spennells) Scout Group

A report was considered from the Corporate Director: Community Well-being and Environment which sought agreement to transfer the ownership of Spennells Changing Rooms and a parcel of land at Heronswood Play Area to 9th Kidderminster (Spennells) Scout Group.

The Leader of the Council presented the report. He said that since June 2017 he had been chairing meetings with representatives from the KD9 Scouts, Aggborough and Spennells Ward Members and Council Officers to try and transfer the facility to an organisation that would be able to have the commitment to make it a community facility. He formally moved the recommendations as set out in the report.

The Cabinet Member for Operational Services said she was very pleased to second the recommendations. She said that it was great that under the Localism Agenda the authority was able to facilitate the transfer of the redundant buildings, which had become an eyesore and blight on the area, to a worthwhile community group. She added that the facility would not only be for the exclusive use of the scout group; it would be available for use by the wider community.

The Ward Member for Aggborough and Spennells, Councillor H Dyke, said that she welcomed the report. She said that it had been a burning ambition of hers for many years for the changing rooms to be redeveloped for community use. She said that she had spoken to many local residents and had received lots of positive comments on the proposal.

Decision: In line with the recommendations from the Overview and Scrutiny Committee, 6th September 2018;

- 1.1 The Cabinet decided in principle to transfer Spennells Changing Rooms and a parcel of land to the 9th Kidderminster (Spennells) Scout Group for nil consideration.**
- 1.2 Delegated authority be given to the Corporate Director for Community Well Being and Environment and the Solicitor to the Council, in consultation with the Leader and Cabinet Member for Operational Services, to advertise the proposed transfer of land as shown on the attached plan as required by section 123 of the Local Government Act 1972;**

to consider any objections made as a result of the advertisement; and to take the final decision on disposal in the event of objections.

CAB.37 Exclusion of Press and Public

Decision: "Under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of "exempt information" as defined in paragraphs of Part 1 of Schedule 12A to the Act.

CAB.38 Amendment to Capital Programme

A report was considered from the Corporate Director: Community Well-being and Environment which updated Members on progress with the Depot 2020 plans for investment and improvement and to agree to amend the capital programme in line with the tender outcome for the construction works.

The Leader of the Council presented the report and in order for the Council to move forward with the project, formally proposed the recommendations for approval.

The Cabinet Member for Operational Services spoke about the importance of the project and seconded the proposal.

Decision: In line with the recommendations from the Overview and Scrutiny Committee, 6th September 2018;

Recommend to Council that:

- 1.1 The Capital Programme be amended to accommodate the gross additional estimated costs associated with the overall project in light of tenders received;**
- 1.2 The amendment is that the gross capital cost of the project be increased as set out in para 4.4 of the exempt Cabinet report.**

There being no further business, the meeting closed at 6.44pm.

WYRE FOREST DISTRICT COUNCIL

SPECIAL CABINET

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

30TH OCTOBER 2018 (6PM)

Present:

Councillors: M J Hart (Chairman), N J Desmond, C Rogers and J D Smith.

Observers:

Councillors: A Coleman, H E Dyke and F M Oborski MBE.

CAB.39 Apologies for Absence

Apologies for absence were received from Councillors: I Hardiman and R J Vale.

The Leader of the Council announced that Councillor Vale had a Disclosable Pecuniary Interest in the Local Plan and therefore had sent her apologies, and apologies had been received from Councillor Hardiman who unfortunately was unwell. The Leader added that, as Councillor Hardiman was the responsible Cabinet Member for the Local Plan, he would present the report on his behalf.

CAB.40 Declarations of Interests by Members

No declarations of interest were made.

CAB.41 Local Plan Pre-Submission Publication

A report was considered from the Spatial Planning Manager which set out the next stage of the Local Plan Review, referred to as the Regulation 19 Pre-Submission Publication consultation. This was the final stage of consultation before submission of the Local Plan to Government. The Regulation 19 Local Plan had been taken to the Overview and Scrutiny Committee on 25th October for consideration. The Pre-Submission Publication document was shown in Appendix 1 of the report.

The report also set out the consultation responses received for the Local Plan Review Preferred Options consultation undertaken in summer 2017, and presented the draft Consultation Plan for the Pre-Submission Publication consultation to be held from 1st November 2018 until 5pm on 17th December 2018.

The Leader of the Council presented the report and formally moved the recommendations for approval.

He said that this was the next stage of the journey of the review of the Local Plan which had started back in late 2015 with the Issues and Options consultation. He said the Preferred Options consultation outlined a

combination of Core sites and options A and B which gave two potential options for growth. He added that the consultation took place between 15th June and 14th August 2017. He was pleased to report that it was a far reaching public consultation and over 5000 responses had been received. He said that it clearly demonstrated that, where there was an issue that affects us all, it does engage the district's residents.

The Leader of the Council said that the Pre-Submission document was a hybrid of the Core sites and some of the sites from the options A and B. He said that the administration believed that the authority should have a properly adopted Local Plan which was fit for purpose moving forward for the future, conformed with the Housing Need Study and demonstrated that there was a clear land supply.

He said it was regrettable that there had to be development in the green belt. However the strategic release of the land would enable two developments; one at the former Lea Castle hospital site and the other on land at Offmore to take place. He said the proposed developments would be part of a master plan which would create sustainable communities with all the necessary infrastructure they required. This would include a primary school, health and other community facilities on each site which would make the developments fit for purpose for generations to come.

He added that, in terms of affordable housing policy, the threshold number of dwellings for there to be a percentage of affordable housing was 10 and the proposed new level was a minimum of 25%. This was a viable and realistic target.

The Leader of the Council outlined a few minor typographical errors that would be corrected in the document before it formally went out for public consultation on 1st November 2018. He said that there would be eight public drop-in sessions across the district which would be held during the consultation period and encouraged all Councillors, members of the public and stakeholders to attend any of the sessions to enable them to have their say on the plan.

The Cabinet Member for Resources seconded the recommendations. He said that it was absolutely right that we had an up-to-date adopted Local Plan so that the authority was in control of the planning process across the district, and was not subject to hostile planning applications which sought to develop in areas where the Council did not wish development to take place.

The Chairman of the Local Plans Review Panel, Councillor F M Oborski MBE, thanked the Spatial Planning Manager and her team for the fantastic job they had done in getting the Council to this stage in its Local Plan Review, and also thanked the Members of the Local Plans Review Panel for their hard work. Councillor Oborski said that she welcomed the news that the government had confirmed the standardised methodology for calculating housing need and was pleased that more brown field sites had been allocated to the Pre-Submission Plan which would result in only 2.1% of the green belt being released for development.

The Chairman of the Overview and Scrutiny Committee, Councillor H Dyke,

Agenda Item No. 3

said that she had attended all the meetings of the Local Plans Review Panel and acknowledged the amount of detailed work the Planning Policy Team Officers had undertaken to reach this point in the review process; she said they had all worked extremely hard. Councillor Dyke presented the recommendations from the Special Overview and Scrutiny Committee meeting. She added that there had been a fantastic response to the Preferred Options consultation and hoped that residents would take part in the latest consultation.

Decision: In line with the recommendations from the Overview and Scrutiny Committee, 25th October 2018;

- a) The Local Plan Pre-Submission Publication documentation for public consultation (Regulation 19) be approved; and**
- b) The Preferred Options Consultation Responses be approved.**

There being no further business, the meeting closed at 6.37pm.

WYRE FOREST DISTRICT COUNCIL**CABINET**
13th November 2018**Council Tax Reduction Scheme Review 2019/20**

OPEN	
CABINET MEMBER:	Councillor Nathan Desmond, Cabinet Member for Resources
RESPONSIBLE OFFICER:	Revenues, Benefits & Customer Services Manager
CONTACT OFFICER:	Lucy Wright Ext 2948
APPENDICES:	Appendix One – Consultation comments Appendix Two – Profiling data and possible impacts Appendix Three – Equality Impact Assessment (full)

1. PURPOSE OF REPORT

- 1.1 This report provides information to the Cabinet following the recent consultation to make changes to the Council Tax Reduction Scheme in 2019/20.

2. RECOMMENDATION

The Cabinet is asked to RECOMMEND to Council that from 1st April 2019:

- 2.1 The Council Tax Reduction Scheme is amended as outlined in paragraph 3.11;

3. BACKGROUND

- 3.1 Universal Credit is being rolled out for new claimants in Wyre Forest on 14th November 2018 and will replace the following benefits:

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

- 3.2 Although new working age claimants will claim their housing costs through Universal Credit, the Local Authority will retain responsibility for housing benefit for all pension age claimants, working age claimants living in temporary accommodation and those living in supported accommodation. Until February 2019, new working age claims for households with 2 or more children will stay with local authorities too. Migration of the existing working age caseload will commence at a later date which is yet to be determined.

- 3.3 In December 2015, Council agreed not to increase the minimum council tax contribution from working age claimants and the proposals set out in this report recommends this percentage remain at 20% for the lowest income households.

Council Tax Reduction and the Full Service Roll Out of Universal Credit

- 3.4 The introduction of Universal Credit within the Wyre Forest district will, as experienced in all other areas, bring a number of challenges to both the administration of Council Tax Reduction and also the collection of Council Tax generally. Sites within Universal Credit full service areas have experienced the following:
- a. The reluctance of Universal Credit claimants to make a prompt claim for Council Tax Reduction leading to loss of entitlement;
 - b. A high number of changes to Universal Credit cases are received from the Department for Work and Pensions requiring a change to Council Tax Reduction entitlement. On average 40% of Universal Credit claimants have between eight and twelve changes in entitlement per annum. These changes result in amendments to Council Tax liability, the re-calculation of instalments, delays and the demonstrable loss in collection; and
 - c. The increased costs of administration through multiple changes resulting in the need for additional staff resource.
- 3.5 It is clear that the existing means tested Council Tax Reduction scheme, which is too reactive to change, will not be viable once Universal Credit has been rolled out fully within the district. The move to a new more efficient scheme from 2019 is now imperative to avoid additional staffing costs and simplify the administration scheme for both the Council and applicants.

The proposed 2019/20 Council Tax Reduction Scheme

- 3.6 In view of the problems being experienced with Universal Credit, it is proposed that the Council Tax Reduction scheme is fundamentally redesigned to address;
- a. The problems with the introduction of full service Universal Credit; and
 - b. The inevitable increase in administration costs due to the high level of changes received in respect of Universal Credit.
- 3.7 A consultation has taken place which proposes that the current means tested scheme is replaced by a simple income grid model. Test profiling has been carried out on the existing Council Tax Reduction Scheme caseload with income bands which allows a greater tolerance of income levels.
- 3.8 Any change to the scheme will inevitably result in both winners and losers and the aim is to design a scheme that minimises both the number of losers and any financial loss incurred. As set out in paragraph 3.13 below, the Exceptional Hardship scheme will be available to minimise the impact and protect individuals where appropriate.

Modelling suggests that around 22% of current claimants may be better off and around 11% may be worse off.

How the new scheme will address the problems of full service Universal Credit

- 3.9 Due to the simplicity of the proposed new scheme and by taking a more 'Council Tax discount approach', it will address the problems associated with Universal Credit as follows:
- a. **The scheme will require a simplified claiming process.** In the case of Universal Credit applicants *any* Universal Credit data received from the Department for Work and Pensions (DWP) will be treated as a claim for Council Tax Reduction. Where information is received from DWP, the entitlement to Council Tax Reduction will be processed without the need to request further information from the taxpayer. This will have the following distinct advantages namely:
 - i. **Speed of processing** – claims will be able to be calculated simply and promptly without the need to request further information which inevitably leads to delays;
 - ii. **Maximising entitlement to every applicant.** As there will be no requirement for Universal Credit applicants to apply, entitlement to Council Tax Reduction will be maximised with a reduced risk of loss of discount or the need for backdating;
 - iii. **Maintenance of collection rates** – the new scheme will avoid constant changes in discount, the need for multiple changes in instalments and therefore assist in maintaining the high collection rates currently achieved.
 - b. **The income bands will be wide avoiding constant changes in discount.** The current Council Tax Reduction scheme is very reactive and will alter even if the overall change to the person's liability is small. This is leading to constant changes in Council Tax liability, the need to recalculate monthly instalments and the requirement to issue a large number of Council Tax demands. The effect of this is that Council Tax collection is reduced. The new scheme, with its simplified income banding approach, will have the following advantages:
 - i. Only significant changes in income will affect the level of discount awarded;
 - ii. Council Taxpayers who receive Council Tax Reduction will not receive multiple Council Tax demands and adjustments to their instalments
 - c. **A modern approach to changes in entitlement.** The current Council Tax Reduction scheme is based on a traditional but rather old-fashioned benefit approach which alters entitlement on a weekly basis when there is a variation in income. The amount households are asked to contribute to their council tax from their income is calculated by comparing their income with their 'applicable amount'. This is the minimum income set by Government which a household sharing the same circumstances is expected to live on. A taper is

then applied for every additional £1 earned resulting in frequent changes every time a household income varies. The new scheme is designed to reflect a more modern approach, notwithstanding that the number of changes will be reduced. Where discount changes it will be effective from the day of the change rather than the Monday of the following week;

- d. **A simpler scheme** – the current Council Tax Reduction Scheme document is large, benefits based and will become unduly complex once Universal Credit is rolled out. The intention is to make the new scheme document simpler, reducing the level of complexity and making it more understandable to applicants.

3.10 On 17th July 2018, the Cabinet agreed to undertake a public consultation to obtain feedback on the proposed changes outlined above. Consultation ran from 23rd July to 28th September 2018 and a total of 90 responses were received although not every respondent answered all questions.

3.11 The consultation asked respondents whether they agreed to various proposed changes listed below. The results of the consultation can be found in paragraph 3.15 and additional comments received against the proposed changes can be found in Appendix One.

- The highest level of discount will remain at 80% and will be awarded to those in Band 1 of the table shown in 3.17. This will automatically apply to claimants that are in receipt of a passported benefit such as Income Support, Jobseeker's Allowance (income based) and Employment Support Allowance (income related) or the maximum award of Universal Credit. The scheme allows for variation in the size of the household as the levels of income per band increase when an applicant has a partner and/or dependants.
- The current scheme applies a deduction for non-dependants living in the household whereas the proposed scheme does not. This is a significant change which will benefit those with non-dependants living in the household while simplifying the scheme for administration purposes such as low income households with adult children living at home.
- The proposed scheme will fall in line with Housing Benefit, Universal Credit, Tax Credits and Council Tax Reduction for pension age claimants and limit the number of dependant children within the calculation for Council Tax Reduction to two for all applicants.
- Make claiming Council Tax Reduction as easy as possible for Universal Credit claimants by accepting data received from the DWP as a claim for Council Tax Reduction automatically without the need to complete an application form.
- To encourage work the current income disregards which vary depending on circumstances, will be replaced with a standard £25 per week earnings disregard for all claimants. The current range of earnings disregards is between £5.00 and £25.00 depending on the householder's circumstances.
- The current disability benefits such as Disability Living Allowance and Personal Independence Payment will continue to be disregarded for income purposes as well

as Employment Support Allowance (support component) and Carer's Allowance. An additional disregard will also be applied for disabled claimants to replace the premiums that are in the current scheme.

- War pensions and war disablement pensions will continue to be disregarded.
- Child benefit and child maintenance payments will continue to be disregarded.
- The capital limit will be set at £6,000. Any capital below this amount will not affect a claimant's entitlement to Council Tax Reduction.
- Extended payment and student provisions will be removed.
- Changes will be effective from the date of change rather than the Monday of the following week.

- 3.12 Test profiling shows that there will be some existing claimants that will benefit from an income banded scheme and some who will see a reduction in their award. Further details of how existing claimants may be affected can be found in Appendix Two.

Exceptional Hardship Scheme

- 3.13 The current Council Tax Reduction scheme also contains provision for taxpayers to make an application for additional discounts where they experience exceptional hardship. It is proposed that the new scheme will contain the same provisions to protect individuals who experience exceptional hardship. Where any group of person is likely to experience hardship, this will be addressed as part of the overall scheme design. The Exceptional Hardship scheme will continue to be an integral part of the scheme for the foreseeable future.
- 3.14 The consultation provided explanatory text for the changes proposed and asked respondents for their views. The majority of respondents were in favour of each of the options proposed.
- 3.15 A summary of the responses to the consultation is outlined below.

Table 1 Summary of consultation responses

Number of responses received via the consultation portal: 90 <i>(not all people answered every question)</i>					
Organisations that provided a named response: 2					
Worcestershire County Council support changes as recommended.					
Hereford & Worcester Fire and Rescue Service support changes as recommended					
Q1. Introduce an income grid scheme for all working age applicants – Do you agree with this change to the scheme?					
<i>90 answers</i>					
Yes	50%	No	19%	Don't know	31%
Q2. Limit the number of dependant children within the calculation for Council Tax					

Reduction Do you agree with this change to the scheme? <i>75 answers</i>					
Yes	67%	No	17%	Don't know	16%
Q3. Remove non dependant deductions Do you agree with this change to the scheme? <i>68 answers</i>					
Yes	54%	No	24%	Don't know	15%
Q4. Change the claim process for Universal Credit claimants Do you agree with this change to the scheme? <i>63 answers</i>					
Yes	81%	No	9.5%	Don't know	9.5%
Q5. Introduce a standard earnings disregard Do you agree with this change to the scheme? <i>60 answers</i>					
Yes	75%	No	15%	Don't know	10%
Q6. Disregard carers allowance Do you agree with this change to the scheme? <i>59 answers</i>					
Yes	83%	No	10%	Don't know	7%
Q7. Make it easier for students to claim Do you agree with this change to the scheme? <i>59 answers</i>					
Yes	83%	No	3%	Don't know	14%
Q8. Remove the Extended Payments provision Do you agree with this change to the scheme? <i>59 answers</i>					
Yes	75%	No	17%	Don't know	8%
Q9. Use date of claim/change for changes to entitlement Do you agree with this change to the scheme? <i>58 answers</i>					
Yes	91%	No	4%	Don't know	5%
Q10. Simplify the capital rules Do you agree with this change to the scheme? <i>57 answers</i>					
Yes	72%	No	19%	Don't know	9%
Q11. Protect disabled claimants with an additional disregard Do you agree with this change to the scheme? <i>55 answers</i>					

Yes	95%	No	2%	Don't know	3%
Q12. Alternatives to funding extra administration costs of the scheme					
<i>52 answers</i>					
Increase the level of Council Tax to cover costs of extra administration of the scheme		Yes	25%	No	75%
Find additional administration costs from cutting other Council Services		Yes	25%	No	75%
Use the Council's limited reserves (savings)		Yes	33%	No	67%
Are you in receipt of Council Tax Reduction Scheme?					
Yes	15%	No	81%	Don't Know	4%

3.16 The Cabinet report and consultation document stated that further profiling would be carried out before agreeing the final income bands. This has been undertaken and it is proposed that the income bands stay as suggested as shown below.

3.17 Proposed income bands:

Discount Level		Single (Weekly net income level)	Couples (Weekly net income level)	Family +1 child (Weekly net income level)	Family +2 (or more) children (Weekly net income level)
Band 1 (<i>inc. passported legacy benefits</i>)	80%	£0 - £89.99	£0 - £124.99	£0 - £199.99	£0 - £269.99
Band 2	60%	£90 - £119.99	£125 - £154.99	£200 - £249.99	£270 - £304.99
Band 3	40%	£120 - £149.99	£155 - £184.99	£250 - £274.99	£305 - £334.99
Band 4	20%	£150 - £179.99	£185 - £214.99	£275 - £299.99	£335 - £364.99

4. **KEY ISSUES**

4.1 In order to make alterations to local council tax schemes, legislation requires any changes are approved by full Council by 11th March prior to implementation on 1st April each year. Key dates in the timeline are as follows:

- 13th November 2018 -Cabinet receive consultation responses including report from Overview and Scrutiny Committee and make final recommendations to Council.
- 12th December 2018 – Council approve changes to the scheme

- 1st April 2019 – Changes to Council Tax Reduction Scheme are implemented

4.2 The responses to the consultation show the following:

- The majority of responders agreed to the proposed changes to the scheme

4.3 The recommendations outlined in this report comply with the original principles of the scheme that was set up in 2013 as follows:

Principle 1 Every household with working age claimants should pay something;

Principle 2 The scheme should incentivise people into work;

Principle 3 People with greater amounts of savings receive less support;

Principle 4 Protection will be provided through a Hardship Fund to those who are least able to pay; and

Principle 5 The scheme will support residents to contribute to a successful local economy as outlined in the Council's Corporate Plan priorities.

4.4 Universal Credit uses real time earnings to calculate Universal Credit awards so claimants do not have to report fluctuating wages. This results in frequent changes in Universal Credit entitlement which presents a challenge in terms of Council Tax Reduction.

4.5 If Council Tax entitlement is adjusted every month, customers could receive monthly Council Tax bills. Not only is this likely to cause confusion for customers but it could detrimentally impact the Council's collection rates as well as increase administration costs.

4.6 This report proposes that Cabinet makes the following recommendations to Council in respect of changes to the Council Tax Reduction Scheme from 1st April 2019:

- Implement changes to the Council Tax Reduction Scheme from 1st April 2019 as outlined in paragraph 3.11

5. FINANCIAL IMPLICATIONS

5.1 The Council and all preceptors continue to face significant financial challenges to meet savings targets in order to meet the impact of continued reductions in government grants.

5.2 Profiling of the existing Council Tax Reduction caseload has been undertaken using a forecasting module and the proposed changes suggest that the overall cost of the scheme will be broadly in line with current expenditure.

5.3 The estimated current Council Tax Reduction Scheme expenditure is £6.7m with a caseload of 8,821. There are 3,999 pension age claimants and the total pension age expenditure is £3.6m. There are 4,822 working age claimants and the total working age expenditure is £3.1m. The income changes for working age claimants migrating to Universal Credit are unknown and therefore the profiling that has been carried out is based on existing legacy benefits across the current working age caseload. The predicted expenditure is therefore subject to change when claimants migrate from legacy benefits to Universal Credit. Based on the existing caseload, these proposed

changes could increase expenditure by £34,661. Any increase or reduction would be shared amongst all Major Preceptors. The estimated cost to Wyre Forest District Council (13%) would be £4,505.

- 5.4 It is not possible to determine how much Government funding is received as the funding for local schemes is now included in the Revenue Support Grant, that will be completely phased out by 2020/21. It is therefore essential that the cost of the scheme is kept as low as possible to avoid the burden of additional costs on this Council that will widen the already significant funding gap.
- 5.5 Where an individual may suffer exceptional hardship, the scheme will include provisions to allow for additional support to be given.
- 5.6 There is a cost to upgrade the computer system in order to administer an income banded scheme. This includes a one off cost of approximately £40,000 and annual maintenance of approximately £8,000; this will be reflected in the revised budget process subject to approval of this report. The initial cost would be paid for from existing reserves.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The legal requirement to consult on any proposed changes to the Council Tax Reduction Scheme has been completed and this report provides a summary of those responses for consideration by the Cabinet.
- 6.2 In reaching final decisions, the Cabinet will have to have regard to its duties under the Equality Act 2010 as the proposed options apply to all potential working age recipients of council tax reductions. Consideration will need to be given to other relevant legal requirements, such as the duty to co-operate in reducing child poverty in accordance with section 21 of the Child Poverty Act 2010.
- 6.3 The final decisions should also seek as far as possible to be consistent with the Council's corporate plan priorities.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An initial equality impact assessment has been undertaken and, due to the negative impact on age, people with disabilities and poverty within the district, a full equality impact assessment has been undertaken. The negative impacts have been identified and can be mitigated by the continuation of the exceptional hardship fund for those affected. Disabled claimants will be protected by continuing to disregard disability income in addition to increasing claimants' income bands. The full equality impact assessment can be found in Appendix Three.

8. RISK MANAGEMENT

- 8.1 Universal Credit will create more work to administer the Council Tax Reduction Scheme. The proposed changes have been suggested to reduce the need for more resource to accommodate this additional workload.
- 8.2 The profiling has been carried out on the existing working age Council Tax Reduction Scheme caseload which only has a very small number of claimants who are in receipt

of Universal Credit. Until Full Service Universal Credit is rolled out from 14th November 2018, the Council will not be in a position to realise fully what the impact on administration and Council Tax collection rates will be.

- 8.3 These risks can be mitigated by closely monitoring the collection rates, particularly against those in receipt of Council Tax Reduction. The Council's exceptional hardship fund will also mitigate the impact for working age people in severe financial hardship and this will be actively promoted across all front line teams to support claimants to apply for help when needed.
- 8.4 The impact of Universal Credit will be closely monitored and as requested at full Council in September 2018, a report will be taken to Overview and Scrutiny accordingly.

9. CONCLUSION

- 9.1 The Council has to make significant savings and proposed changes to the Council Tax Reduction Scheme as outlined in the consultation would reduce the need to increase administration costs once Universal Credit is rolled out in Wyre Forest in November 2018.
- 9.2 The ongoing level of the exceptional hardship fund will be kept under review and the annual contribution from the County Council used to provide additional support to the required level.
- 9.3 Given the contribution to our budget pressures and increased incentive for claimants to seek work or more work if possible, Cabinet are asked to recommend to Council that the changes suggested in this report, are implemented from 1st April 2019.

10. CONSULTEES

- 10.1 On this report: Cabinet and Corporate Leadership Team
- 10.2 Through the consultation exercise: Members of the public and other interested bodies including all Preceptors.
- 10.3 Overview and Scrutiny Committee considered the proposed changes as part of the consultation process at its meeting on 1st November 2018. Its comments have been reported separately.

11. BACKGROUND PAPERS

- 11.1 Council Tax Benefit Reform, Overview and Scrutiny Committee 8th November 2012
Council Tax Benefit Reform, Cabinet 12th November 2012
Council Tax Benefit Reform, Council 21st November 2012
Welfare Support Fund, Cabinet 23rd June 2015
Review of Council Tax Reduction Scheme, Cabinet 10th November 2015
Council Tax Reduction Scheme Review 2016-17, Council 9th December 2015
Council Tax Reduction Scheme Review 2017/18, Cabinet 4th October 2016
Council Tax Reduction Scheme Review 2017/18, Overview and Scrutiny Committee 3rd November 2016
Council Tax Reduction Scheme Review 2017/18, Cabinet 22nd November 2016
Council Tax Reduction Scheme Review 2017/18, Council 14th December 2016

Agenda Item No. 7.1

Council Tax Reduction Scheme Review 2019/20, Overview and Scrutiny Committee
5th July 2018

Council Tax Reduction Scheme Review 2019/20, Cabinet 17th July 2018

Detailed information on the current council tax reduction scheme can be found at
www.wyreforestdc.gov.uk/counciltax

APPENDIX ONE

Additional comments received against each proposed change:

<p>Q1. Introduce an income grid scheme for all working age applicants</p>
<ul style="list-style-type: none"> • <i>A fair system where people on benefits are treated just the same as working class individuals and families. Why should working class people have to foot the bill more?</i> • <i>Increase council tax for properties to pay for this</i> • <i>Forcing too many claimants into debt</i> • <i>Agreed but protection of severe disability premium for vulnerable disabled claimants must be adhered to. The loss of this premium is already forcing claimants into debt. There must be safeguards in place.</i> • <i>Agree in principle but income would still have to be verified so calculations still applicable; what about capital? Not everyone will be in receipt of Universal Credit so income calculations will still have to be made.</i> • <i>Not sure but people with more children should not suffer</i> • <i>I think all income and benefits should be taken into account no matter what they are. All income should be taken into account. Some people on benefits get full council tax reduction and housing benefit when they have more non taxable income than people in full time work and who are struggling to pay rent and council tax every month.</i> • <i>There should be more protection for people on a low income</i> • <i>I would like to see 100% discount for people for the lowest income households</i> • <i>Don't fix something that isn't broke</i> • <i>No reduction unless properly disabled or have served in the forces. I pay full, so should every other able bodied person</i>
<p>Q2. Limit the number of dependant children within the calculation for Council Tax Reduction</p>
<ul style="list-style-type: none"> • <i>Take on more staff for administration thus increasing employment.</i> • <i>Forcing too many claimants into debt. Penalties imposed will not help those in debt.</i> • <i>Stop picking on the worst off in society. Larger families, single parents etc. If necessary put up the council tax for the rest of us.</i> • <i>I am mindful of child poverty and its associated problems. We have county council money set to improve the County's situation but would limiting council tax discount to larger families create more problems in other areas where the council are trying to tackle this and the associated problems?</i> • <i>As long as it isn't too difficult to apply for above</i> • <i>All dependants should be included</i> • <i>There needs to be a cut off point like there was with tax credits, say babies born after 1st April 2019 or so onto suddenly cut a families entitlement will cause more hardship if they don't meet the criteria for the hardship help.</i> • <i>Penalising a family with more than 2 children is wrong. Especially if a family has twins.</i>
<p>Q3. Remove non dependant deductions</p>
<ul style="list-style-type: none"> • <i>If they are adults they should pay a contribution</i> • <i>Do not agree that working non-dependants do not contribute</i> • <i>Household adults should make a contribution</i> • <i>Don't stop taking money from residents that can afford it</i> • <i>Agree in principle with this, especially as the government is promoting schemes for up to 25 year olds to stay at family home (i.e relief on council tax annexes. There are also disadvantages of under 25s living on their own (with current shared accommodation</i>

<p><i>rate etc) so this in principle would support government's schemes and current directives.</i></p> <ul style="list-style-type: none"> • <i>Working non dependants should contribute.</i> • <i>Non dependant person should be looking for jobs.</i> • <i>Why reduce money for more than 2 children but withdraw charge for non dependants.</i> • <i>The whole thing needs to be income/means tested. Number of people in a property doesn't always mean higher income.</i> • <i>Great to remove it but as long as it doesn't increase costs to every family.</i> • <i>Don't know but families should not be penalised for having more than 2 children.</i>
Q4. Change the claim process for Universal Credit claimants
<ul style="list-style-type: none"> • <i>Short form for them to claim. What will you do when they say they didn't know they were claiming? How do you know UC is correct?</i> • <i>If people don't apply that's their fault. People need to take responsibility for their own financial circumstances.</i> • <i>DWP gets claims wrong frequently, stick with the old system and publish the need to claim separately.</i> • <i>Universal Credit has been shown to be unsuccessful to some of the most vulnerable people. It needs to be scrapped.</i> • <i>But adding costs is wrong – I'd much rather do a simple form than be charged for my information being passed on.</i>
Q5. Introduce a standard earnings disregard
<ul style="list-style-type: none"> • <i>Again penalising those with children who could be forced into child poverty the people with more children probably don't have the time to fill in additional support forms.</i> • <i>Agree in principle as £25 disregard is the high end of the disregard scale so yes, couples, singles and lone parents will all benefit but unsure regarding child care costs not being assisted. This may mean the difference in a lone parent going out to work or not as child care will become an impossible option and the 'catch 22' scenario may hinder some families in this situation. We must at all costs encourage parents to work to better themselves.</i> • <i>Keep the existing one</i> • <i>People with children under 3 who are in work often have high child care costs. Removing this disregard will make it no longer beneficial to work. They receive the child care money as an element of their tax credits specifically to be used for child care costs. It should not be considered income.</i> • <i>Larger families being penalised...especially when both parents working and extra help with child care.</i> • <i>Will these mean families with more children lose out?</i>
Q6. Disregard carer's allowance
<ul style="list-style-type: none"> • <i>All income no matter what type should be taken into account</i> • <i>Adding costs is not necessary</i>
Q7. Make it easier for students to claim
<ul style="list-style-type: none"> • <i>Adding costs is not necessary</i> • <i>Students do not have funds to pay out when on loans etc., they should have no council tax to pay.</i>
Q8. Remove the Extended Payments provision
<ul style="list-style-type: none"> • <i>Can put off people moving into work or make it harder for them we should be supporting as much as we can tax businesses.</i> • <i>Forcing people into debt.</i> • <i>When customers have found work after 26 week period on passported benefit, their</i>

<p><i>financial situation has obviously worsened whilst not in work, so to stop this extended payment period would hinder our customers getting back on their feet, and their ability to pay off debts and bills whilst on benefit. I understand there have been problems on the system for administering Extended Payments, but for the sake of a simple check for being on benefit for 26 weeks, the administration to put Extended Payments into play is quite straightforward. If the customer is eligible for the extended payment, certain criteria have to be met, i.e. for the job to last 5 weeks etc., so there is good chance that no council tax discount would be necessary once in full time employment anyway.</i></p> <ul style="list-style-type: none"> <i>It enables people to sort out their finances when starting a job. If people think they're going to be in debt from the start, why would they do it.</i>
Q9. Use date of claim/change for changes to entitlement
<i>No comments received</i>
Q10. Simplify the capital rules
<ul style="list-style-type: none"> <i>Should be lower - £3k</i> <i>Someone with under £12k savings is not exactly a millionaire.</i> <i>To establish if capital falls within £6k - £12k will still take some administration/ assessment time but less council tax reduction paid out in the end if over the £6k so I am undecided on this point.</i> <i>The capital limit of £6k is too low. Should either stay as it is an taper it from £12k to £6k or raise the limit to £12k.</i> <i>Someone should not be penalised for being responsible with their money.</i>
Q11. Protect disabled claimants with an additional disregard
<ul style="list-style-type: none"> <i>Providing financial support to people with long term health conditions or disabilities must be paramount.</i>
Any other comments to add?
<ul style="list-style-type: none"> <i>A fair system for all</i> <i>The introduction of Universal Credit has received poor reviews in areas implemented. We must provide for disabled and vulnerable people in our society and remove the stigma that has been attached to those who rely on benefit payments.</i> <i>Whatever system you introduce is unfair to shift the cost onto the least well off in the community</i> <i>I think generally the scheme should be amended</i> <i>Need to be overall fair on people with kids, disabilities, retired and working people</i> <i>Council tax is ridiculous. I am a single parent, I work 20 hours a week, I pay full rent and full council tax because my daughter's dad lives here (we are not a couple) he doesn't work and because I was previously on housing benefit before he moved in, I signed off that and decided to pay full rent so we were covered legally. I pay £135 council tax a month when I only earn £666 a month. My rent is £435 a month also this leaves very little spare for bills and to make ends meet. A reduction in council tax would benefit me and my child massively.</i> <i>I would like to see a 100% category for those least well off. Some of our youngest customers live on just over £50 a week. Expecting them to pay anything is unrealistic. They are usually very young and vulnerable and should be given special consideration.</i> <i>Don't penalise people for actually saving their money. Majority need £6k for if a boiler or major household problem happens. Savings should not be spent on costs when someone should be entitled for help especially singles with dependants.</i> <i>Simple and effective. Brilliant idea.</i> <i>Transferring to Universal Credit should be a choice for claimants who are unable to work.</i>

Agenda Item No. 7.1

- *People with a dependant under 16 should pay maybe half the council tax for their band. I would be comfortable with this proposal if considered.*
- *Current changes being implemented by the DWP are already forcing claimants into debt often reductions taking place with no explanation.*
- *I personally would see council tax scrapped as there is little loopholes around not paying it but because I have severe anxiety I just pay it for a quiet life as receiving debt letters sets me over the edge. However we shouldn't have to pay for council services when many of us don't even use them in the first place. Bin collections and such should come as standard and be included as part of your rent along with other services.*

APPENDIX TWO

Profiling data and possible impacts

The current cost of the Council Tax Reduction Scheme for working age claimants is £3,087,623.

Moving to an income grid scheme based on the information detailed in the report estimates expenditure for working age claimants would be £3,122,284 meaning overall increase in expenditure of £34,661 which is a 1.1% increase. Any increase (or reduction) in expenditure will be shared amongst all preceptors. It is important to note that profiling has been undertaken on the current caseload and is based on existing income and circumstances which is subject to constant change. The effect on household income when Universal Credit is rolled out is not yet known so these numbers are subject to change as and when a household income or circumstance changes, including the transition to Universal Credit from legacy benefits.

The table below shows the estimated number of current Council Tax Reduction Scheme claimants that may be affected by the proposed redesigned income grid scheme together with the financial impact against each criteria. Families have been broken down into couples and lone parents.

	Estimated number of increased awards	Estimated number of reduced awards
Total number of cases	1,059	533
Total value	£ 172,924	£ -138,263
Single people – number of cases	336	116
Single people - value	£ 58,497	£ -25,075
Couples - number of cases	61	40
Couples - value	£ 6,970	£ -10,507
Couples +1 child – number of cases	65	29
Couples + 1 child – value	£ 8,552	£ -2,764
Couples 2+ children – number of cases	141	185
Couples 2+ children - value	£ 12,551	£ -62,741
Lone Parent +1 child – number of cases	235	26
Lone Parent +1 child - value	£ 45,830	£ -5,374
Lone Parent 2+ children – number of cases	221	137
Lone Parent 2+ children - value	£ 40,524	£ -31,802

There are currently 4,822 working age households in receipt of Council Tax Reduction Scheme.

1,059 of these (22%) may benefit from moving to an income grid scheme and 533 (11%) may have a reduction in their award. This does not mean they will not be entitled to any reduction, but that their entitlement may be less. The group most likely to be affected by a reduction is couples with 2 or more children and the group who are likely to benefit because of an increase in award are single people as shown in the following charts.

The following table breaks the profiling down further and estimates what level of Council Tax reduction existing claimants may receive based on the income grid outlined in the

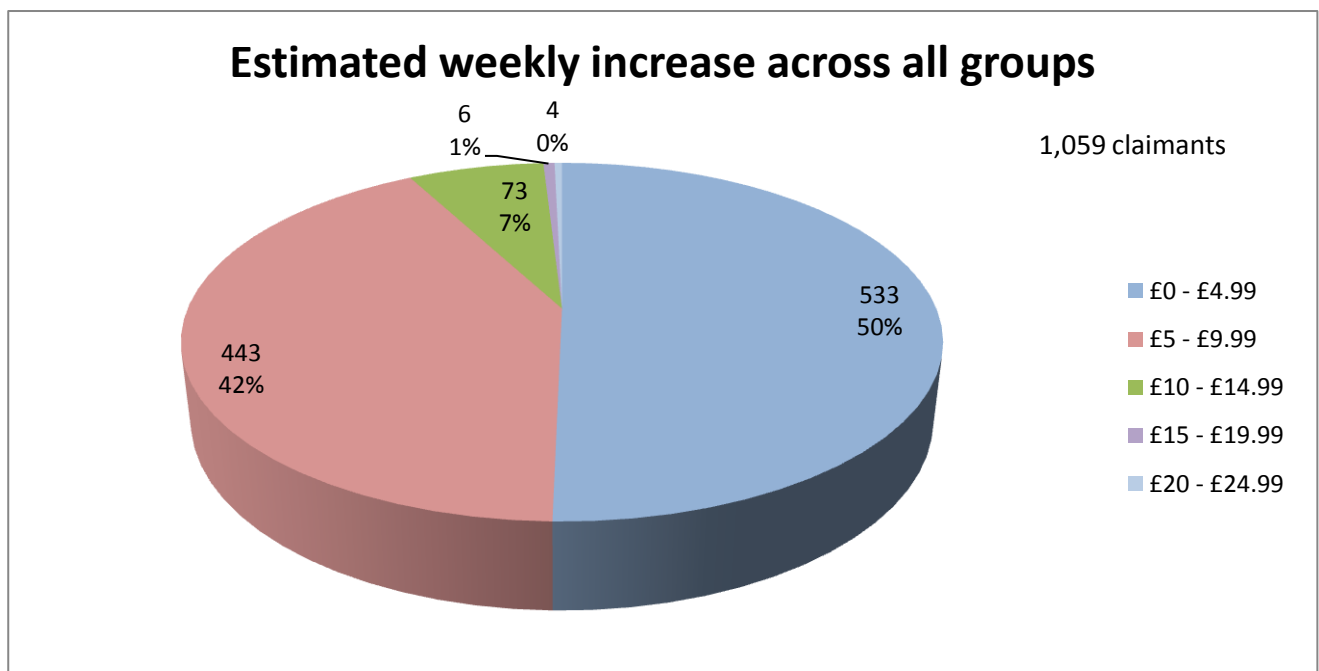
Agenda Item No. 7.1

body of the Cabinet report. This shows that the vast majority (78%) of low income households are likely to continue to receive an 80% reduction in their Council Tax.

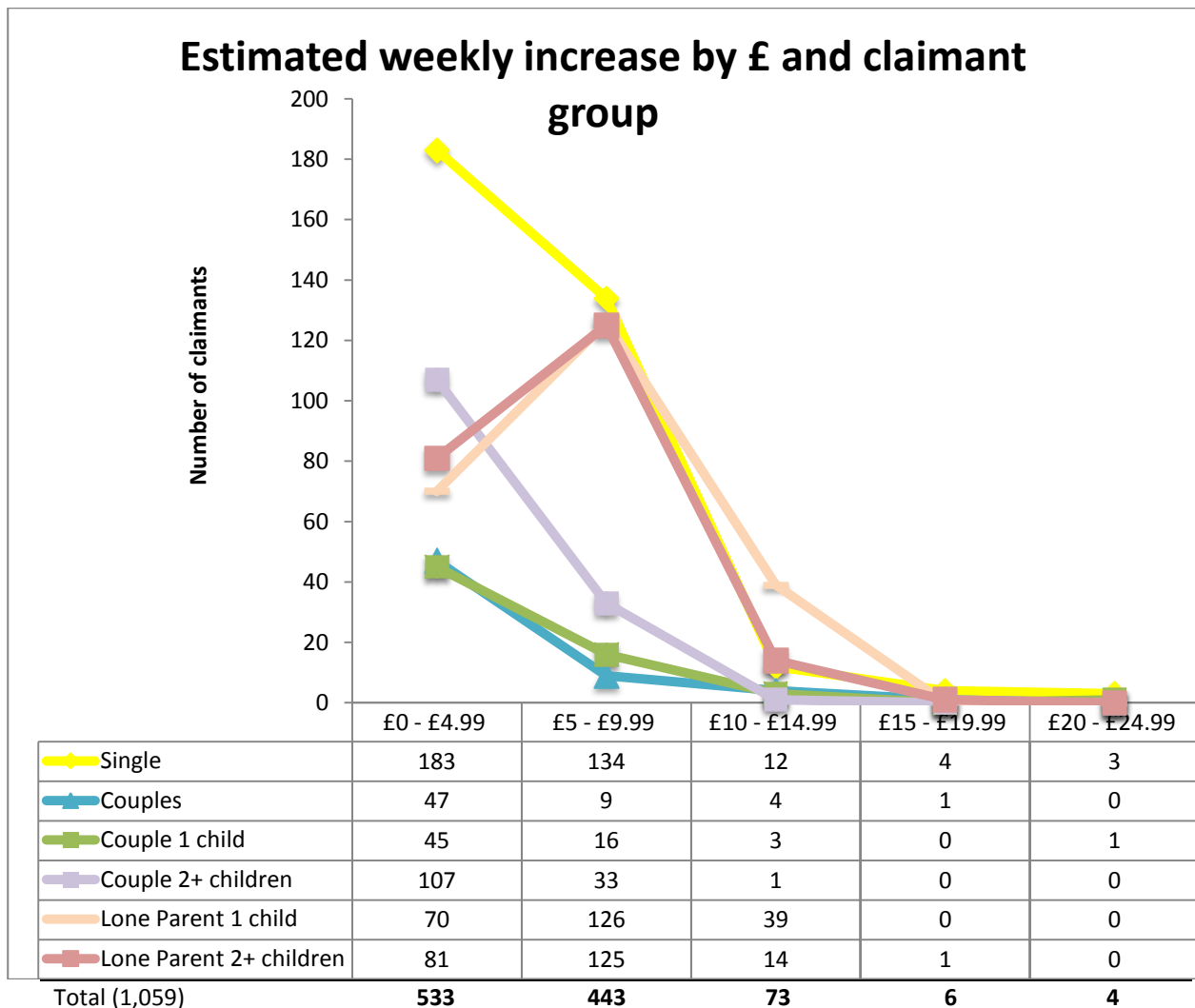
INCOME GRID BANDS	BAND 1 (80%)	BAND 2 (60%)	BAND 3 (40%)	BAND 4 (20%)	Will no longer qualify	Total
Cases	3,785	430	231	145	231	4,822
% of caseload	78%	9%	5%	3%	5%	
Expenditure	£ 2,829,722	£ 195,680	£ 73,420	£ 21,464	£ 1,997	£ 3,122,284
Single	1,827	131	50	31	50	2,089
Couples no children	361	13	28	12	12	426
Couple +1 child	132	24	16	13	13	198
Couple 2+ children	311	44	60	42	92	549
Lone parent +1 child	535	127	27	13	15	717
Lone parent 2+ children	619	91	50	34	49	843

Estimated increase in awards:

The following charts show a breakdown of how the 1,059 claimants might see an increase in their level of council tax support. This has been broken down in financial ranges which show that 50% may get an increase in their award between £0 and £4.99 per week and a further 42% might see an increase of between £5 and £5.99 per week.



The chart below shows the largest client group that may see an increase in award if moving to the proposed income grid scheme are single claimants. 533 people may see an increase in their award of between £5 and £9.99 followed by 443 people who may see an increase between £0 and £4.99.

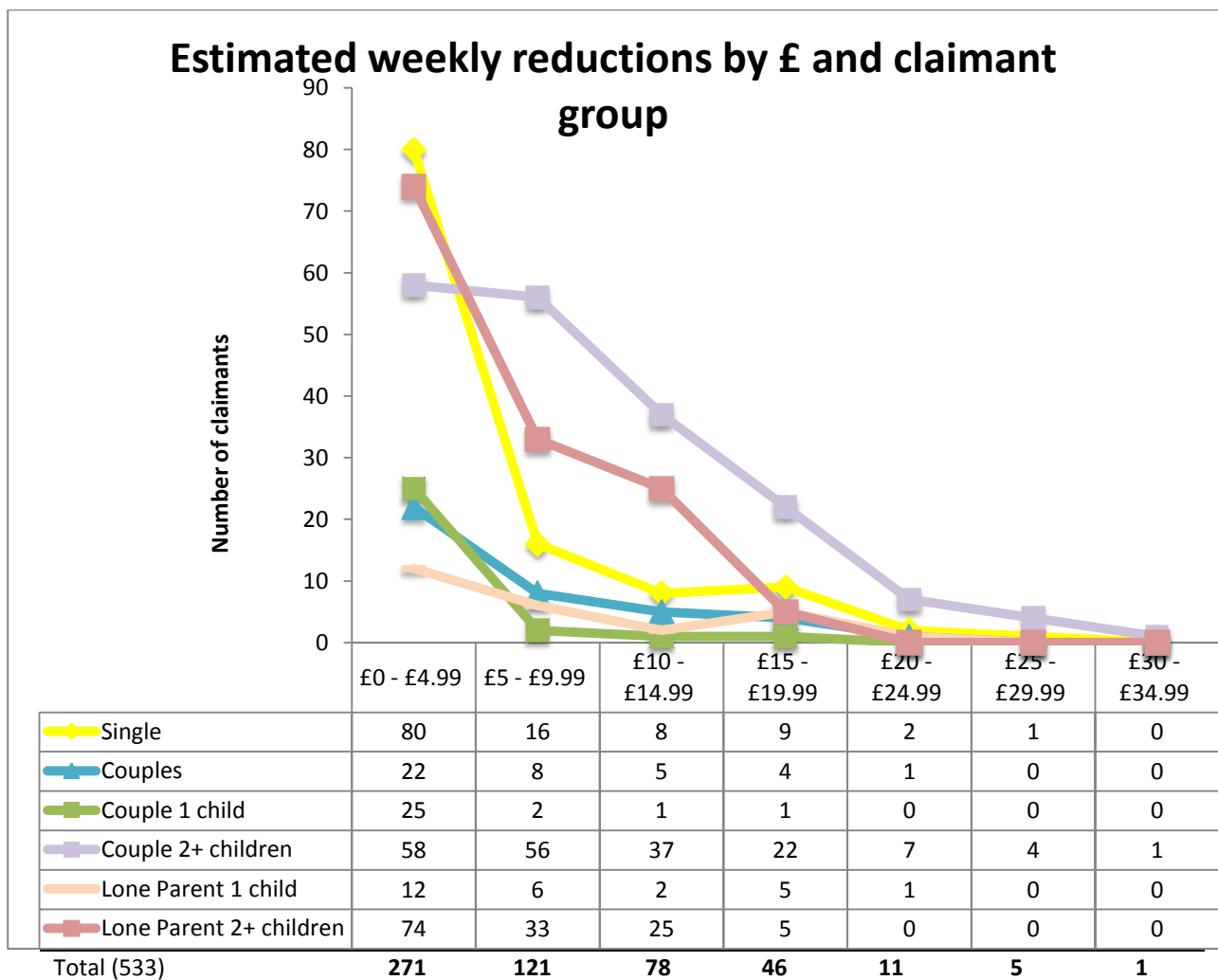
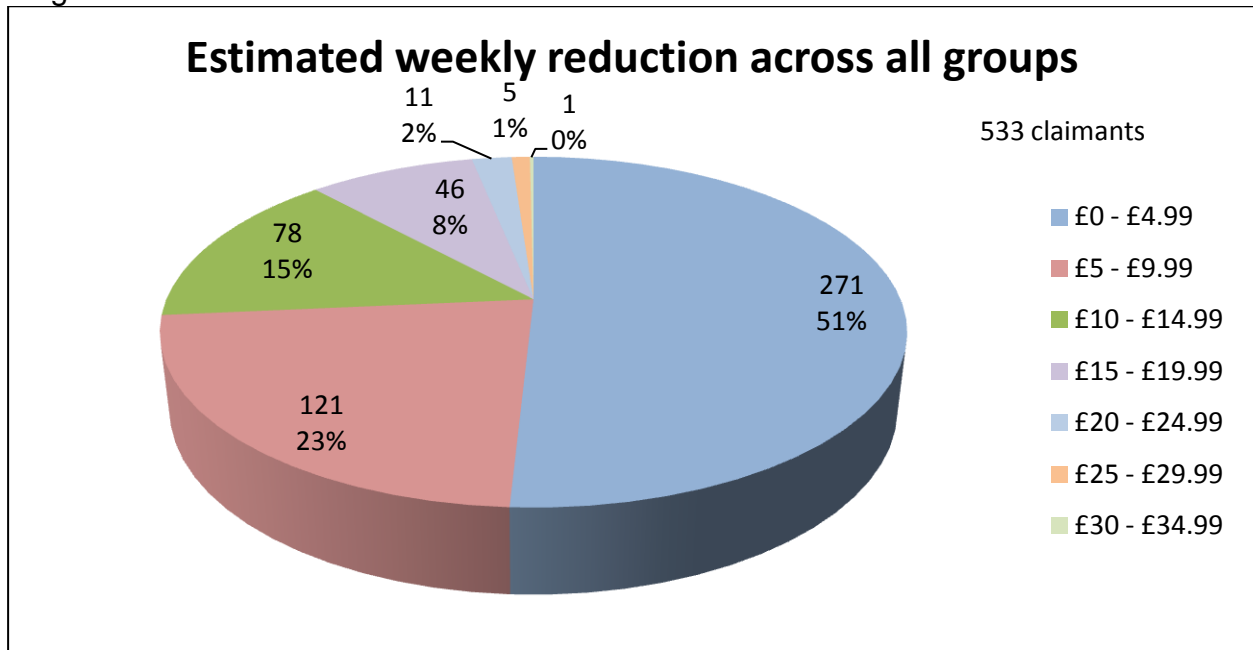


This has been broken down further by Council Tax band and claimant group as shown below:

Council Tax Band	Single	Couples	Couple +1 child	Couples 2+ children	Lone parent +1 child	Lone parent 2+ children	Total	As %
A	184	33	18	53	87	74	449	42%
B	108	20	32	61	107	103	432	41%
C	28	6	8	21	28	37	128	12%
D	8	2	3	5	10	5	33	3%
E	4	0	2	0	3	0	9	1%
F	4	0	1	0	0	2	7	1%
G	0	0	0	1	0	0	1	0%
Total	336	61	65	142	235	221	1,059	

Estimated reduction in awards:

The following data shows a breakdown of how the 533 claimants might see a reduction in the level of council tax support received and has been broken down into financial ranges:

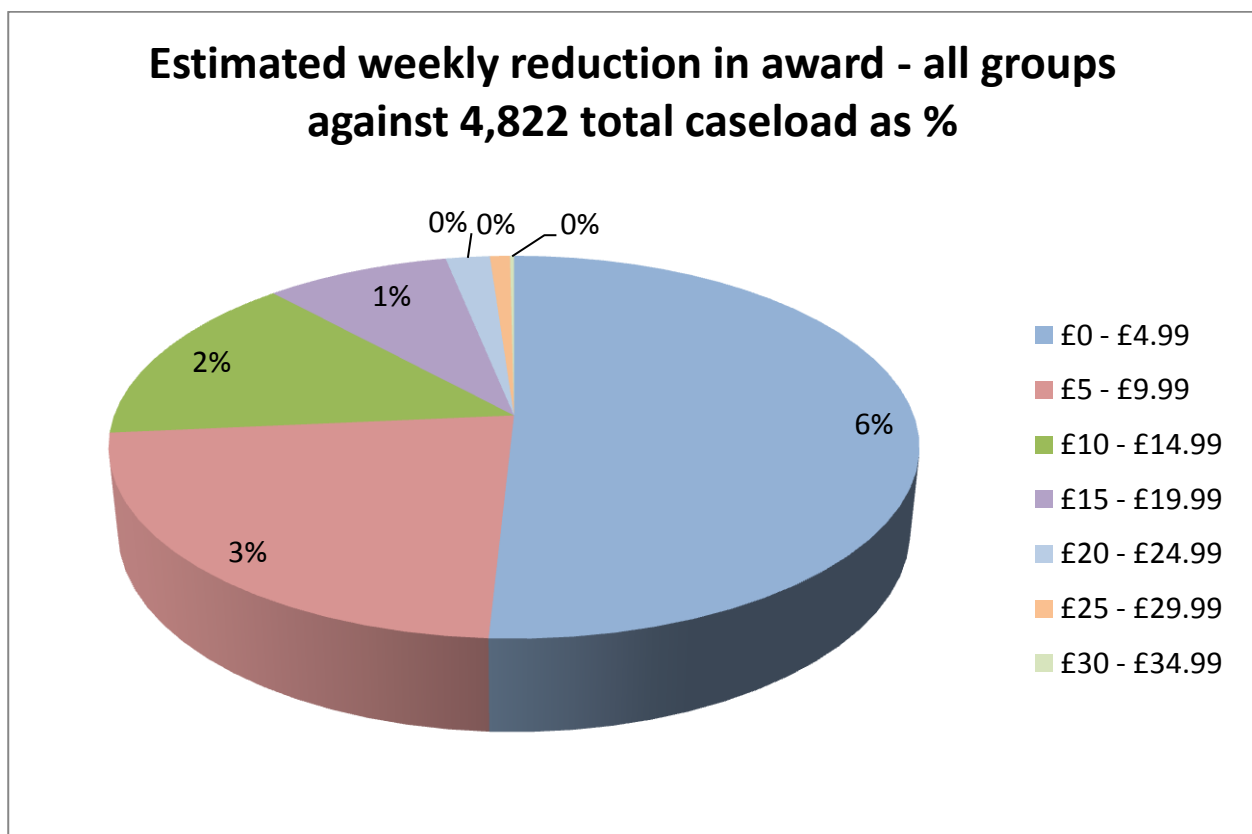


Agenda Item No. 7.1

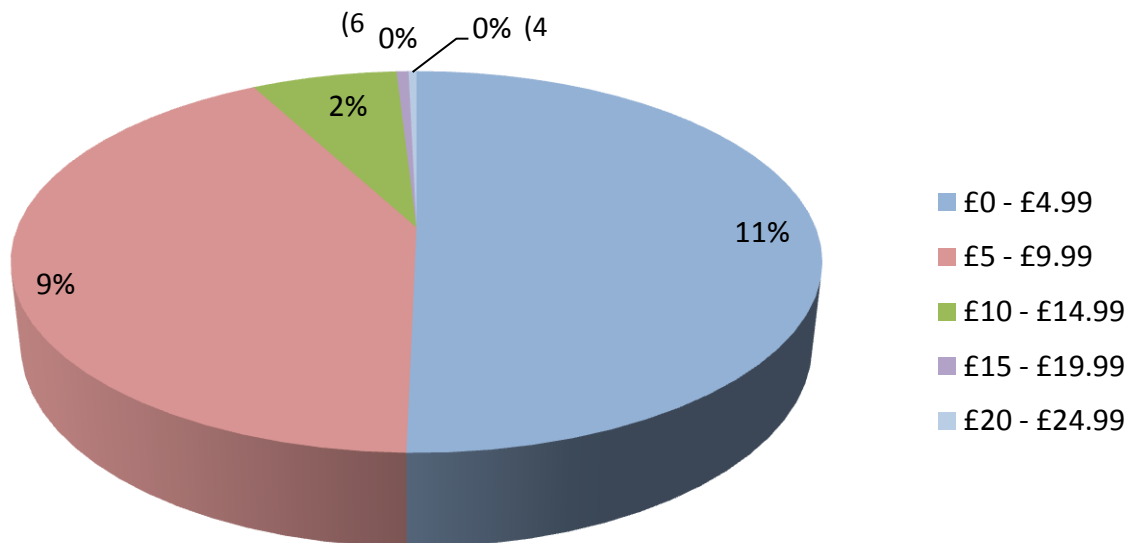
The previous chart shows the client group most affected by moving to a proposed income grid scheme that may see a reduction in their award would be couples with 2 or more children. The majority of couples (58) may see a reduction of between £0 and £4.99 a week closely followed by 56 couples who may see a reduction between £5 and £9.99 a week. This has been broken down further by Council Tax band and claimant group as shown below:

Council Tax Band	Single	Couples	Couple +1 child	Couples 2+ children	Lone parent +1 child	Lone parent 2+ children	Total	As %
A	65	19	5	52	13	49	203	38%
B	28	10	16	72	11	65	202	38%
C	11	8	5	45	0	20	89	17%
D	8	2	1	10	1	1	23	4%
E	0	0	1	4	1	0	6	1%
F	1	1	1	1	0	2	6	1%
G	3	0	0	1	0	0	4	1%
Total	116	40	29	185	26	137	533	

The following charts summarise how existing claimants are likely to be affected as a percentage of the overall working age caseload:



**Estimated weekly increase in award - all groups
against 4,822 total caseload as %**



Full Equality Impact Assessment- EIA

An EIA is a way of finding out if:

- Our services are accessible to service users and employees.

An EIA helps us to make sure that:

- Our functions and policies do not have a negative impact or discriminate in any way against any members of our local community.

A Full EIA needs to work through the following stages:

- ⇓ **Establish clear aims & objectives-** What is the purpose? Who will benefit? What are the intended outcomes?
- ⇓ **Consideration of data & information-** National & local data; service data; satisfaction/feedback data; complaints; research
- ⇓ **Assessing the impact-** Who does/does not use service? Have you consulted? Does it reflect varied needs of community?
- ⇓ **Reviewing/Scrutinising the impact-** Is there a differential impact on different groups? Is it adverse? Is it directly or indirectly discriminatory?
Show justification if applicable
- ⇓ **Addressing the issues-** Measures to alleviate impact; alteration to policy; action plans
- ⇓ **Formal consultation-** Use appropriate methods; consult those affected or with legitimate interest; consult widely; ensure consultation is open, inclusive & accessible
- ⇓ **Making a decision-** Explain decision & intended effects/benefits; monitor any actions
- ⇒ **Publication of results-** Accessible & user friendly; add website & intranet; notify consultees

Name of service or policy being assessed	Proposals to make changes to the Council Tax Reduction Scheme to move from a means tested assessment to an income banded reduction scheme from 2019/20.		
Directorate	Resources	Is this a new or existing service or policy?	New/ Existing
Officers completing the assessment	Lucy Wright-Revenues, Benefits & Customer Services Manager	Director	Tracey Southall – Director of Resources
Date	October 2018	Relevant Cabinet Member	Cllr Nathan Desmond - Cabinet Member for Resources
Establish clear aims & objectives What is the purpose and	The Council Tax Reduction Scheme (CTRS) provides assistance to people on low incomes to help them pay their council tax.		

<p>expected outcomes?</p>	<p>When council tax benefit was abolished and replaced by localised council tax schemes in 2013, central government protected pensioners with a view that they are unable to take advantage of employment and unable to alter their financial situation.</p> <p>The proposed alterations to the scheme will continue to protect pensioners who will get the same level of council tax support as they do now. The proposals to change the CTRS from 2019/20 are as follows:</p> <ul style="list-style-type: none"> • Move to an income banded scheme instead of a means tested benefit. Claimants will fall into one of 4 bands depending on their household income. The grid has been developed to include single people, couples, families with 1 child and families with 2 or more children. Each band has 4 income brackets which entitles the claimant to either a 80%, 60%, 40% or 20% reduction in their Council Tax. • The scheme allows for variation in the size of the household as the levels of income per band increase when an applicant has a partner and/or dependants. • The proposed scheme does not apply a deduction for non-dependants living in the household. This is a significant change which will benefit those with non-dependants living in the household while simplifying the scheme for administration purposes such as low income households with adult children who live at home. • A standard earnings disregard will be applied across all claimants of £25. This will encourage people to move into work. • Current income disregards will continue such as Disability Living Allowance, Personal Independence Payments, the support component of Employment Support Allowance, Carer's Allowance, war pensions, war disablement pensions, child benefit and child maintenance payments. • The capital limits before entitlement is stopped will be £6,000. • Extended payments and student provisions will be removed.
<p>Will there be any effect on other council procedures or strategies e.g. Corporate Plan or the <u>council's workforce</u>?</p>	<p>None</p>
<p>Are there any statutory requirements or implications?</p>	<p>The Local Government Finance Act prescribes details of the scheme to be used for pension age applicants under the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012. Certain aspects of the scheme for working age applicants are also included within those regulations.</p>

Are there any other organisations / bodies involved?	None
Consideration of data & information National & local data; service data; satisfaction/feedback data; complaints; research that is being used	<p>Due to changes made by central government from 2013 all local authorities were required to create a local scheme to replace council tax benefit. If the Council wish to consider making any changes to the scheme, there is a legal requirement to undertake a consultation.</p> <p>A public consultation was carried out between 23rd July and 28th September 2018. All comments are included in the Cabinet report dated 13th November. There were no comments that required inclusion in the equality impact assessment. 95% of respondents agreed to protect disabled claimants with an additional disregard.</p>
Assessing the impact Who does/does not use service? Have you consulted? Does it reflect varied needs of community?	<p>All households are liable to pay council tax. However the level of financial support they receive is up to the Council to decide under their local scheme regulations.</p> <p>The current scheme provides 100% support for low income pension age claimants and 80% support for low income working age claimants, meaning all working age households have to pay a minimum of 20% of their council tax bill.</p> <p>The Cabinet stated that they were not minded to change the level of support for working age claimants before 2019/20 however central Government have made changes to housing benefit, tax credits and universal credit. The proposed changes will affect some claimants – 22% of households may see an increase in their entitlement while 11% may see a reduction due to their income levels.</p> <p>The current Council Tax Reduction Scheme working age caseload is approximately 4,822.</p>

What impact does the service / policy / project have on the nine protected characteristics as defined by the Public Sector Equality Duty 2010 – for definitions, please see overleaf.

Reviewing/Scrutinising the impact

Is there a differential impact on different groups? Is it adverse? Is it directly or indirectly discriminatory? Show justification if applicable

1. Age	<p>Negative/Positive</p> <p><u>Evidence:</u></p> <p>While the changes will impact negatively on some new working age claimants the majority will be affected positively as they will receive more entitlement whereas pensioners are protected so the impact is not considered to be significant. The retention of a discretionary exceptional hardship fund that will support low income working age claimants will mitigate the impact on working age households that are unable to pay the liability or who are detrimentally affected.</p> <p>Current caseload shows that 50% of our caseload is working age and 50% are pensioners.</p>
---------------	---

2. Disability	Positive/Negative <u>Evidence:</u> The proposed changes to the scheme ensures disabled claimants will be protected by continuing to disregard disability income in addition to increasing claimants' income bands. There are 285 disabled claimants within the caseload profiled. 186 claimants should see no impact as they will continue to be protected. 67 claimants will benefit from the proposed changes and 32 claimants could see a reduction in the support they receive. Any increases/reductions in levels of support will not be due to disability but due to other changes proposed that will apply to all claimants.
3. Gender Reassignment	Positive/Negative <u>Evidence:</u> No impact
4. Marriage and Civil Partnership	Positive/Negative <u>Evidence:</u> No impact
5. Pregnancy and Maternity	Positive/Negative <u>Evidence:</u> No impact
6. Race	Positive/Negative <u>Evidence:</u> No impact
7. Religion or belief	Positive/Negative <u>Evidence:</u> No impact
8. Sex	Positive/Negative <u>Evidence:</u> No impact
9. Sexual orientation	Positive/Negative <u>Evidence:</u> No impact
Other e.g. Deprivation, health inequalities, urban/rural divide, community safety.	Negative <u>Evidence:</u> Council Tax Reduction is a discount that is available to low income households. It is on this basis that all working age recipients would be at a socio-economic disadvantage in particular lone parents, part-time workers and carers. The retention of a discretionary exceptional hardship fund that will support low income working age claimants will mitigate the impact on working age households that are unable to pay the liability or who are detrimentally affected by the proposed changes.

Can any differential impact be justified? (e.g. promoting equality of opportunity)	Y	N	<u>Evidence</u> When creating the local scheme, the Council have given due regard to central government's stipulation that people of pension age must be protected. In a public consultation undertaken in 2012, the principle of 'Every household with working age claimants should pay something' was agreed by 84% of respondents and this became a principle embedded into our scheme. A further consultation was undertaken in 2015 and there were no objections raised to this principle which ensures a degree of fairness as it applies across all groups who are of working age. The scheme is devised to incentivise working age people to seek employment. For those who are in severe hardship or unable to increase their income, the Council manages a discretionary hardship fund to support them following a detailed review of the individual's and household's circumstances.	
Does any adverse impact amount to unlawful discrimination?	Y	N	<u>Evidence</u> Any adverse impact can be mitigated through the use of the discretionary hardship fund.	
What alternative actions could be taken to mitigate any adverse impact? <i>(add these to the action plan)</i>	Continuation of the exceptional hardship fund to support those in financial need.			
Addressing the issues				
<i>Measures to alleviate impact; alteration to policy; action plans</i>				
ACTION PLAN				
Impact	Action required	Lead Officer	Timescale	Comments
Financial pressure applied to low income families	Ensure all staff promote applications for the exceptional hardship fund to provide support to those in financial need	Lucy Wright	Ongoing	
	Continuously monitor the impact of the changes together with take up of the exceptional hardship fund.	Lucy Wright	Monthly	Monthly analysis of collection rates for CTRS caseload

Agenda Item No. 7.1

	Report the number of applications/awards made against the exceptional hardship fund	Lucy Wright	Monthly	Data to include expenditure to date to ensure adequate financial provision is made
Action Plan to be reviewed:	Date November 2019			

Formal Consultation	
What formal consultation has been undertaken?	Public consultation held in 2012, 2015, 2016 and 2018 as detailed above.
Making a Decision	
Explain decision & intended effects/benefits; Can the service/policy proceed?	The Council was required to replace council tax benefit with a local scheme with the requirement that pensioners are to be protected. It is inevitable that there will be negative equality impacts. As a result however this is mitigated by the creation and continued use of an exceptional hardship fund
How will the service/policy / actions be monitored and reviewed? <i>(please give timescale)</i>	Continuous and ongoing monitoring of council tax collection rates with specific reference to CTRS claimants, numbers of reminders & summonses issued and number of exceptional hardship applications
Publication of results	
Accessible & user friendly; add website & intranet; notify consultees	To be published following full Council decision in December 2018
Signed Lucy Wright – Revenues, Benefits & Customer Services Manager	Date 8 th October 2018
Agreed by Director of Service Tracey Southall	Date 8 th October 2018

Prior to the Equality Act 2010, there were 3 separate public sector equality duties covering race, disability and gender. The Equality Act 2010 replaced these with a new single equality duty covering the following protected characteristics:

Protected characteristics: definitions

Age - where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Disability - a person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment - The process of transitioning from one gender to another.

Marriage and civil partnership - marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity - pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race - It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief - religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism).

Sex - a man or a woman.

Sexual orientation - whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

WYRE FOREST DISTRICT COUNCIL

**Cabinet
Tuesday 13th November 2018**

**Overview and Scrutiny Committee
Thursday 1st November 2018**

Council Tax Reduction Scheme Review 2019/20

The Committee considered a report from Revenues, Benefits & Customer Services Manager which provided the results of the consultation exercise that the Council is required to undertake if there are any proposed changes to the Council Tax Reduction Scheme.

The Committee endorsed the proposed changes which would reduce the need to increase administration costs when Universal Credit is rolled out in the district.

Members welcomed the support which was available to people who may find themselves in difficulty as the changes in the system take place.

Recommendation to Cabinet:

The following points are incorporated into the Council Tax Reduction Scheme from 1st April 2019:

- a) Retention of the hardship fund, to ensure that people who face genuine difficulty in meeting their commitments can be assisted. This support is not available to people who have savings.
- b) The proposed changes outlined in paragraph 2.11 of the report to the Overview and Scrutiny Committee, be implemented.

Background papers:

Report to the Overview and Scrutiny Committee, Thursday 1st November 2018

<http://www.wyreforest.gov.uk/council/meetings/com193.htm#mt7616>

WYRE FOREST DISTRICT COUNCIL

CABINET MEETING
13th November 2018

WRITE OFF OF AMOUNTS OUTSTANDING

OPEN	
CABINET MEMBER:	Cllr. Nathan Desmond
RESPONSIBLE OFFICER:	Corporate Director: Resources
CONTACT OFFICER:	Fiona Johnson Ext. 2661 E-mail Fiona.johnson@wyreforestdc.gov.uk
APPENDIX 1	Proposed Write-Off

1. PURPOSE OF REPORT

- 1.1 To enable the Cabinet to give consideration to writing off the sum of £98,224.56 in respect of debts that cannot be collected.

2. RECOMMENDATION

The Cabinet is asked to DECIDE that:

- 2.1 **The total of £98,224.56 as detailed in the Appendix to this report, be written off.**

3. BACKGROUND

- 3.1 Part 4 of the Council's Constitution, Delegation to Officers, paragraph 1.13, authorises the Corporate Director: Resources as Chief Financial Officer to write off individual debts up to the value, in each case of £5,000. For values, between £5,000 and £9,999.99 write-offs can be made with the approval of the delegated Cabinet Member. The Cabinet is authorised to write off debts of £10,000 and over.
- 3.2 It is therefore necessary for Cabinet to give consideration to the case scheduled on the appendix to this report. On this occasion, all the debt relates to non-domestic rates.

4. KEY ISSUES

- 4.1 National Non-Domestic Rates are demanded in accordance with the provisions laid down by The Local Government Finance Act 1988; the total annual sum collectible by this Council is circa £30 million, our overall collection rate for 2017/18 was 97.86%. Recovery action is taken in the event of non-payment under the various regulations made by this Act.
- 4.2 Every effort has been made to pursue the debts set out in the Appendix. This rigorous recovery work has been a prolonged exercise due to the necessary stages that must be followed for debt recovery.

Write off is only recommended when all recovery avenues have been fully explored, and this is the reason for the debt now presented for write off. This particular company did not commence trading so whilst the business rates liability was incurred when the company was established with Companies House the fact that it has never traded and has no assets makes the prospect of recovery impossible. It is most unfortunate that case law that has been tested with the courts allows this form of business rates avoidance to continue so long as the lease has been set up correctly. A specialist barrister was engaged to act on the Council's behalf to try to prove that the leases were not lawful for 5 properties owned by the property owner including the one this write-off relates to. Unfortunately the courts did not find in our favour for 4 of the 5 properties. This Council, like many others has made representations to the CLG (now MHCLG) asking for changes to legislation as set out in the Briefing Paper to Overview and Scrutiny on the 5th October 2017 as the current court rulings are resulting in a significant loss of income to many Councils. We will continue to be proactive and make representations for legislative change.

5. FINANCIAL IMPLICATIONS

- 5.1 Under the current Business Rates Retention Regime the cost of non-collection of National Non-Domestic Rates is met both by the Government and the Worcestershire Business Rate Pool. Approval of the proposed write-off detailed in the Appendix of £98,224.56 will be accounted for as part of the Worcestershire Business Rates Pool and result in a loss of income shared between the Pool members and the Government.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 None.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 This is a financial report and there is no requirement to undertake an Equality Impact Needs Assessment.

8. RISK MANAGEMENT

- 8.1 The principal risk to the Council is loss of National Non-Domestic Rates (Business Rates) income which is a key funding source. However, the budgeting process includes an estimate each year for a small percentage of potential write-offs/provision for bad debts that are unfortunately inevitable given the total annual sum collectible of circa £30m. The Business Rates accounting regime and membership of the Worcestershire mitigates the risk of impact on this Council as the loss of income is shared between Pool members and the Government.

9. CONCLUSION

- 9.1 The amount set out in the Appendix cannot be collected and should be written off.

10. CONSULTEES

- 10.1 Corporate Leadership Team
Cabinet Member for Resources

11. BACKGROUND PAPERS

- 11.1 Cabinet Write-off Report 17th July 2018
- 11.2 .Overview and Scrutiny Briefing Paper – Processes for Business Rates Recovery 5tyh
October 2017
http://www.wyreforest.gov.uk/council/docs/doc52300_20171005_o_and_s_agenda.pdf

PROPOSED WRITE-OFFS

Appendix Open Companies				
Debt Type	Payer	Address	Reason for Write-Off	Amount £
NDR	Worldmile Services Ltd 00379271	Shop and premises, 1 Worcester Street, Kidderminster. DY10 1EB	Business Rate debt related to void rates for the period 14/04/2016 to 31/01/2017. This assessment was never occupied and we do not know the nature of business that the company was set up for. The Company has never traded from these premises although it took a lease on them. The company has been dissolved at Companies House on 19th September 2017.	98,224.56
				98,224.56

WYRE FOREST DISTRICT COUNCIL

CABINET
13 November 2018

Housing Assistance Policy

OPEN	
CABINET MEMBER:	Cllr Ian Hardiman, Cabinet Member for Housing, Health and Wellbeing
RESPONSIBLE OFFICER:	Kate Bailey, Head of Strategic Growth 01562 732560
CONTACT OFFICER:	Richard Osborne Principal Environmental Health Officer 01562 732564
APPENDICES:	Appendix 1 Housing Assistance Policy Appendix 2 Better Care Fund metrics

1. PURPOSE OF REPORT

- 1.1 To agree the policy that will be used to determine how the Disabled Facilities Grant (DFG) funding from central government will be spent. In 2018/18 the Council received £1.192m of capital funding via the Better Care Fund (BCF) to deliver its DFG programme and related services.

2. RECOMMENDATION

The Cabinet is asked to DECIDE that:

- 2.1 The Housing Assistance Policy 2018 be approved.
- 2.2 Delegated authority be given to Corporate Director: Economic Prosperity and Place, in consultation with the Corporate Director: Resources and Cabinet Member for Housing, Health and Wellbeing to agree the split of funding and eligibility criteria on an annual basis or as may otherwise be required.

3. BACKGROUND

- 3.1 Local Housing Authorities have a duty to provide Disabled Facilities Grants (DFGs) under the Housing Grants (Construction and Regeneration) Act 1996. DFGs are a mechanism to provide financial assistance to applicants who require an aid or adaptation to be able to remain living independently at home where they fall below an income threshold (unless the DFG is for a child).
- 3.2 Wyre Forest District Council discharges this duty through the use of a Home Improvement Agency (Care and Repair Worcestershire (CRW)) who are commissioned jointly by all the Local Authorities in the County. The current providers,

Agenda Item No. 8.1

Fortis Living have the contract to provide the service until September 2019. The Council currently pay CRW an annual sum for this service of approximately £130k.

- 3.3 All Local Housing Authorities are required, by the Regulatory Reform Order 2002, to have a Housing Assistance Policy (HAP) where they wish to provide discretionary grants and services in addition to the mandatory DFGs. Accordingly the Council has had its HAP in place since that date and has amended it on a number of occasions to account for changing circumstances. The latest proposed HAP is shown at Appendix One. Discretionary grants and services are provided for a number of reasons but primarily where they would support the Better Care Fund (BCF) metrics (please see Appendix Two) or support applicants requiring DFGs in other more cost effective ways. It is also possible to use the capital funding to contribute towards revenue costs e.g. staffing incurred in the provision of the service. To provide consistency to Worcestershire residents and to CRW the Housing Assistance Policy is replicated across the county where possible. The DFG element within the BCF is ringfenced so that the County Council must passport it through to Local Housing Authorities for the purpose of DFGs but within that spending there is some ability to use the funding for capital grants and related services providing that the overall need for mandatory DFGs is met, the spending is in line with the BCF and the Council has a Housing Assistance Policy in place.
- 3.4 The Council's allocation has increased from £557k in 2015/16 to £1.192m in 2018/19 as a result of the government's support of DFG as a way of improving wider health objectives and is likely to remain at this level until 2020. The increase has enabled the Council to better meet increasing demand and enable more creativity and flexibility to identify new, more cost effective ways of delivering grants and services.
- 3.5 The proposed increase in DFG budget has resulted in an increased workload for the Council and CRW and to meet this rise in demand the Council agreed to fund the contract providers at Year Two levels rather than diminish the expenditure in years three and four (as per the original contract) and this enabled the delivery of DFG and other grants to increase in line with demand and availability of funding. Please see table below;

YEAR	BCF AWARD TO WFDC	No DFG BY CRW	NO OF DFG BY COUNCIL
2015/16	556,000	74	N/A
2016/17	1,002,000	102	N/A
2017/18	1.097,000	127	34
2018/19	1.192,000	65 (Q1 and Q2)	11 (Q1 and Q2)

Please note that only a percentage of the BCF award is passported through to CRW and this is spent on a variety of services and grants including DFGs.

- 3.6 In addition to this the Council also recruited a DFG officer directly to identify small DFGs such as heating works that could be done quickly outside of the mandatory DFG process. The Council's DFG Officer awarded the following grants;

WFDC Grants	Number in 2017/18	£	Q 1 & 2 2018/19	£
DFG Direct Applications	17	52,021.00	9	30,197
TCHG Direct Applications	17	30,000.00	2	22,000
Home Repairs Assistance Direct Applications	4	6,509.00	3	17,110
Landlords Assistance Grants	52	66,797.00	13	17,350
Total		155,327		86,657

3.7 Throughout the last four years there has been some concern regarding the number of referrals through to CRW from the Occupational Therapists who are employed by Health and Care Trust and the consequent waiting times for customers. To support the resolution of these issues the CRW has been given resources by the six Housing Authorities to employ two part time County Occupational Therapist (OT) posts and then some further funding by the Council (this financial year) to employ another OT just for Wyre Forest.

3.8 The new funding has enabled the Council to offer a wider range of grants that support households to remain living independently in their home. Included in the new grants is the Dementia Dwelling Grant (DDG). For those people living with a diagnosis of dementia small items of equipment or works can support them to remain living safely and independently at home. In 2017 / 18 89 DDG were completed in Wyre Forest and over £20,000 in grants awarded. The six Worcestershire Councils and CRW received national recognition for this service when they were given an award for innovation by the national home improvement agency body Foundations earlier this year.

4. **AMMENDMENTS TO THE HOUSING ASSISTANCE POLICY**

4.1 The County Council has requested some financial additional assistance from the Local Housing Authorities in two specific areas, which officers support subject to the availability of resources;

4.1.1 Ceiling Track Hoists (CTH): for provision of CTH to extend to existing buildings as well as extensions. This funding will be paid directly to the Integrated Community Equipment Service to enable speedier deployment of resources. This is likely to be less than £10k per annum.

4.1.2 Minor Adaptations: to fund the minor adaptations grants, provided by CRW, in full (previously the Council has provided additional resources for overspend and top ups). This is likely to be up to £100k per annum.

4.2 In South Worcestershire the Councils have piloted using some of their DFG funding for discretionary DFGs without having a means test. The benefit of this system is it speeds up the process and reduces the drop out rate of customers. This is most common where people are slightly above the means testing limit and have a small contribution to pay but can't fund it. It is proposed the Council allocate a small amount of the overall budget to pilot this approach for discretionary grants of up to £5k for a year and then review it.

5. FINANCIAL IMPLICATIONS

- 5.1 The proposed changes to the HAP can be achieved within existing budget.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The legal duties to provide DFGs are outlined by the Housing Grants (Construction and Regeneration) Act 1996.
- 6.2 The Council are required to have a Housing Assistance Policy if they wish to provide grants and services in addition to the provision of the mandatory DFG.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An Equalities Impact Screening Assessment has been undertaken. The policy gives consideration to and has a positive impact for those with health needs including those with disabilities and to children and young people. There are no other implications identified for other groups with a protected characteristic.

8. RISK MANAGEMENT

- 8.1 There is a requirement to have a Housing Assistance Policy in place to avoid the risk posed by legal challenge and so this policy and its operation mitigates against that risk.

9. CONCLUSION

- 9.1 This report outlines the amendments to the current Housing Assistance Policy and updates Members on the significant changes in delivery since the HAP was last amended. The new HAP will continue to support both the Council's legal duties and the requirements to meet the BCF metrics outlined in Appendix Two.

10. CONSULTEES

- 10.1 Worcestershire County Council
- 10.2 CRW
- 10.3 Corporate Leadership Team
- 10.4 Local Housing Authorities in Worcestershire

11. APPENDICES

- 11.1 Housing Assistance Policy 2018
- 11.2 Better Care Fund metrics

Wyre Forest District Council

Housing Assistance

Policy

2018

Contents

1 Introduction	3
The Reform Order	3
The purpose of this document	3
The aims of this policy	3
2 Purpose and Form of Housing Assistance	5
3 Persons Eligible for Housing Assistance	6
4 Types of Assistance Available	7
5 Making a Formal Application	8
6 Restrictions on Assistance	9
7 Supervision of Works	11
8 Payment of Assistance	11
9 Types of Grant and Financial Assistance	12
Private Sector Measures	15
Better Care Fund Metric Supporting Measures	15
10. Repayment of Assistance	17
General	17
Breach of Undertakings	17
Death of Applicant	17
Additional Conditions	17
Security and Repayment	18
11. Enquiries and Applying for Assistance	19
Decision and Notification	19
Re-determination of Amount of Grant	19
12 Appeals Against Decisions	20

1 Introduction

The Reform Order

In July 2002 the Government issued legislation, the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, which requires all Councils to adopt and publish a policy as to how they intend to use the powers set out in this legislation.

The purpose of this document

This Housing Assistance Policy, which will commence on 1st January 2019, sets out the basis on which Wyre Forest District Council will offer financial assistance (“Housing Assistance”) for works of adaption, repair or renewal in the private housing sector.

All housing assistance approved under this policy is either discretionary and are therefore subject to the District Council having sufficient funds or mandatory Disabled Facility Grants.

The District Council will review this policy on a regular basis to take into account changing policies at national and regional level and all available information on the condition of private sector housing in the District.

The document outlines a range of financial assistance that is client and thematic based services that are particularly focused at vulnerable people.

This document sets the principles for how the Council responds to the limited flexibility to use the Government provided Disabled Facilities Grant (DFG) fund, channelled through the Better Care Fund (BCF), in order to meet the metrics of the BCF. This policy and the outcomes of measures taken to support those metrics will be reported back through the Better Care Fund to Government.

The aims of this policy

This policy has been produced following consideration of the Housing Assistance Policies of other Worcestershire authorities and is in line with those policies.

This policy supports the Council’s overall aim to secure health and community well-being. It supports the Council’s Housing Strategy and is set in response to both local identified needs and issues and national housing strategies.

Government provide funds for Disabled Facilities Grants that are ring-fenced to the District Council and Passported via the Better Care Fund. This fund is to be used for providing mandatory DFGs, activities to support the efficient and effective provision of DFGs and other work to support the Better Care Fund Metrics. Apart from the mandatory DFG response, the remaining funding is split across schemes and activities for theses purposes and deemed priority through delegated decision of the relevant Director, Corporate Director: Resources and lead Cabinet Member. This funding split is reviewed annually according to available budget.

The Housing Assistance Policy also includes discretionary financial assistance for private rented properties and homeowners. This was originally a capital fund for private sector

housing improvement provided through the Regional Government but was discontinued some years ago. The remaining and recycled funding is specifically aimed at tackling poor conditions (i.e. non-decent) housing in the private sector (both owner occupied and private rented sector) where the housing is occupied by vulnerable households (e.g. recipients of benefits). This funding is split across schemes deemed priority through delegated decision of the relevant Director, Corporate Director: Resources and lead Cabinet Member. This funding split is reviewed annually according to remaining budget and any repayment of financial assistance received.

The Council has signed up to the Worcestershire Partnership Plan which has three priorities;

- Drive the growth of the right type of homes to promote opportunity
- Improve homes and, “transform places”
- Create a partnership approach to enable people to live as independently as possible (prevention/early intervention)

and this policy supports the deliver of the second and third of these priorities.

The key objective is to assist vulnerable people achieve decent, suitable and affordable homes in sustainable communities and in particular will aim to;

- Provide for an efficient and effective response to need for property adaptation for disabled persons.
- Provide for alternatives and support mechanisms for disabled persons, meeting the national Better Care Fund Metrics.
- Reduce the number of people living in homes in the private sector that have category one hazards.
- Reduce the number of households in fuel poverty.
- Increase the number of people who are able to live independently at home.
- Reduce the number of victims of domestic violence who are forced to leave their own accommodation because of a lack of alternative options.
- Increase the number of empty properties that are brought into to use particularly where that accommodation can then be used to reduce homelessness or the use of temporary accommodation.

At the current time the Council has contracted with a Home Improvement Agency acting as an Agency in the administration of mandatory grants and discretionary financial assistance. They are also able to investigate and provide other mechanisms of funding and assistance to meet the aims of this policy and its functions. This may include third party grants, loans, equity release etc.

The provision of mandatory grants and discretionary financial assistance will be subject to internal auditing and external auditing to ensure adequate procedures are in place and followed and that there is an appropriate use of public funds.

The Council will continue to work with the voluntary sector in order to facilitate their roles in helping vulnerable people.

2 Purpose and Form of Housing Assistance

Housing Assistance may be offered by Wyre Forest District Council in accordance with this policy towards the cost of:

- (i) the improvement, repair or adaptation of existing living accommodation including permanent residential caravans and houseboats
- (ii) any other initiatives which are consistent with the aims and objectives of the District Council in relation to housing.

Housing Assistance may be offered in any form including but not restricted to financial assistance, advice, provision of materials, carrying out of works, loans. The Council may enter into partnership with other organisations or agencies to deliver financial assistance.

The specific types of Housing Assistance available at the time of this policy and the conditions for eligibility are specified in Part 9 of this policy. For the most current details of assistance available members of the public can also view the annual delegated decisions which are published on the council website.

The Council will pay reasonable costs of associated fees and charges for financial assistance.

Financial Assistance will be given upon condition of repayment where applicable and appropriate and any recycled funds to be used for the same aims as set out in the policy.

The assistance will be focused primarily on particular clients e.g. disabled, elderly and vulnerable households across the District and on particular themes, for example to improve energy efficiency and eradicate fuel poverty.

Assistance and enforcement are both used by the Council when considered appropriate to ensure standards in relation to housing matters. The provision of financial and other assistance will be considered as an alternative to enforcement when considered appropriate and the relevant parts of this policy apply. Factors that will affect the decision to assist or enforce include the response of the property owner, individual's capabilities, personal circumstances and responsibilities and the legal and social responsibilities of the Council.

3 Persons Eligible for Housing Assistance

Any person who makes an application for Housing Assistance must:-

- (i) be over 18 years of age at the date of the application, and
- (ii) live in the dwelling as his/her only main residence (except where the applicant is a landlord who intends to let the dwelling or where the housing assistance is in relation to an empty property), and
- (iii) have an owner's interest in the dwelling (other than an interest by virtue of being a Registered Social Landlord under Part 1 of the Housing Act 1996 or being eligible for such registration), or be a tenant or licensee of the dwelling, alone or jointly with others but not being a member of the landlord's family, with a tenancy or license permitting occupation of the dwelling for a minimum period of 12 months after approval of the housing assistance, and
- (iv) have the power or duty to carry out the works and where appropriate have the owner's consent in writing to carrying out the works, and
- (v) satisfy such test(s) of resources as the Council may from time to time have in place
- (vi) not be ineligible, by virtue of the Housing, Grants, Construction and Regeneration Act 1996, regulations made under the Act or any other enactment.
- (vii) homeowners have the primary responsibility for ensuring their homes are properly maintained but we will assist vulnerable homeowners to make sure they have the opportunity for achieving safe, healthy and appropriately adapted homes.

4 Types of Assistance Available

The provision of assistance or schemes for works and other activities other than mandatory disabled facilities grants is subject to the availability of funding.

The type of assistance available to home owners and tenants will be based on a mixture of advice, private finance and public finance (if available) to priority cases. This is a hierarchy of assistance based on the need and circumstances of the applicant.

The basic information, advice and “sign posting” service currently provided with the Home Improvement Agency will cover repairs, maintenance and improvements including information on builders, energy efficiency, other re-housing options, etc. This information is available to all regardless of financial circumstances.

Other services, including grant aided assistance and access to the Agency Service (for which a fee will be charged) is available to households to whom we have a mandatory duty and where they meet the means testing criteria.

In addition discretionary grant awards are also made, outlined in the annual delegated decision, subject to the availability of funds.

5 Making a Formal Application

All applications must be on a form approved by the Council and must include the following original documentation:-

- (i) Where the estimated cost of the works exceeds £10,000, three quotations are required to be set out on the schedule of grant works/housing assistance provided by the Council. If the estimated works is below £10,000 then there can be either two quotes or one if a comparable costed schedule exists to ensure value for money.
- (ii) Particulars of the work to be carried out including where appropriate plans, specifications and specialist reports.
- (iii) Details of any professional fees or charges relating to the work and for which assistance is being sought.
- (iv) Confirmation of planning and/or building control approval where appropriate.
- (v) Where relevant proof of ownership from a solicitor or mortgagee, or copies of the title deeds/land registry certificate, or copy of the tenancy agreement or licence to occupy.
- (vi) Where the application is the owner or landlord, a signed undertaking to repay the assistance if the conditions imposed are not met or complied with.

The application will only be considered complete when the Council has all the information it needs to be able to make a decision on the application.

The Home Improvement Agency will have their own procurement process where they act in an Agency role, as outlined in the Service Level Agreement. The Council will accept single quotes for costs where provided through such a procurement process.

6 Restrictions on Assistance

No assistance will normally be given for work started before formal approval of an application, except that:

- (i) The Council may in exceptional circumstances exempt an application from this condition for example where a defect may present a serious risk to health and safety.
- (ii) The Council may, with consent of the applicant, treat the application as varied so exclude any works that have been started before approval.

The Council will not consider an application for assistance in respect of premises built or converted less than 10 years from the date of the application, except in the case of an application for a disabled facility grant or sanctuary grant.

The Council will assess whether the scope of works are reasonable, practicable and eligible, in particular having regard to the age and condition of the property.

The Council will assess whether prices given by contractors meet value for money. In determining this, the Officer will give consideration to similar jobs priced within the last year.

In the event that the Officer believes the price for contracts are too high and identifies an appropriate price for this work (which is lower), then they will advise the client that the total eligible grant or assistance will be the lower amount. The client is under no obligation to use the cheaper priced contractor but must be aware that the Council will only make a grant or assistance payment up to the value of the lower price.

Grant assistance will not normally be provided for works covered by insurance. Where, before a grant or assistance is approved, it is found that an applicant can make an insurance claim, the insurance company will be requested to confirm in writing the level of their liability, if any. The level of grant or assistance will be reduced by an amount equivalent to the insurance company's liability. Where a grant or assistance is approved, a condition will be imposed requiring the applicant to pursue any relevant claim against an insurance company or third party for: -

- a) claims for personal injuries where the applicant is in respect of works required under a Mandatory Disabled Facilities Grant:
- b) claims on the applicant's property insurance or on a third party where the application is in respect of works for which financial assistance has been given and to repay the financial assistance provided out of the proceeds of such a claim.

The provision of grants/assistance is allowed for caravans and houseboats used and allowed to be used as main residence, subject to meeting other eligibility requirements. It will not normally be allowed for in the case of 'shacks' and chalet type structures. Shack properties are those that are identified in the Wyre Forest District Council Shack Site Survey carried out in 1979. Holiday residences, caravans on holiday sites or those with restricted occupancy and second homes (as defined by Council Tax) will not be provided with grants/assistance.

The Council recognises that these policies cannot cover every likely situation and there will be people who genuinely are in need of some form of urgent support that are precluded from accessing them due to a certain aspect. In these situations the Council may consider offering assistance in exceptional circumstances, in particular where support would help the Council meet its strategic objectives, as determined by the Head of Strategic Growth or Director for Economic Prosperity and Place.

Financial Assistance will not be paid for maintenance of existing facilities.

Mandatory Disabled Facilities Grants will only be paid for works that are eligible in accordance with the list of eligible works in the Housing Grants, Construction and Regeneration Act 1996 and the Council's local list.

7 Supervision of Works

In the absence of any agency agreement with the Home Improvement Agency or alternative service provider,, the responsibility for supervision of the works rests with the applicant or with any suitably qualified and indemnified building professional or agent acting on the applicant's behalf and not with the Council.

The council will not pay fees in relation to the applicant supervising the works in place of the Home Improvement Agency.

8 Payment of Assistance

A Grant or Financial Assistance will only be paid if

- (i) the assisted works are completed within twelve months from the date of approval unless the delay was not the fault of the applicant and deemed reasonable, and
- (ii) the assisted works are carried out in accordance with the specifications set out in the formal approval or as varied with the agreement of the Council, and
- (iii) the assisted works are carried out to the satisfaction of the Council and the applicant (or just the Council if the applicant appears to be unreasonably withholding approval), and
- (iv) the Council are provided with an invoice, demand or receipt for payment in an acceptable format. Any such invoice must contain sufficient detail for the Council to identify in full the works carried out, by whom and the price charged and must not be provided by the applicant or a member of his/her family.

The Council may pay the Grant or Financial Assistance to the applicant, however it will be normal practice to pay direct to the builder or contractor engaged by the applicant. The Financial Assistance may be paid in one lump sum on satisfactory completion of the works or in instalments ("stage payments") as the work proceeds. Stage payments will only be made where the Council is satisfied the value of the work completed exceeds the value claimed. A maximum of three stage payments will be considered, normally for 25%, 50% and then 100%.

No Grant or Financial Assistance will be given until binding agreements appropriate to the form of assistance have been formally executed.

The Council will not enter into any Form of Contract with a builder or contractor and, in the absence of any agency agreement with the applicant, it is a matter for the applicant to agree any contract with the builder or contractor.

Although not governed by Council Standing Orders in relation to procurement, as the payment of any assistance given is due principally to the applicant and not the builder but Standing Orders do act as a useful reference for determining the administration of procedures regarding obtaining quotes etc.

9 Types of Grant and Financial Assistance

The types of Financial Assistance offered, and the conditions applicable, are as follows and will remain so until a further Housing Assistance Policy is published. All are discretionary (except in the case of a Disabled Facilities Grant) and are subject to the Council having sufficient resources. As already stated there is discretion to extend the eligibility criteria, level of grant or assistance and scope of works where the situation is exceptional and, in the opinion of the Head of Strategic Growth or Director for Economic Prosperity and Place, assistance would help the Council meet its strategic housing objectives. These objectives include supporting the Better Care Fund Metrics.

Mandatory Disabled Facility Grants

These grants are mandatory under the Housing Grants, Construction and Regeneration Act 1996 and are subject to statutory means test.

These grants are awarded to enable applicants to have access to and around their homes, or to use essential facilities in the home to enable them to live independently. Mandatory DFGs can only be given for purposes set out in this Act. Ongoing maintenance and repair of adaptations and equipment provided under the grant will become the responsibility of the applicant, third party (such as the County Council) or landlord as relevant. The council will maintain a more detailed list of examples of what will or will not be considered for a mandatory DFG. This can include fixed items of equipment that facilitate safety and movement e.g. hoists subject to funds being available.

Whilst it is recognised that a DFG is a mandatory grant it is the Council's intention where possible to investigate all housing options which could include moving to more suitable accommodation.

A disabled housing need can be met in a number of different ways and all options will be investigated to identify which will meet the needs of the applicant in the most cost effective and suitable way, whilst acknowledging that DFGs are a mandatory grant.

Discretionary DFG Disabled Facilities Grants for costs above £30,000 will be made available up to £10,000 (subject to funding being available) where the Council agrees the works are eligible, and practicable and represent the most satisfactory course of action. However the Council will expect the applicant to look for alternatives to the discretionary top up first. Some alternatives might include;

- a) Referral to Social Services or the landlord for their consideration of providing additional resources.
- b) Alternative schemes of work, including modular buildings.
- c) Provision of reasonable funding to enable a move to alternative, more suitable accommodation with funding for adaptations to the new accommodation.
- d) Referral for consideration of Equity Release funding if applicable.

Disabled Facilities Grant	
Eligible applicants	Any applicant registered or capable of being registered under the Chronically Sick and Disabled Persons Act 1970 and requires adaptations to be provided.
Qualifying criteria	<p>Details of works requested</p> <p>An assessment confirming that the works are ‘necessary and appropriate’ is required. This is normally undertaken by an Occupational Therapist or other trained person such as a Trusted Assessor.</p> <p>Entitlement to a Disabled Facility Grant is mandatory but, before approval, the Council has to be satisfied that the relevant works are both necessary and appropriate for the Disabled Person, and also that it is reasonable and practicable to carry out the works.</p> <p>Works eligible are only those that are eligible in the legislation and deemed to be required to meet the needs of the disabled person.</p>
Conditions	<p>Subject to a financial assessment of resources.</p> <p>The Council will use its powers to place a limited charge against the property where the DFG grant exceeds £5,000 up to a ceiling of £10,000. Repayment of the grant up to a maximum of £10,000 will be required if the property is sold within 10 years of the grant being awarded.</p> <p>A means test will not be applied to parents where adaptations are required for a disabled child.</p> <p>Proof of title is required.</p> <p>Landlord consent is required were applicable.</p> <p>Conditions relating to the recovery of equipment in specified circumstances are applied.</p>
Maximum grant	<p>£30,000 mandatory grant</p> <p>Up to £10,000 discretionary top up where applicable, subject to determination by the Head of Strategic Growth or Director for Economic Prosperity and Place.</p>
Prioritisation and Timescale	<p>The Council will endeavour to respond to all valid applications as soon as possible. This will normally be within 2 weeks unless further information is required to enable that decision.</p> <p>In exceptional circumstances where further enquiries are necessary and other options may need to be investigated or determination may be reliant on third party information, the Council will respond within the Statutory timescales of a decision within 6 months of a valid application.</p>

Home Repair Assistance

This is discretionary financial assistance and subject to available resources. A charge is placed on a property receiving Home Repair Assistance. If demand for assistance exceeds the budget available, the Council does not undertake to maintain a waiting list. This discretionary financial assistance will be considered after other avenues of funding have been considered and found not to be available.

Home Repair Assistance	
Eligible applicants	<p>Available to carry out works to allow persons to remain in their home. Owner-occupiers or private tenants with a repairing responsibility having savings of less than £16,000 and in receipt of one or more of a means tested benefits</p> <p>OR:</p> <p>owner-occupiers assessed as having low income, have undergone a financial assessment to demonstrate this and are not able to access funding from a high street bank loan or able to affordably take or extend a mortgage or access an appropriate equity release.</p>
Qualifying criteria	<p>Property in need of essential repairs as determined by the Housing Act 2004 as a 'Category 1 Hazard' or significant category 2 hazard, in order to make the property healthy, safe, wind and weatherproof. Assistance may be prioritised based upon the hazard score or circumstances of the applicant.</p> <p>Works to bring the property up to the Decent Homes Standard will be aimed for if practical, reasonable and sufficient funds are available.</p>
Conditions	<p>Only one application for assistance will be considered up to a maximum of £10,000 within any 5-year period. (this condition is at the discretion of the Head of Strategic Growth or Director and only in exceptional circumstances). Financial Assistance repayable in full to the Council should the property be disposed of or sold. The charge will be registered as a local land charge.</p> <p>The applicant must have lived at the relevant property for at least 12 months. Once approval has been given, the applicant has until 12 months from the date of approval to complete the works.</p>
Maximum financial assistance	<p>£10,000.00 for works.</p> <p>In exceptional circumstances the Head of Strategic Growth or Director may consider works above this amount where it is considered the most satisfactory course of action and meets strategic housing objectives.</p>

Private Sector Measures

The Government Regional Initiatives Capital fund for private sector initiatives towards decent homes has been delegated to the relevant Cabinet Member and Director for determination of which projects are to be allocated the funds. Part of this funding is allocated to the Home Repair Assistance and the rest is allocated to various projects.

Projects are agreed on an annual basis and typically include measures to improve conditions in the private rented sector where the works are above what can be reasonably expected of a landlord and are of benefit to the tenants, for example improved insulation, efficient heating systems and ventilation.

In particular, funding will be prioritised to improving properties where landlords are accepting tenants in receipt of benefits and where landlords are assisting the council to find accommodation for persons identified as being in need.

Other examples of schemes include the provision of gating to entries to improve security, sanctuary schemes for vulnerable individuals, fire safety improvements, flood defence property protection, heating and insulation measures.

Any money received in repayment of financial assistance is recycled into this funding stream for the same overarching purposes.

Better Care Fund Metric Supporting Measures

Government funding through the Better Care Fund to the District Council is able to be used for activities other than provision of mandatory Disabled Facilities Grants if those activities support the national aims or 'metrics' for the fund. This includes for the staffing and resource costs associated with delivering this policy. Although any demand for DFGs must first be addressed, any remaining funding will be used to support the metrics through a variety of activities.

The Better Care Fund can be used for the following schemes for example:

Non means-tested, low cost DFGs: The provision of level access showers and/or stairlifts to any person with relevant needs without the requirement to assess their means and require contribution where due under the means-test process. Work up to the value of £5,000. Not to be used in combination with other works or as part of a larger scheme.

Hospital Discharge scheme: fast tracked and non-means tested works to the home to enable earlier hospital discharge where problems in the home are identified as a possible reason for delayed discharge.

Dementia Friendly Dwelling Grant: to offer financial assistance to make homes more dementia friendly to help people manage their surroundings, retain their independence and reduce feelings of anxiety and confusion. Non means-tested.

Financial assistance for building, adapting and improving properties: to offer financial assistance for costs associated with moving to a more suitable home and/or purchasing / building / improving properties (in conjunction with a Registered Provider or County Council).

Housing options: funding to facilitate the delivery of a housing options service where DFGs and care / support costs can be avoided through the move to more appropriate housing at an earlier stage.

Independent Living Centre: funding to facilitate the development of an innovation centre, with multi-agency / disciplinary staff co-located that enable applicants for a DFG and self-funders to test out potential aids and adaptations and make effective choices.

County Council identified minor aids and adaptation work: funding to cover the costs of minor adaptations and provision of aids for persons in order to reduce or delay the need for provision of a mandatory disabled facilities grant.

Non-means-tested, discretionary Disabled Facilities Grants: funding for works normally undertaken as disabled facilities grants in a fast-track, non means-tested mechanism for specific small scale works as defined in the scheme.

10. Repayment of Assistance

General

Repaid money will be recycled into provision of future financial assistance.

If an applicant is approved but it subsequently appears to the Council that the applicant (or one of two or more joint applicants) was not, at the time the application was approved, entitled to the assistance approved, then no payment shall be made (or no further instalments paid) and the Council may seek to recover immediately any payments made together with interest accruing from the date of payment.

If the applicant is the owner of a dwelling in respect of which Assistance has been approved and ceases to be the owner before the works are completed he/she shall repay to the Council on demand the total amount of Assistance that has been paid.

Breach of Undertakings

Where an owner occupier has given a signed undertaking to occupy a property as his/her principal residence after completion of the assisted works for a period of time, and if they cease to do so during that time, they shall repay on demand to the Council the total amount of assistance paid out.

Where a landlord (or owner) has given a signed undertaking that the property will be available for letting for a period specified after completion of the assisted works, and if the landlord ceases to make the relevant property available for letting during the specified period then the landlord shall repay on demand to the Council the total amount of Financial Assistance paid out.

Where the Council has the right to demand repayment but extenuating circumstances exist, the Council may determine to waive the right to repayment or to demand a sum less than the full amount of Assistance.

Death of Applicant

If the applicant should die before the Housing Assistance is approved, the application will be treated as withdrawn.

If the applicant should die after approval of the Housing Assistance or whilst the approved works are in progress, the Council may at its discretion agree to completion or making good of the works and pay the Housing Assistance in full or, if the works originally agreed are not completed in full, an appropriate proportion of the Housing Assistance.

Where an applicant dies after completion of the works but before the expiry of the ten year undertaking, the Council will seek repayment of the Housing Assistance from the applicant's estate if a disposal by sale or a change in ownership / tenure takes place.

Additional Conditions

The Council reserves the right to impose additional conditions when making a grant approval. These may include but are not restricted to:

- (i) A contribution to the cost of the assisted works by the applicant
- (ii) The right to nominate tenants to housing accommodation available for rent
- (iii) Housing accommodation being maintained in repair after completion of the assisted works.
- (iv) The right of the Council to recover specialised equipment when no longer needed.

Breach of any additional conditions gives the Council the rights to seek repayment of the Housing Assistance on demand.

Security and Repayment

Where a grant condition imposes a liability to repay the Housing Assistance, the condition will be registered by the Council either as a local land charge or on the national land charge register.

The Council may at its discretion determine to require repayment of a lesser sum than the full amount of Housing Assistance

11. Enquiries and Applying for Assistance

Persons wishing to pursue a grant where a test of resources applies will be asked to provide all relevant financial information.

The Council will include in any housing assistance provided an Agency a fee for the Home Improvement Agency who assist eligible persons with their applications etc.

The applicant can either through the Agency (or successor organisation) or directly submit a formal application along with a priced schedule and any other document required (such as plans, building and planning consents, etc).

Once approval has been given, the applicant has until 12 months from the date of approval to complete the works unless otherwise stated.

For disabled facilities grants and financial assistance, the applicant has the right to apply direct to the Council rather than through an Agency. However the Council would not assist the application process in the manner of an Agency in such circumstances and the Council may take up to the full legal timescale to consider and determine approval or refusal of an application.

Decision and Notification

The Council will notify applicants (normally through the Agency) in writing whether their application has been approved or refused. The decision will be notified as soon as reasonably practicable and in any event no later than six months after receipt of a valid application which includes all required supporting documentation.

If the application is approved, the notification will specify the works that are eligible for assistance, the value of the assistance, the form the assistance will take, any conditions applicable and the builder/contractor who will carry out the works

If the application is refused, the Council will give the reasons for the refusal and also confirm the procedure for appealing against the decision.

Re-determination of Amount of Grant

Where the Council is satisfied that because of circumstances beyond the control of the applicant which could not have reasonably been foreseen, the cost of the assisted works has either increased or decreased, the Council may at its discretion re-determine the assistance given in accordance with grant framework set out in this document and notify the applicant accordingly.

Additional works carried out without prior approval of the Council will not result in increased financial assistance being provided and would be the responsibility of the applicant to fund.

12 Appeals Against Decisions

Any person who is aggrieved by a decision not to give financial assistance as a consequence of this policy may seek a review of the decision.

The request for a review should first be made in writing to the Head of Strategic Growth. If the person remains dissatisfied they have the right to go through the Council's Corporate Complaints procedure or approach the Local Government Ombudsman.

Any possible departure from Policy will only be considered where the applicant can demonstrate both wholly exceptional circumstances to justify such a departure and also that the applicant has not means by which he or she could reasonably be expected to undertake the work.

Complaints about service delivery rather than policy should also be made in writing to the Head of Strategic Growth and will be investigated in accordance with the Council's Corporate Complaints procedure, a copy of which is available on the Council's website.

Better Care Fund Metrics

The BCF Policy Framework establishes that the national metrics for measuring progress of integration through the BCF. In summary these are:

- A reduction in the number of unplanned acute admissions to hospital.
- Reducing inappropriate admissions of older people (65+) in to residential care
- Increase in effectiveness of reablement and rehabilitation services
- Effective joint working of hospital services and community-based care in facilitating timely and appropriate transfer from all hospitals (Reduction in DToC)

WYRE FOREST DISTRICT COUNCIL

**Cabinet
Tuesday 13th November 2018**

**Overview and Scrutiny Committee
Thursday 1st November 2018**

Housing Assistance Policy

The Committee considered a report from the Head of Strategic Growth to agree the policy that will determine how the Disabled Facilities Grant (DFG) funding from central government will be spent.

In 2018/19 the Council received £1.192m of capital funding via the Better Care Fund (BCF) to deliver its DFG programme and related services. Members supported the policy and were encouraged by the way the grants and services had been delivered. The Committee welcomed the support given to households to enable people to remain living independently in their homes.

Recommendation to Cabinet:

- 1.1 The Housing Assistance Policy 2018 be approved.
- 1.2 Delegated authority be given to Corporate Director: Economic Prosperity and Place, in consultation with the Corporate Director: Resources and Cabinet Member for Housing, Health and Wellbeing to agree the split of funding and eligibility criteria on an annual basis or as may otherwise be required.

Background papers:

Report to the Overview and Scrutiny Committee, Thursday 1st November 2018

<http://www.wyreforest.gov.uk/council/meetings/com193.htm#mt7616>

WYRE FOREST DISTRICT COUNCIL

**Cabinet
Thursday 13th November 2018**

**Overview and Scrutiny Committee
Thursday 4th October 2018**

Wyre Forest Health and Wellbeing Plan Update

The Overview and Scrutiny Committee considered a report that provided an update to Members on work to improve health and wellbeing in Wyre Forest and was seeking endorsement of the new Wyre Forest Health Action Plan 2018-21.

Members noted that the latest Public Health England profile (2018) for Wyre Forest shows some indicators that are significantly worse than the national or regional average. The Wyre Forest Health and Wellbeing Plan aims to tackle these issues. The Committee acknowledged that the Plan was not as lengthy as in previous years, due to constraints on resources but made additional recommendations for inclusion of initiatives.

Recommend to Cabinet that:

1.1 The following be included in the Plan:

- **More detailed information setting out specific direction and what has been achieved to be included in the next update**
- **Dementia Friends refresher training to be made available.**
- **Mental health awareness issues promoting initiatives specifically to help young people.**
- **A childhood obesity initiative with a focus on encouraging healthier eating in children.**

1.2 The Wyre Forest Health and Wellbeing Strategy and Health Action Plan 2018/21 as attached at Appendix 1 and 2 of the report, as amended, be approved.

Background papers:

Report to the Overview and Scrutiny Committee, Thursday 4th October 2018

<http://www.wyreforest.gov.uk/council/meetings/com193.htm#mt8045>

WYRE FOREST DISTRICT COUNCIL

**Cabinet
Tuesday 13th November 2018**

**Overview and Scrutiny Committee
Thursday 4th October 2018**

Climate Change Update

The Overview and Scrutiny Committee considered a report which provided an update on implementation of the Wyre Forest Climate Change Action Plan 2017/18 and sought endorsement of the updated action plan for 2018/19.

The Committee noted that the strategy focused on key areas where Wyre Forest District Council and partners could have the most impact in the district, within current resources. Members noted the progress on implementation of the Climate Change Action Plan 2017/18 and welcomed the incentives and initiatives that demonstrated the progress made.

Recommend to Cabinet that:

1.1 The following be included in the Climate Change Action Plan 2018/19

- **Greater publicity for Winter Warmth schemes that are offered to residents through WFDC to give reassurance that they are legitimate.**
- **Provide information on air quality control criteria for wood burning stoves in the home.**
- **Provide information about energy efficiency measures that can be carried out in properties in Conservation Areas**

1.2 The Climate Change Action Plan 2018/19 as attached at Appendix 2 of the report, as amended, be approved.

Background papers:

Report to the Overview and Scrutiny Committee, Thursday 4th October 2018

<http://www.wyreforestdc.gov.uk/media/218600/a-climate-for-change-2014.pdf>