

Report to the Cabinet

Report reference: C-021-2020/21
Date of meeting: 14th September
2020



Portfolio: Customer & Corporate Support Services – Cllr. S Kane

Subject: Local Council Tax Support Scheme 2021/22

Responsible Officer: Peter Freeman (01992 564191).

Democratic Services: Adrian Hendry (01992 564246).

Recommendations/Decisions Required:

That the Cabinet note that the Local Council Tax Support scheme for 2020/21 continues unchanged for 2021/22

Executive Summary:

The Local Council Tax Support Scheme (LCTS) replaced Council Tax Benefit in 2013. Each local authority must review its scheme annually. The Government brought in regulations to ensure that pensioners continue to receive the same level of assistance as they would have done if the Council Tax Benefit scheme was still in place. The Council can therefore only make amendments to the scheme for people of working age. The Council has approved the general principle that the Local Council Tax Support scheme should be cost neutral. In legislative terms the scheme needs to be approved by 11th March each year so for 2021/22 approval needs to be made at Full Council in December 2020.

As there are no proposed changes to the 2020/21 scheme there is no legal requirement to consult residents of the district.

Reasons for Proposed Decision:

Full Council needs to approve the 2021/22 Local Council Support Scheme on 17th December 2020.

Other Options for Action:

To make amendments to the Local Council Tax Support scheme for 2021/22, which would require public consultation.

Report:

In 2013/14 the Government funded Local Council Tax Support (LCTS) with a specific grant, but after that initial year, the grant has been rolled into the Council's overall funding position made up of Revenue Support Grant and locally retained Business Rates. The specific allocation for LCTS funding is not separately identifiable and it is for each local authority to decide on the value of the funding of the LCTS scheme.

2. The Pan Essex LCTS project group continues to look at how schemes can be

changed to simplify the administration of the scheme, particularly in the light of legislative changes and expenditure requirements. As things stand there are no proposals across Essex to change current schemes and no legislative changes that require the council to amend its current scheme, the main principles of which are:

- The calculation of support is based on 75% of the Council Tax bill, rather than 100%.
- The calculation of support is based on a maximum of a band D property. This means that anyone of working age that lives in a property with a Council Tax Band of E, F, G, or H, has their support calculated as if their property was a band D.
- Inclusion of child maintenance in the calculation with a disregard of £15 per week (per family). This is income that is received into a household that may not be available to other households that pay the same amount of Council Tax.
- The capital limit is £6,000, which means that those with capital exceeding £6,000 are required to make full payment of their Council Tax liability.
- There is a Minimum Income Floor for claimants who are self-employed (first introduced in April 2016). Income is assessed using the National Living Wage in cases where the declared income from self-employment is less, in-line with other welfare reforms. A 12month period of grace applies to new businesses.
- Customers receiving Universal Credit receive LCTS for a fixed six-month period before any income changes that occur during that period are taken into account.
- The Exceptional Hardship Scheme for LCTS is intended to support people whose individual circumstances mean that their Council Tax liability is causing them exceptional hardship.

3. Currently, the total expenditure on LCTS is £6,475,794, which is made up of £3,537,760 for elderly recipients and £2,938,034 for working age recipients. This is £330,006 up on last year's expenditure (5.1%) with an increase of £16,720 for elderly recipients and an increase of £313,286 for working age claimants. The total number of recipients of LCTS is 6,219 comprising 2,922 elderly recipients and 3,297 working age. This compares with a total number of claimants at 31st March 2020 of 6,215. Although numbers have increased by few claimants, which may look contradictory in terms of an increase in expenditure on the scheme, the average increase in Council Tax of 4.5% in 2020/21 needs to be factored in. The overall expenditure on the scheme will continue to be monitored over the year as the principle is that it is self-funding. This will also form part of the review for the 2021/22 scheme.

Consultation

4. Consultation with residents is formally required when proposing changes to the existing scheme. As no changes are proposed there is no need to undertake a consultation exercise. Two years back, despite there being no proposed changes to the LCTS scheme for 2019/20, a 3month consultation did take place between October and December 2018, which resulted in only 14 completed responses.

Resource Implications:

LCTS scheme for 2021/22:

From 2014/15 the funding has been rolled into the Council's overall funding position made up of Revenue Support Grant and locally retained Business Rates. The actual amount of funding for LCTS is therefore not identifiable within the settlement figures, although the overall package continues to be reduced each year. The LCTS scheme is designed to ensure, as far as possible, stability and sustainability in the Council's finances. It should be noted that LCTS

is not a form of benefit and it is treated as a discount within the Council Tax calculations. This means that the Council's Taxbase is reduced (as is the Taxbase for all other preceptors) and that a large proportion of the lost Council Tax income is covered by Government funding.

Exceptional Hardship Fund:

For the last five years there has been a small hardship fund to assist households which have been experiencing exceptional hardship. It is anticipated that the current year's budget for this fund will be adequate. The County, Fire and Police are all contributing towards this fund and they have agreed that they will continue with those contributions for 2020/21.

Government Hardship Fund:

In response to the additional financial pressures brought about by Covid-19, Central Government awarded LCTS recipients a one-off £150 reduction in council tax for the current financial year. At present, there are no plans to extend this beyond 31 March 2021.

Legal and Governance Implications:

There is a legal requirement to make a LCTS scheme under the Local Government Finance Act 2012.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

Informal consultation has been undertaken with the other local authorities across Essex, which revealed that none are proposing to make any significant changes to their current LCTS scheme for 2021/2022. No formal consultation has been undertaken with ECC, the Police and Fire authorities and the public.

Background Papers:

Cabinet report 31st October 2019 (LCTS scheme 2020/21)

<https://rds.eppingforestdc.gov.uk/ieListDocuments.aspx?CId=295&MId=10139>

Cabinet report 9th February 2019 (LCTS scheme 2019/20)

<https://rds.eppingforestdc.gov.uk/ieListDocuments.aspx?CId=295&MId=9611>

Risk Management:

There are financial risks associated with the Council's LCTS scheme. Monitoring against the Taxbase and Council Tax collection is ongoing, but no major problems have been identified to date. Council Tax collection rates remain relatively stable, despite the current economic downturn brought about by Covid-19.

The Government grant in 2021/22 is not clearly identifiable and there is a possibility that demand and eligibility for financial support under the LCTS scheme for 2021/22 may be greater than in 2020/21, particularly if economic conditions worsen. The cost of additional discounts would be borne in proportion by the major precepting authorities (ECC, Police, Fire, EFDC). Conversely, if demand falls (e.g. if economic conditions improve), the additional saving would be realised by the same authorities.

Any increase in the Council Tax precept by the County, Police, Fire, District or Parishes, will result in an increase in the cost of the LCTS scheme.