

MEETING:	Full Council
DATE:	4 December 2014
CABINET MEMBER:	Councillor Dyfrig Siencyn
TITLE:	COUNCIL TAX REDUCTION SCHEME 2015/16
OBJECTIVE:	Confirm the continuation of the current Local Scheme for providing assistance towards paying Council Tax for the year beginning 1 April 2015.
AUTHOR:	Dafydd L Edwards, Head of Finance

1. Executive Summary

- 1.1 The purpose of this report is to present arrangements for the implementation of the Council Tax Reduction Scheme and to approve it for 2015/16.
- 1.2 On 1 April 2013, as part of the UK Government's welfare reform programme, Council Tax Benefit was abolished and replaced by the Council Tax Reduction Scheme.
- 1.3 In accordance with the 'Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013', every local authority must make a scheme in order to determine which reductions will be available as support towards paying the Council Tax. Gwynedd Council's current local scheme was adopted by the Full Council on 5 December 2013.
- 1.4 Under the local scheme, qualifying taxpayers may continue to receive a reduction up to 100% of their Council Tax bill (where in receipt of certain benefits).
- 1.5 **The recommendations below are that the Gwynedd Council Local Scheme continues without revisions for 2015/16.** Detailed explanations and reasons behind the subsequent recommendations follow in the body of this report.

2. Recommendations

The full Council is asked to resolve formally:

- 2.1 To continue the Council's Local Scheme for the year commencing 1 April 2015 as it was during 2014/15. Therefore, the following conditions regarding the discretionary elements will continue:**
- a) To apply a 100% disregard for war disablement pensions, war widows' pensions and war widowers' pensions, for both pensioners and working age claimants.**
 - b) Not to increase the extended reduction periods for pensioners and working age claimants from the standard four weeks in the Prescribed Scheme.**
 - c) Not to increase the backdate period for pensioners and working age claimants from the standard three months contained within the Prescribed Scheme.**
- 2.2 Where appropriate, to delegate powers to the Head of Finance, in consultation with the Cabinet Member for Poverty Prevention, to make minor amendments to the scheme for 2015/16, on condition that it will not change the substance of the scheme.**

3. Background Information

- 3.1** It was reported to the full Council on 24 January 2013 that the Welfare Reform Act 2013 included provisions to abolish Council Tax Benefit on 31 March 2013. From 1 April 2013, the responsibility for arranging support towards paying Council Tax and the associated funding transferred from the DWP to local authorities in England, and to the Scottish Government and the Welsh Government.
- 3.2** The relevant Regulations for the first year of the scheme (i.e. the year beginning 1 April 2013) contained a "sunset clause" which meant that they were only relevant for the 2013/14 financial year.
- 3.3** However, the Welsh Government's new Regulations (the 2013 Regulations) were approved by the National Assembly on 27 November 2013. These Regulations are relevant for every financial year from 2014/15 onwards.
- 3.4** These regulations allow support up to 100% for claimants and the financing of some of the relevant cost.
- 3.5** The Gwynedd Council Local Scheme for 2014/15, based on the 2013 Regulations, was approved by the Full Council on 5 December 2013. The Regulations control the implementation of reduction schemes across the whole of Wales and are designed to ensure that each local authority consistently provides support for Welsh taxpayers.

4. 2015/16 Reduction Scheme

- 4.1 The 'Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013' and the 'Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013', as submitted to the Welsh Government, were adopted by the Assembly on 27 November 2013. These Regulations apply for Council Tax Reduction Schemes for financial years starting on or after 1 April 2014. That is, 2014/15 and every subsequent financial year, until the Regulations are abolished
- 4.2 The Regulations (Regulation 18) state that for each financial year, an authority must consider whether to revise its scheme or to replace it with another scheme; the authority must make any revision to its scheme, or any replacement scheme, no later than 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect.
- 4.3 The Regulations (Regulation 12) state that the function of making the scheme cannot be delegated to the Cabinet, and it must be decided by the full Council.
- 4.4 Therefore, the purpose of this report is to satisfy the requirement for the Council to consider whether to revise its local scheme.
- 4.5 There is limited discretion under the Prescribed Scheme for councils to consider the following 3 specific discretionary elements. These discretionary elements are more generous than the national scheme.

War disablement pensions, war widows' pensions and war widowers' pensions (*recommendation 2.1(a) above*)

- 4.6 There is discretion to increase the disregard for war disablement pensions, war widows' pensions and war widowers' pensions, for both pensioners and working age.

Presently, regulations provide that the first £10 of a weekly war disablement pension, war widows' pension and war widowers' pension are disregarded. However, local authorities have discretion to disregard up to 100% of the actual amount above the first £10. Since 1 April 1996 Gwynedd Council, as have the majority of other Welsh Authorities, resolved to disregard 100% of the war pensions above the £10. It is estimated in 2014/15 that this disregard of war pensions will cost the Authority £30,000 in Council Tax reductions. As this is the position in 2014/15, this sum has already been included within the base budget and in the 2015/16 Financial Strategy.

It is recommended that this local discretion in Gwynedd continues.

Extended payment period for working age persons (*recommendation 2.1(b) above*)

- 4.7 There is discretion to increase the standard extended payment period of 4 weeks given to people after they return to work, when they have been in receipt of a relevant qualifying benefit for at least 26 weeks.

There is no limit on the maximum period they may be extended to, but to extend this period would have financial implications. The estimated expenditure in respect of the standard 4 week extended payments is £20,000.

It is recommended that the standard four week extended payment period contained within the Prescribed Scheme remains unaltered.

Backdating late applications
(*recommendation 2.1(c) above*)

- 4.8 There is discretion to increase backdates for late applications beyond the standard three months. There is no limit on the maximum period they may be extended to. The current cost of granting backdated claims (3 months) is estimated at £28,000.

The current Council Tax Reduction Scheme only allows backdating for a maximum period of 3 months. Extending this period would increase the cost of the Scheme.

It is recommended that there should be no increase in the backdate period from the standard 3 months contained within the Prescribed Scheme.

- 4.9 The recommendations above for 2015/16 are in line with current arrangements in 2014/15.**

5. Consultation

- 5.1 Should the Council wish to revise its local scheme – in effect to amend the 3 areas of discretion described in paragraphs 4.6 to 4.8 – it would need to consult with “any persons who would have an interest”.
- 5.2 There was a particularly thorough and inclusive consultation exercise in December 2012 / January 2013 for the 2013/14 scheme, and a further consultation for the period 29/11/13 to 10/01/14 for the 2014/15 scheme.
- 5.3 As there is no intention to change the Local Scheme this year, further consultation is not necessary.

6. Equality Impact Assessment

- 6.1 Other than funding at Council level, the scheme proposed for 2015/16 does not contain any significant changes from the scheme which is currently operational. Therefore, Gwynedd Council did not conduct a local Equalities Impact Assessment Study this year. This was done for 2013/14, when the arrangements changed from Council Tax Benefit to the Council Tax Reduction Scheme.
- 6.2 The Welsh Government has undertaken a detailed ‘regulatory’ impact assessment, which includes equality impact assessment, and I understand that the findings were in line with their expectations.

7. Resources

- 7.1 When adopting the Local Scheme in December 2013, it was reported to the Council that there was some vagueness whether all the costs of the Council Tax Reduction Scheme were contained in the 2015/16 'settlement' grant to local government from the Welsh Government, or whether only 90% was to be financed by the Government, with the local authorities paying the remaining 10%. In the previous year, 90% had been contained in the settlement, with the other 10% funded by a specific grant.
- 7.2 The 2014/15 'settlement' included the commitment for local government to meet the full cost of the Council Tax Reduction scheme, and it was reported that the true reduction in Welsh revenue support grant between the two years (nationally) was closer to 4% than the figure of 3.5% that the Government publicly acknowledged, since local authorities had to finance 10% of the reductions.
- 7.3 This year, the situation is somewhat worse, since the sum in the settlement has reduced – the notional cost of Council Tax Reductions in Gwynedd in 2015/16 (according to notional allocation of the total SSA between Services in the conditional settlement's tables) is £8.899m, compared with £8.961m for 2014/15.
- 7.4 As well as funding the "10%" that is not contained in the settlement, the Council must meet the cost of growth in caseload, as well as inflation, which is not financed by the Welsh Government. In terms of inflation, the cost of support will increase in proportion with the increase in Council Tax.
- 7.5 There is no choice other than to face with situation and the above will be considered appropriately and factored into the Financial Strategy that identifies the budgetary gap for 2015/16.