

EXECUTIVE DECISION RECORD

REF No nnn.yy

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| A1 Service Area | Revenues, Benefits & Customer Contacts |
| A2 Title | Council Tax Support Fund 2023/24 for Local Council Tax Support (LCTS) claimants |
| A3 Decision Taken By | Deputy Leader / Chief Officer |
| A4 Chief Officer | Please print name: Sal Khan Please sign name: Approval by email 030323 |
| A5 Leader | Please print name: Cllr B G Peters Please sign name: Approval by email 070323 |
| A6 Date of Decision | 7 th March 2023 |

Confidentiality

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| A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972? | No |
| A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972. | N/A |

Scrutiny

A8 Which Scrutiny Committee should this decision be submitted to? *(Please tick as appropriate)* ✓

Scrutiny (Audit & Value for Money Council Services) Committee

Scrutiny (Community Regeneration, Environment and Health and Well Being)

Committee ✓

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| <p>B1 What is the Decision?</p> | <p>To approve the recommendation shown in paragraph B2 for the Council's Council Tax Support Fund 2023/24 (CTSF) by:</p> <p>Approve the reduction of 2023/24 Council Tax bills for existing LCTS recipients that have an outstanding Council Tax liability, by awarding CTSF of up to £50, without the need for eligible households to apply.</p> <p>Where a new claimant submits a claim for LCTS in March 2023 and, once processed and qualifies, has an outstanding Council Tax liability for 2023/24, approve the reduction of that liability by awarding CTSF of up to £50, without the need for eligible households to apply for that further reduction.</p> <p>Subject to funding availability, where a new claimant submits a claim for LCTS after April 2023 and successfully had that claim backdated to 1st April 2023 and, once processed and qualifies, has an outstanding Council Tax liability for 2023/24, approve the reduction of that liability by awarding CTSF of up to £50, without the need for eligible households to apply for that further reduction.</p> <p>Approve the closure of the main CTSF processing on 31st July 2023* and undertake a review of available funding with a view to providing hardship funding for the remainder of the 2023/24 financial year.</p> <p>*If the funds have been exhausted earlier than 31st July 2023 the scheme will be closed and no one else will be eligible after that date.</p> |
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B2 What are the reasons for the Decision?

The Government issued guidance, covering the operation of the CTSF.

The guidance gave billing authorities an additional grant allocation (ESBC £161,924) to fund further reductions in the Council tax liability of LCTS recipients with an outstanding Council Tax liability for the 2023-24 financial year, to help support them to meet Council Tax payments.

The Government expects billing authorities to deliver this using discretionary powers under S13A (1) (C) of the Local Government Finance Act 1992.

The Government prescribed the following:

- Where a taxpayer's liability for 2023-24 is, following the application of council tax support, less than £25, then their liability would be reduced to nil. Where a taxpayer's liability for 2023-24 is nil, no reduction to the council tax bill will be available and those bills should not be credited.
- There should be no need for any recipient of LCTS to make a separate claim for a reduction under this scheme. The billing authority should assess who is eligible for support and automatically apply the discount.
- That the CTSF reduction would be up to £25, but billing authorities can also use a proportion of their allocations to support economically vulnerable households with Council tax bills.

Recommendations

Approve the automatic award of CTSF reduction of up to £50 to existing LCTS recipients that have an outstanding Council Tax liability for the 2023-24 financial year.

Approve the automatic award of CTSF reduction of up to £50 to new LCTS recipients that submitted their claims in March 2023 and, once awarded LCTS, have an outstanding Council Tax liability for the 2023-24 financial year.

Subject to available funding, approve the automatic award of CTSF reduction of up to £50

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| | <p>to new LCTS recipients that submitted their claim after April, had it successfully backdated and awarded back to 1st April and have an outstanding Council Tax liability for the 2023-24 financial year.</p> <p>Approve the closure of the main CTSF processing on 31st July 2023* and undertake a review of available funding with a view to providing hardship funding for the remainder of the 2023/24 financial year.</p> <p>*If the funds have been exhausted earlier than 31st July 2023 the scheme will be closed and no one else will be eligible after that date.</p> |
| <p>B3 What are the contributions to Corporate Priorities?</p> | <p>This decision contributes towards the Community Regeneration priority.</p> |
| <p>B4 What are the Human Rights considerations?</p> | <p>There are no Human Rights issues arising from this decision.</p> |

Financial Implications

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| <p>B5 What are the financial implications?</p> | <p>The CTSF is fully funded by the Government and the Council's allocation totals £161,924 and should be used within the 2023-24 financial year.</p> |
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| Revenue | 2023/24 | | | | | | | | | | |
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| <p>We have identified 2,458 LCTS recipients that, following their 2023/24 LCTS award, will have an amount of Council Tax left to pay.</p> | <p>Allocated Funds £161,924.00</p> | | | | | | | | | | |
| <p>The 2,458 will qualify for a CTSF payment of up to £50, totalling £119,850.44</p> | <p>To be spent as follows:</p> <table> <tr> <td>a) 2458 existing recipients</td> <td>119,850.44</td> </tr> <tr> <td>b) 225 March LCTS claims</td> <td>11,250.00</td> </tr> <tr> <td>c) 50 pensionable LCTS claims</td> <td>2,500.00</td> </tr> <tr> <td>d) 50 working age LCTS claims</td> <td>2,500.00</td> </tr> <tr> <td>Total estimated spend</td> <td>£136,100.44</td> </tr> </table> | a) 2458 existing recipients | 119,850.44 | b) 225 March LCTS claims | 11,250.00 | c) 50 pensionable LCTS claims | 2,500.00 | d) 50 working age LCTS claims | 2,500.00 | Total estimated spend | £136,100.44 |
| a) 2458 existing recipients | 119,850.44 | | | | | | | | | | |
| b) 225 March LCTS claims | 11,250.00 | | | | | | | | | | |
| c) 50 pensionable LCTS claims | 2,500.00 | | | | | | | | | | |
| d) 50 working age LCTS claims | 2,500.00 | | | | | | | | | | |
| Total estimated spend | £136,100.44 | | | | | | | | | | |
| <p>We typically receive around 225 new LCTS claims each month. Making the assumption that we experience the same levels in March 2023 and that, following their LCTS award, still have a remaining Council Tax balance, they will see a CTSF reduction of up to £50, equating to £11,250.</p> | <p>Unallocated Funds <u>£ 25,823.56</u></p> | | | | | | | | | | |
| <p>We estimate that approximately 50 new pensionable age LCTS claims submitted between April to June 2023 may have their claim backdated to 1st April 2023 and qualify for a CTSF reduction of up to £50. This would equate to £2,500.</p> | <p>Potential unspent funds is expected to total approximately £25,823.56, plus any underspend from b-d (above).</p> | | | | | | | | | | |
| <p>We estimate that approximately 50 new working age LCTS claims submitted in April 2023 may have their claim backdated to 1st April 2023 and qualify for a CTSF reduction of up to £50. This would equate to £2,500.</p> | | | | | | | | | | | |
| <p>It is likely that the total estimated CTSF spend will be less than the £136,100.44 as the estimated claims for March (225), Pensionable backdating</p> | | | | | | | | | | | |

| Revenue | 2023/24 |
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| <p>(50) and non-Pensionable backdating (50), make the assumption that they will all be paid at £50.00, when this is unlikely, but equally there is the risk of claims being higher than those seen in previous years.</p> <p>By 31st July 2023* we estimate that we will have processed all of the LCTS claims received up to 30th June 2023 and have given claimants the opportunity to be considered for backdating of their claim to 1st April 2023. At that stage we will review the CTSF spend with the view to reallocate any underspend to hardship funding.</p> <p>*If the funds have been exhausted earlier than 31st July 2023 the scheme will be closed and no one else will be eligible after that date.</p> | |

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| <p>The finance section has been approved by the following member of the Financial Management Unit:</p> | <p>Please print name: Lisa Turner</p> <p>Please sign name: Approval by email 030323</p> |
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Policy Framework

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| B6 Is the Decision wholly in accordance with the Council's policy framework? | Yes |
| B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)? | NA |
| B6.2 Has it got the appropriate approvals under those provisions? | NA |
| B7 Is the Decision wholly in accordance with the Council's budget? | Yes |
| B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)? | NA |
| B7.2 Has it got the appropriate approvals under those provisions? | NA |

Equalities Implications

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| B8 What are the Equalities implications: |
| B8.1 Positive (Opportunities/Benefits): The scheme will enable the Council to support households that are most likely to find it difficult to pay their Council Tax in 2023/24. The CTSF will be deducted automatically, without the need for an application. |
| B8.2 Negative (Threats): |
| B8.3 The subject of this decision is not a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required |
| B8.4 [The equality impact assessment identified the following actions to be carried out:] |

Risk Assessment

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| B9 What are the Risk Assessment implications: N/A |
| B9.1 Positive (Opportunities/Benefits): Opportunity to provide additional support with council tax bills beyond that mandated by Government. |
| B9.2 Negative (Threats): Risks that the number of claimants could exceed the estimates has been mitigated by the discretionary award criteria but subject to funding availability. |
| B9.3 The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above. |

Legal Considerations

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| B10 What are the Legal Considerations: |
| B10.1 The main legal issues arising from this decision are as follows: The CTSF is in accordance with the "Council Tax Support Fund guidance" as issued by the Government. |

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| <p>This section has been approved by the following member of the Legal Team:</p> | <p>Please print name: Glen McCusker – Locum Solicitor</p> <p>Please sign name: Approval by email 060323</p> |
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Sustainability Implications

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| <p>B11 What are the Sustainability implications:</p> |
| <p>B11.1 The proposal would not result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures). The positive/negative impacts are set out below (please refer to guidance notes).</p> |
| <p>B11.2 Positive (Opportunities/Benefits):</p> |
| <p>B11.3 Negative (Threats):</p> |

Health & Safety Implications

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| <p>B12 What are the Health & Safety implications:</p> |
| <p>B12.1 A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.</p> |
| <p>B12.2 [The significant hazards and risks have been identified in the Safety Media Risk Assessment numbered []. Any financial implications to mitigate against these hazards and risks are considered above.]</p> |
| <p>B12.3 [Control measures and an action plan have been identified for any significant hazards and risks identified in the risk assessment. The positive/negative impacts are set out below]</p> |
| <p>B12.3.1 Positive (Benefits)</p> |
| <p>B12.3.2 Negative (Threats)</p> |

Key Decision

B13 Is this a Key Decision? No

Note: A Key Executive Decision is one where:

1. **REVENUE** – Any contract or proposal with an annual payment or saving of more than £100,000
2. **CAPITAL** – Any capital project with a value in excess of £150,000
3. A decision which significantly affects communities living or working in an area comprising two or more wards.

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| B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would <u>seriously</u> prejudice the public interest? | NA |
| B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in? | NA |

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to andrea.davies@eaststaffsbc.gov.uk