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Agenda

Contact Officer: Jennifer Thompson

Listening Learning Leading

South Oxfordshire
District Council

Tel: 01491 823619

Fax: 01491 823605

E-mail: jennifer.thompson@southandvale.gov.uk

Date: 3 December 2012

Website: http://www.southoxon.gov.uk

A MEETING OF THE

Scrutiny Committee

WILL BE HELD ON TUESDAY 11 DECEMBER 2012 AT 6.00 PM

COUNCIL CHAMBER, SOUTH OXFORDSHIRE DISTRICT COUNCIL OFFICES

Members of the Committee:

Mrs Eleanor Hards (Chairman)

Ms Joan Bland (ViceChairman)
Mrs Pat Dawe
Mr Stephen Harrod
Mrs Celia Collett, MBE
Mr Leo Docherty
Mr Steve Connel
Mr Will Hall
Mr David Turner
Mr John Cotton

Mr Wall Hall
Mr David Turner

Substitutes

Mr Roger Bell Mr Mark Gray Ms Anne Purse Mr Felix Bloomfield Mr Tony Harbour Mr Robert Simister Mr Marcus Harris Mr David Bretherton Miss Rachel Wallis Mr Bernard Cooper Mr Marc Hiles Mr Michael Welply Mr Philip Cross Ms Lynn Lloyd Mrs Jennifer Wood Mrs Margaret Davies Mrs Ann Midwinter

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- 1 Apologies
- 2 Declaration of disclosable pecuniary interest
- 3 Minutes, 30 October 2012

Recommendations from Cabinet to Council

4 Council tax reduction scheme

Report of the Head of Finance (attached).

Purpose: The Scrutiny Committee is asked to consider the report to Cabinet and Council, and make comments to Council about the recommendations proposed by Cabinet on Thursday 6 December.

The purpose of this report is to enable the council to adopt and implement a new Council Tax Reduction Scheme for the financial year 2013/14.

Cabinet will consider this report on Thursday 6 December and make recommendations to be considered by Council on Thursday 13 December.

5 Council tax exemptions and discounts

Report of the Head of Finance (attached).

Purpose: The Scrutiny Committee is asked to consider the report to Cabinet and Council, and make comments to Council about the recommendations proposed by Cabinet on Thursday 6 December.

The purpose of this report is to:

- enable the council to set the level of council tax discount to be applied to second homes, unoccupied and unfurnished dwellings, and dwellings undergoing or requiring structural repair.
- enable the council to set the level of premium to be applied to long-term empty dwellings.

Cabinet will consider this report on Thursday 6 December and make recommendations to be considered by Council on Thursday 13 December.

Following publication of the report in the Cabinet meeting papers, revised recommendations have been proposed by officers as shown below:

Recommendation to Cabinet:

That the Council be recommended:

That in accordance with the Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012) and the Council Tax

(Prescribed Classes of Dwellings) (England) Regulations 2003 (as amended):

- (i) from 1 April 2013 the council tax discount to be applied on second homes (Classes A and B in the Regulations) be reduced from ten per cent to nil;
- (ii) from 1 April 2013 (subject to (iii) below) the council tax discount to be applied on unoccupied and unfurnished dwellings (Class C in the Regulations) be 25 per cent for up to six months and zero per cent thereafter:
- (iii) from 1 April 2013 where the unoccupied and unfurnished dwelling is requiring or undergoing structural repair (Class D in the Regulations) the discount to be applied be 50 per cent for up to 12 months and zero per cent thereafter;
- (iv) from 1 April 2013 a premium of 50 per cent (on top of the 100 per cent currently payable) be applied to long term empty dwellings where they have been unoccupied and unfurnished continuously for at least two years (except those falling within Classes E and F in the Regulations where no premium will apply).

To be considered by the Scrutiny Committee

Board report - a graphical summary of the councils' performance to the end of October 2012

Board report for October 2012 (attached).

Purpose: to discuss the council's performance and make any recommendations for improvement.

If committee members have specific questions, these should be submitted to democratic services in advance.

MARGARET REED

Head of Legal and Democratic Services



Agenda Item 4

Scrutiny Committee Report: Joint Cabinet report



Listening Learning Leading



AGENDA ITEM NO

Report of Head of Finance

Author: Paul Howden

Telephone:01491 823830/01235 540385

Textphone: 18001 01491 823830/ 18001 01235 540385

E-mail: paul.howden@southandvale.gov.uk

Wards affected: (All)

Cabinet member responsible (South): David Dodds

Tel: 01844 212891

E-mail: david.dodds@southoxon.gov.uk

To: CABINET

DATE: 6 December 2012

To: SCRUTINY COMMITTEE

DATE: 11 December 2012

Cabinet member responsible (Vale): Matthew

Barber

Tel: 01235 540391

E-mail: matthew.barber@whitehorsedc.gov.uk

To: CABINET

DATE: 7 December 2012

Council tax reduction scheme

Recommendation(s)

that Cabinet recommends to Council:

- (a) to adopt the Council Tax Reduction Scheme for 2013/14 outlined in paragraph 8 of the report
- (b) the Head of Finance is authorised to finalise the scheme for 2013/14
- (c) that Oxfordshire authorities continue to work together to develop and introduce a uniform Council Tax Reduction Scheme for 2014/15

Purpose of Report

1. The purpose of this report is to enable both councils to adopt and implement a new Council Tax Reduction Scheme for the financial year 2013/14

Strategic Objectives

2. The councils are required by statute to implement a scheme to help those on low incomes to meet their council tax liability. In accordance with the strategic objective "effective management of resources" by introducing the scheme we will achieve the corporate priorities of providing value for money services that meet the need of our residents and service users and, provide equality of access to our services.

Background

- 3. Since council tax was introduced in 1993 there has been a scheme of financial assistance called "council tax benefit" which has been available to taxpayers on low incomes to help them meet their council tax liability.
- 4. The council tax benefit (CTB) scheme is a national benefit, the rules of which are set centrally by the Department for Work and Pensions (DWP). CTB payments made by councils to customers are generally fully subsidised by the DWP. Currently, there are 5,900 CTB customers in the Vale and 6,100 in South. Expenditure for the current year stands at £5,543,000 and £5,862,000 respectively.

Changes from 1 April 2013

- 5. The Welfare Reform Act 2012 provided for the CTB scheme to be abolished with effect from 31 March 2013 and replaced with local "council tax reduction schemes". The rules and provisions to apply to local council tax reductions schemes are set out in the Local Government Finance Act 2012.
- 6. The Government has introduced a number of conditions for any council tax reduction scheme (CTRS) which cannot be varied by authorities. These include:
 - current benefit payments will be replaced with awards of discount to reduce the recipient's council tax liability
 - pensioners will be protected (i.e. they should not be worse off under a new scheme)
 - councils should also consider protecting "vulnerable people", although no definition of "vulnerable" has been given by the Government
 - new funding arrangements will be introduced whereby instead of 100 per cent subsidy being paid to councils administering the scheme, a grant will be paid based on estimated expenditure for 2013/14, less ten per cent. This introduced a new scenario for two-tier council areas as operating a scheme through awards of discounts, coupled with reduced funding, significantly impacts upon the council taxbase and therefore precepting authorities. Because of this, councils are required to consult with major precepting authorities (in our case, Oxfordshire County Council and Thames Valley Police Authority) regarding the new scheme design
 - there must be public consultation about the introduction of a new CTRS, even if it replicates the existing national scheme
 - where a council fails to implement its own CTRS scheme it will be required to adopt the Government's default scheme.

New Council Tax Reduction Scheme

- 7. When the Government's intention to change the current national CTB scheme in favour of a new local CTRS with the conditions set out above first became known. Oxfordshire leaders agreed (in March 2012) that work should be undertaken to progress a uniform CTRS across Oxfordshire. It was agreed that any new scheme should not disadvantage the low paid and should not act as a disincentive to work. It was further accepted that timescales were tight and there was limited time to introduce complex schemes - consult upon them and amend software: Universal Credit (UC) was being introduced from 2013 and there was uncertainty as to how this would interact with the CTRS.
- 8. It was therefore agreed between Oxfordshire leaders that for the first year of CTRS (2013/14) a scheme that replicates the current CTB scheme be adopted. This would effectively ensure the Government's condition that pensioners and vulnerable people would be protected. There are some forced variations from the existing scheme which are required – these include:
 - The treatment of Universal Credit (UC) in the CTRS. Because UC incorporates a number of other benefits which were treated differently under the old CTB scheme, there is no simple method of incorporating UC as an income in the CTRS without creating "winners and losers". The Government has set out regulations for the default scheme, which is likely to be used in our proposed CTRS, subject to the Academy software system being able to process the proposed regulations.
 - From April 2013, the Government is introducing a new benefit to replace Disability Living Allowance called Personal Independence Payment. Disability Living Allowance is currently fully disregarded as an income in the current CTB scheme and it is proposed to fully disregard any payments of Personal Independence Payment as income in CTRS. The award of Disability Living Allowance also gives claimants entitlement to extra premiums in their applicable amount in the CTB scheme. It is also proposed that an award of Personal Independence Payments will also attract these extra premiums for disability in CTRS. The disability premium will be given for any rate of Personal Independence Payment and the enhanced disability premium for the enhanced rate of Personal Independence Payment
 - War Widows and War Disability Pensions. In the present CTB scheme. there is a statutory £10 per week disregard. The regulations allow for a further disregard up to 100 per cent if councils so wish. This amount of this extra disregard is borne by the billing authority alone. In the new CTRS it is proposed to fully disregard these payments in the regulations. This will also have the effect of spreading the costs between the precepting authorities in proportion to their precept. This should lead to a small saving for the councils.

Financial Implications

9. The introduction of a CTRS for 2013/14 without taking account of the Government's ten per cent grant cut places budget pressures on South and Vale, the county council and police and crime commissioner. The Government has been clear that councils have the scope to help manage the impact of the reduction in

- the grant funding through "sensible savings", for example, adjusting scheme parameters, securing efficiency savings and tackling fraud. In addition, the Government is introducing new flexibilities on council tax.
- 10. The pressure has been slightly eased by the Government's recently announced additional transitional funding that will allow councils to apply for a modest grant for keeping the effects on claimants to a minimum. As the councils are recommending a "no change" CTRS for 2013/14 they will both be eligible to apply for these modest transitional grants (that are for one year only) which amount to £15,621 and £18,153 for Vale and South respectively.
- 11. In addition to the transitional grants mentioned above, the Government has already provided indicative figures for the main 2013/14 grant. These amount to £381,000 and £423,000 for Vale and south respectively. However, these are only provisional figures at the moment and will not be confirmed until the councils receive confirmation of their financial settlements in late December.
- 12. Based on the estimated CTRS expenditure (on current caseloads) and by deducting the indicative main grant and confirmed one off transitional grants, the estimated costs to the councils in adopting the recommended CTRS scheme will be £36,600 and £28,000 for Vale and South respectively in 2013/14. However, caseload has increased by over 15 per cent since 2008. Whilst the increase in new claims is reducing, officers are forecasting an increase in caseload during 2013/14. A two per cent increase in caseload would increase Vale and South's costs to £45,300 and £37,400 respectively. Appendix 1 sets out the financial implications in greater detail.
- 13. There will be a transfer of financial risk from the Government to the councils. If take-up of the new CTRS exceeds the Government's predictions (which the main grant is based upon) and the councils' predictions, the increased costs will fall upon the collection fund and will therefore be shared between the councils and the major precepting authorities. The financial effects of the scheme will be closely monitored throughout 2013/14 by the Oxfordshire's councils and major precepting authorities.

Legal Implications

- 14. There are a number of pre-requisite legal requirements arising from the introduction of a CTRS from 1 April 2013. As explained above, there is a condition that the new scheme must protect pensioners and consider protecting the vulnerable. District councils must consult with major precepting authorities and there is also a requirement for public consultation on any new scheme. As the recommended scheme is replicating the existing national CTB scheme the first condition is satisfied and, consultation with the major preceptors and the public has already taken place (see below)
- 15. Any CTRS scheme must be set by full Council and this requirement will be met when the scheme is taken to full council meetings for approval: for Vale on 12 December 2012 and South on 13 December 2012.

Risks

- 16. The councils have compiled and are managing a risk register. The main risk is that it is very difficult to gauge demand (take-up) for the CTRS and there could be a consequent increase in expenditure if demand increases. Although the Government is predicting a decrease in demand in 2013/14 (and is basing its grant awards on this prediction), the trend over the last four years has been of steady increase. The councils have built in a modest increase for 2013/14 for working age customers of two per cent, as the CTB take-up for this category of claimant has been steadily increasing during the current financial year.
- 17. Another significant risk, which the Government has guite rightly identified as a source for potential ongoing savings, is the incidence of fraud. Fraud exists in the current CTB scheme and it is imperative that deterrents are in place to prevent and reduce the ongoing incidence of fraudulent activity. For 2013/14 the councils' existing shared benefit fraud team will continue to investigate both housing benefit and CTRS fraud. However, with the proposed transfer of local authority benefit fraud investigators to a national Single Fraud Investigation Service (SFIS – which will investigate national welfare benefit fraud) possibly from April 2014; it will be necessary to review CTRS counter-fraud arrangements as the SFIS will not have CTRS fraud in its remit. To this end, it has been agreed county-wide that there needs to be an ongoing deterrent to counter CTRS fraud and, future arrangements will be considered on a county-wide basis.

Other implications

Consultation

- 18. As mentioned above, there is a requirement that billing authorities must consult with major precepting authorities and the public when devising a new scheme.
- 19. The councils have been liaising with the county council and the police authority whilst considering a county-wide CTRS scheme. In addition, a public consultation took place between 24 August 2012 and 5 October 2012. Again, this was a county-wide agreed process with common documentation. As far as Vale and South were concerned, 234 survey responses were received (116 responses for South and 114 for Vale, with four others where the respondents did not specify which district they lived in) with the majority of respondents being in favour of retaining a version of the existing scheme for 2013/14. This was broadly comparable to results from other Oxfordshire districts. These also showed higher proportions of those taking part agreeing with the proposals to maintain a scheme than disagreeing. A summary of the Vale and South survey results can be found at Appendix 2.

Equalities

20. As the CTRS is replicating the existing CTB scheme, no equalities impact assessment is required for the new 2013/14 scheme. However, during the early discussions regarding the development of the scheme, various modelling scenarios and the consequent impacts on benefit recipients were appraised as a matter of course.

Conclusion

- 21. In a very short space of time, the councils along with the other districts and major precepting authorities in Oxfordshire, have worked together to introduce a CTRS which will help those on low incomes to meet their council tax liability. In doing so, we have discharged our statutory responsibilities and also ensured that the scheme for 2013/14 will not disadvantage the low paid and, should not act as a disincentive to work, as directed by the respective leaders.
- 22. The scheme, along with operational costs and the effects of fraudulent activity, will be closely monitored during the year, which will help inform the development of a scheme for 2014/15.

Background Papers

23. None

Estimated 2013/14 costs of Council Tax Reduction Scheme

Vale of White Horse						
Reduction in taxbase (no increase)	Reduced revenue	Indicative grant	shortfall	One-off grant	Shortfall (B)	
3,712.60	£433,223.29	£381,000.00	-£52,223.29	£15,621.00	-£36,602.29	
Reduction in taxbase (2% increase)	Reduced revenue	Indicative grant	shortfall	One-off grant	Shortfall (B)	
3,787.00	£441,905.03	£381,000.00	-£60,905.03	£15,621.00	-£45,284.03	

South Oxfordshire						
Reduction in taxbase (no increase)	Reduced revenue	Indicative grant	shortfall	One-off grant	Shortfall (B)	
3,888.80	£469,144.83	£423,000.00	-£46,144.83	£18,153.00	-£27,991.83	
Reduction in taxbase (2% increase)	Reduced revenue	Indicative grant	shortfall	One-off grant	Shortfall (B)	
3,966.70	£478,542.69	£423,000.00	-£55,542.69	£18,153.00	-£37,389.69	





Council Tax benefit survey 2012 Summary of results

1. METHODOLOGY

Oxfordshire's local authorities each asked residents for their views about how Council Tax benefit is provided by district councils next financial year (2013/4). Whilst the questionnaire and background materials were agreed jointly, each district carried out its own exercise. This document outlines the results for South Oxfordshire and the Vale of White Horse. Please note the a full copy of the results, including open ended comments is available at www.southoxon.gov.uk/haveyoursay and www.whitehorsedc.gov.uk/haveyoursay

A postal and online survey was carried out between 24 August and 5 October 2012. The survey was promoted to a sample of residents in both South Oxfordshire and the Vale currently receiving Council Tax benefit, to the general public through press releases and the Council's web site and to organisations with an interest in the topic.

In total, 234 survey responses were received. Of these, 165 were paper responses and 69 were made online. Around half of the responses related to South Oxfordshire (116) and half to the Vale (114).

2. PROFILE OF RESPONDENTS

The profile of those responding was as expected with high levels of older people (47 per cent aged 65+), women (59 per cent), people with disabilities (46 per cent) and White British residents (91 per cent) taking part.

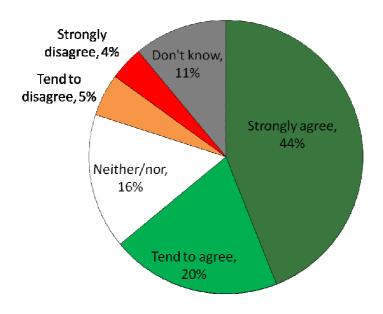
The majority of responses were from people currently in receipt of Council Tax benefit (84 per cent). This can be explained by the fact that in each authority area 500 residents currently receiving benefits were invited by post to take part. People currently receiving the benefit were also more likely to be interested in this topic and therefore take part.

A small number of responses were from other interested parties such as landlords, voluntary organisations and housing associations.

3. KEY FINDINGS

Two thirds of those responding (64 per cent) in South Oxfordshire and the Vale agreed with proposals to maintain the scheme, 44 per cent strongly agreeing. Just under 1 in 10 people disagreed whilst higher proportions (16 and 11 per cent) neither agreed or disagreed or replied 'don't know'.

Q5. To what extent do you agree or disagree with proposals to maintain a scheme?



Base: All South and Vale consultees responding

This was broadly comparable to results from other Oxfordshire districts. These also showed higher proportions of those taking part agreeing with the proposals to maintain a scheme than disagreeing:

Q5. To what extent do you agree or disagree with proposals to maintain a scheme?			
	Agree	Disagree	Total no of
			responses
Cherwell	50%	14%	212
Oxford City	51%	7%	152
South Oxfordshire and Vale	64%	9%	234
of White Horse			
West	45%	23%	56

Those taking part were asked to what extent they agreed with options to reduce the cost of the scheme.

When comparing results between South Oxfordshire and the Vale of White Horse, whether someone received Council Tax benefit and characteristics such as age, gender and disability there were few differences between

sub groups. The following differences are based on small sample sizes so should be treated with caution:

- Those who do not receive Council Tax benefit (34 people) may be more likely to agree (71 compared to 63 per cent), more likely to disagree (17 compared to 18 per cent) and less likely to say 'don't know' than those receiving the benefit
- Under 45s (41 people) may be more likely to disagree (17 per cent compared to 7 per cent of over 45s)

Reasons for agreeing with the proposal included the following views:

- Need to support vulnerable people (such as disabled, pensioners and people on low incomes)
- Positive personal experience/impact of receiving Council Tax benefit
- Council is protecting local people from national cuts
- People should pay Council Tax in proportion to their ability to pay
- Council Tax is too expensive so people on lower incomes need support

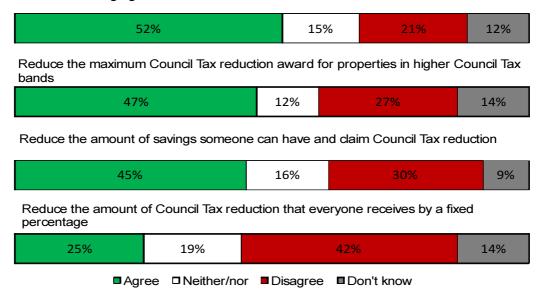
Reasons for disagreeing included:

- Not the Council's role to reduce the impact of national cuts
- State support should be reduced to encourage people to work/contribute more
- The cost of Council Tax benefit will have to be met by working people

Those taking part were asked to what extent they agreed with options to reduce the cost of the scheme.

Q7. To what extent do you agree or disagree with each of the following ways in which the cost of the scheme could be reduced?

Further reduce the amount of Council Tax Reduction someone gets if there are other adults of working age in the household



Base: All South and Vale consultees responding

Agreement was lowest with the option of reducing Council Tax support for everyone by a fixed percentage.

As with overall agreement with the proposals, responses about each of the options to reduce the cost of the scheme were broadly similar across Oxfordshire's districts.

Other views expressed in the survey include:

- Council Tax should be proportional to income not property
- Council Tax paid should reflect the amount of services used, particularly for single-occupants
- Support should be targeted at those who need it based on prior contributions to reduce misuse
- People who have worked hard to save shouldn't be penalised
- Concern about the impact of charging more for properties empty for less than a month on landlords/tenants
- Query whether its practical to get information about other adults in a household
- Where a young person in a household finishes full time education but cannot get work this will already add pressure to household income
- How the Council will fund maintaining the scheme is not clear

A number of comments and the high proportions of people responding 'don't know' indicate many residents found it difficult to understand the issues or felt they didn't have enough information to comment.

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Scrutiny Committee Report: Cabinet Report



Report of Head of Finance

Author: Paul Howden

Telephone:01491 823830

Textphone: 18001 01491 823830

E-mail: paul.howden@southandvale.gov.uk Cabinet member responsible: David Dodds

Tel: 01844 212891

E-mail: david.dodds@southoxon.gov.uk

To: CABINET

DATE: 6 December 2012
To: SCRUTINY COMMITTEE

Date: 11 December 2012

AGENDA ITEM NO 5

Council tax exemptions and discounts

Recommendation

That the Council be recommended

- (a) That in accordance with the Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012)
 - (i) The council tax discount to be applied on second homes be reduced from ten per cent to nil from 1 April 2013
 - (ii) The council tax discount to be applied on unoccupied and unfurnished dwellings for up to six months (class C) be reduced from 100 per cent to 25 per cent from 1 April 2013
 - (iii) The council tax discount to be applied on dwellings requiring or undergoing structural repair for up to 12 months (class A) be reduced from 100 per cent to 50 per cent from 1 April 2013
 - (iv) That a premium of 50 per cent (on top of the 100 per cent currently payable) be applied to long term empty dwellings which have been empty and unfurnished for longer than two years from 1 April 2013

Purpose of Report

- 1. The purpose of this report is for Cabinet to recommend to Council the level of council tax discount to be applied to second homes, unoccupied and unfurnished dwellings, and dwellings undergoing or requiring structural repair.
- 2. Cabinet will also recommend to Council the level of premium to be applied to long-term empty dwellings.

Strategic Objectives

- 3. In accordance with the strategic objective "effective management of resources" by reviewing and varying the levels of discounts that can be applied to second homes, unoccupied and unfurnished dwellings, and dwellings undergoing or requiring structural repair, we can contribute to the corporate priority of providing high quality services that meet the need of our residents and service users by keeping the council tax low as possible.
- 4. By reviewing and varying the levels of discount that can be applied to empty properties it may encourage owners to bring dwellings back into use and therefore contribute the strategic objective of "meeting housing need".

Background

5. Second homes, defined as a furnished dwelling which is no one's sole or main residence, currently receive a council tax discount of ten per cent. Unoccupied and unfurnished dwellings are currently exempt from council tax, for up to a maximum period of six months. Dwellings undergoing or requiring structural repair are currently exempt from council tax, for up to a maximum period of 12 months. Long-term empty dwellings that have already received any relevant discounts or exemptions are currently charged 100 per cent of the council tax due.

Options

- 6. Under the Local Government Finance Act 1992 (as amended) the Government propose to introduce regulations to allow councils to:
 - reduce the current statutory minimum discount of ten per cent for second homes to nil
 - award a discount of between zero and 100 per cent to unoccupied and unfurnished dwellings. The period of the discount can also be between zero and six months
 - award a discount of between zero and 100 per cent to dwellings undergoing or requiring structural repair. There are no changes to the maximum duration which remains at 12 months
 - apply a premium to long-term empty dwellings of up to an additional 50 per cent of the council tax due, where that dwelling has been empty for at least two years.

7. Table 1 below sets out the number of dwellings which currently fall into the above categories:

Table 1

	Second homes	Unoccupied and unfurnished	Requiring or undergoing structural repair	Long-term empty
Number of dwellings	414	433	129	504

- 8. There is a lack of available housing within the district and both second homes and long-term empty dwellings could be put to better use in easing the pressure on housing stock. Reducing the discounts on second homes might discourage second home ownership in the district, thereby increasing the supply for local people and applying a premium to long-term empty dwellings should encourage owners to bring them into occupation.
- 9. Whilst the current exemptions for unoccupied and unfurnished dwellings and dwellings requiring or undergoing structural repair are only for finite periods, once the exemptions have run their course they become long-term empty properties and can remain so for many years. Therefore, by allowing a discount of less than 100 per cent for these dwellings it should encourage owners to bring them back into use quicker.
- 10. Additionally, by reducing discount levels and applying premiums it will increase the district "council taxbase". This will mean that the council can decide to either lower the Band D rate of council tax, without reducing the total amount of tax raised, or keep the Band D council tax at the same rate and raise more tax, without increasing the burden on individual households. This equally applies to both the local precepting authorities (towns and parishes) and the major precepting authorities (Oxfordshire County Council and the Police and Crime Commissioner).
- 11. When the Government's intention to allow authorities to vary council discount levels on certain categories of property became known, Oxfordshire leaders agreed (in March 2012) that each District should undertake work to calculate the effect of the proposals for potential savings. It was also felt that uniform levels of discount would be the best approach to ensure county-wide consistency. It is therefore proposed that the levels of discounts/premiums detailed in **Table 2** below are adopted for the 2013/14 financial year:

Table 2

	Second homes	Unoccupied and unfurnished (Class C)	Requiring or undergoing structural repair (Class A)	Long-term empty
Amount of discount or premium	0% discount	25% discount	50% discount	50% premium

^{**}These levels are consistent with those being adopted by the other district councils in Oxfordshire, although the City council is currently planning to set Classes A & C at 25% discount and is not planning to levy the Empty Homes Premium

Financial Implications

- 12. As stated above, by reducing discount amounts and applying premiums it will increase the district "council taxbase", which, in turn, will increase the taxbase for both the local precepting authorities (towns and parishes) and the major precepting authorities (Oxfordshire County Council and the Police and Crime Commissioner).
- 13. From South's point of view the annual financial benefit of applying the discount levels in Table 2 is £60,657 based on current property figures. (See **Appendix 1**)
- 14. The Government has made it clear that the flexibility it is introducing into discount levels could be used to help offset the impact of the reduction in the new council tax support (i.e. Council Tax Reduction Scheme CTRS) funding from 2013/14. The estimated increase in costs of the council's CTRS (assuming a two per cent increase in take-up) is £37,389, which would be more than offset by applying the recommended discount changes.

Legal Implications

15. The recommendations to vary existing discount levels and apply a premium are in accordance with proposed regulations under the Local Government Finance Act 1992 (as amended).

Risks

- 16. There are some low risks in adopting the levels of discount as recommended. These include the possibility that an increase in council tax enforcement action may be required to recover this new debt. However, as the number of cases will be relatively low and recovery was not an issue when previous changes were made to second homes and long term empties in 2005, it may not prove to be an issue. Officers will monitor the situation.
- 17. There is a risk of owners avoiding the 150% premium on long term empty properties by just moving furniture into the property and claiming they are second homes (which will pay 100% council tax). This being the case, it is prudently

- recommended that the taxbase is not adjusted and any additional income will be absorbed and distributed to the collection fund recipients at year end.
- 18. Although improbable, there is a very low risk that the impending regulations will not allow the councils to make the changes which have been recommended. If this did arise, the councils would need to revisit their plans accordingly.

Other implications

- 19. From the 2013/14 budget consultation (where 92 responses were received) 82 per cent of respondents agreed with an option to remove the current ten per cent discount for second homes, whilst 80 per cent agreed with the option to increase the charge for properties empty for two or more years, with reducing the number of empty properties when there is a shortage being an important factor.
- 20. Slightly smaller proportions (75 per cent for both) agreed with proposals to remove the six and 12 month 100 per cent exemptions and replace them with discounts of around 50 per cent respectively. Some concerns were expressed about unfairly penalising those whose properties might be empty in difficult circumstances such as property might being empty for some time due to a relative moving into care or the length of time it might take to sell it. However, it should be noted that additional exemptions are applied in such circumstances. It should also be noted that the increased council tax revenue will represent a tiny proportion of any sale proceeds.

Conclusion

21. The technical reforms introduced by the Government allow the council to contribute to its "effective management of resources" strategic objective. It may encourage the owners of long term empty properties to bring them back into use as well as increase the supply of dwellings generally by discouraging second home ownership thus contributing to the "meeting housing need" strategic objective. At the same time, as indicated by Government, the new flexibilities can offset the impact of the reduction in the funding the council will receive under the new local CTRS arrangements.

Background Papers

22. None

Positive effect of changing discounts and exemptions					
	Discount levels	Increase in	Band D council	Additional revenue	
Options		taxbase	tax	(A)	
Second homes	0%				
Class C exemptions	25%	502.8	£120.64	£60,657.79	
Class A exemptions	50%				
Second homes	0%				
Class C exemptions	50%	374	£120.64	£45,119.36	
Class A exemptions	50%				
Second homes	0%				
Class C exemptions	50%	408.2	£120.64	£49,245.25	
Class A exemptions	25%				
Second homes	0%				
Class C exmptions	25%	536.1	£120.64	£64,675.10	
Class A exemptions	25%				

SCRUTINY AGENDA ITEM 5

Council tax exemptions and discounts

Recommendation

That the Council be recommended

- (a) That in accordance with the Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012) and the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 (as amended)
 - (i) from 1 April 2013 the council tax discount to be applied on second homes (Classes A and B in the Regulations) be reduced from ten per cent to nil
 - (ii) from 1 April 2013 (subject to (iii) below) the council tax discount to be applied on unoccupied and unfurnished dwellings (Class C in the Regulations) be 25 per cent for up to six months and zero per cent thereafter
 - (iii) from 1 April 2013 where the unoccupied and unfurnished dwelling is requiring or undergoing structural repair (Class D in the Regulations) the discount to be applied be 50 per cent for up to 12 months and zero per cent thereafter
 - (iv) from 1 April 2013 a premium of 50 per cent (on top of the 100 per cent currently payable) be applied to long term empty dwellings where they have been unoccupied and unfurnished continuously for at least two years (except those falling within Classes E and F in the Regulations where no premium will apply)

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Agenda Item 6





Board report



A graphical summary of the councils' performance

OCTOBER 2012

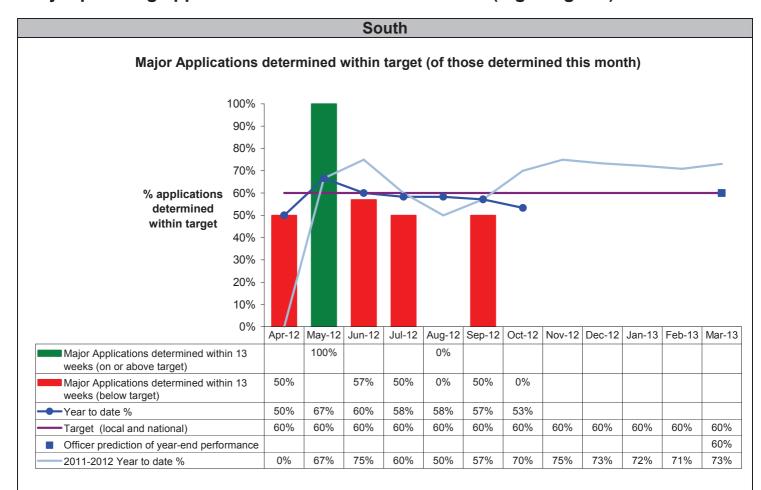
South and Vale board report

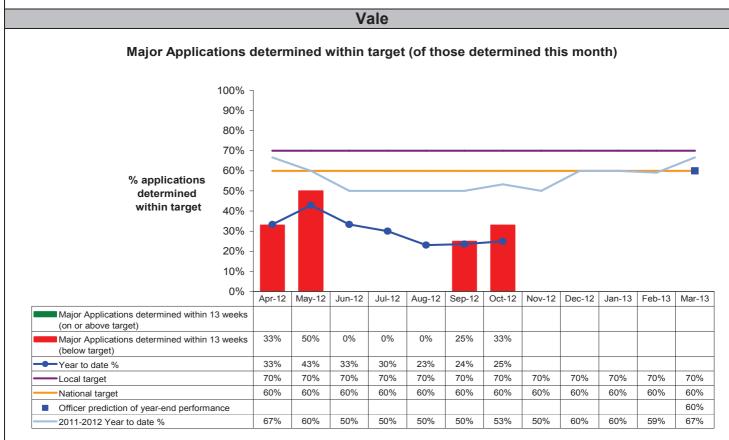
OCTOBER 2012

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SECTION 1 – PLANNING

Major planning applications determined in 13 weeks (high is good)





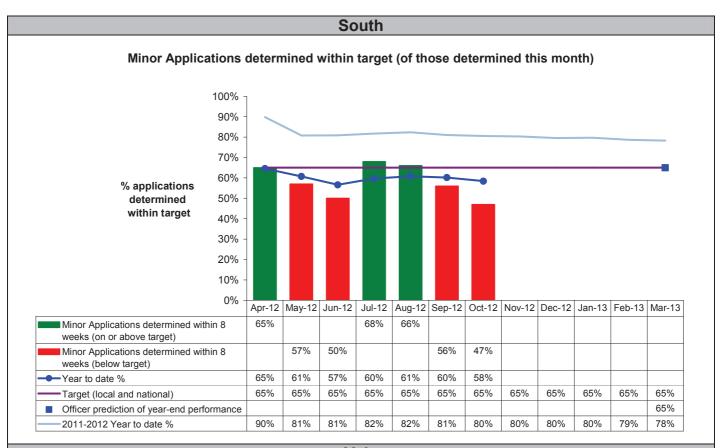
Notes

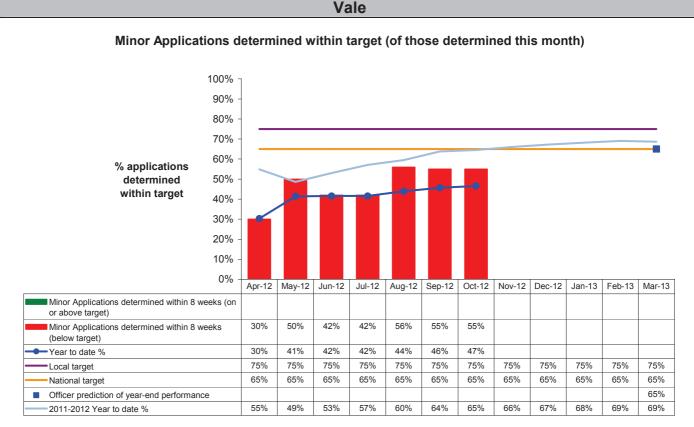
- 1. **South and Vale -** a low number of major planning applications are being processed by the councils at any one time.
- 2. South and Vale in line with national planning policy (NPPF) we need to be more enabling to help deliver economic growth and much-needed housing. Experience has shown that this can best be achieved by negotiating improvements to schemes to enable planning permission to be granted. This can result in decisions being made outside the 13 week target, which is why both councils are now making more use of Planning Performance Agreements (PPAs) to ensure decisions are made in a timely manner albeit outside the prescriptive 13 weeks target.

Recognising these facts, South have agreed to lower the local target to national levels (60%), but Vale are keen to maintain the local target (70%). However, it is unrealistic to expect Vale to reach the locally set target, but we expect to meet the national target.

- **South** only one major application was determined in October. It was for an affordable housing scheme which was approved by the Planning Committee subject to the completion of a S106 planning obligation. The obligation took several months to complete. Officers are now using PPAs wherever possible six current major schemes have PPAs.
- 4. Vale three major applications were decided in October, two of which were decided outside the 13 week target. One of those required S106 planning obligations which took a number of months to complete, and the other was considered in conjunction with a large-scale major housing scheme which took a number of months to manage and present to planning committee.

Minor planning applications determined in 8 weeks (high is good)



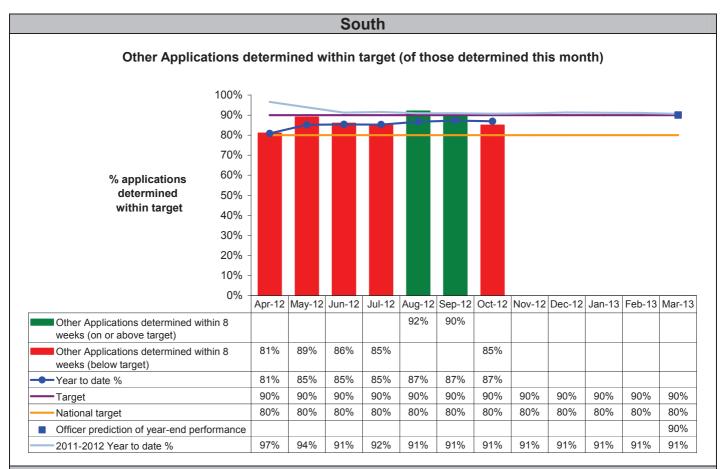


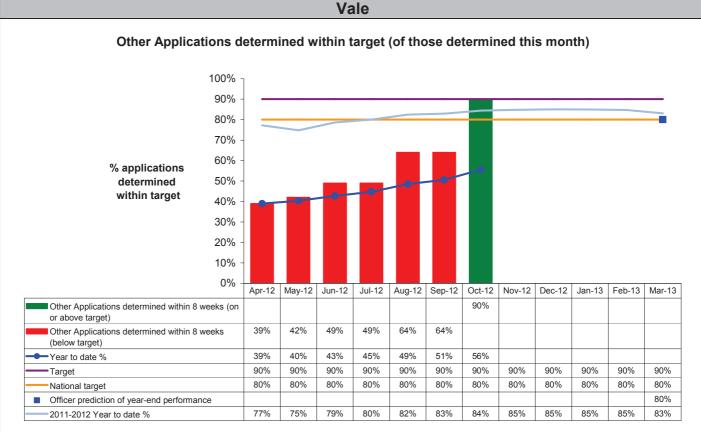
Notes

1. South – daily monitoring of application determination is in place. The main reason for the drop in performance was that a larger than normal number of minor applications were referred to the Planning Committee (11 minor applications were referred to the two meetings in October). Officers are now focusing on determining as many minor

- applications within target as possible.
- **Vale** an action plan is in place to improve staff use of the new computer system and to focus on determining applications on target. Performance is slowly recovering. Additional resources are being secured in the development management team following recent staff changes. However, given the low level of performance during the first four months of the year it is unlikely that we will hit the local target (75%), but we do expect to meet the national target (65%).

Other planning applications determined in 8 weeks (high is good)



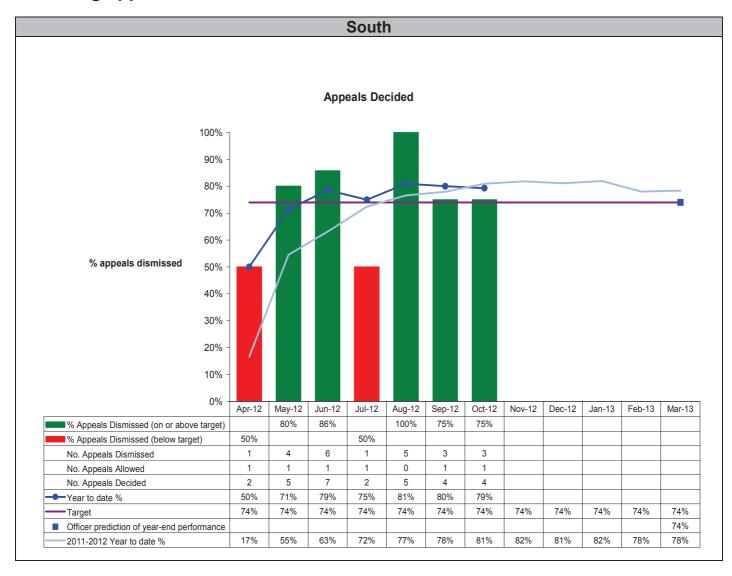


Notes

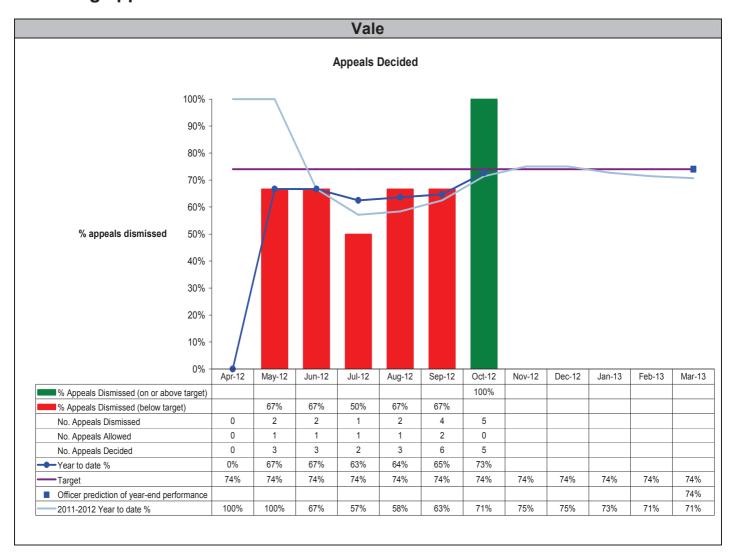
1. **South** - performance on other applications was 5% below target in October. The

- applications that went over target were ones which involved negotiations with the applicant to secure approvals. However, officers are making every effort to ensure we hit the local target of 90% by year-end.
- Vale an action plan is in place to address staff use of the new computer system. Performance is recovering and expected to continue to improve. Additional resources have been secured in the development management team following recent staff changes. However, given the low level of performance during the first four months of the year it is unlikely that we will hit the local target (90%). Although challenging, we expect to meet the national target (80%).

Planning appeals decisions

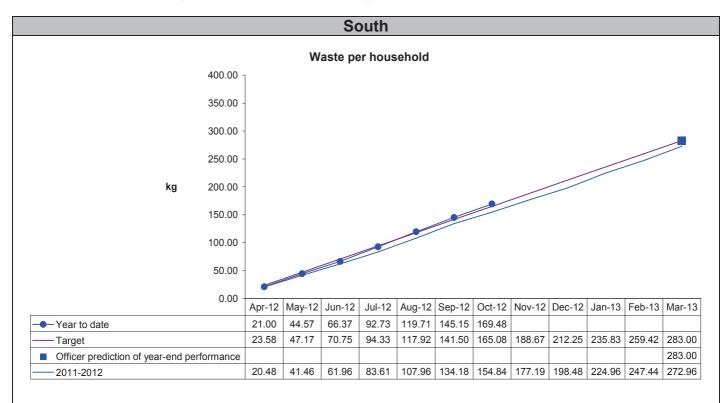


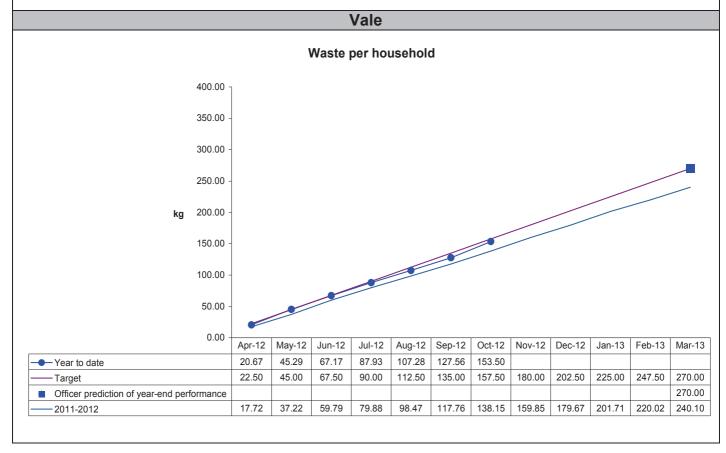
Planning appeals decisions



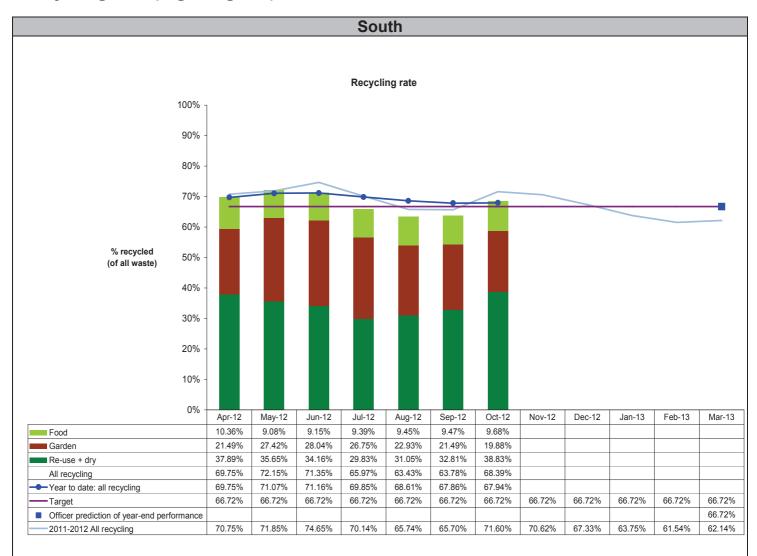
SECTION 2 – ENVIRONMENT

Residual waste (kg/household) (low is good)





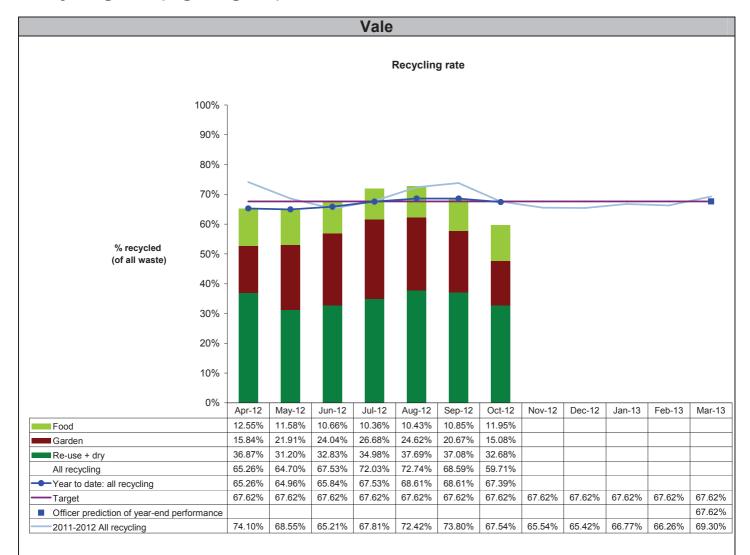
Recycling rate (high is good)



Note

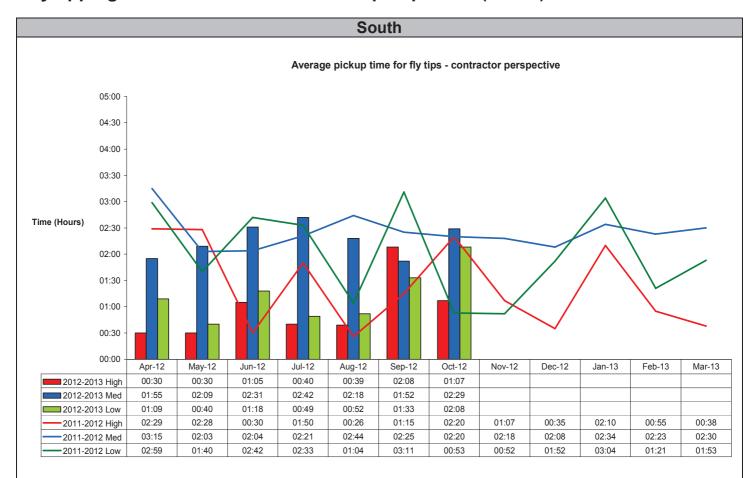
Although we can no longer include street sweepings in recycling, this has had no noticeable impact on our overall recycling rate to date.

Recycling rate (high is good)



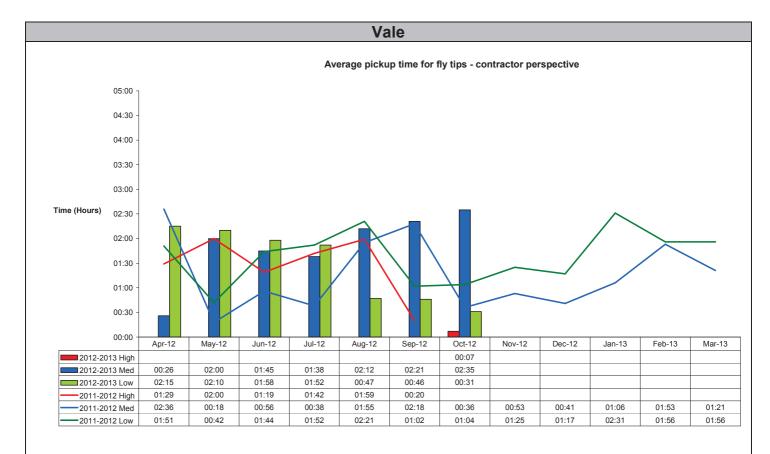
- **1.** Although we can no longer include street sweepings in recycling, this has had no noticeable impact on our overall recycling rate to date.
- **2.** Reasons for the low 'All recycling' rate in October (59.71%) include the following:
 - there were more refuse days than recycling days in October for the Vale (13/10);
 - there was a reduction in the amount of garden waste collected and
 - there is a higher recycling rejection rate this quarter, 6.01% instead of 4.56% last quarter. (Rejected recycling goes to landfill.)

Fly tipping clearance time - contractor perspective (South)



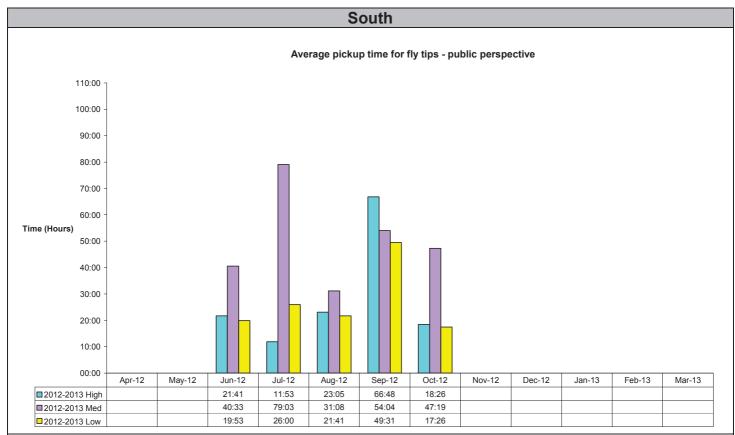
- 1. This graph records the average clearance time (in hours) per month per zone. For a given fly tip, the clearance time is defined as the time between the contractor's employee receiving a work-sheet detailing the tip to be cleared and the clearance of that tip. The tip is cleared on the same day that the worksheet is received.
- 2. South and Vale land is divided into zones corresponding to their intensity of use: High, Med and Low. The following definitions are used:
 - High busy public areas
 - Medium 'everyday' areas, including most housing areas occupied by people most of the time
 - Low lightly trafficked areas that do not impact upon most people's lives most of the time
- 3. Does not include private land for either South or Vale since this is the responsibility of the landowner.

Fly tipping clearance time – contractor perspective (Vale)



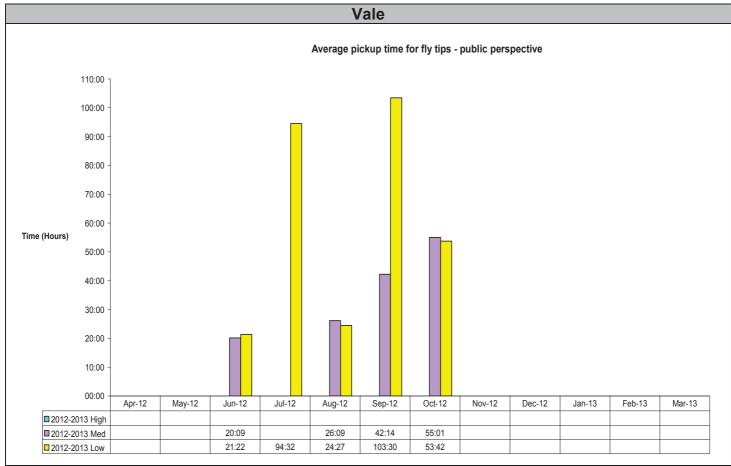
- **1.** There were no fly tips in the High zone between October 2011 and September 2012 inclusive.
- **2.** Please see **Notes** on page 14 for further details.

Fly tipping clearance time - public perspective (South)



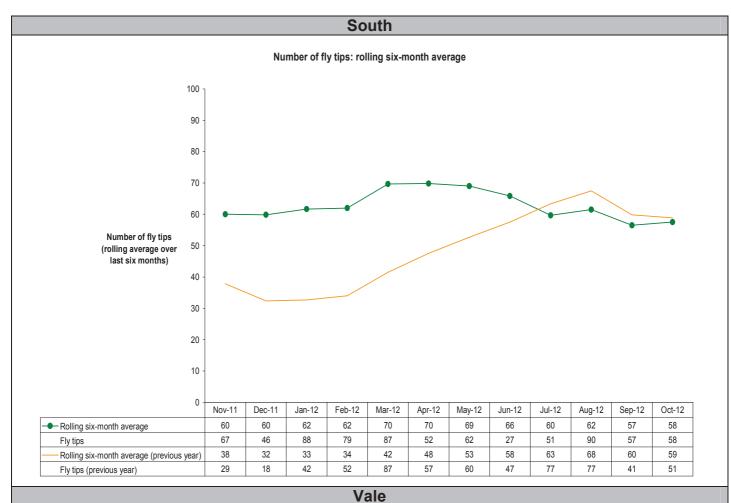
- 1. This graph records the average clearance time (in hours) per month per zone. The time measured is the total elapsed time, i.e. it is inclusive of weekends, evenings and bank holidays. For a given fly tip, the clearance time is defined as the time between the receipt of a report about a fly tip from a member of the public and the clearance of that tip.
- **2.** Data is only available from June 2012 onwards.
- 3. The average times in this graph are higher than those in the corresponding 'contractor perspective' graph. There are several reasons for this, but typical examples would be:
 - For some fly tips, it is necessary to arrange for additional equipment to be brought in;
 - There are some instances where collection of a fly tip will be delayed whilst
 Environmental Protection officers carry out their initial investigation to sift for evidence
 amongst the fly tip. The officers prioritise this type of work, and always conduct these
 investigations as promptly and efficiently as possible;
 - There may be uncertainty around land ownership, which will need to be established before arranging for removal;
 - The contractor's supervisor may need to attend before the crew is actually sent out;
 - It may not be possible to locate a fly tip on the first occasion due to insufficient or inaccurate information being provided by a member of the public; and
 - Reports received after a certain time will not be issued to crews until the following
 morning unless the report is considered urgent. Routine reports received over the
 weekend or out of hours will not be picked up until the next normal working day.
- **4.** Please see **Notes 2** and **3** on page 14 for further details about zones and land types.

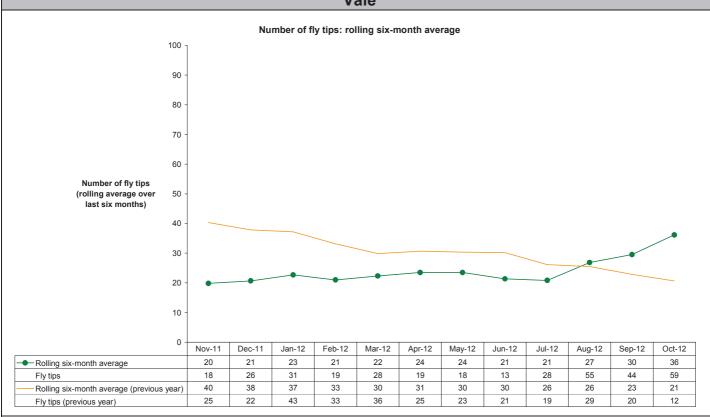
Fly tipping clearance time – public perspective (Vale)



- 1. There were no fly tips in the High zone in June-September, and there were no Medium zone fly tips reported by the public in July. Additionally, there were no High zone fly tips reported by the public in October.
- **2.** Please see **Notes** on page 16 for further details.

Number of fly tips (rolling six-month average)





Notes

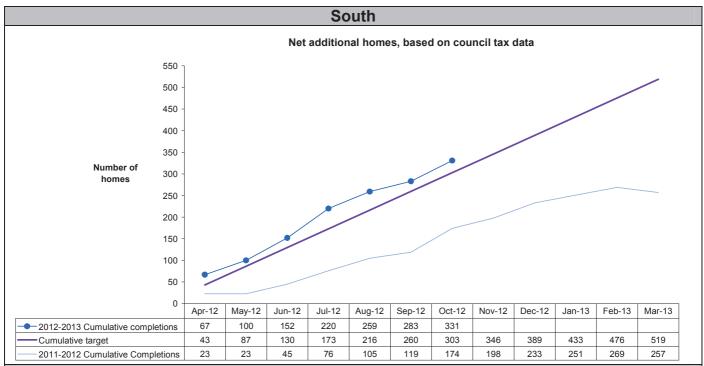
1. Does not include private land for either South or Vale since this is the responsibility of the landowner.

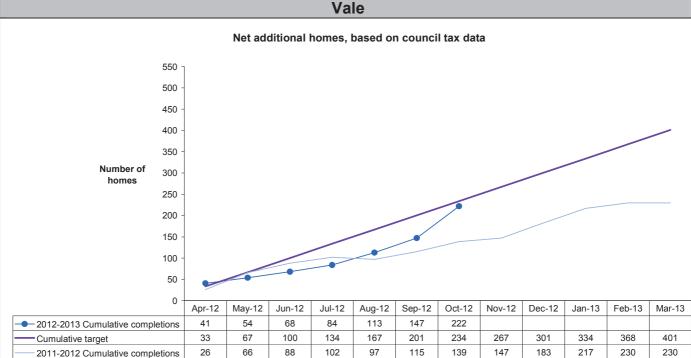
- 2. **South** it is hard to find evidence-supported conclusions as to why there are higher levels of fly tipping when compared to Vale. However, officers believe that there are two main reasons:
 - (i) The differences in approach to fly tipping, over a number of years, between Vale and South. Vale has had two full-time staff dedicated to fly tipping, has carried out both education and enforcement for a number of years, and has a track record of high-profile enforcement successes, which we know acts as a deterrent. South has until very recently been a reactive service, and is only just starting to work more pro-actively around enforcement work and education of the public and businesses alike. We expect that the additional resources applied at South will close the gap between the two councils.
 - (ii) The different topography of the two districts. Where Vale abuts urban Oxford it does so with continued urban space, e.g. Botley and Kennington. However, South abuts urban Oxford, and areas such as Blackbird Leys and Barton, with rural open space. We know that fly-tipping in urban areas is much easier to enforce due to the 24-hour community, static CCTV cameras, and the availability of more witnesses. Therefore, we believe that the fact that rural South abuts two urban areas makes it more susceptible to fly tipping from these urban areas relative to Vale
- **Vale** we have investigated the increase in fly tips reported in August and September, and have identified that there has been an under-reporting of fly tips over a period of 4/5 months. This issue was recently rectified, which has caused the increase in August, September and October. We are having continual dialogue with Biffa to ensure that the number and type of fly tips are reported correctly.

This problem did not affect South's figures.

SECTION 3 – HOUSING

Net additional homes, based on council tax data (high is good)

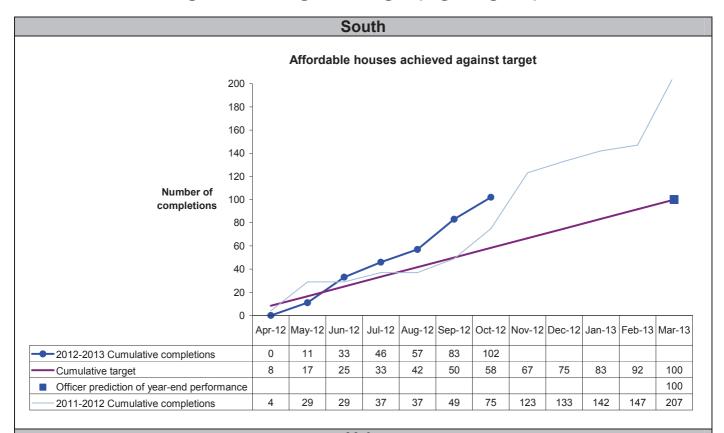


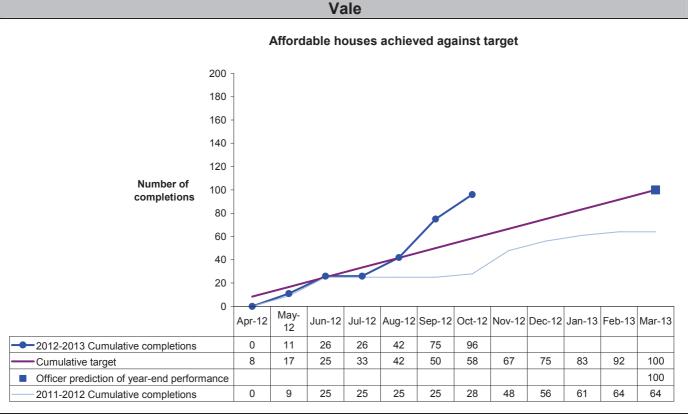


Note

Both of the targets reflect the prediction of total housing to be completed during the course of this year, as supplied by Planning. It should be noted that there is a lag between a housing completion as defined by Planning, and registration for council tax. It is not currently clear how long this lag is. As more data becomes available, we will be able to determine the average lag, and thereby refine the target used in future years.

Affordable housing achieved against target (high is good)



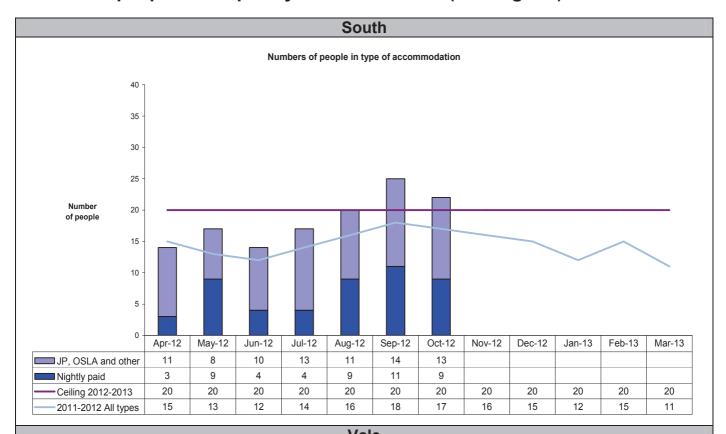


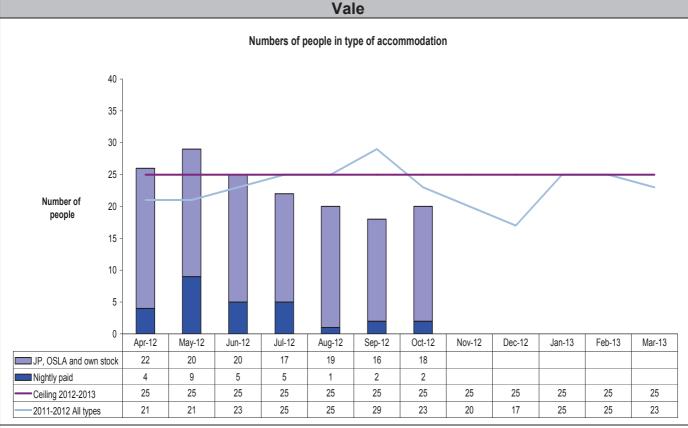
Notes

1. South and Vale - it is not possible to compare the 'Affordable completions' and the 'Net additional homes' in a given month. This is because affordable completions are reported to us by Housing Associations – at the point of reporting, a given affordable completion is very likely not to be occupied and therefore not to be on the council tax register.

- **2. South –** 16 of the 19 affordable homes delivered during October were completions on the Great Western Park development.
- 3. Vale the affordable homes delivered during October were completions at:
 - St Mary's Wantage (1);
 - Timbmets, Cumnor Hill (9);
 - Chilton Fields, Chilton (5); and
 - Folly Park, Faringdon (6).

Homeless people in temporary accommodation (low is good)



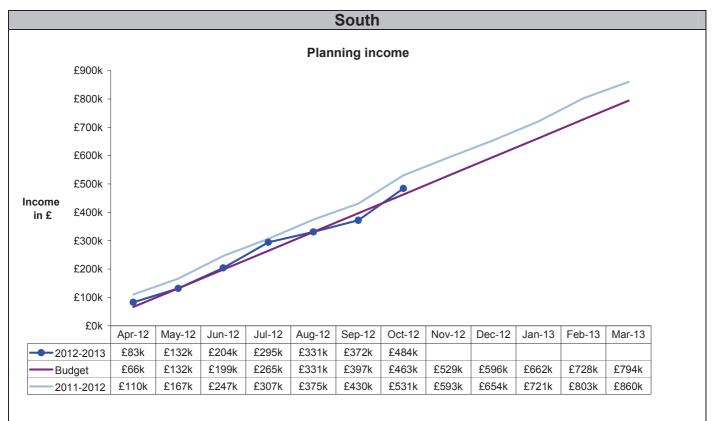


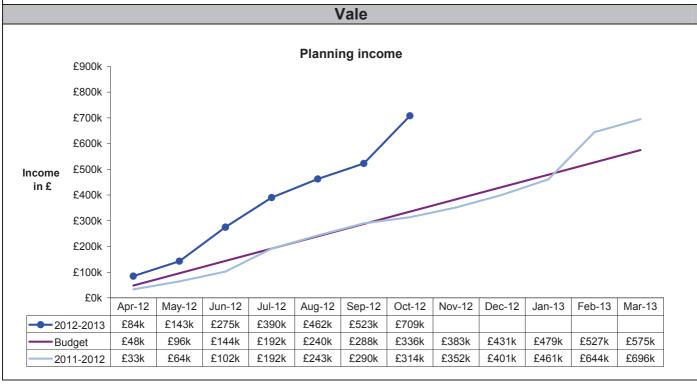
- JP Joint protocol. This refers to protocols between each council and their housing association (Sovereign Vale and South Oxfordshire Housing Association) whereby some properties have been retained as temporary accommodation.
- 2. OSLA Oxford Social Lettings Agency.

- **Vale** the number of people in temporary accommodation (TA) is usually higher than at South for the following reasons:
 - (i) The number of people who present as homeless at Vale (based on data for the last four years) is 37% higher than at South since the proportion of people accepted into TA is similar between the councils. This means that the number of people at Vale who are accepted into TA is higher.
 - (ii) South have access to more supported housing schemes than Vale; clients referred to these units will not require TA. In South, there are 60 plus units whereas in Vale there are 34. This means that South has a greater capacity to refer clients to such units than Vale.
- **South** it should be noted that, for October, South had nine applicants in nightly paid (sometimes called 'B & B') accommodation, compared to two at Vale. This reflects:
 - (i) A spike in particular types of applicant for whom only nightly paid was appropriate.
 - (ii) The fact that South does not have its own stock of TA to access (although it does use Vale's when this is possible).
 - (iii) TA stock that South do use was taken up by the residents of Venners Water in Didcot, which was destroyed in a fire. These applicants are not homeless and not in the figures, but the accommodation being used meant that nightly paid was the only alternative.

SECTION 4 – FINANCE – INCOME

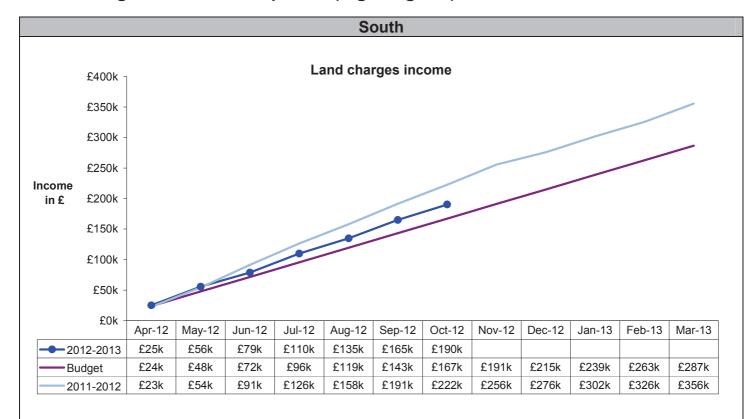
Planning income vs. profile (high is good)

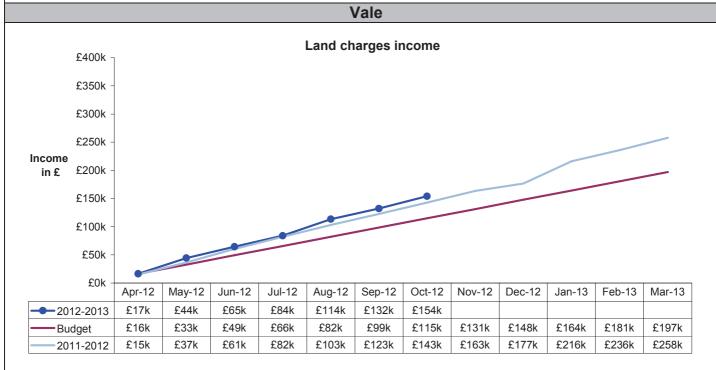




- **1.** For both councils, the following total net income is shown (building control is excluded):
 - Condition monitoring
 - Pre-applications
 - Minor amendments
 - Planning applications
 - Informal Permitted Development Enquiries
 - Lawful Development (Proposed)
 - Photocopying
- **Vale** 58 Major applications were received between 1 April and 31 October 2012, compared to 36 in the whole of 2011-12. This is a result of a housing supply shortage. Extra resources have been sought, funded by extra fee income. Subject to DCLG's agreement, we expect a fee increase (15%) late in 2012.
- **South** there has been a fall in income mainly as a result of the application numbers falling slightly, but some major applications are expected towards the end of the financial year, which we believe will get us back on track. In addition, subject to DCLG's agreement, we are expecting a fee increase (15%) late in 2012.

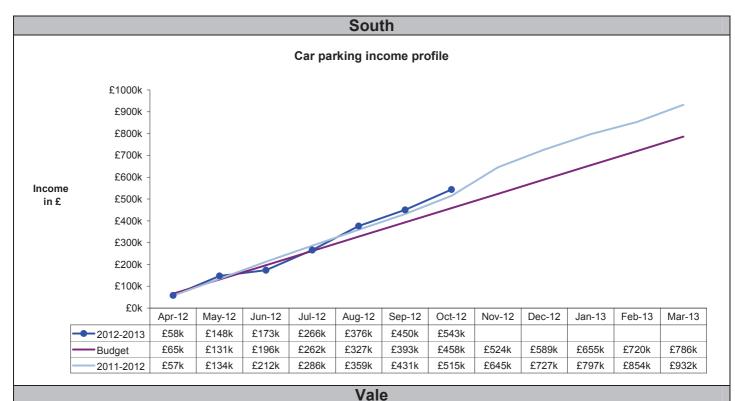
Land charges - income vs. profile (high is good)





Note
South and Vale – in both cases, there have been higher than predicted volumes of searches.

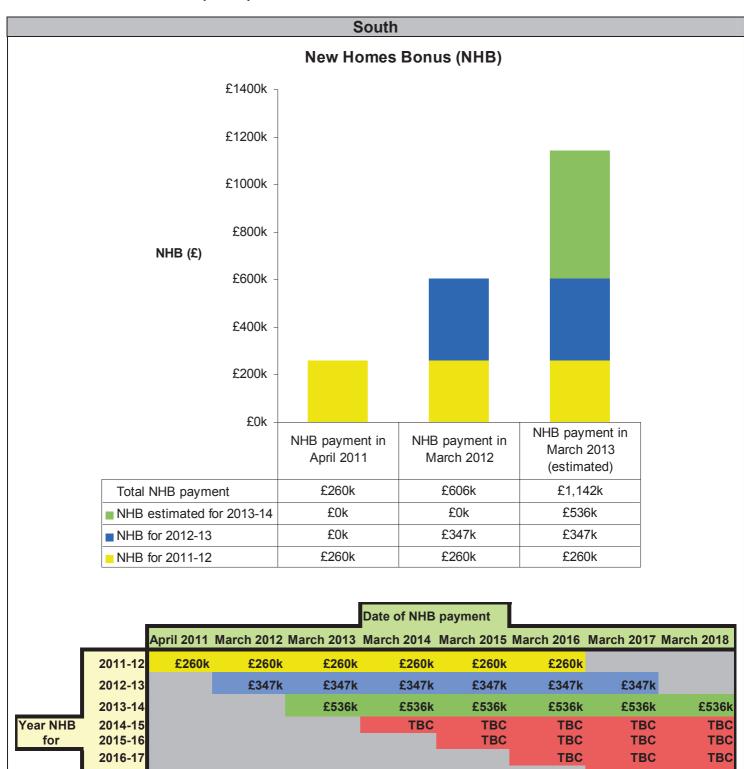
Car parking - income vs. profile (high is good)



Car parking income profile £1000k £900k £800k £700k £600k Income £500k in £ £400k £300k £200k £100k £0k Jan-13 Apr-12 May-12 Jun-12 Jul-12 Oct-12 Nov-12 Dec-12 Feb-13 Mar-13 Aug-12 Sep-12 2012-2013 £68k £103k £129k £166k £199k £232k £273k £43k £86k £129k £172k £215k £258k £301k £344k £387k £430k £473k £516k Budget £141k £201k £252k £485k £516k £549k 2011-2012 £91k £317k £368k £425k £583k £613k

- **1. Vale –** the October income (£41k) is the second highest this year.
- **South** our excess charge notice income is higher than anticipated from more efficient patrolling. In addition, the pay and display income is up slightly on the budget.

New Homes Bonus (NHB)



Notes

1. The Government's New Homes Bonus (NHB) scheme commenced in April 2011, and match-funds the additional council tax raised for new homes and empty properties brought back in to use. In addition, there is an extra bonus for new affordable homes. As can be seen from the table, the total NHB each year includes NHBs from previous years. From March 2016 onwards.

TBC

TBC

TBC

£1,142k

2017-18

2018-19

£260k

£606k

Total NHB

TBC

TBC

TBC

TBC

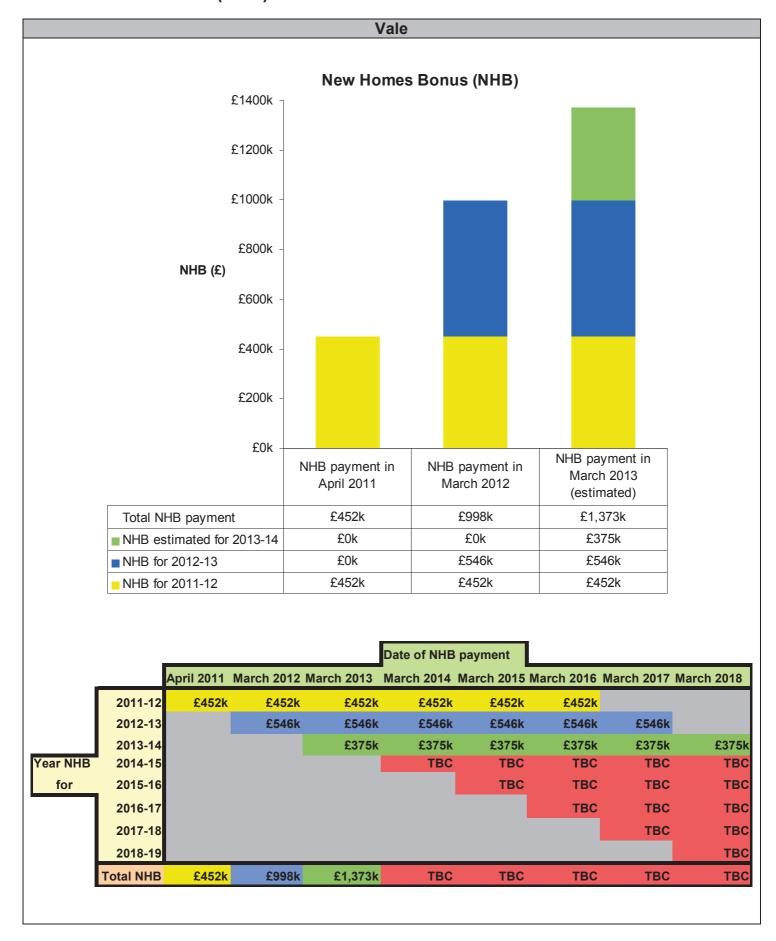
TBC

each total NHB will include the NHB for the most recent year, and also the NHB for each of the five previous years.

The council will be using this year's NHB to help fund community projects. Cabinet and Council decided at meetings on 18 October to use the NHB to give Cholsey Parish Council £250,000 towards the costs of the construction of a new pavilion.

- 2. The prediction based on data up to and including 10 September is £41k up on the prediction at the end of August.
- 3. Data in **yellow** represents the payment made in April 2011.
- **4.** Data in **blue** represents the payment made commencing March 2012 in 13 monthly instalments, as notified to the councils by the Department of Communities and Local Government on 1 December 2011.
- 5. Data in **green** represents an estimate for the payment to be made in March 2013. It has been made using council tax and housing data obtained from within the councils, and is refined each month. The latest prediction is based on the Council Tax Base form generated on 10 September, which has been submitted to DCLG. The form will be used by DCLG to allocate the part of NHB relating to new homes and empty properties brought back into use. However, the definitive data for affordable housing has not yet been published by DCLG. Consequently, the NHB figure in the table is still an estimate, since council figures for affordable housing have been used.
- **TBC** (To Be Confirmed) means that it is not yet possible to provide an estimate to an acceptable level of certainty for the table this currently applies to the payments from March 2014 onwards.

New Homes Bonus (NHB)



Notes

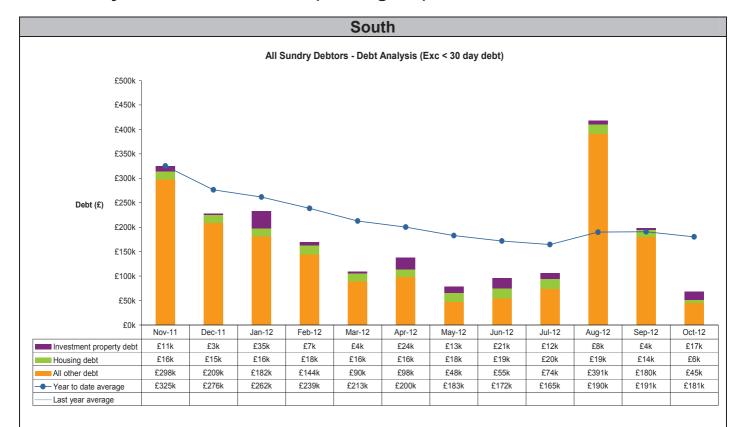
The Government's New Homes Bonus (NHB) scheme commenced in April 2011, and match-funds the additional council tax raised for new homes and empty properties brought back in to use. In addition, there is an extra bonus for new affordable homes. As can be seen from the table, the total NHB each year includes NHBs from previous years. From March 2016 onwards, each total NHB will include the NHB for the most recent year, and also the NHB for each of the five previous years.

Current and future NHB is accumulating in an earmarked reserve, however a substantial proportion of it is already planned to be used generally to support the revenue account over the next five years. It is probable with increasing financial pressures that a greater amount (possibly all) of the NHB will be required for that purpose.

2. The prediction based on data up to and including 10 September is £45k up on the prediction at the end of August.

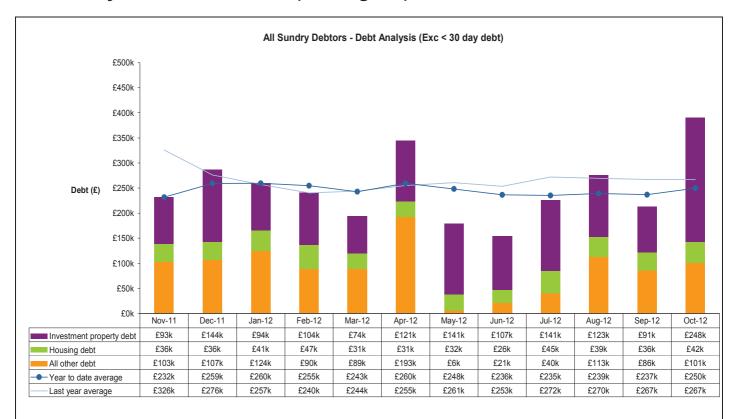
See Notes 3 to 6 on page 30 for further details.

Debt analysis: South - all debts (low is good)



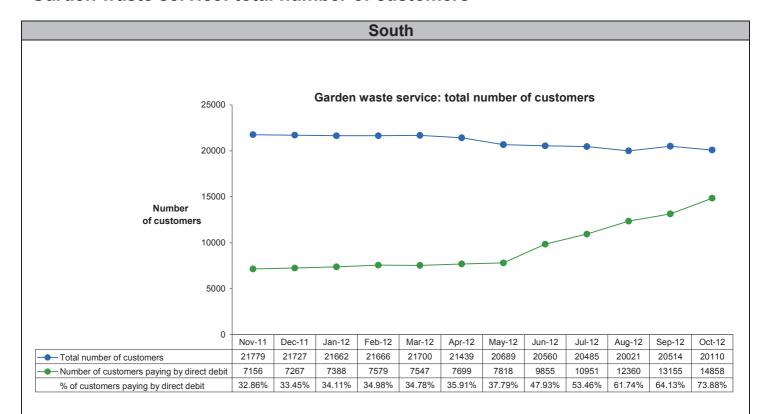
- **1.** Back data for South is not readily available, so this graph starts from November, and there is no 'Last year average' at present. All data is taken from Agresso.
- **2.** The debt at the end of October (£68k) is the lowest ever.

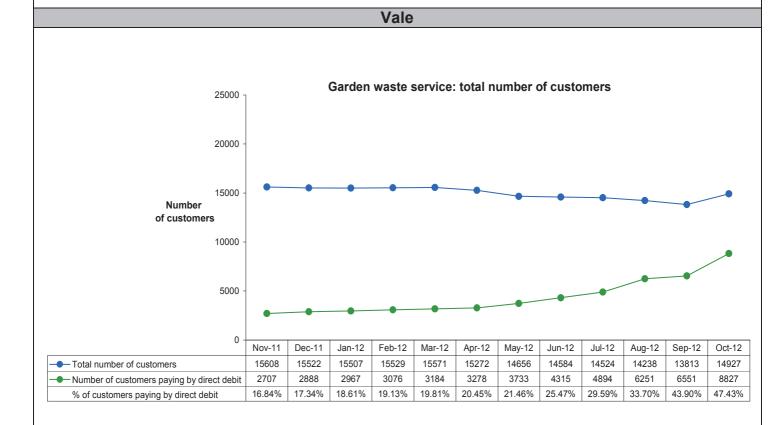
Debt analysis: Vale – all debts (low is good)



- **1.** The components of the debt are:
 - Sundry debts held on the Agresso system;
 - Housing debts held on the Abritas system; and
 - Property debts, all but one of which are held on the Agresso system.
- 2. The Investment property debt increased significantly in October. This is due to the cyclical nature of when these types of invoices are produced, and is largely attributable to a few large rent and service charge invoices being paid late. The debtors are being actively managed and vigorously pursued.

Garden waste service: total number of customers



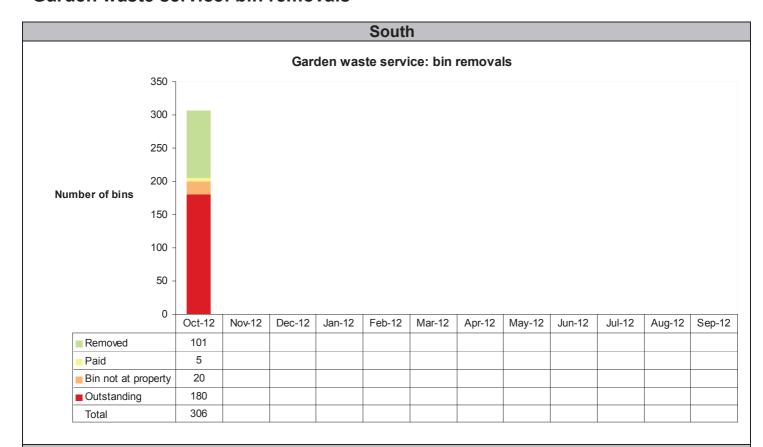


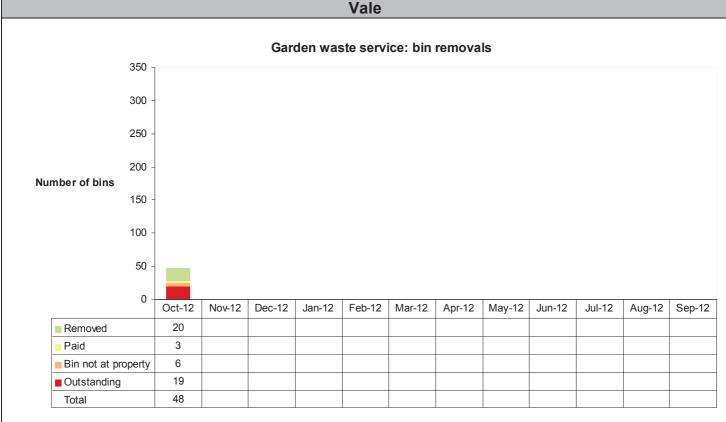
Notes

1. South and Vale - the garden waste service is being converted to direct debit only. This accounts for the increase in the '% of customers paying by direct debit' in the tables under the graphs above. By April 2013, wherever possible, customers will be paying by direct debit. The use of direct debit enables us more accurately to track customer payments.

- Therefore, we have a better system for ensuring that those customers who have a brown bin pay for the service.
- 2. South and Vale duplicates were removed from the raw data (supplied by an external organisation) which reflected the position at the end of August. This gave us more accurate data, which showed that the percentage of customers paying by direct debit had previously been understated. We do not currently intend retrospectively to remove duplicates, so the figures prior to August will not be changed. However, from August onwards, we have been removing duplicates.

Garden waste service: bin removals





Notes

1. This is a new graph, which uses the following definitions:

Paid - since their bin was ider

- since their bin was identified for removal, the customer has either paid an outstanding invoice, or has set up a direct debit.

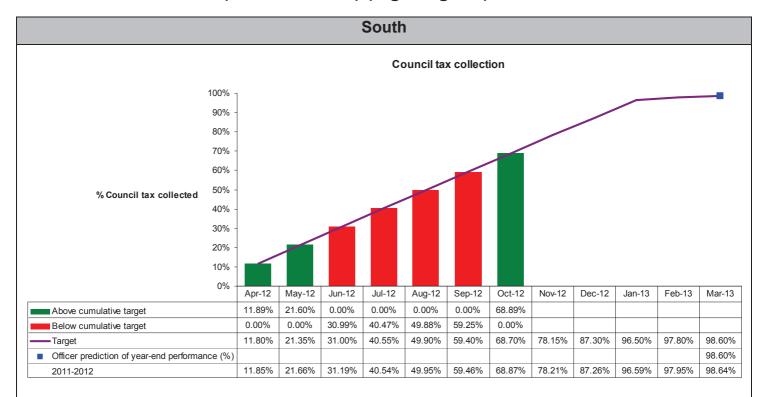
Outstanding - this applies to those bins which Biffa attempted to collect, but which had not been put out for collection, or were otherwise not available. Further attempts to collect these bins will need to be made in the following month.

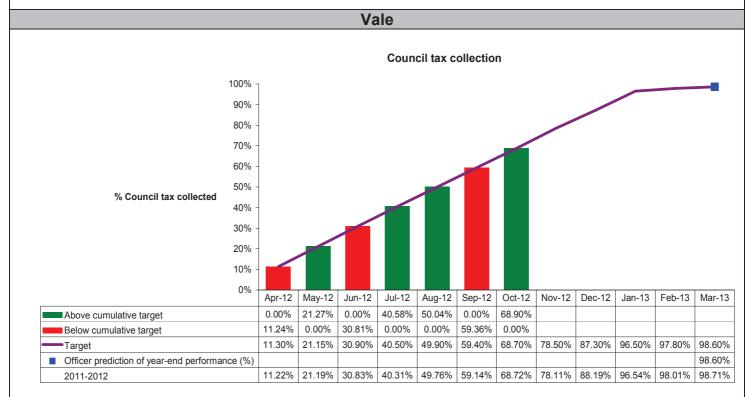
Bin not at property

- this applies when the resident says they don't have a brown bin. This would normally be when a bin has moved with a resident to another property, and the council has not been informed.

2. South had 13 collection days in October and Vale had 10.

Council tax collection (% each month) (high is good)





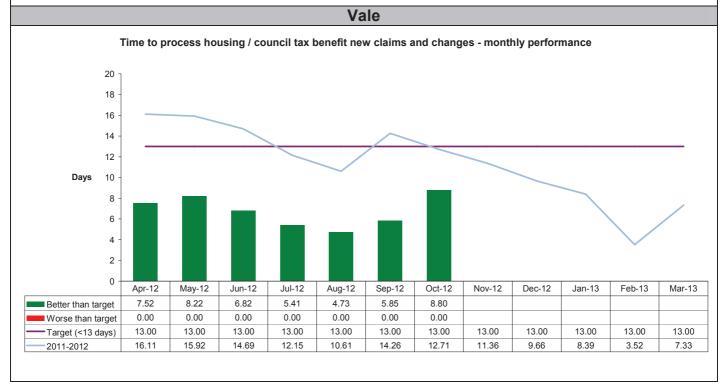
Note

South and Vale – although this is a cumulative graph, bars have been used to aid readability, because the performance is so close to the target. The 2011-2012 data has not been plotted, for the same reason, although it does appear in the data table.

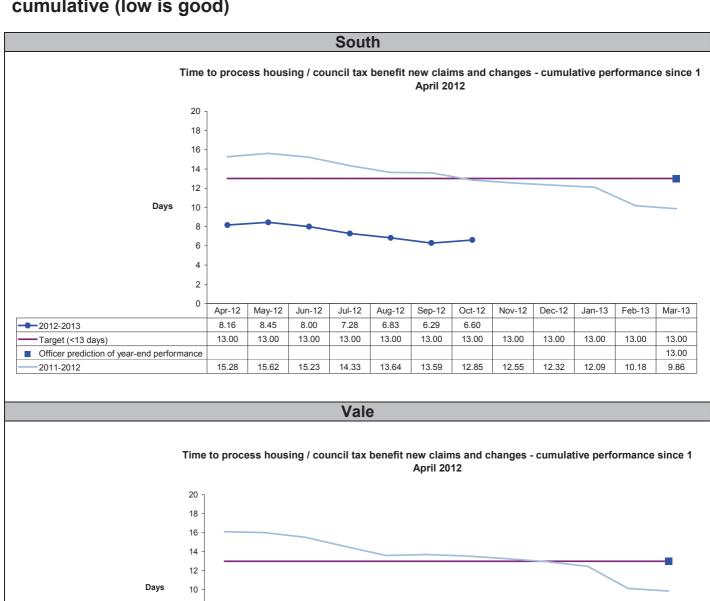
SECTION 5 – BENEFITS

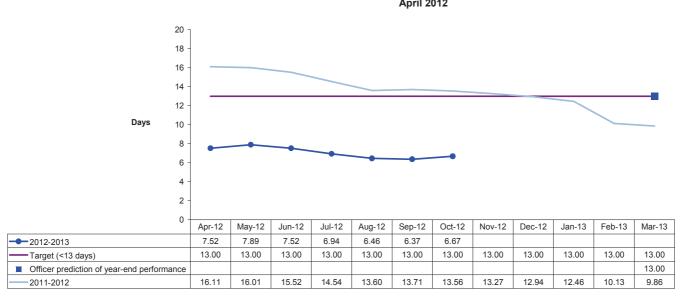
Time to process housing / council tax benefit new claims and changes, monthly (low is good)



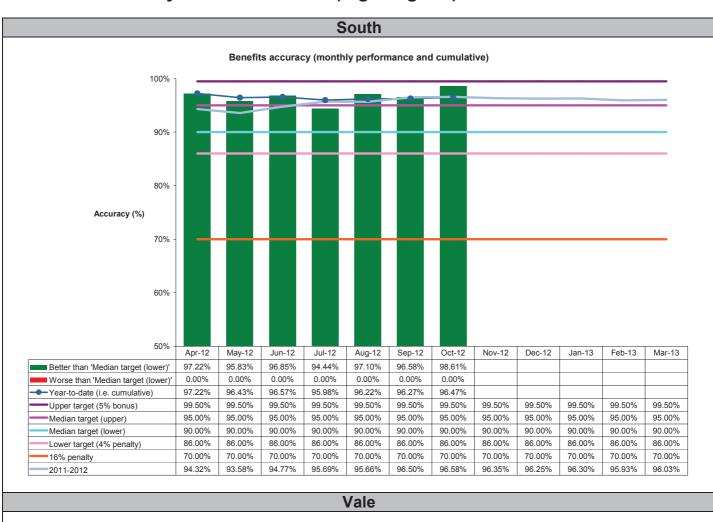


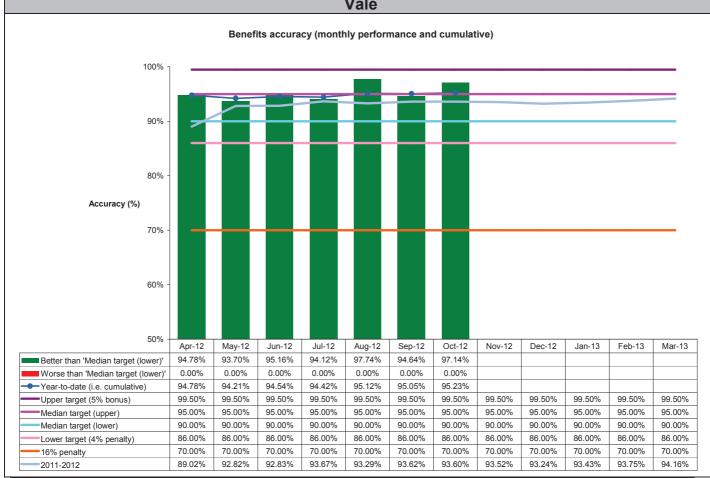
Time to process housing / council tax benefit new claims and changes, cumulative (low is good)





Financial accuracy of benefit claims (high is good)

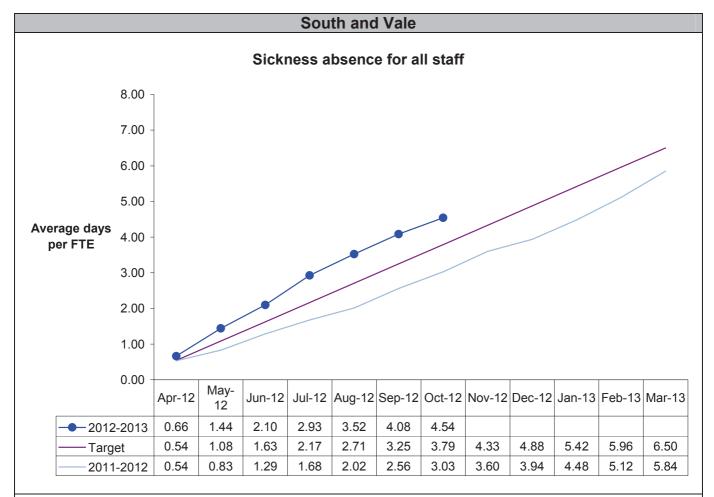




Note South and Vale – the October data is provisional, and is up to and including 19 October.		

SECTION 6 – HUMAN RESOURCES

Sickness absence for all staff (low is good)



- 1. Because sickness absence is normally recorded by employees when they return to work, the figures for October are provisional and are likely to increase slightly once all absences have been recorded.
- 2. In October, four employees were on long-term sick leave one of these returned to work in October.

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South and Vale hoard report	Do a 4505	Octobor 2012

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