

## Record of individual Cabinet member decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

<b>Decision made by</b>	Leigh Rawlins
<b>Key decision?</b>	Yes
<b>Date of decision</b> (same as date form signed)	23 May 2022
<b>Name and job title of officer requesting the decision</b>	Trevor Gaffney Revenues and Benefits Manager
<b>Officer contact details</b>	Tel: 07821 637920 Email: <a href="mailto:trevor.gaffney@southandvale.gov.uk">trevor.gaffney@southandvale.gov.uk</a>
<b>Decision</b>	To approve a scheme to determine and make awards under the government's Discretionary Energy Rebate Scheme in accordance with Government guidance. The scheme is targeting households on low incomes and those not covered by the main Council Tax Energy Rebate Scheme – 'the council tax rebate'.
<b>Reasons for decision</b>	<p>The government has introduced a council tax rebate in response to rising living costs. There are two distinct elements to the government's intervention:</p> <ol style="list-style-type: none"> <li>1) A payment of £150 is to be made to all households living in council tax bands A-D, and</li> <li>2) Funding for discretionary support to any household that is in financial need, regardless of council tax band.</li> </ol> <p>This decision is in respect of the second of these elements.</p> <p>The council's Discretionary Rebate Scheme will target households in receipt of Council Tax Support regardless of the council tax band of their property. This is consistent with Government guidance and supporting clarity from the Department of Levelling Up, Housing and Communities (DLUHC).</p> <p>The council's scheme will cover all households in bands E to H in receipt of Council Tax Support which do not qualify for any payment under the main Council Tax Rebate Scheme, and will also provide some additional 'top up' support to all households on low incomes (bands A to D).</p>

	This decision helps maximise use of the funding available, delivers to those which are excluded from the main scheme but are on income related benefits, and provides carefully targeted additional 'top up' support.		
<b>Alternative options rejected</b>	Opting solely for an 'on application' approach was considered but dismissed, as take-up would be unknown but likely to be far lower than the alternative 'targeted' award. Households of low income (which is where Government Guidance specifies this discretionary funding should be targeted) may also fail to make any application, especially if they are aware of the main Council Tax Energy Rebate Scheme.		
<b>Climate and ecological implications</b>	None.		
<b>Legal implications</b>	There are no legal implications emanating from this decision. Awards of the Council Tax Rebate will be made in accordance with DLUHC guidance.		
<b>Financial implications</b>	The awards of relief will be <b>fully funded by Government</b> , so will not be detrimental to the council. New burdens funding has been made available to help cover the administrative costs of implementing the relief.		
<b>Other implications</b>	None.		
<b>Background papers considered</b>	Government guidance/circulars/FAQs from DLUHC		
<b>Declarations/c onflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?</b>	None		
<b>List consultees</b>		<b>Name</b>	<b>Outcome</b>
	Ward councillors		
	Legal <a href="mailto:legal@southandvale.gov.uk">legal@southandvale.gov.uk</a>	Patrick Arran	Agreed 29.04.2022
	Finance <a href="mailto:Finance@southandvale.gov.uk">Finance@southandvale.gov.uk</a>	Simon Hewings	20.04.2022
	Human resources <a href="mailto:hadminandpayroll@southandvale.gov.uk">hadminandpayroll@southandvale.gov.uk</a>	n/a	

	Climate and biodiversity <a href="mailto:climateaction@southandvale.gov.uk">climateaction@southandvale.gov.uk</a>	n/a		
	Diversity and equality <a href="mailto:equalities@southandvale.gov.uk">equalities@southandvale.gov.uk</a>	Lynne Mitchell	Agreed	23.05.2022
	Health and safety <a href="mailto:healthandsafety@southandvale.gov.uk">healthandsafety@southandvale.gov.uk</a>	n/a		
	Risk and insurance <a href="mailto:risk@southandvale.gov.uk">risk@southandvale.gov.uk</a>	n/a		
	Communications <a href="mailto:communications@southandvale.gov.uk">communications@southandvale.gov.uk</a>	Gavin Walton	Agreed	20.04.2022
	Senior Management Team <a href="mailto:ExecutiveSupportS@Southandvale.gov.uk">ExecutiveSupportS@Southandvale.gov.uk</a>	Suzanne Malcolm	Agreed	29.04.2022
<b>Confidential decision?</b> If so, under which exempt category?	No			
<b>Call-in waived by Scrutiny Committee chairman?</b>				
<b>Has this been discussed by Cabinet members?</b>				
<b>Cabinet portfolio holder's signature</b> To confirm the decision as set out in this notice.	Signature _____ Leigh Rawlins _____ Date _____ 23/05/2022 _____			

**ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.**

For Democratic Services office use only		
Form received	Date: 23 May 2022	Time: 17:05
Date published to all councillors	Date: 24 May 2022	
Call-in deadline	Date: 31 May 2022	Time: 17:00

## Guidance notes

1. This form must be completed by the lead officer who becomes the contact officer. The lead officer is responsible for ensuring that the necessary internal consultees have signed it off, including the chief executive. The lead officer must then seek the Cabinet portfolio holder's agreement and signature.
2. Once satisfied with the decision, the Cabinet portfolio holder must hand-sign and date the form and return it to the lead officer who should send it to Democratic Services immediately to allow the call-in period to commence.  
Tel. 01235 422520 or extension 2520.  
Email: [democratic.services@southandvale.gov.uk](mailto:democratic.services@southandvale.gov.uk)
3. Democratic Services will then publish the decision to the website (unless it is confidential) and send it to all councillors to commence the call-in period (five clear working days) if it is a 'key' decision (see the definition of a 'key' decision below). A key decision cannot be implemented until the call-in period expires. The call-in procedure can be found in the council's constitution, part 4, under the Scrutiny Committee procedure rules.
4. Before implementing a key decision, the lead officer is responsible for checking with Democratic Services that the decision has not been called in.
5. If a key decision has been called in, Democratic Services will notify the lead officer and decision-maker. This call-in puts the decision on hold.
6. Democratic Services will liaise with the Scrutiny Committee chairman over the date of the call-in debate. The Cabinet portfolio holder will be requested to attend the Scrutiny Committee meeting to answer the committee's questions.
7. The Scrutiny Committee may:
  - refer the decision back to the Cabinet portfolio holder for reconsideration or
  - refer the matter to Council with an alternative set of proposals (where the final decision rests with full Council) or
  - accept the Cabinet portfolio holder's decision, in which case it can be implemented immediately.

## Key decisions: assessing whether a decision should be classified as 'key'

The South Oxfordshire and Vale of White Horse District Councils' Constitutions now have the same definition of a key decision:

**A key decision is a decision of the Cabinet, an individual Cabinet member, or an officer acting under delegated powers, which is likely:**

- (a) to incur expenditure, make savings or to receive income of more than £75,000;**

- (b) to award a revenue or capital grant of over £25,000; or**
- (c) to agree an action that, in the view of the chief executive or relevant head of service, would be significant in terms of its effects on communities living or working in an area comprising more than one ward in the area of the council.**

Key decisions are subject to the scrutiny call-in procedure; non-key decisions are not and can be implemented immediately.

In assessing whether a decision should be classified as 'key', you should consider:

- (a) Will the expenditure, savings or income total more than £75,000 across all financial years?
- (b) Will the grant award to one person or organisation be more than £25,000 across all financial years?
- (c) Does the decision impact on more than one district council ward? And if so, is the impact significant? If residents or property affected by the decision is in one ward but is close to the border of an adjacent ward, it may have a significant impact on that second ward, e.g. through additional traffic, noise, light pollution, odour. Examples of significant impacts on two or more wards are:
  - Decisions to spend Didcot Garden Town funds (significant impact on more than one ward)
  - Changes to the household waste collection policy (affects all households in the district)
  - Reviewing a housing strategy (could have a significant impact on residents in many wards)
  - Adopting a supplementary planning document for a redevelopment site (could significantly affect more than one ward) or a new design guide (affects all wards)
  - Decisions to build new or improve existing leisure facilities (used by residents of more than one ward)

**The overriding principle is that before 'key' decisions are made, they must be published in the Cabinet Work Programme for 28 calendar days. Classifying a decision as non-key when it should be a key decision could expose the decision to challenge and delay its implementation.**