

# Cabinet



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Friday, 10 January 2025

A meeting of the **Cabinet** of North Norfolk District Council will be held in the Council Offices, Holt Road, Cromer, NR27 9EN on **Monday, 20 January 2025 at 10.00 am.**

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours

Members of the public who wish to ask a question or speak on an agenda item are requested to arrive at least 15 minutes before the start of the meeting. It will not always be possible to accommodate requests after that time. This is to allow time for the Committee Chair to rearrange the order of items on the agenda for the convenience of members of the public. Further information on the procedure for public speaking can be obtained from Democratic Services, Tel:01263 516010, Email:[democraticservices@north-norfolk.gov.uk](mailto:democraticservices@north-norfolk.gov.uk). Please note that this meeting is live-streamed: [NNDCEDemocracy - YouTube](#)

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so should inform the Chairman. If you are a member of the public and you wish to speak on an item on the agenda, please be aware that you may be filmed or photographed.

**Emma Denny**  
**Democratic Services Manager**

**To:** Cllr W Fredericks, Cllr L Shires, Cllr T Adams, Cllr A Brown, Cllr H Blathwayt, Cllr C Ringer, Cllr J Toye, Cllr A Varley and Cllr L Withington

All other Members of the Council for information.  
Members of the Management Team, appropriate Officers, Press and Public



**If you have any special requirements in order to attend this meeting, please let us know in advance**  
If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

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## A G E N D A

**1. TO RECEIVE APOLOGIES FOR ABSENCE**

**2. MINUTES**

1 - 8

To approve, as a correct record, the minutes of the meeting of the Cabinet held on 02 December 2024.

**3. PUBLIC QUESTIONS AND STATEMENTS**

To receive questions and statements from the public, if any.

**4. DECLARATIONS OF INTEREST**

9 - 14

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest (see attached guidance and flowchart)

**5. ITEMS OF URGENT BUSINESS**

To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972

**6. MEMBERS' QUESTIONS**

To receive oral questions from Members, if any

**7. RECOMMENDATIONS FROM OVERVIEW & SCRUTINY COMMITTEE**

There were no recommendations referred to the Cabinet by the Overview & Scrutiny Committee at the meeting of Overview and Scrutiny Committee on 11 December 2024.

**8. VISITOR INFORMATION SERVICE**

15 - 28

<b>Visitor Information Service</b>	
<b>Executive Summary</b>	<p>As part of the 2025/26 budget process consideration has been given to possible financial savings from some discretionary service areas including the visitor information service operated by the Council and the options that exist for alternative service provision. The review looked at the opportunities for operating the service from alternative premises and also, providing it in conjunction with other external organisations.</p> <p>Having considered the available service options, and trends in how visitors access</p>

	<p>tourist information via smartphones and other devices and the closure of Visitor Information Centres by many local authorities around the country; it is not considered that these offer sufficient benefit or value for money for the Council. Ceasing the operation of the service will yield a significant financial saving and presents options for the future use of the building it currently occupies, thus generating rental income.</p>
<p><b>Options considered</b></p>	<p>A review was undertaken that considered a range of alternatives both for the service and for the building from which it operates, these included:</p> <ol style="list-style-type: none"> <li>1. Outsourcing – not considered to yield sufficient immediate savings.</li> <li>2. Greater commercialisation - not considered to yield sufficient income to offset the costs.</li> <li>3. Delivery in partnership with an externally run facility – not considered to represent value for money.</li> <li>4. Replacing the service by digital provision – insufficient certainty about set up and future costs or benefits.</li> </ol>
<p><b>Consultation(s)</b></p>	<p>The service review and subsequent draft business case that led to the recommendations in this report involved relevant staff from the following teams: Customer Services, Economic Growth, Estates, Finance and Human Resources. Its contents were also informed by input from the potential delivery partners.</p> <p>A report on the possible closure of the Visitor Information Service was discussed by the Overview and Scrutiny Committee at its meeting on 13 November 2024, when the Committee resolved to make the following recommendations to Cabinet: -</p> <p>That Cabinet consider: -</p> <ul style="list-style-type: none"> <li>• The building being made available for an alternative income generating use.</li> <li>• What provision can be made to continue a tourist information service – be that through an enhanced online presence,</li> </ul>

	<p>electronic information boards or physical leaflet stands at prominent locations within Cromer such as the Pier and other visitor attractions.</p> <ul style="list-style-type: none"> <li>• Relocation of the current Deep History Coast display housed within the North Norfolk Visitor Centre to a suitable alternative location, possibly Cromer Museum.</li> </ul>
<p><b>Recommendations</b></p>	<p><b>That Cabinet agree to the Council withdrawing from the provision of a physical Visitor Information Service from the North Norfolk Information Centre building at The Meadow Car Park, Cromer (these proposals do not involve the closure of the public toilets also provided from the building) to deliver a financial saving of approx. £93,000 for the 2025/26 budget.</b></p> <p><b>If Cabinet are minded to agree with the above recommendation, it is also recommended that they agree to: -</b></p> <ul style="list-style-type: none"> <li>• <b>Advertise the premises occupied by the Visitor Information Centre service as available for let with expressions of interest invited by Friday 28 March 2025.</b></li> <li>• <b>Officers considering alternative means of providing visitor information within the town and wider district – including strengthening an online presence, a commercial arrangement with providers of electronic information boards and poster sites / leaflet stands in prominent locations</b></li> <li>• <b>The relocation of the Deep History Coast display to another location in the town being explored with a preference for this to be accommodated in Cromer Museum recognising the partnership nature of the development of the Deep</b></li> </ul>

	<b>History Coast initiative with the Norfolk Museums Service.</b>
<b>Reasons for recommendations</b>	To make financial savings from a service that is discretionary, considered to no longer to present value for money due to the changing way in which visitors access information and to generate additional income from the asset that would be vacated due to the termination of the service.
<b>Background papers</b>	Background papers that informed the contents of this report include a service review and a business case for a potential alternative delivery model; these contain confidential information relating to staffing, budgets and commercially sensitive information.

<b>Wards affected</b>	All in relation to the provision of the Visitor Information service but specifically Cromer in relation to the premises
<b>Cabinet member(s)</b>	Cllr Withington
<b>Contact Officer</b>	Tina Stankley, Director of Resources

9. **DELEGATED DECISIONS**

29 - 34

<b>Delegated Decisions (December 2024 to January 2025)</b>	
<b>Executive Summary</b>	This report details the decisions taken under delegated powers from December 2024 to January 2025.
<b>Options considered</b>	Not applicable – the recording and reporting of delegated decisions is a statutory requirement.
<b>Consultation(s)</b>	Consultation is not required as this report and accompanying appendix is for information only. No decision is required, and the outcome cannot be changed as it is historic, factual information.
<b>Recommendations</b>	<b>To receive and note the report and the register of decisions taken under delegated powers.</b>
<b>Reasons for</b>	The Constitution: Chapter 6, Part 5,

<b>recommendations</b>	<p>sections 5.1 and 5.2 details the exercise of any power or function of the Council where waiting until a meeting of Council or a committee would disadvantage the Council. The Constitution requires that any exercise of such powers should be reported to the next meeting of Council, Cabinet or working party (as appropriate)</p> <p>Section 2.1 sets out the requirements regarding the reporting of conditional delegated decisions.</p>
<b>Background papers</b>	Signed delegated decision forms.

<b>Wards affected</b>	All
<b>Cabinet member(s)</b>	Leader, Cllr T Adams
<b>Contact Officer</b>	Cara Jordan, Monitoring Officer <a href="mailto:Cara.jordan@north-norfolk.gov.uk">Cara.jordan@north-norfolk.gov.uk</a>

10. **COUNCIL TAX SUPPORT SCHEME 2025-26**

35 - 240

<b>Council Tax Support Scheme: Final scheme for working age people for 2025/26</b>	
<b>Executive Summary</b>	<p>NNDC operates a scheme which reduces the council tax bills of eligible working age people on low incomes known as the Council Tax Support (CTS) scheme. NNDC is free to decide the rules for its own CTS schemes for working-age people in our area, taking into account certain government requirements. There are national regulations for a CTS Scheme for customers who have reached pension age. This report only refers to NNDC's CTS Scheme for working-age people.</p> <p>NNDC's CTS Scheme is reviewed annually, and the rules can only be amended from the start of a financial year. The initial stages of the setting the Council's 2025/26 budget identified a £1.8m deficit.</p> <p>Services were asked to consider where savings could be realised, and the annual review of the CTS scheme presented an opportunity to potentially achieve some savings. A</p>

	<p>working party was formed to review proposals to the CTS scheme for 2025/26.</p> <p>The working party came up with a revised scheme and agreed to go to consult the public about the proposed changes. The public consultation ran from 24<sup>th</sup> October 2024 to 24<sup>th</sup> November 2024. A total of 96 responses were received and the results are summarised at Appendix D.</p> <p>No further changes are proposed to the draft scheme following the consultation.</p>
<b>Options considered</b>	<p>The working party were presented with the proposed changes to the CTS scheme.</p> <p>The draft scheme is largely a continuation of the 2024/25 CTS scheme for working-age people. The proposed changes align the scheme with Universal Credit, to simplify the process of claiming, and to bring efficiencies in the administration of these CTS claims.</p> <p>A summary of the scheme rules is included in the report to the working party and is included at D.</p> <p>The CTS Scheme rules will also continue to reflect any relevant welfare benefit changes made to the working-age Housing Benefit scheme or Pension Age CTS scheme.</p>
<b>Consultation(s)</b>	<p>The CTS regulations state that the Council must consult our major preceptors, then draft a CTS Scheme to go to public consultation.</p> <p>Norfolk County Council (NCC) and Norfolk's Police and Crime Commissioner (PCC) were consulted. NCC have confirmed they agree with the proposed changes. We did not receive a response from the PCC.</p> <p>The public consultation ran for four weeks from 24<sup>th</sup> October 2024 to 24<sup>th</sup> November 2024. A total of 96</p>

	<p>surveys were completed, an increase of 80% compared to the consultation run in 2021.</p> <p>The full results of the survey, including all the comments, are included in the CTS Consultation Evaluation which is shown at Appendix E. This report should be read in conjunction with the evaluation.</p> <p>The responses show that most people agreed with the proposed changes.</p>
<b>Recommendations</b>	Cabinet is asked to note the consultation responses and to recommend to full Council that the CTS scheme for 2025/26 is implemented as the final working-age CTS Scheme for 2025/26. This must be agreed by full Council at its meeting on 19 <sup>th</sup> February 2025 as part of the budget setting process to start on 1 April 2025.
<b>Reasons for recommendations</b>	To ensure a CTS scheme for working-age people for 2025/26 is agreed by full Council by 19 <sup>th</sup> February 2025.
<b>Background papers</b>	<p>Council Tax Support Scheme 2024/25</p> <p>Working Party Proposals – 1<sup>st</sup> October 2024</p> <p>Working Party Public Consultation Evaluation – 5<sup>th</sup> December 2024</p> <p>Public Consultation Questionnaire</p> <p>Public Consultation Explanatory Notes</p>

<b>Wards affected</b>	All
<b>Cabinet member(s)</b>	<p>Portfolio Holder - Wendy Fredericks</p> <p>Working Party – Cllr Tim Adams, Cllr Jill Boyle, Cllr Peter Netherway, Cllr Peter Fisher, Cllr Victoria Holliday</p>
<b>Contact Officer</b>	Trudi Grant, Benefits Manager

11. **FUTURE COASTAL MANAGEMENT ARRANGEMENTS**

241 - 246

<b>Future Coastal Management Arrangements</b>	
<b>Executive Summary</b>	In 2016 NNDC entered into a Partnership agreement (under



	<p>Section 113 of the Local Government Act 1972) with Suffolk Coastal District Council, Waveney District Council (now East Suffolk Council) and Great Yarmouth Borough Council to share resources and prioritise activities relating to coastal matters. This created “Coastal Partnership East”.</p> <p>In the intervening years each Council has faced significant demands relating to coastal change, climate change and competing pressures of project delivery and bidding for funding. As a result, it is a prudent time for each partner Council to consider its future coastal management resourcing requirements and approach to ensure local priorities are met.</p> <p>This paper discusses these pressures and provides proposals for the dissolution of the partnership and North Norfolk District Council’s future approach.</p>
<b>Options considered</b>	<ol style="list-style-type: none"> <li>1) Request a continuation of the current partnership arrangement (N.B. This is not an option with which NNDC has any direct control)</li> <li>2) Agree to disband the partnership and put in place service level agreements between each Council, hosted by East Suffolk Council, to deliver engineering and consultancy services to partners (and other Councils as requested) – N.B. This was not an option as East Suffolk Council did not feel that this could be adequately resourced</li> <li>3) Agree to disband the partnership, appoint a Coastal Management Team at NNDC, and retain/explore alternative service level agreements with other Local Authorities as appropriate.</li> </ol>
<b>Consultation(s)</b>	PH for Coast Coastal Partnership East Partner

	Local Authorities
<b>Recommendations</b>	That Cabinet: <ol style="list-style-type: none"> <li>1. Note the contents of this paper</li> <li>2. Approve the dissolution of the Coastal Partnership known as Coastal Partnership East with effect from 20<sup>th</sup> January 2025 (taking into account the appropriate notice period to end the Section 113 agreement).</li> <li>3. Continue to support partnership working and retain/explore service level agreements with other Local Authorities as appropriate.</li> </ol>
<b>Reasons for recommendations</b>	To ensure that the Council has effective coastal management arrangements in place.
<b>Background papers</b>	N/A

<b>Wards affected</b>	Districtwide
<b>Cabinet member(s)</b>	Cllr Harry Blathwayt
<b>Contact Officer</b>	Martyn Fulcher, Director for Place & Climate Change, <a href="mailto:martyn.fulcher@north-norfolk.gov.uk">martyn.fulcher@north-norfolk.gov.uk</a>

12. **DRAFT REVENUE BUDGET FOR 2025/26**

247 - 296

<b>Draft Revenue Budget for 2025-26</b>	
Executive Summary	This report presents the latest iteration of the budget for 2025/26. It is intended to present the position as we currently know it and it will need to be updated as more information becomes available e.g. the impact of the final Local Government Finance Settlement for 2025/26.
Options considered.	No other options have been considered as it is a legal requirement to calculate “the expenditure which the authority estimates it will incur in the forthcoming year in performing its functions” and then subtract “the sums which it estimates will be payable for the year into its general

	fund". This is required to set a balanced budget before 11 March 2025.
Consultation(s)	<p>The Overview and Scrutiny Committee will have the opportunity to review this report at its meeting on 22 January 2025. It will be able to make recommendations that Cabinet will be able to consider at its meeting on 3 February 2025.</p> <p>Budget consultation is taking place on the Council's website currently for anyone to share their views. Consultation with Business Rates payers is also being undertaken. The results of both these consultations will be included in the report being presented to Full Council on 19 February 2025.</p>
Recommendations	<ol style="list-style-type: none"> <li>1. That Cabinet consider the list of proposed savings and agree on which ones should be taken so that a balanced budget can be recommended to full Council.</li> <li>2. That an alternative option for balancing the budget should be agreed to replace savings not taken if there are any.</li> <li>3. That Cabinet agree that any additional funding announced as part of the final Local Government Settlement announcement be transferred to reserves.</li> <li>4. That Cabinet decide which proposed new capital bids should be recommended to full Council for inclusion in the Capital Programme.</li> </ol>
<b>Reasons for recommendations</b>	To enable the Council to set a balanced budget.
<b>Background papers</b>	2024/25 Budget report presented to full Council on 21 February 2024.

<b>Wards affected</b>	All
<b>Cabinet</b>	Cllr Lucy Shires

<b>member(s)</b>	
<b>Contact Officer</b>	Tina Stankley Director of Resources and s151 Officer <a href="mailto:tina.stankley@north-norfolk.gov.uk">tina.stankley@north-norfolk.gov.uk</a>

**13. EXCLUSION OF PRESS AND PUBLIC**

To pass the following resolution:

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs \_ of Part I of Schedule 12A (as amended) to the Act.”

**14. PRIVATE BUSINESS**

# Public Document Pack Agenda Item 2

## CABINET

Minutes of the meeting of the Cabinet held on Monday, 2 December 2024 at the Council Chamber - Council Offices at 10.00 am

### Committee

#### Members Present:

Cllr W Fredericks (Deputy Chair)	Cllr L Shires
Cllr T Adams (Chair)	Cllr A Brown
Cllr H Blathwayt	Cllr C Ringer
Cllr J Toyne	Cllr A Varley

#### Members also attending:

Cllr C Cushing  
Cllr N Dixon  
Cllr A Fitch-Tillett

#### Officers in Attendance:

Chief Executive, Monitoring Officer, Director of Resources, Director for Place & Climate Change and Director for Communities

Housing Strategy and Delivery Manager for item 10

#### Also in attendance:

Apologies for Absence: Cllr L Withington

#### 57 MINUTES

The minutes of the meeting of Cabinet held on 04 November 2024 were approved as a correct record and signed by the Chairman.

#### 58 PUBLIC QUESTIONS AND STATEMENTS

None

#### 59 ITEMS OF URGENT BUSINESS

None

#### 60 DECLARATIONS OF INTEREST

None Received

#### 61 MEMBERS' QUESTIONS

None Received

#### 62 RECOMMENDATIONS FROM OVERVIEW & SCRUTINY COMMITTEE

Cllr Dixon updated Cabinet to let them know that since the Overview and Scrutiny

meeting the People strategy has been discussed and will provide an overarching document into which other policies will feed in but will not deal with the items the Overview and Scrutiny committee had discussed.

A workshop will be held in the spring of next year to discuss those services that are statutory and those that are discretionary and how these affect the Council's budget.

Due to the current speculation about a tier 1 and tier 2 local government review the Government has planned and how this will affect us, the primary function for the Council for the time being must to focus on the deficit over the next few years.

Budget monitoring stands as written.

Cllr Adams thanked Overview and Scrutiny committee for their thorough review and considerations of the recommendations.

It was RESOLVED to approve the following recommendations from Overview and Scrutiny Committee

### **Visitor Information Centre**

The Overview and Scrutiny Committee recommended that Cabinet consider:

- The building being made available for an alternative income generating use.
- What provision can be made to continue a tourist information service – be that through an enhanced online presence, electronic information boards or physical leaflet stands at prominent locations within Cromer such as the Pier and other visitor attractions.
- Relocation of the current Deep History Coast display housed within the North Norfolk Visitor Centre to a suitable alternative location, possibly Cromer Museum.

### **MTFS**

The Overview and Scrutiny Committee confirmed support for the proposed steps to close the gaps within the MTFS.

It also made the following recommendations to Cabinet:

1. To take a twin track approach to savings, looking not only at those that can be achieved within 2025/26 but also those with a longer lead in time to ensure savings are progressed into 2026/27 and beyond.
2. The awaited Workforce strategy be used to help understand staff costs arising from use of part time and hybrid working and agency staff cover to explore scope for greater efficiency savings.
3. A Workshop be arranged to understand options around statutory and non-statutory service provisions and to explore and evaluate options for beneficial changes. Action Cllr Shires.

### **Budget Monitoring**

O&S noted the contents of the report and the current forecast year end position and recommended that:

1. Officers to work to further reduce the overall projected General Fund deficit for 2024/25
2. In respect of item 7 below, the Estates Team to explore the most cost-effective materials options (in addition to rethatching) for the re-roof of the Collectors Cabin with competitive quotes and that the budget for the work should be up to £30,000.

The Overview and Scrutiny Committee supports Cabinet seeking approval from Full Council in respect of the following:

3. to include an addition to the revenue budget of £13,000 for an addition to existing Exacom software as laid out in paragraph 4.8.1
4. to include a permanent increase to the revenue budget of £34,000 for an additional member of staff in the Licensing Team as detailed in paragraphs 4.8.2 to 4.8.5. This will be funded from the ring-fenced licencing income.
5. to include an additional capital budget of £22,000 to complete the Cromer Offices LED lighting project. This is to be funded from the Net Zero Initiatives reserve as detailed in paragraph 5.4.2
6. to include an additional capital budget of £5,600 to pay the retention sum for the Crinkle Crankle Wall and that this is funded from the Major Projects Reserve as detailed in paragraph 5.4.3
7. to include an additional capital budget of £30,000 to rethatch the Collector's Cabin roof and that this is to be funded from the Asset Management reserve as detailed in paragraph 5.4.4
8. to include an additional capital budget of £23,400 to develop the customer services C3 software and is to be funded from the Development Plan reserve. as detailed in paragraph 5.4

## **63 RECOMMENDATIONS FROM PLANNING POLICY & BUILT HERITAGE WORKING PARTY**

Cllr Brown introduced the recommendations from the Planning Policy and Built Heritage Working Party.

### **Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy**

The proposed strategy provides a plan to spend £22million received from revenue from planning application fees raised over the next 20-22 years. The key aims are trying to mitigate harm to the main tourist attractions by creating other facilities across the County. All the District Councils are a member in this scheme, and the funds will be managed by Norwich City Council. Work is also underway to try to bring the County Council to the table to consult alongside other representatives from organisations such as the Campaign To Protect Rural England (CPRE) and Natural England. Cllr Holliday will be the Council's representative on the board.

Cllr Brown recommended that this appointment was endorsed by Cabinet.

Cllr Cushing read out a message from Cllr Holliday which said that she would have wanted to expand on the caveats which were in addition to the inclusion of the County Council, which Cllr Brown says is now being sorted out. She wanted to emphasis more around the governance ensuring an evidence base for proposed interventions and measurement of outcomes. She is still concerned some of the proposed interventions have the capacity to increase footfall rather than control it.

### **Planning In Health Protocol**

It was necessary to ensure that dentistry provision was included in the modelling, and this has led to the revised protocol.

All significant planning applications will need to take into account provision for health services in the surrounding area.

It was RESOLVED to approve the recommendations from the Planning Policy and

Built Heritage Working Group.

### **Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy**

- I. The Action Plan and Governance arrangements are endorsed, subject to caveats, with additional requests made to the Norfolk Strategic Framework that other stakeholders (such as Norfolk County Council) and those that have wider environmental interests across the County are actively engaged with and, where appropriate, invited to attend board meetings. Final Wording to be delegated to the Acting Planning Policy Manager in consultation with the Planning Portfolio Holder and Chairman of Planning Policy & Built Heritage Working Party.
- II. Nominate appropriate Member to sit on the GIRAMS board. The Working Party endorsed Cllr Victoria Holliday as its preferred nominee.

### **Planning In Health Protocol**

- I. The revised Planning for Health Protocol be used when preparing Local Plans and determining planning applications.

## **64 HICKLING PUBLIC TOILET LEASE SURRENDER**

Cllr Shires introduced this item, saying that it was a good news story for the District. It is wonderful news that the new landlord, The Norfolk Wildlife Trust, is happy to take the lease back and to continue to run the facility as a free public toilet.

Cllr Blathwayt confirmed that the Parish Council is relieved that this has come to such a good conclusion.

Cabinet approved:

- To surrender the Council's lease of the public toilet at Hickling Staithe
- Delegated authority to the Asset Strategy Manager to agree terms and associated costs relating to the lease surrender.

## **65 HOUSING ALLOCATIONS SCHEME PROPOSALS 2024**

Cllr Fredericks introduced this item by explaining that the Council has become increasingly challenged by having an allocations policy that is not fit for purpose due to changing economic climate and housing market within the district. The demand for social housing has outstripped the availability of such homes.

During this process the Scheme has been out to consultation with our registered providers and tenants, with an aim of ensuring that people in the greatest housing need have the greatest opportunity to access suitable housing that best meets their needs, to prevent and relieve homelessness and reduce placement in temporary accommodation. To make effective use of the available housing stock to meet the legal requirements for the allocation of social housing. To help contribute to the development of sustainable communities. Make the housing process, accessible, transparent and fair. Provide information about the availability of homes and being more efficient, and user friendly for applicants to the Council's housing associations and other partner organisations.

The Housing Strategy and Delivery Manager was present for questions.

Cllr Toye thanked officers for their work on this. This is a difficult and complex problem to navigate, and it is pleasing to hear that this scheme has been trialed and



has already shown success, which can be built on moving forward.

Cllr Cushing asked if there were further details as to the cost of changing the system.

The Housing Strategy and Delivery Manager responded that there is a quote contained within the paper of £35-48,000 for implementation of the system, but there are a number of different approaches which can be taken. There is likely to be a combination of solutions using varying levels of IT assistance and manual ways of working. The Council need to work with the provider to determine the best way to proceed, which is why the implementation time frame has been set at 18 months as this allows for these discussions. Looking for a solution that provides the least disruption to applicants and staffing within the Housing Options team and provides best value for money while still implementing the changes required.

Cabinet:

- Agreed the proposed allocations scheme summarised in this report and attached as Appendix A
- Gave delegated authority to officers, in consultation with the Portfolio Holder for Housing & Peoples' Services, for the implementation of the revised allocation scheme over the next 18-months within allocated service budgets.

## **66 DELEGATED DECISIONS (SEPTEMBER TO DECEMBER 2024)**

Cabinet received and noted the report and the register of decisions taken under delegated powers.

## **67 VISITOR INFORMATION SERVICE**

This item was deferred to the Cabinet meeting on Monday 20 January 2025

## **68 BUDGET MONITORING P6 2024/2025**

Cllr Shires thanked Overview and Scrutiny Committee for their consideration of this item. It was a very beneficial conversation.

She also thanked all the staff within the organisation, who all understand the challenges that the Council faces financially.

Cabinet's attention was drawn to:

Item 4 which is an additional member of staff for Licensing team. This is a growth position due to growth in Licensing workload.

Item 7 – Currently we have not received quotes for different type of roofs for the Collectors Cabin asset. Cabinet indicated that they are happy to approve the capital budget provided all options are explored.

Cabinet:

1. Noted the contents of the report and the current forecast year end position.
2. Noted that officers will work together to take action to reduce the overall projected General Fund deficit for 2024/25.

Cabinet seek approval from Full Council:

3. to include an addition to the revenue budget of £13,000 for an addition to existing Exacom software as laid out in paragraph 4.8.1
4. to include a permanent increase to the revenue budget of £34,000 for an additional member of staff in the Licensing Team as detailed in paragraphs 4.8.2 to 4.8.5. This will be funded from the ring-fenced Licencing income.
5. to include an additional capital budget of £22,000 to complete the Cromer Offices LED lighting project. This is to be funded from the Net Zero Initiatives reserve as detailed in paragraph 5.4.2
6. to include an additional capital budget of £5,600 to pay the retention sum for the Crinkle Crankle Wall and that this is funded from the Major Projects Reserve as detailed in paragraph 5.4.3
7. to include an additional capital budget of £30,000 to rethatch the Collector's Cabin roof and that this is to be funded from the Asset Management reserve as detailed in paragraph 5.4.4
8. to include an additional capital budget of £23,400 to develop the customer services C3 software and is to be funded from the Development Plan reserve. as detailed in paragraph 5.4.5

## **69 MEDIUM TERM FINANCIAL STRATEGY 2025-2029**

Cllr Shires explained that the Medium-Term Financial Strategy 2025/2029 has already been to the Overview & Scrutiny Committee. It is felt that the Finance Team have found a report that works for everyone.

Thanks were expressed to The Assistant Director Finance and Assets for the work he has done on this.

In section 8 which looks at closing the budget gap, there are a number of headings as to how this will be achieved, moving forward any budget savings will be linked to these headings.

It is also necessary to ensure in year and multiple year savings are clearly identified throughout the reports.

Cabinet noted the Medium-Term Financial Strategy 2025-2029

## **70 FEES & CHARGES 2025/26**

Cllr Shires explained that the car parking charges has been through committee separately.

Some of the fees and charges are set by Government and some are capped by Government, and we can only charge to a level that allows us to cover our costs. Discretionary fees are the only area where the Council is able to choose the fees it sets.

Cabinet agreed and recommended to full Council

- The fees and charges from 1 April 2025 as included in Appendix A.
- That delegated authority be given to the Section 151 Officer, in consultation with the Portfolio Holder for Finance and relevant Directors/Assistant Director to agree the fees and charges not included within Appendix A as required (outlined within the report).

**71 EXCLUSION OF PRESS AND PUBLIC**

None

**72 PRIVATE BUSINESS - EXEMPT APPENDICES - HICKLING PUBLIC TOILET  
LEASE SURRENDER & TOURIST INFORMATION CENTRE**

The meeting ended at 10.30am

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Chairman

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## Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

**"Disclosable Pecuniary Interest"** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

**"Partner"** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

## Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

## Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

## Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
  - a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative, close associate; or
  - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
  - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

**Table 1: Disclosable Pecuniary Interests**

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
<b>Land and Property</b>	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
<b>Licenses</b>	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
<b>Corporate tenancies</b>	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
<b>Securities</b>	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>



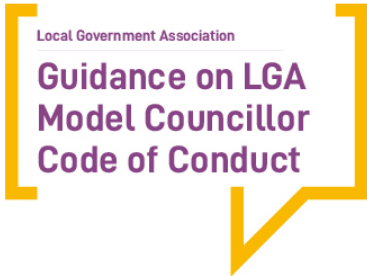
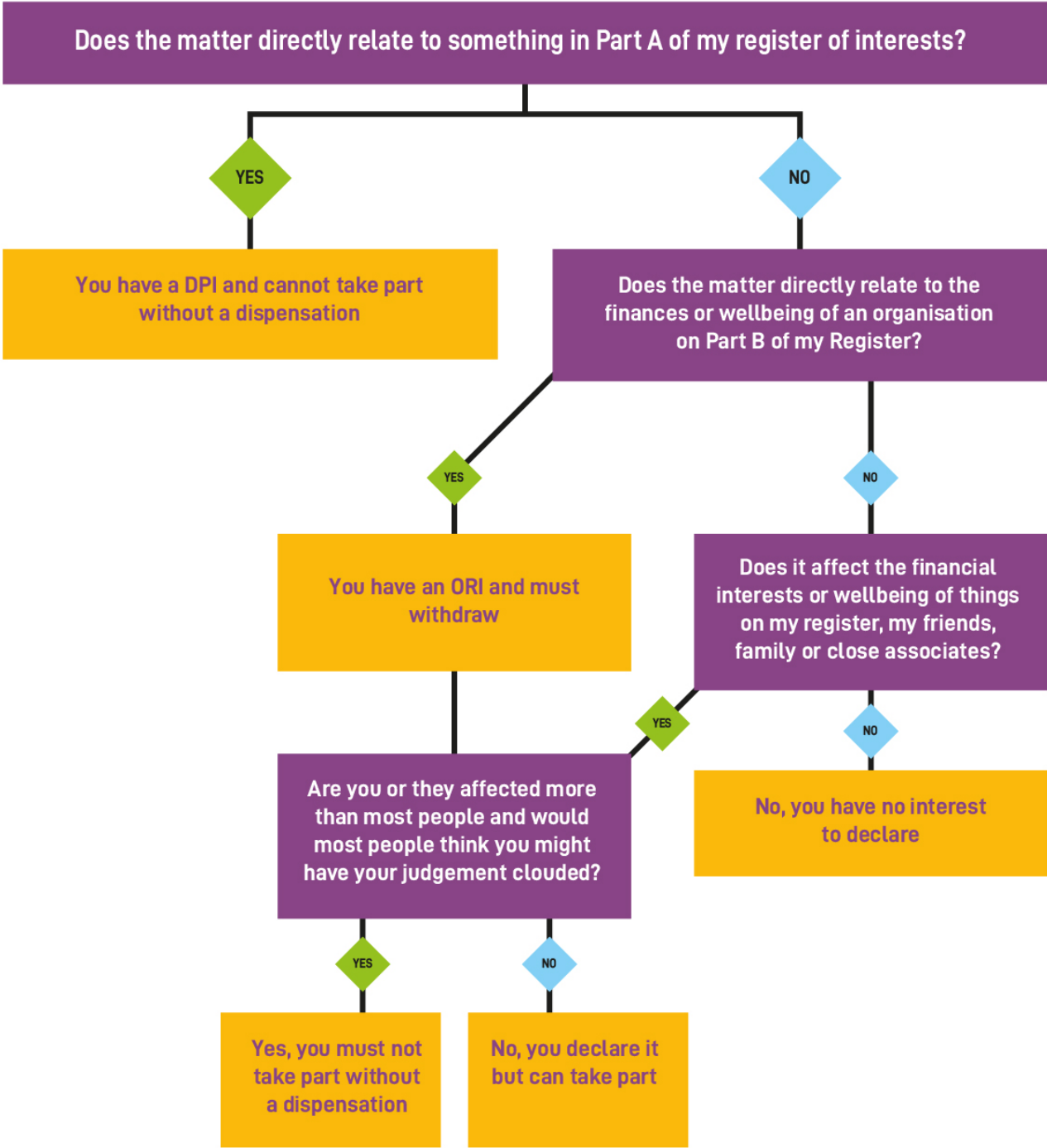
	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

**Table 2: Other Registrable Interests**

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <ul style="list-style-type: none"> <li>a) any body of which you are in general control or management and to which you are nominated or appointed by your authority</li> <li>b) any body <ul style="list-style-type: none"> <li>(i) exercising functions of a public nature</li> <li>(ii) any body directed to charitable purposes or</li> <li>(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)</li> </ul> </li> </ul>
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<b>Visitor Information Service</b>	
<b>Executive Summary</b>	<p>As part of the 2025/26 budget process consideration has been given to possible financial savings from some discretionary service areas including the visitor information service operated by the Council and the options that exist for alternative service provision. The review looked at the opportunities for operating the service from alternative premises and also, providing it in conjunction with other external organisations.</p> <p>Having considered the available service options, and trends in how visitors access tourist information via smartphones and other devices and the closure of Visitor Information Centres by many local authorities around the country; it is not considered that these offer sufficient benefit or value for money for the Council. Ceasing the operation of the service will yield a significant financial saving and presents options for the future use of the building it currently occupies, thus generating rental income.</p>
<b>Options considered</b>	<p>A review was undertaken that considered a range of alternatives both for the service and for the building from which it operates, these included:</p> <ol style="list-style-type: none"> <li>1. Outsourcing – not considered to yield sufficient immediate savings.</li> <li>2. Greater commercialisation - not considered to yield sufficient income to offset the costs.</li> <li>3. Delivery in partnership with an externally run facility – not considered to represent value for money.</li> <li>4. Replacing the service by digital provision – insufficient certainty about set up and future costs or benefits.</li> </ol>
<b>Consultation(s)</b>	<p>The service review and subsequent draft business case that led to the recommendations in this report involved relevant staff from the following teams: Customer Services, Economic Growth, Estates, Finance and Human Resources. Its contents were also informed by input from the potential delivery partners.</p> <p>A report on the possible closure of the Visitor Information Service was discussed by the Overview and Scrutiny Committee at its meeting on 13 November 2024, when the Committee resolved to make the following recommendations to Cabinet: -</p> <p>That Cabinet consider: -</p> <ul style="list-style-type: none"> <li>• The building being made available for an alternative income generating use.</li> <li>• What provision can be made to continue a tourist information service – be that through an enhanced online presence, electronic information boards or physical leaflet stands at prominent locations within</li> </ul>

	<p>Cromer such as the Pier and other visitor attractions.</p> <ul style="list-style-type: none"> <li>• Relocation of the current Deep History Coast display housed within the North Norfolk Visitor Centre to a suitable alternative location, possibly Cromer Museum.</li> </ul>
<b>Recommendations</b>	<p><b>That Cabinet agree to the Council withdrawing from the provision of a physical Visitor Information Service from the North Norfolk Information Centre building at The Meadow Car Park, Cromer (these proposals do not involve the closure of the public toilets also provided from the building) to deliver a financial saving of approx. £93,000 for the 2025/26 budget.</b></p> <p><b>If Cabinet are minded to agree with the above recommendation, it is also recommended that they agree to: -</b></p> <ul style="list-style-type: none"> <li>• <b>Advertise the premises occupied by the Visitor Information Centre service as available for let with expressions of interest invited by Friday 28 March 2025.</b></li> <li>• <b>Officers considering alternative means of providing visitor information within the town and wider district – including strengthening an online presence, a commercial arrangement with providers of electronic information boards and poster sites / leaflet stands in prominent locations</b></li> <li>• <b>The relocation of the Deep History Coast display to another location in the town being explored with a preference for this to be accommodated in Cromer Museum recognising the partnership nature of the development of the Deep History Coast initiative with the Norfolk Museums Service.</b></li> </ul>
<b>Reasons for recommendations</b>	<p>To make financial savings from a service that is discretionary, considered to no longer to present value for money due to the changing way in which visitors access information and to generate additional income from the asset that would be vacated due to the termination of the service.</p>
<b>Background papers</b>	<p>Background papers that informed the contents of this report include a service review and a business case for a potential alternative delivery model; these contain confidential information relating to staffing, budgets and commercially sensitive information.</p>

<b>Wards affected</b>	All in relation to the provision of the Visitor Information service but specifically Cromer in relation to the premises
<b>Cabinet member(s)</b>	Cllr Withington
<b>Contact Officer</b>	Tina Stankley, Director of Resources

**Links to key documents:**

Corporate Plan:	<p><b>Investing in our Local Economy and Infrastructure:</b></p> <ul style="list-style-type: none"> <li>• <i>“Continuing to promote North Norfolk’s diverse tourism and visitor offer”</i></li> </ul> <p>Action Plan 2024/25</p> <p><i>“Continue to support and work with Visit North Norfolk to promote North Norfolk as a key visitor destination with a diverse visitor offer”</i></p> <p><b>A strong responsible and accountable Council</b></p> <ul style="list-style-type: none"> <li>• <i>“We will ensure the Council maintains a financially sound position, seeking to make best use of its assets and staff resources, effective partnership working and maximising the opportunities of external funding and income.”</i></li> <li>• <i>“Reviewing contract and partnership arrangements to ensure the most appropriate and efficient means of delivering services to our diverse communities and customers”</i></li> <li>• <i>“Reviewing service delivery arrangements so as to realise efficiencies without compromising service standards and outcomes”</i></li> <li>• <i>“Investigating the implementation of a Tourist Tax to finance the provision and maintenance of visitor infrastructure so that the costs do not fall directly on local Council Tax payers/making sure tourism pays for itself”</i></li> <li>• <i>“Continuing a service improvement programme to ensure our services are delivered efficiently”</i></li> <li>• <i>“Exploring opportunities to work further with stakeholders and partner organisations”</i></li> </ul> <p>Action Plan 2024/25</p> <p><i>“Review the Council’s approach to Asset Commercialisation to reflect the findings of the Corporate Peer Challenge in seeking to realise new and emerging opportunities around the use of the Council’s land and property assets through preparing a revised Asset Management Strategy by September 2024.”</i></p>
Medium Term Financial Strategy (MTFS)	The recommendation of this report would yield a significant saving for the Council
Council Policies & Strategies	

<b>Corporate Governance:</b>	
Is this a key decision	No
Has the public interest test been applied	<p>The appendix to this report is to be treated as exempt for the following reason:</p> <p>Information in this appendix involves the likely disclosure of exempt information as defined in paragraphs 1,2 and 3, Part 1 of schedule 12A (as amended) to the Local Government Act 1972.</p> <p>These paragraphs relate to:</p> <ul style="list-style-type: none"> <li>• Para 1. Information relating to any individual</li> <li>• Para 2. Information which is likely to reveal the identity of an individual</li> <li>• Para 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)</li> </ul> <p>The public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons:</p> <ul style="list-style-type: none"> <li>• Paragraphs 1 &amp; 2: The appendix contains information relating to individuals at the Council and it is considered that disclosure of this information may have a prejudicial or detrimental impact. The privacy rights of such individuals outweigh the public interest in disclosure.</li> <li>• Paragraph 3: The appendix contains information which is commercially sensitive, relating to business information around assets and inventories. Releasing this information would be likely to have a prejudicial impact upon the Council.</li> </ul>
Details of any previous decision(s) on this matter	None

## **1. Purpose of the report**

1.1 This report relates to the provision of the Council's visitor information service, the North Norfolk Visitor Centre (NNVC) premises from which it operates and the alignment of the current or potential operating models with the Corporate Plan. It provides a recommendation on the future of the service and a summary of the alternative options that have been explored in reaching that.

## **2. Introduction & Background**

2.1. The Council has provided a tourist information service for many years. Historically this has been undertaken from premises in several North Norfolk localities but in light of cost pressures and the changing way in which visitors accessed tourist information, the delivery of the service has changed over time through outsourcing, rationalisation and other means of provision. The service has therefore shrunk so that the only remaining District-wide Tourist

Information Centre (TIC) is at the North Norfolk Visitor Centre (NNVC) at the Meadow Car Park in Cromer. Other TICs in the District operate from Mundesley (voluntary/community provision), Holt (Holt Town Council), and Wells-next-the-Sea (provided by Wells Maltings trust). The former Sheringham TIC, previously provided by NNDC, was until recently operated by the North Norfolk Railway under an agreement that essentially outsourced the service; however, the provision of the service terminated following the expiry of the Service Level Agreement (SLA) in 2022.

- 2.2. It is considered that the visitor information service is expensive in comparison to the benefits it brings and that as a non-statutory service, opportunities should be taken to reduce the cost. Many other visitor destinations have reviewed their role in providing TICs, with many choosing to combine the provision with other visitor attractions, providing static or video displays, moving visitor information to a digital platform or ceasing provision altogether.
- 2.3. A review was undertaken of the Council's visitor information service and the premises from which it operates – the North Norfolk Visitor Centre. The review considered all relevant costs and issues and evaluated options for different methods of service delivery, including terminating the service. A business case for a possible alternative (partnership) delivery model with the Norfolk Museums Service was explored, which contemplated the service being delivered from the reception of Cromer Museum; this was considered to involve significant compromises and remained costly to the Council and is therefore not recommended on the basis of value for money.
- 2.4. The net cost of providing the service and wider financial challenges faced by the Council are the key factors influencing the officer recommendation.

### **3. Proposals and Options**

- 3.1 The service review had the following objective:  
*To identify ways of realising savings and/or generating additional income from the visitor information service.*
- 3.2 This report summarises the most suitable options for achieving that objective and sets out the rationale for the recommendation to cease provision of the service altogether.

#### **Current service provision**

- 3.3 The Visitor Information Service caters for a wide range of visitor needs. Visitors engage with the service through various channels, primarily visits to the NNVC, but also by phone calls, via emails, and through social media, from people seeking information on events, accommodation, transport, attractions, walks, and other activities. Staff operating from the NNVC provide a friendly and enthusiastic reception to visitors to the area, and the centre is designed to create a fulfilling and engaging experience. In addition to reactive communications, staff initiate monthly email newsletters and frequently post out information to potential visitors.
- 3.4 The opening (and hence staffing) hours for the NNVC in 2023/4 are as follows:

Summer:	15 May to 10 Sept	Winter:	11 Sept to 12 May
Mon to Sat:	10am to 5pm	Mon to Sun:	10am to 4pm
Sun:	10am to 4pm		



- 3.5 Apart from providing traditional information services – principally display racks, printed literature and face-to-face interaction - the centre plays host to the Deep History Coast (DHC) Discovery Centre, showcasing the region's rich historical heritage through displays and videos. The team at the NNVC also facilitate National Express bookings and they issue the keys to visitors who have made beach hut bookings.
- 3.6 Sales of souvenir merchandise, largely featuring North Norfolk, DHC or Cromer branding, help offset some of the costs; the net sales income, however, is not significant.
- 3.7 The service has very limited links to other NNDC services or delivery partners (e.g. open space/country parks, events, destination marketing, Everyone Active, Open Wide, business support etc.)
- 3.8 The number of visitors to the centre is measured by manually 'clicking' people in and is recorded on a monthly basis. The total number of visitors in 2023 was 82,854 (varying from 14,755 in August to just 2,140 in December that year). Whilst the centre is located in Cromer, it is intended to provide information about the entire destination of North Norfolk.
- 3.9 There are very few destinations, such as North Norfolk, that have retained a physical information service of this kind. Many such destinations have moved over to a Tourist/Visitor Information Point (TIP/VIP) offer (which is not staffed), whilst most of those that do still offer staffed facilities, tend to co-locate them with popular venues, attractions or facilities. TICs are still prevalent in national parks or specific themed locations, such as nature reserves, historic buildings, parks etc. (especially where messages seeking to guide visitor behaviour or interpret the special features of the area are deemed important), or at pay-to-enter attractions, and they exist in certain narrower geographical locations, e.g. towns and cities where facilities are concentrated, and visitor numbers are high.
- 3.10 Whilst the visitor economy (VE) is by far the biggest sector in North Norfolk (latest data (2023) suggested the District welcomed a total of 9,432,400 visitors, providing a total value to the economy of £519,653,378 and supporting an estimated total employment of 11,779 jobs), there is little to suggest how the TIC in Cromer contributes towards that. Fundamentally, it is a service for visitors on their arrival in Cromer, it is unlikely to play a role in attracting them (although it could be argued that the DHC as a brand, together with the installations and video display at the NNVC, does play some role in that).

#### **Budget**

- 3.11 Analysis of the budget for the current financial year (2023/24), showed the total cost as £169,382 (after deducting budgeted income but including internal support services costs of £61,050), showing a potential saving of £105,681 (were the service to cease). Depending on the future lease arrangements of the building, certain minor property related costs would remain. It should be noted that all figures used are taken from the budget figures, not actual expenditure/income. The breakdown of the budget for 2023/24 and the financial analysis of the saving potential is set out in the tables in Appendix 1.

#### **Premises (North Norfolk Visitor Centre)**

- 3.12 The building is located at the Meadow Car Park, Cromer, adjacent to the public conveniences and 'changing places' facility. The floor area of the NNVC is

109.83m<sup>2</sup> (excluding the public conveniences and the lobby); the footprint of the whole building is 239.64m<sup>2</sup>.

- 3.13 Due to its location, design and condition, the building would lend itself to a variety of alternative uses and there are no restrictive covenants preventing alternative use of the building or the use of the adjacent paved areas for concessions or extensions. The following should be noted:
- Planning permission for change of use may be required, depending on proposed use.
  - Sub-meters would need to be fitted to ensure the units are billed separately for electricity usage.
  - Heating serves the whole building via underfloor heating
  - There is a shared lobby, that would be very difficult to segregate (costs include cleaning, automatic door maintenance, window cleaning, decoration, general wear and tear) so a service charge would need to be levied in addition to the rent for the premises.

### **Options reviewed**

- 3.14 The review of the service considered alternative ways in which it might be delivered differently; it also considered different locations from which it might be delivered and also opportunities for the existing building to be used in other ways. The principal options are summarised below, with a commentary about each.

#### *Outsourcing*

- 3.15 Enquiries were made of certain external organisations that were considered as likely candidates for operating the information service, along the lines of the existing model. Whilst it was considered possible to introduce a more commercial approach to delivering the service, the costs of the service were considered to be too high to make this a realistic option for an external organisation, without significant levels of subsidy being provided by the Council. This option was therefore discounted as it would not achieve the objective of significantly reducing the cost of the service to the Council. It would not yield sufficient immediate savings and would expose to Council to uncertain levels of service and potential risks in the medium term, were it not to succeed.

#### *Greater commercialisation*

- 3.16 The service has been operating in its current form for many years and the budget position has scarcely changed. Operating in the manner it has been, relies on relatively high levels of staffing. Due to the limited footprint, and because, as currently designed, the premises has little space for storing retail goods, there is reduced opportunity for diversification from its traditional format. Much of the internal space is taken up with displays and racks of leaflets, with only minimal sales opportunity; the external space surrounding the building has not been well designed for trading outlets (potentially operated by concessions), however, it is adjacent to Cromer's small weekly market. The limitations on the premises therefore constrain the opportunities to yield sufficient income to offset the significant existing service costs; in addition to which, the Council does not have the necessary experience of running a retail type operation that might generate and the necessary levels of income or profit to the Council.

*Delivery in partnership with an externally run facility*

- 3.17 A number of Councils operate TICs alongside other facilities, and indeed, this has been done in North Norfolk previously in the case of the North Norfolk Railway in Sheringham and at Wells Maltings (an arrangement that continues, with the goodwill of Wells Maltings Trust, at no cost to the Council). The service operated at the NNVC could be provided in collaboration with other facilities, although the Council does not have a prominent role in any of these, in which case some form of incentive would be required in order for a partnership arrangement to work.
- 3.18 Given that the service is district/destination wide, an accessible central location is considered essential. Having reviewed options, officers explored the opportunity for the service to operate from the reception at Cromer Museum, a facility operated by Norfolk County Council. The business case for such an option was explored in some depth but given the likely costs and compromises that would be deemed necessary in order for this to work, the option was unable to achieve the objective of significantly reducing the cost of the service; nor would it provide co-benefits for the museum without extensive subsidy from the Council.
- 3.19 Alternative visitor information provision opportunities may exist within other Council owned assets, such as Cromer Pier. Should closure of the existing facility be agreed, the Council will be open to ideas/options presented by its tenants and/or service delivery partners.

*Replacing the service by digital provision*

- 3.20 A number of local authorities across the country have changed their TIC service away from a physical service to one which is self-serving, for example with static displays and interactive screens, or just a virtual offer, e.g. via an app. This could be done within North Norfolk (or beyond) as a means of spreading the locations from which visitor information is available, potentially siting 'tourist information points' (TIPs) at attractions and popular locations. This would not rely on a fixed place and time, therefore freeing up the NNVC premises and staffing, whilst enabling a 365-day, 24/7 access to information. The very traditional model by which the TIC has operated however, doesn't respond well to the trend in visitor information. At the time the centre was refurbished and transformed into the DHC discovery centre, a DHC app was also developed. The app has proven to be relatively popular, and has been kept operational, however there is little to suggest what the levels of demand (or the benefits) for an expansion of this to wider visitor information might be. Obviously major tech companies, such as Google and Tripadvisor, provide extensive information about all destinations, including user generated content (UGC). There is little point in competing with these popular online services; however, it should be accepted that such provision does not meet the needs of people who are not able to, or choose not to, rely on on-line content. A local in-situ model could be developed – perhaps using interactive screens - but the costs and benefits of doing so are difficult to predict. Insufficient certainty exists about set up and future costs or benefits of this service model, however, if it were deemed to become a beneficial way of delivering the service, and funding was available (perhaps via grants), it could be considered at a later date. This does not impact on the options for the future use of the NNVC premises at present.

#### **4. Corporate Priorities**

- 4.1. Various elements of the Corporate Plan and Annual Action Plan relate to matters addressed in this report. These are quoted below.

##### **Investing in our Local Economy and Infrastructure:**

- *“Continuing to promote North Norfolk’s diverse tourism and visitor offer”*

Action Plan 2024/25

*“Continue to support and work with Visit North Norfolk to promote North Norfolk as a key visitor destination with a diverse visitor offer”*

##### **A strong responsible and accountable Council**

- *“We will ensure the Council maintains a financially sound position, seeking to make best use of its assets and staff resources, effective partnership working and maximising the opportunities of external funding and income.”*
- *“Reviewing contract and partnership arrangements to ensure the most appropriate and efficient means of delivering services to our diverse communities and customers”*
- *“Reviewing service delivery arrangements so as to realise efficiencies without compromising service standards and outcomes”*
- *“Investigating the implementation of a Tourist Tax to finance the provision and maintenance of visitor infrastructure so that the costs do not fall directly on local Council Taxpayers/making sure tourism pays for itself”*
- *“Continuing a service improvement programme to ensure our services are delivered efficiently”*
- *“Exploring opportunities to work further with stakeholders and partner organisations”*

Action Plan 2024/25

*“Review the Council’s approach to Asset Commercialisation to reflect the findings of the Corporate Peer Challenge in seeking to realise new and emerging opportunities around the use of the Council’s land and property assets through preparing a revised Asset Management Strategy by September 2024.”*

#### **5. Financial and Resource Implications**

- 5.1 The net annual revenue saving from the proposed approach amounts to £92,000 against the existing budget for the service. This is made up of:
- reduction in staffing and related costs
  - reduction in property related costs for the existing premises
  - income from letting the existing premises (based on the professional advice of the Council’s Estates and Asset Strategy Manager, having regard to comparable premises).

- 5.2 The existing budget breakdown is set out in Appendix 1, together with the breakdown of the projected savings.
- 5.3 Any decision to cease operation of the Visitor Information Service would place three members of staff at risk or redundancy. In such cases the Council operates a redeployment policy, but in the event that impacted staff are not able to be redeployed details of the redundancy costs which the Council would need to meet are provided in table 2 of Appendix 1
- 5.4 Matters relating to the lease of the existing property to a third party would be taken forward by staff in the Council's Estates and Legal teams.

**Comments from the S151 Officer:**

The Council are required to set a balanced budget for 2025/26. The revenue savings from the proposed approach of £93,000 will help to close the £1.8 million budget gap the Council is currently facing.

**6. Legal Implications**

- 6.1. The recommended approach is not believed to give rise to the need for any specific legal issues. The lease of the existing premises to a third party will be led by the Council's Estates team and any redundancy procedures would be led by the Council's HR team.

**Comments from the Monitoring Officer**

Whilst no legal issues are identified at this stage, Eastlaw are available to provide advice and assistance as may be needed.

**7. Risks**

- 7.1. Risks principally relate to reputational matters, caused by the loss of a service and DHC assets that visitors, relevant local businesses and some residents might value. A carefully conceived and well executed communications strategy will be necessary in order to mitigate the reputational harm.

**8. Net ZeroTarget**

- 8.1. The recommended approach will not alter the overall emissions for which the Council is responsible, however, it will shift emissions from scope 2 (electricity used by the Council directly) to scope 3 (electricity used by tenants of Council premises).

**9. Equality, Diversity & Inclusion**

- 9.1. No relevant matters arise from the contents of this report

**10. Community Safety issues**

- 10.1. No relevant matters arise from the contents of this report

## **11. Conclusion and Recommendations**

- 11.1 There is clearly an opportunity to reduce the cost of the visitor information service; its delivery in the current form is considered to be anachronistic and expensive. Alternative methods of delivering the service (as is) have been evaluated and are not considered to provide value for money for the Council, nor to yield other overriding benefits. Alternative means of providing visitor information will continue to be explored, together with partner organisations and other interested parties.
- 11.2 The existing NNVC premises could be let in order to provide on-going income to the Council. Alternative (Council-related) uses for the building are not considered to be of sufficient benefit in relation to the loss of income to which this would give rise.

**The recommendation is that Cabinet agree to the Council withdrawing from the provision of a physical Visitor Information Service from the North Norfolk Information Centre building at The Meadow Car Park, Cromer (these proposals do not involve the closure of the public toilets also provided from the building) to deliver a financial saving of approx. £93,000 for the 2025/26 budget.**

**If Cabinet are minded to agree with the above recommendation, it is also recommended that they agree to: -**

- **Advertise the premises occupied by the Visitor Information Centre service as available for let with expressions of interest invited by Friday 28 March 2025.**
- **Officers considering alternative means of providing visitor information within the town and wider district – including strengthening an online presence, a commercial arrangement with providers of electronic information boards and poster sites / leaflet stands in prominent locations**
- **The relocation of the Deep History Coast display to another location in the town being explored with a preference for this to be accommodated in Cromer Museum recognising the partnership nature of the development of the Deep History Coast initiative with the Norfolk Museums Service.**

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# Agenda Item 9

<b>Delegated Decisions (December 2024 to January 2025)</b>	
<b>Executive Summary</b>	This report details the decisions taken under delegated powers from December 2024 to January 2025.
<b>Options considered</b>	Not applicable – the recording and reporting of delegated decisions is a statutory requirement.
<b>Consultation(s)</b>	Consultation is not required as this report and accompanying appendix is for information only. No decision is required, and the outcome cannot be changed as it is historic, factual information.
<b>Recommendations</b>	<b>To receive and note the report and the register of decisions taken under delegated powers.</b>
<b>Reasons for recommendations</b>	<p>The Constitution: Chapter 6, Part 5, sections 5.1 and 5.2 details the exercise of any power or function of the Council where waiting until a meeting of Council or a committee would disadvantage the Council. The Constitution requires that any exercise of such powers should be reported to the next meeting of Council, Cabinet or working party (as appropriate)</p> <p>Section 2.1 sets out the requirements regarding the reporting of conditional delegated decisions.</p>
<b>Background papers</b>	Signed delegated decision forms.

<b>Wards affected</b>	All
<b>Cabinet member(s)</b>	Leader, Cllr T Adams
<b>Contact Officer</b>	Cara Jordan, Monitoring Officer <a href="mailto:Cara.jordan@north-norfolk.gov.uk">Cara.jordan@north-norfolk.gov.uk</a>

<b>Links to key documents:</b>	
Corporate Plan:	N/A
Medium Term Financial Strategy (MTFS)	N/A – information report only
Council Policies & Strategies	N/A

<b>Corporate Governance:</b>	
Is this a key decision	No
Has the public interest test been applied	Yes – no exempt information is included.
Details of any previous decision(s) on this matter	Dates of any Cabinet decisions providing delegated authority are included in the attached appendix.

## **1. Purpose of the report**

- 1.1 This report summarises any decisions taken under delegated powers since December 2024.
- 1.2 Delegated decisions are available to the public through the website and are reported to Members via Cabinet. The process for reporting and consulting on these decisions is contained in the Constitution at Chapter 6, 2.1 (Conditional Delegation) and 5.1 and 5.2 (Full Delegation to Chief Officers) and the publication of these decisions is a legal requirement.
- 1.3 Historic lists are available on the Council's website.

## **2. Introduction & Background**

- 2.1 The Constitution requires that for the exercise of any power or function of the Council in routine matters falling within established policies and existing budgets, where waiting until a meeting of the Council, a committee or working party would disadvantage the Council, an elector or a visitor to the District, then the officer exercising the power must consult with the Leader, the relevant portfolio holder and if it relates to a particular part of the District, the local member.
- 2.2 For the exercise of any power or function of the Council, which in law is capable of delegation, in an emergency threatening life, limb or substantial damage to property within the District, the senior officer shall consult with the Leader or the Deputy Leader.
- 2.3 Overview and Scrutiny Committee can request to review the delegated decisions list at their meetings so they can fully understand why they were taken and assess the impact on the Council.

## **3. Proposals and Options**

No alternative proposals and options are set out in this report as it is a factual report, for information only and provided to ensure compliance with statutory reporting requirements.

## **4. Financial and Resource Implications**

The majority of decisions recorded have been delegated by Cabinet at a formal meeting and the financial implications have been set out clearly as part of the committee report. For any other decisions, financial implications are set out on the delegated decision form and summarised in Appendix A (attached)

## **5. Legal Implications**

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require that all decisions, including those taken by officers, must state:

- The decision taken and the date it was made
- The reasons for the decision

- Details of options considered and rejected and the reasons why they were rejected
- Declarations of interest and any dispensations granted in respect of interests

Officers taking a decision under delegation are required to complete a delegated decision form.

**6. Risks**

There is a reputational risk if the Council does not comply with the statutory requirements (set out in section 5 above)

Any risks relating to individual delegated decisions were set out as part of the initial committee report and/or included in the delegated authority form.

**7. Net Zero Target**

Not applicable. No decision is being taken; this report is for information only.

**8. Equality, Diversity & Inclusion**

Not applicable. No decision is being taken; this report is for information only.

**9. Community Safety issues**

Not applicable. No decision is being taken; this report is for information only.

**10. Conclusion and Recommendations**

Each decision has been recorded and a summary is provided at Appendix A

**Recommendation:**

**Cabinet is asked to receive and note the register of decisions taken under delegation.**

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## Record of Decisions taken under Delegated Authority (Appendix A)

Delegated Power being exercised; <i>*see footnote</i>	Key Decision y/n	Officer / Member exercising Delegation	Details of decision made	Date of decision	Date Reported to Cabinet
Chapter 2, Section 2.1	No	Tina Stankley – Director of Resources/S151 Officer	To allocate funding of £74,000 from the Asset Management reserve to fund capital budget 8419 (Cromer Pier Theatre Backstage Refurbishment)	05 December 2024	20 January 2025
Chapter 3, Part 3, Section 1.1	No	Cllr Andrew Brown Portfolio Holder for Planning & Enforcement	To designate the parish of Trunch as an area suitable for undertaking neighbourhood planning.	13 December 2024	20 January 2025
Chapter 3, Part 3, Section 1.1	No	Cllr Andrew Brown Portfolio Holder for Planning & Enforcement	To designate the parish of Weybourne as an area suitable for undertaking neighbourhood planning..	13 December 2024	20 January 2025

January 2025

*\* Chapter 6; Conditional delegation Section 2.1, Full delegation to Chief Officers Section 5.1 - Routine matters, Section 5.2 Emergency powers*

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<b>Council Tax Support Scheme: Final scheme for working age people for 2025/26</b>	
<b>Executive Summary</b>	<p>NNDC operates a scheme which reduces the council tax bills of eligible working age people on low incomes known as the Council Tax Support (CTS) scheme. NNDC is free to decide the rules for its own CTS schemes for working-age people in our area, taking into account certain government requirements. There are national regulations for a CTS Scheme for customers who have reached pension age. This report only refers to NNDC's CTS Scheme for working-age people.</p> <p>NNDC's CTS Scheme is reviewed annually, and the rules can only be amended from the start of a financial year. The initial stages of the setting the Council's 2025/26 budget identified a £1.8m deficit.</p> <p>Services were asked to consider where savings could be realised, and the annual review of the CTS scheme presented an opportunity to potentially achieve some savings. A working party was formed to review proposals to the CTS scheme for 2025/26.</p> <p>The working party came up with a revised scheme and agreed to go to consult the public about the proposed changes. The public consultation ran from 24<sup>th</sup> October 2024 to 24<sup>th</sup> November 2024. A total of 96 responses were received and the results are summarised at Appendix D.</p> <p>No further changes are proposed to the draft scheme following the consultation.</p>
<b>Options considered</b>	<p>The working party were presented with the proposed changes to the CTS scheme.</p> <p>The draft scheme is largely a continuation of the 2024/25 CTS scheme for working-age people. The proposed changes align the scheme with Universal Credit, to simplify the process of claiming, and to bring efficiencies in the administration of these CTS claims.</p> <p>A summary of the scheme rules is included in the report to the working party and is included at D.</p> <p>The CTS Scheme rules will also continue to reflect any relevant welfare benefit changes made to the working-age Housing Benefit scheme or Pension Age CTS scheme.</p>
<b>Consultation(s)</b>	<p>The CTS regulations state that the Council must consult our major preceptors, then draft a CTS Scheme to go to public consultation.</p> <p>Norfolk County Council (NCC) and Norfolk's Police and Crime Commissioner (PCC) were consulted. NCC have confirmed they agree with the proposed changes. We did not receive a response from the PCC.</p> <p>The public consultation ran for four weeks from 24<sup>th</sup> October 2024 to 24<sup>th</sup> November 2024. A total of 96 surveys were</p>

	<p>completed, an increase of 80% compared to the consultation run in 2021.</p> <p>The full results of the survey, including all the comments, are included in the CTS Consultation Evaluation which is shown at Appendix E. This report should be read in conjunction with the evaluation.</p> <p>The responses show that most people agreed with the proposed changes.</p>
<b>Recommendations</b>	Cabinet is asked to note the consultation responses and to recommend to full Council that the CTS scheme for 2025/26 is implemented as the final working-age CTS Scheme for 2025/26. This must be agreed by full Council at its meeting on 19 <sup>th</sup> February 2025 as part of the budget setting process to start on 1 April 2025.
<b>Reasons for recommendations</b>	To ensure a CTS scheme for working-age people for 2025/26 is agreed by full Council by 19 <sup>th</sup> February 2025.
<b>Background papers</b>	<p>Council Tax Support Scheme 2024/25</p> <p>Working Party Proposals – 1<sup>st</sup> October 2024</p> <p>Working Party Public Consultation Evaluation – 5<sup>th</sup> December 2024</p> <p>Public Consultation Questionnaire</p> <p>Public Consultation Explanatory Notes</p>

<b>Wards affected</b>	All
<b>Cabinet member(s)</b>	<p>Portfolio Holder - Wendy Fredericks</p> <p>Working Party – Cllr Tim Adams, Cllr Jill Boyle, Cllr Peter Netherway, Cllr Peter Fisher, Cllr Victoria Holliday</p>
<b>Contact Officer</b>	Trudi Grant, Benefits Manager

<b>Links to key documents:</b>	
Corporate Plan:	The CTS Schemes supports the Corporate Priority to Support our Communities.
Medium Term Financial Strategy (MTFS)	<p>CTS is treated as a council tax discount and the financial impact is shown as Band D equivalent properties as part of our annual taxbase calculation. This forms part of the council tax and budget setting process for 2025/26.</p> <p>The proposed changes forecast an increase to the number of Band D equivalent properties.</p>
Council Policies & Strategies	Council Tax Support Scheme

<b>Corporate Governance:</b>	
Is this a key decision	Yes
Has the public interest test been applied	



Details of any previous decision(s) on this matter	5 <sup>th</sup> December 2024 – Agreement from the CTS Working Party to recommend the proposed changes are moved forward to cabinet.
----------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------

## 1. Purpose of the report

- 1.1 NNDC operates a scheme to help households on low incomes with the cost of their council tax by reducing their council tax bill. This is known as the Council Tax Support (CTS) scheme. There are national regulations for a CTS Scheme for customers who have reached pension age, but we are free to decide the rules for our own CTS schemes for working age people in our area, taking into account certain government requirements.
- 1.2 This report outlines the steps that have been taken to finalise our working age CTS Scheme for 2025/26. The final CTS scheme for 2025/26 must now be agreed by full Council at its meeting on 19<sup>th</sup> February 2025 ready for implementation on 1 April 2025.

## 2. Introduction & Background

- 2.1 Council Tax Support (CTS) was introduced in April 2013 as a replacement to Council Tax Benefit (CTB) which had been a national Welfare Benefit. The changes were introduced by the Local Government Finance Act following the 2010 Spending Review as part of the Government's wider Welfare reform programme which aimed to:
  - Improve the incentives to work.
  - Protect the most vulnerable people in society including full protection for pensioners previously on council tax benefit.
  - Deliver fairness to people claiming benefits and to the taxpayer ensuring that resources are used more effectively.
  - Make savings to the overall welfare bill.
- 2.2 Council Tax Benefit was previously funded 100% by Central Government subsidy. Prior to 2023, the authority received a CTS Administration Grant. In 2022, this was approx. £137k.
- 2.3 From 2023, the central government contribution towards our administrative costs for the scheme is included as part of the Revenue Support Grant (RSG), but it is not possible to calculate the amount of the grant that relates to the administration of the scheme as the RSG combines several grants. There is no other separate central government funding for CTS schemes.
- 2.4 For 2013/14 the Government made available one-off funding to support Local Authorities that implemented schemes that met set criteria, which essentially included the following:
  - Those previously entitled to 100% support under the previous Council Tax Benefit system would pay no more than 8.5% of their net council tax liability (91.5% discount).
  - The taper rate does not increase above 25%.
  - There is no sharp reduction in support for those entering work, therefore maintaining a positive incentive to work.
- 2.5 The above criteria were used to develop the North Norfolk scheme for 2013/14, and the main scheme principles have remained unchanged since then.

- 2.6 The responsibility for designing and administering the CTS scheme sits with the Council (the billing authority) but it has implications on the Council Tax generated for all major precepting authorities, namely Norfolk County Council and the Police and Crime Commissioner.
- 2.7 With the initial stages of the budget setting exercise for the 2025/26 budget forecasting a £1.8m deficit, measures needed to be taken to reduce expenditure and identify to bridge the funding gap.
- 2.8 A review of the Council Tax Support Scheme presented an opportunity to find savings. Whilst there are significant deficits to address in future years which is the reason Members agreed to increasing council tax by maximum level, it was recommended that the Working Party consider making changes to the current scheme to reduce the levels of expenditure going forward.
- 2.9 The proposed changes to the current scheme present an opportunity to maximise system automation through alignment with Universal Credit which will realise savings to the council.

### **3. Proposals and Options**

- 3.1 The Council's scheme, introduced in 2013/14, met the government's default criteria and therefore was eligible for transitional funding. The scheme essentially reduced CTS by 8.5%, which meant that those of a working age, depending on other criteria, would be required to pay 8.5% of their council tax liability i.e. a discount of 91.5%.
- 3.2 The initial scheme has been extended into 2024/25 seeing certain rules being amended to reflect wider welfare reform changes, including amendments to the Housing Benefit rules and the introduction of Universal Credit.
- 3.3 The current 2024/25 scheme assesses people's income against an allowed amount, called an 'applicable amount'. If their income is less than the applicable amount they receive full CTS, subject to an 8.5% contribution if they are working age. If their income is more than the applicable amount their CTS is reduced by 20p for every extra £1. The key points of our current CTS Scheme are shown in the Working Party CTS Proposals included at Appendix A.
- 3.4 To fulfil the requirement to consider vulnerable groups, CTS is paid based on the national, more generous scheme for those who have reached the qualifying age for State Pension Credit. Entitlement to CTS in these cases is based on 100% of their weekly Council Tax bill.
- 3.5 To protect other vulnerable groups, where the applicant and/or partner are in receipt of a War Pension, and/or disability benefits such as Attendance Allowance, Disability Living Allowance or Personal Independence Payments, income from such benefits will be disregarded in full.
- 3.6 In all other areas the CTS scheme rules will follow the rules for working age Housing Benefit claims.

#### **The proposed Council Tax Support Scheme - 2025/26**

- 3.7 A Council Tax Support Working Party was formed to review the proposed CTS scheme for 2025. The Working Party were presented with several options which were discussed but not all were formally presented as they would not have been

acceptable to the Council and major preceptors. The following two options were formally presented.

- 3.8 **Option 1 - No change** – Maintain the existing (default) scheme which has been in place since 2013/14 with no significant changes to the working age scheme. The default scheme does not align with Universal Credit. Under the default scheme, Council Tax Support is different for households who get Universal Credit compared to those on legacy benefits. This makes the assessment process for Council Tax Support more difficult and time consuming for officers.
- 3.9 **Option 2 - Review the current scheme and implement a revised scheme which would align with Universal Credit** - to update the scheme to align with Universal Credit by changing elements of the scheme. The recommended permutations would include: -
- Introducing a flat rate CTS non-dependent deduction. A non-dependent is considered as someone aged 18 or over who lives in the claimant's home or is using their home as a main residence other than on a commercial basis. An example of a non-dependant would be an adult son/daughter or other relative.
  - Reducing the period of backdated awards from 6 months to 1 month. Where continuous good cause is shown, a claim can be backdated for a period of up to six months. A working age Housing Benefit claim can only be backdated for a period of up to one month.
  - Removing the additional earnings disregard of £17.10 per week (actual cost to household would be £3.42 per week after 20% taper applied). There are currently 300 households in receipt of this disregard. By removing this disregard, we can reduce administration costs to the council by further automation of UC notifications. The claimant will see a greater gain than £3.42 in their UC award as this is a more generous benefit.
- 3.10 The working party recommended Option 2 as their preferred choice with all permutations, and selected this as the option to go to public consultation. Full details of the options are in the original report to the working party which can be seen at Appendix A.

#### **4. Corporate Priorities**

- 4.1 The CTS scheme supports the Corporate Plan Objectives – Financial Sustainability, and Growth and Quality of life.

#### **5. Financial and Resource Implications**

- 5.1 CTS is treated as a council tax discount and the financial impact is shown as Band D equivalent properties as part of our annual taxbase calculation. This forms part of the council tax and budget setting process for 2025/26.
- 5.2 The proposed changes forecast a decrease to the cost of the scheme and subsequently an increase to the number of Band D equivalent properties in the Council Tax base.
- 5.3 The proposed changes to the scheme would incur negligible cost or resource.

### **Comments from the S151 Officer:**

If the scheme is not approved by full Council at its meeting on 19 February 2025 then the Council cannot set its budget for 2025/26. All reasonable steps have been taken to propose a fair scheme with Members and the public being fully consulted on the proposed revisions to the scheme. There is a positive impact on the taxbase which provides a financial benefit to the Council therefore the S151 Officer recommends that full Council approve the scheme when they consider the scheme on 19 February 2025.

## **6. Legal Implications**

6.1 The regulations require us to agree a CTS Scheme for the 2025/26 financial year by 11 March 2025, although in practice it must be agreed by 19<sup>th</sup> February 2025 as it forms part of the council's taxbase and budget setting process.

### **Comments from the Monitoring Officer**

The Council Tax Support Scheme, with regard to working aged people, can be set by the Council. Following a required consultation, the proposed scheme does not make significant changes to the one prior, but needs to be agreed as part of the budget setting for the next financial year.

## **7. Risks**

7.1 Failure to agree a CTS Scheme by 19<sup>th</sup> February 2025 means that we are unable to set our council taxbase and budget for 2025/26.

7.2 The budget impact of the CTS scheme is based upon the household numbers described above which form the basis of the Financial Plan. The impact will be affected by the changing circumstances and demographic of our taxpayers; for example, household welfare, age mix and additional households entering our tax base.

7.3 The CTS scheme is based on an assessment of a household's income against an allowed amount. The cost-of-living crisis is not causing an increase in the CTS caseload as household incomes are generally stable or rising with higher wage and benefit increases. However, household expenditure is also increasing causing pressure on household budgets. Other support with these rising costs is being given by us (for example through the Household Support Fund), from government and from other organisations.

7.4 In the current economic climate, the changes to the scheme will provide flexibility in our financial structure to withstand any future increases to the CTS caseload.

7.5 If the CTS caseload falls or the cost of the scheme falls our taxbase and council tax income will increase, creating a surplus on the Collection Fund.

7.6 The impact of the CTS scheme is, and will continue to be, operationally reviewed monthly.

## **8. Net Zero Target**

8.1. The scheme does not impose any implications to the council's net zero targets.

## **9. Equality, Diversity & Inclusion**

- 9.1 The Equality Impact Assessment form is included in the Working Party proposals shown at Appendix E. The CTS scheme continues to have positive equality impacts as it maintains support for low income households, whilst protecting those with relevant protected characteristics. It also continues to provide help to residents not in vulnerable groups or covered by equality considerations.

## **10. Community Safety issues**

- 10.1 None

## **11. Conclusion and Recommendations**

- 11.1 This report is given as a summary of the proposals of the changes to the Council Tax Support scheme for 2025/26 along with the public consultation responses.
- 11.2 The scheme for 2025/26 must be agreed by full Council by the operational deadline of 19<sup>th</sup> February 2025.

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# Council Tax Support Scheme 2025/26 Working Party Report

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## 1.0 - INTRODUCTION AND BACKGROUND

- 1.1 This paper provides a background to the current Local Council Tax Support Scheme (CTS) for North Norfolk along with current and historical information on caseloads, statistical and financial information.
- 1.2 The paper asks the working party to consider options for changes to the scheme for 2025/26 or for the scheme to remain the same.
- 1.3 Council Tax Support (CTS) was introduced in April 2013 as a replacement to Council Tax Benefit (CTB) which had been a national Welfare Benefit. The changes were introduced by the Local Government Finance Act following the 2010 Spending Review as part of the Government's wider Welfare reform programme which aimed to:
- Improve the incentives to work.
  - Protect the most vulnerable people in society including full protection for pensioners previously on council tax benefit.
  - Deliver fairness to people claiming benefits and to the taxpayer ensuring that resources are used more effectively.
  - Make savings to the overall welfare bill.
- 1.4 Council Tax Benefit was previously funded 100% by Central Government subsidy. Prior to 2023, the authority received a CTS Administration Grant. In 2022, this was approx. £137k.
- 1.5 From 2023, the central government contribution towards our administrative costs for the scheme is included as part of the Revenue Support Grant (RSG), but it is not possible to calculate the exact proportion of the grant that relates to the administration of the scheme as the RSG combines several grants. There is no other separate funding for CTS schemes.
- 1.6 For 2013/14 the Government made available one-off funding to support Local Authorities that implemented schemes that met set criteria, which essentially included the following:
- Those previously entitled to 100% support under the previous Council Tax Benefit system would pay no more than 8.5% of their net council tax liability (91.5% discount).
  - The taper rate does not increase above 25%.
  - There is no sharp reduction in support for those entering work, therefore maintaining a positive incentive to work.
- 1.7 The above criteria were used to develop the North Norfolk scheme for 2013/14, and the main scheme principles have remained unchanged since then.
- 1.8 The responsibility for designing and administering the CTS scheme sits with the Council (the billing authority) but it has implications on the Council Tax generated for all major precepting authorities, namely Norfolk County Council and the Police and Crime Commissioner.

- 1.9 With the 2025/26 budget for the Council at present being forecast at a £1.8m deficit, this is requiring the Council to challenge all areas of spend and to look for opportunities to reduce the funding gap.
- 1.10 Services have been asked to consider where savings could be realised from elements of service delivery, and a review of the Council Tax Support Scheme presents an opportunity. Whilst there are significant deficits to address in future years which is the reason Members agreed to increasing council tax by maximum level, it is recommended that the Working Party consider making changes to the current scheme to reduce the levels of expenditure going forward.

## 2.0 - THE CURRENT COUNCIL TAX SUPPORT SCHEME

- 2.1 The Council's scheme, introduced in 2013/14, met the government's default criteria and therefore was eligible for transitional funding. The scheme essentially reduced CTS by 8.5%, which meant that those of a working age, depending on other criteria, would be required to pay 8.5% of their council tax liability i.e. a discount of 91.5%.
- 2.2 The initial scheme has been extended into 2024/25 seeing certain rules being amended to reflect wider welfare reform changes, including amendments to the Housing Benefit rules and the introduction of Universal Credit.

The following outlines the current 2024/25 scheme for North Norfolk District Council

### **Current Scheme Criteria:**

- 2.3 Our current CTS scheme assesses people's income against an allowed amount, called an 'applicable amount'. If their income is less than the applicable amount they receive full CTS, subject to an 8.5% contribution if they are working age. If their income is more than the applicable amount their CTS is reduced by 20p for every extra £1.
- 2.4 The key points of our current CTS Scheme are shown in table 1.

<b>Table 1:</b>	<b>Our Current Local Scheme</b>	<b>National Pension Age Scheme</b>
Maximum level of Support	91.5%	100%
Weekly Deduction for a Non-Dependant based on their level of income:		
<ul style="list-style-type: none"> <li>• Passported benefit</li> <li>• Not working or claiming passported benefit</li> <li>• Weekly Earnings £255.99 or less</li> <li>• Weekly earnings between £256.00 to £444.99</li> <li>• Weekly earnings between £445.00 to £553.99</li> <li>• Weekly earnings £554.00 and over</li> </ul>	£0.00 * £4.90 £4.90 £10.05 £12.60 £15.10	£0.00 ** £4.90 £4.90 £10.05 £12.60 £15.10
Weekly Earnings Disregard		
<ul style="list-style-type: none"> <li>• Single</li> <li>• Couple</li> <li>• Disabled or Carer</li> <li>• Lone Parent</li> <li>• Additional earnings disregard (working 16/30 hours)</li> </ul>	£5.00 £10.00 £20.00 £25.00 £17.10	£5.00 £10.00 £20.00 £25.00 £17.10
Backdating	6 months	3 months
Tariff income for capital	£1 for every £500 over £6,000	£1 for every £500 over £10,000
Maximum level of capital	£16,000	£16,000
War Pensions disregard	Full disregard	Full disregard
Second Adult Rebate can be calculated where there is only one liable person for Council Tax and at least one other adult occupies the property as a non-liaible person.	Yes	Yes

\* If a claimant/partner are in receipt of DLA or PIP (daily living component) then exempt from non-dependant deduction.

\*\* If claimant/partner in receipt of AA then exempt from non-dependant deduction.

2.5 To fulfil the requirement to consider vulnerable groups, CTS is paid based on the national, more generous scheme for those who have reached the qualifying age for State Pension Credit. Entitlement to CTS in these cases is based on 100% of their weekly Council Tax bill.

2.6 To protect other vulnerable groups, where the applicant and/or partner are in receipt of a war pension, and/or disability benefits such as attendance allowance, disability living allowance or Personal Independence Payments, income from such benefits will be disregarded in full.

2.7 In all other areas the CTS scheme rules will follow the rules for working age Housing Benefit claims.

### 3.0 - COUNCIL TAX SUPPORT EXPENDITURE

3.1 CTS expenditure had been steadily increasing as shown below. This is due to increases to council tax charges and the income maximisation work to find households missing out on financial support. This is illustrated in table 2.

**Table 2:**

Year	Total CTS expenditure	
2020	£	7,543,581.60
2021	£	7,664,169.54
2022	£	7,738,647.92
2023	£	8,052,256.45
Sep-24	£	7,985,277.36

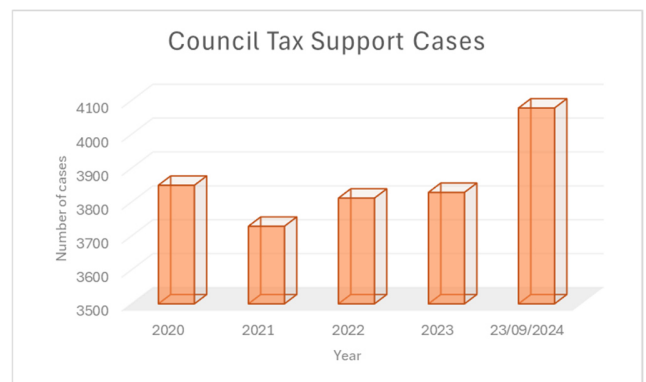
3.2 In 2023, CTS expenditure for pension age applicants was £4.1 million, 51% of the total of all CTS expenditure. This is currently being mirrored in expenditure for 2024/25 year. The Council is unable to make any changes to the Prescribed CTS Pensioner scheme. Therefore, any savings provisions within the CTS scheme will fall within the 49% (£3.9 million) of working age CTS expenditure.

### 4.0 – COUNCIL TAX SUPPORT RECIPIENTS

4.1 The overall Council Tax Support caseload has started to increase as shown in table 5 below. The number of working age Council Tax Support claims has started to rise, mainly due to our take up campaign work connected to Universal Credit migration, and due to more households now qualifying for support due to an increased Council Tax charge. This is represented in table 3.

**Table 3:**

	Working Age CTS	Pension Age CTS	Total CTS claims
2020	2282	1568	3850
2021	2265	1464	3729
2022	2422	1390	3812
2023	2427	1402	3829
23/09/2024	2676	1402	4078



## 5.0 - UNIVERSAL CREDIT (UC) CONSIDERATIONS

- 5.1 The full version of UC has been available in every part of the UK since December 2018, meaning that it is now the only option for any working-age people wishing to apply for means-tested assistance. It is no longer possible for working-age households to make a new claim for a legacy benefit (there are some exceptions for temporary and supported housing) or tax credits which are being replaced.
- 5.2 Under the latest plans, households claiming one of the six legacy benefits will be invited to transfer to Universal Credit. Full migration to Universal Credit is due to be completed by December 2025.
- 5.3 The process of migration will affect over 1000 households in North Norfolk currently claiming Housing Benefit. Households will receive a “migration notice” from the Department for Work and Pensions (DWP), inviting claimants to move across. Since April 2024, we have seen over 300 households migrate.
- 5.4 Universal Credit requires earnings to be updated every month which means the Council Tax Support claim is updated every month, triggering a notification letter and council tax bill each time. This also makes budgeting for the household difficult.
- 5.5 Keeping a Council Tax Support scheme for working age households that is based on the default scheme won't maintain the status quo with Universal Credit. One of the key issues councils are experiencing is the increase to the administration of Council Tax Support.

## 6.0 - FUTURE COUNCIL TAX SUPPORT SCHEME OPTIONS

- 6.1 The Working Party is asked to consider the following options for the CTS scheme 2025/26 for working age applicants. (Pensioners falling under the prescribed scheme cannot be changed locally).
- 6.2 **No change** – Maintain the existing (default) scheme which has been in place since 2013/14 with no significant changes to the working age scheme. The default scheme does not align with Universal Credit. Under the default scheme, Council Tax Support is different for households who get Universal Credit compared to those on legacy benefits. This makes the assessment process for Council Tax Support more difficult and time consuming for officers. See table 5.
- 6.3 **Review the current scheme and implement a revised scheme which would align with Universal Credit** - to update the scheme to align with Universal Credit by changing elements of the scheme. The recommended permutations would include: -
- 6.4 Introducing a flat rate CTS non-dependent deduction. A non-dependent is considered as someone aged 18 or over who lives in the claimant's home or is using their home as a main residence other than on a commercial basis. An example of a non-dependant would be an adult son/daughter or other relative.

- 6.5 In the current CTS scheme, there are five bands between zero and £15.10. The deduction is based upon the income of the non-dependent.
- 6.6 Our data confirms that there are currently 566 working age CTS cases with one or more non-dependents in the household; 129 of these cases are households with long-term health conditions or a disability, and/or currently in receipt of Employment Support Allowance (Income Related). These households would be entitled to the Limited Capability for Work (LCW) element of UC when they migrate, which will make them exempt from attracting a non-dependant deduction.
- 6.7 The remaining 437 cases will attract a non-dependant deduction. A flat rate of £10 for each non-dependent will result in 397 of these cases having a higher non-dependant deduction applied compared to the current deduction; 40 cases will see the non-dependent deduction reduce if a flat rate is applied.
- 6.8 Where a flat rate non-dependent deduction is applied, the non-dependent would be expected to contribute to the Council Tax bill from their own income.
- 6.9 Reducing the period of backdated awards from 6 months to 1 month. Where continuous good cause is shown, a claim can be backdated for a period of up to six months. A working age Housing Benefit claim can only be backdated for a period of up to one month.
- 6.10 The proposal is to align the allowed backdated period for working age Council Tax Support with Housing Benefit. Pension age claims can be backdated up to three months under HB and CTS schemes in line with prescribed requirements.
- 6.11 In 2023/24 we awarded an additional £17,500 in CTS under backdating cases based on a maximum award of up to 6 months. Whilst this is not a significant saving to the cost of the scheme this would align with Housing Benefit and Universal Credit schemes bringing consistency for the customer and administration. Pension Age customers would still be able to claim up to a 3 month backdate award. We are unable to forecast the cost saving to the scheme for 2025/26 as this is application based. This proposal would also bring administration savings to the claim process.
- 6.12 Removing the additional earnings disregard of £17.10 per week (actual cost to household would be £3.42 per week after 20% taper applied). There are currently 300 households in receipt of this disregard. By removing this disregard, we can reduce administration costs to the council by further automation of UC notifications. The claimant will see a greater gain than £3.42 in their UC award as this is a more generous benefit.
- 6.13 The proposals are illustrated in table 4 alongside the existing scheme currently in operation.

<b>Table 4:</b>	<b>Our Current Local Scheme</b>	<b>Our Proposed Local Scheme</b>
Maximum level of Support	91.5%	91.5%
Weekly Deduction for a Non-Dependant based on their level of income:		
<ul style="list-style-type: none"> <li>• Passported benefit</li> <li>• Not working or claiming passported benefit</li> <li>• Weekly Earnings £255.99 or less</li> <li>• Weekly earnings between £256.00 to £444.99</li> <li>• Weekly earnings between £445.00 to £553.99</li> <li>• Weekly earnings £554.00 and over</li> </ul>	£0.00 * £4.90 £4.90 £10.05 £12.60 £15.10	£10.00 ** £10.00 £10.00 £10.00 £10.00 £10.00
Weekly Earnings Disregard		
<ul style="list-style-type: none"> <li>• Single</li> <li>• Couple</li> <li>• Disabled or Carer</li> <li>• Lone Parent</li> <li>• Additional earnings disregard (working 16/30 hours)</li> </ul>	£5.00 £10.00 £20.00 £25.00 £17.10	£5.00 £10.00 £20.00 £25.00 £0.00
Backdating	6 months	1 month

\* If a claimant/partner are in receipt of DLA or PIP (daily living component) then exempt from non-dependant deduction.

\*\* If claimant/partner in receipt of LCW/LCWRA within UC then exempt from non-dependant deduction.

6.14 The impact of each option is described in table 5 and 6.

<b>Table 5 - Impact of option one – No changes</b>
Higher volume of Universal Credit notifications to process (around non-dependent income).
Higher volume of Council Tax re-billing due to increased volume of CTS re-assessments.
Continued requirement for claimant's not in receipt of UC to evidence non-dependent's income.
Increase to CTS re-assessments due to non-dependent income changes.
Claimants more prone to Council Tax Support overpayments due to undeclared changes of non-dependent's income leading to Council Tax arrears.
Less Council Tax to recover as scheme is more generous.
Continued disparity between Housing Benefit legislation and Council Tax Support scheme.
Continued disparity between Universal Credit legislation and Council Tax Support scheme.
Increase to cost of scheme.
Implementation of these options would not require significant changes to the Civica system.

<b>Table 6 - Impact of option two – alignment with Universal Credit</b>
Less administration of Council Tax Support claims.
Less Council Tax billing due to less re-assessments of Council Tax Support.
Reduced administration costs through automation.
Second adults who are not working or are working less than 22 hours per week will attract a higher non-dependent deduction to encourage adults into work. Non-dependents working 22 hours or more will see a lower non-dependent rate to make work pay.
Disabled households are protected.
Alignment with Housing Benefit and Universal Credit Alignment making administration easier and more cost effective.
Reduction to cost of scheme.
Implementation of these options would <b>not</b> require significant changes to the Civica system.
Reduction to Council Tax charge in 2025 will be dispersed across all Council Tax payers.
Future Council Tax increases could be negated by reduced cost of the scheme in the tax base.

## 7.0 - FUTURE SCHEME COSTS

### Overview

- 7.1 North Norfolk District Council has commissioned Policy in Practice to provide an assessment of the current Council Tax Support (CTS) scheme and to examine possible future working-age scheme options. Local authorities in England have been responsible for the design of working-age CTS schemes since 2013. All options presented in this report therefore affect working-age households alone.
- 7.2 The options presented show individual and standalone options for scheme change. Please note that combining changes from two or more options will not necessarily combine the cost reduction of those options exactly; some changes will have different impacts on CTS awards for certain households when they interact with other changes.
- 7.3 The modelling was conducted using North Norfolk’s CTS and Housing Benefit administration data from June 2024. The total caseload receiving CTS in North Norfolk in this month was 6,515. Of these, 3,419 were working-age households. The costs and impacts presented do not account for any possible changes in overall caseload numbers or second adult rebate cases.
- 7.4 The data for working-age households consider changes for households on Universal Credit and those on legacy benefits. As modelled in North Norfolk, by 2025/26, of the total working-age caseload of 3,419 households, some 3,072 households (89.85%) are on Universal Credit, while the remaining 347 households (10.15%) are still in receipt of legacy benefits.



7.5 Headline figures are provided in this report for the current scheme retained into 2025/26 and includes an assumed 3% increase to the Council Tax charge.

### **North Norfolk's Current Scheme**

7.6 North Norfolk's current working-age CTS scheme is based on the default pre-2013 national Council Tax Benefit scheme. It provides for a maximum CTS award of 91.5%, with a taper rate of 20%. Standard earnings disregards are applied. Different non-dependant deductions are applied based on whether the non-dependant is working or not, and if they are working, what their normal gross weekly income is. The capital limit remains £16,000. The Family Premium and Employment Support Allowance (Working Related Activity Group) premium have both been retained and apply to all claims, while the two-child limit has not been applied. The current scheme cost in 2024/25 is £7.75 million.

### **Current scheme retained in 2025/26**

7.7 The 2025/26 scheme was modelled with a 3% increase in council tax liability for 2025/26. Migration to UC was modelled according to the DWP timetable, as well a percentage of natural migration for mixed-age couples. Benefits were updated in line with DWP figures.

7.8 Maintaining the current scheme into 2025/26 would raise the costs of the working age scheme by £101k (2.59%). Total expenditure across the Council Tax Support scheme would increase from £7.75 million to £8.02 million, an increase of £271k or 3.50%.

### **Proposed model for 2025/26**

7.9 The proposed model is also based on the default pre-2013 scheme but differs from the current scheme in North Norfolk in the following ways:

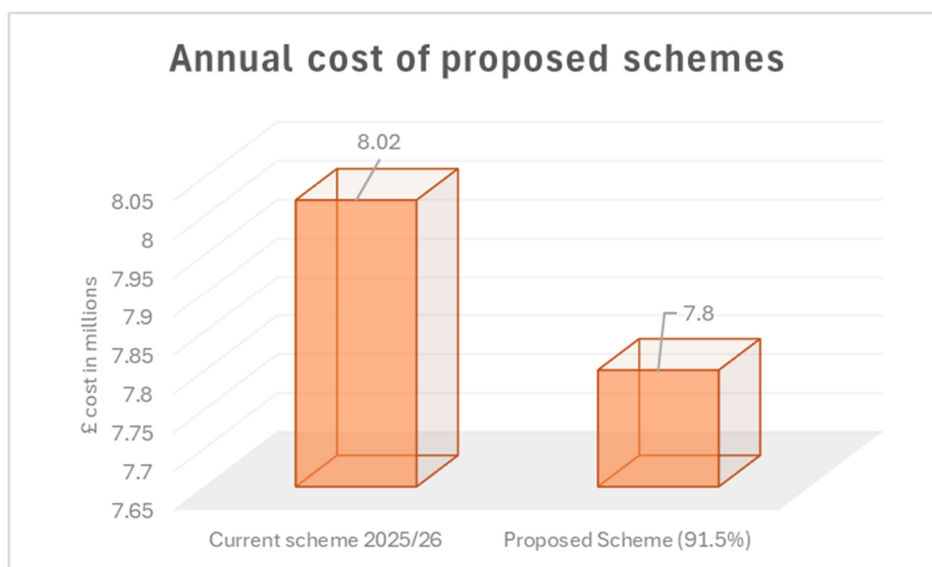
- The additional £17.10 disregard is removed for all claims.
- The current non-dependant deductions, based on earnings, is replaced by a flat-rate non-dependant deduction set at £10.00 a week. To align better with UC data, only households with LCW/LCWRA are exempt from non-dependant deductions, instead of households with PIP/DLA as prescribed by the pre-2013 scheme.
- The maximum award for working-age households is retained as 91.5%.
- Reduce period of backdating from 6 months to 1 month (but unable to include in cost savings below).

7.10 Total cost of the proposed scheme would be £7.8 million, a decrease of £220k compared to the current scheme retained in 2025/26. An analysis of the impact of the proposed scheme is represented in table 7. In addition to this we would also consider the savings from reducing the period of backdating from 6 months to 1 month, but we are unable to forecast this.

<b>Table 7 - Analysis</b>
122 households lose support completely
507 households lose £5 or more per week
30 households gain £5 or more per week

7.11 For cost illustration purposes only, moving to the proposed scheme but with the maximum award of 100% compared to the current scheme in 2025/26 would cost £8.19 million compared to the cost of retaining the current scheme into 2025/26, which is £8.02 million.

7.12 Scheme costs are summarised in the graph below.



## 8.0 - NORFOLK COUNCIL TAX SUPPORT SCHEMES

- 8.1 The maximum award for Council Tax Support Schemes across Norfolk is represented in table 8, along with the national average and the lowest award, illustrating the scheme currently offered by North Norfolk could be considered to be generous.

<b>Area</b>	<b>2024/25 scheme</b>
Great Yarmouth BC	80%
Broadland and South Norfolk DC	84% & 87%
Borough Council of Kings Lynn & West Norfolk	84%
Breckland DC	91.5%
North Norfolk DC	91.5%
Norwich City Council	100%
National average	77%
Lowest national scheme	60%

## 9.0 - CONSULTATION

- 9.1 If there are any changes proposed to the existing Council Tax Support Scheme the authority must consult on this change.
- 9.2 Some authorities have annually consulted on changes to their Council Tax Schemes and the approach to this varies from being minimal and low key, to high profile and vigorous.
- 9.3 It is possible that because the North Norfolk scheme has not been changed for several years and consultation has not been the norm, the authority may receive adverse publicity, particularly if the requirement to pay increases.
- 9.4 The authority should also give proper consideration to consultation responses.
- 9.5 It is for the authority to consider and determine how the Council Tax Support consultation process should be conducted. This also includes how robust and accessible it wishes this to be.
- 9.6 Previous legal advice from East law confirms that there is a need to consult widely regarding any proposed revision to the Councils local support scheme. This must be done prior to any revision in a form that sets out the available corporate and financial alternatives and the Councils reason for favoring the suggested revision to the Council Tax Support Scheme.
- 9.7 The current scheme was last consulted on in 2021/22. Any changes to the 2025/26 scheme would require public consultation.

- 9.8 We propose to create an online consultation which will reach out to a significant number of North Norfolk tax payers. This will include an online benefits calculator so people can check if they would be eligible to claim CTS.
- 9.9 We would also propose sending a mail shot letter to existing CTS claimants to ensure all households are aware of the consultation and can respond.
- 9.10 As major preceptors of Council Tax, we are also obliged to consult with Norfolk County Council and the Police Authority.
- 9.11 We have included a response below from Norfolk County Council (NCC), one of the major preceptors, to the Borough Council of Kings Lynn & West Norfolk (BCKLWN), in relation to their proposed Council Tax Support Scheme for 2024/25. In response to their proposals NCC have advised they would not be supportive of increases to schemes which would reduce the taxbase. Please see image below.

**Appendix C**

**Norfolk County Council – Consultation Response**



Director of Financial Management  
County Hall  
Martineau Lane  
Norwich  
NR1 2DW

Joanne Stanton (via email)



Please ask for: Harvey Bullen



06 July 2023

Dear Joanne,

**Norfolk County Council response to Borough Council of King's Lynn & West Norfolk 2024-25 Council Tax Support Scheme Consultation**

Thank you for your email of 27 June 2023. The County Council appreciates the opportunity to input into the consultation. Our comments on the options are as follows –

**Option 1 - Make our working age CTS Scheme more generous so it is the same as the national pension age scheme and awards up to 100% support**

The County Council is sympathetic to the challenges facing local [tax payers](#) and the impact of the current cost of living crisis, but on balance opposes this proposal because it is essential to maintain council tax income levels to continue to provide vital services for the public. We would therefore have concerns about any proposal reducing the taxbase and the resulting reduction in council tax income to fund services.

**Option 2 - Review our Protected groups (who receive more generous levels of CTS) and reduce the maximum support for some or all groups to 84%**

The County Council is sympathetic to the challenges facing local [tax payers](#) and the impact of the current cost of living crisis, but on balance supports this proposal. We are supportive of changes that will increase taxbase and provide increases in council tax income to fund service delivery.

**Option 3 - Consider an alternative model for our CTS scheme such as a banded discount scheme based on household composition and income bands**

The County Council neither supports or opposes this proposal at this stage. It is difficult to comment without understanding the proposed approach and potential implications of any change.



#### Option 4 - No change – the current CTS scheme continues for 2024/2025

Norfolk County Council's position remains that its preference would be for all Norfolk billing authorities to move towards a consistent Council Tax Support Scheme across the county on the following basis:

1. To limit Council Tax Support discount to occupants of properties no higher than Band D Council Tax.
2. To work with district colleagues across the County to establish the cap for the Council Tax Support discount for working age claimants at a uniform amount in Norfolk, suggested at 75% of the maximum Council Tax charge.

I am aware that this harmonisation will not be delivered by the current proposals, but would encourage you to consider these principles again for any future revisions to the Council Tax Support Scheme. The County Council would be very happy to facilitate county wide discussions to achieve this objective.

Kind regards,

Harvey Bullen  
Director of Strategic Finance

## 10 - EQUALITY IMPACT ASSESSMENT

- 10.1 An Equality Impact Assessment is required for the 2025/26 scheme where changes are made. This will be completed following the decision of the working party.

## 11 - FINANCIAL RISK AND IMPLICATIONS

- 11.1 The current CTS scheme criteria are reflected within the current tax base. Any changes to the scheme will have a financial impact in that a less generous scheme will increase the council tax required to be collected and reduce expenditure. A more generous scheme will result in an increase in expenditure of the scheme but less council tax to be collected.
- 11.2 The CTS scheme is based on an assessment of a household's income against an allowed amount. The cost-of-living crisis is not causing an increase in the CTS caseload as household incomes are generally stable or rising with higher pay rises. However, household expenditure is also increasing causing pressure on household budgets. Other support with these rising costs is being given by us (for example through the Household Support Fund) and from other organisations.
- 11.3 Where the council decides to increase Council Tax (subject to members agreeing) any reduction in the cost of the Council Tax Support scheme would reduce the increase to the taxpayer.
- 11.4 The case load has increased since 2023 seeing an increase to the CTS expenditure.
- 11.5 Costs of the scheme, i.e. council tax income not collected through the provision of support/discounts, fall to the major preceptors in their respective shares, for example County (75%), Police (14%), Town and Parish councils (3%) and district (8%).

11.6 The implications of changing the existing CTS scheme could include: - the cost of IT, resources, implement and convert cases, consultation, collection. However, the proposed scheme would incur negligible cost or resource.

11.7 The protection of individuals and groups will need to be considered when approving a new scheme.

## 12.0 - COUNCIL TAX SUPPORT SCHEME TIMETABLE & KEY DATES

12.1 The timetable for the consultation process is shown below.

Council Tax Support Scheme Timetable	Date(s)
Report - Full Council	19th February 2025
Report - Cabinet	6th January 2025
CTS Working Party meeting - feedback on consultation	Week Commencing 2nd December 2024 - TBC
Public Online Consultation	8th October 2024 - 17th November 2024
CTS Working Party meeting - proposed & agree Scheme for 2025/26	8th October 2024

**Council Tax Support Consultation 2025/26**

I have read the background information about the Council Tax Support Scheme

**Section 1 of 7**

**About you**

**Who are you responding as?**

- Resident of North Norfolk District Council
- Councillor
- Responding on behalf of someone else
- Responding on behalf of an organisation
- Other (please Specify)

**Does your household currently receive a discount to your Council Tax bill through Council Tax Support?**

- Yes
- No
- Don't know

**Section 2 of 7**

**Proposal 1 – Introducing standard non-dependent deductions**

**Other than your partner (if you have one), do you have another adult living with you?**

- Yes
- No

**If yes, and you receive Council Tax Support, how do you think this proposal will affect your household finances?**

- Better off
- Worse off
- No impact

**Do you support this proposal?**

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree

- Strongly disagree

### Section 3 of 7

#### Proposal 2 – Removing the additional earnings disregard of £17.10 a week from earnings

**Do you work more than 25 hours per week?**

- Yes
- No

**Do you receive Disability Benefits and work more than 16 hours per week?**

- Yes
- No

**Are you a lone parent and work more than 16 hours per week?**

- Yes
- No

**Do you support this proposal?**

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

**If you receive Council Tax Support, how do you think this proposal will affect your household finances?**

- Better off
- Worse off
- No impact

### Section 4 of 7

#### Proposal 3 – Backdating an award of Council Tax Support

**What length of time do you think we should allow for a backdated claim?**

- 1 month
- 2 to 3 months
- 4 to 5 months
- 6 months or more

**Do you support this proposal?**

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree



- Strongly disagree

## Section 5 of 7

### Alternatives to changing the Council Tax Support Scheme

Please suggest any alternative ways the Council could change the Council Tax Support Scheme.

If you have any further comments or questions to make regarding the Council Tax Support Scheme that you haven't had the opportunity to raise elsewhere, please use the space below.

## Section 6 of 7

**We collect this information to help us understand the communities that we serve so that services and policies can be delivered to meet the needs of everybody. Please feel free to leave questions that you do not wish to answer. All of the information gathered in this questionnaire is confidential and anonymous. Your personal information will not be passed on to anyone and your personal details will not be reported alongside your responses.**

**Is anyone in your household in receipt of disability benefit?**

- Yes
- No
- Don't know

**Do you have any children in your household?**

- Yes
- No
- Don't know

## Section 7 of 7

### Equalities Monitoring

Please help us understand if these proposals could affect groups differently by answering the following questions.

The information provided will be protected by The Data Protection Act 2018 that ensures the Council and its employees protect the confidentiality of data collected from individuals. None of the data will be published in such a way that identifies individuals.

#### What is your age?

- 0 – 17
- 18 – 24
- 25 – 34
- 35 – 49
- 50 – 64
- 65 – 79
- 79+
- Prefer not to say

#### What sex do you identify as?

- As a woman
- As a man
- In some other way
- Prefer not to say

#### Which of the following options best describes your sexual orientation?

- Bisexual
- Gay
- Heterosexual
- Lesbian
- Prefer to say
- Other

#### What is your ethnic group?

- White British
- White other
- Mixed and Multiple ethnic groups
- Asian
- Black/African/Caribbean
- Prefer not to say
- Other ethnic group

#### Do you consider yourself to be disabled?

- Yes
- No
- Prefer not to say

**Do you provide care for anyone (e.g. a parent, child, other relative, an elderly person, friend or neighbour) who has any form of disability (sensory loss, physical, learning disability, mental health problem) long or terminal illness?**

- Yes
- No
- Prefer not to say

**Do you live in a town or city?**

- Yes
- No
- Prefer not to say

**What is your total household income?**

- Up to £20,000
- £20,001 to £40,000
- £40,001 to £60,000
- £60,001 or over
- Prefer not to say
- Don't know

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## **Council Tax Support Scheme Consultation 2025/26**

We operate a scheme to help working age people on low incomes with the cost of their council tax by reducing their council tax bill. This is known as the Council Tax Support scheme. There is a national set of regulations for a Council Tax Support Scheme for customers who have reached pension age, but we are free to decide the rules for our own Council Tax Support schemes for working age people in our area, taking into account some government requirements. This consultation only refers to our Council Tax Support Scheme for working age people.

We must review and agree our Council Tax Support scheme for our working age residents for each financial year and there is a process to follow where we intend to make changes to our Council Tax Support Scheme. We must consult with residents of North Norfolk through a public consultation for six weeks. Once the consultation closes, we will review the responses and full Council must agree a final Council Tax Support scheme by March 2025, considering any comments made as part of the consultation.

### **What is Council Tax?**

Council Tax is a property-based tax which all householders (both homeowners and tenants) normally have to pay if they are over 18.

A full Council Tax bill is based on at least 2 adults living in a home. Spouses and partners who live together are jointly responsible for paying the bill.

### **What is the Council Tax Support Scheme?**

If you are on a low income, you can apply for Council Tax Support. This means that you pay less in Council Tax.

The Government makes the rules for how much Council Tax Support low-income pensioners (people aged 66 or over) could get.

North Norfolk District Council makes the rules for how much Council Tax Support working age residents (under 66 years old) on a low income could get.

The purpose of this consultation is to ask for your views on possible changes to Council Tax Support for working age residents (under 66 years old).

The support provided for pensioners (over 66) will not be affected.

### **What changes are being considered?**

In this consultation we are asking for views on several proposals to change the scheme.

- Introducing a flat rate non-dependent deduction of £10 per week for each adult.
- Removing the additional earnings disregard of £17.10 a week from earnings.
- Reducing the time we can backdate an award of Council Tax Support.
- Removing a second adult rebate or better buy award.

### **Proposal 1 - Introducing standard non-dependent deductions**

This proposal relates to reducing the support you can claim if you live with non-dependents.

A non-dependent is an adult (over 18) who lives with you and does not have to pay Council Tax. For example, a grown-up son or daughter.

Under this proposal we would introduce a flat rate £10 deduction for each non-dependent living with the applicant.

If the applicant or their partner is in receipt of the Limited Capability for Work or the Limited Capability for Work Related Activity component in their Universal Credit award, no deduction will be made.

So, if you currently receive a £30 reduction in Council Tax and live with two grown-up children (non-dependents), this could be reduced by £20 (£10 for each non-dependent) and you could receive a £10 reduction to your Council Tax bill.

### **Proposal 2 - Removing the additional earnings disregard of £17.10 a week from earnings**

This proposal relates to how we calculate your income if you work. Some of your earnings are ignored (or disregarded).

We will continue to ignore tax, national insurance and 50% of your pension contributions.

If you are aged 25 or more and work at least 30 hours per week, you will no longer receive the additional earnings disregard of £17.10 per week.

This means you could receive a lower amount of support.

### **Proposal 3 - Reducing the time we can backdate an award of Council Tax Support**

The proposal relates to the length of time we can backdate an award of Council Tax Support.

Currently, if you make a claim for Council Tax Support and you qualify, we can, at our discretion, backdate the award of support for a period up to 6 months before the date the claim was made.

Under this proposal, we will only backdate Council Tax Support to one month before the date we receive the claim.

### **Next steps**

**Please complete the enclosed questionnaire and return in the enclosed pre-paid envelope.**

You may submit further evidence, ideas or comments by email ([benefits.manager@north-norfolk.gov.uk](mailto:benefits.manager@north-norfolk.gov.uk))

The consultation closes at midnight on Sunday 24<sup>th</sup> November 2024.

We will listen carefully to what residents tell us and take the responses into consideration when making a final decision on the 2025/26 Council Tax Support scheme.

Following the decision, the full results from the consultation will be available on the Council's website.

The new scheme will start on 1st April 2025. The Council will consider the impact of the scheme annually and consult again if it thinks further changes need to be made.

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# Council Tax Support Scheme 2025/26

Page 69

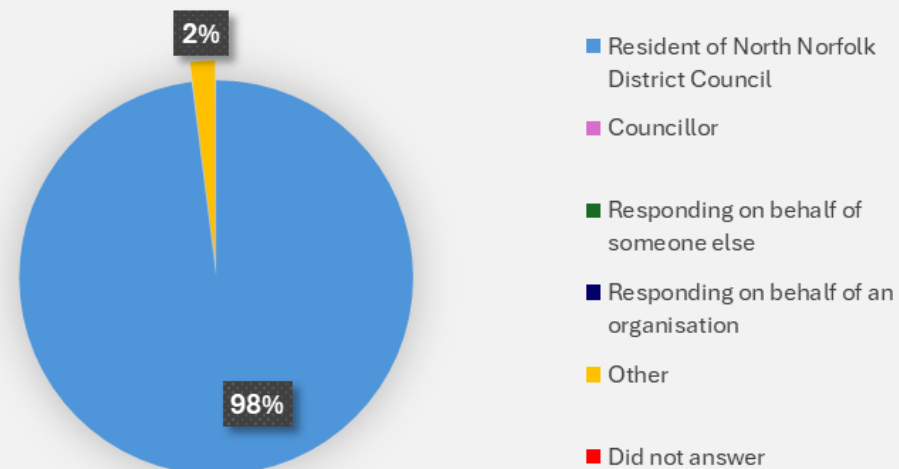
## Public Consultation - Full results

## Background Questions

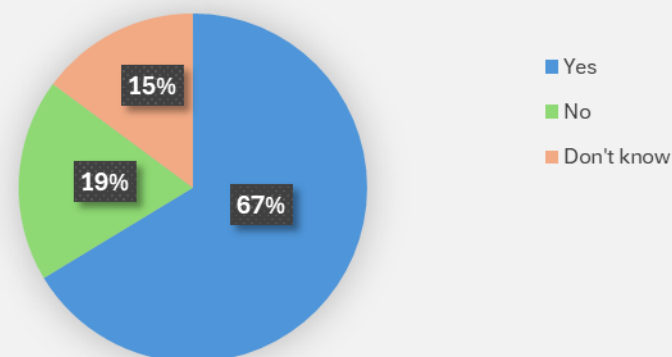
Section 1 - Who are you			
Who are your responding as?			
Resident of North Norfolk District Council			98%
Councillor			0%
Responding on behalf of someone else			0%
Responding on behalf of an organisation			0%
Other			2%
Did not answer			0%
Does your household currently receive a discount to your Council Tax Bill through Council Tax Support?			
Yes			67%
No			19%
Don't know			15%
Did not answer			0%

Does your household currently receive a discount to your Council Tax Bill through Council Tax Support?			
Yes			67%
No			19%
Don't know			15%
Did not answer			0%

## Who are you responding as?



## Does your household currently receive a discount to your Council Tax Bill through Council Tax Support?

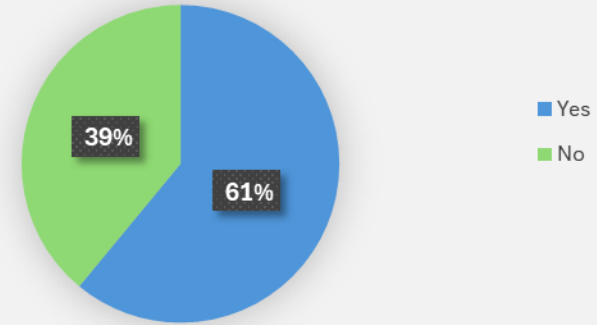


# Proposal 1 – Introducing the non-dependent deduction

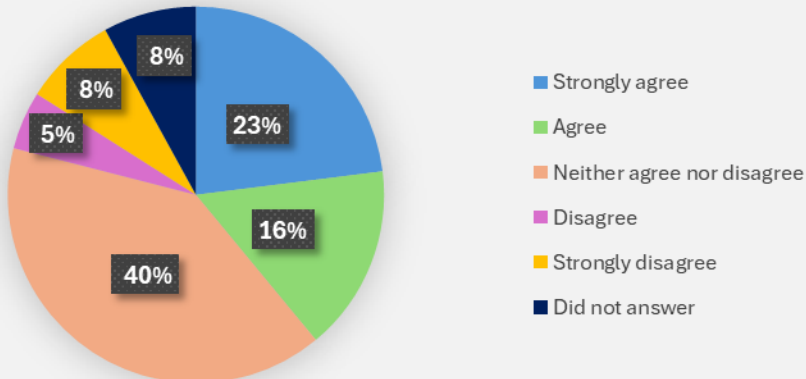
Section 2 - Proposal 1 - Introducing the standard non-dependent deduction			
Other than your partner (if you have one), do you have another adult living with you?			
Yes		<div style="width: 61%;"></div>	61%
No		<div style="width: 39%;"></div>	39%
If yes, and you receive Council Tax Support, how do you think this proposal will affect your household finances?			
Better off		<div style="width: 25%;"></div>	25%
Worse off		<div style="width: 20%;"></div>	20%
No impact		<div style="width: 23%;"></div>	23%
Did not answer		<div style="width: 32%;"></div>	32%
Do you support this proposal?			
Strongly agree		<div style="width: 23%;"></div>	23%
Agree		<div style="width: 16%;"></div>	16%
Neither agree nor disagree		<div style="width: 40%;"></div>	40%
Disagree		<div style="width: 5%;"></div>	5%
Strongly disagree		<div style="width: 8%;"></div>	8%
Did not answer		<div style="width: 8%;"></div>	8%

Page 1

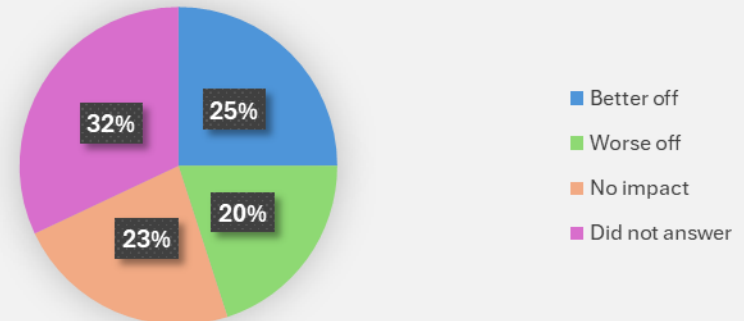
Other than your partner (if you have one), do you have another adult living with you?



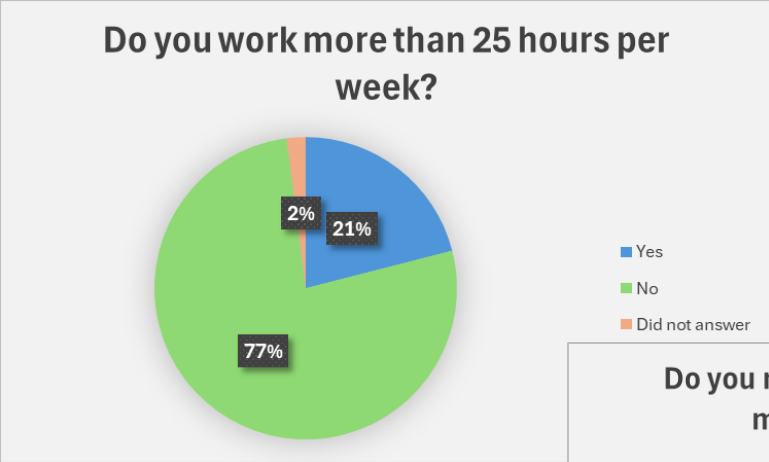
Proposal 1 - Do you support this proposal?



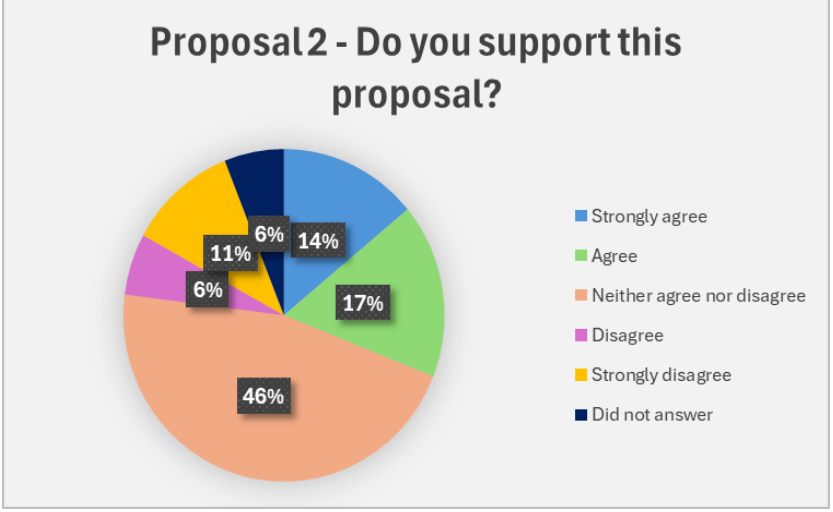
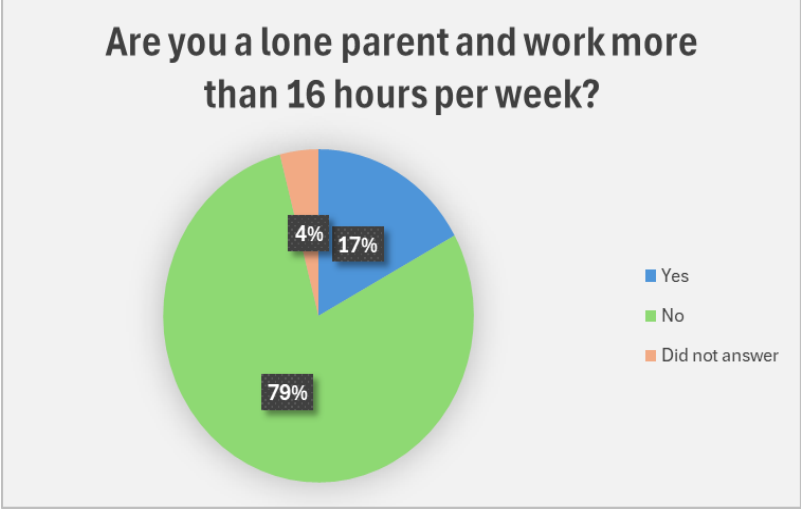
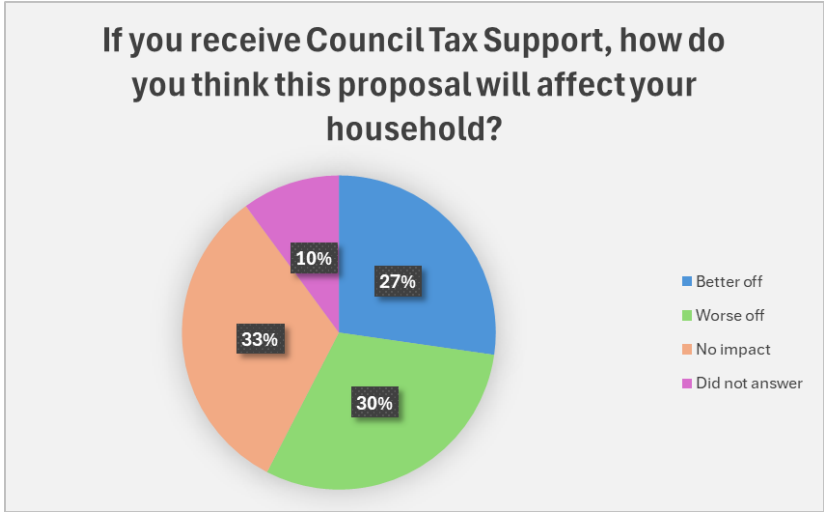
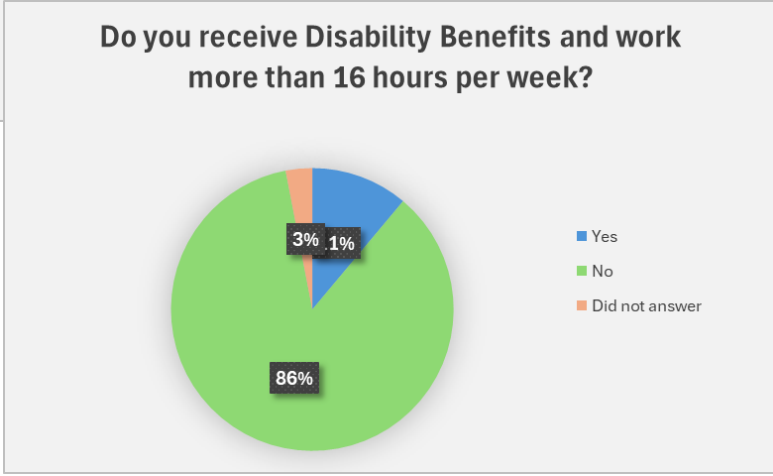
If yes, and you receive Council Tax Support, how do you think this will affect your household finances?














Section 3 - Proposal 2 - Removing the additional earnings disregard of £17.10 a week from earnings				
Do you work more than 25 hours per week?				
Yes				21%
No				77%
Did not answer				2%
Do you receive Disability Benefits and work more than 16 hours per week?				
Yes				11%
No				85%
Did not answer				3%
Are you a lone parent and work more than 16 hours per week?				
Yes				17%
No				79%
Did not answer				4%
Do you support this proposal?				
Strongly agree				14%
Agree				17%
Neither agree nor disagree				46%
Disagree				6%
Strongly disagree				11%
Did not answer				6%
If you receive Council Tax Support, how do you think this proposal will affect your household?				
Better off				27%
Worse off				30%
No impact				32%
Did not answer				10%

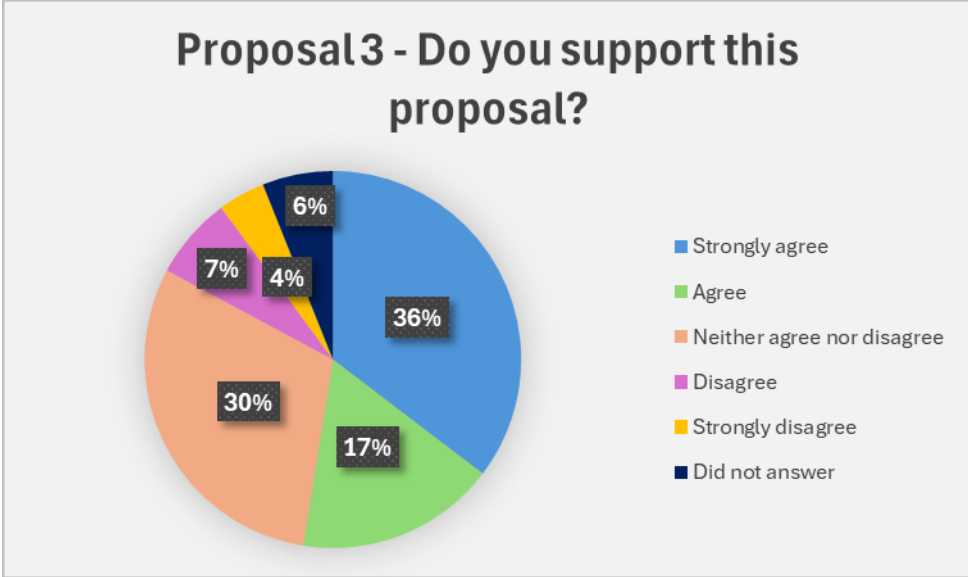
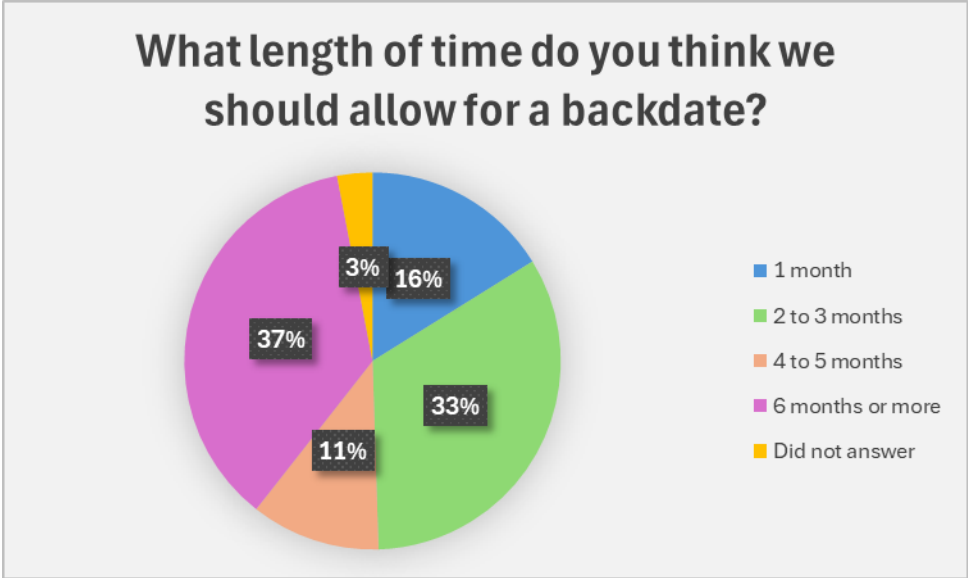


## Proposal 2 – Removing the additional earnings disregard of £17.10 per week



# Proposal 3 – Backdating an award of Council Tax Support

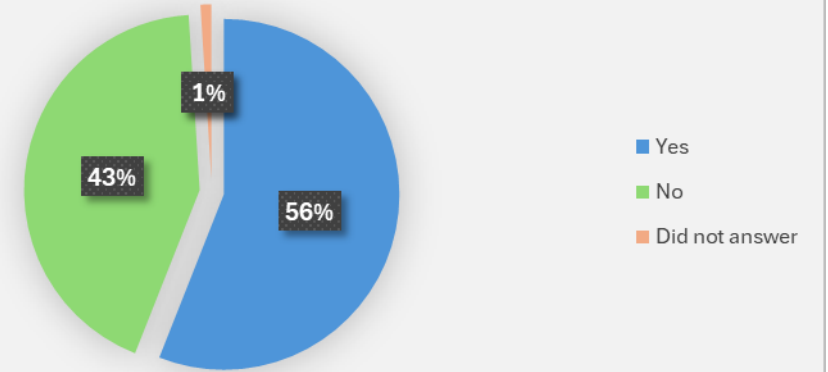
Section 4 - Proposal 3 - Backdating an award of Council Tax Support				
What length of time do you think we should allow for a backdated claim?				
1 month				16%
2 to 3 months				33%
4 to 5 months				11%
6 months or more				36%
Did not answer				3%
Do you support this proposal?				
Strongly agree				35%
Agree				17%
Neither agree nor disagree				30%
Disagree				7%
Strongly disagree				4%
Did not answer				6%



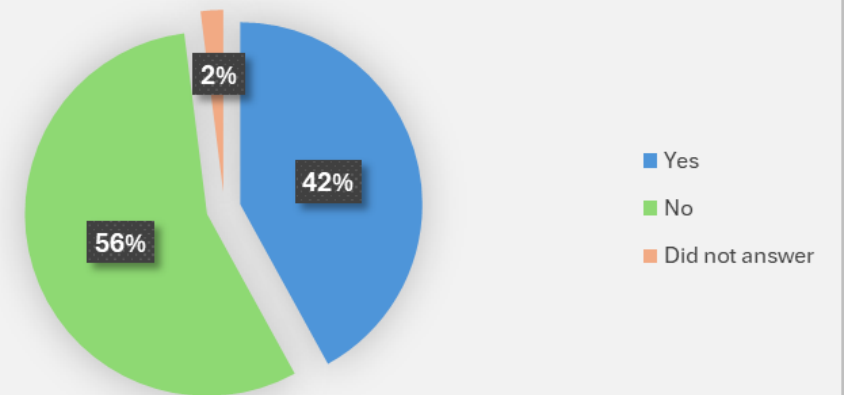
## Household information

Section 6 - More information about the household			
Is anyone in your household in receipt of a disability benefit?			
Yes		<div style="width: 56%;"></div>	56%
No		<div style="width: 43%;"></div>	43%
Don't know			0%
Did not answer		<div style="width: 1%;"></div>	1%
Do you have children in your household?			
Yes		<div style="width: 42%;"></div>	42%
No		<div style="width: 56%;"></div>	56%
Don't know			0%
Did not answer		<div style="width: 2%;"></div>	2%

Is anyone in your household in receipt of a disability benefit?



Do you have children in your household?



## Equalities Monitoring

### What is your age?

0-17	0%
18-24	1%
25-34	8%
35-49	25%
50-64	59%
65-79	2%
79+	1%
Prefer not to say	3%
Did not answer	1%

### What is your ethnic group?

White British	91%
White other	2%
Mixed and multiple ethnic groups	0%
Asian	3%
Black/African/Caribbean	0%
Prefer not to say	2%
Other ethnic group	1%
Did not answer	1%

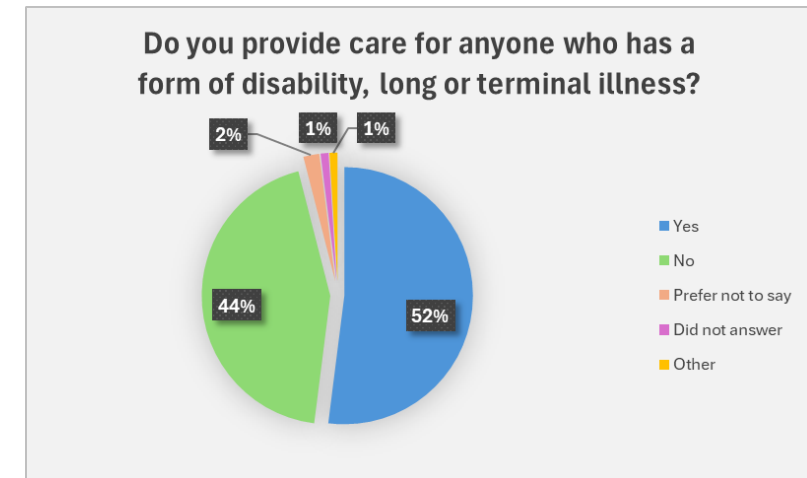
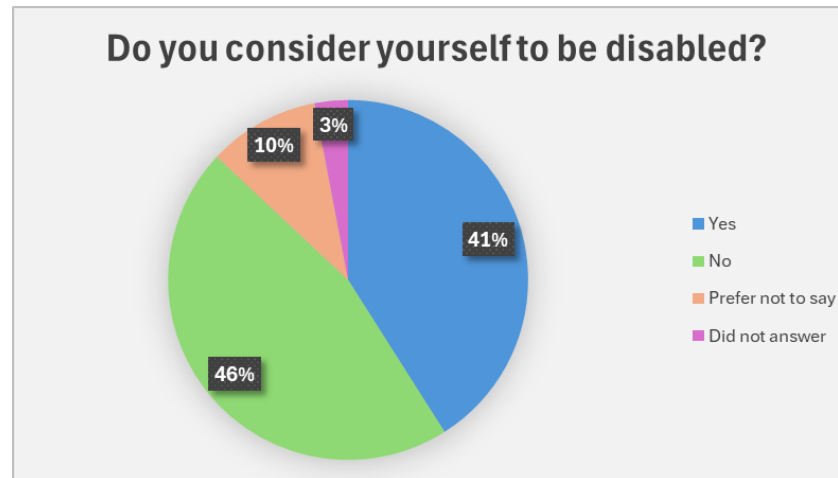
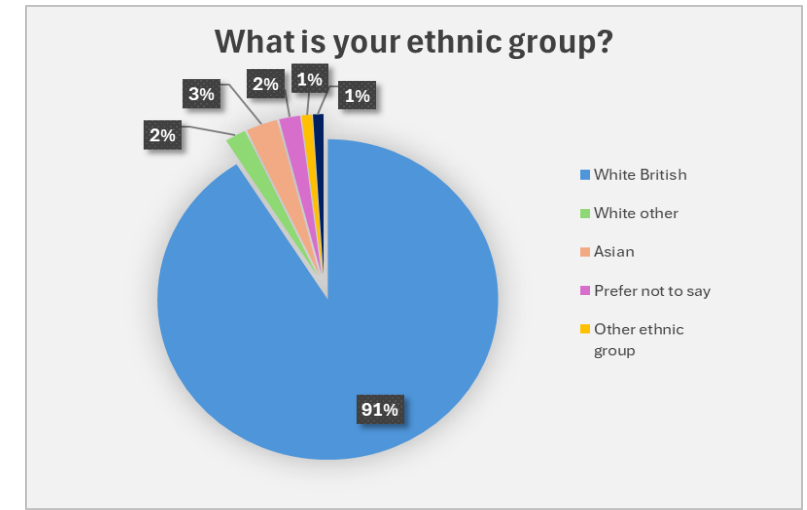
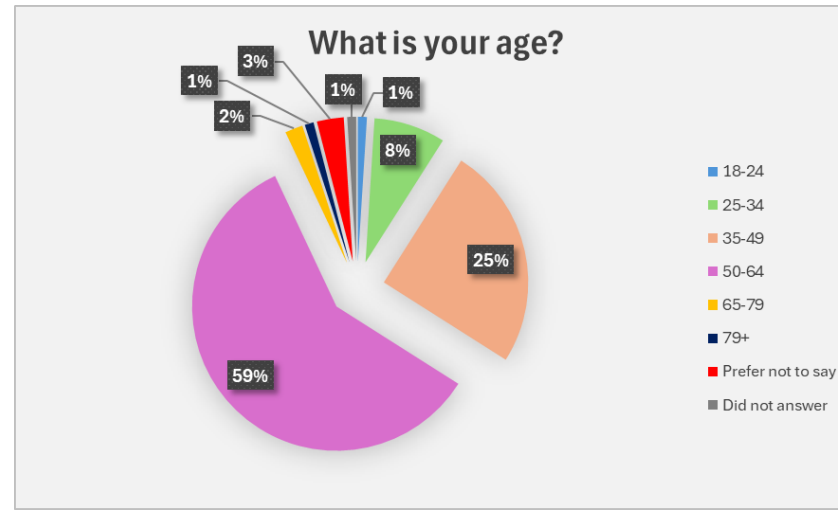
### Do you consider yourself to be disabled?

Yes	41%
No	46%
Prefer not to say	10%
Did not answer	3%

### Do you provide care for anyone who has a form of disability, long or terminal illness?

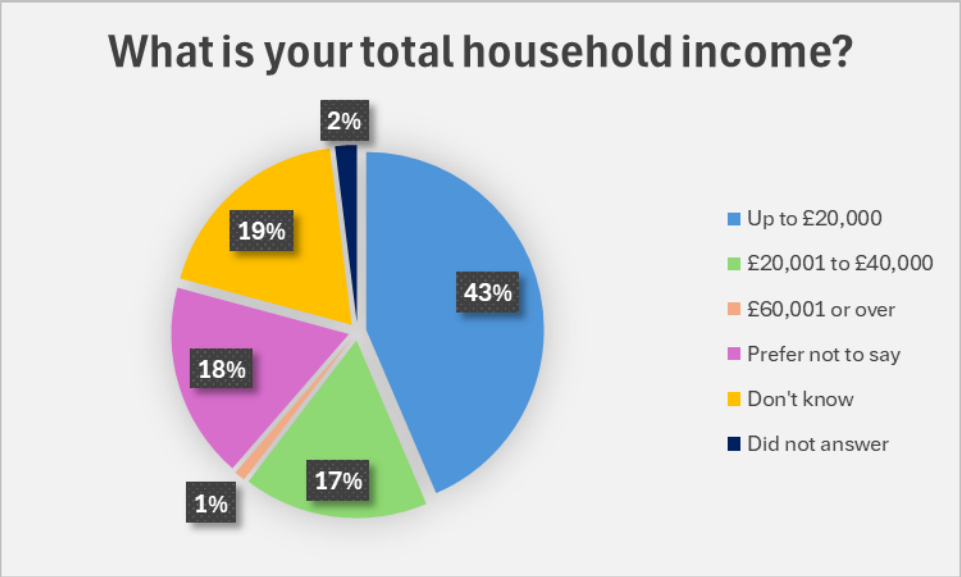
Yes	52%
No	44%
Prefer not to say	2%
Did not answer	1%
Other	1%

## Equalities Monitoring

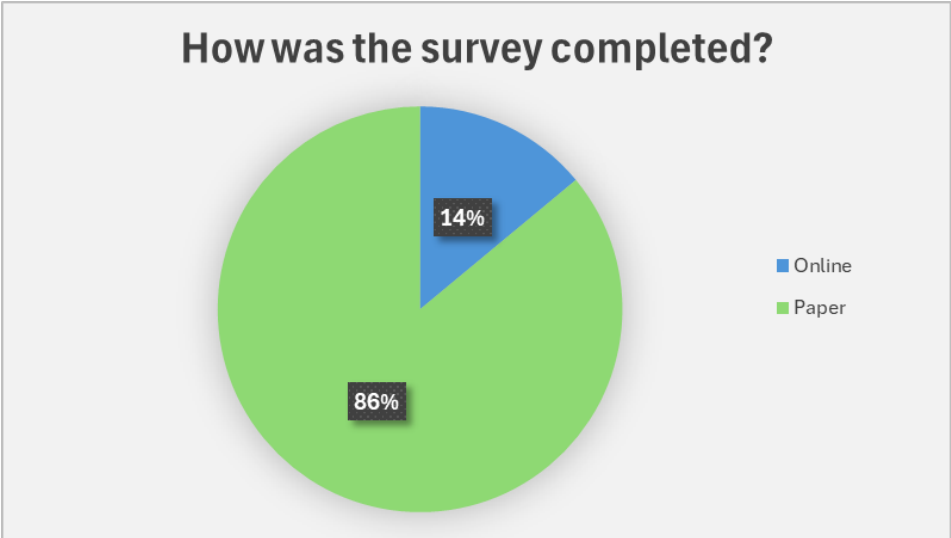


# Household Characteristics

What is your total household income?		
Up to £20,000	<div style="width: 44%;"></div>	44%
£20,001 to £40,000	<div style="width: 17%;"></div>	17%
£40,001 to £60,000	<div style="width: 0%;"></div>	0%
£60,001 or over	<div style="width: 1%;"></div>	1%
Prefer not to say	<div style="width: 18%;"></div>	18%
Don't know	<div style="width: 19%;"></div>	19%
Did not answer	<div style="width: 2%;"></div>	2%



Survey completion		
Online	<div style="width: 14%;"></div>	14%
Paper	<div style="width: 86%;"></div>	86%





# Council Tax Support Scheme 2025/26

## Working Party

# Consultation Evaluation

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## 1.0 - INTRODUCTION AND BACKGROUND

- 1.1 This report proposes changes to the Council's Council Tax Support (CTS) Scheme. The changes are proposed so that the scheme remains fit for purpose as working age residents in receipt of welfare benefits are moved onto Universal Credit.
- 1.2 This report follows a period of formal consultation on the proposals that change the scheme for working age residents.
- 1.3 Full details of the proposed changes can be found in the report to the Working Party dated 1<sup>st</sup> October 2024.

## 2.0 - CONSULTATION APPROACH

- 2.1 The Council is required to consult on any proposed changes to CTS in accordance with Section 13A of the 1992 Local Government Finance Act (Paragraph 3 of Schedule). This requires the following:

Preparation of a scheme:

(1) Before making a scheme, the authority must (in the following order) —

(a) Consult any major precepting authority which has power to issue a precept to it,

(b) Publish a draft scheme in such manner as it thinks fit, and

(c) Consult such other persons as it considers are likely to have an interest in the operation of the scheme.

- 2.2 As major preceptors, the council consulted with Norfolk County Council (NCC) and the office of the Police, and Crime Commissioner (PCC). The council received a response from NCC and is shown at Appendix 1. The response confirms NCC agree with the proposed changes to the scheme. To date the council has not received any comments from the PCC.
- 2.3 The council also ran a public consultation for 4 weeks, starting on Thursday 24<sup>th</sup> October 2024 and ending on Sunday 24<sup>th</sup> November 2024.
- 2.4 To ensure that the consultation reached as many benefit claimants and residents as possible both digital and postal surveys were published, ensuring that those most impacted by the proposals had the opportunity to respond.
- 2.5 A comprehensive consultation narrative, explaining the scheme and why it had been proposed and the impact on benefit claimants was used as the basis of both content for the Council website and a paper questionnaire. A total of approx. 800 surveys were posted with a pre-paid envelope for ease of returning the survey to the council offices.

2.6 The consultation was also publicised via the Council’s Social Media platforms.

2.7 The consultation web page included an online calculator so people could check if they would be eligible to claim CTS.

**3.0 – CONSULTATION RESPONSE**

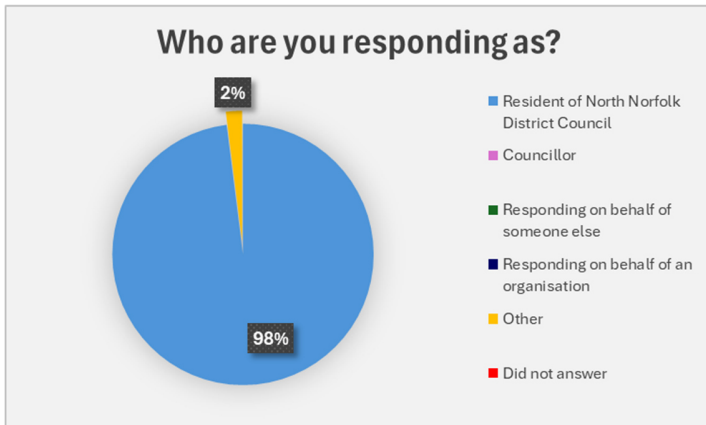
3.1 A total of 96 questionnaires were completed. This is an increase of 80% against the total number of responses received in 2021, when we last consulted on making changes to the scheme.

3.2 Whilst this is an increase to the response rate of the previous consultation run by the council, the levels of responses were still low. We have compared the response rate for North Norfolk (NN) to that seen by neighbouring authorities which has illustrated the response rate for NN is relatively high.

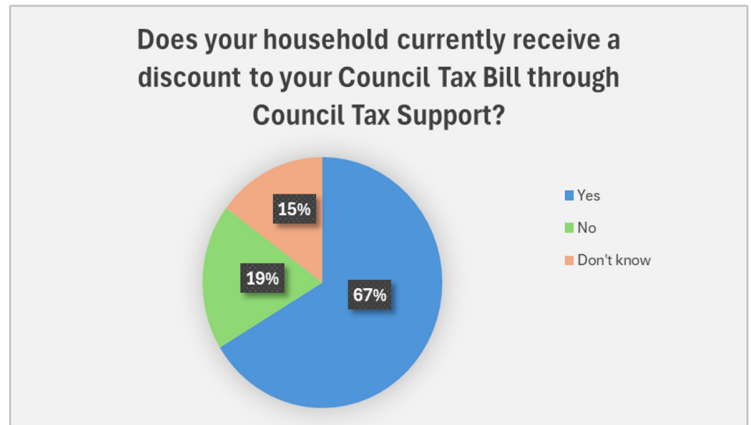
Local Authority	Number of responses
Borough Council of Kings Lynn & West Norfolk	8
Anglia Revenues Partnership	16
Broadland & South Norfolk DC	27
Great Yarmouth Borough Council	3

3.3 The total responses include 13 completed online and 83 completed on paper. Of this total, 98% of respondents were residents of North Norfolk, and 67% of respondents were in receipt of a discount to their Council Tax bill through CTS. This is illustrated in graph 1 and graph 2 below.

**Graph 1:**

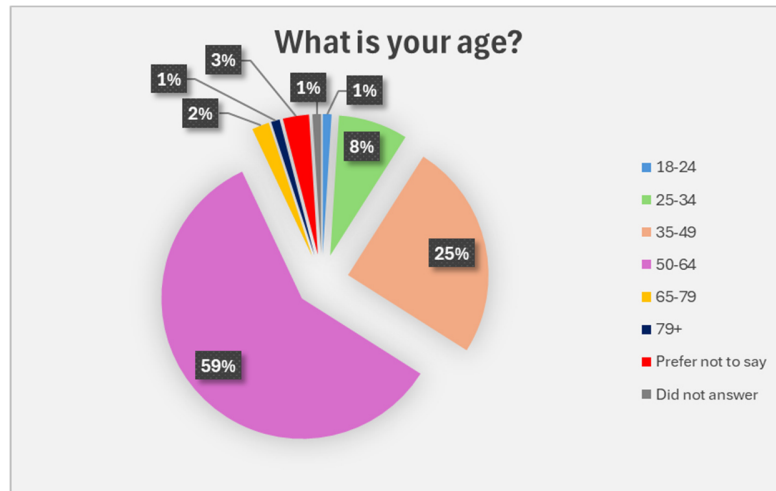


**Graph 2:**



3.4 In the age groups the headlines are that the 50 to 64 age group are overrepresented, with the younger age groups, and oldest age groups being underrepresented. This is illustrated in graph 3 shown here:

**Graph 3:**



3.5 A summary of the responses to the proposals of the changes to the CTS Scheme are displayed below.




















3.6 **Proposal 1 – Introducing the standard non-dependent deduction** – Out of the responses a majority had another adult living with them and would therefore be familiar with the principle of non-dependent deductions.

3.7 25% of respondents considered they would be better off if a flat rate deduction of £10 per week was applied to their CTS entitlement.











3.8 Further to this most respondents neither agreed nor disagreed with this proposal but 23% strongly agreed.

<b>Section 2 - Proposal 1 - Introducing the standard non-dependent deduction</b>			
Other than your partner (if you have one), do you have another adult living with you?			
Yes		<div style="width: 61%;"></div>	61%
No		<div style="width: 39%;"></div>	39%
If yes, and you receive Council Tax Support, how do you think this proposal will affect your household finances?			
Better off		<div style="width: 25%;"></div>	25%
Worse off		<div style="width: 20%;"></div>	20%
No impact		<div style="width: 23%;"></div>	23%
Did not answer		<div style="width: 32%;"></div>	32%
Do you support this proposal?			
Strongly agree		<div style="width: 23%;"></div>	23%
Agree		<div style="width: 16%;"></div>	16%
Neither agree nor disagree		<div style="width: 40%;"></div>	40%
Disagree		<div style="width: 5%;"></div>	5%
Strongly disagree		<div style="width: 8%;"></div>	8%
Did not answer		<div style="width: 8%;"></div>	8%

3.9 **Proposal 2 – Removing the additional earnings disregard of £17.10 a week from earnings** – Most respondents did not work more than 25 hours per week, nor did they receive disability benefits, nor were they a lone parent. Therefore, the removal of the £17.10 per week earnings disregard would not have affected most respondents. Most respondents considered the proposal would have no impact to their household.

Section 3 - Proposal 2 - Removing the additional earnings disregard of £17.10 a week from earnings			
Do you work more than 25 hours per week?			
Yes			21%
No			77%
Did not answer			2%
Do you receive Disability Benefits and work more than 16 hours per week?			
Yes			11%
No			85%
Did not answer			3%
Are you a lone parent and work more than 16 hours per week?			
Yes			17%
No			79%
Did not answer			4%
Do you support this proposal?			
Strongly agree			14%
Agree			17%
Neither agree nor disagree			46%
Disagree			6%
Strongly disagree			11%
Did not answer			6%
If you receive Council Tax Support, how do you think this proposal will affect your household?			
Better off			27%
Worse off			30%
No impact			32%
Did not answer			10%

3.10 **Proposal 3 - Backdating an award of Council Tax Support** – Most respondents considered the maximum length of time allowed to backdate a Council Tax Support claim should be 6 months or more, followed by 2 to 3 months. However, most respondents supported the proposal to reduce backdating to one month.

Section 4 - Proposal 3 - Backdating an award of Council Tax Support			
What length of time do you think we should allow for a backdated claim?			
1 month			16%
2 to 3 months			33%
4 to 5 months			11%
6 months or more			36%
Did not answer			3%
Do you support this proposal?			
Strongly agree			35%
Agree			17%
Neither agree nor disagree			30%
Disagree			7%
Strongly disagree			4%
Did not answer			6%

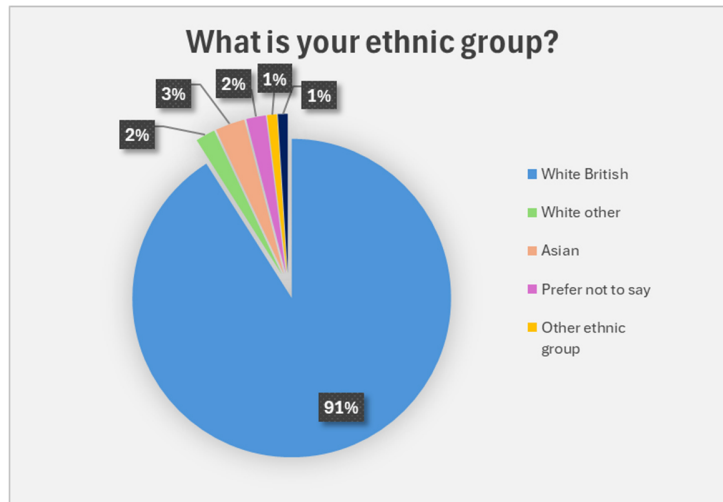
3.11 All free format comments have been compiled for consideration and are shown in Appendix 2. There were a range of comments around specific needs of households, but the main theme highlighted that people were grateful for the support with their Council Tax bill.

## 4.0 – EQUALITY IMPACT ASSESSMENT

- 4.1 The Council has a statutory duty under equalities legislation to give regard to the need:
- To eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act;
  - To advance equality of opportunity between people who share a protected characteristic and those who do not;
  - To foster good relations between people who share a protected characteristic and those who do not.
- 4.2 This involves in particular having due regard to the need to:
- a) Tackle prejudice; and
  - b) Promote understanding
- 4.3 The protected characteristics are age, disability, gender re-assignment, pregnancy, maternity, race, religion or belief, sex, and sexual orientation. The Equality Act explains that having due regard for advancing equality involves:
- Removing or minimising disadvantages suffered by people due to their protected characteristics.
  - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people. Particular attention needs to be paid to the needs of disabled people in taking account of this requirement.
  - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 4.4 Compliance with the duties may involve treating some persons more favorably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under the Act.
- 4.5 An Equality Impact Assessment (EIA) form for implementing all proposals under the scheme has been completed to inform members of the relevant more detailed issues in considering the recommendations in this report. This is included at Appendix 3.
- 4.6 As part of the consultation, we also asked respondents several questions to assist with Equalities monitoring. The responses are shown on the next page.

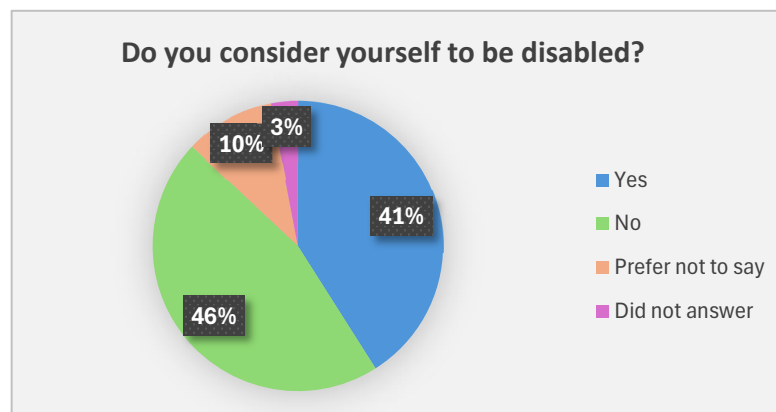
4.7 The data for respondents who declared their ethnic origin reveal figures that are very much in line with the demographic make-up of North Norfolk, where most respondents were classed as white British. This is illustrated in graph 4.

**Graph 4:**



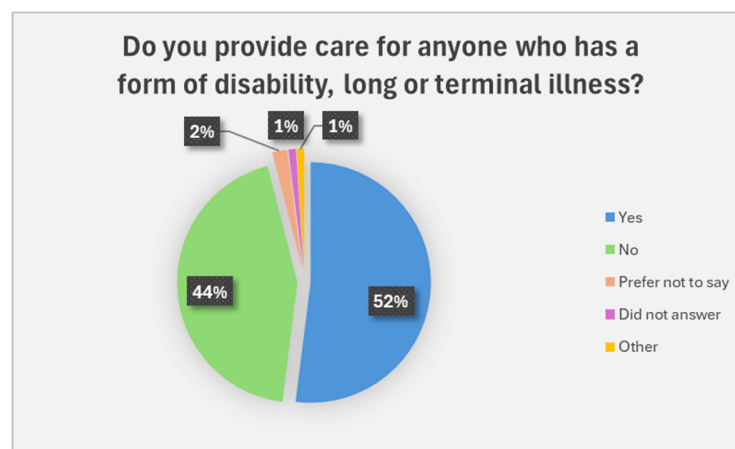
4.8 The consultation asked households completing the survey if they considered themselves to be disabled. The responses showed that a fairly equal number of households with and without disabilities responded. This is illustrated in graph 5.

**Graph 5:**



4.9 We also asked respondents to confirm if they provide care for someone with a disability, or for someone with a long-term, or terminal illness. Most respondents confirmed they did provide care. This is illustrated in graph 6.

**Graph 6:**





## 5.0 – RECOMMENDATIONS

5.1 To proceed to cabinet and recommend all three proposals to the Council Tax Scheme are implemented for 2025/26.

## 6.0 – APPENDICIES

### 6.1 Appendix 1 - Response from Norfolk County Council



Director of Strategic Finance  
County Hall  
Martineau Lane  
Norwich  
NR1 2DW

Trudi Grant (via email)  
Benefits Manager  
North Norfolk District Council

Please ask for: Harvey Bullen

Dear Trudi,

#### **Norfolk County Council response to North Norfolk District Council 2025-26 Council Tax Support Scheme consultation**

Thank you for your email. The County Council appreciates the opportunity to input into the consultation. Our comments on the consultation proposals are as follows –

**Proposal - The additional £17.10 disregard is removed for all claims.**

Norfolk County Council agrees with this proposal.

**Proposal - The current non-dependant deductions, based on earnings, is replaced by a flat-rate non-dependant deduction set at £10.00 a week. To align better with UC data, only households with LCW/LCWRA are exempt from non-dependant deductions, instead of households with PIP/DLA as prescribed by the pre-2013 scheme.**

Norfolk County Council agrees with this proposal.

**Proposal - The maximum award for working-age households is retained as 91.5%.**

Norfolk County Council believes it is essential to maintain council tax income levels to continue to provide vital services for the public. Norfolk County Council's position remains that its preference would be for all Norfolk billing authorities to move towards a consistent Council Tax Support Scheme across the county on the following basis:

- To limit Council Tax Support discount to occupants of properties no higher than Band D Council Tax.
- To work with district colleagues across the County to establish the cap for the Council Tax Support discount for working age claimants at a uniform amount in Norfolk, closer to the national average of 77% of the maximum Council Tax charge.

I am aware that this harmonisation will not be delivered by the current proposals, but would encourage you to consider these principles again for any future revisions to the Council Tax Support Scheme. The County Council would be very happy to facilitate county wide discussions to achieve this objective.

**Proposal - Reduce period of backdating from 6 months to 1 month (but unable to include in cost savings below).**

Norfolk County Council agrees with this proposal.

Thank you again for the opportunity to provide comments on the proposals. The County Council would be very happy to facilitate county wide discussions on future year Council Tax Support Schemes.

Kind regards,

Harvey Bullen  
Director of Strategic Finance

## 6.2 Appendix 2 – Freeform responses

We received 14 freeform responses around alternative ways the Council Tax Support scheme could be changed. These are shown below.

Please suggest any alternative ways the Council could change the Council Tax Support Scheme.
Don't have it. Why should I pay towards others bills? It's about time people stopped having children if they can't afford it. Too many people want handouts instead of living within their means.
You could look at the amount of universal credit someone gets and deduct proportionally.
Happy for the help and grateful but suggestions on other changes
1. Process claims more efficiently 2. Award support for a more defined period - such as 12 months and require reapplication as a means to ensure it is only claimed/awarded if required
People on benefits should be fully supported whereas people not on any benefits should receive any support.
It will help me better. Thank you
I am happy with the changes
I am just glad you help me
The backdate should depend on how quick your benefit change is notified to you as I have experienced a long delay before I was notified (4 months).
Take into consideration that I care for my mum who lives with me and I get no support for that when she earns no money.
How about leaving it as it is? You'll save on the admin required to make any changes. If it 'ain't broke', don't fix it.
Other than halving the actual bill when we are a lone parent I do not have any other suggestions
I just want to know can please reduce my council tax. Is that possible to get any support or to reduce. My household income is £12,080 (year).
If children are in education or low income don't believe there should be no change. If carers live in should be no change. Charging children in that not going back to poll tax?

### 6.3 Appendix 2 – Freeform Responses (Continued)

We received 11 freeform responses around the Council Tax Support in general. These are shown below.

If you have any further comments or questions to make regarding the Council Tax Support Scheme that you haven't had the opportunity to raise elsewhere, please use the space below.
The council should be providing more support for those who are vulnerable and economically disadvantaged not increasing financial pressure on these groups.
It is too hard to make sense of the notes you have provided. I don't understand how this will actually look. I want to give feedback but I don't understand how this is different to what you already do.
Change to proposal 1 will make it impossible to manage financially.
I have a live in carer paid for by the council he gets carers allowance. I don't understand this but have answered the questions as honestly as I can if you need more information please feel free to contact me.
I am on PIP
Why are you planning to penalise lone parents? A lone parent does the job of two people and need time to do the additional tasks that would normally be 'shared', Bit no, you plan to exclude any advantage for this group by insisting they work more than 16 hours to qualify. Thoughtless.
I do think that the council tax I pay every month of £38 is still high, I think that with 2 adults where one of them have mental health problems and the other on universal credit, this could be reduced to half the amount to £20!
We come from Ukraine, I am disabled and my grandson lives with me, he turned 18 on July 3. I am disabled and cannot workm and he studied at norwich college. And now they wont hire him they increased our council tax right after my grandson turned 18 to £39, this greatly affects our family buget. Is it possible to somehow revise and reduce the amount? We respectfully appeal to you!
The council tax support scheme is an absolute lifeline to people on low incomes and can make the difference between people being able to cope or going into debt.
With bills going through the roof any help offered is welcomed!
██████████ turns 18 in 2 weeks, so she will need to be included in your calculations.

## 6.4 Appendix 3 – Equality Impact Assessment

Directorate	Service	Person responsible for the assessment	Date assessment completed
People Services	Benefits	Trudi Grant Lindsay Circuit	27 <sup>th</sup> November 2024
<b>Title of the policy being assessed</b>	Council Tax Support Scheme 2025/26		
<b>The status of the policy</b>	This is a continuation of, and updates to, an existing policy. A working party has been set up to approve the proposed changes to the Council's Council Tax Support (CTS) Scheme which formed the basis of a public consultation. The public consultation ended on 24 <sup>th</sup> November. The working party will now meet to confirm recommendations to cabinet.		
<b>1. What are the aims, objectives, and purposes of the policy?</b>	Council Tax Support is a discount given to residents on a low income to help with the cost of their council tax bill. The council is free to agree its own local scheme for the discount for working age people. The changes are proposed so that the scheme remains fit for purpose as working age residents in receipt of welfare benefits are moved onto Universal Credit.		
<b>2. Does the policy support other objectives of the council?</b>	Yes – The proposed changes to the scheme will ensure we continue to provide financial support to residents to help their financial resilience and prevent homelessness. It will also support the council's aims in being strong, responsible, and accountable by ensuring the scheme remains cost effective.		
<b>3. Who is intended to benefit from the policy, and in what way?</b>	Residents will benefit from the scheme to help with the cost of their council tax bill.		
<b>4. What outcomes are anticipated from the policy being in place?</b>	A scheme that is fit for purpose, easy to administer, and aligned with Universal Credit. There is also an anticipated saving on the cost of the scheme to the council.		

5. Identify and select your assessment team.	<b>Name</b>		<b>Role</b>		<b>Responsibilities</b>				
	Trudi Grant Lindsay Circuit  Policy in Practice		Benefits Manager  Data Analytics		To provide relevant data to Policy In Practice for data analytics around proposed changes to be performed.  Benefits Manager to analyse the returned data for Council Tax Support scheme re-modelling.				
6. What data have you gathered for this assessment? How have you analysed this data?	<b>Source and Age of Data</b>		<b>Owner</b>		<b>Findings</b>		<b>Data Gaps</b>		
	Council Tax Support caseload data  Council Tax Support scheme forecasting completed through Policy in Practice  Public consultation		Benefits Manager		Please refer to Council Tax Support Working Party report.		None		
7. Who are the main stakeholders of this policy?	<b>Community</b>			<b>Staff/Members</b>			<b>Partners</b>		
	Working age recipients of Council Tax Support  The Council Tax payer			Cllr Wendy Fredericks (PH)  The Working Party			N/A		

8. Are there any concerns that the policy could have a negative impact with regard to race and ethnicity?	No	<b>What evidence (actual data or assumptions) do you have to support this?</b>
We ask residents to provide details of their ethnicity on the Council Tax Support application form. Providing this information is optional. Whilst we collect the data this is not something that we can currently report on from the Open Revenues system.  Households receive Council Tax Support up to the same maximum level of 91.5% regardless of their race and ethnicity.  If people need to claim in another language, we have the Intran service available.		
9. Are there any concerns that the policy could have a negative impact with regard to gender?	No	<b>What evidence (actual data or assumptions) do you have to support this?</b>
The current scheme and the proposed scheme provide the same level of support to residents regardless of their gender. This is in line with other Department for Work and Pensions benefits.		
10. Are there any concerns that the policy could have a negative impact with regard to disability?	No	<b>What evidence (actual data or assumptions) do you have to support this?</b>
The current scheme and the proposed scheme provide the same maximum level of support (91.5%) to residents regardless of their disability. There are certain additional premiums in the Council Tax Support scheme which enhance the amount of Council Tax Support a disabled household can receive. This is in line with other Department of Work and Pensions benefits.		
11. Are there any concerns that the policy could have a negative impact with regard to age?	No	<b>What evidence (actual data or assumptions) do you have to support this?</b>
All working-age households will receive Council Tax Support up to the same maximum level (91.5%) regardless of their age. Pension age households receive a different level of support (up to 100%) under a national prescribed set of requirements.		
12. Are there any concerns that the policy could have a negative impact with regard to religion/belief?	No	<b>What evidence (actual data or assumptions) do you have to support this?</b>
The current scheme and the proposed scheme provide the same level of support to residents regardless of their religion or beliefs. This is in line with other Department for Work and Pensions benefits and support payments.		



13. Are there any concerns that the policy could have a negative impact with regard to sexual orientation?	<b>No</b>	<p><b>What evidence (actual data or assumptions) do you have to support this?</b></p> <p>The current scheme and the proposed scheme provide the same level of support to residents regardless of their sexual orientation. This is in line with other Department for Work and Pensions benefits and support payments.</p>	
<p>14. Could the negative impact you have identified in questions 8 - 13 lead to the potential for adverse impact if the policy is implemented?</p> <p>Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group?</p> <p>Or any other reason?</p> <p>Can the impact be mitigated by existing means?</p> <p>If yes, what actions will you undertake to mitigate these impacts and revise the policy?</p>	<b>No</b>	N/A	
15. Describe the arrangements for reporting and publishing this assessment.	This assessment will be included in the Council Tax Support consultation evaluation report and presented to the working party. It will also form part of the report to cabinet should the proposed changes to the scheme be approved.		
Has this assessment been undertaken by a minimum of two staff?	<b>Yes</b>	<b>Has this assessment been scrutinised by your Directorate Steering Group?</b>	<b>No</b>

**If the policy is new, or requires a decision by Councillors to revise, has this Equality Impact Assessment been included with the report?**

**Yes**

**Have any actions identified in this assessment been included in your service equality and diversity action plan?**

**N/A**

**Completed by:**

Trudi Grant

**Signed off by:**

Karen Hill



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**NORTH  
NORFOLK  
DISTRICT  
COUNCIL**

**North Norfolk District Council  
Council Tax Reduction Scheme**

S13A and Schedule 1a of the Local Government Finance Act 1992

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## **1.0 Introduction to the Council Tax Reduction Scheme**

1.1 The following has been adopted by the Council and details the Council Tax Reduction scheme for the period 1<sup>st</sup> April 2024 until 31<sup>st</sup> March 2025.

1.2 This document details how the scheme will operate for both pension credit age and working age applicants and in accordance with Section 13A of the Local Government Finance Act 1992 specifies the classes of person who are to be entitled to a reduction under the scheme and is effective from 1<sup>st</sup> April 2024 for a period of one financial year.

1.3 The scheme in respect of pension age applicants is defined by Central Government within the following:

- Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012;
- Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012;
- Council Tax Reduction Schemes (Transitional Provision) (England) Regulations 2013;
- Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013;
- Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) (No. 2) Regulations 2014;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2015;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2016;
- The Council Tax Reduction Schemes (Amendment) (England) Regulations 2017;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2018;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2020;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2022;
- The Council Tax (Demand Notices and Reduction Schemes) (England) (amendment) Regulations 2022;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2023;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2024; and
- Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012).

### **The scheme for pension age applicants – Central Government’s scheme as defined by the Council Tax Reduction Scheme (Prescribed Requirements) (England) Regulations 2012**

1.4 There are three main classes under the prescribed pension credit age scheme, for each of which there are a number of qualifying criteria. In all cases individuals must not be of a prescribed class exempted from reduction, such as a person subject to immigration control with limited leave to remain. The definition of a pension credit age person is a person who;

- a. has attained the qualifying age for state pension credit; and
- b. is not, or, if he has a partner, his partner is not;
  - i. a person on income support, on an income-based jobseeker’s allowance or on an income-related employment and support allowance; or
  - ii. a person with an award of universal credit

The three prescribed classes are as follows;

**Class A: pensioners whose income is less than the applicable amount.**

On any day Class A consists of any person who is a pensioner:

- a. who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- b. who, subject to paragraph 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day; in respect of whom a maximum Council Tax Reduction amount can be calculated;
- c. who does not fall within a class of persons prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- d. whose income (if any) for the relevant week does not exceed his applicable amount calculated in accordance with paragraph 9 and Schedule 2 of the Local Government Finance Act 1992;
- e. not have capital savings above £16,000; and
- f. who has made an application for a reduction under the authority's scheme.

**Class B: pensioners whose income is greater than the applicable amount.**

On any day class B consists of any person who is a pensioner:

- a. who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- b. who, subject to paragraph 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day; in respect of whom a maximum Council Tax Reduction amount can be calculated;
- c. who does not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- d. whose income for the relevant week is greater than his applicable amount calculated in accordance with paragraph 9 and Schedule 2 to the Local Government Finance Act 1992;
- e. in respect of whom amount A exceeds amount B where;
  - (i) amount A is the maximum Council Tax Reduction in respect of the day in the applicant's case; and
  - (ii) amount B is 2 6/7 per cent of the difference between his income for the relevant week and his applicable amount;
- g. not have capital savings above £16,000; and
- h. who has made an application for a reduction under the authority's scheme.

**Class C: alternative maximum Council Tax Reduction**

On any day class C consists of any person who is a pensioner:

- a. who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- b. who, subject to paragraph 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day;
- c. in respect of whom a maximum Council Tax Reduction amount can be calculated;
- d. who does not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the 1992 Act and excluded from the authority's scheme;
- e. who has made an application for a reduction under the authority's scheme; and
- f. in relation to whom the condition below is met.

The condition referred to in sub-paragraph f. is that no other resident of the dwelling is liable to pay rent to the applicant in respect of the dwelling and there is an alternative maximum Council Tax Reduction in respect of the day in the case of that person which is derived from the income, or aggregate income, of one or more residents to whom this sub-paragraph applies.

The above applies to any other resident of the dwelling who:

- a. is not a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for

- the purposes of discount;
- b. is not a person who is liable for council tax solely in consequence of the provisions of section 9 of the 1992 Act (spouse's or civil partner's joint and several liability for tax);
- c. is not a person who is residing with a couple or with the members of a polygamous marriage where the applicant is a member of that couple or of that marriage and—
  - (i) in the case of a couple, neither member of that couple is a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount; or
  - (ii) in the case of a polygamous marriage, two or more members of that marriage are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount;
- d. is not a person who, jointly with the applicant, falls within the same paragraph of section 6(2)(a) to (e) of the 1992 Act (persons liable to pay council tax) as applies in the case of the applicant; or
- e. is not a person who is residing with two or more persons both or all of whom fall within the same paragraph of section 6(2)(a) to (e) of the 1992 Act where two or more of those persons are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount.

#### **Disregard of certain incomes**

- 1.5 For those who have reached the qualifying age for state pension credit, the Council has resolved to enhance the government scheme (as defined by the Council Tax Reduction Scheme (Prescribed Requirements) (England) Regulations 2012 to disregard in full the following:
- a. a war disablement pension;
  - b. a war widow's pension or war widower's pension;
  - c. a pension payable to a person as a widow, widower or surviving civil partner under any power of His Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
  - d. a guaranteed income payment;
  - e. a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
  - f. a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in sub-paragraphs (a) to (d) above;
  - g. pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.
- The provisions outlined above, enhance the Central Government's scheme.**

#### THE SCHEME FOR WORKING AGE APPLICANTS – THE COUNCIL'S LOCAL SCHEME

- 1.6 The adopted scheme for working age applicants is a means test, which compares income against an assessment of *applicable amounts* (unless otherwise stated). Full details of the working age scheme of the authority are contained within this document from section 2 onwards. The authority is required to specify a scheme for working age and therefore this scheme only applies to a person who;
- a. has not attained the qualifying age for state pension credit; or
  - b. has attained the qualifying age for state pension credit if he, and his partner, is a person on income support, on an income-based jobseeker's allowance, on an income-related employment and support allowance or on universal credit.
- 1.7 The Council has resolved that there will be *three* classes of persons who will receive a reduction in line with adopted scheme. There will be *three* main classes prescribed for, for each of which there will be a number of qualifying criteria. In all cases individuals must not be of a prescribed class exempted from reduction as specified within section 7 of this scheme.

## Class D

To obtain reduction the individual (or partner) must:

- a. have not attained the qualifying age for state pension credit<sup>1</sup>; or
- b. he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is a person on income support, on income-based jobseeker's allowance or an income-related employment and support allowance; or a person with an award of universal credit.
- c. be liable to pay council tax in respect of a dwelling in which he is solely or mainly resident;
- d. is not deemed to be absent from the dwelling;
- e. not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- f. be somebody in respect of whom a maximum Council Tax Reduction<sup>2</sup> amount can be calculated;
- g. not have capital savings above £16,000<sup>3</sup>;
- h. be a person in respect of whom a day in which s/he is liable to pay council tax falls within a week in respect of which the person's *income*<sup>4</sup> is **less** than their *applicable amount*<sup>5</sup> or the applicant or partner is in receipt of income support, jobseekers' allowance (income based) or employment and support allowance (income related); and
- i. has made a valid application for reduction<sup>6</sup>.

Maximum Council Tax Reduction stated above is defined within section 57 of this scheme.

## Class E

To obtain reduction the individual (or partner) must:

- a. have not attained the qualifying age for state pension credit<sup>7</sup>; or
- b. he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is a person on income support, on income-based jobseeker's allowance or an income-related employment and support allowance; or a person with an award of universal credit.
- c. be liable to pay council tax in respect of a dwelling in which they are solely or mainly resident;
- d. is not deemed to be absent from the dwelling;
- e. not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- f. be somebody in respect of whom a maximum Council Tax Reduction<sup>8</sup> amount can be calculated;
- g. not have capital savings above £16,000<sup>9</sup>;
- h. be a person in respect of whom a day in which s/he is liable to pay council tax falls within a week in respect of which the person's *income*<sup>10</sup> is **more** than their *applicable amount*<sup>11</sup>;
- i. have made a valid application for reduction<sup>12</sup>;
- j. be a person in respect of whom amount A exceeds amount B where;
  - (i) amount A is the maximum Council Tax Reduction in respect of the day in the applicant's case; and
  - (ii) amount B is 2 6/7 per cent of the difference between his income for the relevant week and his applicable amount.

Maximum Council Tax Reduction stated above is defined within section 57 of this scheme.

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<sup>1</sup> Section 5 of this scheme

<sup>2</sup> Sections 57 to 63 of this scheme

<sup>3</sup> Sections 33 to 42 and Schedule 5 of this scheme

<sup>4</sup> Sections 15 to 32 and Schedules 3 and 4 of this scheme

<sup>5</sup> Sections 12 to 14 and Schedule 1 of this scheme

<sup>6</sup> Sections 68 to 74a of this scheme

<sup>7</sup> Section 5 of this scheme

<sup>8</sup> Sections 57 to 63 of this scheme

<sup>9</sup> Sections 33 to 42 and Schedule 5 of this scheme

<sup>10</sup> Sections 15 to 32 and Schedules 3 and 4 of this scheme

<sup>11</sup> Sections 12 to 14 and Schedule 1 of this scheme

<sup>12</sup> Sections 68 to 74a of this scheme

## Class F

To obtain reduction the individual must:

- a. have not attained the qualifying age for state pension credit<sup>13</sup>; or
- b. has attained the qualifying age for state pension credit if he, and his partner, is a person on income support, on an income-based jobseeker's allowance or on an income-related employment and support allowance or in receipt of an award universal credit;
- c. be liable to pay council tax in respect of a dwelling in which they are solely or mainly resident;
- d. is not deemed to be absent from the dwelling;
- e. who does not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- f. be somebody in respect of whom a maximum Council Tax Reduction<sup>14</sup> amount can be calculated;
- g. have made a valid application for reduction<sup>15</sup>;
- h. be somebody who has at least one second adult living with them who is not his partner, not somebody who pays rent, and who is on a *prescribed* low wage and/or *prescribed* benefit, as set out in within sections 62 and 63 and schedule 2 of this scheme.

Maximum Council Tax Reduction stated above is defined within section 57 of this scheme.

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<sup>13</sup> Section 5 of this scheme

<sup>14</sup> Sections 57 to 63 of this scheme

<sup>15</sup> Sections 68 to 74a of this scheme

## **Council Tax Reduction Scheme**

Details of support to be given for **working age applicants** for the financial year 2023/24

**Sections 2- 8**  
**Definitions and interpretation**

## **2.0 Interpretation – an explanation of the terms used within this scheme.**

### **2.1** In this scheme–

**‘the Act’** means the Social Security Contributions and Benefits Act 1992;

**‘the Administration Act’** means the Social Security Administration Act 1992;

**‘the 1973 Act’** means the Employment and Training Act 1973;

**‘the 1992 Act’** means the Local Government Finance Act 1992;

**‘the 2000 Act’** means the Electronic Communications Act 2000;

**‘Abbeyfield Home’** means an establishment run by the Abbeyfield Society including all bodies corporate or incorporate which are affiliated to that Society;

**‘adoption leave’** means a period of absence from work on ordinary or additional adoption leave by virtue of section 75A or 75B of the Employment Rights Act 1996;

**‘an AFIP’** means an armed forces independence payment payable in accordance with an armed and reserve forces compensation scheme established under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004

**‘alternative maximum council tax reduction’** (Second Adult Rebate) means the amount determined in accordance with section 62 and Schedule 2;

**‘applicable amount’** means the amount determined in accordance with schedule 1 of this scheme.

**‘applicant’** means a person who the authority designates as able to claim Council tax reduction – for the purposes of this scheme all references are in the masculine gender but apply equally to male and female;

**‘application’** means an application for a reduction under this scheme:

**‘appropriate DWP office’** means an office of the Department for Work and Pensions dealing with state pension credit or office which is normally open to the public for the receipt of claims for income support, a jobseeker’s allowance or an employment and support allowance;

**‘assessment period’** means such period as is prescribed in sections 19 to 21 over which income falls to be calculated;

**‘attendance allowance’** means–

(a) an attendance allowance under Part 3 of the Act;

(b) an increase of disablement pension under section 104 or 105 of the Act;

(c) a payment under regulations made in exercise of the power conferred by paragraph 7(2)(b) of Part 2 of Schedule 8 to the Act;

(d) an increase of an allowance which is payable in respect of constant attendance under paragraph 4 of Part 1 of Schedule 8 to the Act;

(e) a payment by virtue of article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983 or any analogous payment; or

(f) any payment based on need for attendance which is paid as part of a war disablement pension;

**‘the authority’** means a billing authority in relation to whose area this scheme has effect by virtue of paragraph 4(6) of Schedule 1A to the 1992 Act;

**‘Back to Work scheme(s)’** means any scheme defined within the Jobseekers (Back to Work Schemes) Act 2013 or Jobseeker’s Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013;

**‘basic rate’**, where it relates to the rate of tax, has the same meaning as in the Income Tax Act 2007 (see section 989 of that Act).

**‘the benefit Acts’** means the Act (SSBA) and the Jobseekers Act 1995 and the Welfare Reform Act 2007;

**‘board and lodging accommodation’** means accommodation provided to a family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and are consumed in that accommodation or associated premises;

**‘care home’** has the meaning given by section 3 of the Care Standards Act 2000 and in Scotland means a care home service within the meaning given by section 2(3) of the Regulation of Care (Scotland) Act 2001 and in Northern Ireland means a nursing home within the meaning of Article 11 of the Health and Personal Social Services (Quality,



Improvement and Regulation) (Northern Ireland) Order 2003 or a residential care home within the meaning of Article 10 of that Order;

**'the Caxton Foundation'** means the charitable trust of that name established on 28th March 2011 out of funds provided by the Secretary of State for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with its provisions;

**'child benefit'** has the meaning given by section 141 of the SSCBA as amended by The Child Benefit (General), Child Tax Credit (Amendment) Regulations 2014 and The Child Benefit (General) (Amendment) Regulations 2015;

**'the Children Order'** means the Children (Northern Ireland) Order 1995;

**'child tax credit'** means a child tax credit under section 8 of the Tax Credits Act 2002;

**'claim'** means a claim for council tax reduction;

**'close relative'** means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister, or if any of the preceding persons is one member of a couple, the other member of that couple;

**'concessionary payment'** means a payment made under arrangements made by the Secretary of State with the consent of the Treasury which is charged either to the National Insurance Fund or to a Departmental Expenditure Vote to which payments of benefit or tax credits under the benefit Acts or the Tax Credits Act are charged;

**'the Consequential Provisions Regulations'** means the Housing Benefit and Council tax reduction (Consequential Provisions) Regulations 2006;

**'contributory employment and support allowance'** means an allowance under Part 1 of the Welfare Reform Act 2007 as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the Welfare Reform Act 2012 that remove references to an income-related allowance and a contributory allowance under Part 1 of the Welfare Reform Act 2007 as that Part has effect apart from those provisions;

**'converted employment and support allowance'** means an employment and support allowance which is not income-related and to which a person is entitled as a result of a conversion decision within the meaning of the Employment and Support Allowance (Existing Awards) Regulations 2008;

**'council tax benefit'** means council tax benefit under Part 7 of the SSCBA;

**'council tax reduction scheme'** has the same meaning as **'council tax reduction or reduction.'**

**'council tax reduction'** means council tax reduction as defined by S13a Local Government Finance Act 1992 (as amended);

**'couple'** means;

- (a) a man and a woman who are married to each other and are members of the same household;
- (b) a man and a woman who are not married to each other but are living together as if they were a married couple or civil partners;
- (c) two people of the same sex who are civil partners of each other and are members of the same household; or
- (d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners,

Two people of the same sex are to be treated as living together as if they were civil partners if, and only if, they would be treated as living together as husband and wife were they of opposite sexes. The above includes the Marriage (Same Sex Couples) Act 2013 and The Marriage (Same Sex Couples) Act 2013 (Commencement No. 3) Order 2014;

**'date of claim'** means the date on which the application or claim is made, or treated as made, for the purposes of this scheme.

**'designated authority'** means any of the following;

the local authority; or a person providing services to, or authorised to exercise any function of, any such authority;

**'designated office'** means the office designated by the authority for the receipt of claims for council tax reduction;

- (a) by notice upon or with a form approved by it for the purpose of claiming council tax reduction; or
- (b) by reference upon or with such a form to some other document available from it and sent by electronic means or otherwise on application; or

(c) by any combination of the provisions set out in sub-paragraphs (a) and (b) above;

**‘disability living allowance’** means a disability living allowance under section 71 of the Act;

**‘dwelling’** has the same meaning in section 3 or 72 of the 1992 Act;

**‘earnings’** has the meaning prescribed in section 25 or, as the case may be, 27;

**‘the Eileen Trust’** means the charitable trust of that name established on 29th March 1993 out of funds provided by the Secretary of State for the benefit of persons eligible for payment in accordance with its provisions;

**‘electronic communication’** has the same meaning as in section 15(1) of the Electronic Communications Act 2000 ;

**‘employed earner’** is to be construed in accordance with section 2(1)(a) of the Act and also includes a person who is in receipt of a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay or statutory maternity pay;

**‘Employment and Support Allowance Regulations’** means the Employment and Support Allowance Regulations 2008 and the Employment and Support Regulations 2013 as appropriate;

**‘Employment and Support Allowance (Existing Awards) Regulations’** means the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) Regulations 2010;

**‘the Employment, Skills and Enterprise Scheme’** means a scheme under section 17A (schemes for assisting persons to obtain employment; ‘work for your benefit’ schemes etc.) of the Jobseekers Act 1995 known by that name and provided pursuant to arrangements made by the Secretary of State that is designed to assist applicants to obtain employment, including self-employment, and which may include for any individual work-related activity (including work experience or job search). This also includes schemes covered by The Jobseekers Allowance (Employment, Skills, and Enterprise Scheme) Regulations 2011 as amended by the Jobseekers (Back to Work Schemes) Act 2013 – see **‘Back to Work Schemes’**;

**‘employment zone’** means an area within Great Britain designated for the purposes of section 60 of the Welfare Reform and Pensions Act 1999 and 2014 and an **‘employment zone programme’** means a programme established for such an area or areas designed to assist applicants for a jobseeker’s allowance to obtain sustainable employment;

**‘employment zone contractor’** means a person who is undertaking the provision of facilities in respect of an employment zone programme on behalf of the Secretary of State for Work and Pensions;

**‘enactment’** includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament;

**‘extended reduction’** means a payment of council tax reduction payable pursuant to section 60;

**‘extended reduction period’** means the period for which an extended reduction is payable in accordance with section 60A or 61A of this scheme;

**‘extended reduction (qualifying contributory benefits)’** means a payment of council tax reduction payable pursuant to section 61;

**‘family’** has the meaning assigned to it by section 137(1) of the Act and Section 9 of this scheme;

**‘the Fund’** means moneys made available from time to time by the Secretary of State for the benefit of persons eligible for payment in accordance with the provisions of a scheme established by him on 24th April 1992 or, in Scotland, on 10th April 1992;

**‘a guaranteed income payment’** means a payment made under article 15(1)(c) (injury benefits) or 29(1)(a) (death benefits) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;

**‘he, him, his’** also refers to the feminine within this scheme.

**‘housing benefit’** means housing benefit under Part 7 of the Act; ‘the Housing Benefit Regulations’ means the Housing Benefit Regulations 2006;

**‘Immigration and Asylum Act’** means the Immigration and Asylum Act 1999;

**‘an income-based jobseeker’s allowance’** and **‘a joint-claim jobseeker’s allowance’** have the meanings given by section 1(4) of the Jobseekers Act 1995;

**‘income-related employment and support allowance’** means an income-related allowance under Part 1 of the Welfare Reform Act 2007;

**‘Income Support Regulations’** means the Income Support (General) Regulations 1987(a);

**‘independent hospital’–**

(a) in England, means a hospital as defined by section 275 of the National Health Service Act 2006 that is not a health service hospital as defined by that section;

(b) in Wales, has the meaning assigned to it by section 2 of the Care Standards Act 2000; and

(c) in Scotland means an independent health care service as defined by section 10F of the National Health Service (Scotland) Act 1978;

**‘the Independent Living Fund (2006)’** means the Trust of that name established by a deed dated 10th April 2006 and made between the Secretary of State for Work and Pensions of the one part and Margaret Rosemary Cooper, Michael Beresford Boyall and Marie Theresa Martin of the other part;

**‘invalid carriage or other vehicle’** means a vehicle propelled by a petrol engine or by electric power supplied for use on the road and to be controlled by the occupant;

**‘Jobseekers Act’** means the Jobseekers Act 1995; **‘Jobseeker’s Allowance Regulations’** means the Jobseeker’s Allowance Regulations 1996 and Jobseeker’s Allowance Regulations 2013 as appropriate;

**‘limited capability for work’** has the meaning given in section 1(4) of the Welfare Reform Act;

**‘limited capability for work-related activity’** has the meaning given in section 2(5) of the Welfare Reform Act 2007;

**‘the London Bombing Relief Charitable Fund’** means the company limited by guarantee (number 5505072), and registered charity of that name established on 11th July 2005 for the purpose of (amongst other things) relieving sickness, disability or financial need of victims (including families or dependants of victims) of the terrorist attacks carried out in London on 7th July 2005;

**‘lone parent’** means a person who has no partner and who is responsible for and a member of the same household as a child or young person;

**‘the Macfarlane (Special Payments) Trust’** means the trust of that name, established on 29th January 1990 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia;

**‘the Macfarlane (Special Payments) (No.2) Trust’** means the trust of that name, established on 3rd May 1991 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia and other beneficiaries;

**‘the Macfarlane Trust’** means the charitable trust, established partly out of funds provided by the Secretary of State to the Haemophilia Society, for the relief of poverty or distress among those suffering from haemophilia;

**‘main phase employment and support allowance’** means an employment and support allowance where the calculation of the amount payable in respect of the applicant includes a component under section 2(1)(b) or 4(2)(b) of the Welfare Reform Act 2007 except in Part 1 of Schedule 1;

**‘the Mandatory Work Activity Scheme’** means a scheme within section 17A (schemes for assisting persons to obtain employment; ‘work for your benefit’ schemes etc.) of the Jobseekers Act 1995 known by that name and provided pursuant to arrangements made by the Secretary of State that is designed to provide work or work related activity for up to 30 hours per week over a period of four consecutive weeks with a view to assisting applicants to improve their prospect of obtaining employment;

**‘maternity leave’** means a period during which a woman is absent from work because she is pregnant or has given birth to a child, and at the end of which she has a right to return to work either under the terms of her contract of employment or under Part 8 of the Employment Rights Act 1996;

**‘member of a couple’** means a member of a married or unmarried couple;

**‘MFET Limited’** means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products;

**‘mobility supplement’** means a supplement to which paragraph 9 of Schedule 4 refers;

**‘mover’** means an applicant who changes the dwelling in which the applicant is resident and in respect of which the applicant liable to pay council tax from a dwelling in the area of the appropriate authority to a dwelling in the area of the second authority;

**‘net earnings’** means such earnings as are calculated in accordance with section 26;

**‘net profit’** means such profit as is calculated in accordance with section 28;

**‘the New Deal options’** means the employment programmes specified in regulation 75(1)(a)(ii) of the Jobseeker’s Allowance Regulations 1996 and the training scheme specified in regulation 75(1)(b)(ii) of those Regulations;

**‘new dwelling’** means, for the purposes of the definition of ‘second authority’ and sections 60C, and 61C the dwelling to which an applicant has moved, or is about to move, in which the applicant is or will be resident;

**‘non-dependant’** has the meaning prescribed in section 3;

**‘non-dependant deduction’** means a deduction that is to be made under section 58;

**‘occasional assistance’** means any payment or provision made by a local authority, the Welsh Ministers, or the Scottish Ministers for the purposes of:

(a) meeting, or helping to meet an immediate short-term need;

(i) arising out of an exceptional event or exceptional circumstances, or

(ii) that needs to be met to avoid a risk to the well-being of an individual, and

(b) enabling qualifying individuals to establish or maintain a settled home, and—

(i) ‘local authority’ has the meaning given by section 270(1) of the Local Government Act 1972 ;and

(ii) ‘qualifying individuals’ means individuals who have been, or without the assistance might otherwise be:

(aa) in prison, hospital, an establishment providing residential care or other institution, or

(bb) homeless or otherwise living an unsettled way of life; and ‘local authority’ means a local authority in England within the meaning of the Local Government Act 1972;

**‘occupational pension’** means any pension or other periodical payment under an occupational pension scheme but does not include any discretionary payment out of a fund established for relieving hardship in particular cases;

**‘occupational pension scheme’** has the same meaning as in section 1 of the Pension Schemes Act 1993

**‘ordinary clothing or footwear’** means clothing or footwear for normal daily use, but does not include school uniforms, or clothing or footwear used solely for sporting activities;

**‘partner’** in relation to a person, means;

(a) where that person is a member of a couple, the other member of that couple;

(b) subject to paragraph (c), where that person is polygamously married to two or more members of his household, any such member to whom he is married; or

(c) where that person is polygamously married and has an award of universal credit with the other party to the earliest marriage that still subsists, that other party to the earliest marriage;

**‘paternity leave’** means a period of absence from work on leave by virtue of section 80A or 80B of the Employment Rights Act 1996;

**‘payment’** includes part of a payment;

**‘pensionable age’** has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995 as amended by the Public Services Pension Act 2013 and Pensions Act 2014;

**‘pension fund holder’** means with respect to a personal pension scheme or an occupational pension scheme, the trustees, managers or scheme administrators, as the case may be, of the scheme concerned;

**‘pensioner’** a person who has attained the age at which pension credit can be claimed;

**‘person affected’** shall be construed as a person to whom the authority decides is affected by any decision made by the council;

**‘person on income support’** means a person in receipt of income support;

**‘personal independence payment’** has the meaning given by Part 4 of the Welfare Reform Act 2012 and the Social Security (Personal Independence Payments) 2013;

**‘person treated as not being in Great Britain’** has the meaning given by section 7;

**‘personal pension scheme’** means—

a. a personal pension scheme as defined by section 1 of the Pension Schemes Act 1993 as amended by the Public Service Pension Act 2013;

- b. an annuity contractor trust scheme approved under section 620 or 621 of the Income and Corporation Taxes Act 1988 or a substituted contract within the meaning of section 622(3) or that Act which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(f) of Schedule 36 of the Finance Act 2004<sup>16</sup>;
- c. a personal pension scheme approved under Chapter 4 of Part 14 of the Income and Corporation Taxes Act 1988 which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(g) of Schedule 36 to the Finance Act 2004;
- d. a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013;
- e. Back to Work scheme;

**'policy of life insurance'** means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life, or any instrument evidencing a contract which is subject to payment of premiums for a term dependent on human life;

**'polygamous marriage'** means a marriage to which section 133(1) of the Act refers namely;

(a) a person is a husband or wife by virtue of a marriage entered into under a law which permits polygamy; and

(b) either party to the marriage has for the time being any spouse additional to the other party.

**'public authority'** includes any person certain of whose functions are functions of a public nature;

**'qualifying age for state pension credit'** means (in accordance with section 1(2)(b) and (6) of the State Pension Credit Act 2002)–

(a) in the case of a woman, pensionable age; or

(b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man;

**'qualifying contributory benefit'** means;

(a) severe disablement allowance;

(b) incapacity benefit;

(c) contributory employment and support allowance;

**'qualifying course'** means a qualifying course as defined for the purposes of Parts 2 and 4 of the Job Seeker's Allowance Regulations 1996

**'qualifying income-related benefit'** means.

(a) income support;

(b) income-based jobseeker's allowance;

(c) income-related employment and support allowance;

**'qualifying person'** means a person in respect of whom payment has been made from the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the London Bombings Relief Charitable Fund;

**'reduction week'** means a period of seven consecutive days beginning with a Monday and ending with a Sunday;

**'relative'** means a close relative, grandparent, grandchild, uncle, aunt, nephew or niece;

**'relevant authority'** means an authority administering council tax reduction;

**'relevant week'** In relation to any particular day, means the week within which the day in question falls;

**'remunerative work'** has the meaning prescribed in section 6;

**'rent'** means 'eligible rent' to which regulation 12 of the Housing Benefit Regulations refers less any deductions in respect of non-dependants which fall to be made under regulation 74 (non-dependant deductions) of those Regulations;

**'resident'** has the meaning it has in Part 1 or 2 of the 1992 Act;

**'Scottish basic rate'** means the rate of income tax of that name calculated in accordance with section 6A of the Income Tax Act 2007;

**'Scottish taxpayer'** has the same meaning as in Chapter 2 of Part 4A of the Scotland Act 1998;

**'second adult'** has the meaning given to it in Schedule 2;

<sup>16</sup> As amended by the Finance Act 2014

**'second authority'** means the authority to which a mover is liable to make payments for the new dwelling;

**'self-employed earner'** is to be construed in accordance with section 2(1)(b) of the Act;

**'self-employment route'** means assistance in pursuing self-employed earner's employment whilst participating in—

- (a) an employment zone programme;
- (b) a programme provided or other arrangements made pursuant to section 2 of the 1973 Act (functions of the Secretary of State) or section 2 of the Enterprise and New Towns (Scotland) Act 1990 (functions in relation to training for employment, etc.); or
- (c) the Employment, Skills and Enterprise Scheme;

**'Service User'** references in this scheme to an applicant participating as a service user are to

- a. a person who is being consulted by or on behalf of—
  - (i) the Secretary of State in relation to any of the Secretary of State's functions in the field of social security or child support or under section 2 of the Employment and Training Act 1973; or
  - (ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such functions in their capacity as a person affected or potentially affected by the exercise of those functions or the carer of such a person; or
- b. the carer of a person consulted as described in sub-paragraph (a) where the carer is not being consulted as described in that sub-paragraph

**'single applicant'** means an applicant who neither has a partner nor is a lone parent;

**'the Skipton Fund'** means the ex-gratia payment scheme administered by the Skipton Fund Limited, incorporated on 25th March 2004, for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with the scheme's provisions.

**'special account'** means an account as defined for the purposes of Chapter 4A of Part 8 of the Jobseeker's Allowance Regulations or Chapter 5 of Part 10 of the Employment and Support Allowance Regulations;

**'sports award'** means an award made by one of the Sports Councils named in section 23(2) of the National Lottery etc Act 1993 out of sums allocated to it for distribution under that section;

**'the SSCBA'** means the Social Security Contributions and Benefits Act 1992

**'State Pension Credit Act'** means the State Pension Credit Act 2002;

**'student'** has the meaning prescribed in section 43;

**'subsistence allowance'** means an allowance which an employment zone contractor has agreed to pay to a person who is participating in an employment zone programme;

**'support or reduction week'** means a period of 7 consecutive days commencing upon a Monday and ending on a Sunday;

**'the Tax Credits Act'** means the Tax Credits Act 2002;

**'tax year'** means a period beginning with 6th April in one year and ending with 5th April in the next;

**'training allowance'** means an allowance (whether by way of periodical grants or otherwise) payable—

- (a) out of public funds by a Government department or by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise, the Young People's Learning Agency for England, the Chief Executive of Skills Funding or Welsh Ministers;
- (b) to a person for his maintenance or in respect of a member of his family; and
- (c) for the period, or part of the period, during which he is following a course of training or instruction provided by, or in pursuance of arrangements made with, the department or approved by the department in relation to him or so provided or approved by or on behalf of the Secretary of State, Skills Development Scotland Scottish Enterprise or Highlands and Islands Enterprise or the Welsh Ministers.

It does not include an allowance paid by any Government department to or in respect of a person by reason of the fact that he is following a course of full-time education, other than under arrangements made under section 2 of the 1973 Act or is training as a teacher;

**'the Trusts'** means the Macfarlane Trust, the Macfarlane (Special Payments) Trust and the

Macfarlane (Special Payments) (No. 2) Trust;

**'Universal Credit'** means any payment of Universal Credit payable under the Welfare Reform Act 2012, the Universal Credit Regulations 2013, The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013, Universal Credit (Miscellaneous Amendments) Regulations 2013 and the Universal Credit (Transitional Provisions) Regulations 2014;

**'Uprating Act'** means the Welfare Benefit Up-rating Act 2013, the Welfare Benefits Up-rating Order 2014, and the Welfare Benefits Up-rating Order 2015;

**'voluntary organisation'** means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;

**'war disablement pension'** means any retired pay or pension or allowance payable in respect of disablement under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003;

**'war pension'** means a war disablement pension, a war widow's pension or a war widower's pension;

**'war widow's pension'** means any pension or allowance payable to a woman as a widow under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

**'war widower's pension'** means any pension or allowance payable to a man as a widower or to a surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

**'water charges'** means;

(a) as respects England and Wales, any water and sewerage charges under Chapter 1 of Part 5 of the Water Industry Act 1991,

(b) as respects Scotland, any water and sewerage charges established by Scottish Water under a charges scheme made under section 29A of the Water Industry (Scotland) Act 2002, in so far as such charges are in respect of the dwelling which a person occupies as his home;

**'week'** means a period of seven days beginning with a Monday;

**'Working Tax Credit Regulations'** means the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 as amended<sup>17</sup>; and

**'young person'** has the meaning prescribed in section 9(1) and in section 142 of the SSCBA.

- 2.2 In this scheme, references to an applicant occupying a dwelling or premises as his home shall be construed in accordance with regulation 7 of the Housing Benefit Regulations 2006.
- 2.3 In this scheme, where an amount is to be rounded to the nearest penny, a fraction of a penny shall be disregarded if it is less than half a penny and shall otherwise be treated as a whole penny.
- 2.4 For the purpose of this scheme, a person is on an income-based jobseeker's allowance on any day in respect of which an income-based jobseeker's allowance is payable to him and on any day;
- (a) in respect of which he satisfies the conditions for entitlement to an income-based jobseeker's allowance but where the allowance is not paid in accordance with regulation 27A of the Jobseeker's Allowance Regulations or section 19 or 20A or regulations made under section 17A of the Jobseekers Act (circumstances in which a jobseeker's allowance is not payable); or
  - (b) which is a waiting day for the purposes of paragraph 4 of Schedule 1 to that Act and which falls immediately before a day in respect of which an income-based jobseeker's allowance is payable to him or would be payable to him but for regulation 27A of the Jobseeker's Allowance Regulations or section 19 or 20A or regulations made under section 17A of that Act;
  - (c) in respect of which he is a member of a joint-claim couple for the purposes of the Jobseekers Act and no joint-claim jobseeker's allowance is payable in respect of that

<sup>17</sup> The Working Tax Credit (Entitlement and Maximum Rate) (Amendment) Regulations 2013; The Working Tax Credit (Entitlement and Maximum Rate) (Amendment) Regulations 2015

- couple as a consequence of either member of that couple being subject to sanctions for the purposes of section 20A of that Act;
- (d) in respect of which an income-based jobseeker's allowance or a joint-claim jobseeker's allowance would be payable but for a restriction imposed pursuant to section 6B, 7, 8 or 9 of the Social Security Fraud Act 2001 (loss of benefit provisions).
- 2.4A For the purposes of this scheme, a person is on an income-related employment and support allowance on any day in respect of which an income-related employment and support allowance is payable to him and on any day;
- (a) in respect of which he satisfies the conditions for entitlement to an income-related employment and support allowance but where the allowance is not paid in accordance with section 18 of the Welfare Reform Act disqualification; or
- (b) which is a waiting day for the purposes of paragraph 2 of Schedule 2 to that Act and which falls immediately before a day in respect of which an income-related employment and support allowance is payable to him or would be payable to him but for section 18 of that Act.
- 2.5 For the purposes of this scheme, two persons shall be taken to be estranged only if their estrangement constitutes a breakdown of the relationship between them.
- 2.6 In this scheme, references to any person in receipt of state pension credit includes a person who would be in receipt of state pension credit but for regulation 13 of the State Pension Credit Regulations 2002 (small amounts of state pension credit).
- 3.0 Definition of non-dependant**
- 3.1 In this scheme, 'non-dependant' means any person, except someone to whom paragraph 3.2 applies, who normally resides with an applicant or with whom an applicant normally resides.
- 3.2 This paragraph applies to;
- a. any member of the applicant's family;
- b. if the applicant is polygamously married, any partner of his and any child or young person who is a member of his household and for whom he or one of his partners is responsible;
- c. a child or young person who is living with the applicant but who is not a member of his household by virtue of section 11(membership of the same household);
- d. subject to paragraph 3.3, any person who, with the applicant, is jointly and severally liable to pay council tax in respect of a dwelling for any day under sections 6, 7 or 75 of the 1992 Act (persons liable to pay council tax);
- e. subject to paragraph 3.3, any person who is liable to make payments on a commercial basis to the applicant or the applicant's partner in respect of the occupation of the dwelling;
- f. a person who lives with the applicant in order to care for him or a partner of his and who is engaged by a charitable or voluntary organisation which makes a charge to the applicant or his partner for the services provided by that person.
- 3.3 Excepting persons to whom paragraph 3.2 a) to c) and f) refer, a person to whom any of the following sub-paragraphs applies shall be a non-dependant–
- a. a person who resides with the person to whom he is liable to make payments in respect of the dwelling and either;
- i. that person is a close relative of his or her partner; or
- ii. the tenancy or other agreement between them is other than on a commercial basis;
- b. a person whose liability to make payments in respect of the dwelling appears to the authority to have been created to take advantage of the council tax reduction scheme except someone who was, for any period within the eight weeks prior to the creation of the agreement giving rise to the liability to make such payments, otherwise liable to make payments of rent in respect of the same dwelling;



- c. a person who becomes jointly and severally liable with the applicant for council tax in respect of a dwelling and who was, at any time during the period of eight weeks prior to his becoming so liable, a non-dependant of one or more of the other residents in that dwelling who are so liable for the tax, unless the authority is satisfied that the change giving rise to the new liability was not made to take advantage of the support scheme.

#### **4.0 Requirement to provide a National Insurance Number<sup>18</sup>**

4.1 No person shall be entitled to support unless the criteria below in 4.2 is satisfied in relation both to the person making the claim and to any other person in respect of whom he is claiming support.

4.2 This subsection is satisfied in relation to a person if–

- a. the claim for support is accompanied by;
  - i. a statement of the person’s national insurance number and information or evidence establishing that that number has been allocated to the person; or
  - ii. information or evidence enabling the national insurance number that has been allocated to the person to be ascertained; or
- b. the person makes an application for a national insurance number to be allocated to him which is accompanied by information or evidence enabling such a number to be so allocated and the application for reduction is accompanied by evidence of the application and information to enable it to be allocated.

4.3 Paragraph 4.2 shall not apply–

- a. in the case of a child or young person in respect of whom council tax reduction is claimed;
- b. to a person who;
  - i. is a person in respect of whom a claim for council tax reduction is made;
  - ii. is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act; and
  - iii. has not previously been allocated a national insurance number.

#### **5.0 Persons who have attained the qualifying age for state pension credit or who are of working age and who have a partner who has attained the qualifying age for state pension credit.**

5.1 This scheme applies to a person if;

- (i) he has not attained the qualifying age for state pension credit; or
- (ii) he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is;
  - (a) a person on income support, on income-based jobseeker’s allowance or an income-related employment and support allowance; or
  - (b) a person with an award of universal credit.

#### **6.0 Remunerative work**

6.1 Subject to the following provisions of this section, a person shall be treated for the purposes of this scheme as engaged in remunerative work if he is engaged, or, where his hours of work fluctuate, he is engaged on average, for not less than 16 hours a week, in work for which payment is made or which is done in expectation of payment.

6.2 Subject to paragraph 6.3, in determining the number of hours for which a person is engaged in work where his hours of work fluctuate, regard shall be had to the average of hours worked over;

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<sup>18</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

- a. if there is a recognisable cycle of work, the period of one complete cycle (including, where the cycle involves periods in which the person does no work, those periods but disregarding any other absences);
- b. in any other case, the period of 5 weeks immediately prior to that date of claim, or such other length of time as may, in the particular case, enable the person's weekly average hours of work to be determined more accurately,

6.3 Where, for the purposes of paragraph 6.2 a), a person's recognisable cycle of work at a school, other educational establishment or other place of employment is one year and includes periods of school holidays or similar vacations during which he does not work, those periods and any other periods not forming part of such holidays or vacations during which he is not required to work shall be disregarded in establishing the average hours for which he is engaged in work.

6.4 Where no recognisable cycle has been established in respect of a person's work, regard shall be had to the number of hours or, where those hours will fluctuate, the average of the hours, which he is expected to work in a week.

6.5 A person shall be treated as engaged in remunerative work during any period for which he is absent from work referred to in paragraph 6.1 if the absence is either without good cause or by reason of a recognised customary or other holiday.

6.6 A person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance for more than 3 days in any reduction week shall be treated as not being in remunerative work in that week.

6.7 A person shall not be treated as engaged in remunerative work on any day on which the person is on maternity leave, paternity leave or adoption leave, or is absent from work because he is ill.

6.8 A person shall not be treated as engaged in remunerative work on any day on which he is engaged in an activity in respect of which;

- a. a sports award has been made, or is to be made, to him; and
- b. no other payment is made or is expected to be made to him.

## **7.0 Persons treated as not being in Great Britain and Persons Subject to Immigration Control**

### **Persons treated as not being in Great Britain**

7.1 Persons treated as not being in Great Britain are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in an authority's scheme.

7.2 Except where a person falls within paragraph (5) or (6), a person is to be treated as not being in Great Britain if the person is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man, or the Republic of Ireland.

7.3 A person must not be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man, or the Republic of Ireland unless the person has a right to reside in one of those places.

7.4 For the purposes of paragraph (3), a right to reside does not include a right, which exists by virtue of, or in accordance with—

- (a) regulation 13 of the EEA Regulations;
- (aa) regulation 14 of the EEA Regulations, but only in a case where the right exists under that regulation because the person is—
  - (i) a jobseeker for the purpose of the definition of "qualified person" in regulation 6(1) of those Regulations, or

- (ii) a family member (within the meaning of regulation 7 of those Regulations) of such a jobseeker;
- (b) regulation 15A(1) of the EEA Regulations, but only in a case where the right exists under that regulation because the applicant satisfies the criteria in paragraph (5) of that regulation of the Treaty on the Functioning of the European Union (in a case where the right to reside arises because a British citizen would otherwise be deprived of the genuine enjoyment of their rights as a European Union citizen).

7.4A For the purposes of paragraph (3), a right to reside does not include a right which exists by virtue of a person having been granted limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971 by virtue of—

- (a) (Removed by the Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021
- (b) Appendix EU to the immigration rules made under section 3(2) of that Act;
- (c) being a person with a Zambrano right to reside as defined in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of that Act; or
- (d) having arrived in the United Kingdom with an entry clearance that was granted under Appendix EU (Family Permit) to the immigration rules made under section 3(2) of that Act.

7.4B Paragraph (4A)(b) does not apply to a person who—

- (a) has a right to reside granted by virtue of being a family member of a relevant person of Northern Ireland; and
- (b) would have a right to reside under the EEA Regulations if the relevant person of Northern Ireland were an EEA national, provided that the right to reside does not fall within paragraph (4)(a) or (b)

7.5 A person falls within this paragraph if the person is—

- (za) a person granted leave in accordance with the immigration rules made under section 3(2) of the Immigration Act 1971, where such leave is granted by virtue of—
  - (i) the Afghan Relocations and Assistance Policy; or
  - (ii) the previous scheme for locally employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme);
- (zb) a person in Great Britain not coming within sub-paragraph (za) or (e) who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021;
- (zc) a person in Great Britain who was residing in Ukraine immediately before 1st January 2022, left Ukraine in connection with the Russian invasion which took place on 24th February 2022 and—
  - (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971;
  - (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act; or
  - (iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act;
- (zd) a person who was residing in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights, or Lebanon immediately before 7th October 2023, left Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights, or Lebanon in connection with the Hamas terrorist attack in Israel on 7th October 2023 or the violence which rapidly escalated in the region following the attack and—
  - (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971,
  - (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act, or
  - (iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act;

- (ze) a person who was residing in Sudan before 15th April 2023, left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan and—
  - (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971;
  - (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act; or
  - (iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act
- (a) a qualified person for the purposes of regulation 6 of the EEA Regulations as a worker or a self-employed person;
- (b) a family member of a person referred to in sub-paragraph (a);
- (c) a person who has a right to reside permanently in the United Kingdom by virtue of regulation 15(1)(c), (d) or (e) of the EEA Regulations;
- (ca) a family member of a relevant person of Northern Ireland, with a right to reside which falls within paragraph (4A)(b), provided that the relevant person of Northern Ireland falls within paragraph (5)(a), or would do so but for the fact that they are not an EEA national;
- (cb) a frontier worker within the meaning of regulation 3 of the Citizens’ Rights (Frontier Workers) (EU Exit) Regulations 2020;
- (cc) a family member of a person referred to in sub-paragraph (cb), who has been granted limited leave to enter, or remain in, the United Kingdom by virtue of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971
- (d) a person recorded by the Secretary of State as a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28th July 1951, as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31st January 1967;
- (e) a person who has been granted, or who is deemed to have been granted, leave outside the rules made under section 3(2) of the Immigration Act 1971
- (f) a person who has humanitarian protection granted under those rules;
- (g) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act 1999 and who is in the United Kingdom as a result of his deportation, expulsion, or other removal by compulsion of law from another country to the United Kingdom;
- (h) in receipt of income support or on an income-related employment and support allowance; or
- (ha) in receipt of an income-based jobseeker’s allowance and has a right to reside other than a right to reside falling within paragraph (4).

7.6 A person falls within this paragraph if the person is a Crown servant or member of His Majesty’s forces posted overseas.

7.7 A person mentioned in sub-paragraph (6) is posted overseas if the person is performing overseas the duties of a Crown servant or member of His Majesty’s forces and was, immediately before the posting or the first of consecutive postings, habitually resident in the United Kingdom.

7.8 In this regulation—  
 “claim for asylum” has the same meaning as in section 94(1) of the Immigration and Asylum Act 1999;  
 “Crown servant” means a person holding an office or employment under the Crown;  
 “EEA Regulations” means the Immigration (European Economic Area) Regulations 2006; and the Immigration (European Economic Area) (Amendment) (No. 2) Regulations 2014 and references to the EEA Regulations are to be read with Schedule 4 to the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) Regulations 2020  
 “EEA national” has the meaning given in regulation 2(1) of the EEA Regulations;

“family member” has the meaning given in regulation 7(1)(a), (b) or (c) of the EEA Regulations, except that regulation 7(4) of the EEA Regulations does not apply for the purposes of paragraphs (4B) and (5)(ca);  
“relevant person of Northern Ireland” has the meaning given in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971; and  
“His Majesty’s forces” has the same meaning as in the Armed Forces Act 2006.

#### **Persons subject to immigration control**

- 7.9 Persons subject to immigration control are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in an authority’s scheme.
- 7.10 A person who is a national of a state which has ratified the European Convention on Social and Medical Assistance (done in Paris on 11th December 1953) or a state which has ratified the Council of Europe Social Charter (signed in Turin on 18th October 1961) and who is lawfully present in the United Kingdom is not a person subject to immigration control for the purpose of paragraph 7.9.
- 7.11 “Person subject to immigration control” has the same meaning as in section 115(9) of the Immigration and Asylum Act 1999.

#### **7A.0 Transitional provision**

- 7A.1 The above does not apply to a person who, on 31st March 2015—
- (a) is liable to pay council tax at a reduced rate by virtue of a council tax reduction under an authority’s scheme established under section 13A(2) of the Act; and
  - (b) is entitled to an income-based jobseeker’s allowance, until the first of the events in paragraph 7A.2 occurs.
- 7A.2 The events are—
- (a) the person makes a new application for a reduction under an authority’s scheme established under section 13A(2) of the Act; or
  - (b) the person ceases to be entitled to an income-based jobseeker’s allowance.
- 7A.3 In this section “the Act” means the Local Government Finance Act 1992.

#### **8.0 Temporary Absence (period of absence)**

- 8.1 Where a person is absent from the dwelling throughout any day then no support shall be payable.
- 8.2 A person shall not, in relation to any day, which falls within a period of temporary absence from that dwelling, be a prescribed person under paragraph 8.1.
- 8.3 In paragraph 8.2, a ‘period of temporary absence’ means—
- a. a period of absence not exceeding 13 weeks, beginning with the first whole day on which a person resides in residential accommodation where and for so long as;
    - i. the person resides in that accommodation;
    - ii. the part of the dwelling in which he usually resided is not let or sub-let; and
    - iii. that period of absence does not form part of a longer period of absence from the dwelling of more than 52 weeks,where he has entered the accommodation for the purpose of ascertaining whether it suits his needs and with the intention of returning to the dwelling if it proves not to suit his needs;
  - b. a period of absence not exceeding 13 weeks, beginning with the first whole day of absence from the dwelling, where and for so long as;

- i. the person intends to return to the dwelling;
  - ii. the part of the dwelling in which he usually resided is not let or sub-let; and
  - iii. that period is unlikely to exceed 13 weeks; and
- c. a period of absence not exceeding 52 weeks, beginning with the first whole day of absence, where and for so long as
  - i. the person intends to return to the dwelling;
  - ii. the part of the dwelling in which he usually resided is not let or sub-let;
  - iii. the person is a person to whom paragraph 8.4 applies; and
  - iv. the period of absence is unlikely to exceed 52 weeks or, in exceptional circumstances, is unlikely substantially to exceed that period.

8.4 This paragraph applies to a person who is;

- a. detained in custody on remand pending trial or required, as a condition of bail, to reside;
  - i. in a dwelling, other than the dwelling referred to in paragraph 8.1, or
  - ii. in premises approved under section 13 of the Offender Management Act 2007, or, detained in custody pending sentence upon conviction;
- b. resident in a hospital or similar institution as a patient;
- c. undergoing, or his partner or his dependent child is undergoing, in the United Kingdom or elsewhere, medical treatment, or medically approved convalescence, in accommodation other than residential accommodation;
- d. following, in the United Kingdom or elsewhere, a training course;
- e. undertaking medically approved care of a person residing in the United Kingdom or elsewhere;
- f. undertaking the care of a child whose parent or guardian is temporarily absent from the dwelling normally occupied by that parent or guardian for the purpose of receiving medically approved care of medical treatment;
- g. in the United Kingdom or elsewhere, receiving medically approved care provided in accommodation other than residential accommodation;
- h. a student;
- i. receiving care provided in residential accommodation other than a person to whom paragraph 8.3a) applies; or
- j. has left the dwelling he resides in through fear of violence, in that dwelling, or by a person who was formerly a member of the family of the person first mentioned.

8.5 This paragraph applies to a person who is:

- a. detained in custody pending sentence upon conviction or under a sentence imposed by a court (other than a person who is detained in hospital under the provisions of the Mental Health Act 1983 (as amended by the Mental Health (Discrimination) Act 2013), or, in Scotland, under the provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003 or the Criminal Procedure (Scotland) Act 1995) or, in Northern Ireland, under Article 4 or 12 of the Mental Health (Northern Ireland) Order 1986; and
- b. on temporary release from detention in accordance with Rules made under the provisions of the Prison Act 1952 or the Prisons (Scotland) Act 1989

8.6 Where paragraph 8.5 applies to a person, then, for any day when he is on temporary release—

- a. if such temporary release was immediately preceded by a period of temporary absence under paragraph 8.3 b) or c), he shall be treated, for the purposes of paragraph 8.1, as if he continues to be absent from the dwelling, despite any return to the dwelling;
- b. for the purposes of paragraph 8.4 a), he shall be treated as if he remains in detention;
- c. If he does not fall within sub-paragraph a), he is not considered to be a person who is liable to pay Council Tax in respect of a dwelling of which he is resident.

8.7 In this section;

- ‘medically approved’ means certified by a medical practitioner;
- ‘patient’ means a person who is undergoing medical or other treatment as an in-patient in any hospital or similar institution; ‘residential accommodation’ means accommodation which is provided;

- a. in a care home;
  - b. in an independent hospital;
  - c. in an Abbeyfield Home; or
  - d. in an establishment managed or provided by a body incorporated by Royal Charter or constituted by Act of Parliament other than a local social services authority;
- 'training course' means a course of training or instruction provided wholly or partly by or on behalf of or in pursuance of arrangements made with, or approved by or on behalf of, Skills Development Scotland, Scottish Enterprise, Highlands and Islands Enterprise, a government department or the Secretary of State.

**Sections 9 - 11**

**The family for Council tax reduction purposes**



## **9.0 Membership of a family**

- 9.1 Within the support scheme adopted by the Council 'family' means;
- a. a married or unmarried couple;
  - b. married or unmarried couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person;
  - c. two people of the same sex who are civil partners of each other and are members of the same household (with or without children);
  - d. two people of the same sex who are not civil partners of each other but are living together as if they were civil partners (with or without children),
  - e. and for the purposes of sub-paragraph (d) two people of the same sex are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex;
  - f. except in prescribed circumstances, a person who is not a member of a married or unmarried couple and a member of the same household for whom that person is responsible and who is a child or a young person;

For the purposes of the scheme a child is further defined as a 'child or young person'  
A 'child' means a person under the age of 16 and a 'Young Person' is someone aged 16 or over but under 20 and who satisfies other conditions. These conditions are:

- they are aged 16, have left 'relevant education' or training, and 31 August following the sixteenth birthday has not yet been passed;
- they are aged 16 or 17, have left education or training, are registered for work, education or training, are not in remunerative work and are still within their 'extension period';
- they are on a course of full-time non-advanced education, or are doing 'approved training', and they began that education or training before reaching the age of 19;
- they have finished a course of full-time non-advanced education, but are enrolled on another such course (other than one provided as a result of their employment);
- they have left 'relevant education' or 'approved training' but have not yet passed their 'terminal date'.

- 9.2 Paragraph 9.1 the definition of child or young person shall not apply to a person who is;
- a. on income support ;
  - b. an income-based jobseeker's allowance or an income related employment and support allowance; or be entitled to an award of Universal Credit; or
  - c. a person to whom section 6 of the Children (Leaving Care) Act 2000 applies.
- 9.3 The definition also includes a child or young person in respect of whom there is an entitlement to child benefit but only for the period that Child Benefit is payable.

## **10.0 Circumstances in which a person is to be treated as responsible (or not responsible) for a child or young person.**

10.1 Subject to the following paragraphs a person shall be treated as responsible for a child or young person who is normally living with him, and this includes a child or young person to whom paragraph 9.3 applies.

- 10.2 Where a child or young person spends equal amounts of time in different households, or where there is a question as to which household he is living in, the child or young person shall be treated for the purposes of paragraph 9.1 as normally living with;
- a. the person who is receiving child benefit in respect of him; or
  - b. if there is no such person;
    - i. where only one claim for child benefit has been made in respect of him, the person who made that claim; or
    - ii. in any other case the person who has the primary responsibility for him.

10.3 For the purposes of this scheme a child or young person shall be the responsibility of only one person in any reduction week and any person other than the one treated as responsible for the child or young person under this section shall be treated as not so responsible.

**11.0 Circumstances in which a child or young person is to be treated as being or not being a member of the household.**

11.1 Subject to paragraphs 11.2 and 11.3, the applicant and any partner and, where the applicant or his partner is treated as responsible by virtue of section 10 (circumstances in which a person is to be treated as responsible or not responsible for a child or young person) for a child or young person, that child or young person and any child of that child or young person, shall be treated as members of the same household notwithstanding that any of them is temporarily absent from that household.

11.2 A child or young person shall not be treated as a member of the applicant's household where he is;

- a. placed with the applicant or his partner by a local authority under section 23(2)(a) of the Children Act 1989 or by a voluntary organisation under section 59(1)(a) of that Act, or in Scotland boarded out with the applicant or his partner under a relevant enactment; or
- b. placed, or in Scotland boarded out, with the applicant or his partner prior to adoption; or
- c. placed for adoption with the applicant or his partner in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009.

11.3 Subject to paragraph 11.4, paragraph 11.1 shall not apply to a child or young person who is not living with the applicant and he—

- a. is being looked after by, or in Scotland is in the care of, a local authority under a relevant enactment; or
- b. has been placed, or in Scotland boarded out, with a person other than the applicant prior to adoption; or
- c. has been placed for adoption in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009; or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes).

11.4 The authority shall treat a child or young person to whom paragraph 11.3 a) applies as being a member of the applicant's household in any reduction week where;

- a. that child or young person lives with the applicant for part or all of that reduction week; and
- b. the authority considers that it is responsible to do so taking into account the nature and frequency of that child's or young person's visits.

11.5 In this paragraph 'relevant enactment' means the Army Act 1955, the Air Force Act 1955, the Naval Discipline Act 1957, the Matrimonial Proceedings (Children) Act 1958, the Social Work (Scotland) Act 1968, the Family Law Reform Act 1969, the Children and Young Persons Act 1969, the Matrimonial Causes Act 1973, the Children Act 1975, the Domestic Proceedings and Magistrates' Courts Act 1978, the Adoption and Children (Scotland) Act 1978, the Family Law Act 1986, the Children Act 1989, the Children (Scotland) Act 1995 and the Legal Aid, Sentencing and Punishment of Offenders Act 2012 as amended.

**Sections 12 – 14 & Schedule 1**

**Applicable Amounts for Council tax reduction purposes**

## **12.0 Applicable amounts**

12.1 Subject to sections 13 and 14, an applicant's weekly applicable amount shall be aggregate of such of the following amounts as may apply in his case;

- a. an amount in respect of himself or, if he is a member of a couple, an amount in respect of both of them, determined in accordance with paragraph 1 as the case may be, of Schedule 1 of this scheme;
- b. an amount determined in accordance with paragraph 2 of Schedule 1 of this scheme in respect of any child or young person who is a member of his family;
- c. if he is a member of a family of which at least one member is a child or young person, an amount determined in accordance with paragraph 3 of Schedule 1 (family premium);
- d. the amount of any premiums which may be applicable to him, determined in accordance with paragraphs 4 to 16 of Schedule 1 of this document (premiums).
- e. the amount of either the
  - i. work-related activity component; or
  - ii. support component which may be applicable to him in accordance with paragraph 17 and 18 of Schedule 1 of this document (the components)
- f. the amount of any transitional addition which may be applicable to him in accordance with paragraph 19 to 20 of Schedule 1 of this scheme (transitional addition).

## **13.0 Polygamous marriages**

13.1 Subject to section 14, where an applicant is a member of a polygamous marriage, his weekly applicable amount shall be the aggregate of such of the following amounts as may apply in his case;

- a. the amount applicable to him and one of his partners determined in accordance with paragraph 1 of Schedule 1 of this scheme as if he and that partner were a couple;
- b. an amount equal to the amount within paragraph 1 (3) (c) of Schedule 1 of this scheme in respect of each of his other partners;
- c. an amount determined in accordance with paragraph 2 of Schedule 1 of this scheme (applicable amounts or living allowances) in respect of any child or young person for whom he or a partner of his is responsible and who is a member of the same household;
- d. if he or another partner of the polygamous marriage is responsible for a child or young person who is a member of the same household, the amount specified in paragraph 3 of Schedule 1 of this scheme (family premium);
- e. the amount of any premiums which may be applicable to him determined in accordance with paragraphs 4 to 16 of Schedule 1 of this scheme (premiums).
- f. the amount of either the;
  - i. work-related activity component; or
  - ii. support component which may be applicable to him in accordance with paragraph 17 and 18 of Schedule 1 (the components).
- g. the amount of any transitional addition which may be applicable to him in accordance with paragraphs 19 and 20 of Schedule 1 of this scheme (transitional addition)

## **14.0 Applicable amount: persons who are not pensioners who have an award of universal credit.**

14.1 In determining the applicable amount for a week of an applicant—

- a. who has, or
- b. who (jointly with his partner) has,

an award of universal credit, the authority must use the calculation or estimate of the maximum amount of the applicant, or the applicant and his partner jointly (as the case may be), subject to the adjustment described in sub-paragraph (2).

14.2 The adjustment referred to in sub-paragraph (1) is to multiply the maximum amount by 12 and divide the product by 52.

14.3 In this paragraph “maximum amount” means the maximum amount calculated by the Secretary of State in accordance with section 8(2) of the Welfare Reform Act 2012

**Sections 15 – 32 & Schedules 3 & 4**

**Definition and the treatment of income for Council tax reduction purposes**

**15.0 Calculation of income and capital of members of applicant's family and of a polygamous marriage**

- 15.1 The income and capital of:
- (a) an applicant; and
  - (b) any partner of that applicant,

is to be calculated in accordance with the following provisions.

- 15.2 The income and capital of any partner of the applicant is to be treated as income and capital of the applicant, and in this Part any reference to the applicant applies equally to any partner of that applicant.

- 15.3 Where an applicant or the partner of an applicant is married polygamously to two or more members of his household:
- (a) the applicant must be treated as possessing capital and income belonging to each such member; and
  - (b) the income and capital of that member is to be calculated in accordance with the following provisions of this Part in like manner as for the applicant.

**15A.0 Calculation of income and capital: persons who have an award of universal credit.**

- 15A.1 In determining the income of an applicant;
- a. who has, or
  - b. who (jointly with his partner) has,
- an award of universal credit the authority must, subject to the following provisions of this paragraph, use the calculation or estimate of the income of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining the award of universal credit.

- 15A.2 The authority *may*, at its discretion, adjust the amount referred to in sub-paragraph (1) to take account of
- (a) income consisting of the award of universal credit, determined in accordance with subparagraph (3);
  - (b) any sum to be disregarded under paragraphs of Schedule 3 to this scheme (sums to be disregarded in the calculation of earnings: persons who are not pensioners);
  - (c) any sum to be disregarded under paragraphs of Schedule 4 to this scheme (sums to be disregarded in the calculation of income other than earnings: persons who are not pensioners);
  - (d) section 16 (circumstances in which income and capital of non-dependant is to be treated as applicant's) if the authority determines that the provision applies in the applicant's case;
  - (e) such further reduction (if any) as the authority thinks fit under section 13A(1)(c) of the 1992 Act (power of billing authority to reduce amount of council tax payable).

- 15A.3 The amount for the award of universal credit is to be determined by multiplying the amount of the award by 12 and dividing the product by 52.

- 15A.4 Sections 16 (income and capital of non-dependant to be treated as applicant's) and 52 and 53 (disregards from income) apply (so far as relevant) for the purpose of determining any adjustments, which fall to be made to the figure for income under sub-paragraph (2)

- 15A.5 In determining the capital of an applicant;
- (a) who has, or
  - (b) who (jointly with his partner) has,
- an award of universal credit, the authority must use the calculation or estimate of the capital of the applicant, or the applicant and his partner jointly (as the case may be), made by the

Secretary of State for the purpose of determining that award.

**16.0 Circumstances in which capital and income of non-dependant is to be treated as applicant's.**

16.1 Where it appears to the authority that a non-dependant and the applicant have entered into arrangements in order to take advantage of the council tax reduction scheme and the non-dependant has more capital and income than the applicant, that authority shall, except where the applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, treat the applicant as possessing capital and income belonging to that non-dependant, and, in such a case, shall disregard any capital and income which the applicant does possess.

16.2 Where an applicant is treated as possessing capital and income belonging to a non-dependant under paragraph 16.1 the capital and income of that non-dependant shall be calculated in accordance with the following provisions in like manner as for the applicant and any reference to the 'applicant' shall, except where the context otherwise requires, be construed for the purposes of this scheme as if it were a reference to that non-dependant.

**17.0 Calculation of income on a weekly basis**

17.1 For the purposes of this scheme and in line with regulation 34 of the Housing Benefit Regulations 2006 (disregard to changes in tax, contributions etc.), the income of an applicant shall be calculated on a weekly basis;

- a. by estimating the amount which is likely to be his average weekly income in accordance with this Section and in line with Sections 2, 3, 4 and 5 of Part 6 of the Housing Benefit Regulations 2006;
- b. by adding to that amount, the weekly income calculated in line with regulation 52 of the Housing Benefit Regulations 2006 (calculation to tariff income from capital); and
- c. by then deducting any relevant child care charges to which section 18 (treatment of child care charges) applies from any earnings which form part of the average weekly income or, in a case where the conditions in paragraph 17.2 are met, from those earnings plus whichever credit specified in sub-paragraph (b) of that paragraph is appropriate, up to a maximum deduction in respect of the applicant's family of whichever of the sums specified in paragraph (3) applies in his case.

17.2 The conditions of this paragraph are that;

- a. the applicant's earnings which form part of his average weekly income are less than the lower of either his relevant child care charges or whichever of the deductions specified in paragraph (3) otherwise applies in his case; and
- b. that applicant or, if he is a member of a couple either the applicant or his partner, is in receipt of either working tax credit or child tax credit.

17.3 The maximum deduction to which paragraph 17.1 c) above refers shall be;

- a. where the applicant's family includes only one child in respect of whom relevant child care charges are paid, £175.00 per week.
- b. where the applicant's family includes more than one child in respect of whom relevant child care charges are paid, £300.00 per week.

The amounts stated in this paragraph shall be amended in accordance with the Housing Benefit Regulations 2006 (as amended).

17.4 For the purposes of paragraph 17.1 'income' includes capital treated as income under section 31 (capital treated as income) and income, which an applicant is treated as possessing under section 32 (notional income).



## **18.0 Treatment of child care charges**

- 18.1 This section applies where an applicant is incurring relevant child-care charges and;
- a. is a lone parent and is engaged in remunerative work;
  - b. is a member of a couple both of whom are engaged in remunerative work; or
  - c. is a member of a couple where one member is engaged in remunerative work and the other;
    - i. is incapacitated;
    - ii. is an in-patient in hospital; or
    - iii. is in prison (whether serving a custodial sentence or remanded in custody awaiting trial or sentence).
- 18.2 For the purposes of paragraph 18.1 and subject to paragraph 18.4, a person to whom paragraph 18.3 applies shall be treated as engaged in remunerative work for a period not exceeding 28 weeks during which he—
- a. is paid statutory sick pay;
  - b. is paid short-term incapacity benefit at the lower rate under sections 30A to 30E of the Act;
  - c. is paid an employment and support allowance;
  - d. is paid income support on the grounds of incapacity for work under regulation 4ZA of, and paragraph 7 or 14 of Schedule 1B to, the Income Support Regulations 1987; or
  - e. is credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.
- 18.3 This paragraph applies to a person who was engaged in remunerative work immediately before
- a. the first day of the period in respect of which he was first paid statutory sick pay, short-term incapacity benefit, an employment and support allowance or income support on the grounds of incapacity for work; or
  - b. the first day of the period in respect of which earnings are credited, as the case may be.
- 18.4 In a case to which paragraph 18.2 d) or e) applies, the period of 28 weeks begins on the day on which the person is first paid income support or on the first day of the period in respect of which earnings are credited, as the case may be.
- 18.5 Relevant child care charges are those charges for care to which paragraphs 18.6 and 18.7 apply and shall be calculated on a weekly basis in accordance with paragraph 18.10.
- 18.6 The charges are paid by the applicant for care, which is provided.
- a. in the case of any child of the applicant's family who is not disabled, in respect of the period beginning on that child's date of birth and ending on the day preceding the first Monday in September following that child's fifteenth birthday; or
  - b. in the case of any child of the applicant's family who is disabled, in respect of the period beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday.
- 18.7 The charges are paid for care, which is provided by one, or more of the care providers listed in paragraph 18.8 and are not paid—
- a. in respect of the child's compulsory education;
  - b. by an applicant to a partner or by a partner to an applicant in respect of any child for whom either or any of them is responsible in accordance with section 10 (circumstances in which a person is treated as responsible or not responsible for another); or
  - c. in respect of care provided by a relative of the child wholly or mainly in the child's home.
- 18.8 The care to which paragraph 18.7 refers may be provided;
- a. out of school hours, by a school on school premises or by a local authority;
    - i. for children who are not disabled in respect of the period beginning on their eight birthday and ending on the day preceding the first Monday in September

- following their fifteenth birthday; or
    - ii. for children who are disabled in respect of the period beginning on their eight birthday and ending on the day preceding the first Monday in September following their sixteenth birthday; or
  - b. by a child care provider approved in accordance with by the Tax Credit (New Category of Child Care Provider) Regulations 1999;
  - c. by persons registered under Part 2 of the Children and Families (Wales) Measure 2010; or
  - d. by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) order 2010; or
  - e. by;
    - i. persons registered under section 59(1) of the Public Services Reform Scotland Act 2010; or
    - ii. local authorities registered under section 83(1) of that Act, where the care provided is child minding or daycare within the meaning of that Act; or
  - f. by a person prescribed in regulations made pursuant to section 12(4) of the Tax Credits Act 2002 or
  - g. by a person who is registered under Chapter 2 or 3 of Part 3 of the Childcare Act 2006; or
  - h. by any of the schools mentioned in section 34(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 2 of Part 3 of that Act does not apply by virtue of section 34(2) of that Act; or
  - i. by any of the schools mentioned in section 53(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 3 of Part 3 of that Act does not apply by virtue of section 53(2) of that Act; or
  - j. by any of the establishments mentioned in section 18(5) of the Childcare Act 2006 in circumstances where the care is not included in the meaning of 'childcare' for the purposes of Part 1 and Part 3 of that Act by virtue of that subsection; or
  - k. by a foster parent or kinship carer under the Fostering Services Regulations 2002, the Fostering Services (Wales) Regulations 2003 or the Looked After Children (Scotland) Regulations 2009 in relation to a child other than one whom the foster parent is fostering, or kinship carer is looking after; or
  - l. by a domiciliary care worker under the Domiciliary Care Agencies Regulations 2002 or the Domiciliary Care Agencies (Wales) Regulations 2004; or
  - m. by a person who is not a relative of the child wholly or mainly in the child's home.

18.9 In paragraphs 18.6 and 18.8 a), 'the first Monday in September' means the Monday which first occurs in the month of September in any year.

18.10 Relevant child care charges shall be estimated over such period, not exceeding a year, as is appropriate in order that the average weekly charge may be estimated accurately having regard to information as to the amount of that charge provided by the child minder or person providing the care.

18.11 For the purposes of paragraph 18.1 c) the other member of a couple is incapacitated where;

- a. the applicant's applicable amount includes a disability premium on account of the other member's incapacity or the support component or the work-related activity component on account of his having limited capability for work;
- b. the applicant's applicable amount would include a disability premium on account of the other member's incapacity but for that other member being treated as capable of work by virtue of a determination made in accordance with regulation made under section 171E of the Act;
- c. the applicant's applicable amount would include the support component or the work-

- related activity component on account of the other member having limited capability for work but for that other member being treated as not having limited capability for work by virtue of a determination made in accordance with the Employment and Support Allowance Regulations 2008 or Employment and Support Regulations 2013;
- d. the applicant (within the meaning of this scheme) is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the Act (incapacity for work) for a continuous period of not less than 196 days; and for this purpose, any two or more separate periods separated by a break of not more than 56 days shall be treated as one continuous period;
  - e. the applicant (within the meaning of this scheme) has, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 2008 or Employment and Support Regulations 2013 for a continuous period of not less than 196 days and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;
  - f. there is payable in respect of him one or more of the following pensions or allowances—
    - i. long-term incapacity benefit or short-term incapacity benefit at the higher rate under Schedule 4 to the Act;
    - ii. attendance allowance under section 64 of the Act;
    - iii. severe disablement allowance under section 68 of the Act;
    - iv. disability living allowance under section 71 of the Act;
    - v. personal independence payment under the Welfare Reform Act 2012;
    - vi. an AFIP;
    - vii. increase of disablement pension under section 104 of the Act;
    - viii. a pension increase paid as part of a war disablement pension or under an industrial injuries scheme which is analogous to an allowance or increase of disablement pension under head (ii), (iv) or (vii) above;
    - ix. main phase employment and support allowance;
  - g. a pension or allowance to which head (ii), (iv), (vi) or (viii) of sub-paragraph (f) above refers was payable on account of his incapacity but has ceased to be payable in consequence of his becoming a patient, which in this section shall mean a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of social security (Hospital In-Patients) Regulations 2005.
  - h. an AFIP would be payable to that person but for any suspension of payment in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution;
  - i. paragraphs (f) or (g) would apply to him if the legislative provisions referred to in those sub-paragraphs were provisions under any corresponding enactment having effect in Northern Ireland; or
  - j. he has an invalid carriage or other vehicle provided to him by the Secretary of State under section 5(2)(a) of and Schedule 2 to the National Health Service Act 1977 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972.

18.12 For the purposes of paragraph 18.11 once paragraph 18.11d) applies to the applicant, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that paragraph shall, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter apply to him for so long as he remains incapable, or is treated as remaining incapable, of work.

18.12A For the purposes of paragraph 18.11, once paragraph 18.11e) applies to the applicant, if he then ceases, for a period of 84 days or less, to have, or to be treated as having, limited capability for

work, that paragraph is, on his again having, or being treated as having, limited capability for work at the end of that period, immediately thereafter apply to him for so long as he has, or is treated as having, limited capability for work.

- 18.13 For the purposes of paragraphs 18.6 and 18.8 a), a person is disabled if he is a person—
- a. in respect of whom disability living allowance or personal independence payment is payable, or has ceased to be payable solely because he is a patient;
  - b. who is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or
  - c. who ceased to be registered as blind in such a register within the period beginning 28 weeks before the first Monday in September following that person's fifteenth birthday and ending on the day preceding that person's sixteenth birthday.

- 18.14 For the purposes of paragraph 18.1 a person on maternity leave, paternity leave or adoption leave shall be treated as if they are engaged in remunerative work for the period specified in paragraph 18.15 ('the relevant period') provided that—
- a. in the week before the period of maternity leave, paternity leave, shared parental leave (effective from 5/4/2015) or adoption leave began, they were in remunerative work;
  - b. the applicant is incurring relevant child care charges within the meaning of paragraph 18.5; and
  - c. the person is entitled to either statutory maternity pay under section 164 of the Act, statutory paternity pay by virtue of section 171ZA or 171ZB of the Act statutory adoption pay by of section 171ZL of the Act, maternity allowance under section 35 of the Act or qualifying support.

- 18.15 For the purposes of paragraph 18.14 the relevant period shall begin on the day on which the person's maternity, paternity leave or adoption leave commences and shall end on—
- a. the date that leave ends;
  - b. if no child care element of working tax credit is in payment on the date that entitlement to maternity allowance, qualifying support, statutory maternity pay, statutory paternity pay or statutory adoption pay ends, the date that entitlement ends; or
  - c. if a child care element of working tax credit is in payment on the date that entitlement to maternity allowance or qualifying support, statutory maternity pay or statutory adoption pay ends, the date that entitlement to that award of the child care element of the working tax credits ends.
- whichever shall occur first.

- 18.16 In paragraphs 18.14 and 18.15
- a. **'qualifying support'** means income support to which that person is entitled by virtue of paragraph 14B of Schedule 1B to the Income Support Regulations 1987; and
  - b. **'child care element'** of working tax credit means the element of working tax credit prescribed under section 12 of the Tax Credits Act (child care element) 2002.

- 18.17 In this section 'applicant' does not include an applicant;
- a. who has, or
  - b. who (jointly with his partner) has,
- an award of universal credit

## **19.0 Average weekly earnings of employed earners.**

- 19.1 Where an applicant's income consists of earnings from employment as an employed earner his average weekly earnings shall be estimated by reference to his earnings from that employment—
- a. over a period immediately preceding the reduction week in which the claim is made or treated as made and being a period of

- i. 5 weeks, if he is paid weekly; or
  - ii. 2 months, if he is paid monthly; or
- b. whether or not sub-paragraph 19.1a i) or ii) applies, where an applicant's earnings fluctuate, over such other period preceding the reduction week in which the claim is made or treated as made as may, in any particular case, enable his average weekly earnings to be estimated more accurately.

19.2 Where the applicant has been in his employment for less than the period specified in paragraph 19.1 a)(i) or (ii)

- a. if he has received any earnings for the period that he has been in that employment and those earnings are likely to represent his average weekly earnings from that employment his average weekly earnings shall be estimated by reference to those earnings;
- b. in any other case, the authority shall require the applicant's employer to furnish an estimate of the applicant's likely weekly earnings over such period as the authority may require and the applicant's average weekly earnings shall be estimated by reference to that estimate.

19.3 Where the amount of an applicant's earnings changes during an award the authority shall estimate his average weekly earnings by reference to his likely earnings from the employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period shall not in any case exceed 52 weeks.

19.4 For the purposes of this section the applicant's earnings shall be calculated in accordance with sections 25 and 26.

#### **20.0 Average weekly earnings of self-employed earners**

20.1 Where an applicant's income consists of earnings from employment as a self-employed earner his average weekly earnings shall be estimated by reference to his earnings from that employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period shall not in any case exceed a year.

20.2 For the purposes of this section the applicant's earnings shall be calculated in accordance with section 27 to 29 of this scheme.

#### **21.0 Average weekly income other than earnings**

21.1 An applicant's income which does not consist of earnings shall, except where paragraph 18.2 applies, be estimated over such period as is appropriate in order that his average weekly income may be estimated accurately but the length of the period shall not in any case exceed 52 weeks; and nothing in this paragraph shall authorise the authority to disregard any such income other than that specified in Schedule 4 of this scheme.

21.2 The period over which any benefit under the benefit Acts is to be taken into account shall be the period in respect of which that support is payable.

21.3 For the purposes of this section income other than earnings shall be calculated in accordance with paragraphs 30 to 32 of this scheme.

#### **22.0 Calculation of average weekly income from tax credits**

22.1 This section applies where an applicant receives a tax credit.

22.2 Where this section applies, the period over which a tax credit is to be taken into account shall be the period set out in paragraph 22.3.

- 22.3 Where the instalment in respect of which payment of a tax credit is made is;
- a. a daily instalment, the period is 1 day, being the day in respect of which the instalment is paid;
  - b. a weekly instalment, the period is 7 days, ending on the day on which the instalment is due to be paid;
  - c. a two weekly instalment, the period is 14 days, commencing 6 days before the day on which the instalment is due to be paid;
  - d. a four weekly instalment, the period is 28 days, ending on the day on which the instalment is due to be paid.

22.4 For the purposes of this section 'tax credit' means child tax credit or working tax credit.

### **23.0 Calculation of weekly income**

- 23.1 For the purposes of sections 19 (average weekly earnings of employed earners), 21 (average weekly income other than earnings) and 22 (calculation of average weekly income from tax credits), where the period in respect of which a payment is made;
- a. does not exceed a week, the weekly amount shall be the amount of that payment;
  - b. exceeds a week, the weekly amount shall be determined—
    - i. in a case where that period is a month, by multiplying the amount of the payment by 12 and dividing the product by 52;
    - ii. in any other case, by dividing the amount of the payment by the number equal to the number of days in the period to which it relates and multiplying the product by 7.

23.2 For the purpose of section 20 (average weekly earnings of self-employed earners) the weekly amount of earnings of an applicant shall be determined by dividing his earnings over the assessment period by the number equal to the number of days in that period and multiplying the product by 7.

### **24.0 Disregard of changes in tax, contributions etc.**

- 24.1 In calculating the applicant's income the appropriate authority may disregard any legislative change;
- a. in the basic or other rates of income tax;
  - b. in the amount of any personal tax relief;
  - c. in the rates of national insurance contributions payable under the Act or in the lower earnings limit or upper earnings limit for Class 1 contributions under the Act, the lower or upper limits applicable to Class 4 contributions under the Act or the amount specified in section 11(4) of the Act (small profits threshold in relation to Class 2 contributions);
  - d. in the amount of tax payable as a result of an increase in the weekly rate of Category A, B, C or D retirement pension or any addition thereto or any graduated pension payable under the Act;
  - e. in the maximum rate of child tax credit or working tax credit,

for a period not exceeding 30 reduction weeks beginning with the reduction week immediately following the date from which the change is effective.

### **25.0 Earnings of employed earners.**

- 25.1 Subject to paragraph 25.2, 'earnings' means in the case of employment as an employed earner, any remuneration or profit derived from that employment and includes—
- a. any bonus or commission;
  - b. any payment in lieu of remuneration except any periodic sum paid to an applicant on account of the termination of his employment by reason of redundancy;
  - c. any payment in lieu of notice, or any lump sum payment intended as compensation for

- d. the loss of employment but only in so far as it represents loss of income;
- d. any holiday pay except any payable more than 4 weeks after termination or interruption of the employment;
- e. any payment by way of a retainer;
- f. any payment made by the applicant's employer in respect of expenses not wholly, exclusively and necessarily incurred in the performance of the duties of the employment, including any payment made by the applicant's employer in respect of—
- g. (i) travelling expenses incurred by the applicant between his home and his place of employment;
- (ii) expenses incurred by the applicant under arrangements made for the care of a member of his family owing to the applicant's absence from home;
- h. any award of compensation made under section 112(4) or 117(3)(a) of the Employment Rights Act 1996 (remedies and compensation for unfair dismissal);
- i. any payment or remuneration made under section 28, 34, 64, 68 or 70 of the Employment Rights Act 1996 (right to guarantee payments, remuneration on suspension on medical or maternity grounds, complaints to employment tribunals);
- j. any such sum as is referred to in section 112 of the Act (certain sums to be earnings for social security purposes);
- k. any statutory sick pay, statutory maternity pay, statutory paternity pay, shared parental pay or statutory adoption pay, or a corresponding payment under any enactment having effect in Northern Ireland;
- l. any remuneration paid by or on behalf of an employer to the applicant who for the time being is on maternity leave, paternity leave, shared parental pay or adoption leave or is absent from work because he is ill;
- m. the amount of any payment by way of a non-cash voucher which has been taken into account in the computation of a person's earnings in accordance with Part 5 of Schedule 3 to the Social Security (Contributions) Regulations 2001 as amended<sup>19</sup>.

25.2 Earnings shall not include—

- a. subject to paragraph 25.3, any payment in kind;
- b. any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of employment;
- c. any occupational pension
- d. any payment in respect of expenses arising out of an applicant participating as a service user.

25.3 Paragraph 25.2 a) shall not apply in respect of any non-cash voucher referred to in paragraph 25.1 l)

**26.0 Calculation of net earnings of employed earners.**

26.1 For the purposes of section 19 (average weekly earnings of employed earners), the earnings of an applicant derived or likely to be derived from employment as an employed earner to be taken into account shall, subject to paragraph 26.2, be his net earnings.

26.2 There shall be disregarded from an applicant's net earnings, any sum, where applicable, specified in paragraphs 1 to 14 of Schedule 3.

26.3 For the purposes of paragraph 26.1 net earnings shall, except where paragraph 26.6 applies, be calculated by taking into account the gross earnings of the applicant from that employment over the assessment period, less;

- a. any amount deducted from those earnings by way of
  - i) income tax;
  - ii) primary Class 1 contributions under the Act;

<sup>19</sup> Social Security (Contributions)(Amendment) Regulations 2013, Social Security (Contributions)(Amendment No.2) Regulations 2013 and Social Security (Contributions)(Amendment No.2) Regulations 2013

- b. one-half of any sum paid by the applicant by way of a contribution towards an occupational pension scheme;
- c. one-half of the amount calculated in accordance with paragraph 26.5 in respect of any qualifying contribution payable by the applicant; and
- d. where those earnings include a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay, statutory maternity pay, statutory paternity pay or statutory adoption pay, any amount deducted for those earnings by way of any contributions which are payable under any enactment having effect in Northern Ireland and which correspond to primary Class 1 contributions under the Act.

26.4 In this section ‘qualifying contribution’ means any sum which is payable periodically as a contribution towards a personal pension scheme.

26.5 The amount in respect of any qualifying contribution shall be calculated by multiplying the daily amount of the qualifying contribution by the number equal to the number of days in the assessment period; and for the purposes of this section the daily amount of the qualifying contribution shall be determined—

- a. where the qualifying contribution is payable monthly, by multiplying the amount of the qualifying contribution by 12 and dividing the product by 365;
- b. in any other case, by dividing the amount of the qualifying contribution by the number equal to the number of days in the period to which the qualifying contribution relates.

26.6 Where the earnings of an applicant are estimated under sub-paragraph (b) of paragraph 2) of the section 19 (average weekly earnings of employment earners), his net earnings shall be calculated by taking into account those earnings over the assessment period, less—

- a. an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 257(1) of the Income and Corporation Taxes Act 1988(personal allowances) as is appropriate to his circumstances but, if the assessment period is less than a year, the earnings to which the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax is to be applied and the amount of the personal relief deductible under this sub-paragraph shall be calculated on a pro rata basis;
- b. an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the Act in respect of those earnings if such contributions were payable; and
- c. one-half of any sum which would be payable by the applicant by way of a contribution towards an occupational or personal pension scheme if the earnings so estimated were actual earnings.

## **27.0 Earnings of self-employed earners**

27.1 Subject to paragraph 27.2, ‘earnings’, in the case of employment as a self- employed earner, means the gross income of the employment plus any allowance paid under section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990 to the applicant for the purpose of assisting him in carrying on his business unless at the date of claim the allowance has been terminated.

27.2 ‘Earnings’ shall not include any payment to which paragraph 27 or 28 of Schedule 4 refers (payments in respect of a person accommodated with the applicant under arrangements made by a local authority or voluntary organisation and payments made to the applicant by a health authority, local authority or voluntary organisation in respect of persons temporarily in the applicant’s care) nor shall it include any sports award.

27.3 This paragraph applies to—



- a. royalties or other sums paid as a consideration for the use of, or the right to use, any copyright, design, patent or trade mark; or
- b. any payment in respect of any–
  - (i) book registered under the Public Lending Right Scheme 1982; or
  - (ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982, where the applicant is the first owner of the copyright, design, patent or trade mark, or an original contributor to the book of work concerned.

27.4 Where the applicant's earnings consist of any items to which paragraph 27.3 applies, those earnings shall be taken into account over a period equal to such number of weeks as is equal to the number obtained (and any fraction is to be treated as a corresponding fraction of a week) by dividing the earnings by

- (a) the amount of the reduction under this scheme which would be payable had the payment not been made, plus ;
- (b) an amount equal to the total of the sums which would fall to be disregarded from the payment under Schedule 3 (sums to be disregarded in the calculation of earnings) as appropriate in the applicant's case.

## **28.0 Calculation of net profit of self-employed earners**

28.1 For the purposes of section 20 (average weekly earnings of self-employed earners) the earnings of an applicant to be taken into account shall be;

- a. in the case of a self-employed earner who is engaged in employment on his own account, the net profit derived from that employment;
- b. in the case of a self-employed earner whose employment is carried on in partnership or is that of a share fisherman within the meaning of the Social Security (Mariners' Benefits) Regulations 1975, his share of the net profit derived from that employment, less–
  - i. an amount in respect of income tax and of national insurance contributions payable under the Act calculated in accordance with section 29 (deduction of tax and contributions for self-employed earners); and
  - ii. one-half of the amount calculated in accordance with paragraph (11) in respect of any qualifying premium.

28.2 There shall be disregarded from an applicant's net profit, any sum, where applicable, specified in paragraph 1 to 14 of Schedule 3.

28.3 For the purposes of paragraph 28.1 a) the net profit of the employment must, except where paragraph 28.9 applies, be calculated by taking into account the earnings for the employment over the assessment period less;

- a. subject to paragraphs 28.5 to 28.7, any expenses wholly and exclusively incurred in that period for the purposes of that employment;
- b. an amount in respect of;
  - (i) income tax, and
  - (ii) national insurance contributions payable under the Act, calculated in accordance with section 29 (deduction of tax and contributions for self-employed earners); and
- c. one-half of the amount calculated in accordance with paragraph (28.11) in respect of any qualifying premium.

28.4 For the purposes of paragraph 28.1b) the net profit of the employment shall be calculated by taking into account the earnings of the employment over the assessment period less, subject to paragraphs 28.5 to 28.8, any expenses wholly and exclusively incurred in that period for the purposes of the employment.

28.5 Subject to paragraph 28.6 no deduction shall be made under paragraph 28.3 a) or 28.4, in respect of–

- a. any capital expenditure;
  - b. the depreciation of any capital asset;
  - c. any sum employed or intended to be employed in the setting up or expansion of the employment;
  - d. any loss incurred before the beginning of the assessment period;
  - e. the repayment of capital on any loan taken out for the purposes of the employment;
  - f. any expenses incurred in providing business entertainment, and
  - g. any debts, except bad debts proved to be such, but this sub-paragraph shall not apply to any expenses incurred in the recovery of a debt.
- 28.6 A deduction shall be made under paragraph 28.3 a) or 28.4 in respect of the repayment of capital on any loan used for–
- a. the replacement in the course of business of equipment or machinery; and
  - b. the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair.
- 28.7 The authority shall refuse to make deduction in respect of any expenses under paragraph 28.3 a. or 28.4 where it is not satisfied given the nature and the amount of the expense that it has been reasonably incurred.
- 28.8 For the avoidance of doubt–
- a. deduction shall not be made under paragraph 28.3 a) or 28.4 in respect of any sum unless it has been expended for the purposes of the business;
  - b. a deduction shall be made thereunder in respect of–
    - i. the excess of any value added tax paid over value added tax received in the assessment period;
    - ii. any income expended in the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair;
    - iii. any payment of interest on a loan taken out for the purposes of the employment
- 28.9 Where an applicant is engaged in employment, as a child minder the net profit of the employment shall be one-third of the earnings of that employment, less an amount in respect of
- a. income tax; and
  - b. national insurance contributions payable under the Act, calculated in accordance with section 29 (deduction of tax and contributions for self-employed earners); and
  - c. one-half of the amount calculated in accordance with paragraph 28.1 in respect of any qualifying contribution.
- 28.10 For the avoidance of doubt where an applicant is engaged in employment as a self-employed earner, and he is also engaged in one or more other employments as a self-employed or employed earner any loss incurred in any one of his employments shall not be offset against his earnings in any other of his employments.
- 28.11 The amount in respect of any qualifying premium shall be calculated by multiplying the daily amount of the qualifying premium by the number equal to the number of days in the assessment period; and for the purposes of this section the daily amount of the qualifying premium shall be determined.
- a. where the qualifying premium is payable monthly, by multiplying the amount of the qualifying premium by 12 and divided the product by 365;
  - b. in any other case, by dividing the amount of the qualifying premium by the number equal to the number of days in the period to which the qualifying premium relates.
- 28.12 In this section, ‘qualifying premium’ means any premium which is payable periodically in respect of a personal pension scheme and is so payable on or after the date of claim.

## **29.0 Deduction of tax and contributions of self-employed earners**

- 29.1 The amount to be deducted in respect of income tax under section 28.1b i), 28.3 b) i) or 28.9 a) i) (calculation of net profit of self-employed earners) shall be calculated on the basis of the amount of chargeable income and as if that income were assessable to income tax at the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under section 257(1) of the Income and Corporation Taxes Act 1988 (personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax is to be applied and the amount of the personal reliefs deductible under this paragraph shall be calculated on a pro rata basis.
- 29.2 The amount to be deducted in respect of national insurance contributions under paragraphs 28.1 1 b)(i); 28.3 b) ii) or 28.9 a shall be the total of—
- a. the amount of Class 2 contributions payable under section 11(1) or, as the case may be, 11(3) of the Act at the rate applicable to the assessment period except where the applicant's chargeable income is less than the amount specified in section 11(4) of the Act (small profits threshold) for the tax year applicable to the assessment period; but if the assessment period is less than a year, the amount specified for that tax year shall be reduced pro rata; and
  - b. the amount of Class 4 contributions (if any) which would be payable under section 15 of the Act (Class 4 contributions recoverable under the Income Tax Acts) at the percentage rate applicable to the assessment period on so much of the chargeable income as exceeds the lower limit but does not exceed the upper limit of profits and gains applicable for the tax year applicable to the assessment period; but if the assessment period is less than a year, those limits shall be reduced pro rata.
- 29.3 In this section 'chargeable income' means—
- a. except where sub-paragraph (b) applies, the earnings derived from the employment less any expenses deducted under paragraph 28.3(a) or, as the case may be, 28.4 of section 28;
  - b. in the case of employment as a child minder, one-third of the earnings of that employment.

## **30.0 Calculation of income other than earnings**

- 30.1 For the purposes of section 21 (average weekly income other than earnings), the income of an applicant which does not consist of earnings to be taken into account shall, subject to paragraphs 30.2 to 30.4, be his gross income and any capital treated as income under section 31 (capital treated as income).
- 30.2 There is to be disregarded from the calculation of an applicant's gross income under paragraph 30.1, any sum, where applicable, specified in Schedule 4.
- 30.3 Where the payment of any benefit under the benefit Acts is subject to any deduction by way of recovery the amount to be taken into account under paragraph 30.1 shall be the gross amount payable.
- 30.4 Where the applicant or, where he is a member of a couple, his partner is receiving a contributory employment and support allowance and that benefit has been reduced under regulation 63 of the Employment and Support Allowance Regulations 2008, the amount of that benefit to be taken into account is the amount as if it had not been reduced.
- 30.5 Where an award of any working tax credit or child tax credit under the Tax Credits Act 2002 is subject to a deduction by way of recovery of an overpayment of working tax credit or child tax

credit which arose in a previous tax year the amount to be taken into account under paragraph 30.1 shall be the amount of working tax credit or child tax credit awarded less the amount of that deduction.

30.6 In paragraph 30.5 'tax year' means a period beginning with 6th April in one year and ending with 5th April in the next.

30.7 Paragraphs 30.8 and 30.9 apply where a relevant payment has been made to a person in an academic year; and that person abandons, or is dismissed from, his course of study before the payment to him of the final instalment of the relevant payment.

30.8 Where a relevant payment is made quarterly, the amount of a relevant payment to be taken into account for the assessment period for the purposes of paragraph 30.1 in respect of a person to whom paragraph 30.7 applies, shall be calculated by applying the formula—

$$\frac{A - (B \times C)}{D}$$

D

Where;

A = the total amount of the relevant payment which that person would have received had he remained a student until the last day of the academic term in which he abandoned, or was dismissed from, his course, less any deduction under paragraph 51.5

B = the number of reduction weeks from the reduction week immediately following that which includes the first day of that academic year to the reduction week which includes the day on which the person abandoned, or was dismissed from, his course;

C = the weekly amount of the relevant payment, before the application of the £10 disregard, which would have been taken into account as income under paragraph 51.2 had the person not abandoned or been dismissed from, his course and, in the case of a person who was not entitled to council tax reduction immediately before he abandoned or was dismissed from his course, had that person, at that time, been entitled to housing benefit;

D = the number of reduction weeks in the assessment period.

30.9 Where a relevant payment is made by two or more instalments in a quarter, the amount of a relevant payment to be taken into account for the assessment period for the purposes of paragraph 30.1 in respect of a person to whom paragraph (30.8) applies, shall be calculated by applying the formula in paragraph 30.8 but as if—

A = the total amount of relevant payments which that person received, or would have received, from the first day of the academic year to the day the person abandoned the course, or was dismissed from it, less any deduction under paragraph 51.5

30.10 In this section— 'academic year' and 'student loan' shall have the same meanings as for the purposes of sections 43 to 45, 'assessment period' means—

a. in a case where a relevant payment is made quarterly, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes the last day of the last quarter for which an instalment of the relevant payment was payable to that person;

b. in a case where the relevant payment is made by two or more instalments in a quarter, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes—

i. the day immediately before the day on which the next instalment of the relevant payment would have been due had the payments continued; or

ii. the last day of the last quarter for which an instalment of the relevant payment was payable to that person.

whichever of these dates is earlier.

'quarter' in relation to an assessment period means a period in that year beginning on;

a. 1st January and ending on 31st March;

b. 1st April and ending on 30th June;

- c. 1st July and ending on 31st August; or
  - d. 1st September and ending on 31st December;
- 'relevant payment' means either a student loan or an amount intended for the maintenance of dependants referred to in paragraph 46.7 or both.

30.11 For the avoidance of doubt there shall be included as income to be taken into account under paragraph 30.1;

- a. any payment to which paragraph 25.2 (payments not earnings) applies; or
- b. in the case of an applicant who is receiving support under section 95 or 98 of the Immigration and Asylum Act 1999 including support provided by virtue of regulations made under Schedule 9 to that Act, the amount of such support provided in respect of essential living needs of the applicant and his dependants (if any) as is specified in regulations made under paragraph 3 of Schedule 8 to the Immigration and Asylum Act 1999.

### **31.0 Capital treated as income.**

31.1 Any capital payable by instalments which are outstanding at the date on which the claim is made or treated as made, or, at the date of any subsequent revision or supersession, shall, if the aggregate of the instalments outstanding and the amount of the applicant's capital otherwise calculated in accordance with sections 33 to 42 of this scheme exceeds £16,000, be treated as income.

31.2 Any payment received under an annuity shall be treated as income.

31.3 Any earnings to the extent that they are not a payment of income shall be treated as income.

31.4 Any Career Development Loan paid pursuant to section 2 of the Employment and Training Act 1973 Act shall be treated as income.

31.5 Where an agreement or court order provides that payments shall be made to the applicant in consequence of any personal injury to the applicant and that such payments are to be made, wholly or partly, by way of periodic payments, any such periodic payments received by the applicant (but not a payment which is treated as capital), shall be treated as income.

### **32.0 Notional income**

32.1 An applicant shall be treated as possessing income of which he has deprived himself for the purpose of securing entitlement of support or increasing the amount of that support.

32.2 Except in the case of—

- a. a discretionary trust;
- b. a trust derived from a payment made in consequence of a personal injury;
- c. a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund where the applicant has not attained the qualifying age for state pension credit;
- d. any sum to which paragraph 47(2)(a) of Schedule 5 (capital to be disregarded) applies which is administered in the way referred to in paragraph 47(1)(a);
- e. any sum to which paragraph 48(a) of Schedule 5 refers;
- f. rehabilitation allowance made under section 2 of the 1973 Act;
- g. child tax credit; or
- h. working tax credit,
- i. any sum to which paragraph 32.13 applies;

any income which would become available to the applicant upon application being made, but which has not been acquired by him, shall be treated as possessed by the applicant but only from the date on which it could be expected to be acquired were an application made.

32.3 – 32.5 Not used

- 32.6 Any payment of income, other than a payment of income specified in paragraph 32.7 made–
- a. to a third party in respect of a single applicant or a member of the family (but not a member of the third party’s family) shall, where that payment is a payment of an occupational pension, a pension or other periodical payment made under or by a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;
  - b. to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party’s family) shall, where it is not a payment referred to in sub-paragraph a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;
  - c. to a single applicant or a member of the family in respect of a third party (but not in respect of another member of that family) shall be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.
- 32.7 Paragraph 32.6 shall not apply in respect of a payment of income made–
- a. under the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No. 2) Trust, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006);
  - b. pursuant to section 19(1)(a) of the Coal Industry Act 1994 (concessionary coal);
  - c. pursuant to section 2 of the 1973 Act in respect of a person’s participation–
    - (i) in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker’s Allowance Regulations;
    - (ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;
    - (iii) in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;
    - (iv) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations or;
    - (v) in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;
  - d. in respect of a person’s participation in the Work for Your Benefit Pilot Scheme
  - e. in respect of a previous participation in the Mandatory Work Activity Scheme;
  - f. in respect of an applicant’s participation in the Employment, Skills and Enterprise Scheme;
  - g. under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where–
    - (i) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration, or a judicial factor has been appointed on that person’s estate under section 41 of the Solicitors (Scotland) Act 1980;
    - (ii) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and
    - (iii) the person referred to in (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.
- 32.8 Where an applicant is in receipt of any benefit (other than council tax reduction) under the benefit Acts and the rate of that benefit is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter, the authority shall treat the applicant as possessing such benefit at the altered rate from either 1st April or the first Monday in April in that year, whichever date the authority shall select to apply in its area, to the date on which the altered rate is to take effect.

- 32.9 Subject to paragraph 32.10, where–
- a. applicant performs a service for another person; and
  - b. that person makes no payment of earnings or pays less than that paid for a comparable employment in the area, the authority shall treat the applicant as possessing such earnings (if any) as is reasonable for that employment unless the applicant satisfies the authority that the means of that person are insufficient for him to pay or to pay more for the service.
- 32.10 Paragraph 32.9 shall not apply–
- a. to an applicant who is engaged by a charitable or voluntary organisation or who is a volunteer if the authority is satisfied in any of those cases that it is reasonable for him to provide those services free of charge; or
  - b. in a case where the service is performed in connection with–
    - (i) the applicant’s participation in an employment or training programme in accordance with regulation 19(1)(q) of the Jobseeker’s Allowance Regulations, other than where the service is performed in connection with the applicant’s participation in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations or
    - (ii) the applicant’s or the applicant’s partner’s participation in an employment or training programme as defined in regulation 19(3) of those Regulations for which a training allowance is not payable or, where such an allowance is payable, it is payable for the sole purpose of reimbursement of travelling or meal expenses to the person participating in that programme ; or
  - c. to an applicant who is participating in a work placement approved by the Secretary of State (or a person providing services to the Secretary of State) before the placement starts.
- 32.10A In paragraph 32.10 (c) ‘work placement’ means practical work experience which is not undertaken in expectation of payment.
- 32.11 Where an applicant is treated as possessing any income under any of paragraph 32.1 to (32.8), the foregoing provisions of this scheme shall apply for the purposes of calculating the amount of that income as if a payment has actually been made and as if it were actual income which he does possess.
- 32.12 Where an applicant is treated as possessing any earnings under paragraph 32.9 the foregoing provisions of this scheme shall apply for the purposes of calculating the amount of those earnings as if a payment had actually been made and as if they were actual earnings which he does possess except that paragraph (3) of section 26 (calculation of net earnings of employed earners) shall not apply and his net earnings shall be calculated by taking into account those earnings which he is treated as possessing, less;
- a. an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the starting rate or, as the case may be, the starting rate and the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 257(1) of the Income and Corporation Taxes Act 1988 (personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the starting rate of tax is to be applied and the amount of the personal relief deductible under this sub-paragraph shall be calculated on a pro rate basis;
  - b. an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the Act in respect of those earnings if such contributions were payable; and
  - c. one-half of any sum payable by the applicant by way of a contribution towards an occupational or personal pension scheme.
- 32.13 Paragraphs (32.1), (32.2), (32.6) and (32.9) shall not apply in respect of any amount of income other than earnings, or earnings of an employed earner, arising out of the applicant’s participation as a service user.

**Sections 33 – 42 & Schedule 5**

**Definition and the treatment of capital for Council tax reduction purposes**



### **33.0 Capital limit**

33.1 For the purposes of this scheme, the prescribed amount is £16,000 and no support shall be granted when the applicant has an amount greater than this level.

### **34.0 Calculation of capital**

34.1 For the purposes of this scheme, the capital of an applicant to be taken into account shall, subject to paragraph (34.2), be the whole of his capital calculated in accordance with this scheme and any income treated as capital under section 36 (income treated as capital).

34.2 There shall be disregarded from the calculation of an applicant's capital under paragraph (34.1), any capital, where applicable, specified in Schedule 5.

### **35.0 Disregard of capital of child and young person**

35.1 The capital of a child or young person who is a member of the applicant's family shall not be treated as capital of the applicant.

### **36.0 Income treated as capital.**

36.1 Any bounty derived from employment to which paragraph 8 of Schedule 3 applies and paid at intervals of at least one year shall be treated as capital.

36.2 Any amount by way of a refund of income tax deducted from profits or emoluments chargeable to income tax under Schedule D or E shall be treated as capital.

36.3 Any holiday pay which is not earnings under section 25(1)(d) (earnings of employed earners) shall be treated as capital.

36.4 Except any income derived from capital disregarded under paragraphs 1, 2, 4, 8, 14 or 25 to 28, 47 or 48 of Schedule 5, any income derived from capital shall be treated as capital but only from the date it is normally due to be credited to the applicant's account.

36.5 In the case of employment as an employed earner, any advance of earnings or any loan made by the applicant's employer shall be treated as capital.

36.6 Any charitable or voluntary payment which is not made or due to be made at regular intervals, other than a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Independent Living Fund (2006) or the London Bombings Charitable Relief Fund, shall be treated as capital.

36.7 There shall be treated as capital the gross receipts of any commercial activity carried on by a person in respect of which assistance is received under the self-employment route, but only in so far as those receipts were payable into a special account during the period in which that person was receiving such assistance.

36.8 Any arrears of subsistence allowance which are paid to an applicant as a lump sum shall be treated as capital.

36.9 Any arrears of working tax credit or child tax credit shall be treated as capital.

### **37.0 Calculation of capital in the United Kingdom**

37.1 Capital which an applicant possesses in the United Kingdom shall be calculated at its current market or surrender value less—

- a. where there would be expenses attributable to the sale, 10 per cent.; and
- b. the amount of any encumbrance secured on it;

### **38.0 Calculation of capital outside the United Kingdom**

38.1 Capital which an applicant possesses in a country outside the United Kingdom shall be calculated.

- a. in a case where there is no prohibition in that country against the transfer to the United Kingdom of an amount equal to its current market or surrender value in that country, at that value.
- b. in a case where there is such a prohibition, at the price which it would realise if sold in the United Kingdom to a willing buyer, less, where there would be expenses attributable to sale, 10 per cent. and the amount of any encumbrances secured on it.

### **39.0 Notional capital**

39.1 An applicant shall be treated as possessing capital of which he has deprived himself for the purpose of securing entitlement to council tax reduction or increasing the amount of that support except to the extent that that capital is reduced in accordance with section 40 (diminishing notional capital rule).

39.2 Except in the case of

- (a) a discretionary trust; or
- (b) a trust derived from a payment made in consequence of a personal injury; or
- (c) any loan which would be obtained only if secured against capital disregarded under Schedule 5; or
- (d) a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund; or
- (e) any sum to which paragraph 47(2)(a) of Schedule 5 (capital to be disregarded) applies which is administered in the way referred to in paragraph 47(1)(a); or
- (f) any sum to which paragraph 48(a) of Schedule 5 refers; or
- (g) child tax credit; or
- (h) working tax credit,

any capital which would become available to the applicant upon application being made, but which has not been acquired by him, shall be treated as possessed by him but only from the date on which it could be expected to be acquired were an application made.

39.3 Any payment of capital, other than a payment of capital specified in paragraph (39.4), made.

- (a) to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) shall, where that payment is a payment of an occupational pension, a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;
- (b) to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) shall, where it is not a payment referred to in subparagraph (a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;
- (c) to a single applicant or a member of the family in respect of a third party (but not in respect of another member of that family) shall be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.

39.4 Paragraph 39.3 shall not apply in respect of a payment of capital made:

- a. under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation, or the London Bombings Relief Charitable Fund;
- b. pursuant to section 2 of the 1973 Act in respect of a person's participation:
  - i. in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's

Allowance Regulations;

- ii. in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;
- iii. in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;
- iv. in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations; or
- v. in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;
- c. in respect of a person's participation in the Mandatory Work Activity Scheme;
- d. Enterprise Scheme;
- e. in respect of an applicant's participation in the Employment, Skills, and Enterprise Scheme or Back to Work Scheme;
- f. under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where—
  - i. a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;
  - ii. the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and
  - iii. the person referred to in (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.

39.5 Where an applicant stands in relation to a company in a position analogous to that of a sole owner or partner in the business of that company, he may be treated as if he were such sole owner or partner and in such a case.

- a. the value of his holding in that company shall, notwithstanding section 34 (calculation of capital) be disregarded; and
- b. he shall, subject to paragraph 39.6, be treated as possessing an amount of capital equal to the value or, as the case may be, his share of the value of the capital of that company and the foregoing provisions of this Section shall apply for the purposes of calculating that amount as if it were actual capital which he does possess.

39.6 For so long as the applicant undertakes activities in the course of the business of the company, the amount which, he is treated as possessing under paragraph 39.5 shall be disregarded.

39.7 Where an applicant is treated as possessing capital under any of paragraphs 39.1 to 39.2 the foregoing provisions of this Section shall apply for the purposes of calculating its amount as if it were actual capital, which he does possess.

#### **40.0 Diminishing notional capital rule.**

40.1 Where an applicant is treated as possessing capital under section 39.1 (notional capital), the amount which he is treated as possessing;

- a. in the case of a week that is subsequent to
  - (i) the relevant week in respect of which the conditions set out in paragraph 40.2 are satisfied; or
  - (ii) a week which follows that relevant week, and which satisfies those conditions, shall be reduced by an amount determined under paragraph 40.3;
- b. in the case of a week in respect of which paragraph 40.1(a) does not apply but where
  - (i) that week is a week subsequent to the relevant week; and
  - (ii) that relevant week is a week in which the condition in paragraph 40.4 is satisfied, shall be reduced by the amount determined under paragraph 40.4.

40.2 This paragraph applies to a reduction week or part-week where the applicant satisfies the conditions that;

- a. he is in receipt of council tax reduction; and

- b. but for paragraph 39.1, he would have received an additional amount of council tax reduction in that week.
- 40.3 In a case to which paragraph 40.2 applies, the amount of the reduction for the purposes of paragraph 40.1(a) shall be equal to the aggregate of
- a. the additional amount to which sub-paragraph 40.2 (b) refers;
  - b. where the applicant has also claimed housing benefit, the amount of any housing benefit or any additional amount of that benefit to which he would have been entitled in respect of the whole or part of the reduction week to which paragraph 40.2 refers but for the application of regulation 49(1) of the Housing Benefit Regulations 2006 (notional capital);
  - c. where the applicant has also claimed income support, the amount of income support to which he would have been entitled in respect of the whole or part of the reduction week to which paragraph 40.2 refers but for the application of regulation 51(1) of the Income Support Regulations (notional capital);
  - d. where the applicant has also claimed a jobseeker's allowance, the amount of an income-based jobseeker's allowance to which he would have been entitled in respect of the whole or part of the reduction week to which paragraph 40.2 refers but for the application of regulation 113 of the Jobseeker's Allowance Regulations 1996 (notional capital) and
  - e. where the applicant has also claimed an employment and support allowance, the amount of an income-related employment and support allowance to which he would have been entitled in respect of the whole or part of reduction week to which paragraph 40.2 refers but for the application of regulation 115 of the Employment and Support Allowance Regulations 2008 (notional capital).
- 40.4 Subject to paragraph 40.5, for the purposes of paragraph 40.1(b) the condition is that the applicant would have been entitled to council tax reduction in the relevant week but for paragraph 39.1, and in such a case the amount of the reduction shall be equal to the aggregate of
- a. the amount of council tax reduction to which the applicant would have been entitled in the relevant week but for paragraph 39.1; and for the purposes of this sub-paragraph is the amount is in respect of a part-week, that amount shall be determined by dividing the amount of council tax reduction to which he would have been so entitled by the number equal to the number of days in the part-week and multiplying the quotient so obtained by 7;
  - b. if the applicant would, but for regulation 49(1) of the Housing Benefit Regulations, have been entitled to housing benefit or to an additional amount of housing benefit in respect of the reduction week which includes the last day of the relevant week, the amount which is equal to—
    - (i) in a case where no housing benefit is payable, the amount to which he would have been entitled; or
    - (ii) in any other case, the amount equal to the additional amount of housing benefit to which he would have been entitled,
 and, for the purposes of this sub-paragraph, if the amount is in respect of a part-week, that amount shall be determined by dividing the amount of housing benefit to which he would have been so entitled by the number equal to that number of days in the part-week and multiplying the quotient so obtained by 7;
  - c. if the applicant would, but for regulation 51(1) of the Income Support Regulations, have been entitled to income support in respect of the reduction week, within the meaning of regulation 2(1) of those Regulations, which includes the last day of the relevant week, the amount to which he would have been entitled and, for the purposes of this sub-paragraph, if the amount is in respect of a part-week, that amount shall be determined by dividing the amount of the income support to which he would have been so entitled by the number equal to the number of days in the part- week and multiplying the quotient so obtained by 7
  - d. if the applicant would, but for regulation 113 of the Jobseeker's Allowance Regulations 1996, have been entitled to an income-based jobseeker's allowance in respect of the reduction week, within the meaning of this scheme, which includes the last day of the relevant week, the amount to which he would have been entitled and, for the purposes

of this sub-paragraph, if the amount is in respect of a part-week, that amount shall be determined by dividing the amount of the income-based jobseeker's allowance to which he would have been so entitled by the number equal to the number of days in the part-week and multiplying the quotient so obtained by 7; and

- e. if the applicant would, but for regulation 115 of the Employment and Support Allowance Regulations 2008, have been entitled to an income-related employment and support allowance in respect of the reduction week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled and, for the purposes of this sub-paragraph, if the amount is in respect of a part-week, that amount must be determined by dividing the amount of the income-related employment and support allowance to which he would have been so entitled by the number equal to the number of days in that part-week and multiplying the quotient so obtained by 7.

40.5 The amount determined under paragraph 40.4 shall be re-determined under that paragraph if the applicant makes a further claim for council tax reduction and the conditions in paragraph 40.6 are satisfied, and in such a case—

- a. sub-paragraphs (a) to (d) of paragraph 40.4 shall apply as if for the words 'relevant week' there were substituted the words 'relevant subsequent week'; and
- b. subject to paragraph 40.7, the amount as re-determined shall have effect from the first week following the relevant subsequent week in question.

40.6 The conditions are that;

- a. a further claim is made 26 or more weeks after
  - (i) the date on which the applicant made a claim for council tax reduction in respect of which he was first treated as possessing the capital in question under paragraph 39.1;
  - (ii) in a case where there has been at least one re-determination in accordance with paragraph 40.5, the date on which he last made a claim for council tax reduction which resulted in the weekly amount being re-determined, or
  - (iii) the date on which he last ceased to be entitled to council tax reduction, whichever last occurred; and
- b. the applicant would have been entitled to council tax reduction but for paragraph 39.1.

40.7 The amount as re-determined pursuant to paragraph 40.5 shall not have effect if it is less than the amount which applied in that case immediately before the re-determination and in such a case the higher amount shall continue to have effect.

40.8 For the purposes of this section

- a. 'part-week'
  - (i) in paragraph 40.4(a) means a period of less than a week for which council tax reduction is allowed;
  - (ii) in paragraph 40.4(b) means a period of less than a week for which housing benefit is payable;
  - (iii) in paragraph 40.4 (c),(d) and (e) means—
    - aa. a period of less than a week which is the whole period for which income support, an income-related employment and support allowance or, as the case may be, an income-based jobseeker's allowance is payable; and
    - bb. any other period of less than a week for which it is payable;
- b. 'relevant week' means the reduction week or part-week in which the capital in question of which the applicant has deprived himself within the meaning of section 39.1
  - (i) was first taken into account for the purpose of determining his entitlement to council tax reduction; or
  - (ii) was taken into account on a subsequent occasion for the purpose of determining or re-determining his entitlement to council tax reduction on that subsequent occasion and that determination or re-determination resulted in his beginning to receive, or ceasing to receive, council tax reduction;and where more than one reduction week is identified by reference to heads (i) and (ii)

of this sub-paragraph the later or latest such reduction week or, as the case may be, the later or latest such part-week;

- c. 'relevant subsequent week' means the reduction week or part-week which includes the day on which the further claim or, if more than one further claim has been made, the last such claim was made.

#### **41.0 Capital jointly held.**

41.1 Except where an applicant possesses capital which is disregarded under paragraph 39(5) (notional capital) where an applicant and one or more persons are beneficially entitled in possession to any capital asset they shall be treated, in the absence of evidence to the contrary, as if each of them were entitled in possession to the whole beneficial interest therein in an equal share and the foregoing provisions of this Section shall apply for the purposes of calculating the amount of capital which the applicant is treated as possessing as if it were actual capital which the applicant does possess

#### **42.0 Calculation of tariff income from capital**

42.1 Where the applicant's capital calculated in accordance with this scheme exceeds £6,000 it shall be treated as equivalent to a weekly income of £1 for each complete £250 of in excess of £6,000 but not exceeding £16,000.

42.2 Notwithstanding paragraph 42.1 where any part of the excess is not a complete £250 that part shall be treated as equivalent to a weekly tariff income of £1.

42.3 For the purposes of paragraph 42.1, capital includes any income treated as capital under section 36 (income treated as capital).

**Sections 43 - 56**

**Definition and the treatment of students for Council tax reduction purposes<sup>20</sup>**

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<sup>20</sup> Amounts shown in sections 43 to 56 will be uprated in line with the Housing Benefit Regulations 2006 (as amended)

#### 43.0 Student related definitions

43.1 In this scheme the following definitions apply;

**'academic year'** means the period of twelve months beginning on 1st January 1st April 1st July or 1st September according to whether the course in question begins in the winter, the spring, the summer or the autumn respectively but if students are required to begin attending the course during August or September and to continue attending through the autumn, the academic year of the course shall be considered to begin in the autumn rather than the summer;

**'access funds'** means;

- a. grants made under section 68 of the Further and Higher Education Act 1992 for the purpose of providing funds on a discretionary basis to be paid to students;
- b. grants made under section 73(a) and (c) and 74(1) of the Education (Scotland) Act 1980;
- c. grants made under Article 30 of the Education and Libraries (Northern Ireland) Order 1993 or grants, loans or other payments made under Article 5 of the Further Education (Northern Ireland) Order 1997 in each case being grants, or grants, loans or other payments as the case may be, for the purpose of assisting students in financial difficulties;
- d. discretionary payments, known as "learner support funds", which are made available to students in further education by institutions out of funds provided by the Secretary of State under section 14 of the Education Act 2002 or the Chief Executive of Skills Funding under sections 100 and 101 of the Apprenticeships, Skills, Children and Learning Act 2009; or
- e. Financial Contingency Funds made available by the Welsh Ministers;

**'college of further education'** means a college of further education within the meaning of Part 1 of the Further and Higher Education (Scotland) Act 1992;

**'contribution'** means;

- a. any contribution in respect of the income of a student or any person which the Secretary of State, the Scottish Ministers or an education authority takes into account in ascertaining the amount of a student's grant or student loan; or
- b. any sums, which in determining the amount of a student's allowance or bursary in Scotland under the Education (Scotland) Act 1980, the Scottish Ministers or education authority takes into account being sums which the Scottish Ministers or education authority consider that it is reasonable for the following person to contribute towards the holder's expenses;
  - (i) the holder of the allowance or bursary;
  - (ii) the holder's parents;
  - (iii) the holder's parent's spouse, civil partner or a person ordinarily living with the holder's parent as if he or she were the spouse or civil partner of that parent; or
  - (iv) the holder's spouse or civil partner;

**'course of study'** means any course of study, whether or not it is a sandwich course and whether or not a grant is made for attending or undertaking it;

**'covenant income'** means the gross income payable to a full-time student under a Deed of Covenant by his parent;

**'education authority'** means a government department, a local authority as defined in section 579 of the Education Act 1996 (interpretation), a local education authority as defined in section 123 of the Local Government (Scotland) Act 1973, an education and library board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986, any body which is a research council for the purposes of the Science and Technology Act 1965 or any analogous government department, authority, board or body, of the Channel Islands, Isle of Man or any other country outside Great Britain;

**'full-time course of study'** means a full time course of study which;

- a. is not funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, the Chief Executive of Skills Funding or by the Welsh Ministers or a full-time course of study which is not funded in whole or in part by the Scottish Ministers at a college of further education or a full-time course of study which is a course of higher education and is funded in whole or in part by the Scottish Ministers;



- b. is funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, the Chief Executive of Skills Funding or by the Welsh Ministers if it involves more than 16 guided learning hours per week for the student in question, according to the number of guided learning hours per week for that student set out—
  - (i) in the case of a course funded by the Secretary of State under section 14 of the Education Act 2002 or the Chief Executive of Skills Funding, in the student’s learning agreement signed on behalf of the establishment which is funded by either of those persons for the delivery of that course; or
  - (ii) in the case of a course funded by the Welsh Ministers, in a document signed on behalf of the establishment which is funded by that Council for the delivery of that course; or
- c. is not higher education and is funded in whole or in part by the Scottish Ministers at a college of further education and involves—
  - (i) more than 16 hours per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff according to the number of hours set out in a document signed on behalf of the college; or
  - (ii) 16 hours or less per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff and additional hours using structured learning packages supported by the teaching staff where the combined total of hours exceeds 21 hours per week, according to the number of hours set out in a document signed on behalf of the college;

**‘full-time student’** means a person attending or undertaking a full-time course of study and includes a student on a sandwich course;

**‘grant’** (except in the definition of ‘access funds’) means any kind of educational grant or award and includes any scholarship, studentship, exhibition allowance or bursary but does not include a payment from access funds or any payment to which paragraph 12 of Schedule 4 or paragraph 53 of Schedule 5 applies;

**‘grant income’** means;

- (a) any income by way of a grant;
- (b) any contribution whether or not it is paid;

**‘higher education’** means higher education within the meaning of Part 2 of the Further and Higher Education (Scotland) Act 1992;

**‘last day of the course’** means;

- a. in the case of a qualifying course, the date on which the last day of that course falls or the date on which the final examination relating to that course is completed, whichever is the later;
- b. in any other case, the date on which the last day of the final academic term falls in respect of the course in which the student is enrolled;

**‘period of study’** means—

- a. in the case of a course of study for one year or less, the period beginning with the start of the course and ending with the last day of the course;
- b. in the case of a course of study for more than one year, in the first or, as the case may be, any subsequent year of the course, other than the final year of the course, the period beginning with the start of the course or, as the case may be, the year’s start and ending with either—
  - (i) the day before the start of the next year of the course in a case where the student’s grant or loan is assessed at a rate appropriate to his studying throughout the year, or, if he does not have a grant or loan, where a loan would have been assessed at such a rate had he had one; or
  - (ii) in any other case, the day before the start of the normal summer vacation appropriate to his course;
- c. in the final year of a course of study of more than one year, the period beginning with that year’s start and ending with the last day of the course;

**‘periods of experience’** means periods of work experience which form part of a sandwich course;

**‘qualifying course’** means a qualifying course as defined for the purposes of Parts 2 and 4 of the Jobseeker’s Allowance Regulations;

**‘modular course’** means a course of study which consists of two or more modules, the successful completion of a specified number of which is required before a person is considered by the educational establishment to have completed the course.

**‘sandwich course’** has the meaning prescribed in regulation 2(9) of the Education (Student Support) Regulations 2008, regulation 4(2) of the Education (Student Loans), (Scotland), Regulations 2007 or regulation 2(8) of the Education (Student Support) Regulations (Northern Ireland) 2007, as the case may be;

**‘standard maintenance grant’** means—

- a. except where paragraph (b) or (c) applies, in the case of a student attending or undertaking a course of study at the University of London or an establishment within the area comprising the City of London and the Metropolitan Police District, the amount specified for the time being in paragraph 2(2)(a) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 (‘the 2003 Regulations’) for such a student;
- b. except where paragraph (c) applies, in the case of a student residing at his parent’s home, the amount specified in paragraph 3 thereof;
- c. in the case of a student receiving an allowance or bursary under the Education (Scotland) Act 1980, the amount of money specified as ‘standard maintenance allowance’ for the relevant year appropriate for the student set out in the Student Support in Scotland Guide issued by the student Awards Agency for Scotland, or its nearest equivalent in the case of a bursary provided by a college of further education or a local education authority;
- d. in any other case, the amount specified in paragraph 2(2) of Schedule 2 to the 2003 Regulations other than in sub-paragraph (a) or (b) thereof;

**‘student’** means a person, other than a person in receipt of a training allowance, who is attending or undertaking—

- a. a course of study at an educational establishment; or
- b. a qualifying course;

**‘student’ loan’** means a loan towards a student’s maintenance pursuant to any regulations made under section 22 of the Teaching and Higher Education Act 1998, section 73 of the Education (Scotland) Act 1980 or Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 and shall include, in Scotland, a young student’s bursary paid under regulation 4(1)(c) of the Student’s Allowances (Scotland) Regulations 2007

43.2 For the purposes of the definition of ‘full-time student’, a person shall be regarded as attending or, as the case may be, undertaking a full-time course of study or as being on a sandwich course;

- a. in the case of a person attending or undertaking a part of a modular course which would be a full-time course of study for the purposes of this Part, for the period beginning on the day on which that part of the course starts and ending:
  - (i) on the last day on which he is registered with the educational establishment as attending or undertaking that part as a full-time course of study; or
  - (ii) on such earlier date (if any) as he finally abandons the course or is dismissed from it;
- b. in any other case, throughout the period beginning on the date on which he starts attending or undertaking the course and ending on the last day of the course or on such earlier date (if any) as he finally abandons it or is dismissed from it.

43.3 For the purposes of sub-paragraph (a) of paragraph 43.2, the period referred to in that sub-paragraph shall include;

- a. where a person has failed examinations or has failed to successfully complete a module relating to a period when he was attending or undertaking a part of the course as a full-time course of study, any period in respect of which he attends or undertakes the course for the purpose of retaking those examinations or that module;
- b. any period of vacation within the period specified in that paragraph or immediately following that period except where the person has registered with the educational establishment to attend or undertake the final module in the course and the vacation immediately follows the last day on which he is required to attend or undertake the course.

#### **44.0 Treatment of students**

44.1 The following sections relate to students who claim Council tax reduction.

#### **45.0 Students who are excluded from entitlement to council tax reduction.**

45.1 Students (except those specified in paragraph 45.3) are not able to claim Council tax reduction under Classes D and E of the Council's reduction scheme.

45.2 To be eligible for support, the student must be liable for Council Tax under Section 6 of the Local Government Finance Act 1992, and they must not be deemed to be a full time student or a persons from abroad within the meaning of section 7 of this scheme (persons from aboard).

45.3 Paragraph 45.2 shall not apply to a student;

(a) who is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance;

(b) who is a lone parent;

(c) whose applicable amount would, but for this section, include the disability premium or severe disability premium;

(d) whose applicable amount would include the disability premium but for his being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the Act;

(e) who is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the Act (incapacity for work) for a continuous period of not less than 196 days; and for this purpose, any two or more separate periods separated by a break of not more than 56 days shall be treated as one continuous period;

(f) who has, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations for a continuous period of not less than 196 days, and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period.

(g) who has a partner who is also a full-time student, if he or that partner is treated as responsible for a child or young person;

(h) who is a single applicant with whom a child is placed by a local authority or voluntary organisation within the meaning of the Children Act 1989, or, in Scotland, boarded out within the meaning of the Social Work (Scotland) Act 1968;

(i) who is;

i) aged under 21 and whose course of study is not a course of higher education

ii) aged 21 and attained that age during a course of study which is not a course of higher education – this condition needs adding

iii) a qualifying young person or child within the meaning of section 142 of the Act (child and qualifying young person)

(j) in respect of whom

i) a supplementary requirement has been determined under paragraph 9 of Part 2 of Schedule 2 to the Education (Mandatory Awards) Regulations 2003;

(ii) an allowance, or as the case may be, bursary has been granted which includes a sum under paragraph (1)(d) or regulation 4 of the Students' Allowances (Scotland) Regulations 1999 or, as the case may be, under paragraph (1)(d) of regulation 4 of the Education Authority (Bursaries) (Scotland) Regulations 1995, in respect of expenses incurred;

(iii) a payment has been made under section 2 of the Education Act 1962 or under or by virtue of regulations made under the Teaching and Higher Education Act 1998;

(iv) a grant has been made under regulation 13 of the Education (Student Support) Regulations 2005 or under regulation 13 of the Education (Student Support)

Regulations (Northern Ireland) 2000; or  
(v) a supplementary requirement has been determined under paragraph 9 of Schedule 6 to the Students Awards Regulations (Northern Ireland) 1999 or a payment has been made under Article 50(3) of the Education and Libraries (Northern Ireland) Order 1986,

on account of his disability by reason of deafness.

45.3A Paragraph 45.3(i)(ii) only applies to a claimant until the end of the course during which the claimant attained the age of 21

45.4 For the purposes of paragraph 45.3, once paragraph 45.3(e) applies to a full-time student, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that paragraph shall, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter apply to him for so long as he remains incapable or is treated as remaining incapable, of work.

45.5 In paragraph 45.3(h) the reference to a course of higher education is a reference to a course of any description mentioned in Schedule 6 to the Education Reform Act 1988.

45.6 A full-time student to whom sub-paragraph (i) of paragraph 45.3 applies, shall be treated as satisfying that sub-paragraph from the date on which he made a request for the supplementary requirement, allowance, bursary or payment as the case may be.

45.7 Paragraph 45.2 shall not apply to a full-time student for the period specified in paragraph 45.8 if;

- (a) at any time during an academic year, with the consent of the relevant educational establishment, he ceases to attend or undertake a course because he is;
  - (i) engaged in caring for another person; or
  - (ii) ill;
- (b) he has subsequently ceased to be engaged in engaging in caring for that person or, as the case may be, he has subsequently recovered from that illness; and
- (c) he is not eligible for a grant or a student loan in respect of the period specified in paragraph 45.8.

45.8 The period specified for the purposes of paragraph 45.7 is the period, not exceeding one year, beginning on the day on which he ceased to be engaged in caring for that person or, as the case may be, the day on which he recovered from that illness and ending on the day before;

- (a) the day on which he resumes attending or undertaking the course; or
  - (b) the day from which the relevant educational establishment has agreed that he may resume attending or undertaking the course,
- which shall first occur.

#### **46.0 Calculation of grant income**

46.1 The amount of a student's grant income to be taken into account shall, subject to paragraphs 46.2 and 46.3, be the whole of his grant income.

46.2 There shall be excluded from a student's grant income any payment;

- (a) intended to meet tuition fees or examination fees;
- (b) in respect of the student's disability;
- (c) intended to meet additional expenditure connected with term time residential study away from the student's educational establishment;
- (d) on account of the student maintaining a home at a place other than that at which he resides during his course;

- (e) on account of any other person but only if that person is residing outside of the United Kingdom and there is no applicable amount in respect of him;
  - (f) intended to meet the cost of books and equipment;
  - (g) intended to meet travel expenses incurred as a result of his attendance on the course;
  - (h) intended for the child care costs of a child dependant.
  - (i) of higher education bursary for care leavers made under Part III of the Children Act 1989.
- 46.3 Where a student does not have a student loan and is not treated as possessing such a loan, there shall be excluded from the student's grant income;
- (a) the sum of £303 per academic year in respect of travel costs; and
  - (b) the sum of £390 per academic year towards the costs of books and equipment, whether or not any such costs are incurred.
- The above figures will be increased annually in line with the Housing Benefit Regulations 2006 (as amended).
- 46.4 There shall also be excluded from a student's grant income the grant for dependants known as the parents' learning allowance paid pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 or section 22 of the Teaching and Higher Education Act 1998.
- 46.5 Subject to paragraphs 46.6 and 46.7, a student's grant income shall be apportioned;
- (a) subject to paragraph 46.8, in a case where it is attributable to the period of study, equally between the weeks in that period beginning with the reduction week, the first day of which coincides with, or immediately follows the first day of the period of study and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study;
  - (b) in any other case, equally between the weeks in the period beginning with the reduction week, the first day of which coincides with, or immediately follows, the first day of the period for which it is payable and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period for which it is payable.
- 46.6 Any grant in respect of dependants paid under section 63(6) of the Health Services and Public Health Act 1968 (grants in respect of the provision of instruction to officers of hospital authorities) and any amount intended for the maintenance of dependants under Part 3 of Schedule 2 to the Education (Mandatory Awards) Regulations 2004 shall be apportioned equally over the period of 52 weeks or, if there are 53 reduction weeks (including part-weeks) in the year, 53.
- 46.7 In a case where a student is in receipt of a student loan or where he could have acquired a student loan by taking reasonable steps but had not done so, any amount intended for the maintenance of dependants to which neither paragraph 46.6 nor section 50 (other amounts to be disregarded) apply, shall be apportioned over the same period as the student's loan is apportioned or, as the case may be, would have been apportioned.
- 46.8 In the case if a student on a sandwich course, any periods of experience within the period of study shall be excluded and the student's grant income shall be apportioned equally between the weeks in the period beginning with the reduction week, the first day of which immediately follows the last day of the period of experience and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study.
- 47.0 Calculation of covenant income where a contribution is assessed.**
- 47.1 Where a student is in receipt of income by way of a grant during a period of study and a contribution has been assessed, the amount of his covenant income to be taken into account

for that period and any summer vacation immediately following shall be the whole amount of the covenant income less, subject to paragraph 47.3, the amount of the contribution.

- 47.2 The weekly amount of the student's covenant shall be determined—
- (a) by dividing the amount of income which falls to be taken into account under paragraph 47.1 by 52 or 53, whichever is reasonable in the circumstances; and
  - (b) by disregarding from the resulting amount, £5.

47.3 For the purposes of paragraph 47.1, the contribution shall be treated as increased by the amount (if any) by which the amount excluded under paragraph 46.2(g) (calculation of grant income) falls short of the amount specified in paragraph 7(2) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 (travel expenditure).

**48.0 Covenant income where no grant income or no contribution is assessed.**

48.1 Where a student is not in receipt of income by way of a grant the amount of his covenant income shall be calculated as follows;

- (a) any sums intended for any expenditure specified in paragraph 46.2 (a) to (e) (calculation of grant income) necessary as a result of his attendance on the course shall be disregarded;
- (b) any covenant income, up to the amount of the standard maintenance grant, which is not so disregarded, shall be apportioned equally between the weeks of the period of study;
- (c) there shall be disregarded from the amount so apportioned the amount which would have been disregarded under paragraph 46.2(f) and 46.3 (calculation of grant income) had the student been in receipt of the standard maintenance grant; and
- (d) the balance, if any, shall be divided by 52 or 53 whichever is reasonable in the circumstances and treated as weekly income of which £5 shall be disregarded.

48.2 Where a student is in receipt of income by way of a grant and no contribution has been assessed, the amount of his covenanted income shall be calculated in accordance with sub-paragraphs (a) to (d) of paragraph 48.1, except that;

- (a) the value of the standard maintenance grant shall be abated by the amount of such grant income less an amount equal to the amount of any sums disregarded under paragraph 46.2 (a) to (e); and
- (b) the amount to be disregarded under paragraph 48.1(c) shall be abated by an amount equal to the amount of any sums disregarded under paragraph 46.2(f) and (g) and 46.3.

**49.0 Student Covenant Income and Grant income – non disregard**

49.1 No part of a student's covenant income or grant income shall be disregarded under paragraph 15 of Schedule 4 to this scheme.

**50.0 Other amounts to be disregarded.**

50.1 For the purposes of ascertaining income other than grant income, covenant income and loans treated as income in accordance with section 51, any amounts intended for any expenditure specified in paragraph 46.2 (calculation of grant income), necessary as a result of his attendance on the course shall be disregarded but only if, and to the extent that, the necessary expenditure exceeds or is likely to exceed the amount of the sums disregarded under paragraphs 46.2 or 46.3, 47.3, 48.1(a) or (c) or 51.5 (calculation of grant income, covenant income and treatment of student loans) on like expenditure.

**51.0 Treatment of student loans**

51.1 A student loan shall be treated as income.

51.2 In calculating the weekly amount of the loan to be taken into account as income.

- (a) in respect of a course that is of a single academic year's duration or less, a loan which is payable in respect of that period shall be apportioned equally between the weeks in the period beginning with;
  - (i) except in a case where (ii) applies, the reduction week, the first day of which coincides with, or immediately follows, the first day of the single academic year;
  - (ii) where the student is required to start attending the course in August or where the course is less than an academic year's duration, the reduction week, the first day of which coincides with, or immediately follows, the first day of the course, and ending with the reduction week, the last day of which coincides with, or immediately precedes with last day of the course,
  
- (b) in respect of an academic year of a course which starts other than on 1st September, a loan which is payable in respect of that academic year shall be apportioned equally between the weeks in the period beginning with the reduction week, the first day of which coincides with or immediately follows, the first day of that academic year and ending with the reduction week, the last day of which coincides with or immediately precedes, the last day of that academic year but excluding any reduction weeks falling entirely within the quarter during which, in the opinion of the Secretary of State, the longest of any vacation is taken and for the purposes of this sub-paragraph, 'quarter' shall have the same meaning as for the purposes of the Education (Student Support) Regulations 2005;
  
- (c) in respect of the final academic year of a course (not being a course of a single year's duration), a loan which is payable in respect of that final academic year shall be apportioned equally between the weeks in the period beginning with;
  - (i) except in a case where (ii) applies, the reduction week, the first day of which coincides with or immediately follows, the first day of that academic year;
  - (ii) where the final academic year starts on 1st September, the reduction week, the first day of which coincide with, or immediately follows, the earlier of 1st September or the first day of the autumn term, and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the course;
  
- (d) in any other case, the loan shall be apportioned equally between the weeks in the period beginning with the earlier of;
  - (i) the first day of the first reduction week in September; or
  - (ii) the reduction week, the first day of which coincides with, or immediately follows the first day of the autumn term, and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of June,

and, in all cases, from the weekly amount so apportioned there shall be disregarded £10.

51.3 A student shall be treated as possessing a student loan in respect of an academic year where;

- (a) a student loan has been made to him in respect of that year; or
- (b) he could acquire such a loan in respect of that year by taking reasonable steps to do so.

51.4 Where a student is treated as possessing a student loan under paragraph 51.3, the amount of the student loan to be taken into account as income shall be, subject to paragraph 51.5.

- (a) in the case of a student to whom a student loan is made in respect of an academic year, a sum equal to
  - (i) the maximum student loan he is able to acquire in respect of that year by taking reasonable steps to do so; and
  - (ii) any contribution whether or not it has been paid to him;
- (b) in the case of a student to whom a student loan is not made in respect of an academic year, the maximum student loan that would be made to the student if;

- (i) he took all reasonable steps to obtain the maximum student loan he is able to acquire in respect of that year; and
- (ii) no deduction in that loan was made by virtue of the application of a means test.

- 51.5 There shall be deducted from the amount of income taken into account under paragraph 51.4;
- (a) the sum of £303 per academic year in respect of travel costs; and
  - (b) the sum of £390 per academic year towards the cost of books and equipment, whether or not any such costs are incurred.

The above figures will be increased annually in line with the Housing Benefit Regulations 2006 (as amended).

#### **51A.0 Treatment of fee loans**

- 51A. 1A loan for fees, known as a fee loan or a fee contribution loan, made pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998, section 22 of the Teaching and Higher Education Act 1998 or section 73(f) of the Education (Scotland) Act 1980, shall be disregarded as income.

#### **52.0 Treatment of payments from access funds**

- 52.1 This paragraph applies to payments from access funds that are not payments to which paragraph 55.2 or 55.3 (income treated as capital) applies.

- 52.2 A payment from access funds, other than a payment to which paragraph 52.3 applies, shall be disregarded as income.

- 52.3 Subject to paragraph 52.4 of this section and paragraph 35 of Schedule 4,
- a) any payments from access funds which are intended and used for an item of food, ordinary clothing or footwear, household fuel, or rent of a single applicant or, as the case may be, of the applicant or any other member of his family and
  - b) any payments from access funds which are used for any council tax or water charges for which that applicant or member is liable, shall be disregarded as income to the extent of £20 per week.

- 52.4 Where a payment from access funds is made—
- (a) on or after 1st September or the first day of the course, whichever first occurs, but before receipt of any student loan in respect of that year and that payment is intended for the purpose of bridging the period until receipt of the student loan; or
  - (b) before the first day of the course to a person in anticipation of that person becoming a student,
- that payment shall be disregarded as income.

#### **53.0 Disregard of contribution**

- 53.1 Where the applicant or his partner is a student and for the purposes of assessing a contribution to the student's grant or student loan, the other partner's income has been taken into account, an amount equal to that contribution shall be disregarded for the purposes of assessing that other partner's income.

#### **54.0 Further disregard of student's income**

- 54.1 Where any part of a student's income has already been taken into account for the purpose of assessing his entitlement to a grant or student loan, the amount taken into account shall be disregarded in assessing that student's income.



**55.0 Income treated as capital.**

55.1 Any amount by way of a refund of tax deducted from a student's covenant income shall be treated as capital.

55.2 Any amount paid from access funds as a single lump sum shall be treated as capital.

55.3 An amount paid from access fund as a single lump sum which is intended and used for an item other than food, ordinary clothing or footwear, household fuel or rent, or which is used for an item other than any council tax or water charges for which that applicant or member is liable, shall be disregarded as capital but only for a period of 52 weeks from the date of the payment.

**56.0 Disregard of changes occurring during summer vacation**

56.1 In calculating a student's income the authority shall disregard any change in the standard maintenance grant, occurring in the recognised summer vacation appropriate to the student's course if that vacation does not form part of his period of study from the date on which the change occurred to the end of that vacation.

**Sections 57 – 63**

**The calculation and amount of Council tax reduction**

## **57.0 Maximum council tax reduction**

57.1 Subject to paragraphs 57.2 to 57.4, the amount of a person's maximum council tax reduction in respect of a day for which he is liable to pay council tax, shall be 91.5 per cent, of the amount A divided by B where;

- (a) A is the amount set by the appropriate authority as the council tax for the relevant financial year in respect of the dwelling in which he is a resident and for which he is liable, subject to any discount which may be appropriate to that dwelling under the 1992 Act; and
- (b) B is the number of days in that financial year,

less any deductions in respect of non-dependants which fall to be made under section 58 (non-dependant deductions).

In this paragraph "relevant financial year" means, in relation to any particular day, financial year within which the day in question falls.

57.2 In calculating a person's maximum council tax reduction any reduction in the amount that person is liable to pay in respect of council tax, which is made in consequence of any enactment in, or made under, the 1992 Act, shall be taken into account.

57.3 Subject to paragraph 57.4, where an applicant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons but excepting any person so residing with the applicant who is a student to whom paragraph 45.2 (students who are excluded from entitlement to council tax reduction) applies, in determining the maximum council tax reduction in his case in accordance with paragraph 57.1, the amount A shall be divided by the number of persons who are jointly and severally liable for that tax.

57.4 Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, paragraph 57.3 shall not apply in his case.

## **58.0 Non-dependant deductions<sup>21</sup>**

58.1 Subject to the following provisions of this paragraph, the non-dependant deductions in respect of a day referred to in section 57 (maximum council tax reduction) shall be;

- (a) in respect of a non-dependant aged 18 or over in remunerative work, £15.10 x 1/7;
- (b) in respect of a non-dependant aged 18 or over to whom sub-paragraph (a) does not apply, £4.90 x 1/7.

58.2 In the case of a non-dependant aged 18 or over to whom paragraph 58.1(a) applies, where it is shown to the appropriate authority that his normal gross weekly income is—

- (a) less than £256.00, the deduction to be made under this paragraph shall be that specified in paragraph 58.1(b);
- (b) not less than £256.00, but less than £445.00, the deduction to be made under this section shall be £10.05 x 1/7
- (c) not less than £445.00, but less than £554.00, the deduction to be made under this section shall be £12.60 x 1/7;

58.3 Only one deduction shall be made under this section in respect of a couple or, as the case may be, members of a polygamous marriage and, where, but for this paragraph, the amount that would fall to be deducted in respect of one member of a couple or polygamous marriage is higher than the amount (if any) that would fall to be deducted in respect of the other, or any other, member, the higher amount shall be deducted.

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<sup>21</sup> The amounts shown within this section shall be updated in line with the Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012

- 58.4 In applying the provisions of paragraph 58.2 in the case of a couple or, as the case may be a polygamous marriage, regard shall be had, for the purpose of that paragraph, to the couple's or, as the case may be, all members of the polygamous marriage's joint weekly gross income.
- 58.5 Where in respect of a day–
- a. a person is a resident in a dwelling but is not himself liable for council tax in respect of that dwelling and that day;
  - b. other residents in that dwelling (the liable persons) have joint and several liability for council tax in respect of that dwelling and that day otherwise than by virtue of section 9 or 77 or 77A of the 1992 Act (liability of spouses and civil partners); and
  - c. the person to whom sub-paragraph (a) refers is a non-dependant of two or more of the liable persons, the deduction in respect of that non-dependant shall be apportioned equally between those liable persons.
- 58.6 No deduction shall be made in respect of any non-dependants occupying an applicant's dwelling if the applicant or his partner is–
- a. blind or treated as blind by virtue of paragraph 9 of Schedule 1 (additional condition for the disability premium); or
  - b. receiving in respect of himself:
    - attendance allowance, or would be receiving that allowance but for:
      - i. a suspension of benefit in accordance with regulations under section 113(2) of The Act; or
      - ii. an abatement as a result of hospitalisation; or
    - the care component of the disability living allowance, or would be receiving that component but for:
      - i. a suspension of benefit in accordance with regulations under section 113(2) of The Act; or
      - ii. an abatement as a result of hospitalisation; or
  - c. the daily living component of personal independence payment, or would be receiving that allowance but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);
  - d. an AFIP, or would be receiving that payment but for a suspension of it in accordance with any terms of the armed and reserve forces compensation scheme which allows for a suspension because a person is undergoing medical treatment in a hospital or similar institution;
- 58.7 No deduction shall be made in respect of a non-dependant if:
- a. although he resides with the applicant, it appears to the authority that his normal home is elsewhere; or
  - b. he is in receipt of a training allowance paid in connection with a youth training established under section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990; or
  - c. he is a full time student within the meaning of section 44.0 (Students); or
  - d. he is not residing with the applicant because he has been a patient for a period of excess of 52 weeks, and for these purposes;
  - e. 'patient' has the meaning given within this scheme, and
  - f. where a person has been a patient for two or more distinct periods separated by one or more intervals each not exceeding 28 days, he shall be treated as having been a patient continuously for a period equal in duration to the total of those distinct periods;
  - g. he is not residing with the claimant because he is a member of the armed forces away on operations.
- 58.8 No deduction shall be made in respect of a non-dependant;
- (a) who is on income support, state pension credit, an income-based jobseeker's allowance or an income-related employment and support allowance;

- (b) to whom Schedule 1 of the 1992 Act applies (persons disregarded for purposes of discount) but this sub-paragraph shall not apply to a non-dependant who is a student to whom paragraph 4 of that Schedule refers;
- (c) who is entitled to an award of universal credit where the award is calculated on the basis that the person does not have any earned income.”;  
For the purposes of sub-paragraph (c), “earned income” has the meaning given in regulation 52 of the Universal Credit Regulations 2013.

58.9 In the application of paragraph 58.2 there shall be disregarded from his weekly gross income:

- a. any attendance allowance, disability living allowance or personal independence payment or an AFIP received by him;
- b. any payment made under or by the Trusts, the Fund, the Eileen Trust , MFET Limited, the Skipton Fund, the Caxton Foundation, or the Independent Living Fund (2006) which had his income fallen to be calculated under section 30 (calculation of income other than earnings) would have been disregarded under paragraph 24 of Schedule 4 (income in kind); and
- c. any payment which had his income fallen to be calculated under section 30 would have been disregarded under paragraph 36 of Schedule 4 (payments made under certain trusts and certain other payments).

**59.0 Council tax reduction taper (applies to persons defined within Class E)**

59.1 The prescribed daily percentage for the purpose of calculating support as a percentage of excess of income over the applicable amount, which is deducted from maximum council tax reduction, shall be 2 6/7 per cent. Where an applicant’s income exceeds their applicable amount, their council tax reduction shall be calculated by deducting their excess income multiplied by the taper from their maximum council tax reduction as defined within section 57 of this scheme.

**60.0 Extended reductions**

60.1 An applicant who is entitled to council tax reduction (by virtue of the general conditions of entitlement) shall be entitled to an extended reduction where;

- (a) the applicant or the applicant’s partner was entitled to a qualifying income- related benefit;
- (b) entitlement to a qualifying income-related benefit ceased because the applicant or the applicant’s partner–
  - (i) commenced employment as an employed or self-employed earner;
  - (ii) increased their earnings from such employment; or
  - (iii) increased the number of hours worked in such employment, and that employment is or, as the case may be, increased earnings or increased number of hours are expected to last five weeks or more; and
- (c) the applicant or the applicant’s partner had been entitled to and in receipt of a qualifying income-related benefit, jobseeker’s allowance or a combination of those benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying income-related benefit ceased.

60.2 For the purpose of paragraph 60.1(c), an applicant or an applicant’s partner is to be treated as having been entitled to and in receipt of a qualifying income-related benefit or jobseeker’s allowance during any period of less than five weeks in respect of which the applicant or the applicant’s partner was not entitled to any of those benefits because the applicant or the applicant’s partner was engaged in remunerative work as a consequence of their participation in an employment zone programme.

60.3 For the purpose of this section, where an applicant or an applicant’s partner is entitled to and in receipt of joint-claim jobseeker’s allowance they shall be treated as being entitled to and in receipt of jobseeker’s allowance.

60.4 An applicant must be treated as entitled to council tax reduction by virtue of the general conditions of entitlement where—

- (a) the applicant ceased to be entitled to council tax reduction because the applicant vacated the dwelling in which the applicant was resident;
- (b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying income-related benefit ceased, or in the preceding week; and
- (c) entitlement to the qualifying income-related benefit ceased in any of the circumstances listed in paragraph 60.1(b).

60.5 This section shall not apply where, on the day before an applicant's entitlement to income support ceased, regulation 6(5) of the Income Support Regulations (remunerative work: housing costs) applied to that applicant.

#### **60A.0 Duration of extended reduction period**

60A.1 Where an applicant is entitled to an extended reduction, the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying income-related benefit.

60A.2 For the purpose of paragraph (60A.1), an applicant or an applicant's partner ceases to be entitled to a qualifying income-related benefit on the day immediately following the last day of entitlement to that benefit.

60A.3 The extended reduction period ends;

- (a) at the end of a period of four weeks; or
- (b) on the date on which the applicant to whom the extended reduction is payable has no liability for council tax if that occurs first.

#### **60B.0 Amount of extended reduction**

60B.1 For any week during the extended reduction period the amount of the extended reduction payable to an applicant shall be the higher of—

- (a) the amount of council tax reduction to which the applicant was entitled under the general conditions of entitlement in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying income-related benefit;
- (b) the amount of council tax reduction to which the applicant would be entitled under the general conditions of entitlement for any reduction week during the extended reduction period, if section 60 (extended reductions) did not apply to the applicant; or
- (c) the amount of council tax reduction to which the applicant's partner would be entitled under the general conditions of entitlement if section 60 did not apply to the applicant.

60B.2 Paragraph 60B1 does not apply in the case of a mover.

60B.3 Where an applicant is in receipt of an extended reduction under this section and the applicant's partner makes a claim for council tax reduction, no amount of council tax reduction shall be payable by the appropriate authority during the extended reduction period.

#### **60C Extended reductions – movers**

60C.1 This section applies;

- (a) to a mover; and
- (b) from the Monday following the day of the move.

60C.2 The amount of the extended reduction payable from the Monday from which this section applies until the end of the extended reduction period shall be the amount of council tax

reduction which was payable to the mover for the last reduction week before the mover, or the mover's partner, ceased to be entitled to a qualifying income-related benefit.

60C.3 Where a mover's liability to pay council tax in respect of the new dwelling is to the second authority, the extended reduction may take the form of a payment from the appropriate authority to;

- (a) the second authority; or
- (b) the mover directly.

60C.4 Where—

- (a) a mover, or the mover's partner, makes a claim for council tax reduction to the second authority after the mover, or the mover's partner, ceased to be entitled to a qualifying income-related benefit; and
- (b) the mover, or the mover's partner, is in receipt of an extended reduction from the appropriate authority, the second authority shall reduce the weekly amount of council tax reduction that the mover, or the mover's partner, is entitled to by a sum equal to the amount of the extended reduction until the end of the extended reduction period.

**60D.0 Relationship between extended reduction and entitlement to council tax reduction under the general conditions of entitlement**

60D.1 Where an applicant's council tax reduction award would have ended when the applicant ceased to be entitled to a qualifying income-related benefit in the circumstances listed in paragraph 60.1(b), that award will not cease until the end of the extended reduction period.

60D.2 Changes of circumstances and increases for exceptional circumstances shall not apply to any extended reduction payable in accordance with paragraph 60B.1(a) or 60C.2 (amount of extended reduction – movers).

**61.0 Extended reductions (qualifying contributory benefits)**

61.1 An applicant who is entitled to council tax reduction (by virtue of the general conditions of entitlement) shall be entitled to an extended reduction (qualifying contributory benefits) where;

- (a) the applicant or the applicant's partner was entitled to a qualifying contributory benefit;
- (b) entitlement to a qualifying contributory benefit ceased because the applicant or the applicant's partner;
  - (i) commenced employment as an employed or self-employed earner;
  - (ii) increased their earnings from such employment; or
  - (iii) increased the number of hours worked in such employment, and that employment is or, as the case may be, increased earnings or increased number of hours are expected to last five weeks or more;
- (c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying contributory benefit or a combination of qualifying contributory benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying contributory benefit ceased; and
- (d) the applicant or the applicant's partner was not entitled to and not in receipt of a qualifying income-related benefit in the last reduction week in which the applicant, or the applicant's partner, was entitled to a qualifying contributory benefit.

61.2 An applicant must be treated as entitled to council tax reduction by virtue of the general conditions of entitlement where;

- (a) the applicant ceased to be entitled to council tax reduction because the applicant vacated the dwelling in which the applicant was resident;
- (b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying contributory benefit ceased, or in the preceding week; and

- (c) entitlement to the qualifying contributory benefit ceased in any of the circumstances listed in paragraph 61.1(b).

**61A.0 Duration of extended reduction period (qualifying contributory benefits)**

61A.1 Where an applicant is entitled to an extended reduction (qualifying contributory benefits), the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying contributory benefit.

61A.2 For the purpose of paragraph 61A.1, an applicant or an applicant's partner ceases to be entitled to a qualifying contributory benefit on the day immediately following the last day of entitlement to that benefit.

61A.3 The extended reduction period ends;

- (a) at the end of a period of four weeks; or
- (b) on the date on which the applicant to whom the extended reduction (qualifying contributory benefits) is payable has no liability for council tax if that occurs first.

**61B.0 Amount of extended reduction (qualifying contributory benefits)**

61B.1 For any week during the extended reduction period the amount of the extended reduction (qualifying contributory benefits) payable to an applicant shall be the higher of;

- (a) the amount of council tax reduction to which the applicant was entitled under the general conditions of entitlement in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying contributory benefit;
- (b) the amount of council tax reduction to which the applicant would be entitled under the general conditions of entitlement for any reduction week during the extended reduction period, if section 61 (extended reductions (qualifying contributory benefits)) did not apply to the applicant; or
- (c) the amount of council tax reduction to which the applicant's partner would be entitled under the general conditions of entitlement if section 61 did not apply to the applicant.

61B.2 Paragraph 61B.1 does not apply in the case of a mover.

61B.3 Where an applicant is in receipt of an extended reduction (qualifying contributory benefits) under this section and the applicant's partner makes a claim for council tax reduction, no amount of council tax reduction shall be payable by the appropriate authority during the extended reduction period.

**61C.0 Extended reductions (qualifying contributory benefits) – movers**

61C.1 This section applies;

- (a) to a mover; and
- (b) from the Monday following the day of the move.

61C.2 The amount of the extended reduction (qualifying contributory benefit) payable from the Monday from which this section applies until the end of the extended reduction period shall be the amount of council tax reduction which was payable to the mover for the last reduction week before the mover, or the mover's partner, ceased to be entitled to a qualifying contributory benefit.

61C.3 Where a mover's liability to pay council tax in respect of the new dwelling is to the second authority, the extended reduction (qualifying contributory benefits) may take the form of a payment from the appropriate authority to–

- (a) the second authority; or
- (b) the mover directly.



61C.4 Where

- (a) a mover, or the mover's partner, makes a claim for council tax reduction to the second authority after the mover, or the mover's partner, ceased to be entitled to a qualifying contributory benefit; and
- (b) the mover, or the mover's partner, is in receipt of an extended reduction (qualifying contributory benefits) from the appropriate authority, the second authority shall reduce the weekly amount of council tax reduction that the mover, or the mover's partner, is entitled to by a sum equal to the amount of the extended reduction (qualifying contributory benefits) until the end of the extended reduction period.

**61D.0 Relationship between extended reduction (qualifying contributory benefits) and entitlement to council tax reduction under the general conditions of entitlement**

61D.1 Where an applicant's council tax reduction award would have ended when the applicant ceased to be entitled to a qualifying contributory benefit in the circumstances listed in paragraph 61.1 (b), that award will not cease until the end of the extended reduction period.

61D.2 Changes of circumstances and increases for exceptional circumstances shall not apply to any extended reduction (qualifying contributory benefits) payable in accordance with paragraph 61B.1(a) or 61C.2 (amount of extended reduction— movers).

**61E.0 Extended reductions: movers into the authority's area<sup>22</sup>**

61E.1 Where;

- a. an application is made to the authority for a reduction under its scheme, and
- b. the applicant or the partner of the applicant, is in receipt of an extended reduction from;
  - (i) another billing authority in England; or
  - (ii) a billing authority in Wales,the current authority must reduce any reduction to which the applicant is entitled under its Council Tax Reduction scheme by the amount of that extended reduction.

**62.0 Alternative maximum council tax reduction (Second Adult Reduction) (Class F)**

62.1 Subject to paragraphs 62.2 and 62.3, the alternative maximum council tax reduction where the conditions are satisfied shall be the amount determined in accordance with Schedule 2.

62.2 Subject to paragraph 62.3, where an applicant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons, in determining the alternative maximum council tax reduction in his case, the amount determined in accordance with Schedule 2 shall be divided by the number of persons who are jointly and severally liable for that tax.

62.3 Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, solely by virtue of section 9, 77 or 77A of the 1992 Act (liability of spouses and civil partners), paragraph 62.2 shall not apply in his case.

**63.0 Residents of a dwelling to whom Second Adult Reduction does not apply.**

63.1 Entitlement to an alternative maximum council tax reduction (Second Adult Rebate) shall not apply in respect of any person referred to in the following paragraphs namely;

- (a) a person who is liable for council tax solely in consequence of the provisions of sections 9, 77 and 77A of the 1992 Act (spouse's or civil partner's joint and several liability for tax);
- (b) a person who is residing with a couple or with the members of a polygamous marriage where the applicant for council tax reduction is a member of that couple or of that

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<sup>22</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

marriage and;

(i) in the case of a couple, neither member of that couple is a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount; or  
(ii) in the case of a polygamous marriage, two or more members of that marriage are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount;

- (c) a person who jointly with the applicant for support falls within the same paragraph of sections 6(2)(a) to (e) or 75(2)(a) to (e) of the 1992 Act (persons liable to pay council tax) as applies in the case of the applicant;
- (d) a person who is residing with two or more persons both or all of whom fall within the same paragraph of sections 6(2)(a) to (e) or 75(2)(a) to (e) of the 1992 Act and two or more of those persons are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount.

**Sections 64 – 67**

**Dates on which entitlement and changes of circumstances are to take effect.**

**64.0 Date on which entitlement is to begin.**

64.1 Subject to paragraph 64.2, any person to whom or in respect of whom a claim for council tax reduction is made and who is otherwise entitled to that support shall be so entitled from the reduction week following the date on which that claim is made or is treated as made.

64.2 Where a person is otherwise entitled to council tax reduction and becomes liable for the first time for the authority's council tax in respect of a dwelling of which he is a resident in the reduction week in which his claim is made or is treated as made, he shall be so entitled from that reduction week.

**65.0 - 66.0 Not Used**

**67.0 Date on which change of circumstances is to take effect.**

67.1 Except in cases where section 24 (disregard of changes in tax, contributions, etc.) applies and subject to the following provisions of this paragraph, a change of circumstances which affects entitlement to, or the amount of, a reduction under the authority's scheme ("change of circumstances"), takes effect from the first day of the reduction week following the date on which the change actually occurs, and where that change is cessation of entitlement to any benefit under the benefit Acts, the date on which the change actually occurs shall be the day immediately following the last day of entitlement to that benefit.

67.2 Subject to paragraph (3), where the change of circumstances is a change in the amount of council tax payable, it takes effect from the day on which it actually occurs.

67.3 Where the change of circumstances is a change in the amount a person is liable to pay in respect of council tax in consequence of regulations under section 13 of the 1992 Act (reduced amounts of council tax) or changes in the discount to which a dwelling may be subject under sections 11 or 12 of that Act, it shall take effect from the day on which the change in amount has effect.

67.4 Where the change of circumstances is the applicant's acquisition of a partner, the change takes effect on the day on which the acquisition takes place.

67.5 Where the change of circumstances is the death of an applicant's partner or their separation, it takes effect on the day the death or separation occurs.

67.6 If two or more changes of circumstances occurring in the same reduction week would, but for this paragraph, take effect in different reduction weeks in accordance with paragraphs (1) to (5) they take effect from the day to which the appropriate paragraph from (2) to (5) above refers, or where more than one day is concerned, from the earlier day.

67.7 Where the change of circumstances is that income, or an increase in the amount of income, other than a benefit or an increase in the amount of a benefit under the Act, is paid in respect of a past period and there was no entitlement to income of that amount during that period, the change of circumstances shall take effect from the first day on which such income, had it been paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of this scheme.

67.8 Without prejudice to paragraph (7), where the change of circumstances is the payment of income, or arrears of income, in respect of a past period, the change of circumstances takes effect from the first day on which such income, had it been timeously paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of this scheme.

**Date on which income consisting of earnings from employment as an employed earner are taken into account.**

- 67.9.—(1) A applicant's average weekly earnings from employment shall be taken into account—
- (a) in the case of a claim, on the date that the claim was made or treated as made and the first day of each reduction week thereafter, regardless of whether those earnings were actually received in that week;
  - (b) in the case of a claim or award where the claimant commences employment, the first day of the reduction week following the date the claimant commences that employment, and the first day of each reduction week thereafter, regardless of whether those earnings were actually received in that week; or
  - (c) in the case of a claim or award where the applicant's average weekly earnings from employment change, the first day of the reduction week following the date of the change, and the beginning of each week thereafter, regardless of whether those earnings were actually received in that week

**Sections 68– 74A**

**Claiming and the treatment of claims for Council tax reduction purposes**

**68.0 Making an application<sup>23</sup>**

- 68.1 In the case of a couple or members of a polygamous marriage an application is to be made by whichever one of them they agree should so apply or, in default of agreement, by such one of them as the authority determines.
- 68.2 Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act, and;
- (a) a deputy has been appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or
  - (b) in Scotland, his estate is being administered by a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on his behalf; or
  - (c) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise,
- that deputy, judicial factor, guardian or attorney, as the case may be, may make an application on behalf of that person.
- 68.3 Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act and sub-paragraph (2) does not apply to him, the authority may, upon written application made to them by a person who, if a natural person, is over the age of 18, appoint that person to exercise on behalf of the person who is unable to act, any right to which that person might be entitled under the authority's scheme and to receive and deal on his behalf with any sums payable to him.
- 68.4 Where a person who is liable to pay council tax in respect of a dwelling is for the time being unable to act and the Secretary of State has appointed a person to act on his behalf under regulation 33 of the Social Security (Claims and Payments) Regulations 1987 (persons unable to act), the authority may if that person agrees, treat him as if he had been appointed by them under sub-paragraph (3).
- 68.5 Where the authority has made an appointment under sub-paragraph (3) or treated a person as an appointee under sub-paragraph (4);
- (a) it may at any time revoke the appointment;
  - (b) the person appointed may resign his office after having given 4 weeks' notice in writing to the authority of his intention to do so;
  - (c) any such appointment terminates when the authority is notified of the appointment of a person mentioned in sub-paragraph (2).
- 68.6 Anything required by the authority's scheme to be done by or to any person who is for the time being unable to act may be done by or to the persons mentioned in sub-paragraph (2) above or by or to the person appointed or treated as appointed under this paragraph and the receipt of any such person so appointed shall be a good discharge to the authority for any sum paid.
- 68.7 The authority must;
- (a) inform any person making an application of the duty imposed by paragraph 9(1)(a) of the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012;
  - (b) explain the possible consequences (including prosecution) of failing to comply with that duty; and
  - (c) set out the circumstances a change in which might affect entitlement to the reduction or its amount.

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<sup>23</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

**69.0 Procedure by which a person may apply for a reduction under the authority's scheme<sup>24</sup>**

69.1. Paragraphs 2 to 7 apply to an application made under the authority's scheme.

69.2. An application may be made;

- (a) in writing,
- (b) by means of an electronic communication in accordance with sections 101 – 106A of this scheme, or
- (c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone.

69.3 (1) An application which is made in writing must be made to the designated office on a properly completed form.  
(2) The form must be provided free of charge by the authority for the purpose.

69.4 (1) Where an application made in writing is defective because—  
(a) it was made on the form supplied for the purpose, but that form is not accepted by the authority as being properly completed; or  
(b) it was made in writing but not on the form approved for the purpose and the authority does not accept the application as being in a written form which is sufficient in the circumstances of the case having regard to the sufficiency of the written information and evidence,  
the authority may, in a case to which sub-paragraph (a) applies, request the applicant to complete the defective application or, in the case to which sub-paragraph (b) applies, supply the applicant with the approved form or request further information and evidence.

(2) An application made on a form provided by the authority is properly completed if it is completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the application.

69.5. (1) If an application made by electronic communication is defective the authority must provide the person making the application with an opportunity to correct the defect.

(2) An application made by electronic communication is defective if the applicant does not provide all the information the authority requires.

69.6. In a particular case the authority may determine that an application made by telephone is only valid if the person making the application approves a written statement of his circumstances provided by the authority.

69.7 (1) If an application made by telephone is defective the authority must provide the person making the application with an opportunity to correct the defect.

(2) An application made by telephone is defective if the applicant does not provide all the information the authority requests during the telephone call.

69.8 Notwithstanding other paragraphs within this section, the authority will determine the method by which claims are to be made as well as where claims should be sent or delivered.

69.9 (1) Where an applicant;  
(a) makes an application under this scheme which includes (or which he subsequently requests should include) a period before the application is made; and

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<sup>24</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012



- (b) from a day in that period, up to the date he made the application (or subsequently requested that the application should include a past period), the applicant had continuous good cause for failing to make an application (or request that the application should include that period),

the application is to be treated as made on the date determined in accordance with sub-paragraph (2).

- (2) That date is the latest of;
- a. the first day from which the applicant had continuous good cause;
  - b. the day 6 months before the date the application was made;
  - c. the day 6 months before the date when the applicant requested that the application should include a past period.

**69A.0 Date on which an application is made.**

69A.1 Subject to sub-paragraph (7), the date on which an application is made is;

(a) in a case where;

- (i) an award of state pension credit which comprises a guarantee credit has been made to the applicant or his partner, and
- (ii) the application for a reduction is made within one month of the date on which the claim for that state pension credit which comprises a guarantee credit was received at the appropriate DWP office,

the first day of entitlement to state pension credit which comprises a guarantee credit arising from that claim;

(b) in a case where

- (i) an applicant or his partner is a person in receipt of a guarantee credit,
- (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling he occupies as his home, and
- (iii) the application is received at the designated office within one month of the date of the change,

the date on which the change takes place;

(c) in a case where;

- (i) an award of income support, an income-based jobseeker's allowance or an income-related employment and support allowance or an award of universal credit has been made to the applicant or his partner, and
- (ii) the application is made within one month of the date on which the claim for that income support, jobseeker's allowance, employment and support allowance or universal credit was received,

the first day of entitlement to income support, an income-based jobseeker's allowance, an income-related employment and support allowance or universal credit arising from that claim;

(d) in a case where;

- (i) an applicant or his partner is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance or has an award of universal credit,
- (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling which he occupies as his home, and
- (iii) the application is received at the designated office within one month of the date of the change,

the date on which the change takes place;

(e) in a case where;

- (i) an applicant is the former partner of a person who was, at the date of his death or their separation, entitled to a reduction under the authority's scheme, and
- (ii) the applicant makes an application for a reduction under that scheme within one month of the date of the death or the separation, the date of the death or separation;

(f) except where paragraph (a), (b) or (e) is satisfied, in a case where a properly completed application is received within one month (or such longer period as the authority considers reasonable) of the date on which an application form was issued to an applicant following the applicant first notifying, by whatever means, the authority of an intention to make an application, the date of first notification;  
(g) in any other case, the date on which an application is received at the designated office.

69A.2 For the purposes only of sub-paragraph (1)(c) a person who has been awarded an income-based jobseeker's allowance or an income-related employment and support allowance is to be treated as entitled to that allowance for any days which immediately precede the first day in that award and on which he would, but for regulations made under;

(a) in the case of income-based jobseeker's allowance, paragraph 4 of Schedule 1 to the Jobseekers Act 1995 (waiting days); or

(b) in the case of income-related employment and support allowance, paragraph 2 of Schedule 2 to the Welfare Reform Act 2007 (waiting days), have been entitled to that allowance.

69A.3 Where there is a defect in an applications by telephone;

(a) is corrected within one month (or such longer period as the authority considers reasonable) of the date the authority last drew attention to it, the authority must treat the application as if it had been duly made in the first instance;

(b) is not corrected within one month (or such longer period as the authority considers reasonable) of the date the authority last drew attention to it, the authority must treat the application as if it had been duly made in the first instance where it considers it has sufficient information to decide the application.

69A.4 The authority is to treat a defective application as if it had been validly made in the first instance if, in any particular case, the conditions specified in sub-paragraph (5)(a), (b) or (c) are satisfied.

69A.5 The conditions are that—

(a) where the authority receives the properly completed application or the information requested to complete it or the evidence within one month of the request, or such longer period as the authority may consider reasonable; or

(b) where an application is not on approved form or further information requested by authority applies;

(i) the approved form sent to the applicant is received at the offices of the authority properly completed within one month of it having been sent to him; or, as the case may be;

(ii) the applicant supplies whatever information or evidence was requested within one month of the request; or,

in either case, within such longer period as the authority may consider reasonable; or

(c) where the authority has requested further information, the authority receives at its offices the properly completed application or the information requested to complete it within one month of the request or within such longer period as the authority considers reasonable.

69A.6 Except in the case of an application made by a person treated as not being in Great Britain, where a person has not become liable for council tax to the authority but it is anticipated that he will become so liable within the period of 8 weeks (the relevant period), he may apply for a reduction under that authority's scheme at any time in that period in respect of that tax and, provided that liability arises within the relevant period, the authority must treat the application as having been made on the day on which the liability for the tax arises.

69A.7 Except in the case of an application made by a person treated as not being in Great Britain, where the applicant is not entitled to a reduction under the authority's scheme in the reduction week immediately following the date of his application, but the authority is of the opinion that unless there is a change of circumstances, he will be entitled to a reduction under its scheme for a period beginning not later than;

- (a) in the case of an application made by;
  - (i) a pensioner, or
  - (ii) a person who has attained, or whose partner has attained, the age which is 17 weeks younger than the qualifying age for state pension credit, the seventeenth reduction week following the date on which the application is made, or
- (b) in the case of an application made by a person who is not a pensioner, the thirteenth reduction week following the date on which the application is made, the authority may treat the application as made on a date in the reduction week immediately preceding the first reduction week of that period of entitlement and award a reduction accordingly.

**70.0 Submission of evidence electronically**

70.1 The authority may accept such evidence, documents and certificates to support the claim electronically where it feels that this would be acceptable given the nature of the claim.

**71.0 Use of telephone provided evidence**

71.1 The authority may accept such evidence to support the claim by telephone where it feels that this would be acceptable given the nature of the claim.

**72.0 Information and evidence<sup>25</sup>**

72.1 Subject to sub-paragraph (3), a person who makes an application for a reduction under an authority's scheme must satisfy sub-paragraph (2) in relation both to himself and to any other person in respect of whom he is making the application.

72.2 This sub-paragraph is satisfied in relation to a person if—

- (a) the application is accompanied by;
  - (i) a statement of the person's national insurance number and information or evidence establishing that that number has been allocated to the person; or
  - (ii) information or evidence enabling the authority to ascertain the national insurance number that has been allocated to the person; or
- (b) the person has made an application for a national insurance number to be allocated to him and the application for the reduction is accompanied by;
  - (i) evidence of the application for a national insurance number to be so allocated; and
  - (ii) the information or evidence enabling it to be so allocated.

72.3 Sub-paragraph (2) does not apply;

- (a) in the case of a child or young person in respect of whom an application for a reduction is made;
- (b) to a person who;
  - (i) is a person treated as not being in Great Britain for the purposes of this scheme;
  - (ii) is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act 1999; and
  - (iii) has not previously been allocated a national insurance number.

72.4 Subject to sub-paragraph (5), a person who makes an application, or a person to whom a reduction under the authority's scheme has been awarded, must furnish such certificates, documents, information and evidence in connection with the application or the award, or any question arising out of the application or the award, as may reasonably be required by that authority in order to determine that person's entitlement to, or continuing entitlement to a reduction under its scheme and must do so within one month of the authority requiring

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<sup>25</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

him to do so or such longer period as the authority may consider reasonable.

72.5 Nothing in this paragraph requires a person who is a pensioner to furnish any certificates, documents, information or evidence relating to a payment to which sub-paragraph (7) applies.

72.6 Where the authority makes a request under sub-paragraph (4), it must;  
(a) inform the applicant or the person to whom a reduction under its scheme has been awarded of his duty under paragraph 9 of Schedule 8 the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012 (duty to notify change of circumstances) to notify the authority of any change of circumstances; and  
(b) without prejudice to the extent of the duty owed under paragraph 9, indicate to him either orally or by notice or by reference to some other document available to him on application and without charge, the kind of change of circumstances which must be notified.

72.7 This sub-paragraph applies to any of the following payments;  
(a) a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the London Emergencies Trust, the We Love Manchester Emergency Fund, or the London Bombings Relief Charitable Fund;  
(b) a payment which is disregarded under paragraph 24 of Schedule 5, other than a payment under the Independent Living Fund (2006);  
(c) a payment which is disregarded under paragraph 58.9.

72.8 Where an applicant or a person to whom a reduction under the authority's scheme has been awarded or any partner has attained the qualifying age for state pension credit and is a member of, or a person deriving entitlement to a pension under, a personal pension scheme, he must where the authority so requires furnish the following information;  
(a) the name and address of the pension fund holder;  
(b) such other information including any reference or policy number as is needed to enable the personal pension scheme to be identified.

### **73.0 Amendment and withdrawal of application<sup>26</sup>**

73.1 A person who has made an application may amend it at any time before a decision has been made on it by a notice in writing delivered or sent to the designated office.

73.2 Where the application was made by telephone the amendment may also be made by telephone.

73.3 Any application amended is to be treated as if it had been amended in the first instance.

73.4 A person who has made an application may withdraw it by notice to the designated office at any time before a decision has been made on it.

73.5 Where the application was made by telephone, the withdrawal may also be made by telephone.

73.6 Any notice of withdrawal given in accordance with sub-paragraph (4) or (5) has effect when it is received.

73.7 Where a person, by telephone, amends or withdraws an application the person must (if required to do so by the authority) confirm the amendment or withdrawal by a notice in writing delivered or sent to the designated office.

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<sup>26</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

**74.0 Duty to notify changes of circumstances<sup>27</sup>**

- 74.1 Subject to sub-paragraphs (3), (6) and (7), an applicant (or any person acting on his behalf) must comply with sub-paragraph (2) if there is a relevant change of circumstances at any time;
- (a) between the making of an application and a decision being made on it, or
  - (b) after the decision is made (where the decision is that the applicant is entitled to a reduction under the authority's scheme) including at any time while the applicant is in receipt of such a reduction.
- 74.2 The applicant (or any person acting on his behalf) must notify any change of circumstances which the applicant (or that person) might reasonably be expected to know might affect his entitlement to, or the amount of, a reduction under the authority's scheme (a "relevant change of circumstances") by giving notice to the authority;
- (a) in writing; or
  - (b) by telephone—
    - (i) where the authority has published a telephone number for that purpose unless the authority determines that in any particular case or class of case notification may not be given by telephone; or
    - (ii) in any case or class of case where the authority determines that notice may be given by telephone; or
  - (c) by any other means which the authority agrees to accept in any particular case, within a period of 21 days beginning with the day on which the change occurs, or as soon as reasonably practicable after the change occurs, whichever is later.
- 74.3 The duty imposed on a person by sub-paragraph (1) does not extend to notifying;
- (a) changes in the amount of council tax payable to the authority;
  - (b) changes in the age of the applicant or that of any member of his family;
  - (c) in the case of an applicant in receipt of a relevant benefit, changes in circumstances which affect the amount of the benefit but not the amount of the reduction under the authority's scheme to which he is entitled, other than the cessation of that entitlement to the benefit.
- 74.4 For the purposes of sub-paragraph (3)(c) "relevant benefit" means income support, an income-based jobseeker's allowance or an income-related employment and support allowance or universal credit.
- 74.5 Notwithstanding sub-paragraph (3)(b) or (c) an applicant is required by sub-paragraph (1) to notify the authority of any change in the composition of his family arising from the fact that a person who was a member of his family is now no longer such a person because he has ceased to be a child or young person.
- 74.6 The duty imposed on a person by sub-paragraph (1) includes in the case of a person falling within alternative maximum council tax reduction, giving written notice to the authority of changes which occur in the number of adults in the dwelling or in their total gross incomes and, where any such adult ceases to be in receipt of state pension credit, the date when this occurs.
- 74.7 All changes in circumstances should be notified to the authority in writing (or by whatever format agreed by the authority) within 21 days of the happening of the event or change in circumstance. This timescale may be extended at the discretion of the authority. Where such a change is not received within that timescale and where the change would increase the level of reduction payable, the authority may use a date later than the actual change of circumstances.

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<sup>27</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

**Sections 75- 90**

**Decisions, decision notices and awards of Council tax reduction**

**75.0 Decisions by the authority<sup>28</sup>**

75.1 An authority must make a decision on an application under its scheme within 14 days of paragraphs 4 and 7 and Part 1 of Schedule 7 of the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012 being satisfied, or as soon as reasonably practicable thereafter.

**76.0 Notification of decision<sup>29</sup>**

76.1 The authority must notify in writing any person affected by a decision made by it under its scheme;

(a) in the case of a decision on an application, forthwith or as soon as reasonably practicable thereafter;

(b) in any other case, within 14 days of that decision or as soon as reasonably practicable thereafter.

76.2 Where the decision is to award a reduction, the notification under sub-paragraph (1) must include a statement;

(a) informing the person affected of the duty imposed by paragraph 9 of Schedule 8 the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012 (duty to notify change of circumstances) to notify the authority of any change of circumstances;

(b) explaining the possible consequences (including prosecution) of failing to comply with that duty; and

(c) setting out the circumstances a change in which might affect entitlement to the reduction or its amount.

76.3 Where the decision is to award a reduction, the notification under sub-paragraph (1) must include a statement as to how that entitlement is to be discharged.

76.4 In any case, the notification under sub-paragraph (1) must inform the person affected of the procedure by which an appeal may be made and must refer the person to the provisions in the authority's scheme relating to the procedure for making an appeal.

76.5 A person affected to whom the authority sends or delivers a notification of decision may, within one month of the date of the notification of that decision request in writing the authority to provide a written statement setting out the reasons for its decision on any matter set out in the notice.

76.6 The written statement referred to in sub-paragraph (5) must be sent to the person requesting it within 14 days or as soon as reasonably practicable thereafter.

76.7 For the purposes of this paragraph a person is to be treated as a person affected by a decision of the authority under its scheme where the rights, duties or obligations of that person are affected by that decision and the person falls within sub-paragraph (8).

76.8 This sub-paragraph applies to—

(a) the applicant;

(b) in the case of a person who is liable to pay council tax in respect of a dwelling and is unable for the time being to act;

(i) a deputy appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or

(ii) in Scotland, a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000<sup>(3)</sup> who has power to apply or, as the

<sup>28</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

<sup>29</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

case may be, receive benefit on the person's behalf; or  
(iii) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise,

(c) a person appointed by the authority to act for a person unable to act.

#### **77.0 Time and manner of granting council tax reduction<sup>30</sup>**

77.1 Where a person is entitled to a reduction under this authority's scheme in respect of his liability for the authority's council tax as it has effect in respect of a chargeable financial year ("the chargeable year"), the authority must discharge his entitlement;

- (a) by reducing, so far as possible, the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 refers; or
- (b) where;
  - (i) such a reduction is not possible; or
  - (ii) such a reduction would be insufficient to discharge the entitlement to a reduction under the authority's scheme; or
  - (iii) the person entitled to the reduction is jointly and severally liable for the council tax and the authority determines that such a reduction would be inappropriate, by making payment to him of the amount of reduction to which he is entitled, rounded where necessary to the nearest penny.

77.2 The authority must notify the person entitled to a reduction under this scheme of the amount of that reduction and how his entitlement is to be discharged in pursuance of paragraph (1).

77.3 In a case to which paragraph (1)(b) refers;

- (a) if the amount of the council tax for which he remains liable in respect of the chargeable year, after any reduction to which sub-paragraph (1)(a) refers has been made, is insufficient to enable his entitlement to a reduction under the authority's scheme in respect thereof to be discharged, upon the final instalment of that tax becoming due any outstanding reduction;
  - (i) must be paid to that person if he so requires; or
  - (ii) in any other case must (as the authority determines) either be repaid or credited against any subsequent liability of the person to make a payment in respect of the authority's council tax as it has effect for any subsequent year;
- (b) if that person has ceased to be liable for the authority's council tax and has discharged the liability for that tax, the outstanding balance (if any) of the reduction under the authority's scheme in respect thereof must be paid within 14 days or, if that is not reasonably practicable, as soon as practicable thereafter
- (c) in any other case, the reduction under the authority's scheme must be paid within 14 days of the receipt of the application at the offices of the authority or, if that is not reasonably practicable, as soon as practicable thereafter.

77.4 For the purposes of this paragraph "instalment" means any instalment of the authority's council tax to which regulation 19 of the Council Tax (Administration and Enforcement) Regulations 1992 refers (council tax payments).

#### **78.0 Persons to whom support is to be paid<sup>31</sup>**

78.1 Subject to section 80 (payment on death) and paragraph (2), any payment of the amount

<sup>30</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

<sup>31</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012



of a reduction must be made to that person.

78.2 Where a person other than a person who is entitled to a reduction under this authority's scheme made the application for the reduction and that first person is a person acting pursuant to an appointment or is treated as having been so appointed, the amount of the reduction may be paid to that person.

**79.0 Shortfall in support / reduction<sup>32</sup>**

79.1 Where, on the revision of a decision allowing a reduction under the authority's scheme to a person, it is determined that the amount allowed was less than the amount to which that person was entitled, the authority must either;

- (a) make good any shortfall in reduction which is due to that person, by reducing so far as possible the next and any subsequent payments he is liable to make in respect of the council tax of the authority as it has effect for the chargeable financial year until that shortfall is made good; or
- (b) where this is not possible or the person concerned so requests, pay the amount of any shortfall in reduction due to that person within 14 days of the revision of the decision being made or if that is not reasonably practicable, as soon as possible afterwards.

**80.0 Payment on the death of the person entitled<sup>33</sup>**

80.1 Where the person entitled to any reduction under this scheme has died and it is not possible to award the reduction which is due in the form of a reduction of the council tax for which he was liable, the authority must make payment of the amount of the reduction to his executor or administrator in accordance with regulation 58(4) of the Council Tax (Administration and Enforcement) Regulations 1992.

**81.0 Offsetting**

81.1 Where a person has been allowed or paid a sum of council tax reduction under a decision which is subsequently revised or further revised, any sum allowed or paid in respect of a period covered by the subsequent decision shall be offset against arrears of entitlement under the subsequent decision except to the extent that the sum exceeds the arrears and shall be treated as properly awarded or paid on account of them.

**82.0 Payment where there is joint and several liability<sup>34</sup>**

82.1 Where;

- (a) a person is entitled to a reduction under the authority's scheme in respect of his liability for the authority's council tax as it has effect in respect of a chargeable financial year;
  - (b) the person entitled to the reduction is jointly and severally liable for the council tax; and
  - (c) the authority determines that discharging his entitlement by reducing the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992(7) refers would be inappropriate,
- it may make a payment to him of the amount of the reduction to which he is entitled, rounded where necessary to the nearest penny.

82.2 Subject to sub-paragraph (3) any payment made under sub-paragraph (1) must be made to the person who is entitled to the reduction.

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<sup>32</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

<sup>33</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

<sup>34</sup> Inserted by Schedule 8 of the Council Tax Reductions Scheme (Prescribed Requirements) (England) Regulations 2012

82.3 Where a person other than a person who is entitled to a reduction under the authority's scheme made the application and that first person is a person acting pursuant to an appointment or is treated as having been so appointed, the amount of the reduction may be paid to that person.

**83.0 Underlying Entitlement**

83.1 In calculating the amount of any reduction the authority may deduct any amount of council tax reduction, which should have been determined to be payable in respect of the whole or part of the period for which any overpayment has arisen;

- (a) on the basis of the claim as presented to the authority;
- (b) on the basis of the claim as it would have appeared had any misrepresentation or non-disclosure been remedied before the decision; or
- (c) on the basis of the claim as it would have appeared if any change of circumstances had been notified at the time that change occurred.

**84.0 - 90.0 Not used**

**Sections 91 – 94**

**Collection, holding and forwarding of information for Council tax reduction purposes.**

**91.0 Use of information from and to the Department of Work and Pensions (DWP) and His Majesty's Revenues and Customs (HMRC)**

91.1 The authority will use information provided by the DWP and HMRC for the purposes of Council Tax Reduction, council tax liability, billing, administration and enforcement as outlined within Schedule 2 of the Local Government Finance Act 1992 as amended by the Local Government Finance Act 2012 and the Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2013

91.2 Where required by the relevant department and where required by law, the authority will share information obtained for Council Tax Reduction with the DWP or HMRC as appropriate and in accordance with Data Protections requirements<sup>35</sup>.

**92.0 Collection of information**

92.1 The authority may receive and obtain information and evidence relating to claims for council tax reduction, the council may receive or obtain the information or evidence from–

- (a) persons making claims for council tax reduction;
- (b) other persons in connection with such claims;
- (c) other local authorities; or
- (d) central government departments including the DWP and HMRC

92.2 The authority may verify relevant information supplied to or obtained.

**93.0 Recording and holding information.**

93.1 The authority may

- (a) may make a record of such information; and
- (b) may hold that information, whether as supplied or obtained or recorded, for the purpose of forwarding it to the person or authority for the time being administering council tax reduction.

**94.0 Forwarding of information.**

94.1 The authority may forward it to the person or authority for the time being administering claims to or awards of council tax reduction to which the relevant information relates, being;

- (i) a local authority;
- (ii) a person providing services to a local authority; or
- (iii) a person authorised to exercise any function of a local authority relating to council tax reduction.

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<sup>35</sup> Data Retention and Investigatory Powers Act 2014 and Data Retention Regulations 2014

**Sections 95 – 98**

**Revisions, Written Statements, Termination of Council tax reduction**

## **95.0 Persons affected by Decisions.**

- 95.1 A person is to be treated as a person affected by a relevant decision of the authority where that person is;
- a. an applicant;
  - b. in the case of a person who is liable to make payments in respect of a dwelling and is unable for the time being to act
    - (i) a Deputy appointed by the Court of Protection with power to claim, or as the case may be, receive benefit or support on his behalf,
    - (ii) in Scotland, a tutor, curator, judicial factor or other guardian acting or appointed in terms of law administering that person's estate, or
    - (iii) an attorney with a general power or a power to receive benefit or support appointed by the person liable to make those payments under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise;
  - c. a person appointed by the authority under this scheme;

## **96.0 Revisions of Decisions**

- 96.1 Subject to the provisions in this scheme, a relevant decision ('the original decision') may be revised or further revised by the authority, which made the decision where the person affected makes an application for a revision within;
- (i) one month of the date of notification of the original decision; or
  - (ii) such extended time as the authority may allow.
- 96.2 The authority may revise or further revise that original decision at any time. Where further information is required from the person affected, the authority shall request such information and evidence as it feels is reasonable. Such information must be supplied within;
- i) one month of the date of notification of the additional information; or
  - (ii) such extended time as the authority may allow

## **97.0 Written Statements**

- 97.1 Subject to the provisions in the scheme, the authority may upon a written request issue a written statement to a person affected to further explain the decision of the authority in relation to Council tax reduction. The request must be received within one month of the date of the notification being issued by the authority.

## **98.0 Terminations**

- 98.1 The authority may terminate support in whole or in part the Council tax reduction where it appears to the authority that an issue arises whether;
- a. the conditions for entitlement to Council tax reduction are or were fulfilled; or
  - b. a decision as to an award of such a support should be revised or superseded.
- 98.2 The authority may terminate, in whole or in part the Council tax reduction where it appears to the authority that an issue arises whether;
- a. the conditions for entitlement to Council tax reduction are or were fulfilled; or
  - b. a decision as to an award of such a support should be revised or superseded.
- Where the person fails to provide information to the authority as requested in relation to any matter relating to their liability for Council Tax

**Section 99**

**Appeals against the authority's decisions.**

**99.0 Procedure by which a person may make an appeal against certain decisions of the authority<sup>36</sup>**

99.1 A person who is aggrieved by a decision of the authority, which affects;  
(a) the person's entitlement to a reduction under its scheme, or  
(b) the amount of any reduction to which that person is entitled,  
may serve a written notice on the authority stating the matter by which, and the grounds on which, he is aggrieved.

99.2 The authority must  
(a) consider the matter to which the notice relates;  
(b) notify the aggrieved person in writing;  
(i) that the ground is not well founded, giving reasons for that belief; or  
(ii) that steps have been taken to deal with the grievance, stating the steps taken.

99.3 Where, following notification under sub-paragraph (2)(b)(i) or (ii), the person is still aggrieved, or if the authority fails to notify the person aggrieved in accordance with sub-paragraph (2)(b) within two months of the service of his notice, he may appeal to the valuation tribunal under section 16 of the 1992 Act<sup>37</sup>.

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<sup>36</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

<sup>37</sup> As amended by the Tribunal Procedure (Amendment No 3 ) Rules 2014



**Section 100**

**Procedure for applying for a discretionary reduction.**

**100.0 Procedure for an application to the authority for a reduction under section 13A(1)(c) of the 1992 Act<sup>38</sup>**

100.1 An application to the authority for a reduction under section 13A(1)(c) of the 1992 Act may be made;

- (a) in writing,
- (b) by means of an electronic communication in accordance this scheme or
- (c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone.

100.2 Where;

- (a) the authority has made a determination under section 13A(1)(c) in relation to a class of case in which liability is to be reduced; and
- (b) a person in that class would otherwise be entitled to a reduction under its scheme, that person's application for a reduction under the authority's scheme may also be treated as an application for a reduction under section 13A(1)(c).

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<sup>38</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

**Section 101 – 106A<sup>39</sup>**  
**Electronic Communication**

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<sup>39</sup> Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

## **101.0 Interpretation**

101.1 In this Part;  
“**information**” includes an application, a certificate, notice or other evidence; and  
“**official computer system**” means a computer system maintained by or on behalf of an authority for sending, receiving, processing or storing of any information.

## **102.0 Conditions for the use of electronic communication**

102.1 The authority may use an electronic communication in connection with applications for, and awards of, reductions under its scheme.

102.2 A person other than the authority may use an electronic communication in connection with the matters referred to in paragraph (1) if the conditions specified in paragraphs (3) to (6) are satisfied.

102.3 The first condition is that the person is for the time being permitted to use an electronic communication by an authorisation given by means of a direction of the Chief Executive of the authority.

102.4 The second condition is that the person uses an approved method of;

- (a) authenticating the identity of the sender of the communication;
- (b) electronic communication;
- (c) authenticating any application or notice delivered by means of an electronic communication; and
- (d) subject to sub-paragraph (7), submitting to the authority any information.

102.5 The third condition is that any information sent by means of an electronic communication is in a form approved for the purposes.

102.6 The fourth condition is that the person maintains such records in written or electronic form as may be specified in a direction given by the Chief Executive of the authority.

102.7 Where the person uses any method other than the method approved of submitting any information, that information is to be treated as not having been submitted.

102.8 In this paragraph “approved” means approved by means of a direction given by the Chief Executive of the authority for the purposes of this section.

## **103.0 Use of intermediaries**

103.1 The authority may use intermediaries in connection with;

- (a) the delivery of any information by means of an electronic communication; and
- (b) the authentication or security of anything transmitted by such means,

and may require other persons to use intermediaries in connection with those matters.

## **104.0 Effect of delivering information by means of electronic communication.**

104.1 Any information which is delivered by means of an electronic communication is to be treated as having been delivered in the manner or form required by any provision of an authority’s scheme on the day the conditions imposed;

- (a) by this section; and
- (b) by or under an enactment,

are satisfied.

104.2 The authority may determine that any information is to be treated as delivered on a

different day (whether earlier or later) from the day provided for in sub-paragraph (1).

104.3 Information may not be taken to have been delivered to an official computer system by means of an electronic communication unless it is accepted by the system to which it is delivered.

**105.0 Proof of identity of sender or recipient of information**

105.1 If it is necessary to prove, for the purpose of any legal proceedings, the identity of—  
(a) the sender of any information delivered by means of an electronic communication to an official computer system; or  
(b) the recipient of any such information delivered by means of an electronic communication from an official computer system,  
the sender or recipient, as the case may be, is to be presumed to be the person whose name is recorded as such on that official computer system.

**106.0 Proof of delivery of information**

106.1 If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any information this is presumed to have been the case where;

(a) any such information has been delivered to the relevant authority, if the delivery of that information has been recorded on an official computer system; or

(b) any such information has been delivered by the relevant authority if the delivery of that information has been recorded on an official computer system.

106.2 If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any such information, this is presumed not to be the case if that information delivered to the relevant authority has not been recorded on an official computer system.

106.3 If it is necessary to prove, for the purpose of any legal proceedings, when any such information sent by means of an electronic communication has been received, the time and date of receipt is presumed to be that recorded on an official computer system.

**106A.0 Proof of content of information**

106A.1 If it is necessary to prove, for the purpose of any legal proceedings, the content of any information sent by means of an electronic communication, the content is presumed to be that recorded on an official computer system.

**Section 107**  
**Counter Fraud and Compliance**

## **107.0 Counter Fraud and compliance**

107.1 In order to protect the finances of the authority and also in the interests of all council taxpayers, the authority will undertake such actions as allowed by law to;

- a. Prevent and detect fraudulent claims and actions in respect of Council tax reduction;
- b. Carry out investigations fairly, professionally and in accordance with the law; and
- c. Ensure that sanctions are applied in appropriate cases.

107.2 The authority believes that it is important to minimise the opportunity for fraud and;

- a. will implement rigorous procedures for the verification of claims for council tax reduction;
- b. will employ sufficient Officers to fulfil the authority's commitment to combat fraud;
- c. will actively tackle fraud where it occurs in accordance with this scheme;
- d. will co-operate with the Department for Work and Pensions (DWP), His Majesty's Revenues and Customs and take part in joint working including prosecutions; and
- e. will in all cases seek to recover all outstanding council tax.

107.3 The authority shall put into place such administrative policies, procedures and processes as are necessary to ensure that the actions outlined within paragraph 107.1 and 107.2 can be carried out successfully. In particular the authority shall undertake actions provided by the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013.

**Schedule 1**  
**Applicable Amounts<sup>40</sup>**

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<sup>40</sup> <sup>40</sup> The amounts shown within this schedule shall be updated in line with the Housing Benefit Regulations 2006 as amended.



**Personal Allowance**

1 The amounts specified in column (2) below in respect of each person or couple specified in column (1) shall be the amounts specified for the purposes the main scheme;

Column 1 Person or Couple	Column 2
1. A Single applicant who; a) is entitled to main phase employment and support allowance	£90.50
b) is aged not less than 25	£90.50
c) is aged not less than 18 but less than 25	£71.70
2. Lone Parent	£90.50
3. Couple; a) Where the applicant is entitled to the main phase of employment and support allowance	£142.25
b) Where one member is aged not less than 18	£142.25
c) For each additional spouse who is a member of the same household as the claimant	£51.75

For the purposes of paragraph 1 an applicant is entitled to main phase employment and support allowance if;

- a. Paragraph 17 or 18 is satisfied in relation to the applicant; or
- b. The applicant is entitled to a converted employment and support allowance.

2 (1) The amount specified in column (2) below in respect of each person specified in column (1) shall, for the relevant period specified in column (1), be the amounts specified for the purposes of the main scheme

Column 1 Child or Young Person	Column 2
Person in respect of the period– (a) beginning on that person’s date of birth and ending on the day preceding the first Monday in September following that person’s sixteenth birthday;	£83.24
(b) beginning on the first Monday in September following that person’s sixteenth birthday and ending on the day preceding that person’s twentieth birthday.	£83.24

(2) In column (1) of the table in paragraph (1), “the first Monday in September” means the Monday which first occurs in the month of September in any year.

**Family Premiums**

3. (1) The amount for the purposes of this scheme in respect of a family of which at least one member is a child or young person shall be

- a. where the applicant is a lone parent to whom sub-paragraph (3) of Schedule 3 of the Housing Benefit Regulations 2006 applies, £22.20;
- b. in any other case, £19.15;

## **Premiums**

4. Except as provided in paragraph 5, the premiums specified in this Schedule shall, for the purposes of this scheme, be applicable to an applicant who satisfies the condition specified in paragraphs 4 to 16 in respect of that premium.
5. Subject to paragraph 6, where an applicant satisfies the conditions in respect of more than one premium in this Schedule, only one premium shall be applicable to him and, if they are different amounts, the higher or highest amount shall apply.
6. (1) The following premiums, namely—
  - a. severe disability premium to which paragraph 10 applies;
  - b. an enhanced disability premium to which paragraph 11 applies;
  - c. a disabled child premium to which paragraph 12 applies; and
  - d. carer premium to which paragraph 13 applies,may be applicable in addition to any other premium which may apply under this Schedule.
7. (1) Subject to sub-paragraph (2), for the purposes of this Schedule, once a premium is applicable to an applicant under this Part, a person shall be treated as being in receipt of any benefit for
  - a. in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979 applies, any period during which, apart from the provisions of those Regulations, he would be in receipt of that benefit; and
  - b. any period spent by a person in undertaking a course of training or instruction provided or approved by the Secretary of State under section 2 of the 1973 Act or by Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise under or section 2 of the Enterprise and New Towns (Scotland) Act 1990 for any period during which he is in receipt of a training allowance.(2) For the purposes of the carer premium, a person shall be treated as being in receipt of carer's allowance by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Act or the daily living component of the personal independence payment under the Welfare Reform Act 2012 or an AFIP.

## **Disability Premium**

8. The condition (s) to be met is contained in Schedule 3 (12) Housing Benefit Regulations 2006

## **Additional Condition for the Disability Premiums**

9. The condition (s) to be met is contained in Schedule 3 (13) Housing Benefit Regulations 2006

## **Severe Disability Premiums**

10. The condition (s) to be met is contained in Schedule 3 (14) Housing Benefit Regulations 2006

## **Enhanced Disability Premium**

11. The condition (s) to be met is contained in Schedule 3 (15) Housing Benefit Regulations 2006

## **Disabled Child Premium**

12. The condition (s) to be met is contained in Schedule 3 (16) Housing Benefit Regulations 2006

## **Carer Premium**

13. The condition (s) to be met is contained in Schedule 3 (17) Housing Benefit Regulations 2006

## **Persons in receipt of concessionary payments**

14. For the purpose of determining whether a premium is applicable to a person under paragraphs 8 to 13, any concessionary payment made to compensate that person for the non-payment of any benefit mentioned in those paragraphs shall be treated as if it were a payment of that benefit.

**Persons in receipt of benefit for another**

15. For the purposes of this Schedule, a person shall be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and shall be so regarded only for any period in respect of which that benefit is paid.

**Amounts of Premium**

16. For the purposes of this Schedule, the following amounts shall apply;

Premium	Amount
<b>Disability Premium</b>	£42.50
a. where the applicant satisfies the condition in paragraph 12(a) of Schedule 3 Housing Benefit Regulations 2006	
b. where the applicant satisfies the condition in paragraph 12(b) of Schedule 3 Housing Benefit Regulations 2006	£60.60
<b>Severe Disability Premium</b>	£81.50
a. where the applicant satisfies the condition in paragraph 14(2)(a) of Schedule 3 Housing Benefit Regulations 2006	
b. where the applicant satisfies the condition in paragraph 14(2)(b) of Schedule 3 Housing Benefit Regulations 2006	£81.50
i. in a case where there is someone in receipt of carer's allowance or if he or any partner satisfies that condition only by virtue of paragraph 14(5);	
ii. in a case where there is no one in receipt of such an allowance	£163.00
<b>Disabled Child Premium</b>	£80.01 in respect of each child or young person in respect of whom the condition specified in paragraph 16 of Part 3 of Schedule 3 Housing Benefit Regulations 2006
<b>Carer Premium</b>	£45.60 in respect of each person who satisfies the condition specified in paragraph 17 of Part 3 of Schedule 3 Housing Benefit Regulations 2006
<b>Enhanced Disability Premium</b>	(a) £32.20 in respect of each child or young person in respect of whom the conditions specified in paragraph 15 of Part 3 of Schedule 3 Housing Benefit Regulations 2006 are satisfied; (b) £20.85 in respect of each person who is neither— (i) a child or young person; nor (ii) a member of a couple or a polygamous marriage, in respect of whom the conditions specified in paragraph 15 are satisfied; (c) £29.75 where the applicant is a member of a couple or a

Premium	Amount
	polygamous marriage and the conditions specified in paragraph 15 of Part 3 of Schedule 3 Housing Benefit Regulations 2006 are satisfied in respect of a member of that couple or polygamous marriage.

**The components**

- 17. The condition (s) to be met is contained in Schedule 3 (21 -24) Housing Benefit Regulations 2006 as amended by the Social Security (Miscellaneous Amendments) Regulations 2013
- 18. The amount of the work-related activity component is £35.95. The amount of the support component is £47.70.

**Transitional Addition**

- 19. The applicant is entitled to the transitional addition calculated in accordance with paragraph 30 of Schedule 3 of the Housing Benefit Regulations 2006 where the applicant or the applicant's partner meets the conditions contained within paragraphs 27 – 29 of Schedule 3 of the Housing Benefit Regulations 2006

**Amount of transitional addition**

- 20. The amount of any transitional addition is calculated in accordance with paragraphs 30 and 31 of Schedule 3 of the Housing Benefit Regulations 2006

**Schedule 2**  
**Second Adult Reduction**  
**(Alternative Maximum Council tax reduction)**

1. Subject to paragraphs 2 and 3, the alternative maximum council tax reduction in respect of a day for the purpose of section 62 shall be determined in accordance with the following Table and in this Table
  - a) 'second adult' means any person or persons residing with the applicant; and
  - (b) 'persons to whom paragraph 45.2 applies' includes any person to whom that section would apply were they, and their partner if they had one, below the qualifying age for state pension credit.
2. In this Schedule 'council tax due in respect of that day' means the council tax payable under section 10 or 78 of the 1992 Act less–
  - (a) any reductions made in consequence of any enactment in, or under, the 1992 Act; and
  - (b) in a case to which sub-paragraph (c) in column (1) of the table below applies, the amount of any discount which may be appropriate to the dwelling under the 1992 Act.

Second Adult	Alternative Maximum Council Tax Reduction
(a) Where the second adult or all second adults are in receipt of income support, an income-related employment and support allowance or state pension credit or are persons on an income-based jobseeker's allowance;	25 per cent of the council tax due in respect of that day;
(b) where the gross income of the second adult or, where there is more than one second adult, their aggregate gross income disregarding any income of persons on income support, an income-related employment and support allowance <sup>2</sup> , state pension credit or an income-based jobseeker's allowance–	is less than £265.00 per week; - 15 per cent of the council tax due in respect of that day;  is not less than £265.00 per week but less than £344.00 per week; - 7.5 per cent of the council tax due in respect of that day;
(c) where the dwelling would be wholly occupied by one or more persons to whom regulation 43.1 applies but for the presence of one or more second adults who are in receipt of income support, state pension credit, an income-related employment and support allowance or are persons on an income-based jobseeker's allowance	100 per cent. of the council tax due in respect of that day.

2. In determining a second adult's gross income for the purposes of this Schedule, there shall be disregarded from that income;
  - (a) any attendance allowance, or any disability living allowance under section 71 of the Act or any personal independence payment under the Welfare Reform Act 2012 or an AFIP;
  - (b) any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006) which had his income fallen to be calculated under section 30 (calculation of income other than earnings) would have been disregarded under paragraph 24 of Schedule 4 (income in kind); and

(c) any payment which had his income fallen to be calculated under section 30 would have been disregarded under paragraph 36 of Schedule 4 (payments made under certain trusts and certain other payments).

3. Where there are two or more second adults residing with the applicant for support and any such second adult falls to be disregarded for the purposes of discount in accordance with Schedule 1 of the 1992 Act, his income shall be disregarded in determining the amount of any alternative maximum council tax reduction, unless that second adult is a member of a couple, and his partner does not fall to be disregarded for the purposes of discount.

**Schedule 3**

**Sums to be disregarded in the calculation of earnings<sup>41</sup>**

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<sup>41</sup> All amounts within this schedule will be amended in line with the Housing Benefit Regulations 2006 (as amended)



- 1.** In the case of an applicant who has been engaged in remunerative work as an employed earner or, had the employment been in Great Britain, would have been so engaged–
- (a) where–
    - (i) the employment has been terminated because of retirement; and
    - (ii) on retirement he is entitled to a retirement pension under the Act, or is not so entitled solely because of his failure to satisfy the contribution conditions,  
any earnings paid or due to be paid in respect of that employment, but only for a period commencing on the day immediately after the date on which the employment was terminated;
  - (b) where before the first day of entitlement to council tax reduction the employment has been terminated otherwise than because of retirement, any earnings paid or due to be paid in respect of that employment except–
    - (i) any payment of the nature described in  
(aa) paragraph 25.1(e), or  
  
(bb) section 28, 64 or 68 of the Employment Rights Act 1996 (guarantee payments, suspension from work on medical or maternity grounds); and
    - (ii) any award, sum or payment of the nature described in  
(aa) paragraph 25.1(g) or (h), or  
(bb) section 34 or 70 of the Employment Rights Act 1996 (guarantee payments and suspension from work: complaints to employment tribunals),  
including any payment made following the settlement of a complaint to an employment tribunal or of court proceedings;
  - (c) where before the first day of entitlement to council tax reduction–
    - (i) the employment has not been terminated, but
    - (ii) the applicant is not engaged in remunerative work,  
  
any earnings paid or due to be paid in respect of that employment except any payment or remuneration of the nature described in paragraph 1(b)(i) or (ii) (bb) or paragraph 25.1(i), or (j).
- 2.** In the case of an applicant who, before first day of entitlement to council tax reduction;
- (a) has been engaged in part-time employment as an employed earner or, where the employment has been outside Great Britain, would have been so engaged had the employment been in Great Britain; and
  - (b) has ceased to be engaged in that employment, whether or not that employment has been terminated,  
any earnings paid or due to be paid in respect of that employment except;
    - (i) where that employment has been terminated, any payment of the nature described in paragraph 1(b)(i) or (ii)(bb);
    - (ii) where that employment has not been terminated, any payment or remuneration of the nature described in paragraph 1(b)(i) or (ii)(bb) or paragraph 25.1(i), (i) or (j).
- 2A.** In the case of an applicant who has been engaged in remunerative work or part-time employment as a self-employed earner or, had the employment been in Great Britain would have been so engaged and who has ceased to be so employed, from the date of the cessation

of his employment any earnings derived from that employment except earnings to which paragraph 27.3 and paragraph 27.4 (earnings of self-employed earners) apply.

3. (1) In a case to which this paragraph applies and paragraph 4 does not apply, £20; but notwithstanding section 15 (calculation of income and capital of members of an applicant's family and of a polygamous marriage) if this paragraph applies to an applicant, it shall not apply to his partner except where, and to the extent that, the earnings of the applicant which are to be disregarded under this paragraph are less than £20.
- (2) This paragraph applies where the applicant's applicable amount includes an amount by way of the disability premium, severe disability premium, work-related activity component or support component.
- (3) This paragraph applies where
  - (a) he is a member of a couple, and his applicable amount includes an amount by way of the disability premium; and
  - (b) he or his partner has not attained the qualifying age for state pension credit and at least one is engaged in employment.
- (4)–(5) Not used.
4. In a case where the applicant is a lone parent, £25.
5. (1) In a case to which neither paragraph 3 nor paragraph 4 applies to the applicant and, subject to sub-paragraph (2), where the applicant's applicable amount includes an amount by way of the carer premium, £20 of the earnings of the person who is, or at any time in the preceding eight weeks was, in receipt of carer's allowance or treated in accordance with this scheme as being in receipt of carer's allowance.
- (2) Where the carer premium is awarded in respect of the applicant and of any partner of his, their earnings shall for the purposes of this paragraph be aggregated, but the amount to be disregarded in accordance with sub-paragraph (1) shall not exceed £20 of the aggregated amount.
6. Where the carer premium is awarded in respect of an applicant who is a member of a couple and whose earnings are less than £20, but is not awarded in respect of the other member of the couple, and that other member is engaged in an employment;
  - (a) specified in paragraph 8(1), so much of the other member's earnings as would not when aggregated with the amount disregarded under paragraph 5 exceed £20;
  - (b) other than one specified in paragraph 8(1), so much of the other member's earnings from such other employment up to £10 as would not when aggregated with the amount disregarded under paragraph 5 exceed £20.
7. In a case where paragraphs 3, 5, 6 and 8 do not apply to the applicant and he is one of a couple and a member of that couple is in employment, £10; but, notwithstanding section 15 (calculation of income and capital of members of applicant's family and of a polygamous marriage), if this paragraph applies to an applicant it shall not apply to his partner except where, and to the extent that, the earnings of the applicant which are to be disregarded under this paragraph are less than £10.
8. (1) In a case where paragraphs 3, 4, 5 and 6 do not apply to the applicant, £20 of earnings derived from one or more employments as–
  - (a) as a part-time fire-fighter employed by a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;

- (b) a part-time fire-fighter employed by a fire and rescue authority (as defined in section 1 of the Fire (Scotland) Act 2005(a)) or a joint fire and rescue board constituted by an amalgamation scheme made under section 2(1) of that Act;
- (c) an auxiliary coastguard in respect of coast rescue activities;
- (d) a person engaged part-time in the manning or launching of a life boat;
- (e) a member of any territorial or reserve force prescribed in Part I of Schedule 6 to the Social Security (Contributions) Regulations 2001;

but, notwithstanding section 15 (calculation of income and capital of members of applicant's family and of a polygamous marriage), if this paragraph applies to an applicant, it shall not apply to his partner except to the extent specified in sub-paragraph (2).

- (2) If the applicant's partner is engaged in employment;
  - (a) specified in sub-paragraph (1), so much of his earnings as would not in aggregate with the amount of the applicant's earnings disregarded under this paragraph exceed £20;
  - (b) other than one specified in sub-paragraph (1), so much of his earnings from that employment up to £10 as would not in aggregate with the applicant's earnings disregarded under this paragraph exceed £20.

**9.** Where the applicant is engaged in one or more employments specified in paragraph 8(1), but his earnings derived from such employments are less than £20 in any week and he is also engaged in any other employment so much of his earnings from that other employment, up to £5 if he is a single applicant, or up to £10 if he has a partner, as would not in aggregate with the amount of his earnings disregarded under paragraph 8 exceed £20.

**10.** In a case to which none of the paragraphs 3 to 9 applies, £5.

**10A.** (1) Where;

- (a) the applicant (or if the applicant is a member of a couple, at least one member of that couple) is a person to whom sub-paragraph (5) applies;
- (b) the Secretary of State is satisfied that that person is undertaking exempt work as defined in sub-paragraph (6); and
- (c) paragraph 12 does not apply,

the amount specified in sub-paragraph (7) ('the specified amount').

(2) Where this paragraph applies, paragraphs 3 to 10 do not apply; but in any case, where the applicant is a lone parent, and the specified amount would be less than the amount specified in paragraph 4, then paragraph 4 applies instead of this paragraph.

(3) Notwithstanding section 15 (calculation of income and capital of members of applicant's family and of a polygamous marriage), if sub-paragraph (1) applies to one member of a couple ('A') it shall not apply to the other member of that couple ('B') except to the extent provided in sub-paragraph (4).

(4) Where A's earnings are less than the specified amount, there shall also be disregarded so much of B's earnings as would not when aggregated with A's earnings exceed the specified amount; but the amount of B's earnings which may be disregarded under this sub-paragraph is limited to a maximum of £20 unless the Secretary of State is satisfied that B is also undertaking exempt work.

(5) This sub-paragraph applies to a person who is;

- (a) in receipt of a contributory employment and support allowance;
- (b) in receipt of incapacity benefit;
- (c) in receipt of severe disablement allowance; or
- (d) being credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975

(6) 'Exempt work' means work of the kind described in;  
(a) regulation 45(2), (3) or (4) of the Employment and Support Allowance Regulations; or (as the case may be)  
(b) regulation 17(2), (3) or (4) of the Social Security (Incapacity for Work) (General) Regulations 1995,  
and, in determining for the purposes of this paragraph whether an applicant or a member of a couple is undertaking any type of exempt work, it is immaterial whether that person or their partner is also undertaking other work.

(7) The specified amount is the amount of money from time to time mentioned in any provision referred to in sub-paragraph (6) by virtue of which the work referred to in sub-paragraph (1) is exempt (or, where more than one such provision is relevant and those provisions mention different amounts of money, the highest of those amounts).

11. Any amount or the balance of any amount which would fall to be disregarded under paragraph 19 or 20 of Schedule 4 had the applicant's income which does not consist of earnings been sufficient to entitle him to the full disregard thereunder.

12. Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, his earnings.

13. Any earnings derived from employment, which are payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of those earnings.

14. Where a payment of earnings is made in a currency other than Sterling, any banking charge or commission payable in converting that payment into Sterling.

15. Any earnings of a child or young person.

16. (1) In a case where the applicant is a person who satisfies at least one of the conditions set out in sub-paragraph (2), and his net earnings equal or exceed the total of the amounts set out in sub-paragraph (3), the amount of his earnings that falls to be disregarded under paragraphs 3 to 10A of this Schedule shall be increased by £17.10. This amount can, at the authority's discretion, be increased in line with the Housing Benefit Regulations 2006 (as amended) should the Secretary of State make such adjustments.

(2) The conditions of this sub-paragraph are that—

(a) the applicant, or if he is a member of a couple, either the applicant or his partner, is a person to whom regulation 20(1)(c) of the Working Tax Credit Regulations applies; or

(b) the applicant—

(i) is, or if he is a member of a couple, at least one member of that couple is aged at least 25 and is engaged in remunerative work for on average not less than 30 hours per week; or

(ii) is a member of a couple and

(aa) at least one member of that couple, is engaged in remunerative work for on average not less than 16 hours per week; and

(bb) his applicable amount includes a family premium; or

(iii) is a lone parent who is engaged in remunerative work for on average not less than 16 hours per week; or

(iv) is, or if he is a member of a couple, at least one member of that couple is engaged in remunerative work for on average not less than 16 hours per week; and;

(aa) the applicant's applicable amount includes a disability premium, the work-related activity component or the support component ;

(bb) where he is a member of a couple, at least one member of that couple satisfies the qualifying conditions for the disability premium or either of the components referred to in sub-head (aa) above and is engaged in remunerative

work for on average not less than 16 hours per week.

- (3) The following are the amounts referred to in sub-paragraph (1);
- (a) the amount calculated as disregardable from the applicant's earnings under paragraphs 3 to 10A of this Schedule;
  - (b) the amount of child care charges calculated as deductible under paragraph 17(1)(c); and
  - (c) £17.10

- (4) The provisions of section 6 shall apply in determining whether or not a person works for on average not less than 30 hours per week, but as if the reference to 16 hours in paragraph (1) of that section were a reference to 30 hours.

- 17.** In this Schedule 'part-time employment' means employment in which the person is engaged on average for less than 16 hours a week.

**Schedule 4**

**Sums to be disregarded in the calculation of income other than earnings<sup>42</sup>**

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<sup>42</sup> Any amounts shown in this schedule will be uprated in line with the Housing Benefit Regulations 2006 as amended.

1. Any amount paid by way of tax on income, which is to be taken into account under section 30 (calculation of income other than earnings).
- A2. Any payment made to the claim and in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme.
- A3. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Employment, Skills, and Enterprise Scheme or Back to Work Scheme, but only for 52 weeks beginning with the date of receipt of the payment.
2. Any payment in respect of any expenses incurred or to be incurred by an applicant who is–
  - (a) engaged by a charitable or voluntary organisation, or
  - (b) volunteer,
 if he otherwise derives no remuneration or profit from the employment and is not to be treated as possessing any earnings under section 32.0 (notional income).
- 2A. Any payment in respect of expenses arising out of the applicant’s participation as a service user.
3. In the case of employment as an employed earner, any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of the employment.
4. Where an applicant is on income support, an income-based jobseeker’s allowance or an income-related employment and support allowance the whole of his income.
5. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act and his partner is on an income-based jobseeker’s allowance, the whole of the applicant’s income.
6. Where the applicant, or the person who was the partner of the applicant on 31st March 2003, was entitled on that date to income support or an income-based jobseeker’s allowance but ceased to be so entitled on or before 5th April 2003 by virtue only of regulation 13 of the Housing Benefit (General) Amendment (No. 3) Regulations 1999 as in force at that date, the whole of his income.
7. Any disability living allowance or personal independence payment or AFIP
8. Any concessionary payment made to compensate for the non-payment of;
  - (a) any payment specified in paragraph 7 or 10;
  - (b) income support;
  - (c) an income-based jobseeker’s allowance.
  - (d) an income-related employment and support allowance.
9. Any mobility supplement under article 20 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983 or any payment intended to compensate for the non-payment of such a supplement.
10. Any attendance allowance.
11. Any payment to the applicant as holder of the Victoria Cross or of the George Cross or any analogous payment.
12. (1) Any payment–
  - (a) by way of an education maintenance allowance made pursuant to;
    - (i) regulations made under section 518 of the Education Act 1996 (payment of school expenses; grant of scholarships etc);

- (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980 (power to assist persons to take advantage of educational facilities);
      - (iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992
    - (b) corresponding to such an education maintenance allowance, made pursuant to;
      - (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and National Assembly for Wales to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
      - (ii) regulations made under section 181 of that Act; or
      - (iii) in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.
  - (2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to;
    - (a) regulations made under section 518 of the Education Act 1996;
    - (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
    - (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992, in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).
- 13.** Any payment made to the applicant by way of a repayment under regulation 11(2) of the Education (Teacher Student Loans) (Repayment etc.) Regulations 2002.
- 14**
- (1) Any payment made pursuant to section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990 except a payment;
    - (a) made as a substitute for income support, a jobseeker's allowance, incapacity benefit, severe disablement allowance or an employment and support allowance;
    - (b) of an allowance referred to in section 2(3) of the 1973 Act or section 2(5) of the Enterprise and New Towns (Scotland) Act 1990; or
    - (c) intended to meet the cost of living expenses which relate to any one or more of the items specified in sub-paragraph (2) whilst an applicant is participating in an education, training or other scheme to help him enhance his employment prospects unless the payment is a Career Development Loan paid pursuant to section 2 of the 1973 Act and the period of education or training or the scheme, which is supported by that loan, has been completed.
  - (2) The items specified in this sub-paragraph for the purposes of sub-paragraph (1)(c) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.
- 15**
- (1) Subject to sub-paragraph (2), any of the following payments;
    - (a) a charitable payment;
    - (b) a voluntary payment;
    - (c) a payment (not falling within sub-paragraph (a) or (b) above) from a trust whose funds are derived from a payment made in consequence of any personal injury to the applicant;
    - (d) a payment under an annuity purchased;
      - (i) pursuant to any agreement or court order to make payments to the applicant; or
      - (ii) from funds derived from a payment made, in consequence of any personal injury to the applicant; or
    - (e) a payment (not falling within sub-paragraphs (a) to (d) received by virtue of any agreement or court order to make payments to the applicant in consequence of



any personal injury to the applicant.

- (2) Sub-paragraph (1) shall not apply to a payment, which is made or due to be made by—
  - (a) a former partner of the applicant, or a former partner of any member of the applicant's family; or
  - (b) the parent of a child or young person where that child or young person is a member of the applicant's family.
  
- 16.** 100% of any of the following, namely
  - (a) a war disablement pension (except insofar as such a pension falls to be disregarded under paragraph 9 or 10);
  - (b) a war widow's pension or war widower's pension;
  - (c) a pension payable to a person as a widow, widower or surviving civil partner under any power of His Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
  - (d) a guaranteed income payment;
  - (e) a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
  - (f) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in sub-paragraphs (a) to (d) above;
  - (g) pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.
  
- 17.** Subject to paragraph 35, £15 of any;
  - (a) widowed mother's allowance paid pursuant to section 37 of the Act;
  - (b) widowed parent's allowance paid pursuant to section 39A of the Act.
  
- 18.** (1) Any income derived from capital to which the applicant is or is treated under section 41 (capital jointly held) as beneficially entitled but, subject to sub- paragraph (2), not income derived from capital disregarded under paragraphs 1, 2, 4, 8, 14 or 25 to 28 of Schedule 5.  
(2) Income derived from capital disregarded under paragraphs 2, 4 or 25 to 28 of Schedule 5 but only to the extent of—
  - (a) any mortgage repayments made in respect of the dwelling or premises in the period during which that income accrued; or
  - (b) any council tax or water charges which the applicant is liable to pay in respect of the dwelling or premises and which are paid in the period during which that income accrued.  
(3) The definition of 'water charges' in paragraph 2(1) shall apply to sub-paragraph (2) of this paragraph with the omission of the words 'in so far as such charges are in respect of the dwelling which a person occupies as his home'.
  
- 19.** Where the applicant makes a parental contribution in respect of a student attending a course at an establishment in the United Kingdom or undergoing education in the United Kingdom, which contribution has been assessed for the purposes of calculating—
  - (a) under, or pursuant to regulations made under powers conferred by, sections 1 or 2 of the Education Act 1962 or section 22 of the Teaching and Higher Education Act 1998, that student's award;
  - (b) under regulations made in exercise of the powers conferred by section 49 of the Education (Scotland) Act 1980, that student's bursary, scholarship, or other allowance under that section or under regulations made in exercise of the powers conferred by section 73 of that Act of 1980, any payment to that student under that section; or
  - (c) the student's student loan,an amount equal to the weekly amount of that parental contribution, but only in respect of the period for which that contribution is assessed as being payable.

- 20.** (1) Where the applicant is the parent of a student aged under 25 in advanced education who either;
- (a) is not in receipt of any award, grant or student loan in respect of that education; or
  - (b) is in receipt of an award under section 2 of the Education Act 1962 (discretionary awards) or an award bestowed by virtue of the Teaching and Higher Education Act 1998, or regulations made thereunder, or a bursary, scholarship or other allowance under section 49(1) of the Education (Scotland) Act 1980, or a payment under section 73 of that Act of 1980,
- and the applicant makes payments by way of a contribution towards the student's maintenance, other than a parental contribution falling within paragraph 19, an amount specified in sub-paragraph (2) in respect of each week during the student's term.
- (2) For the purposes of sub-paragraph (1), the amount shall be equal to–
- (a) the weekly amount of the payments; or
  - (b) the amount by way of a personal allowance for a single applicant under 25 less the weekly amount of any award, bursary, scholarship, allowance or payment referred to in sub-paragraph (1)(b),
- whichever is less.
- 21.** Any payment made to the applicant by a child or young person or a non-dependant.
- 22.** Where the applicant occupies a dwelling as his home and the dwelling is also occupied by a person other than one to whom paragraph 21 or 23 refers and there is a contractual liability to make payments to the applicant in respect of the occupation of the dwelling by that person or a member of his family–
- (a) where the aggregate of any payments made in respect of any one week in respect of the occupation of the dwelling by that person or a member of his family, or by that person and a member of his family, is less than £20, the whole of that amount; or
  - (b) where the aggregate of any such payments is £20 or more per week, £20.
- 23.** (1) Where the applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation, an amount, in respect of each person for which such accommodation is provided for the whole or any part of a week, equal to–
- (a) where the aggregate of any payments made in respect of any one week in respect of such accommodation provided to such person does not exceed £20.00, 100 per cent. of such payments;
  - (b) where the aggregate of any such payments exceeds £20.00, £20.00 and 50 per cent. of the excess over £20.00.
- (2) In this paragraph, 'board and lodging accommodation' means accommodation provided to a person or, if he is a member of a family, to him or any other member of his family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and are consumed in that accommodation or associated premises.
- 24.** (1) Any income in kind, except where regulation 30(11)(b) (provision of support under section 95 or 98 of the Immigration and Asylum Act in the calculation of income other than earnings) applies.
- (2) The reference in sub-paragraph (1) to 'income in kind' does not include a payment to a third party made in respect of the applicant which is used by the third party to provide benefits in kind to the applicant.
- 25.** Any income which is payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of that income.
- 26.** (1) Any payment made to the applicant in respect of a person who is a member of his family–

- (a) pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002 or in accordance or with a scheme approved by the Scottish Ministers under section 51A of the Adoption (Scotland) Act 1978(b) (schemes for payments of allowances to adopters); or in accordance with an Adoption Allowance Scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (Adoption Allowances Schemes)
  - (b) not used
  - (ba) which is a payment made by a local authority in pursuance of section 15(1) of, and paragraph 15 of Schedule 1 to, the Children Act 1989 (local authority contribution to a child's maintenance where the child is living with a person as a result of a residence order) or in Scotland section 50 of the Children Act 1975 (payments towards maintenance of children);
  - (c) which is a payment made by an authority, as defined in Article 2 of the Children Order, in pursuance of Article 15 of, and paragraph 17 of Schedule 1 to, that Order (contribution by an authority to child's maintenance);
  - (d) in accordance with regulations made pursuant to section 14F of the Children Act 1989(c) (special guardianship support services);
- (2) Any payment, other than a payment to which sub-paragraph (1)(a) applies, made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.
- 27.** Any payment made to the applicant with whom a person is accommodated by virtue of arrangements made
- (a) by a local authority under–
    - (i) section 23(2)(a) of the Children Act 1989 (provision of accommodation and maintenance for a child whom they are looking after),
    - (ii) section 26 of the Children (Scotland) Act 1995 (manner of provision of accommodation to child looked after by local authority), or
    - (iii) regulations 33 or 51 of the Looked After Children (Scotland) Regulations 2009 (fostering and kinship care allowances and fostering allowances); or
  - (b) by a voluntary organisation under section 59(1)(a) of the Children Act 1989 (provision of accommodation by voluntary organisations).
- 28.** Any payment made to the applicant or his partner for a person ('the person concerned'), who is not normally a member of the applicant's household but is temporarily in his care, by–
- (a) a health authority;
  - (b) a local authority but excluding payments of housing benefit made in respect of the person concerned;
  - (c) a voluntary organisation;
  - (d) the person concerned pursuant to section 26(3A) of the National Assistance Act 1948;
  - (e) a primary care trust established under section 16A of the National Health Service Act 1977 or established by an order made under section 18(2)(c) of the National Health Service Act 2006; or
  - (f) a Local Health Board established under section 16BA of the National Health Service Act 1977 or established by an order made under section 11 of the National Health Service (Wales) Act 2006
- 29.** Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or section 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).
- 29A.** (1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989(e) or section 29 of the Children (Scotland) Act 1995(local authorities' duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person ('A') which A passes on to the applicant.

- (2) Sub-paragraph (1) applies only where A;
- (a) was formerly in the applicant's care, and
  - (b) is aged 18 or over, and
  - (c) continues to live with the applicant.
- 30.** (1) Subject to sub-paragraph (2), any payment received under an insurance policy taken out to insure against the risk of being unable to maintain repayments;
- (a) on a loan which is secured on the dwelling which the applicant occupies as his home; or
  - (b) under a regulated agreement as defined for the purposes of the Consumer Credit Act 1974 or under a hire-purchase agreement or a conditional sale agreement as defined for the purposes of Part 3 of the Hire-Purchase Act 1964.
- (2) A payment referred to in sub-paragraph (1) shall only be disregarded to the extent that the payment received under that policy does not exceed the amounts, calculated on a weekly basis, which are used to—
- (a) maintain the repayments referred to in sub-paragraph (1)(a) or, as the case may be, (b); and
  - (b) meet any amount due by way of premiums on—
    - (i) that policy; or
    - (ii) in a case to which sub-paragraph(1)(a) applies, an insurance policy taken out to insure against loss or damage to any building or part of a building which is occupied by the applicant as his home, and which is required as a condition of the loan referred to in sub-paragraph (1)(a).
- 31.** Any payment of income which, by virtue of section 36 (income treated as capital) is to be treated as capital.
- 32.** Any social fund payment made pursuant to Part 8 of the Act (the Social Fund), or any local welfare provision as defined by the Social Security (Miscellaneous Amendments) Regulations 2013
- 33.** Any payment under Part 10 of the Act (Christmas bonus for pensioners).
- 34.** Where a payment of income is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.
- 35.** The total of an applicant's income or, if he is a member of a family, the family's income and the income of any person which he is treated as possessing under paragraph 15.2 (calculation of income and capital of members of applicant's family and of a polygamous marriage) to be disregarded under paragraph 47.2(b) and paragraph 48.1(d) (calculation of covenant income where a contribution assessed, covenant income where no grant income or no contribution is assessed), paragraph 51(2) (treatment of student loans), paragraph 52(3) (treatment of payments from access funds) and paragraphs 17 shall in no case exceed £20 per week.
- 36.** (1) Any payment made under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).  
 (2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—
- (a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;
  - (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
  - (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of;

- (a) the person who is suffering from haemophilia or who is a qualifying person;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(4) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where;

- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and
- (b) the payment is made either;
  - (i) to that person's parent or step-parent, or
  - (ii) where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian,

but only for a period from the date of the payment until the end of two years from that person's death.

(5) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where;

- (a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who was or had been a member of his family; and
- (b) the payment is made either
  - (i) to that person's parent or step-parent, or
  - (ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian,

but only for a period of two years from the relevant date.

(6) In the case of a person to whom or for whose support payment referred to in this paragraph is made, any income which derives from any payment of income or capital made under or deriving from any of the Trusts.

(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts shall be construed as including a reference to the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation and the London Bombings Relief Charitable Fund.

- 37.** Any housing benefit or council tax benefit.
- 38.** Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.
- 39. - 40.** not used
- 41.** Any payment to a juror or witness in respect of attendance at a court other than compensation

for loss of earnings or for the loss of a benefit payable under the benefit Acts.

- 42.** Not used
- 43.** Any payment in consequence of a reduction of council tax under section 13 or section 80 of the 1992 Act (reduction of liability for council tax).
- 44.** Not used
- 45.** (1) Any payment or repayment made—  
(a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);  
(b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);  
(c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies).  
(2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers, which is analogous to a payment or repayment, mentioned in sub-paragraph (1).
- 46.** Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins).
- 47.** Any payment made by either the Secretary of State for Justice or by the Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody.
- 48.** (1) Where an applicant's applicable amount includes an amount by way of a family premium, £15 of any payment of maintenance, other than child maintenance, whether under a court order or not, which is made or due to be made by the applicant's former partner, or the applicant's partner's former partner.  
(2) For the purpose of sub-paragraph (1) where more than one maintenance payment falls to be taken into account in any week, all such payments such be aggregated and treated as if they were a single payment.  
(3) A payment made by the Secretary of State in lieu of maintenance shall, for the purpose of sub-paragraph (1), be treated as a payment of maintenance made by a person specified in sub-paragraph (1).
- 48A.** (1) Any payment of child maintenance made or derived from a liable relative where the child or young person in respect of whom the payment is made is a member of the applicant's family, except where the person making the payment is the applicant or the applicant's partner.  
(2) In paragraph (1)  
'child maintenance' means any payment towards the maintenance of a child or young person, including any payment made voluntarily and payments made under;  
(a) the Child Support Act 1991;  
(b) the Child Support (Northern Ireland) Order 1991;  
(c) a court order;  
(d) a consent order;  
(e) a maintenance agreement registered for execution in the Books of Council and Session or the sheriff court books;  
'liable relative' means a person listed in regulation 54 (interpretation) of the Income Support (General) Regulations 1987, other than a person falling within sub-paragraph (d) of that definition.

- 49.** Not used
- 50.** Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.
- 51.** Any guardian's allowance.
- 52.** (1) If the applicant is in receipt of any benefit under Parts 2, 3 or 5 of the Act, any increase in the rate of that benefit arising under Part 4 (increases for dependants) or section 106(a) (unemployability supplement) of the Act, where the dependant in respect of whom the increase is paid is not a member of the applicant's family.
- (2) If the applicant is in receipt of any pension or allowance under Part 2 or 3 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006, any increase in the rate of that pension or allowance under that Order, where the dependant in respect of whom the increase is paid is not a member of the applicant's family.
- 53.** Any supplementary pension under article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (pensions to surviving spouses and surviving civil partners) and any analogous payment made by the Secretary of State for Defence to any person who is not a person entitled under that Order.
- 54.** In the case of a pension awarded at the supplementary rate under article 27(3) of the Personal Injuries (Civilians) Scheme 1983(a) (pensions to widows, widowers or surviving civil partners), the sum specified in paragraph 1(c) of Schedule 4 to that Scheme.
- 55.** (1) Any payment which is
- (a) made under any of the Dispensing Instruments to a widow, widower or
  - (b) surviving civil partner of a person;
    - (i) whose death was attributable to service in a capacity analogous to service as a member of the armed forces of the Crown; and
    - (ii) whose service in such capacity terminated before 31st March 1973; and equal to the amount specified in article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006.
- (2) In this paragraph 'the Dispensing Instruments' means the Order in Council of 19th December 1881, the Royal Warrant of 27th October 1884 and the Order by His Majesty of 14th January 1922 (exceptional grants of pay, non-effective pay and allowances).
- 55A.** Any council tax reduction or council tax benefit to which the applicant is entitled.
- 56.** Except in a case which falls under sub-paragraph (1) of paragraph 16 of Schedule 3, where the applicant is a person who satisfies any of the conditions of sub-paragraph (2) of that paragraph, any amount of working tax credit up to £17.10
- 56A.–56B.** Not used
- 57.** Any payment made under section 12B of the Social Work (Scotland) Act 1968, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care) or under regulations made under section 57 of the Health and Social Care Act 2001 (direct payments).
- 58.** (1) Subject to sub-paragraph (2), in respect of a person who is receiving, or who has received, assistance under the self-employment route, any payment to that person–
- (a) to meet expenses wholly and necessarily incurred whilst carrying on the commercial activity;
  - (b) which is used or intended to be used to maintain repayments on a loan taken out

by that person for the purpose of establishing or carrying on the commercial activity, in respect of which such assistance is or was received.

(2) Sub-paragraph (1) shall apply only in respect of payments, which are paid to that person from the special account

59. (1) Any payment of a sports award except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).  
(2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.  
(3) For the purposes of sub-paragraph (2) 'food' does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.
60. Where the amount of subsistence allowance paid to a person in a reduction week exceeds the amount of income-based jobseeker's allowance that person would have received in that reduction week had it been payable to him, less 50p, that excess amount.
61. In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise.
62. Any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001
63. (1) Any payment made by a local authority or by the Welsh Ministers to or on behalf of the applicant or his partner relating to a service which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.  
(2) For the purposes of sub-paragraph (1) 'local authority' includes, in England, a county council.
64. **Provision for all applicants: Homes for Ukraine scheme**  
(1) Any payment made in connection with the Homes for Ukraine scheme is to be disregarded in determining—  
(a) an applicant's entitlement to a reduction under the scheme; or  
(b) the amount of any reduction to which the applicant is entitled.  
(2) In this regulation—  
"the Homes for Ukraine scheme" means the Homes for Ukraine sponsorship scheme which was announced in Parliament by the Secretary of State for Levelling Up, Housing and Communities on 14th March 2022.
65. Any payments to a claimant made under section 49 of the Children and Families Act 2014 (personal budgets and direct payments)
66. Any payment of child benefit.
67. Any payment made under the Energy Rebate Scheme 2022 is to be disregarded in determining:  
(a) an applicant's entitlement to a reduction under the scheme; or  
(b) the amount of any reduction to which the applicant is entitled.  
"The Energy Rebate Scheme 2022" means the scheme to provide financial support in respect of energy bills which was announced in Parliament by the Chancellor of the Exchequer on 3rd February 2022.



**Schedule 5**  
**Capital to be disregarded<sup>43</sup>**

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<sup>43</sup> Any amounts shown in this schedule will be uprated in line with the Housing Benefit Regulations 2006 as amended.

1. The dwelling together with any garage, garden and outbuildings, normally occupied by the applicant as his home including any premises not so occupied which it is impracticable or unreasonable to sell separately, in particular, in Scotland, any croft land on which the dwelling is situated; but, notwithstanding section 15 (calculation of income and capital of members of applicant's family and of polygamous marriage), only one dwelling shall be disregarded under this paragraph.
- A2. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme but only for 52 weeks beginning with the date of receipt of the payment.
- A3. Any payment made to the applicant in respect of any travel or other expenses incurred or to be incurred, by him in respect of his participation in the Employment, Skills, and Enterprise Scheme or Back to Work Scheme but only for 52 weeks beginning with the date of receipt of the payment but only for 52 weeks beginning with the date of receipt of payment.
2. Any premises acquired for occupation by the applicant, which he intends to occupy as his home within 26 weeks of the date of acquisition or such longer period as is reasonable in the circumstances to enable the applicant to obtain possession and commence occupation of the premises.
3. Any sum directly attributable to the proceeds of sale of any premises formerly occupied by the applicant as his home which is to be used for the purchase of other premises intended for such occupation within 26 weeks of the date of sale or such longer period as is reasonable in the circumstances to enable the applicant to complete the purchase.
4. Any premises occupied in whole or in part—
  - (a) by a partner or relative of a single applicant or any member of the family as his home where that person has attained the qualifying age for state pension credit or is incapacitated;
  - (b) by the former partner of the applicant as his home; but this provision shall not apply where the former partner is a person from whom the applicant is estranged or divorced or with whom he had formed a civil partnership that has been dissolved.
5. Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, the whole of his capital.
6. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act 1995 and his partner is on income-based jobseeker's allowance, the whole of the applicant's capital.
7. Any future interest in property of any kind, other than land or premises in respect of which the applicant has granted a subsisting lease or tenancy, including sub-leases or sub-tenancies.
8. (1) The assets of any business owned in whole or in part by the applicant and for the purposes of which he is engaged as a self-employed earner, or if he has ceased to be so engaged, for such period as may be reasonable in the circumstances to allow for disposal of any such asset.  
 (2) The assets of any business owned in whole or in part by the applicant where—
  - (a) he is not engaged as a self-employed earner in that business by reason of some disease or bodily or mental disablement; but
  - (b) he intends to become engaged or, as the case may be, re-engaged as a self-employed earner in that business as soon as he recovers or is able to become engaged or re-engaged in that business;

for a period of 26 weeks from the date on which the claim for council tax reduction is made, or is treated as made, or, if it is unreasonable to expect him to become engaged

or re-engaged in that business within that period, for such longer period as is reasonable in the circumstances to enable him to become so engaged or re-engaged.

(3) In the case of a person who is receiving assistance under the self-employment route, the assets acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is being received.

(4) In the case of a person who has ceased carrying on the commercial activity in respect of which assistance was received as specified in sub-paragraph (3), the assets relating to that activity for such period as may be reasonable in the circumstances to allow for disposal of any such asset.

9. (1) Subject to sub-paragraph (2), any arrears of, or any concessionary payment made to compensate for arrears due to the non-payment of;

- (a) any payment specified in paragraphs 7, 9 or 10 of Schedule 4;
- (b) an income-related benefit under Part 7 of the Act;
- (c) an income-based jobseeker's allowance;
- (d) any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001;
- (e) working tax credit and child tax credit
- (f) an income-related employment and support allowance

but only for a period of 52 weeks from the date of the receipt of arrears or of the concessionary payment.

(2) In a case where the total of any arrears and, if appropriate, any concessionary payment referred to in sub-paragraph (1) relating to one of the specified payments, benefits or allowances amounts to £5,000 or more (referred to in this sub-paragraph and in sub-paragraph (3) as 'the relevant sum') and is

- (a) paid in order to rectify or to compensate for, an official error as defined in regulation 1(2) of the Decisions and Appeals Regulations; and
- (b) received by the applicant in full on or after 14th October 2001,

sub-paragraph (1) shall have effect in relation to such arrears or concessionary payment either for a period of 52 weeks from the date of receipt, or, if the relevant sum is received in its entirety during the award of council tax reduction, for the remainder of that award if that is a longer period.

(3) For the purposes of sub-paragraph(2), 'the award of council tax reduction' means—

- (a) the award in which the relevant sum is first received (or the first part thereof where it is paid in more than one instalment); and
- (b) where that award is followed by one or more further awards which, or each of which, begins immediately after the end of the previous award, such further award provided that for that further award the applicant;
  - (i) is the person who received the relevant sum; or
  - (ii) is the partner of the person who received the relevant sum or was that person's partner at the date of his death.

10. Any sum

- (a) paid to the applicant in consequence of damage to, or loss of the home or any personal possession and intended for its repair or replacement; or
- (b) acquired by the applicant (whether as a loan or otherwise) on the express condition that it is to be used for effecting essential repairs or improvement to the home, which is to be used for the intended purpose, for a period of 26 weeks from the date on which it was so paid or acquired or such longer period as is reasonable in the circumstances to effect the repairs, replacement or improvement.

- 11.** Any sum—
- (a) deposited with a housing association as defined in section 1(1) of the Housing Associations Act 1985 or section 338(1) of the Housing (Scotland) Act 1987 as a condition of occupying the home;
  - (b) which was so deposited, and which is to be used for the purchase of another home,
- for the period of 26 weeks or such longer period as may be reasonable in the circumstances to enable the applicant to complete the purchase.
- 12.** Any personal possessions except those which have been acquired by the applicant with the intention of reducing his capital in order to secure entitlement to council tax reduction or to increase the amount of that support.
- 13.** The value of the right to receive any income under an annuity or the surrender value (if any) of such an annuity.
- 14.** Where the funds of a trust are derived from a payment made in consequence of any personal injury to the applicant or applicant's partner, the value of the trust fund and the value of the right to receive any payment under that trust.
- 14A.** (1) Any payment made to the applicant or the applicant's partner in consequence of any personal injury to the applicant or, as the case may be, the applicant's partner.
- (2) But sub-paragraph (1)
- (a) applies only for the period of 52 weeks beginning with the day on which the applicant first receives any payment in consequence of that personal injury;
  - (b) does not apply to any subsequent payment made to him in consequence of that injury (whether it is made by the same person or another);
  - (c) ceases to apply to the payment or any part of the payment from the day on which the applicant no longer possesses it;
  - (d) does not apply to any payment from a trust where the funds of the trust are derived from a payment made in consequence of any personal injury to the applicant.
- (3) For the purposes of sub-paragraph (2)(c), the circumstances in which an applicant no longer possesses a payment or a part of it include where the applicant has used a payment or part of it to purchase an asset.
- (4) References in sub-paragraphs (2) and (3) to the applicant are to be construed as including references to his partner (where applicable).
- 15.** The value of the right to receive any income under a life interest or from a life rent.
- 16.** The value of the right to receive any income, which is disregarded under paragraph 13 of Schedule 3 or paragraph 25 of Schedule 4.
- 17.** The surrender value of any policy of life insurance.
- 18.** Where any payment of capital falls to be made by instalments, the value of the right to receive any outstanding instalments.
- 19.** Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or sections 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).
- 19A.** (1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989 or section 29 of the Children (Scotland) Act 1995 (local authorities' duty to promote welfare of children and powers to grant financial

assistance to persons in, or formerly in, their care) to a person ('A') which A passes on to the applicant.

(2) Sub-paragraph (1) applies only where A;

- (a) was formerly in the applicant's care, and
- (b) is aged 18 or over, and
- (c) continues to live with the applicant.

- 20.** Any social fund payment made pursuant to Part 8 of the Act.
- 21.** Any refund of tax which falls to be deducted under section 369 of the Income and Corporation Taxes Act 1988 (deduction of tax from certain loan interest) on a payment of relevant loan interest for the purpose of acquiring an interest in the home or carrying out repairs or improvements to the home.
- 22.** Any capital which, by virtue of sections 31 or 51 (capital treated as income, treatment of student loans) is to be treated as income.
- 23.** Where any payment of capital is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.
- 24.** (1) Any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation or the Charitable Fund.

(2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—

- (a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—

- (a) the person who is suffering from haemophilia or who is a qualifying person;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(4) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—

- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and

- (b) the payment is made either;
  - (i) to that person's parent or step-parent; or
  - (ii) where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian, but only for a period from the date of the payment until the end of two years from that person's death.

(5) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or any of the Trusts to which sub-paragraph (1) refers, where

- (a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he had formed a civil partnership that had not been dissolved, nor any child or young person who was or had been a member of his family; and
- (b) the payment is made either;
  - (i) to that person's parent or step-parent; or
  - (ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian, but only for a period of two years from the relevant date.

(6) In the case of a person to whom or for whose support payment referred to in this paragraph is made, any capital resource which derives from any payment of income or capital made under or deriving from any of the Trusts.

(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts shall be construed as including a reference to the Fund, the Eileen Trust, MFET Limited the Skipton Fund, the Caxton Foundation, and the London Bombings Relief Charitable Fund.

**25.** (1) Where an applicant has ceased to occupy what was formerly the dwelling occupied as the home following his estrangement or divorce from, or dissolution of his civil partnership with, his former partner, that dwelling for a period of 26 weeks from the date on which he ceased to occupy that dwelling or, where the dwelling is occupied as the home by the former partner who is a lone parent, for so long as it is so occupied.

(2) In this paragraph 'dwelling' includes any garage, garden and outbuildings, which were formerly occupied by the applicant as his home and any premises not so occupied which it is impracticable or unreasonable to sell separately, in particular, in Scotland, any croft land on which the dwelling is situated.

**26.** Any premises where the applicant is taking reasonable steps to dispose of those premises, for a period of 26 weeks from the date on which he first took such steps, or such longer period as is reasonable in the circumstances to enable him to dispose of those premises.

**27.** Any premises which the applicant intends to occupy as his home, and in respect of which he is taking steps to obtain possession and has sought legal advice, or has commenced legal proceedings, with a view to obtaining possession, for a period of 26 weeks from the date on which he first sought such advice or first commenced such proceedings whichever is the earlier, or such longer period as is reasonable in the circumstances to enable him to obtain possession and commence occupation of those premises.

**28.** Any premises which the applicant intends to occupy as his home to which essential repairs or alterations are required in order to render them fit for such occupation, for a period of 26 weeks from the date on which the applicant first takes steps to effect those repairs or alterations, or such longer period as is necessary to enable those repairs or alterations to be carried out.

- 29.** Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.
- 30.** Not used
- 31.** The value of the right to receive an occupational or personal pension.
- 32.** The value of any funds held under a personal pension scheme
- 33.** The value of the right to receive any rent except where the applicant has a reversionary interest in the property in respect of which rent is due.
- 34.** Any payment in kind made by a charity or under or by the Trusts, the Fund, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).
- 35.** Any payment made pursuant to section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990, but only for the period of 52 weeks beginning on the date of receipt of the payment.
- 36.** Not used.
- 37.** Any payment in consequence of a reduction of council tax under section 13 or, as the case may be, section 80 of the Local Government Finance Act 1992 (reduction of liability for council tax), but only for a period of 52 weeks from the date of the receipt of the payment.
- 38.** Any grant made in accordance with a scheme made under section 129 of the Housing Act 1988 or section 66 of the Housing (Scotland) Act 1988 (schemes for payments to assist local housing authority and local authority tenants to obtain other accommodation) which is to be used—
- (a) to purchase premises intended for occupation as his home; or
  - (b) to carry out repairs or alterations which are required to render premises fit for occupation as his home,
- for a period of 26 weeks from the date on which he received such a grant or such longer period as is reasonable in the circumstances to enable the purchase, repairs or alterations to be completed and the applicant to commence occupation of those premises as his home.
- 39.** Any arrears of supplementary pension which is disregarded under paragraph 53 of Schedule 4 (sums to be disregarded in the calculation of income other than earnings) or of any amount which is disregarded under paragraph 54 or 55 of that Schedule, but only for a period of 52 weeks from the date of receipt of the arrears.
- 40.** (1) Any payment or repayment made—
- (a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);
  - (b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);
  - (c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies),
- but only for a period of 52 weeks from the date of receipt of the payment or repayment.
- (2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers, which is analogous to a payment, or repayment mentioned in subparagraph (1), but only for a period of 52 weeks from the date of the receipt of the payment or repayment.

- 41.** Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins), but only for a period of 52 weeks from the date of receipt of the payment.
- 41A.** Any payment made under Part 8A of the Act (entitlement to health in pregnancy grant).
- 42.** Any payment made either by the Secretary of State for Justice or by Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody, but only for a period of 52 weeks from the date of the receipt of the payment.
- 43.** Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.
- 44.** Not used
- 45.** Any payment made by a local authority under section 3 of the Disabled Persons (Employment) Act 1958 to homeworkers assisted under the Blind Homeworkers' Scheme.
- 46.** (1) Subject to sub-paragraph (2), where an applicant satisfies the conditions in section 131(3) and (6) of the Act (entitlement to alternative maximum council tax reduction), the whole of his capital.  
(2) Where in addition to satisfying the conditions in section 131(3) and (6) of the Act the applicant also satisfies the conditions in section 131(4) and (5) of the Act (entitlement to the maximum council tax reduction), sub-paragraph (1) shall not have effect.
- 47.** (1) Any sum of capital to which sub-paragraph (2) applies and  
(a) which is administered on behalf of a person by the High Court or the County Court under Rule 21.11(1) of the Civil Procedure Rules 1998 (as amended by the Civil Procedure (Amendment No. 7) Rule 2013) or by the Court of Protection;  
(b) which can only be disposed of by order or direction of any such court; or  
(c) where the person concerned is under the age of 18, which can only be disposed of by order or direction prior to that person attaining age 18.  
(2) This sub-paragraph applies to a sum of capital which is derived from;  
(a) an award of damages for a personal injury to that person; or  
(b) compensation for the death of one or both parents where the person concerned is under the age of 18.
- 48.** Any sum of capital administered on behalf of a person in accordance with an order made under section 13 of the Children (Scotland) Act 1995, or under Rule 36.14 of the Ordinary Cause Rules 1993 or under Rule 128 of those Rules, where such sum derives from  
(a) award of damages for a personal injury to that person; or  
(b) compensation for the death of one or both parents where the person concerned is under the age of 18.
- 49.** Any payment to the applicant as holder of the Victoria Cross or George Cross.
- 50.** Not used
- 51.** In the case of a person who is receiving, or who has received, assistance under the self-employment route, any sum of capital which is acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is or was received but only for a period of 52 weeks from the date on which that sum was acquired.
- 52.** (1) Any payment of a sports award for a period of 26 weeks from the date of receipt of that



payment except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).

(2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.

(3) For the purposes of sub-paragraph (2) 'food' does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.

- 53.** (1) Any payment;
- (a) by way of an education maintenance allowance made pursuant to—
    - (i) regulations made under section 518 of the Education Act 1996;
    - (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980;
    - (iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992;
  - (b) corresponding to such an education maintenance allowance, made pursuant to;
    - (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and National Assembly for Wales to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
    - (ii) regulations made under section 181 of that Act ;

or in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.

- (2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to;
- (a) regulations made under section 518 of the Education Act 1996;
  - (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
  - (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992, in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).

**53A.-53B.** Not used

- 54.** In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise, but only for the period of 52 weeks from the date of receipt of the payment.

- 55.** Any arrears of subsistence allowance paid as a lump sum but only for the period of 52 weeks from the date of receipt of the payment.

- 56.** Where an ex-gratia payment of £10,000 has been made by the Secretary of State on or after 1st February 2001 in consequence of the imprisonment or interment of—
- (a) the applicant;
  - (b) the applicant's partner;
  - (c) the applicant's deceased spouse or deceased civil partner; or
  - (d) the applicant's partner's deceased spouse or deceased civil partner,

by the Japanese during the Second World War, £10,000.

- 57.** (1) Subject to sub-paragraph (2), the amount of any trust payment made to an applicant or a member of an applicant's family who is
- (a) a diagnosed person;
  - (b) the diagnosed person's partner or the person who was the diagnosed person's

- partner at the date of the diagnosed person's death;
  - (c) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
  - (d) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death.
- (2) Where a trust payment is made to;
  - (a) a person referred to in sub-paragraph (1)(a) or (b), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending on the date on which that person dies;
  - (b) a person referred to in sub-paragraph (1)(c), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending two years after that date;
  - (c) a person referred to in sub-paragraph (1)(d), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending—
    - (i) two years after that date; or
    - (ii) on the day before the day on which that person—
      - (aa) ceases receiving full-time education; or
      - (bb) attains the age of 20,
 whichever is the latest.
- (3) Subject to sub-paragraph (4), the amount of any payment by a person to whom a trust payment has been made or of any payment out of the estate of a person to whom a trust payment has been made, which is made to an applicant or a member of an applicant's family who is—
  - (a) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
  - (b) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
  - (c) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death, but only to the extent that such payments do not exceed the total amount of any trust payments made to that person.
- (4) Where a payment as referred to in sub-paragraph (3) is made to—
  - (a) a person referred to in sub-paragraph (3)(a), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending on the date on which that person dies;
  - (b) a person referred to in sub-paragraph (3)(b), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending two years after that date; or
  - (c) person referred to in sub-paragraph (3)(c), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending—
    - (i) two years after that date; or
    - (ii) on the day before the day on which that person
      - (aa) ceases receiving full-time education; or
      - (bb) attains the age of 20,
 whichever is the latest.
- (5) In this paragraph, a reference to a person—
  - (a) being the diagnosed person's partner;
  - (b) being a member of a diagnosed person's family;
  - (c) acting in place of the diagnosed person's parents,
 at the date of the diagnosed person's death shall include a person who would have been such a person or a person who would have been so acting, but for the diagnosed person

residing in a care home, an Abbeyfield Home or an independent hospital on that date.

- (6) In this paragraph— ‘diagnosed person’ means a person who has been diagnosed as suffering from, or who, after his death, has been diagnosed as having suffered from, variant Creutzfeld- Jakob disease;  
‘relevant trust’ means a trust established out of funds provided by the Secretary of State in respect of persons who suffered, or who are suffering, from variant Creutzfeld-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;  
‘trust payment’ means a payment under a relevant trust.
- 58.** The amount of any payment, other than a war pension, to compensate for the fact that the applicant, the applicant’s partner, the applicant’s deceased spouse or deceased civil partner or the applicant’s partner’s deceased spouse or deceased civil partner
- (a) was a slave labourer or a forced labourer;
  - (b) had suffered property loss or had suffered personal injury; or
  - (c) was a parent of a child who had died,
- during the Second World War.
- 59** (1) Any payment made by a local authority, or by the Welsh Ministers, to or on behalf of the applicant or his partner relating to a service, which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.
- (2) For the purposes of sub-paragraph (1) ‘local authority’ includes in England a county council.
- 60.** Any payment made under regulations made under section 57 of the Health and Social Care Act 2001 or under section 12B of the Social Work (Scotland) Act 1968, or under section 12A to 12D of the National Health Service Act 2006 (direct payments for health care).
- 61.** Any payment made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.
- 62.** Any payment made to the applicant in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardianship support services).
- 63.** Any payments to a claimant made under section 49 of the Children and Families Act 2014 (personal budgets and direct payments)
- 64.** Any payment of Council Tax Rebate paid under the Government announcement on 3<sup>rd</sup> February 2022.
- 65.** Any payment made under the Energy Rebate Scheme 2022 is to be disregarded in determining:
- (a) an applicant’s entitlement to a reduction under the scheme; or
  - (b) the amount of any reduction to which the applicant is entitled.
- “The Energy Rebate Scheme 2022” means the scheme to provide financial support in respect of energy bills which was announced in Parliament by the Chancellor of the Exchequer on 3<sup>rd</sup> February 2022.
- 66. Provision for all applicants: Homes for Ukraine scheme**
- (1) Any payment made in connection with the Homes for Ukraine scheme is to be disregarded in determining—
- (c) an applicant’s entitlement to a reduction under the scheme; or
  - (d) the amount of any reduction to which the applicant is entitled.
- (2) In this regulation—  
“the Homes for Ukraine scheme” means the Homes for Ukraine sponsorship scheme which was announced in Parliament by the Secretary of State for Levelling Up, Housing and Communities on 14<sup>th</sup> March 2022.



<b>Future Coastal Management Arrangements</b>	
<b>Executive Summary</b>	<p>In 2016 NNDC entered into a Partnership agreement (under Section 113 of the Local Government Act 1972) with Suffolk Coastal District Council, Waveney District Council (now East Suffolk Council) and Great Yarmouth Borough Council to share resources and prioritise activities relating to coastal matters. This created “Coastal Partnership East”.</p> <p>In the intervening years each Council has faced significant demands relating to coastal change, climate change and competing pressures of project delivery and bidding for funding. As a result, it is a prudent time for each partner Council to consider its future coastal management resourcing requirements and approach to ensure local priorities are met.</p> <p>This paper discusses these pressures and provides proposals for the dissolution of the partnership and North Norfolk District Council’s future approach.</p>
<b>Options considered</b>	<ol style="list-style-type: none"> <li>1) Request a continuation of the current partnership arrangement (N.B. This is not an option with which NNDC has any direct control)</li> <li>2) Agree to disband the partnership and put in place service level agreements between each Council, hosted by East Suffolk Council, to deliver engineering and consultancy services to partners (and other Councils as requested) – N.B. This was not an option as East Suffolk Council did not feel that this could be adequately resourced</li> <li>3) Agree to disband the partnership, appoint a Coastal Management Team at NNDC, and retain/explore alternative service level agreements with other Local Authorities as appropriate.</li> </ol>
<b>Consultation(s)</b>	<p>PH for Coast Coastal Partnership East Partner Local Authorities</p>
<b>Recommendations</b>	<p>That Cabinet:</p> <ol style="list-style-type: none"> <li>1. Note the contents of this paper</li> <li>2. Approve the dissolution of the Coastal Partnership known as Coastal Partnership East with effect from 20<sup>th</sup> January 2025 (taking into account the appropriate notice period to end the Section 113 agreement).</li> <li>3. Continue to support partnership working and retain/explore service level agreements with other Local Authorities as appropriate.</li> </ol>
<b>Reasons for recommendations</b>	<p>To ensure that the Council has effective coastal management arrangements in place.</p>

<b>Background papers</b>	N/A

<b>Wards affected</b>	Districtwide
<b>Cabinet member(s)</b>	Cllr Harry Blathwayt
<b>Contact Officer</b>	Martyn Fulcher, Director for Place & Climate Change, <a href="mailto:martyn.fulcher@north-norfolk.gov.uk">martyn.fulcher@north-norfolk.gov.uk</a>

<b>Links to key documents:</b>	
Corporate Plan:	Our Greener Future A Strong, Responsible & Accountable Council
Medium Term Financial Strategy (MTFS)	An effective coastal management arrangement assists the council in addressing coastal issues and in achieving financial prudence.
Council Policies & Strategies	Corporate Plan 2023-27

<b>Corporate Governance:</b>	
Is this a key decision	No
Has the public interest test been applied	N/A
Details of any previous decision(s) on this matter	N/A

## 1. Purpose of the report

- 1.1. The purpose of this report is to seek approval for the dissolution of the Coastal Partnership East with effect from 20<sup>th</sup> January 2025 (considering the appropriate notice period to end the Section 113 agreement) and future intentions regarding coastal management in North Norfolk.

## 2. Introduction & Background

- 2.1 In May 2016, a Partnership Agreement (under section 113 of the Local Government Act 1972) was agreed between North Norfolk District Council, Great Yarmouth Borough Council, and what was then, the Suffolk Coastal and Waveney District Councils (now both combined to form East Suffolk Council).
- 2.2 The aim of the Partnership was to share a collective ambition and vision for partnership working in relation to managing the Norfolk and Suffolk Coasts, and the creation of a joint coastal team. The concept for the partnership was to share resources associated with coastal change across the shared coastal frontage, recognising that coastal change occurs across geographical

boundaries. The Partnership was to deliver the collective Marine Local Authority responsibilities and functions and share information to inform decision making.

- 2.3 To ensure oversight and governance of the Partnership, a Board was established consisting of one member supported by a senior officer from each Council. As well as monitoring the progress of the partnership against its aims and objectives, the Board was to collaboratively set shared objectives and prioritise projects on an annual basis.
- 2.4 Whilst this partnership has proved successful, the increased pace of coastal change has meant that it is increasingly difficult to prioritise works across our shared boundaries. As such, the Partnership has considered the future ways of working that enable each Council to develop and deliver on its own priorities.

### 3. Proposals and Options

- 3.1 At its most recent board meeting in October 2024, and based on the recommendation from East Suffolk Members, the CPE Board gave its approval for the dissolution of the partnership and requested that Officers bring this decision for formalisation at their respective Cabinet meetings during January 2025.
- 3.2 As part of its approach, NNDC considered several options for future coastal delivery as follows:

**Option A** - Continuation of the current partnership arrangement – however this is not a realistic option, as NNDC does not have any direct control on partner authorities' ability to withdraw or not.

**Option B** - Disband the partnership and put in place a service level agreement between each Council, hosted by East Suffolk Council to deliver engineering and consultancy services to NNDC, GYBC and other Councils. This was not an achievable option as East Suffolk Council did not feel that this approach could be adequately resourced.

**Option C** - Disband the partnership, appoint a dedicated Coastal Management Team at NNDC, and explore alternative service level agreements with other Local Authorities. This is the preferred approach to enable the Council to continue to carry out its Coastal Management responsibilities, set local priorities and work closely with our communities to adapt to coastal change, as it has done successfully for many years.

- 3.3 **Option C is recommended.**
- 3.4 Separately, and between now and 2027, North Norfolk District Council is delivering Coastwise, which is part of the Environment Agency's Coastal Transition Accelerator Programme. This is a North Norfolk District Council project that is set apart from the work of Coastal Partnership East and is unaffected by the proposed disbandment of CPE.

#### **4. Corporate Priorities**

- 4.1 This report is linked to the Corporate Plan priorities: Our Greener Future and A Strong, Responsible & Accountable Council.
- 4.2 The Corporate Plan sets out the aim to protect and transition our coastal environments and this paper portrays how this aim will be met into the future.

#### **5. Financial and Resource Implications**

- 5.1 No staff resources will be placed at risk as part of this process. Each Council directly appoints staff and these staff will remain in the employment of their host Council under these new arrangements, albeit with local management and priorities. The exception of this will be the continuation of any shared arrangements, which will mean those resource costs will continue to be shared as presently. As such, there is limited financial impact in terms of resource implications.
- 5.2 Upon Cabinet approval, Officers will commence activity to amend reporting lines and review staff priorities, as well as consider any need to appoint to any gaps in resourcing that may emerge as part of this transition (there are some shared roles which Councils may elect to retain on a full-time basis which may cause some resource gaps for other councils). Whilst covering of any resource gaps will in the first instance be covered by the existing budget, there may be a minor requirement for additional funding over time, which will be subject to the normal approval process. As an example, as the Council may be responsible for future capital funding bids for grant in aid, capital schemes and repairs, so there may be a need to incur future costs in terms of the drafting of bids, to be agreed on an individual basis.
- 5.3 It is being made clear that the proposed change in approach is not considered to impact the availability of future funding, as the Council will maintain a direct relationship with the Environment Agency over future funding opportunities, such as Coastwise.
- 5.4 Whilst there is a 12 month notice period built into the partnership agreement should this be required; each Council has agreed to endeavour to have revised arrangements in place by the end of March 2025.

##### **Comments from the S151 Officer:**

The existing arrangements for paying staff and sharing costs will continue and so there will be a negligible financial impact for the Council
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#### **6. Legal Implications**

- 6.1 None other than the ceasing of the Section 113 Partnership agreement as highlighted above.



## **Comments from the Monitoring Officer**

A dissolution of the arrangement, would not prevent the work of the Council and in particular the Coastwise project, continuing. Any dissolution of the agreement should be in accordance with the s.113 agreement or as otherwise agreed by all parties

### **7. Risks**

- 7.1 There is a risk to local priorities in the event of resource gaps, however, officers are working to mitigate these so far as possible. Much of the Council's Coastal transition planning aligns with the Coastwise Project, the resourcing for which will remain in place, providing continuity. The Council's coastal engineering resources are unaffected.
- 7.2 Emergency response and community support will continue as existing, and it is not envisaged these changes will have any impact on this.

### **8. Net Zero Target**

- 8.1 None as a direct consequence of this report.

### **9. Equality, Diversity & Inclusion**

- 9.1 None as a direct consequence of this report.

### **10. Community Safety issues**

- 10.1 None as a direct consequence of this report.

### **11. Conclusion and Recommendations**

- 11.1 The Partnership has been in place for over 8 years, and it has proved successful in terms of project delivery across our shared coastlines. However, it is now appropriate to facilitate change to enable local resourcing and prioritisation of coastal matters, and the approach outlined in this paper will enable the Council to more effectively support its communities facing coastal change.

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<b>Draft Revenue Budget for 2025-26</b>	
Executive Summary	This report presents the latest iteration of the budget for 2025/26. It is intended to present the position as we currently know it and it will need to be updated as more information becomes available e.g. the impact of the final Local Government Finance Settlement for 2025/26.
Options considered.	No other options have been considered as it is a legal requirement to calculate “the expenditure which the authority estimates it will incur in the forthcoming year in performing its functions” and then subtract “the sums which it estimates will be payable for the year into its general fund”. This is required to set a balanced budget before 11 March 2025.
Consultation(s)	<p>The Overview and Scrutiny Committee will have the opportunity to review this report at its meeting on 22 January 2025. It will be able to make recommendations that Cabinet will be able to consider at its meeting on 3 February 2025.</p> <p>Budget consultation is taking place on the Council’s website currently for anyone to share their views. Consultation with Business Rates payers is also being undertaken. The results of both these consultations will be included in the report being presented to Full Council on 19 February 2025.</p>
Recommendations	<ol style="list-style-type: none"> <li>1. That Cabinet consider the list of proposed savings and agree on which ones should be taken so that a balanced budget can be recommended to full Council.</li> <li>2. That an alternative option for balancing the budget should be agreed to replace savings not taken if there are any.</li> <li>3. That Cabinet agree that any additional funding announced as part of the final Local Government Settlement announcement be transferred to reserves.</li> <li>4. That Cabinet decide which proposed new capital bids should be recommended to full Council for inclusion in the Capital Programme.</li> </ol>
<b>Reasons for recommendations</b>	To enable the Council to set a balanced budget.
<b>Background papers</b>	2024/25 Budget report presented to full Council on 21 February 2024.

<b>Wards affected</b>	All
<b>Cabinet member(s)</b>	Cllr Lucy Shires
<b>Contact Officer</b>	Tina Stankley Director of Resources and s151 Officer <a href="mailto:tina.stankley@north-norfolk.gov.uk">tina.stankley@north-norfolk.gov.uk</a>

<b>Links to key documents:</b>	
Corporate Plan	Strong, Responsible & Accountable Council.
Medium Term Financial Strategy (MTFS)	The setting of a balanced budget for 2025/26 provides the base position for reviewing the following years of the Medium Term Finance Plan.
Council Policies & Strategies	Budget Setting & Medium Term Finance Strategy.

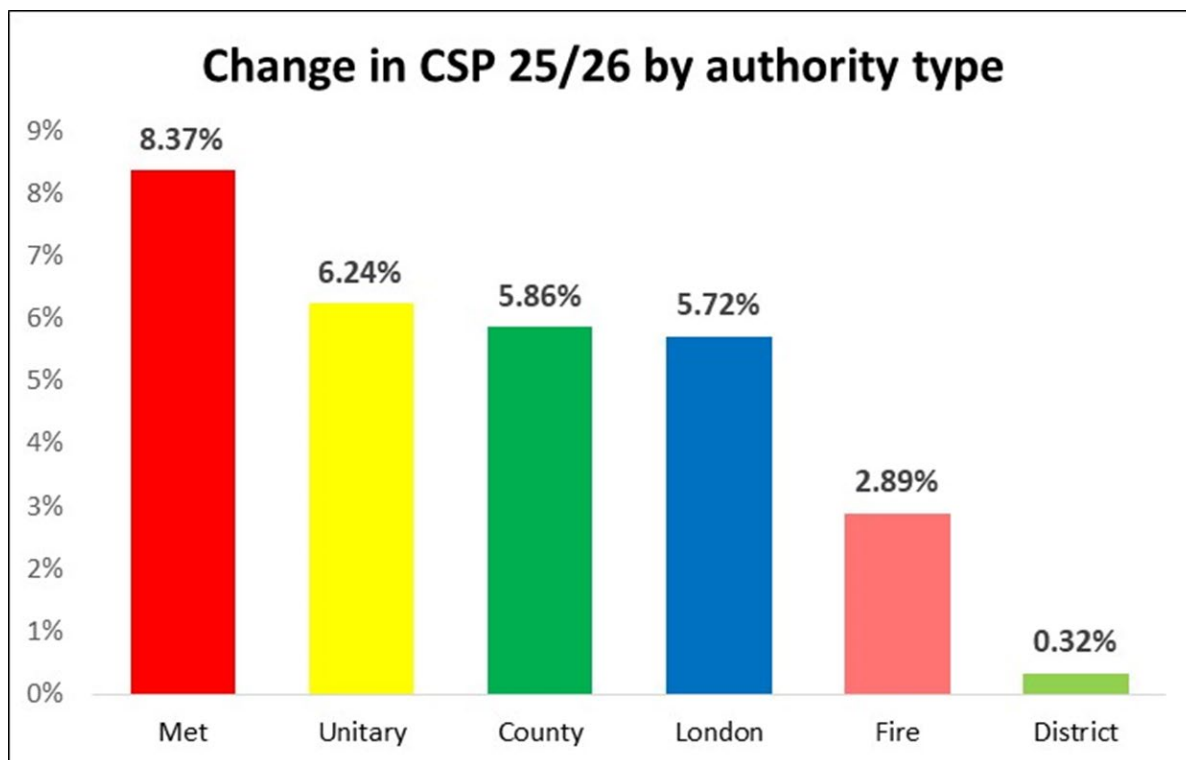
<b>Corporate Governance:</b>	
Is this a key decision	Yes
Has the public interest test been applied	Yes
Details of any previous decision(s) on this matter	

## **1. Purpose of the report**

This report is being presented to Cabinet to enable it to finalise the budget, to consider the assumptions made in the draft budget and to confirm its alignment with the Corporate Plan.

## **2. Introduction & Background**

- 2.1 Local authorities across the UK continue to find themselves under considerable financial pressure as a result of external factors that are beyond their control. These are manifesting themselves with ever increasing pressures on demand led services e.g. temporary accommodation. There have been several S114 notices issued over the last 18 months and there have been several Council's seeking exceptional financial support from the Government in recent times.
- 2.2 The provisional Local Government Finance Settlement for 2025/26 announced on 18 December 2024 was a shock for the majority of District Councils. The Labour Government's Budget announcement of an allocation of £1.3bn new grant funding for local authority services in 2025/26 led to an expectation that the increase in core spending power 3.2% for local authorities would be for all local authorities. However, the Government made substantial changes in the distribution of funding. So, whilst the overall increase in core spending power was 6%, District Councils' overall increase was only 0.32%. The total of the floor funding of £121m was used entirely for districts. There were 133 out of the 164 District Councils that received a zero per cent increase, with NNDC being allocated £805,000 to bring its increase up to 0.0% i.e. without this the Council would have seen a reduction in funding of this £805,000. The diagram below shows how funding was redistributed across authority type and who the winners and losers of this were.



2.3 Both the Rural Services Delivery Grant and the Recovery Grant were abolished, and this funding was repurposed. The Council received £680,000 via a combination of both grants. A new Recovery Grant was introduced, however, rural authorities seemed to have lost out as they will receive a lower share of this.

### 3. Current Proposed Budget for 2025/26

3.1 The 2025/26 budget presented below is a balanced budget – see line 31. The MTFP is contained in Appendix A along with further detail of Service Budgets contained in Appendix B

Table 1: General Fund Summary Budget

<b>General Fund Summary 2025/26 Base Budget</b>				
Line No.	Column A	Column B	Column C	Column D
		<b>2024/25 Base Budget</b>	<b>2024/25 Updated Budget</b>	<b>2025/26 Base Budget</b>
		£	£	£
	<b>Service Area</b>			
1	Corporate Leadership/ Executive Support	406,877	3,141,751	3,043,719
2	Communities	11,530,421	8,827,655	9,099,398
3	Place and Climate Change	7,121,376	5,420,883	4,520,786
4	Resources	4,707,480	6,219,659	5,622,995
5	Savings to be Identified	(250,000)	0	0
6	<b>Net Cost of Services</b>	<b>23,516,154</b>	<b>23,609,948</b>	<b>22,286,898</b>
7	Parish Precepts	3,129,190	3,129,190	3,129,194
8	Capital Charges	(2,962,370)	(2,962,370)	(2,962,374)
9	REFCUS	(761,647)	(761,647)	(761,647)
10	Interest Receivable	(1,865,162)	(1,865,162)	(1,403,400)
11	External Interest Paid	40,280	340,280	302,100
12	Revenue Financing for Capital:	210,000	2,447,782	320,000
13	Minimum Revenue Provision	487,860	487,860	530,858
14	IAS 19 Pension Adjustment	268,000	268,000	276,280
15	<b>Net Operating Expenditure</b>	<b>22,062,305</b>	<b>24,693,881</b>	<b>21,717,909</b>
16	Parish Precepts	(3,129,190)	(3,129,190)	(3,129,194)
17	Council Tax	(7,068,940)	(7,068,940)	(7,297,245)
18	Collection fund surplus	(108,320)	(108,320)	0
19	Retained Business Rates	(7,683,010)	(7,683,010)	(8,500,000)
20	New Homes bonus	(5,600)	(5,600)	(596,000)
21	3.2% Funding Guarantee/Floor Funding	(1,230,670)	(1,230,670)	(805,000)
22	Revenue Support Grant	(309,050)	(309,050)	(335,000)
23	NI Compensation	0	0	(260,000)
24	Recovery Grant	0	0	(195,000)
25	Rural Services Delivery Grant	(656,970)	(656,970)	0
26	Ctax Discount Grant	(51,580)	(51,580)	0
27	Services Grant	(22,520)	(22,520)	0
28	<b>Total Income from Government Grant and Taxpayers</b>	<b>(20,265,850)</b>	<b>(20,265,850)</b>	<b>(21,117,439)</b>
29	<b>(Surplus)/Deficit</b>	<b>1,796,455</b>	<b>4,428,031</b>	<b>600,470</b>
30	<b>Contribution To/(From) Earmarked Reserves</b>	<b>(1,796,455)</b>	<b>(4,428,031)</b>	<b>(600,470)</b>
31	<b>Net Position</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 3.2 The table above shows

- The Original Base Budget in Column B which was approved by Full Council on 21 February 2024. It shows a balanced budget position for 2024/25.
- In Column C the latest updated balanced budget position for 2024/25 as reported to Full Council on 2 December 2024. There are two things to note with this, the latest updated budget.
  - Firstly, there is significant movement between the Directorate budgets when comparing the 2024/25 original and updated figures. This is because the original budget is presented with all of the support services (e.g. finance, HR, IT, legal etc.) recharged to the frontline services, whereas the updated budget figures do not include the support services' recharges. This is a presentational change that will improve budget monitoring as all variances can be seen e.g. if there is an overspend in Finance this will now be seen whereas before it would have been recharged to a frontline service and the overspend would then appear against that frontline service.
  - Secondly, it should be noted that the last budget monitoring report (i.e. as at 30 September 2024) identifies a forecast overspend for 2024/25 of £995k. The s151 Officer has asked Assistant Directors to incur only necessary spending for the remainder of the year to contain the overspend position for the year.
- In Column D the proposed budget for 2025/26 is balanced (line 31).
- Line 6 shows the net cost of running the Council's services i.e. £22.287m. It is the total of Lines 1 to 5. This figure comprises the cost less the fees and charges income earned by the services.
- Line 15 is the total cost of operating as a Council i.e. £21.718m and includes items that are not attributable to any particular service e.g. investment income. It is the total of Lines 6 to 14.
- Line 28 is the total of Lines 16 to 27, and it is the amount of funding from Government Grant and Local Taxpayers i.e. £21.117m.
  - Line 16 is the income that NNDC will collect from taxpayers for the town and parish councils' precepts which is matched at line 7 as NNDC pay this straight over to the town and parish councils.
  - Line 17 is NNDC's Council Tax income to be collected from Council Taxpayers. This includes an assumed increase of 2.99%.
  - Line 19 is NNDC's Business Rate income to be collected from Businesses within the District.
  - Line 20 to 27 are the grants that NNDC will receive from Central Government.
- Line 29, Column D is the deficit that needs to be met from NNDC reserves i.e. £0.601m. It should be noted that some of this deficit and funding from reserves is planned e.g. where it has been approved previously that a grant sum held in reserves is to be used to fund a post for one year.
- Line 30, Column D shows the net amount of reserves, i.e. £0.601m, that is required to balance the budget for 2025/26. This also includes earmarked reserves used to fund one off expenditure within the service. It

should be noted that a summary of the reserves being utilised is contained in paragraph 3.15

- 3.3 The initial draft budget for 2025-26 produced by officers forecasts a net deficit of £1.8m. Officers were tasked with finding savings and additional income to bridge this gap and balance the budget. The savings and additional income identified are listed in Appendix F and have been included in the proposed budget.

### Variances 2024/25 to 2025/26

- 3.4 The changes in base budget from 2024/25 to 2025/26 are summarised in Table 3 below and significant variances are explained in 3.5 to 3.10.

	<b>2024/25 Base Budget</b>	<b>2025/26 Base Budget</b>	<b>Variance</b>	<b>% Movement</b>
	<b>£'m</b>	<b>£'m</b>	<b>£'m</b>	<b>£'m</b>
Employees	17.149	17.358	0.209	1.22%
Premises	4.057	4.098	0.041	1.01%
Transport	0.280	0.283	0.003	1.07%
Supplies and Services	14.057	13.001	(1.056)	-7.51%
Transfer Payments	18.715	20.188	1.473	7.87%
Income (External)	(34.198)	(36.089)	(1.891)	5.53%
<b>Total Direct Costs and Income</b>	<b>20.060</b>	<b>18.839</b>	<b>(1.221)</b>	<b>9.19%</b>
Notional Charges:				
Capital Charges	3.724	3.724	0.000	0.00%
IAS 19 Notional Charges	(0.268)	(0.277)	(0.009)	3.36%
<b>Total Notional Charges</b>	<b>3.456</b>	<b>3.447</b>	<b>(0.009)</b>	<b>3.36%</b>
<b>Total Net Costs</b>	<b>23.516</b>	<b>22.287</b>	<b>(1.229)</b>	<b>12.55%</b>

### Employees

- 3.5 The significant variances in employee's costs are summarised in Table 4

Table 4: Employee Cost Variances

<b>£'m</b>	<b>Main Explanation</b>
0.706	Inflation including pay award. This also includes NI changes highlighted below.
1.360	Employee costs funded from various grants within People Services and CTAP.
0.256	Higher Employee costs, partly due to some temporary posts being made permanent.
(0.750)	Savings in Employee Costs, including £523k identified as part of the 2025/26 savings bid exercise.
0.208	Temporary posts funded from earmarked reserves in 2025/26.
(1.579)	Non-recurring items taken out of budget i.e. reserve & grant funded posts in 2024/25.
0.008	Other minor variations.
<b>0.209</b>	<b>Total Movement</b>



### Pay Inflation

- 3.6 Currently pay inflation is included at 3% for 2025/26 and then at 2% for the remaining years of the Medium-Term Financial Plan.

Changes to employers National Insurance announced in the budget will see employers' contribution rates increase in rate from 13.8 to 15%. There will also be a decrease in the employer's threshold (the point at which the employer starts to make a contribution) from £9,100 to £5,000. This has resulted in a budget pressure of c.£500k. Central Government have said that it will meet some of this increased cost through a grant payment (calculated to be £260k, which leaves a shortfall of £240k). However, this is a concern as the announcement didn't cover what would happen in future years when there will still be a pressure.

### Premises Costs

- 3.7 Significant variances are highlighted in the following table:

Table 6: Premises Costs Variances

£'m	Main Explanation
0.082	Internal Drainage Board Levy increases
0.050	Increases in utilities costs including Council tax and Business rates
(0.044)	Reduction in costs of Premises Insurances
0.022	Increase in rents the Council pays
(0.028)	Other minor variations
<b>0.082</b>	<b>Total Movement</b>

### Transport Costs

- 3.8 There has been inflation and growth on Transport Costs of £18k but this has been offset by a reduction of £14k generated through savings.

### Supplies and Services

- 3.9 There are a number of variances across this wide-ranging category of expenditure the most significant being those highlighted in the following table:

Table 7: Supplies and Services Variances

£'m	Main Explanation
0.350	Inflation increases of £254k for the waste and recycling contracts, £36k for computer software licence and maintenance contracts and £15k Management fees
0.028	The main element of growth relates to the Pier condition survey.
(0.377)	Savings made in budgets, e.g. an adjustment relating to the external audit fee and £167k from the current service savings exercise.
0.209	One-off funding from reserves in 2025/26.
(1.266)	Removal of non-recurring budget items funded from reserves and grants in 2024/25 e.g. Local Plan, environmental strategy projects, UKSPF expenditure and People Services expenditure.
<b>(1.056)</b>	<b>Total Movement</b>

### Transfer Payments

3.10 The increase in expenditure is predominantly due to the increase in Housing Benefit payments of £1.476m which is in line with the mid-year subsidy estimate for 2024/25. This is offset by an increase in income referenced in paragraph 3.11.

### Income

3.11 The significant variances in income between Base 2024/25 and 2025/26 are summarised in the Table 8 below:

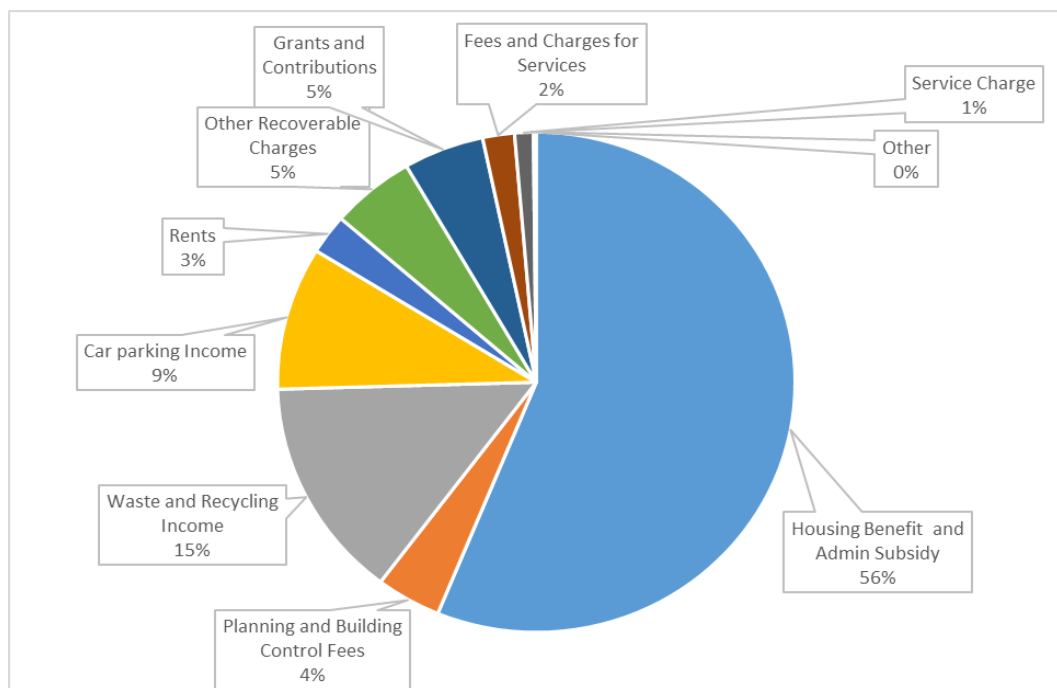
Table 8: Income Variances

£'m	Main Explanation
(1.476)	Increased Housing Benefit Subsidy to cover increase in payments
(1.259)	Grants allocated for one-off expenditure items including CTAP & Communities grants
(0.112)	Inflation Fees and Charges including service charges.
0.191	Reduction in income e.g. from car park extension, employee costs recharged to capital & for Land Charge fee income due to transfer of some functions to the Land Registry.
(1.160)	Projected additional income e.g. car parks and garden bins.
1.691	Non-recurring grants including UKSPF and Communities grants.
0.254	Other minor variations
<b>(1.871)</b>	<b>Total Movement</b>

3.12 The increase in Housing Benefit Subsidy offsets the increase in payments within Transfer Payments (see paragraph 3.10).

3.13 The pie chart below shows the make-up of the 2025/26 budgeted income.

Table 9: 2025/26 Budgeted Income



## Reserves

- 3.14 The Council holds a General Fund Reserve which it keeps for unexpected expenditure or for emergencies. The Council's s151 Officer assesses what the minimum level for this reserve should be each year to ensure that the Council has sufficient funds to meet any unexpected expenditure.
- 3.15 The Council also holds Earmarked Reserves, which have been set up to fund specific expenditure. These reserves are being used to fund some of the costs of services. There are also instances of contributions being made to the reserves and this is where it is known that costs will be incurred in the future and so the contributions are set aside e.g. district council elections are held every 4 years at a cost of about £240k and so each year £60k is put into the Elections Reserve so that there is a balance of £240k to take from the Elections Reserve in the fourth year to cover the cost. A full breakdown of the use of Reserves can be found at Appendix D.

Table 10: Use of Reserves

	<b>Budgeted Movement 2024/25</b>	<b>Budgeted Movement 2025/26</b>
	<b>£</b>	<b>£</b>
General Fund	(4,043)	(7,992)
Capital Projects	(484,708)	0
Asset Management	(310,033)	0
Benefits	(46,622)	(51,567)
Building Control	(122,542)	(19,874)
Business Rates	(18,000)	(18,000)
Coast Protection	(265,738)	0
Communities	(131,550)	0
Delivery Plan	(1,898,768)	(80,000)
Economic Development & Regeneration	(10,000)	0
Election Reserve	60,000	60,000
Grants	(77,969)	(85,159)
Housing	(356,479)	(56,299)
Land Charges	(89,100)	0
Legal	(36,000)	(4,579)
Major Repairs Reserve	(55,600)	0
Net Zero Initiatives	(22,000)	(300,000)
New Homes Bonus (NHB)	(150,000)	(83,763)
Organisational Development	(26,123)	0
Planning	(37,300)	46,763
Restructuring & Invest to Save	(45,456)	0
Treasury	(300,000)	0
<b>Total</b> (as shown at line 30 in GF Summary Para 3.1)	<b>(4,428,031)</b>	<b>(600,470)</b>

- 3.16 As shown in the table above the projected drawdown from reserves over the 2-year period 2024/25 to 2025/26 is £5m. It should be noted that this use of reserves includes the planned use of reserves which have been set aside in previous years to meet the expenditure that is being incurred now.

## Funding

3.17 On the funding side, one of the assumptions that has been made is to increase the Council Tax by 2.99% for a Band D property. The tables below show:

- Lines 1-5 of the first table - how the Council Tax income has been calculated.
- Line 7 of the first table - the additional Council Tax income that will be generated by being able to charge a 100% premium on long term empty properties that have been empty for a consecutive period of longer than 12 months instead of 24 months. This has been calculated to generate an additional £70k in 2025/26, then this increases by 2.99% per annum after that.
- The amount of Council Tax income that the annual increase of 2.99% would generate is £0.210m for 2025/26. This is calculated by multiplying the taxbase at Line 1 by the increase in Council Tax at Line 3. This, along with the increases in the following 3 years, is shown in the second table below.
- The third table below shows what the annual increase would be for each Council Tax Band, if a 2.99%, i.e. £5.04, increase for a Band D property is approved. This is for the district element only and does not include any increase that the County Council may approve nor that the Police may approve.

Table 11: Council Tax

Line no.		Council tax				
		2024/25	2025/26	2026/27	2027/28	2028/29
1	Council Tax Base for 24/25 based on central government's assumed increase	41,392.10	42,032.40	42,452.72	42,877.25	42,327.60
2	Band D Council Tax before increase	£163.62	£168.57	£173.61	£178.80	£178.80
3	Maximum increase allowed (2.99% or £5 whichever is higher)	£4.95	£5.04	£5.19	£5.35	£5.35
4	Band D Council Tax after increase (Add Lines 2 and 3)	£168.57	£173.61	£178.80	£184.15	£184.15
5	<b>Income assuming CT increase (line 1 multiplied by Line 4)</b>	<b>£6,977,466</b>	<b>£7,297,245</b>	<b>£7,590,547</b>	<b>£7,895,679</b>	<b>£7,794,628</b>
6	Second homes premium	£0	£0	£0	£0	£0
7	Empty homes income	£68,000	£70,033	£72,127	£74,291	£76,520
8	<b>Total Council Tax (Add Lines 5, 6 and 7)</b>	<b>£7,045,466</b>	<b>£7,309,692</b>	<b>£7,583,998</b>	<b>£7,583,998</b>	<b>£7,583,998</b>

Additional Council Tax generated by the annual increase - Council Tax base (Line1) multiplied by Maximum increase allowed (Line 3)	£204,891	£210,172	£218,046	£218,046	£226,453
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Band	A	B	C	D	E	F	G	H
Value of increase across the Bands	£3.36	£3.92	£4.48	£5.04	£6.16	£7.28	£8.40	£10.08

- 3.18 The forecast income level for the Retained Business Rates comes from the completion of the NNDR1. This is completed during January, with the deadline date for completion being 31 January 2025 and so the final forecast figure is not yet available. There is a forecast of £8.5m included currently and this will be updated as soon as the NNDR1 has been completed.
- 3.19 The remaining income comprises grants from central government. The provisional Local Government Finance Settlement was announced on 18 December 2024. As covered in the Introduction and Background paragraphs 2.2 and 2.3 there was a significant redistribution of grants. The Council received a zero per cent increase in core spending power. The movement in Government Funding is shown in the table below.

<b>Government Funding</b>	<b>2024/25 Base Budget</b>	<b>2024/25 Updated Budget</b>	<b>2025/26 Base Budget</b>
New Homes bonus	(5,600)	(5,600)	(596,000)
3.2% Funding Guarantee	(1,230,670)	(1,230,670)	0
Floor Funding			(805,000)
Revenue Support Grant	(309,050)	(309,050)	(335,000)
NI Compensation	0	0	(260,000)
Recovery Grant	0	0	(195,000)
Rural Services Delivery Grant	(656,970)	(656,970)	0
Ctax Discount Grant	(51,580)	(51,580)	0
Services Grant	(22,520)	(22,520)	0
<b>Total Grant Funding</b>	<b>(2,276,390)</b>	<b>(2,276,390)</b>	<b>(2,191,000)</b>

- 3.20 The General Fund Summary has been updated to reflect the provisional funding announced. The final Local Government Finance Settlement will be announced in late January or early February.

#### **4. The Medium-Term Financial Plan**

- 4.1 The Medium-Term Financial Plan (MTFP) has been prepared alongside the budget for 2025/26. Further detailed MTFP income and expenditure can be found as Appendix A.
- 4.2 The Government's Budget announcement and the provisional local government finance settlement laid out plans for significant local government reform. The Government confirmed that it will start to issue 3-year financial settlements starting in 2026/27. There will also be Business Rates Reform and the implementation of the Fair Funding Review.
- 4.3 The Government also published its White Paper on English Devolution and since then its plan for reorganization. This will obviously have far reaching consequences with potentially NNDC not existing as it is in 3-4 years' time. It is not possible to plan for such changes at this time.
- 4.4 Therefore, the MTFP has been prepared assuming no change for the foreseeable future. Assumptions have been made for the years 2026/27 to 2028/29 which are shown below. It should be noted that the further into the

future we look the greater the increase in uncertainty is particularly around the funding streams. However, it should be noted that there is currently a deficit in all years after 2025/26.

Table 13: Projected Deficit over the life of the MTFP.

	2024/25 Base Budget	2024/25 Updated Budget	2025/26 Base Budget	2026/27 Projection	2027/28 Projection	2028/29 Projection
	£'m	£'m	£'m	£'m	£'m	£'m
<b>(Surplus)/Deficit</b>	<b>1.796</b>	<b>4.428</b>	<b>0.600</b>	<b>0.985</b>	<b>0.546</b>	<b>0.557</b>
<b>Contribution To/(From) Earmarked Reserves</b>	-1.796	-4.428	-0.600	-0.014	0.014	0.083
<b>Net Position</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.971</b>	<b>0.560</b>	<b>0.640</b>

#### 4.5 Assumptions included are:

- The pay award is assumed to be at 3% for year 2025/26 as the rate of inflation has started to fall significantly.
- Increases in costs have been included for all years where we are contracted to increase costs on an annual basis.
- Increases in fees and charges (included in the Net Cost of Services) have been increased based on prudent assumptions that are in line with the increases that have been assumed for expenditure.
- For the calculation of Council Tax income, a modest increase of around 1% in the tax base has been assumed year on year and then the maximum increase has been applied to the Band D Council Tax each year at 2.99%.
- For the central government funding, the assumptions made are for no increases in funding.

## 5. Capital Programme

5.1 Capital expenditure is incurred on providing new assets and improving its existing ones. As capital expenditure is incurred, a source of finance must be identified. Capital expenditure can be financed by applying capital receipts (raised by selling assets), grants and other revenue resources or alternatively through borrowing. A summary of the Capital Programme is shown below. The list of schemes that are included in the approved programme can be found at Appendix C and the details of proposed new bids is contained in Appendix E.

Table 14: The Capital Programme and its Funding for 2024/25 to 2029/30

<b>Approved Capital Programme</b>	<b>Budget 2024/25</b>	<b>Budget 2025/26</b>	<b>Budget 2026/27</b>	<b>Budget 2027/28</b>	<b>Budget 2028/29</b>	<b>Budget 2029/30</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Our Greener Future	22,451,187	6,296,051	6,697,712	300,000	0	0
Developing Our Communities	6,284,864	8,209,000	0	0	0	0
Meeting Our Housing Needs	4,827,670	1,700,000	1,700,000	1,400,000	1,400,000	1,400,000
Investing In Our Local Economy & Infrastructure	5,637,387	210,000	60,000	0	0	0
A Strong, Responsible & Accountable Council	427,619	162,000	60,000	0	0	0
<b>Total Approved Capital Programme</b>	<b>39,628,727</b>	<b>16,577,051</b>	<b>8,517,712</b>	<b>1,700,000</b>	<b>1,400,000</b>	<b>1,400,000</b>
<b>Financing</b>	<b>Budget 2024/25</b>	<b>Budget 2025/26</b>	<b>Budget 2026/27</b>	<b>Budget 2027/28</b>	<b>Budget 2028/29</b>	<b>Budget 2029/30</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Grants	27,630,458	14,373,328	7,147,712	1,000,000	1,000,000	1,000,000
Other Contributions	2,127,014	718,723	300,000	0	0	0
Reserves	2,447,783	0	0	0	0	0
Revenue Contribution to Capital (RCCO)	0	0	0	0	0	0
Capital receipts	3,394,654	712,000	610,000	300,000	0	0
Borrowing	4,028,818	773,000	460,000	400,000	400,000	400,000
<b>Total Financing</b>	<b>39,628,727</b>	<b>16,577,051</b>	<b>8,517,712</b>	<b>1,700,000</b>	<b>1,400,000</b>	<b>1,400,000</b>

<b>Capital Bids</b>	<b>Budget 2025/26</b>	<b>Budget 2026/27</b>	<b>Budget 2027/28</b>	<b>Budget 2028/29</b>	<b>Budget 2029/30</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Our Greener Future	171,400	342,900	0	0	0
Developing Our Communities	100,000	0	0	0	0
Meeting Our Housing Needs	1,400,000	0	0	0	0
Investing In Our Local Economy & Infrastructure	410,000	0	0	0	0
A Strong, Responsible & Accountable Council	70,000	0	0	0	0
<b>Total of Bids</b>	<b>2,151,400</b>	<b>342,900</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Financing</b>	<b>Budget 2025/26</b>	<b>Budget 2026/27</b>	<b>Budget 2027/28</b>	<b>Budget 2028/29</b>	<b>Budget 2029/30</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Grants	150,000	0	0	0	0
Other Contributions	80,000	0	0	0	0
Reserves	21,400	278,600	0	0	0
Revenue Contribution	20,000	0	0	0	0
Capital Receipts	90,000	0	0	0	0
Internal / External Borrowing	1,790,000	64,300	0	0	0
<b>Total Financing</b>	<b>2,151,400</b>	<b>342,900</b>	<b>0</b>	<b>0</b>	<b>0</b>

- 5.2 The proposed funding for the schemes is also shown in Table 14 above. Consideration is given to level of grants we have available, the level of capital receipts we have and what we might generate in future years and for any expenditure financed through borrowing. After these sources of financing have been applied then the balance for any financing required will have to be met through borrowing. Borrowing increases the Council's 'Capital Financing Requirement' (CFR). This will result in a revenue charge (one that impacts on the bottom line of the budget and is a charge to the Council Taxpayer) called the Minimum Revenue Provision (MRP) that is made to reflect the funding of the CFR by the taxpayer. It is required to be set aside each year starting the year after the works are completed and/or the asset comes into use. It is a charge to revenue that covers the repayment of the borrowing needed to finance the capital expenditure. As the need to borrow increases, the CFR and MRP also increase. If the Council has sufficient cash resources to meet the expenditure, it will not be necessary to borrow externally in the short term, and cash balances can be used to cover the expenditure. This is referred to as 'internal borrowing' and attracts an MRP charge in the same way that external borrowing does.
- 5.3 Any new projects included in the programme in the future will need to be financed by borrowing, which will result in an additional MRP charge if no capital resources such as capital grants or capital receipts are available. Alternatively, existing revenue reserves could be used to finance these projects through a revenue contribution to capital (RCCO) which would avoid the need to make an MRP charge. Both are charges to the General Fund and will be included in the amount to be met from Government grant and local taxpayers.
- 5.4 In addition to the existing capital programme, approval is also being sought to include the proposed capital projects as outlined within Appendix E. Cabinet should agree on which of these projects should be included for full Council's consideration.
- 5.5 It should be noted that there is an issue with the stability of the cliff face at Overstrand which will need resolving. A bid for this work has not been included at this time as it not yet certain what remedial action will need to be taken to stabilise the cliff face, nor is it known at this time what this might cost and if there is any external funding that might be available for such a scheme. Officers will prepare proposals for a scheme and bring this forward for Members to consider in due course.

## **6. Corporate Plan Objectives**

- 6.1 Financial Sustainability and Growth – a balanced budget based on savings that are achievable will ensure the Council's financial sustainability over the medium term.

## **7. Financial and Resource Implications**

- 7.1 The Council must set a balanced budget for 2025/26 before 11 March 2025. This report presents a balanced budget for 2025/26 which has been achieved by identifying budget savings.



**Comments from the S151 Officer:**

The Council must set a balanced budget before the start of the forthcoming financial year.

**8. Legal Implications**

- 8.1 This report does not raise any new legal implications.

**Comments from the Monitoring Officer**

The annual budget report needs to be considered with reference and in accordance with the following:

- Consideration of any consultation responses (including the requirements under section 65 Local Government Finance Act 1992 with regard to consultation with bodies/representatives or persons subject to non-domestic rates, being the statutory budget consultation)
- The Council provides both statutory and discretionary services. Where a statutory duty exists to provide a service, there needs to be adequate provision to allow the statutory duty to be exercised so as not to place the Council at risk of failing to discharge a statutory duty. In provision for discretionary services, this should be exercised reasonably, balancing the nature and quality of the service with the cost of provision.
- The Council has a fiduciary duty to the taxpayers in its district
- As with other Council decisions, the budget decisions must have regard to the Council's public sector equality duties and requirement to reduce crime and disorder
- Members must have regard to the section 25 Local Government Act 2003 report of the Council's Chief Finance Officer which comments as to the robustness of the estimates made for the purposes of the calculations and the adequacy of the proposed financial reserves
- Any failure to set a legal budget may lead to the issue of a s.114 report or other intervention

**Section 106 Local Government and Finance Act 1992**

Under Section 106 a Member who has not paid an amount due in respect of their Council Tax for at least 2 months after it became payable is precluded from voting on any matters affecting the level of Council Tax or the arrangements for administering the Council Tax. (The Member is, however, entitled to speak.) Any Member affected by Section 106 is required to make a declaration to that effect at the commencement of the meeting or immediately on arrival if this is at a later time.

**9. Risks**

- 9.1 This report does raise the risk that a balanced budget may not be set, but the financial sustainability of the Council is already included in the risk register.

**10. Net Zero Target**

10.1 This report does not raise any issues relating to Climate change.

**11. Equality, Diversity & Inclusion**

11.1 This report does not raise any new issues relating to equality and diversity.

**12. Community Safety issues**

12.1 This report does not raise any issues relating to Crime and Disorder considerations.

**13. Conclusion and Recommendations**

13.1 This report presents a balanced General Fund budget for 2025/26. The assumptions in arriving at this position are laid out in the report.

13.2 It is recommended that Cabinet agree on which of the revenue savings should be included in the budget. If any savings are not taken, then it should be agreed what alternative option should be taken to set a balanced budget that can be recommended to full Council on 19 February 2025.

13.3 It is recommended that if there is any increase in funding when the final Local Government Settlement is announced that this is used in place of the use of reserves.

## General Fund Summary 2025/26 Base Budget

Service Area	2024-25					
	2024/25 Base Budget £	Updated Budget £	2025/26 Base Budget £	2026/27 Projection £	2027/28 Projection £	2028/29 Projection £
Corporate Leadership/ Executive Support	406,877	3,141,751	3,043,719	3,076,890	3,125,725	3,175,537
Communities	11,530,421	8,827,655	9,099,398	9,230,190	9,299,830	9,382,160
Place and Climate Change Resources	7,121,376	5,420,883	4,520,786	4,464,014	4,510,619	4,588,755
Savings to be Identified	(250,000)	0	0	0	0	0
<b>Net Cost of Services</b>	<b>23,516,154</b>	<b>23,609,948</b>	<b>22,286,898</b>	<b>22,414,700</b>	<b>22,252,069</b>	<b>22,554,470</b>
Parish Precepts	3,129,190	3,129,190	3,129,194	3,129,194	3,129,194	3,129,194
Capital Charges	(2,962,370)	(2,962,370)	(2,962,374)	(2,962,374)	(2,962,374)	(2,962,374)
Refcus	(761,647)	(761,647)	(761,647)	(761,647)	(761,647)	(761,647)
Interest Receivable	(1,865,162)	(1,865,162)	(1,403,400)	(1,403,400)	(1,403,400)	(1,403,400)
External Interest Paid	40,280	340,280	302,100	302,100	302,100	302,100
Revenue Financing for Capital:	210,000	2,447,782	320,000	0	0	0
Minimum Revenue Provision	487,860	487,860	530,858	530,858	530,858	530,858
IAS 19 Pension Adjustment	268,000	268,000	276,280	276,280	276,280	276,280
<b>Net Operating Expenditure</b>	<b>22,062,305</b>	<b>24,693,881</b>	<b>21,717,909</b>	<b>21,525,711</b>	<b>21,363,080</b>	<b>21,665,481</b>
Collection Fund – Parishes	(3,129,190)	(3,129,190)	(3,129,194)	(3,129,194)	(3,129,194)	(3,129,194)
Collection Fund – District	(7,068,940)	(7,068,940)	(7,297,245)	(7,511,200)	(7,787,529)	(8,079,626)
Collection fund surplus	(108,320)	(108,320)	0	0	0	0
Retained Business Rates	(7,683,010)	(7,683,010)	(8,500,000)	(8,500,000)	(8,500,000)	(8,500,000)
New Homes bonus	(5,600)	(5,600)	(596,000)	0	0	0
3.2% Funding Guarantee	(1,230,670)	(1,230,670)	(805,000)	(805,000)	(805,000)	(805,000)
Revenue Support Grant	(309,050)	(309,050)	(335,000)	(335,000)	(335,000)	(335,000)
NI Compensation	0	0	(260,000)	(260,000)	(260,000)	(260,000)
Recovery Grant	0	0	(195,000)	0	0	0
Rural Services Delivery Grant	(656,970)	(656,970)	0	0	0	0
Ctax Discount Grant	(51,580)	(51,580)	0	0	0	0
Services Grant	(22,520)	(22,520)	0	0	0	0
<b>Total Income from Government Grant and Taxpayers (Surplus)/Deficit</b>	<b>(20,265,850)</b>	<b>(20,265,850)</b>	<b>(21,117,439)</b>	<b>(20,540,394)</b>	<b>(20,816,723)</b>	<b>(21,108,820)</b>
<b>Contribution To/(From) Earmarked Reserves</b>	<b>1,796,455</b>	<b>4,428,031</b>	<b>600,470</b>	<b>985,317</b>	<b>546,357</b>	<b>556,661</b>
<b>Net Position</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>970,763</b>	<b>560,042</b>	<b>639,641</b>

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## Communities Directorate Base Budget 2025/26

## Assistant Director Environment &amp; Leisure Services

	Base Budget 2024/25	Base Budget 2025/26	Movement	Variance Explanation
Service	£	£	£	
<b>Ad Environmental &amp; Leisure Svs</b>				
Employee Costs	96,751	99,402	2,651	Employee inflation. £263 Pension adjustments.
Transport Related	1,744	1,744	0	No Variances.
Supplies and Services	100	100	0	No Variances.
	<b>98,595</b>	<b>101,246</b>	<b>2,651</b>	
<b>Beach Safety</b>				
Premises Costs	2,750	2,750	0	No Variances.
Supplies and Services	367,665	372,283	4,618	£2,650 Cleansing contract inflation. £1,968 Lifeguard contract inflation.
	<b>370,415</b>	<b>375,033</b>	<b>4,618</b>	
<b>Civil Contingencies</b>				
Employee Costs	86,622	89,173	2,551	Employee inflation.
Transport Related	1,044	944	(100)	Removal of public transport budget.
Supplies and Services	12,390	5,690	(6,700)	Savings bid COM03.
	<b>100,056</b>	<b>95,807</b>	<b>(4,249)</b>	
<b>Cleansing</b>				
Supplies and Services	1,087,850	1,099,500	11,650	Cleansing contract inflation.
Income	(87,495)	(90,400)	(2,905)	Savings Bid COM01.
	<b>1,000,355</b>	<b>1,009,100</b>	<b>8,745</b>	
<b>Community Safety</b>				
Employee Costs	8,252	8,886	634	Employee inflation.
Transport Related	500	500	0	No Variances.
Supplies and Services	4,000	5,000	1,000	Higher subscription to Community Safety Partnership.
	<b>12,752</b>	<b>14,386</b>	<b>1,634</b>	
<b>Corporate Health and Safety</b>				
Employee Costs	83,104	88,339	5,235	£2,320 Employee inflation. £2,560 Professional Indemnity insurance. £355 Pension adjustments.
Capital Financing	600	600	0	No Variances.
Supplies and Services	2,250	2,250	0	No Variances.
Income	(24,000)	(26,500)	(2,500)	Savings Bid COM07.
	<b>61,954</b>	<b>64,689</b>	<b>2,735</b>	
<b>Environmental Contracts</b>				
Employee Costs	372,679	388,275	15,596	£21,009 Employee inflation. £1,137 Pension adjustments. (£6,300) Savings bid COM012.
Transport Related	12,444	12,444	0	No Variances.
Supplies and Services	1,275	1,275	0	No Variances.
	<b>386,398</b>	<b>401,994</b>	<b>15,596</b>	
<b>Environmental Protection</b>				
Employee Costs	561,185	573,467	12,282	£13,965 Employee inflation. £917 Pension adjustments. (£2,600) Savings bid COM12.
Transport Related	20,396	21,096	700	Vehicle running costs.
Supplies and Services	73,650	58,450	(15,200)	(£8,000) Savings identified in-year. (£7,500) Savings bid COM03. £300 Subsistence.
Capital Financing	37,620	37,620	0	No Variances.
Income	(13,000)	(14,500)	(1,500)	Additional fee income relating to Houses in Multiple Occupation.
	<b>679,851</b>	<b>676,133</b>	<b>(3,718)</b>	

## Communities Directorate Base Budget 2025/26

## Assistant Director Environment &amp; Leisure Services

Service	Base Budget 2024/25 £	Base Budget 2025/26 £	Movement £	Variance Explanation
<b>Foreshore</b>				
Employee Costs	32,288	20,129	(12,159)	£2,425 Employee inflation. (£13,455) Savings Bid COM13. (£1,129) Pension adjustments.
Premises Costs	48,936	45,435	(3,501)	Lower insurance premiums.
Transport Related	700	700	0	No Variances.
Supplies and Services	5,300	2,300	(3,000)	Savings bid COM04.
	<b>87,224</b>	<b>68,564</b>	<b>(18,660)</b>	
<b>Internal Drainage Board Levies</b>				
Premises Costs	502,085	584,048	81,963	Increase in Drainage Board Levy.
Income	(35,265)	0	35,265	One-off grant income.
	<b>466,820</b>	<b>584,048</b>	<b>117,228</b>	
<b>Leisure</b>				
Employee Costs	168,176	179,456	11,280	£10,461 Employee inflation. £819 Pension adjustments.
Transport Related	5,332	5,332	0	No Variances.
Supplies and Services	27,550	27,550	0	No Variances.
	<b>201,058</b>	<b>212,338</b>	<b>11,280</b>	
<b>Leisure Complexes</b>				
Premises Costs	145,711	141,923	(3,788)	(£11,820) Lower insurance premiums. £16,832 Higher Business Rates. £200 Higher Grounds maintenance costs. (£9,000) Savings Bid - lower R&M costs.
Supplies and Services	0	5,510	5,510	Engineering insurance costs.
Capital Financing	587,211	587,211	0	No Variances.
Income	(85,398)	(140,256)	(54,858)	Higher profit share.
	<b>647,524</b>	<b>594,388</b>	<b>(53,136)</b>	
<b>Markets</b>				
Employee Costs	6,084	5,458	(626)	£840 Employee inflation. (£1,495) Savings Bid COM13. £29 Pension adjustments.
Premises Costs	35,248	22,130	(13,118)	(£10,000) Lower rental costs to Car Parks. (£3,118) Lower Business Rates.
Supplies and Services	4,100	4,150	50	Inflation on Cleansing contract.
Income	(40,000)	(40,000)	0	No Variances.
	<b>5,432</b>	<b>(8,262)</b>	<b>(13,694)</b>	
<b>Other Sports</b>				
Premises Costs	12,510	11,110	(1,400)	Lower insurance premium.
Supplies and Services	41,200	32,800	(8,400)	Savings bid COM04.
Income	(8,000)	(8,700)	(700)	Savings bid COM04.
	<b>45,710</b>	<b>35,210</b>	<b>(10,500)</b>	
<b>Parks &amp; Open Spaces</b>				
Premises Costs	280,468	274,029	(6,439)	£2,700 Inflation on Grounds Maintenance contract. (£2,100) Lower rental costs. £4,129 Inflation on utility costs. (£920) Lower insurance costs. (£10,248) Savings bid COM04.
Supplies and Services	65,200	66,000	800	Inflation on Cleansing contract.
Capital Financing	1,368	1,368	0	No Variances.
Income	(8,500)	(8,250)	250	Lower rental income.
	<b>338,536</b>	<b>333,147</b>	<b>(5,389)</b>	
<b>Pier Pavilion</b>				
Premises Costs	3,000	3,000	0	No Variances.
Capital Financing	20,286	20,286	0	No Variances.
Income	(10,000)	(10,000)	0	No Variances.
	<b>13,286</b>	<b>13,286</b>	<b>0</b>	

## Communities Directorate Base Budget 2025/26

## Assistant Director Environment &amp; Leisure Services

Service	Base Budget 2024/25 £	Base Budget 2025/26 £	Movement £	Variance Explanation
<b>Public Protection</b>				
Employee Costs	657,946	621,636	(36,310)	(£10,503) Employee inflation and savings. (£22,206) Savings bid COM05. (£3,601) Pension adjustments.
Transport Related	16,828	14,938	(1,890)	Reduction in Lump Sum payments.
Supplies and Services	90,680	63,930	(26,750)	Savings bids identified in 2024/25 - Private Water Sampling and Computer maintenance costs.
Income	(253,000)	(247,000)	6,000	Reduced fee income from Pre-App advice and Private Water Sampling.
	<b>512,454</b>	<b>453,504</b>	<b>(58,950)</b>	
<b>Recreation Grounds</b>				
Premises Costs	7,100	7,200	100	Grounds Maintenance contract inflation.
Supplies and Services	7,200	7,300	100	Cleansing contract inflation.
Capital Financing	6,046	6,046	0	No Variances.
Income	(1,000)	(1,000)	0	No Variances.
	<b>19,346</b>	<b>19,546</b>	<b>200</b>	
<b>Street Signage</b>				
Supplies and Services	10,000	10,000	0	No Variances.
	<b>10,000</b>	<b>10,000</b>	<b>0</b>	
<b>Travellers</b>				
Premises Costs	8,448	6,911	(1,537)	(£2,000) Lower R&M costs offset by higher utilities and grounds maintenance.
Supplies and Services	53,600	57,700	4,100	£3,500 Higher Lease rentals. £500 Equipment rental. £100 Cleansing contract inflation.
Capital Financing	6,104	6,104	0	No Variances.
Income	(2,000)	(1,000)	1,000	Lower facility charges.
	<b>66,152</b>	<b>69,715</b>	<b>3,563</b>	
<b>Waste Collection And Disposal</b>				
Supplies and Services	5,826,469	6,112,401	285,932	£72,600 Cleansing contract inflation. £165,000 Higher recycling processing costs. (£2,030) Lower commercial waste disposal rate. £56,362 Additional waste costs associated with savings bid COM02 (contractor costs) .
Capital Financing	764,192	764,192	0	No Variances.
Income	(4,824,575)	(4,981,482)	(156,907)	(£20,736) Additional recycling credit income. (£136,171) Savings bid COM02 - garden bin fee income and additional recycling credits.
	<b>1,766,086</b>	<b>1,895,111</b>	<b>129,025</b>	

## Communities Directorate Base Budget 2025/26

## Assistant Director Environment &amp; Leisure Services

	Base Budget 2024/25	Base Budget 2025/26	Movement	Variance Explanation
Service	£	£	£	
<b>Woodlands Management</b>				
Employee Costs	175,820	194,722	18,902	£17,646 Employee inflation. £1,256 Pension adjustments.
Premises Costs	52,962	52,634	(328)	Lower R&M costs.
Transport Related	21,182	25,076	3,894	£2,894 Vehicle lease payments. £1,000 Higher diesel costs.
Supplies and Services	12,450	11,450	(1,000)	Lower costs for purchase resales.
Capital Financing	5,449	5,449	0	No Variances.
Income	(56,460)	(69,960)	(13,500)	(£15,000) Savings bids COM04 and COM11. £1,500 Reduced grant income.
	<b>211,403</b>	<b>219,371</b>	<b>7,968</b>	
<b>Total Environment and Leisure</b>	<b>7,101,407</b>	<b>7,238,354</b>	<b>136,947</b>	



## Communities Directorate Base Budget 2025/26

## Assistant Director People Services

	Base Budget 2024/25	Base Budget 2025/26	Movement	Variance Explanation
Service	£	£	£	
<b>Ad People Services</b>				
Employee Costs	92,363	77,607	(14,756)	Savings bid COM09. (£1,045) Pension adjustments.
Transport Related	1,194	1,194	0	No Variances.
Supplies and Services	100	100	0	No Variances.
	<b>93,657</b>	<b>78,901</b>	<b>(14,756)</b>	
<b>Benefits Administration</b>				
Employee Costs	1,126,376	1,162,567	36,191	£46,182 Employee inflation. £64,033 Grant and Reserve funded posts. (£80,431) Savings bid COM09. £6,407 Pension adjustments.
Transport Related	944	2,832	1,888	Higher lump sum costs.
Supplies and Services	67,100	56,350	(10,750)	(£11,000) Savings bid COM08. £250 Higher subscriptions costs.
Capital Financing	31,700	31,700	0	No Variances.
Income	(413,215)	(272,366)	140,849	Reduced Admin grant.
	<b>812,905</b>	<b>981,083</b>	<b>168,178</b>	
<b>Community</b>				
Employee Costs	672,285	959,971	287,686	£25,488 Employee inflation. £267,982 Grant and Reserve funded posts. £21,081 Pension adjustments. (£26,865) Savings bid COM09.
Transport Related	11,032	15,713	4,681	Lump sum travelling costs.
Supplies and Services	294,106	124,555	(169,551)	Non-recurring items to offset fixed term contract costs in People Services.
Income	(389,999)	(233,512)	156,487	(£50,000) - Savings bid COM10. (£40,000) Contribution from Primary Care Network. £246,487 Non-recurring items (as above).
Internal Income (Capital Salaries)	(202,500)	(281,360)	(78,860)	Higher costs towards capital salaries.
	<b>384,924</b>	<b>585,367</b>	<b>200,443</b>	
<b>Homelessness</b>				
Premises Costs	132,652	129,928	(2,724)	£1,000 Higher insurance premiums. (£3,724) Savings Bid COM07.
Supplies and Services	1,149,485	949,658	(199,827)	Non-recurring items to offset fixed term contract costs in People Services.
Capital Financing	83,963	83,963	0	No Variances.
Income	(1,580,000)	(1,747,767)	(167,767)	Additional grant income.
	<b>(213,900)</b>	<b>(584,218)</b>	<b>(370,318)</b>	
<b>Housing Options</b>				
Employee Costs	780,481	790,767	10,286	(£900) Savings bid COM07. (£8,158) Employee inflation. £606 Pension adjustments. £18,738 Non-recurring items to offset fixed term contracts in People Services.
Transport Related	6,000	5,000	(1,000)	Savings bid COM07.
Supplies and Services	5,179	4,144	(1,035)	Savings bid COM07.
	<b>791,660</b>	<b>799,911</b>	<b>8,251</b>	
<b>Total People Services</b>	<b>1,869,246</b>	<b>1,861,044</b>	<b>(8,202)</b>	
<b>Total Communities</b>	<b>8,970,653</b>	<b>9,099,398</b>	<b>128,745</b>	

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## Corporate Directorate Base Budget 2025/26

	Base Budget 2024/25 £	Base Budget 2025/26 £	Movement £	Explanation
<b>Communications</b>				
Employee Costs	225,773	236,355	10,582	£9,812 Employee inflation.
Transport Related	2,238	2,238	0	No variances.
Supplies and Services	52,536	52,680	144	No major variances.
Capital Financing	55,954	55,954	0	No variances.
	<b>336,501</b>	<b>347,227</b>	<b>10,726</b>	
<b>Corporate Delivery Unit</b>				
Employee Costs	204,309	169,574	(34,735)	£21,309 Employee inflation. (£53,512) Savings bid CORP04. (£2,532) Pension adjustment.
Transport Related	600	600	0	No variances.
Supplies and Services	2,840	2,840	0	No variances.
	<b>207,749</b>	<b>173,014</b>	<b>(34,735)</b>	
<b>Corporate Leadership Team</b>				
Employee Costs	800,213	807,766	7,553	£17,539 Employee inflation. £4,862 Fixed term contract. (£13,045) Internal transfer. (£1,803) Pension adjustment.
Transport Related	10,575	10,575	0	No variances.
Supplies and Services	14,070	14,070	0	No variances.
	<b>824,858</b>	<b>832,411</b>	<b>7,553</b>	
<b>Customer Services - Corporate</b>				
Employee Costs	904,778	934,118	29,340	£57,132 Employee Inflation. £1,252 Pension adjustment. (£29,044) Complete fixed term contracts.
Transport Related	4,000	4,000	0	No variances.
Supplies and Services	59,032	62,332	3,300	£4,800 Subscription inflation. (£1,500) Internal transfer.
Capital Financing	54,056	54,056	0	No variances.
Income	(17,250)	(17,250)	0	No variances.
	<b>1,004,616</b>	<b>1,037,256</b>	<b>32,640</b>	
<b>Human Resources &amp; Payroll</b>				
Employee Costs	417,616	360,555	(57,061)	£2,090 Employee inflation. (£51,781) Savings bid CORP01. (£7,370) Pension adjustment.
Transport Related	500	500	0	No variances.
Supplies and Services	34,760	26,900	(7,860)	Software saving.
Income	(1,000)	(1,000)	0	No variances.
	<b>451,876</b>	<b>386,955</b>	<b>(64,921)</b>	
<b>Registration Services</b>				
Employee Costs	152,858	159,956	7,098	£6,602 Employee inflation.
Premises Costs	2,600	2,600	0	No variances.
Transport Related	400	400	0	No variances.
Supplies and Services	60,929	62,425	1,496	Printing & postage inflation.
Income	(1,500)	(1,500)	0	No variances.
	<b>215,287</b>	<b>223,881</b>	<b>8,594</b>	
<b>Reprographics</b>				
Employee Costs	4,328	709	(3,619)	£3,603 Pension adjustment.
Transport Related	250	250	0	No variances.
Supplies and Services	35,290	35,290	0	No variances.
Income	(4,000)	(4,000)	0	No variances.
	<b>35,868</b>	<b>32,249</b>	<b>(3,619)</b>	
<b>Tourist Information Centre</b>				
Employee Costs	76,029	0	(76,029)	(£70,406) Savings bid CORP06. (£5,623) Pension adjustment.
Premises Costs	41,367	17,745	(23,622)	(£24,272) Savings bid CORP06.
Transport Related	85	0	(85)	Savings bid CORP06.
Supplies and Services	18,370	330	(18,040)	(£18,370) Savings bid CORP06.
Capital Financing	2,651	2,651	0	No variances.
Income	(30,170)	(10,000)	20,170	Savings bid CORP06.
	<b>108,332</b>	<b>10,726</b>	<b>(97,606)</b>	
<b>Total Corporate</b>	<b>3,185,087</b>	<b>3,043,719</b>	<b>(141,368)</b>	

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## Place And Climate Change Base Budget 2025/26

## Assistant Director - Planning

Service	Base Budget 2024/25 £	Base Budget 2025/26 £	Movement £	Variance Explanation
<b>AD Planning</b>				
Employee Costs	129,430	127,004	(2,426)	£4,200 Employee inflation. (£6,230) Internal transfer.
Transport Related Income	1,325 0	1,325 (10,000)	0 (10,000)	0 No variance. Savings bid PL12.
	<b>130,755</b>	<b>118,329</b>	<b>(12,426)</b>	
<b>Building Control</b>				
Employee Costs	534,796	547,287	12,491	£20,851 Employee inflation. £6,230 Internal transfer. (£2,450) Saving bid PL01. (£12,806) Non recurring employee costs.
Transport Related Supplies and Services Income	22,563 15,940 (487,500)	18,764 14,270 (517,642)	(3,799) (1,670) (30,142)	Savings bid PL01. Savings bid PL01. Savings bid PL02.
	<b>85,799</b>	<b>62,679</b>	<b>(23,120)</b>	
<b>Conservation, Design &amp; Landscape</b>				
Employee Costs	429,634	344,405	(85,229)	£14,094 Employee inflation. (£94,932) Non recurring employee costs. (£6,278) Pension adjustment.
Transport Related Supplies and Services	9,796 14,250	7,909 31,350	(1,887) 17,100	No major variances. £16,000 Internal transfer. £2,000 Contribution inflation.
	<b>453,680</b>	<b>383,664</b>	<b>(70,016)</b>	
<b>Development Management</b>				
Employee Costs	1,504,791	1,428,532	(76,259)	£74,032 Employee inflation. (£87,951) Savings bid PL03. (£61,453) Non recurring employee costs.
Transport Related Supplies and Services	28,124 56,950	26,824 57,750	(1,300) 800	Savings bid PL01. £6,725 Subscription inflation. (£5,925) Savings bid PL01.
Capital Financing Income	76,501 (900,000)	76,501 (1,077,500)	0 (177,500)	0 No variance. (£75,000) Savings bid PL11. (£102,500) Savings identified in 24/25.
	<b>766,366</b>	<b>512,107</b>	<b>(254,259)</b>	
<b>Planning Enforcement Team</b>				
Employee Costs	226,762	202,310	(24,452)	£13,933 Employee inflation. (£26,519) Non recurring employee costs. (£11,000) Savings bid PL03.
Transport Related Supplies and Services	8,650 4,650	7,275 4,650	(1,375) 0	No major variances. 0 No variance.
	<b>240,062</b>	<b>214,235</b>	<b>(25,827)</b>	
<b>Planning Policy</b>				
Employee Costs	415,825	397,744	(18,081)	£15,166 Employee inflation. (£18,500) Savings bids PL01/PL03. (£7,500) Savings identified in 24/25. (£4,745) Pension adjustment. (£2,500) Non recurring employee costs.
Transport Related Supplies and Services	7,106 201,350	7,108 117,200	2 (84,150)	2 No major variances. (£63,000) Non recurring local plan fees. (£16,000) Internal transfer. (£5,150) Savings bid PL01.
	<b>624,281</b>	<b>522,052</b>	<b>(102,229)</b>	

## Place And Climate Change Base Budget 2025/26

## Assistant Director - Planning

Service	Base	Base Budget	Movement	Variance Explanation
	Budget	2025/26		
	2024/25	2025/26		
	£	£	£	
<b>Property Information</b>				
Employee Costs	122,915	131,690	8,775	£8,460 Employee inflation.
Transport Related	100	100	0	No variance.
Supplies and Services	131,210	97,790	(33,420)	(£25,000) Internal transfer (£10,000) Reduced search fees.
Income	(235,950)	(178,450)	57,500	£25,000 Internal transfer £32,500 Reduced income.
	<b>18,275</b>	<b>51,130</b>	<b>32,855</b>	
<b>Total Planning</b>	<b>2,319,218</b>	<b>1,864,196</b>	<b>(455,022)</b>	

## Place And Climate Change Base Budget 2025/26

## Assistant Director - Sustainable Growth

Service	Base Budget 2024/25 £	Base Budget 2025/26 £	Movement £	Variance Explanation
<b>Ad Sustainable Growth</b>				
Employee Costs	92,427	94,934	2,507	£2,277 Employee inflation.
Transport Related	1,944	1,944	0	No variance.
Supplies and Services	200	200	0	No variance.
	<b>94,571</b>	<b>97,078</b>	<b>2,507</b>	
<b>Business Growth Staffing</b>				
Employee Costs	290,110	243,910	(46,200)	£12,961 Employee inflation. (£57,000) Saving bids PL09/PL14.
Transport Related	5,456	5,376	(80)	No major variances.
Supplies and Services	100	100	0	No variance.
Capital Salaries	(3,453)	0	3,453	Non recurring employee costs.
	<b>292,213</b>	<b>249,386</b>	<b>(42,827)</b>	
<b>Coast Protection</b>				
Employee Costs	282,058	356,548	74,490	£68,760 Externally funded posts. £5,730 Pension adjustment.
Premises Costs	156,000	156,038	38	No major variances.
Transport Related	3,194	944	(2,250)	Non recurring costs.
Supplies and Services	85,450	64,950	(20,500)	(£20,000) Saving bid PL04.
Capital Financing	503,880	503,880	0	No variance.
Capital Salaries	0	(331,748)	(331,748)	External funding.
	<b>1,030,582</b>	<b>750,612</b>	<b>(279,970)</b>	
<b>Coastal Management</b>				
Employee Costs	367,437	346,510	(20,927)	£25,172 Externally funded posts. £10,540 Employee inflation. (£51,000) Complete capital salaries. (£3,000) Savings bid PL05.
Transport Related	9,719	11,163	1,444	No major variances.
Supplies and Services	4,620	2,620	(2,000)	Savings bid PL06.
Income	(45,000)	(69,057)	(24,057)	Externally funded posts.
Capital Salaries	(51,000)	0	51,000	Complete capital salaries.
	<b>285,776</b>	<b>291,236</b>	<b>5,460</b>	
<b>Economic Growth</b>				
Employee Costs	2,000	700	(1,300)	No major variances.
Premises Costs	6,490	5,180	(1,310)	No major variances.
Supplies and Services	658,500	49,500	(609,000)	(£597,500) Reduced grant expenditure. (£8,300) Savings bid PL09. (£4,500) Savings identified in 24/25.
Capital Financing	47,792	47,792	0	No variance.
Income	(597,500)	0	597,500	Reduced grant income.
	<b>117,282</b>	<b>103,172</b>	<b>(14,110)</b>	
<b>Environmental Strategy</b>				
Employee Costs	204,714	169,823	(34,891)	£8,081 Employee inflation. £3,014 Externally funded post. (£44,135) Non recurring employee costs.
Transport Related	2,090	1,146	(944)	No major variances.
Supplies and Services	101,050	71,050	(30,000)	Non recurring expenditure.
Income	(10,000)	(42,391)	(32,391)	Externally funded posts.
	<b>297,854</b>	<b>199,628</b>	<b>(98,226)</b>	
<b>Housing Strategy</b>				
Employee Costs	135,546	135,187	(359)	No major variances.
Transport Related	1,644	1,644	0	No variance.
Supplies and Services	21,000	11,000	(10,000)	Savings bid PL10.
Capital Financing	761,647	761,647	0	No variance.
	<b>919,837</b>	<b>909,478</b>	<b>(10,359)</b>	

## Place And Climate Change Base Budget 2025/26

## Assistant Director - Sustainable Growth

Service	Base Budget 2024/25 £	Base Budget 2025/26 £	Movement £	Variance Explanation
<b>Tourism</b>				
Supplies and Services	68,050	56,000	(12,050)	Savings bids PL08/PL09.
	<b>68,050</b>	<b>56,000</b>	<b>(12,050)</b>	
<b>Total Economic Growth</b>	<b>3,106,165</b>	<b>2,656,590</b>	<b>(449,575)</b>	
<b>Total Place and Climate Change</b>	<b>5,425,383</b>	<b>4,520,786</b>	<b>(904,597)</b>	



## Resources Base Budget 2025/26

## Assistant Director Finance Assets and Revenues

Service	Base Budget 2024/25 £	Base Budget 2025/26 £	Movement £	Variance Explanation
<b>Ad Finance, Assets and Revenues</b>				
Employee Costs	81,418	94,103	12,685	£4,681 Inflation, £7,894 Growth related to training, Golden Hello payment and Deputy S151 supplement.
Transport Related	1,219	1,219	0	No variances.
Supplies and Services	110	160	50	Subsistence inflation.
	<b>82,747</b>	<b>95,482</b>	<b>12,735</b>	
<b>Admin Buildings</b>				
Premises Costs	530,115	559,572	29,457	£26,235 Utilities, £3,903 Business Rates, £2,219 Contract & Window Cleaning, £4,500 Tree works/maintenance, and (£7,630) Reduction in insurance premiums.
Supplies and Services	29,315	35,764	6,449	£8,763 Telephone Rental & Maintenance. Transfers of budget £3,534 Engineering insurance from Property Services. (£5,000) Savings bid RES06.
Transfer Payments	154,957	149,849	(5,108)	Reduction in Internal Service Charges (NNDC share of running costs for Fakenham, Cromer and North Walsham).
Capital Financing Income	30,487 (452,007)	30,487 (467,356)	0 (15,349)	No variances. See <b>Note A</b> Below:
	<b>292,867</b>	<b>308,316</b>	<b>15,449</b>	
<b>Note A:</b> (£14,270) Recharge increase to tenants for Electricity, Gas, Water and Insurance. £2,500 Reduction of rental income. Saving bid offered (£8,679) RES06. Transfers of budget £5,108 Reduction in Internal Service Charges (NNDC share of running costs for Fakenham, Cromer and North Walsham).				
<b>Amenity Lighting</b>				
Premises Costs	61,221	43,221	(18,000)	(£8,000) Savings bid RES07. (£10,000) Other savings.
	<b>61,221</b>	<b>43,221</b>	<b>(18,000)</b>	
<b>Benefits Subsidy</b>				
Transfer Payments	18,544,784	20,021,089	1,476,305	Based on mid year estimate of expenditure - subsidy based on 100% including recoverable overpayments.
Income	(18,544,784)	(20,021,089)	(1,476,305)	Based on mid year estimate of expenditure - subsidy based on 100% including recoverable overpayments.
	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Car Parking</b>				
Premises Costs	759,706	771,170	11,464	£5,000 R&M Plant Service Contract, £9,425 Business Rates, £4,729 Electricity, £1,500 tree works/maintenance. (£10,000) Savings bid RES07.
Supplies and Services	350,925	362,425	11,500	£10,600 Management Fee inflation.
Capital Financing Income	55,829 (3,156,799)	55,829 (3,851,874)	0 (695,075)	No variances. See <b>Note A</b> Below:
Internal Income	(20,000)	(10,000)	10,000	Market income transfer reduced to match charge agreed.
	<b>(2,010,339)</b>	<b>(2,672,450)</b>	<b>(662,111)</b>	
<b>Note A:</b> Growth £79,000 prior year saving (Meadow Road expansion) not achievable as capital funds not available. (£20,000) Additional income in relation to Revenue Contribution to Capital Outturn (Weybourne). (£733,000) Savings bids CORP02/CORP03 . Transfer of budget (£21,075) from Other Lettings to increase rental income.				
<b>Central Costs</b>				
Employee Costs	35,500	35,500	0	No variances.
Supplies and Services	15,500	15,500	0	No variances.
	<b>51,000</b>	<b>51,000</b>	<b>0</b>	

	Base Budget 2024/25 £	Base Budget 2025/26 £	Movement £	Variance Explanation
<b>Service</b>				
<b>Chalets/Beach Huts</b>				
Premises Costs	35,758	37,158	1,400	Increase in utility costs.
Supplies and Services	18,700	20,200	1,500	Other professional fees and Marketing increases.
Capital Financing	4,530	4,530	0	No variances.
Income	(323,570)	(332,000)	(8,430)	£8,570 Removal of recharge for Insurance. (£17,000) Rental Income.
	<b>(264,582)</b>	<b>(270,112)</b>	<b>(5,530)</b>	
<b>Community Centres</b>				
Premises Costs	12,670	11,280	(1,390)	Premises insurance decrease.
Capital Financing	1,460	1,460	0	No variances.
	<b>14,130</b>	<b>12,740</b>	<b>(1,390)</b>	
<b>Corporate &amp; Democratic Core</b>				
Employee Costs	0	437	437	Reception cover for full council.
Transport Related	100	100	0	No variances.
Supplies and Services	635,035	491,415	(143,620)	(£150,000) Saving Audit Fees. £6,380 Consultancy and Bank Charges.
	<b>635,135</b>	<b>491,952</b>	<b>(143,183)</b>	
<b>Corporate Finance</b>				
Employee Costs	552,808	581,559	28,751	£33,339 Employee Inflation. (£3,991) Superannuation saving.
Transport Related	1,044	1,044	0	No variances.
Supplies and Services	28,423	32,008	3,585	Budget Transfer £2,261 in relation to Subscriptions from Property Services. Other minor inflation.
Capital Financing	13,631	13,631	0	No variances.
	<b>595,906</b>	<b>628,242</b>	<b>32,336</b>	
<b>Cromer Pier</b>				
Premises Costs	172,000	155,590	(16,410)	(£6,410) Premises Insurance decrease and (£10,000) Savings bid RES07.
Supplies and Services	4,000	21,000	17,000	Growth in relation to Condition Surveys.
Capital Financing	72,849	72,849	0	No variances.
	<b>248,849</b>	<b>249,439</b>	<b>590</b>	
<b>Estates</b>				
Employee Costs	244,102	250,040	5,938	£9,190 Employee Inflation. (£3,252) Pension adjustments.
Premises Costs	6,660	5,840	(820)	Premises insurance.
Transport Related	4,000	4,000	0	No variances.
Supplies and Services	26,000	25,600	(400)	Savings bid RES06.
Income	0	(2,780)	(2,780)	Shared Equity Insurance recharges to tenants.
Capital Salaries	(11,714)	(1,800)	9,914	Reduction in Employee costs charged to Capital Projects.
	<b>269,048</b>	<b>280,900</b>	<b>11,852</b>	
<b>Industrial Estates</b>				
Premises Costs	29,126	34,519	5,393	£3,630 Premises Insurance increase. £1,500 tree works/maintenance.
Supplies and Services	0	0	0	No variances.
Capital Financing	24,189	24,189	0	No variances.
Income	(218,006)	(236,353)	(18,347)	(£7,500) Rental income, (£3,352) Increased recharges to tenants for insurance and (£7,445) Savings bid RES06.
	<b>(164,691)</b>	<b>(177,645)</b>	<b>(12,954)</b>	

	Base Budget 2024/25	Base Budget 2025/26	Movement	Variance Explanation
Service	£	£	£	
<b>Insurance &amp; Risk Management</b>				
Employee Costs	50,350	58,150	7,800	£5,880 Employers Liability and £1,550 Fidelity Guarantee increased costs.
Premises Costs	310	0	(310)	Removal of Premises Insurance - Consequential Loss
Transport Related	9,210	11,670	2,460	Vehicle Insurance increase.
Supplies and Services	143,070	154,010	10,940	£13,680 Public Liability increase, (£2,070) All Risks Insurance decrease.
	<b>202,940</b>	<b>223,830</b>	<b>20,890</b>	
<b>Internal Audit</b>				
Supplies and Services	88,200	90,846	2,646	Audit Fee increase.
	<b>88,200</b>	<b>90,846</b>	<b>2,646</b>	
<b>Investment Properties</b>				
Premises Costs	211,321	216,396	5,075	See <b>Note A</b> Below:
Supplies and Services	2,219	2,079	(140)	Budget Transfers in relation to: (£700) to Premises costs and £464 Engineering insurance from Property Services. Minor inflation.
Capital Financing	111,696	111,696	0	No variances.
Income	(289,799)	(221,927)	67,872	See <b>Note B</b> Below:
	<b>35,437</b>	<b>108,244</b>	<b>72,807</b>	
<b>Note A:</b> £10,153 Electricity, £1,500 tree works/maintenance, Premises Insurance (£9,780) decrease, Other minor inflation £2,708 and (£206) Savings bid RES06 . Budget Transfer of £700 from Supplies and Services.				
<b>Note B:</b> Transfer of budget £21,075 to Car Parking rental income (in-line with where actuals are being posted). £32,528 Service Charge Income reduced for Rocket House (25/26 only) due to repair works. £8,663 Permanent Growth in relation to Rental Income. (£2,133) Increase in Internal Service Charges (NNDC share of running costs for Public Conveniences). £9,290 Decreased insurance charges to tenants and (£1,551) increased service charge income.				
<b>Non Distributed Costs</b>				
Employee Costs	268,000	276,280	8,280	3% increase.
IAS 19 Adjustment	(268,000)	(276,280)	(8,280)	Pension adjustment.
	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Playgrounds</b>				
Premises Costs	29,660	31,450	1,790	£1,500 tree works/maintenance. Minor inflation in relation to Grounds Maintenance and Premises Insurance.
Supplies and Services	63,500	63,237	(263)	Savings bid RES08.
	<b>93,160</b>	<b>94,687</b>	<b>1,527</b>	
<b>Poppyfields</b>				
Premises Costs	3,425	3,425	0	No variances.
Supplies and Services	20,100	20,100	0	No variances.
	<b>23,525</b>	<b>23,525</b>	<b>0</b>	
<b>Property Services</b>				
Employee Costs	638,005	597,381	(40,624)	See <b>Note A</b> Below:
Premises Costs	1,820	2,040	220	Insurance Inflation.
Transport Related	28,342	29,850	1,508	(£4,434) Permanent savings identified in 2024/25. £5,942 Car Lease payment.
Supplies and Services	34,131	20,261	(13,870)	(£8,840) Engineering Insurance transferred to various budgets. (£2,261) Subscription budget transferred to Accountancy. (£3,000) Savings bid RES08.
Capital Financing	16,354	16,354	0	No variances.
	<b>718,652</b>	<b>665,886</b>	<b>(52,766)</b>	

**Note A:** (£49,762) Permanent savings identified in 2024/25. (£4,532) Savings standby payments. (£8,600) Savings bid RES08. £25,542 Employee Inflation. (£3,272) Pension adjustment.

<b>Service</b>	<b>Base Budget 2024/25 £</b>	<b>Base Budget 2025/26 £</b>	<b>Movement £</b>	<b>Variance Explanation</b>
<b>Public Conveniences</b>				
Premises Costs	759,501	757,590	(1,911)	See <b>Note A</b> Below:
Supplies and Services	41,000	41,100	100	Cleansing Contract Inflation.
Transfer Payments	15,091	17,224	2,133	Increase in Internal Service Charges to Rocket House toilets.
Capital Financing	139,989	139,989	0	No variances.
Income	(8,000)	0	8,000	One off additional income for 24/25 removed for future years.
	<b>947,581</b>	<b>955,903</b>	<b>8,322</b>	
<b>Note A:</b>	£34,080 Rent/Hire of Buildings (Weybourne toilets), £12,340 Electricity, £5,715 Contract Cleaning, (£4,770) reduction in Insurance Premiums. (£50,000) Savings bids RES07/RES13.			
<b>Revenue Services</b>				
Employee Costs	946,779	1,014,776	67,997	See <b>Note A</b> Below:
Transport Related	900	1,844	944	Lump sum travelling allowance.
Supplies and Services	176,573	183,173	6,600	Inflation in relation to: £4,500 Postage Direct Costs and £2,000 Annual Billing.
Income	(454,130)	(454,130)	0	No variances.
	<b>670,122</b>	<b>745,663</b>	<b>75,541</b>	
<b>Note A:</b>	£60,961 Employee Inflation. £40,007 Permanent Growth as a result of Empty Homes & Revenue Generation Officer post being made permanent in 24/25. (£35,980) Net movement of posts funded by reserves. £3,009 Pension adjustment.			
<b>Surveyors Allotments</b>				
Premises Costs	5,000	6,500	1,500	Growth in relation to tree works/maintenance.
Income	(50)	(50)	0	No variances.
	<b>4,950</b>	<b>6,450</b>	<b>1,500</b>	
<b>Total Finance, Assets and Revenues</b>	<b>2,595,858</b>	<b>1,956,119</b>	<b>(639,739)</b>	

## Resources Base Budget 2025/26

## Assistant Director Legal and Governance

Service	Base Budget 2024/25 £	Base Budget 2025/26 £	Movement £	Variance Explanation
<b>Ad Legal and Governance</b>				
Employee Costs	102,287	104,960	2,673	Employee Inflation. £251 Pension adjustment.
Transport Related	2,194	2,194	0	No variances.
Supplies and Services	800	800	0	No variances.
	<b>105,281</b>	<b>107,954</b>	<b>2,673</b>	
<b>It - Support Services</b>				
Employee Costs	1,122,986	1,100,848	(22,138)	See <b>Note A</b> Below:
Transport Related	800	800	0	No variances.
Supplies and Services	1,039,761	1,018,634	(21,127)	See <b>Note B</b> Below:
Capital Financing	206,587	206,587	0	No variances.
	<b>2,370,134</b>	<b>2,326,869</b>	<b>(43,265)</b>	
<b>Note A:</b> £37,174 Employee Inflation. (£18,263) Net movement of posts funded by reserves. (£7,722) Reduction of costs in relation to Fixed Term Contracts. (£2,265) Pension adjustments. (£35,062) Savings bids RES03/RES04. Transfer of budget £4,000 from Supplies and Services.				
<b>Note B:</b> £34,933 Software. Transfer of budget (£4,000) to Employee Costs. £2,500 Growth in relation to unachievable saving in 24/25 due to statutory requirements. (£55,200) Savings bids RES05/RES10/RES12.				
<b>Legal Services</b>				
Employee Costs	470,954	565,582	94,628	£24,711 Employee Inflation. £1,986 Supplements payable. £56,460 One off Growth for fixed term Local Government Lawyer. £4,579 Fixed Term post funded by reserves. £6,892 Pension adjustment.
Transport Related	3,588	3,588	0	No variances.
Supplies and Services	79,810	79,810	0	No variances.
Income	(50,000)	(55,000)	(5,000)	Savings bid RES01.
	<b>504,352</b>	<b>593,980</b>	<b>89,628</b>	
<b>Members Services</b>				
Employee Costs	191,420	223,125	31,705	£33,527 Employee Inflation. (£2,500) Savings bid RES02. £678 Pension adjustment.
Transport Related	7,981	7,981	0	No variances.
Supplies and Services	409,805	406,967	(2,838)	£4,162 Members Basis Allowance. (£6,500) Savings bids RES02 and (£500) PL13.
	<b>609,206</b>	<b>638,073</b>	<b>28,867</b>	
<b>Total Legal and Governance</b>	<b>3,588,973</b>	<b>3,666,876</b>	<b>77,903</b>	
<b>Total Resources</b>	<b>6,184,831</b>	<b>5,622,995</b>	<b>(561,836)</b>	

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## Capital Programme - Budget Monitoring 2024/25

Scheme	Scheme Total Approval	Pre 2024/25 Expenditure	Updated Budget		Actual Expenditure	Remaining Budget (Forecasted YE Spend) 2024/25	Budget	Budget	Budget	Budget	Budget
			2024/25	2024/25			2025/26	2026/27	2027/28	2028/29	2029/30
	£	£	£	£	£	£	£	£	£	£	£
<b>Our Greener Future</b>											
Cromer Offices LED Lighting Programme	172,000	62,879	109,121	0	109,121	0	0	0	0	0	0
Cromer Coast Protection Scheme	18,469,916	8,220,258	10,249,658	9,936,782	312,877	0	0	0	0	0	0
Coastal Erosion Assistance (Grants)	90,000	62,069	27,931	14,595	13,336	0	0	0	0	0	0
Coastal Adaptations (Cliff Protection)	247,493	2,503	244,990	0	244,990	0	0	0	0	0	0
Mundesley Coastal Management Scheme	9,881,227	2,080,964	7,637,263	3,982,515	3,654,748	163,000	0	0	0	0	0
Coastal Management Fund	950,000	108,250	341,750	0	341,750	250,000	250,000	0	0	0	0
Coastwise	14,609,914	176,834	2,702,403	409,211	2,293,192	5,583,051	6,147,712	0	0	0	0
Purchase of Bins	600,000	Annual Programme	146,285	48,450	97,835	150,000	150,000	150,000	0	0	0
Electric Vehicle Charging Points	248,600	215,283	33,317	0	33,317	0	0	0	0	0	0
The Reef Solar Carport	596,000	530,820	65,180	0	65,180	0	0	0	0	0	0
Holt Country Park Electricity Improvements	400,000	0	400,000	139,061	260,939	0	0	0	0	0	0
Solar PV Panels at Victory Swim and Fitness Centre	200,000	6,713	193,288	168,502	24,786	0	0	0	0	0	0
Public Conveniences Energy Efficiencies	150,000	0	150,000	1,281	148,719	0	0	0	0	0	0
Coastal Defences	600,000	0	150,000	78,416	71,584	150,000	150,000	150,000	0	0	0
			<b>22,451,187</b>	<b>14,778,813</b>	<b>7,672,374</b>	<b>6,296,051</b>	<b>6,697,712</b>	<b>300,000</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Capital Programme - Budget Monitoring 2024/25

Scheme	Scheme Total Approval £	Pre 2024/25 Expenditure £	Updated Budget	Actual Expenditure	Remaining Budget (Forecasted YE Spend)	Budget	Budget	Budget	Budget	Budget
			2024/25 £	2024/25 £	2024/25 £	2025/26 £	2026/27 £	2027/28 £	2028/29 £	2029/30 £
<b>Developing Our Communities</b>										
Public Conveniences (Fakenham & Wells)	986,963	966,963	20,000	1,508	18,492	0	0	0	0	0
Public Conveniences (Sheringham & North Walsham)	545,514	439,772	105,742	83,129	22,614	0	0	0	0	0
Public Conveniences - Albert Street, Holt	332,552	11,572	320,979	219,936	101,043	0	0	0	0	0
Countryside Machinery	38,465	36,508	1,957	0	1,957	0	0	0	0	0
Cromer Pier - Steelworks and Improvements to Pavilion Theatre	1,134,000	857,742	276,258	146,993	129,265	0	0	0	0	0
3G Facilities	860,000	12,432	847,568	0	847,568	0	0	0	0	0
Cromer 3G Football Facility	1,000,000	4,725	995,275	16,001	979,274	0	0	0	0	0
The Reef Leisure Centre	12,861,000	12,598,276	262,724	9,901	252,823	0	0	0	0	0
Green Road Football Facility (North Walsham)	60,000	9,777	50,223	0	50,223	0	0	0	0	0
New Play Area (Sheringham, The Lees)	65,000	0	65,000	48,571	16,429	0	0	0	0	0
Fakenham Leisure and Sports Hub (FLASH)	10,850,000	87,362	2,553,638	366,157	2,187,481	8,209,000	0	0	0	0
Back Stage Refurbishment - Pier Pavilion Theatre	405,000	0	405,000	17,256	387,744	0	0	0	0	0
Holt Country Park Staff Facilities	93,500	0	93,500	75,510	17,990	0	0	0	0	0
Cromer Church Wall	50,000	0	50,000	0	50,000	0	0	0	0	0
Cabbell Park Clubhouse	237,000	0	237,000	0	237,000	0	0	0	0	0
			<b>6,284,864</b>	<b>984,962</b>	<b>5,299,902</b>	<b>8,209,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



### Capital Programme - Budget Monitoring 2024/25

Scheme	Scheme Total Approval	Pre 2024/25 Expenditure	Updated Budget		Remaining Budget (Forecasted YE Spend)	Budget	Budget	Budget	Budget	Budget
			2024/25	2024/25	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
	£	£	£	£	£	£	£	£	£	£
<b>Meeting Our Housing Needs</b>										
Disabled Facilities Grants	1,475,730	Annual Programme	1,875,730	1,016,012	859,718	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000
Compulsory Purchase of Long-Term Empty Properties	930,000	500,528	429,472	45,637	383,835	0	0	0	0	0
Community Housing Fund (Grants to Housing Providers)	1,653,373	1,425,212	228,161	0	228,161	0	0	0	0	0
Provision of Temporary Accommodation	4,846,584	4,268,277	578,307	490,045	88,262	0	0	0	0	0
Housing S106 Enabling	2,500,000	836,000	1,064,000	150,000	914,000	300,000	300,000	0	0	0
Loans to Housing Providers	600,000	260,000	340,000	0	340,000	0	0	0	0	0
Local Authority Housing Fund	1,040,000	728,000	312,000	312,000	0	0	0	0	0	0
			<b>4,827,670</b>	<b>2,013,694</b>	<b>2,813,977</b>	<b>1,700,000</b>	<b>1,700,000</b>	<b>1,400,000</b>	<b>1,400,000</b>	<b>1,400,000</b>

## Capital Programme - Budget Monitoring 2024/25

Scheme	Scheme Total Approval	Pre 2024/25 Expenditure	Updated Budget		Actual Expenditure	Remaining Budget (Forecasted YE Spend) 2024/25	Budget 2025/26	Budget 2026/27	Budget 2027/28	Budget 2028/29	Budget 2029/30
			2024/25	2024/25							
	£	£	£	£	£	£	£	£	£	£	£
<b>Investing In Our Local Economy And Infrastructure</b>											
Sheringham Enabling Land	110,000	31,536	78,464	0	78,464	0	0	0	0	0	0
Rocket House	1,077,085	62,691	1,014,394	47,960	966,434	0	0	0	0	0	
Fakenham Connect/Crinkle Crankle Wall	297,337	291,737	5,600	1,652	3,948	0	0	0	0	0	
North Walsham Heritage Action Zone	4,034,457	3,879,303	155,154	5,721	149,433	0	0	0	0	0	
Fakenham Urban Extension	1,800,000	218,538	1,581,462	1,581,462	0	0	0	0	0	0	
Property Acquisitions	710,000	5,216	704,784	3,825	700,959	0	0	0	0	0	
Chalet Refurbishment	125,000	72	124,928	0	124,928	0	0	0	0	0	
Marrams Building Renovation	50,000	1,675	48,325	0	48,325	0	0	0	0	0	
Car Parks Refurbishment	601,000	78,665	252,335	50,426	201,908	210,000	60,000	0	0	0	
Marrams Footpath and Lighting	50,000	275	49,725	52,352	(2,627)	0	0	0	0	0	
Asset Roof Replacements (Art Deco Block, Red Lion Retail Unit, Sheringham Chalet's)	175,000	37,887	137,113	37,251	99,862	0	0	0	0	0	
UK Shared Prosperity Fund	404,459	165,826	238,633	231,806	6,827	0	0	0	0	0	
Rural England Prosperity Fund	1,457,848	364,463	1,093,385	1,093,388	(3)	0	0	0	0	0	
New Fire Alarm and Fire Doors in Cromer Offices	150,000	115,638	34,362	33,088	1,275	0	0	0	0	0	
West Prom Sheringham, Lighting & Cliff Railings	55,000	0	55,000	0	55,000	0	0	0	0	0	
The Lees Walkway and Structural Works	34,258	534	33,723	43,288	(9,564)	0	0	0	0	0	
Collectors Cabin Roof	30,000	0	30,000	0	30,000	0	0	0	0	0	
			<b>5,637,387</b>	<b>3,182,218</b>	<b>2,455,169</b>	<b>210,000</b>	<b>60,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	

### Capital Programme - Budget Monitoring 2024/25

Scheme	Scheme Total Approval £	Pre 2024/25 Expenditure £	Updated Budget	Actual Expenditure	Remaining Budget (Forecasted YE Spend)	Budget	Budget	Budget	Budget	Budget
			2024/25 £	2024/25 £	2024/25 £	2025/26 £	2026/27 £	2027/28 £	2028/29 £	2029/30 £
<b>A Strong, Responsible And Accountable Council</b>										
User IT Hardware Refresh	300,000	Annual Programme	82,138	1,873	80,264	60,000	60,000	0	0	0
Backup Network Upgrade	14,000	0	14,000	0	14,000	0	0	0	0	0
Financial Management System	295,000	291,966	3,034	0	3,034	0	0	0	0	0
Server Replacement	100,000	43,673	56,327	0	56,327	0	0	0	0	0
New Revenues and Benefits System	200,720	0	98,720	0	98,720	102,000	0	0	0	0
Replacement Storage Hardware	150,000	0	150,000	131,159	18,841	0	0	0	0	0
Customer Services C3 Software	23,400	0	23,400	0	23,400	0	0	0	0	0
			<b>427,619</b>	<b>133,032</b>	<b>294,587</b>	<b>162,000</b>	<b>60,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Totals</b>			<b>39,628,727</b>	<b>21,092,719</b>	<b>18,536,008</b>	<b>16,577,051</b>	<b>8,517,712</b>	<b>1,700,000</b>	<b>1,400,000</b>	<b>1,400,000</b>

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2024/25 Capital Programme Financing Table	Budget 2024/25	Actual 2024/25	Remaining Budget 2024/25	Budget 2025/26	Budget 2026/27	Budget 2027/28	Budget 2028/29	Budget 2029/30
Grants	27,630,458	18,120,357	9,510,101	14,373,328	7,147,712	1,000,000	1,000,000	1,000,000
Other Contributions	2,127,014	901,265	1,225,749	718,723	300,000	0	0	0
Reserves	2,447,783	963,949	1,483,833	0	0	0	0	0
Revenue Contribution to Capital (RCCO)	0	0	0	0	0	0	0	0
Capital receipts	3,394,654	509,412	2,885,242	712,000	610,000	300,000	0	0
Borrowing	4,028,818	597,737	3,431,082	773,000	460,000	400,000	400,000	400,000
<b>Total</b>	<b>39,628,727</b>	<b>21,092,719</b>	<b>18,536,008</b>	<b>16,577,051</b>	<b>8,517,712</b>	<b>1,700,000</b>	<b>1,400,000</b>	<b>1,400,000</b>

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## Reserves Statement 2025/26 Onwards

Reserve	Purpose and Use of Reserve	Balance 01/04/22 £	Outturn Movement 2022/23 £	Balance 01/04/23 £	Outturn Movement 2023/24 £	Balance 01/04/24 £	Budgeted Movement 2024/25 £	Forecast Balance 01/04/25 £	Budgeted Movement 2025/26 £	Balance 01/04/26 £	Budgeted Movement 2026/27 £	Balance 01/04/27 £	Budgeted Movement 2027/28 £	Balance 01/04/28 £	Budgeted Movement 2028/29 £	Balance 01/04/29 £
<b>General Fund - General Reserve</b>	A working balance and contingency, current recommended balance is £2.1 million.	<b>3,276,687</b>	(161,864)	<b>3,114,823</b>	<b>(891,501)</b>	<b>2,223,322</b>	(4,043)	<b>2,219,279</b>	(7,992)	<b>2,211,287</b>	0	<b>2,211,287</b>	0	<b>2,211,287</b>	0	<b>2,211,287</b>
<b>Earmarked Reserves:</b>																
Capital Projects	To provide funding for capital developments and purchase of major assets.	<b>555,618</b>	0	<b>555,618</b>	<b>(70,910)</b>	<b>484,708</b>	(484,708)	<b>0</b>	0	<b>0</b>	0	<b>0</b>	0	<b>0</b>	0	<b>0</b>
Asset Management	To support improvements to our existing assets as identified through the Asset Management Plan.	<b>882,030</b>	(35,923)	<b>846,107</b>	<b>(243,732)</b>	<b>602,375</b>	(310,033)	<b>292,342</b>	0	<b>292,342</b>	0	<b>292,342</b>	0	<b>292,342</b>	0	<b>292,342</b>
Benefits	To be used to mitigate any claw back by the Department of Works and Pensions following final subsidy determination. Timing of the use will depend on audited subsidy claims. Also included in this allocation are service specific grants for service improvements that have not yet been offset by expenditure.	<b>749,248</b>	(23,426)	<b>725,822</b>	<b>0</b>	<b>725,822</b>	(46,622)	<b>679,200</b>	(51,567)	<b>627,633</b>	0	<b>627,633</b>	0	<b>627,633</b>	0	<b>627,633</b>
Building Control	Building Control surplus ring-fenced to cover any future deficits in the service.	<b>224,115</b>	0	<b>224,115</b>	<b>(78,316)</b>	<b>145,799</b>	(122,542)	<b>23,257</b>	(19,874)	<b>3,383</b>	0	<b>3,383</b>	0	<b>3,383</b>	0	<b>3,383</b>
Business Rates	To be used for the support of local businesses and to mitigate impact of final claims and appeals in relation to business rates retention scheme.	<b>3,516,233</b>	(1,687,078)	<b>1,829,155</b>	<b>(1,190,780)</b>	<b>638,375</b>	(18,000)	<b>620,375</b>	(18,000)	<b>602,375</b>	(18,000)	<b>584,375</b>	(18,000)	<b>566,375</b>	(18,000)	<b>548,375</b>
Coast Protection	To support the ongoing coast protection maintenance programme and carry forward funding between financial years.	<b>299,889</b>	166,400	<b>466,288</b>	<b>(224,754)</b>	<b>241,534</b>	(265,738)	<b>(24,204)</b>	0	<b>(24,204)</b>	0	<b>(24,204)</b>	0	<b>(24,204)</b>	0	<b>(24,204)</b>
Communities	To support projects that communities identify where they will make a difference to the economic and social wellbeing of the area.	<b>569,776</b>	(163,226)	<b>406,550</b>	<b>(106,059)</b>	<b>300,491</b>	(131,550)	<b>168,941</b>	0	<b>168,941</b>	0	<b>168,941</b>	0	<b>168,941</b>	0	<b>168,941</b>
Delivery Plan	To help achieve the outputs from the Corporate Plan and Delivery Plan.	<b>4,326,421</b>	(1,202,392)	<b>3,124,029</b>	<b>(902,928)</b>	<b>2,221,101</b>	(1,898,768)	<b>322,333</b>	(80,000)	<b>242,333</b>	0	<b>242,333</b>	0	<b>242,333</b>	0	<b>242,333</b>
Economic Development and Regeneration	Earmarked from previous underspends within Economic Development and Regeneration Budgets.	<b>197,621</b>	34,800	<b>232,421</b>	<b>(54,095)</b>	<b>178,326</b>	(10,000)	<b>168,326</b>	0	<b>168,326</b>	0	<b>168,326</b>	0	<b>168,326</b>	0	<b>168,326</b>
Election Reserve	Established to meet costs associated with district council elections, to smooth the impact between financial years.	<b>103,000</b>	83,015	<b>186,015</b>	<b>(123,015)</b>	<b>63,000</b>	60,000	<b>123,000</b>	60,000	<b>183,000</b>	60,000	<b>243,000</b>	60,000	<b>303,000</b>	60,000	<b>363,000</b>
Enforcement Works	Established to meet costs associated with district council enforcement works including buildings at risk.	<b>90,125</b>	(29,635)	<b>60,490</b>	<b>(14,528)</b>	<b>45,962</b>	0	<b>45,962</b>	0	<b>45,962</b>	0	<b>45,962</b>	0	<b>45,962</b>	0	<b>45,962</b>
Environmental Health	Earmarking of previous underspends and additional income to meet Environmental Health initiatives.	<b>311,193</b>	183,283	<b>494,476</b>	<b>520,798</b>	<b>1,015,274</b>	0	<b>1,015,274</b>	0	<b>1,015,274</b>	0	<b>1,015,274</b>	0	<b>1,015,274</b>	0	<b>1,015,274</b>
Environment Reserve	To fund expenditure relating to the Council's Green Agenda.	<b>150,000</b>	0	<b>150,000</b>	<b>0</b>	<b>150,000</b>	0	<b>150,000</b>	0	<b>150,000</b>	0	<b>150,000</b>	0	<b>150,000</b>	0	<b>150,000</b>
Grants	Revenue Grants received and due to timing issues not used in the year.	<b>2,357,656</b>	262,700	<b>2,620,356</b>	<b>66,340</b>	<b>2,686,696</b>	(77,969)	<b>2,608,727</b>	(85,159)	<b>2,523,568</b>	(49,148)	<b>2,474,420</b>	(19,780)	<b>2,454,640</b>	(9,020)	<b>2,445,620</b>
Housing	Previously earmarked for stock condition survey and housing needs assessment. Also now contains the balance of the Housing Community Grant funding received in 2016/17.	<b>2,107,358</b>	166,678	<b>2,274,036</b>	<b>(851,588)</b>	<b>1,422,448</b>	(356,479)	<b>1,065,969</b>	(56,299)	<b>1,009,670</b>	(57,406)	<b>952,264</b>	(58,535)	<b>893,729</b>	0	<b>893,729</b>
Innovation Fund	Contract default payments earmarked to fund service improvement projects.	<b>0</b>	0	<b>0</b>	<b>0</b>	<b>0</b>	0	<b>0</b>	0	<b>0</b>	0	<b>0</b>	0	<b>0</b>	0	<b>0</b>

## Reserves Statement 2025/26 Onwards

Reserve	Purpose and Use of Reserve	Balance	Outturn	Balance	Outturn	Balance	Budgeted	Forecast	Budgeted	Balance	Budgeted	Balance	Budgeted	Balance	Budgeted	
		01/04/22	Movement	01/04/23	Movement	01/04/24	Movement	Movement	Balance	Movement	01/04/26	Movement	01/04/27	Movement	01/04/28	Movement
		£	£	£	£	£	£	£	£	£	£	£	£	£	£	
Land Charges	To mitigate the impact of potential income reductions.	339,152	0	339,152	0	339,152	(89,100)	250,052	0	250,052	0	250,052	0	250,052	0	250,052
Legal	One off funding for Compulsory Purchase Order (CPO) work and East Law Surplus.	124,323	(30,871)	93,452	(4,538)	88,914	(36,000)	52,914	(4,579)	48,335	0	48,335	0	48,335	0	48,335
Major Repairs Reserve	To provide provision for the repair and maintenance of the councils asset portfolio.	329,207	258,772	587,979	(130,000)	457,979	(55,600)	402,379	0	402,379	0	402,379	0	402,379	0	402,379
Net Zero Initiatives	to support the Councils Net Zero programme	0	500,000	500,000	(28,143)	471,857	(22,000)	449,857	(300,000)	149,857	0	149,857	0	149,857	0	149,857
New Homes Bonus (NHB)	Established for supporting communities with future growth and development and Plan review*	222,543	0	222,543	(76,394)	146,149	(150,000)	(3,851)	(83,763)	(87,614)	0	(87,614)	0	(87,614)	0	(87,614)
Organisational Development	To provide funding for organisation development to create capacity within the organisation, including the provision and support for apprenticeships and internships.	173,097	(17,873)	155,224	(43,003)	112,221	(26,123)	86,098	0	86,098	0	86,098	0	86,098	0	86,098
Pathfinder	To help Coastal Communities adapt to coastal changes.	89,566	0	89,566	0	89,566	0	89,566	0	89,566	0	89,566	0	89,566	0	89,566
Planning	Additional Planning income earmarked for Planning initiatives including Plan Review.	217,926	198,965	416,891	(128,965)	287,926	(37,300)	250,626	46,763	297,389	50,000	347,389	50,000	397,389	50,000	447,389
Restructuring & Investment to Save Proposals	To fund one-off redundancy and pension strain costs and invest to save initiatives. Transfers from this reserve will be allocated against business cases as they are approved. Timing of the use of this reserve will depend on when business cases are approved.	898,995	(234,987)	664,008	53,043	717,051	(45,456)	671,595	0	671,595	0	671,595	0	671,595	0	671,595
Treasury	To smooth impacts on the Revenue account of movement in fair value changes of the Councils holdings in Pooled Funds	500,000	0	500,000	(200,000)	300,000	(300,000)	0	0	0	0	0	0	0	0	0
<b>Total Reserves</b>		<b>22,611,779</b>	<b>(1,732,663)</b>	<b>20,879,116</b>	<b>(4,723,068)</b>	<b>16,156,048</b>	<b>(4,428,031)</b>	<b>11,728,018</b>	<b>(600,470)</b>	<b>11,127,548</b>	<b>(14,554)</b>	<b>11,112,994</b>	<b>13,685</b>	<b>11,126,679</b>	<b>82,980</b>	<b>11,209,659</b>

NB: Due to Continuing work on the Statement of Accounts 2023/24 the 2023/24 Reserve position may be subject to change

Capital Bids 2025/26								
Scheme	Total Scheme Cost	Budget 2025/26	Budget 2026/27	Budget 2027/28	Budget 2028/29	Budget 2029/30	Additional Revenue Budget Implications	Description
	£	£	£	£	£	£	£	
<b>Our Greener Future</b>								
Fakenham Sports Centre Decarbonisation	514,300	171,400	342,900	0	0	0	Borrowing costs	Decarbonisation & energy saving measures to the Fakenham Sports Centre including: - Air source heat pump (£275k). - Solar panels (£100k). - General improvements (e.g. control valves on radiators, louvres in sports hall & sealing external doors - £50k). These works will contribute in meeting the Council's Net Zero target by 2030.
<b>Developing Our Communities</b>								
Itteringham Shop Roof Renovation	20,000	20,000	0	0	0	0		The Council owns the Itteringham Community Shop. It is a listed building. As a landlord to a community group who run the premises as a shop and post office the Council has an obligation to maintain the building. The roof needs renovating to address leaking and damp issues and the work will reduce need to carry out ongoing repairs and maintenance.
Holt County Park Septic Tank	30,000	30,000	0	0	0	0		Increasing use of Holt County Park is resulting in some adverse consequences one of which is that the septic tank for the toilets appears to too small to cope with the increase in the toilet use as it needs to be emptied more frequently and becomes blocked more regularly. The tank will be inspected to identify if it is no longer fit for purpose. This bid is to install a new septic tank if required.
Public Conveniences Renovation, Holt Country Park	50,000	50,000	0	0	0	0		Now that a mains power supply is being installed it provides the opportunity to refurbish and improve the existing public conveniences by: - Replacing the roof, guttering and fascia. - Insulating the ceilings and walls to improve the energy efficiency. - Installing light tunnels to increase the amount of natural light. - Installing LED fittings with motion sensors to improve the energy efficiency. - Installing energy efficient hand dryers.
<b>Meeting our Housing Needs</b>								
Council Owned Temporary Accommodation	1,400,000	1,400,000	0	0	0	0	£17k annual running costs (£36k) annual rental income. (£19k net).  Borrowing costs	The Council owns 25 properties which are used for temporary accommodation. This funding would enable the Council to acquire more properties. Assuming an average cost of £280k per property then 5 further properties could be bought for the £1.4m investment. This approach to providing TA is a cheaper option than placing families in B&B accommodation and so helps to reduce the costs of providing TA. The number of people presenting as homeless continues to increase annually and with further government regulation being proposed for the private rent sector, it is anticipated this will lead to an increase in homeless families and individuals.
<b>Investing In Our Local Economy And Infrastructure</b>								
Path, Lighting and Railings Replacement, Marrams Pathway, Cromer	240,000	240,000	0	0	0	0		This current work on the Marrams footpath and footway lighting could be extended to replace the rest of the footpath slabs with tarmac and the footway lighting to improve safety if funding is made available. It is proposed that the funding would also cover the replacement of the handrails along sections of this well-used pathway.
Sunken Gardens Improvements, Marrams, Cromer	150,000	150,000	0	0	0	0	Revenue budget would be required to maintain water features.	The Marrams Sunken Gardens in Cromer are currently in a state of disrepair and something needs to be done with the area. The scheme is to redesign of the sunken gardens as there are several issues to be addressed namely: - The single brick wall along the pathway is becoming unsafe and needs rebuilding properly. - The water features in the gardens no longer function. Rainwater is accumulating and stagnating. Vermin are becoming a problem in the gardens. It is proposed the gardens are either removed or redesigned. - The walkway through the gardens needs replacing as it has become a high trip risk and complaints/insurance claims have been received for these pathways.

Scheme	Total Scheme Cost £	Budget 2025/26 £	Budget 2026/27 £	Budget 2027/28 £	Budget 2028/29 £	Budget 2029/30 £	Additional Revenue Budget Implications £	Description
Weybourne Car Park Improvements	20,000	20,000	0	0	0	0	Increased car parking income for Weybourne.	This will deliver improvements to Weybourne car park by widening the access, installing access barriers and putting fencing around the car parking which doesn't currently exist. A Traffic Regulation Order will also be requested to restrict vehicles parking on the lower end of Beach Road. This will generate additional revenue income for the Council and improve traffic flow.
<b>A Strong, Responsible And Accountable Council</b>								
Property Services Asset Management Database	30,000	30,000	0	0	0	0	£2k additional software budget required for annual fees.	The current contract for the Property Services asset management database will expire at the end of June 2025. A new system needs to be procured and it is estimated that it will cost £30k to purchase and implement a new system. The system is required to record compliance works, servicing, construction works, to hold historic and live information for all of the Council's assets, to hold information about lease agreements and land ownership and to hold Corporate Health & Safety information etc.
Replacement of Uninterruptible Power Supply	40,000	40,000	0	0	0	0		The current two uninterruptible power supplies are reaching end of life (20 years old) and require replacing to prevent future large-scale IT issues during power outages (such as mass data corruption). The bid is to replace the dual uninterruptible power supply to run the entire server room should there be a power outage.
<b>Expenditure Totals</b>	<b>2,494,300</b>	<b>2,151,400</b>	<b>342,900</b>	<b>0</b>	<b>0</b>	<b>0</b>		

<b>Financing</b>					
	Budget 2025/26 £	Budget 2026/27 £	Budget 2027/28 £	Budget 2028/29 £	Budget 2029/30 £
Grants	150,000	0	0	0	0
Other Contributions	80,000	0	0	0	0
Reserves	21,400	278,600	0	0	0
Revenue Contribution	20,000	0	0	0	0
Capital Receipts	90,000	0	0	0	0
Internal / External Borrowing	1,790,000	64,300	0	0	0
<b>TOTAL FINANCING</b>	<b>2,151,400</b>	<b>342,900</b>	<b>0</b>	<b>0</b>	<b>0</b>



xref	Asst Director	Service Area	Savings Title	Brief Outline of Saving/Additional Income (where applicable)	Saving(S) /Income(I)	Permanent (P) /One off (O)	2025/26 Savings /Income	2026/27 Savings /Income	2027/28 Savings /Income	2028/29 Savings /Income
<b>COMMUNITIES</b>										
1	Emily Capps	Environmental Health and Leisure Services	Increase Charges for Dog Waste and Litter Bins	NNDC empties litter bins and dog waste bins on behalf of town and parish councils. This is charged per lift, this proposal suggests an increase in charge from 25p to 50p for Dog Bins and 10p to 20p for Litter bins.	I	P	2,905	9,600	9,600	8,000
2	Emily Capps	Environmental Health and Leisure Services	Garden Waste Bins	This additional income is generated by an increase in the charge for the discretionary garden waste service, from £60 per year to £65 for direct debit customers. This benchmarked against neighbouring authorities appears to be a reasonable increase. The income also reflects an increase in customers by a further 200 customers.	I	P	65,809	114,006	188,406	263,564
3	Emily Capps	Environmental Health and Leisure Services	General Environmental Health Savings	A collection of savings from the Environmental Protection, Public Protection, Environmental Services and Civil Contingencies Budgets. Including training, equipment and professional services.	S	P	23,500	23,500	23,500	23,500
4	Emily Capps	Environmental Health and Leisure Services	Various savings Leisure and Localities	A collection of savings from the following areas: water and sewerage - putting and bowling greens, R & M - Leisure Centres, Fixture and fittings - Foreshore and income from the NN Youth Advisory Board which will contribute to the Countryside Service costs in the coming year.	S	P	42,848	32,848	32,848	32,848
5	Emily Capps	Environmental Health and Leisure Services	Sampling Assistant	The Sampling Assistant (Private Water, Shellfish and Dairies) retired in September 2024- rather than fill this vacancy this work can be undertaken by the Environmental Protection Rangers.	S	P	21,950	21,950	21,950	21,950
6	Emily Capps	Environmental Health and Leisure Services	Countryside events	Countryside events.	I	P	5,000	5,000	5,000	5,000
7	Emily Capps	Environmental Health and Leisure Services	Reduced out of hours service	Reduced out of hours service.	S	P	4,600	4,600	4,600	4,600
8	Emily Capps	Environmental Health and Leisure Services	Seasonal Foreshore Service	Seasonal Foreshore Service.	S	P	14,950	14,950	14,950	14,950
9	Karen Hill	People Services	General savings	Early Help & Prevention Service -Misc. savings offered. £500 training, £500 equipment, £200 PPE, £1,000 travel.	S	P	2,200	2,200	2,200	2,200
10	Karen Hill	People Services	Misc. Savings - Housing Options	Various budget savings totalling £6,659.	S	P	6,659	6,659	6,659	6,659
11	Karen Hill	People Services	Information, Advice and Guidance funding (IAG)	Reduction of funding in IAG budget from £77,323 to £34,000	S	P	54,323	43,323	43,323	43,323
12	Karen Hill	People Services	People Services Staffing	Staffing savings as a result of vacancies and reduced working hours. Whilst this is offered as a permanent budget saving there could be the need to review this at a later date, depending on work pressures.	S	P	122,848	122,848	122,848	122,848
13	Karen Hill	People Services	Fixed term contract overheads	Fixed term contract overheads funded from external grant.	S	O	50,000	0	0	0
<b>SUB TOTAL COMMUNITIES</b>							<b>417,592</b>	<b>401,484</b>	<b>475,884</b>	<b>549,442</b>

xref	Asst Director	Service Area	Savings Title	Brief Outline of Saving/Additional Income (where applicable)	Saving(S) /Income(I)	Permanent (P) /One off (O)	2025/26 Savings /Income	2026/27 Savings /Income	2027/28 Savings /Income	2028/29 Savings /Income
<b>CORPORATE</b>										
14	CLT	Corporate/ Car parks	Additional car park income from increased fees and charges	Income from increased fees and charges, with next review to increase fees and charges for the year 2027/28	I	p	600,000	600,000	1,000,000	1,000,000
15	CLT	Corporate / Car parks	Additional car park income from additional car parks	Charging at Hornbeam Road, opportunities for further car parks	I	P	100,000	100,000	100,000	100,000
16	CLT	Corporate / Car parks	Additional income from Cadogan Road.	Increasing the car parking spaces at Cadogan Road, therefore generating more income.	S	P	33,000	33,000	33,000	33,000
17	CLT	Corporate	Restructure of CDU	Initial discussions have taken place with a member of the team about their position in the Council (at the staff member's request) and a voluntary redundancy package could be offered and the post deleted from the establishment.	S	P	53,512	53,512	53,512	53,512
18	CLT	Corporate	Closure of Cromer Tourist Information Centre	Closure of Cromer Tourist Informaton Centre	S	P	92,963	92,963	92,963	92,963
<b>SUB TOTAL CORPORATE</b>							<b>879,475</b>	<b>879,475</b>	<b>1,279,475</b>	<b>1,279,475</b>

xref	Asst Director	Service Area	Savings Title	Brief Outline of Saving/Additional Income (where applicable)	Saving(S) /Income(I)	Permanent (P) /One off (O)	2025/26 Savings /Income	2026/27 Savings /Income	2027/28 Savings /Income	2028/29 Savings /Income
<b>PLACE AND CLIMATE CHANGE</b>										
19	Russell Williams	Planning	Minor reductions in numerous budget lines	Small scale budget reductions across various budget lines.	S	P	22,896	22,896	22,896	22,896
20	Russell Williams	Planning	Building Control Fee Increases	Increase building control fees so that 'controllable budget' position would be cost neutral in 2025/26. This would amount to a 6.2% increase in annual income targets.	I	P	30,142	30,142	30,142	30,142
21	Russell Williams	Planning	Planning Service Budget Resources Review	Review of budget resources within the planning service area.	S	P	116,951	116,951	116,951	116,951
22	Russell Williams	Planning	New Government Funding for Planning	It isn't yet certain that any such funding will be provided to NNDC - although the Government have announced that £46m will be spend nationally. The figure shown is an estimate of what NNDCs allocation (of the £46m) might be.	I	O	75,000	0	0	0
23	Russell Williams	Planning	Nutrient Mitigation Fund	Funding due to reimburse NNDC for the Officer time spent on Nutrient Mitigation Fund work	I	P	10,000	10,000	10,000	10,000
24	Russell Williams	Planning	Disbanding the Planning Policy and Built Heritage Working Party	Disbanding the Planning Policy and Built Heritage Working Party - after the adoption of the current Draft Local Plan	S	P	500	1,000	1,000	1,000
25	Rob Young	Sustainable Growth - Coast Protection	Consultancy Fees - General	Reduction in budget for consultancy fees by £20,000 (from £48,000) on the basis that such fees will have to be met by the revenue works budget or from budgets for specific capital projects.	S	P	20,000	20,000	20,000	20,000
26	Rob Young	Sustainable Growth - Coastal Management	CPD Training	Reduction in budget for training by £3,000 (from £5,000)	S	P	3,000	3,000	3,000	3,000
27	Rob Young	Sustainable Growth - Coast Protection	Computer Software and Licences	Reduction in computer purchases - software - and computer software licences budget (from £2,000)	S	P	2,000	2,000	2,000	2,000
28	Rob Young	Sustainable Growth	Orchestras Live - Grant	It is considered that activities under this grant from 25/26 will no longer need to be supported by this grant.	S	P	3,550	3,550	3,550	3,550
29	Rob Young	Sustainable Growth	Various reductions	Various reductions across budgets including £1,300 on subs to professional bodies, £6,500 in marketing, £1,500 in computer software, £7,500 in marketing north Norfolk subscriptions and £2,000 in generic training.	S	P	18,800	18,800	18,800	18,800
30	Rob Young	Sustainable Growth - Housing Strategy	Deletion of Consultancy Fees budget	This is a budget to fund projects to deliver the housing strategy projects. In future, where a project requires resources to deliver, this will need to be made clear in any recommendations to Cabinet and a business case made for any budget .	S	P	10,000	10,000	10,000	10,000
31	Rob Young	Sustainable Growth	Budget Efficiencies	Review of current resources to deliver efficiency savings.	S	P	55,000	55,000	55,000	55,000
<b>SUB TOTAL PLACE</b>							<b>367,839</b>	<b>293,339</b>	<b>293,339</b>	<b>293,339</b>

xref	Asst Director	Service Area	Savings Title	Brief Outline of Saving/Additional Income (where applicable)	Saving(S) /Income(I)	Permanent (P) /One off (O)	2025/26 Savings /Income	2026/27 Savings /Income	2027/28 Savings /Income	2028/29 Savings /Income
<b>RESOURCES</b>										
32	Cara Jordan	Legal Services	Legal Services	Increase income target by £5,000.	I	O	5,000	0	0	0
33	Cara Jordan	Democratic Services	Youth Council	Looking at alternative ways to engage young people and thereby removing the majority of the Youth Council Budget. Need to retain a small fraction of the budget to assist with alternative delivery of Youth engagement.	S	P	9,000	9,000	9,000	9,000
34	Cara Jordan	IT Web	Training Budget Saving	Halving the training budget for IT-Web will save £2,500 per year.	S	P	2,500	2,500	2,500	2,500
35	Cara Jordan	IT - Infrastructure	Technical Support Assistant	The IT Infrastructure Team have 1 x Grade 10 Technical Support Assistant post, of which they would be prepared to give up the budget (a total of £33,564). This would not have an impact on the current FTE of the team, and nor would any redundancy costs be incurred.	S	P	32,562	32,562	32,562	32,562
36	Cara Jordan	IT	Ceasing the software that enable us to access archived files	We currently pay for software to access the files from our old 'm' drives. In 2021 we moved from an old folder structure (which I refer to as the 'm' drive) to the Libraries. I am now proposing we don't need this software (saving of £6k per year).	S	P	5,500	5,500	5,500	5,500
37	Cara Jordan	ICT Applications	Reduction in EH software costs	Following review of their software components with the Environmental Health department it has been determined the following component delivers minimal efficiency for the outlaid costs: Assure Food Mobile Renewal for 7 users £7,700. The service have confirmed this does not need to be renewed when the current agreement ceases (End Jan 25). The account manager has been made aware of our intentions in this regard.	S	O	7,700	0	0	0
38	Cara Jordan	ICT Applications	Software Savings	Software savings	S	P	42,000	42,000	42,000	42,000
39	Daniel King	Estates	Estates Savings & Income generation	Rental reviews resulting in additional income: 1) Industrial Estate N. Walsham £7,445. 2) North Walsham (The Cedars) £8,679. Expenditure savings: 1) North Walsham (The Cedars) other professional fee budget £5,000 2) Other minor savings totalling £206 within Itteringham cost centres. 3) Consultancy fees within estates reduction in budget of £400.	S/I	P	21,730	21,730	21,730	21,730
40	Daniel King	Property Services	Reduction of various repairs and maintenance budgets	Reduce R & M budgets on the following; Amenity Lighting - £8,000 Cromer Pier - £10,000 Toilets - £10,000 Car Parks - £10,000	S	P	38,000	38,000	38,000	38,000
41	Daniel King	Property Services	Reductions of various generic budgets	Reduce training budget by £8,000, subscriptions to professional bodies by £600, Consumable purchases by £2,000, PPE by £1,000 and play equipment by £263.	S	P	11,863	11,863	11,863	11,863
42	Daniel King	Public Conveniences	Reduction in various direct cost budgets	Reduction in direct cost budgets.	S	P	40,000	40,000	40,000	40,000
<b>SUB TOTAL RESOURCES</b>							<b>215,855</b>	<b>203,155</b>	<b>203,155</b>	<b>203,155</b>

Total

<b>1,880,761</b>	<b>1,777,453</b>	<b>2,251,853</b>	<b>2,325,411</b>
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