



# Ashfield

DISTRICT COUNCIL

## ASHFIELD DISTRICT COUNCIL: EXECUTIVE FUNCTIONS DECISION RECORD

Please use this form to record any Executive Decision taken by a Cabinet Member or Chief Officer.

TO BE COMPLETED BY THE DECISION TAKER:	
<b>1. Title / Subject Matter:</b>	Care Leavers - Council Tax Exemption Policy
<b>2. Is this a Key Decision:</b>	This is a Key Decision.
<b>3. Decision Taken:</b>	For Ashfield District Council to implement a Care Leavers exemption 100% Reduction to all care leavers between the ages of 18 and 25 years who have a liability to pay council tax.
<b>4. Reasons for the Decision:</b>	The Care Leavers Exemption scheme is being promoted by Nottinghamshire County Council. The District Councils of Nottinghamshire have agreed to work together to implement a County wide scheme. Ashfield District Council supports the County initiative and wishes to implement a scheme alongside the other Districts of Nottinghamshire.
<b>5. Copy of the Report or Briefing Note setting out the information which was used as the basis for the Decision:</b>	Report Attached
<b>6. Was the Decision classed as exempt? If so, what were the reasons for this:</b>	Decision is not Exempt
<b>7. Alternative Options Considered / Rejected:</b>	Ashfield District Council have stated that they would wish to support the implementation of a scheme which aligns with other District Council schemes within Nottinghamshire. The scheme being proposed would allow for local variation if required, such as limiting the upper age limit to 23 years, for example.

<p><b>8. Declarations of Interest and Dispensations – if applicable:</b> Any Declarations of Interest relating to this decision and subsequent dispensations should be listed.</p>
<p><b>9. Name / Title of the relevant lead Cabinet Member(s) consulted (if appropriate):</b>  Councillor Robert Sears-Piccavey</p>
<p><b>10. Name / Title of the decision taker:</b>  (a) Cabinet Member - Councillor Jason Zadrozny – Leader of the Council</p>
<p>Date: 17-8-2018.</p>
<p>TO BE COMPLETED BY DEMOCRATIC SERVICES</p>
<p><b>1. Date that the decision was notified to members:</b> 17th August 2018</p>
<p><b>2. Date and time when the Call-In period for this decision ends:</b> 5pm -- 24th August 2018.</p>
<p><b>3. Date when the decision can be implemented (five working days following publication):</b> 25th August 2018</p>
<p><b>4. Decision Reference Number:</b> _____</p>

The completed form should be emailed to any member of the Democratic Services Team:  
Lynn Cain [email: [l.cain@ashfield.gov.uk](mailto:l.cain@ashfield.gov.uk)]  
Julie Robinson [email: [j.robinson@ashfield.gov.uk](mailto:j.robinson@ashfield.gov.uk)]  
They will arrange for it to be published on the Council's web site.

**EXEMPT OR CONFIDENTIAL BACKGROUND INFORMATION IN SUPPORT OF THE DECISION:**

Use this section to share any confidential information. **This will not be published or placed on the Council's web site.** It will only be shared within the Authority, as appropriate.

For further support or guidance please contact Ruth Dennis, Director of Legal and Governance (and Monitoring Officer) [r.dennis@ashfield.gov.uk](mailto:r.dennis@ashfield.gov.uk) or any member of the Democratic Services Team.

<b>Report To:</b>	<b>LEADER OF THE COUNCIL</b>	<b>Date:</b>	<b>16<sup>th</sup> August 2018</b>
<b>Heading:</b>	<b>COUNCIL TAX – CARE LEAVERS EXEMPTION SCHEME</b>		
<b>Portfolio Holder:</b>	<b>COUNCILLOR ROBERT SEARS-PICCAVEY – CABINET MEMBER (INWARD)</b>		
<b>Ward/s:</b>	<b>ALL</b>		
<b>Key Decision:</b>	<b>YES</b>		
<b>Subject to Call-In:</b>	<b>YES</b>		

### **Purpose of Report**

To request approval to implement a scheme to provide a Council Tax Exemption to all care leavers between the ages of 18 to 25 who currently have a liability to pay council tax.

### **Recommendation(s)**

- 1. For Ashfield District Council to implement a Care Leavers exemption/ 100% Reduction to all care leavers between the ages of 18 and 25 years who have a liability to pay council tax.**
- 2. Delegate to the Director of Resources and Business Transformation the authority to determine the administration details of the scheme and to determine applications for a discretionary reduction in council tax under section 13A(1)(c) of the Local Government Finance Act 1992 in relation to persons leaving care and living in the Ashfield District.**

### **Reasons for Recommendation(s)**

The Council has the discretion to reduce the council tax liability for individuals or prescribed groups as it thinks fit. This discretion is exercised in accordance with section 13A (1) (c) of the Local Government Finance Act 1992.

Nottinghamshire County Council has promoted a 100% Exemption scheme for Care Leavers across the county and most (if not all) Nottinghamshire's Districts and Boroughs are now in the process of designing and implementing their respective schemes.

### **Alternative Options Considered**

It is assumed that Ashfield District Council would wish to support the implementation of a scheme which aligns with other District Council schemes within Nottinghamshire. The scheme being proposed would allow for local variation if required, such as limiting the upper age limit to 23 years, for example.

### **Detailed Information**

#### **A Comprehensive local offer for care leavers**

The proposed scheme at Appendix 1 is in addition to the Council's current Local Council Tax Support Scheme (CTS scheme) and will provide assistance to people living within the District that have previously been in care and meet the appropriate qualifying criteria, as detailed in Appendix 1. The proposed Care Leave Reduction Scheme will only be applied after all other relevant discounts and exemptions have been applied.

It is anticipated that some care leavers will already be receiving assistance through the Ashfield's CTS Scheme, which grants a reduction to council tax payers based on an assessment of their means to pay. Where the qualifying criteria is met and all discounts and exemptions, including CTS, do not cover the full Council Tax charge, then under this scheme the qualifying care leaver will receive further assistance to cover 100% of their council tax charge.

### **County wide scheme for Nottinghamshire**

The County and Districts are working together to agree a common scheme administration process to provide a consistent approach across Nottinghamshire. Regarding the administration of these schemes, it is acknowledged that this will rely on District Councils receiving up to date information from Nottinghamshire County Council on a regular basis.

During a recent joint meeting of Districts and Nottinghamshire County Council, the County have agreed to provide a spreadsheet to each District Council detailing the name, address and date of birth of each care leaver on their records once per month on a date in each month to be chosen by them. This will enable the District councils to apply the Exemption automatically (for those that have a liability for council tax), without having to rely on individual applications from each care leaver.

### **Scrutiny Panel A Considerations and Recommendations**

Scrutiny Panel A considered the topic of Council Tax Exemptions for Care leavers over two meetings during June and July 2018, following its addition to the work plan in February 2018. During examination of the subject and consideration of the draft scheme, Members of the Panel discussed;

- the financial implications for Ashfield District Council and other Preceptors to implement such a scheme;



- acknowledgement that the exemption, if applied until 25, would not be means tested due to the resource implications and capacity to administer this process;
- how the exemption would apply to Care Leavers moving into hostels, as opposed to fully independent living accommodation;
- being mindful of an individual's change in circumstances and the means by which this information is communicated;
- the importance of providing care and support to Care Leavers up the age of 25 as they are vulnerable individuals who are more likely to experience financial and life management difficulties;
- a strong commitment from the Council to ensure that effective signposting measures are put in place to assist and support individuals;

The Panel made the following recommendations for consideration;

- a) Cabinet be requested to support the implementation and details of the proposed scheme, due to the social benefits far outweighing the financial cost;
- b) Cabinet be requested to review the position in approximately 12 months' time to consider any changes in the number of claimants, the impact on Council tax collection and, the costs of managing such a scheme;
- c) the Council consider circulating an annual change of circumstances form to recipients of the exemption, to ensure that the Council's position is effectively monitored;
- d) the Council be encouraged to make a strong commitment to providing a holistic support system to ensure that effective signposting measures are put in place to assist and support individuals;
- e) delegated authority be granted to the Director of Resources and Business Transformation, to award the reductions as deemed appropriate, to enable the Council Tax Team to deliver a fast and efficient process for implementing the reductions.

## **Implications**

### **Financial Implications for Ashfield District Council and other Preceptors.**

To implement such a scheme would require a change to the Council Tax system. The Council does not currently have the software to administer such a reduction in council tax therefore an upgrade to the system would be required. The cost of purchasing this software would be approximately £5,700 plus an ongoing annual maintenance fee of £1,100.

Although the Council is aware that there are currently 104 care leavers living within the District, it is not fully aware of the demographic of these individuals and how many of these are currently receiving Council Tax Support, until the information is provided by the County Council.

However, based on a situation where all 104 required additional support through the additional care leavers' reduction scheme, then there would be a reduction of approximately £120,000 per annum in collection of Council Tax. Based upon the 2018/19 precepts, Ashfield District Council's share of this would be approximately £12,000 (or 9.9%) with the other precepting authorities (Nottinghamshire County Council, Nottinghamshire Police and Crime Commissioner and Nottinghamshire Fire Authority) meeting approximately £108,000 (or 90.1%)

#### **Corporate Plan:**

Not in Corporate plan

#### **Legal:**

The legislative framework is detailed in the body of the report.

#### **Finance:**

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	One off software cost of £5,700 in 2018/19 and a recurrent cost maintenance fee cost increase of £1,100 per annum. These costs will be contained within the overall service budget or met from Reserves (New Burdens Funding).  The Council will receive an estimated reduction in Council Tax of £12k per annum.
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

#### **Risk:**

<b>Risk</b>	<b>Mitigation</b>
The main risk of not implementing a Care Leavers Exemption scheme is that Ashfield District Council would fall out of step with the other District Councils in Nottinghamshire who have already agreed to implement a scheme, or are intending to do so.	Ashfield Districts Councils has already been liaising with the other Districts within Nottinghamshire, and we have now joined with the County Council in agreeing to implement a similar scheme across the County in order to ensure consistency of provision regardless of where the care leaver lives within Nottinghamshire.

**Human Resources:** There are no HR implications contained within the report.

**Equalities:** The Council has considered whether this proposal impacts on equality matters and assessed that there are no significant equality concerns. The relief does not enhance or detract from the help that is already available to all residents, and so has no substantive adverse equality impacts. However, in accordance with our equality duty, this proposal will result in more favourable treatment being applied to care leavers living in Ashfield, in order to advance equality of opportunity.

**Other Implications:**  
(if applicable)

**Reason(s) for Urgency**  
(if applicable)

**Reason(s) for Exemption**  
(if applicable)

**Background Papers**  
(if applicable)

**Report Author and Contact Officer**

**Craig Scott**  
**Service Manager – Revenues & Benefits**  
**[c.scott@ashfield.gov.uk](mailto:c.scott@ashfield.gov.uk)**  
**01623 457263**