



SHARED REVENUES AND BENEFITS JOINT COMMITTEE

Monday, 3 June 2019

2.00 pm

Committee Room 1, City Hall

Membership: Councillors Ray Cucksey (North Kesteven District Council),

Nikki Dillon (North Kesteven District Council), Rosanne Kirk and

Ric Metcalfe (City of Lincoln Council)

Substitute members: Councillors Michael Kent (North Kesteven Disatrict Council),

David Suiter (North Kesteven District Council) and

Donald Nannestad (City of Lincoln Council)

Officers attending: Democratic Services (City of Lincoln Council), Jaclyn Gibson (City

of Lincoln Council), Philip Roberts (North Kesteven District Council), Claire Moses (City of Lincoln Council), Russell Stone (North Kesteven District Council) and Martin Walmsley (City of

Lincoln Council)

AGENDA

If members are unable to attend the meeting, please advise Graham Watts (Democratic Team Leader and Elections Manager) on 01522 873439 as soon as possible. Substitute members will be contacted if they are required to attend the meeting.

SECTION A Page(s)

1. Election of Chair

2. Confirmation of Minutes - 19 February 2019

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3. Declarations of Interest

Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.

4. Welfare Team Update

5.	Performance Update	23 - 32
6.	Financial Outturn 2018/19	33 - 36
7.	Housing Benefit Overpayments Update	To Follow
8.	Business Rates Update	37 - 44
9.	Universal Credit Support Update	45 - 50
10.	Welfare Reform Update	To Follow
11.	Exclusion of the Press and Public	51 - 52

Election of ChairYou are asked to resolve that the press and public be excluded from the meeting during the consideration of the following items because it is likely that if members of the press or public were present, there would be disclosure to them of 'exempt information'.

In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, notice is hereby given of items which will be considered in private, for which either 28 days' notice has been given or approval has been granted by the appropriate person specified in the Regulations. For further details please visit our website at http://www.lincoln.gov.uk or contact Democratic Services at City Hall, Beaumont Fee, Lincoln.

SECTION B

12. Staffing Update

To Follow

[Exempt Para(s) 1, 2]

Details of Next Meeting: Wednesday, 11 September 2019 (2.00 pm) in City Hall

Present: Councillor Ric Metcalfe (in the chair)

Councillor Ray Cucksey, Councillor Ric Metcalfe and

Councillor John Money

Apologies for Absence: Councillor Rosanne Kirk

26. Confirmation of Minutes - 27 November 2018

RESOLVED that the minutes of the meeting held on 27 November 2018 be confirmed.

27. Declarations of Interest

Councillor John Money wished it to be noted that his wife currently benefitted from a reduction in her Council Tax. This was not considered to necesitate a declaration of interest.

28. Performance Update

Purpose of Report

To provide the Joint Committee with an update on performance in the Revenues and Benefits Shared Service.

Decision

That the report be noted.

Alternative Options Considered and Rejected

None.

Reason for Decision

The following updates were noted:

Council Tax

Comparing Council Tax in-year collection for quarter three 2018/19 to quarter three 2017/18, the City of Lincoln and North Kesteven were lower by 0.30% and 0.33% respectively. For the City of Lincoln at the end of January 2019 this was slightly lower and was 0.90% down. It was noted that the collectable debit for both the City of Lincoln and North Kesteven had increased from 2017/18 by £2.6 million and £3.8 million respectively.

In terms of the position as at the end of October 2018 compared to the position at the end of October 2017, the City of Lincoln was 0.32% lower and North Kesteven 0.22 lower. The single person discount review, which took place earlier in the year, had an impact in terms of raising the amount of revenue to be collected but it was hoped that this would be collected in-year wherever possible.

Business Rates

Comparing quarter three 2018/19 to 2017/18, the City of Lincoln was down by 0.20%, North Kesteven was down by 0.21% and West Lindsey was up by 0.90%. Although the City of Lincoln and North Kesteven were both below last year's quarter three position, the shortfall had improved from the end of quarter two by 0.12% for the City of Lincoln and 0.01% for North Kesteven. Lincoln's position at the end of January 2019 was a reduction of 0.26%. It was noted that the total net receipt had increased from 2017/18 by £1 million for the City of Lincoln, £919,000 for North Kesteven and £693,000 for West Lindsey.

Tables were set out in the report at paragraph 4.8 which showed how net collectable and total net receipt compared for each local authority between 2018/19 and 2017/18.

Lincoln Business Improvement District Levy Collection

The Business Improvement District financial year ran from 1 July to 30 June and the figures set out in the report at paragraph 4.10 represented collection up to the end of quarter three 2018/19. A comparison of in-year collection rates between Business Improvement District financial years showed a decrease in collection, however, this had reduced from 1.27% down at the end of quarter two 2018/19 to 0.33% down at the end of quarter three. Direction of travel was therefore positive and officers would continue to manage performance closely.

Outstanding Revenues Customers

The number of outstanding revenues customers as at the end of quarter three 2018/19 showed an increase since 31 March 2018, however, there had been a significant reduction from 1,138 to 641 which equated to a 44% reduction. The position had increased due to a single person discount review and subsequent enquiries, together with the introduction of Council Tax e-forms resulting in processes becoming more efficient.

The table at paragraph 4.12 of the report set out comparisons for the City of Lincoln and North Kesteven. As per the end of January 2019 the figures for the City of Lincoln and North Kesteven were reported as 209 and 116 respectively.

Housing Benefit Overpayments

Although in-period collection rates had slipped during quarter three due to an unforeseen staffing capacity reduction in this area, the overall position was still positive as outstanding housing benefit overpayment levels continued to reduce. This was outlined in the table at paragraph 4.15 of the report.

Benefits Performance

The table at paragraph 5.1 of the report showed the number of outstanding benefits customers awaiting assessment at the end of each financial year since the formation of the shared service. It was noted that for the City of Lincoln, although the customers awaiting assessment level was relatively high, this was due to the larger Housing Benefit caseload in comparison to North Kesteven.

The rollout of Universal Credit Full Service continued to have a significant impact on processing performance, with the Benefits Team receiving 18,823 Universal Credit documents since 1 April 2018 up to 25 January 2019. Each of these documents required assessment with Benefits Officers having to review the document and make a decision as to the assessment required. As a result, there had been a significant increase in documents needing to be assessed, particularly for the City of Lincoln due to Universal Credit being live at Lincoln Jobcentre Plus since March 2018.

The table set out in paragraph 5.2 of the report set out figures relating to outstanding benefits customers split by those who were already in progress against those which had not yet started to be processed. Out of the 1,209 customers outstanding and not yet contacted, 896 were Universal Credit documents. 722 of these related to the City of Lincoln, with 174 associated with North Kesteven. The latest figures were reported at the meeting, with there being a total of 1,158 outstanding in respect of the City of Lincoln with the oldest date being 29 January 2019 and 454 outstanding in respect of North Kesteven with the oldest date being 4 February 2019.

In terms of Housing Benefit average processing times, the table at paragraph 5.4 of the report showed the figures for new claims and changes of circumstance for the last five financial years. The figure for the City of Lincoln had slightly changed to 26.58 for the City of Lincoln from the end of January 2019. Changes of circumstance average processing times were relatively equal to the same point in 2017/18 and would improve further in quarter four, as was usual with a high number of '1 day' processing items for the new financial year.

New claims performance for both local authorities had slipped in comparison to 2017/18, although the City of Lincoln's average processing time had improved by 1.16 days from quarter two to quarter three 2018/19. Housing Benefit claims where a Universal Credit claim was being made as well was resulting in local authorities having to wait for the Universal Credit decision to be made, which was taking around six weeks on the Housing Benefit entitlement. This delay by the Department for Work and Pensions had contributed to the increase in processing times for new claims. It was noted that a rolling action plan was in place which sought to further improve performance in this area.

The table at paragraph 5.5 of the report set out the outcomes of claims checked under the service's quality checking regime. The City of Lincoln's percentage at the end of January 2019 had increased slightly to 87.21%. In 2018/19 to date 183 claims had been checked for the City of Lincoln with 158 being correct first time. For North Kesteven, 287 claims were checked with 274 being correct first time. As Universal Credit had been rolled out in Lincoln since March 2018, and Sleaford since November 2018, there had been concentration on checking these claims which were time consuming and more likely to contain initial errors due to the complexity of the cases. It was anticipated, however, that this would improve over time, with the City of Lincoln's performance having already improved by 2.34% from quarter two to quarter three in 2018/19.

Members were pleased to see that e-forms were having a high impact on the processes and efficiency of the service.

During discussion regarding Universal Credit and roll out of Full Service at Sleaford, members appreciated that it was probably too early to analyse the impact on customers. Clarification was sought, however, as to whether everything

was being rolled out according to plan. It was reported that there had been no significant implications and, as expected due to the smaller client group, the statistics for Sleaford in respect of Universal Credit customers had been much lower than Lincoln.

29. <u>Business Rates Update</u>

Purpose of Report

To provide the Joint Committee with an update on current issues within non-domestic rates.

Decision

That the report be noted.

Alternative Options Considered and Rejected

None.

Reason for Decision

The following updates were noted:

Supporting Small Business Relief Scheme – 2017/18 to 2020/21

Total awards as at 30 June 2018 for the City of Lincoln, North Kesteven and West Lindsey equated to £6,473, £23,684 and £19,926 respectively. For both the City of Lincoln and North Kesteven there had been a reduction of one hereditament since the last meeting of this Committee, which was due to an increase in the rate value for these properties.

Support for Pubs Scheme – 2017/18 to 2018/19

Total awards as at 30 June 2018 for the City of Lincoln, North Kesteven and West Lindsey equated to £23,975, £28,371 and £26,118 respectively. There had been no change in the number of awards since the last meeting of this Committee.

Discretionary Relief Scheme

During quarter one of 2018/19 officers had undertaken a number of exercises to correctly identify those ratepayers that may be entitled to relief and calculated the cost of relief for all businesses affected by the revaluation, whereby the 2018/19 charge had increased as a result. Since 2017/18, the number of accounts identified for all three districts had decreased and, as a result, the value of relief awarded was as follows:

- City of Lincoln this was a banded scheme. The award had remained the same for all bands, with the exception of those facing an increase between £25 and £500. The relief to be awarded for 2018/19 had increased from 50% to 70%, providing additional support to those ratepayers;
- North Kesteven this was a banded scheme. The award had remained the same for the first two bands but all others had reduced to 80% of the 2017/18 award:

 West Lindsey – this was a percentage reduction scheme, with all identified ratepayers receiving a 50% reduction. This was a decrease from 2017/18 of 80%.

Review of 2018/19 Awards

A review of awarded relief took place during November and December 2018. As a result, the schemes had been adjusted to ensure all funding was awarded up to 30 September 2019. The schemes had therefore been amended, as follows:

- City of Lincoln:
 - increased the 50% award to 72.5% for those in the second band of the scheme;
 - £85 to be awarded to all those in the third band of the scheme and above;
 - this would result in an additional award of £14,623.
- North Kesteven:
 - £50 would be awarded to all those in the second band of the scheme;
 - £200 would be awarded to all those in the third band of the scheme and above;
 - this would result in an additional award of £25,900.
- West Lindsey:
 - increased the relief from 50% to 58%;
 - this would result in an additional award of £10,075.

A comparison of the new Discretionary Relief Scheme for 2017/18 and 2018/19 was set out in the report and showed the number of accounts identified, together with the total cost of relief.

During quarter four of 2018/19 officers were undertaking a number of exercises to correctly identify those ratepayers that may be entitled to relief and calculated the cost of relief for all businesses affected by the revaluation, whereby the 2019/20 charge had increased as a result.

Business Rate Pilot – 100% Business Rates Retention in 2018/19 and 75% in 2019/20

Details relating to the Government's announcements in relation to plans for 2019/20 Business Rates Retention Pilots were set out in paragraph 5.4 of the report.

The existing 2018/19 Lincolnshire pilot members had assessed the benefits and any risks associated with a 75% pilot. Local Government Futures had been commissioned to review the latest publicly available Business Rate projections in order to ascertain whether they were likely to reflect further growth in the business rate base or were predicting a decline in business rate collection. Initial projections of a 75% pilot based on the current pilot member authorities indicated that a further 9.9 million of business rates could be retained in the county during 2019/20. If the pilot bid was approved and these additional funds materialised, they would be available to be distributed across Lincolnshire and Greater Lincolnshire on an agreed basis.

Unfortunately a bid for 100% pilot status was not one of the 15 successful applications approved, therefore, both authorities would revert to being part of the Lincolnshire Pool in 2019/20 along with the County Council and other Lincolnshire Districts.

Recent Court of Appeal Decision – Automated Transaction Machines

Further to the update at the last meeting of the Committee, the Valuation Office Agency had submitted an application on 10 December 2018 for the right of appeal to the Court of Appeals ruling in respect of Automated Transaction Machines built into the front of a shop or petrol station having a separate business rates bill. Officers understood that the Supreme Court may take up until June 2019 to decide whether to hear the case, potentially adding a further 18 months to two years before a further decision was made.

Paragraph 6.1 of the report set out that there was concern that some owners of properties that were not genuine businesses may seek to reduce their tax liability by falsely declaring that the property was available for let. A question was asked as to whether there was any evidence to support this. No evidence had been gathered, but this had been raised as a concern as part of the pre-consultation process and was now being investigated by the Team Leader to establish whether or not this was an issue for the local authority.

With regard to the Automated Transaction Machine appeal process, members asked whether there had been any indication from the Government that it would provide support to local authorities should businesses be able to appeal. It was unclear at this stage whether the Government would reimburse local authorities and that local authorities were obliged to make provision for appeals as part of its budgeting. The Government may, therefore, expect local authorities to have made adequate provision as part of this process to cover the cost of any appeals businesses may submit in this respect. The issue for local authorities, however, could be with backdated claims. Lincolnshire Finance Officers had recently met and a fundamental review across the board would be undertaken to determine how much should be allocated for appeals given the potential outcome of the Supreme Court case. In light of the current 100% business rates pilot and subsequent review of business rates, the timing was not in local authorities' favour to expect any assistance from Government.

A question was raised in respect of the support for pubs scheme and whether the relief only related to those establishments that were licensed. It was agreed that this matter would be clarified by officers and picked up outside of the meeting with the member who asked the question.

Clarification was sought as to whether charity shops received reductions in business rates and it was reported that registered charities would be entitled to discretionary and mandatory relief. There were also issues with the sale of charitable or 'new' goods from certain charitable establishments and this was something that the local authority actively investigated.

In relation to holiday lets, it was understood that a number of businesses were registered as holiday homes but opted to pay Council Tax as a single person dwelling. Clarification was provided that it would be up to the Valuation Office to determine whether a property was residential or commercial. If a holiday home fell under the category of a residential property a valuation and Council Tax

banding would apply in the same way as it would with any other residential property.

30. Housing Benefit Overpayments Update

Purpose of Report

To provide the Joint Committee with an update on the recovery of Housing Benefit overpayments

Decision

That the report be noted.

Alternative Options Considered and Rejected

None.

Reason for Decision

A copy of the latest version of the Housing Benefit Overpayment Recovery Action Plan was appended to the report, which had been produced as a result of the review undertaken by the Department for Work and Pensions' Performance Development Team. The Action Plan was used as a working document and provided the Housing Benefit Overpayment Team with a clear direction for the work which was being undertaken during the next nine months.

Paragraph 5.2 of the report outlined the specific actions already undertaken. The Action Plan continued to be monitored by the Revenues and Benefits Manager and formed part of meetings with the Benefit Team Leader and the Housing Benefit Overpayment Recovery Team.

As part of the formation of the Housing Benefit Overpayment Project, officers had reviewed all recovery methods available for all stages of debt. The stages were broken down as follows:

- overpayments recovered from ongoing Housing Benefit;
- · overpayments at sundry debtors less than four months old;
- overpayments at sundry debtors over four months old;
- write off.

The table set out at paragraph 6.2 of the report showed the improvements for quarters one and two for 2018/19 for the City of Lincoln and North Kesteven since the project started in June 2018. Since the start of the project, the total overpayments outstanding had reduced by £568,399 which equated to £472,614 for the City of Lincoln and £157,355 for North Kesteven. The total amount currently outstanding was just under £3.8 million, which was within the target of £4 million.

A question was raised on the issue of overpayments and whether there was anything systematically that could be improved to prevent overpayments occurring. It was reported that the team was constantly reviewing how it dealt with information from customers and that as much information as possible received from the Department for Work and Pensions was automated so that no manual updates were necessary, cutting out any potential for errors to occur. There

would always be an element of overpayment, however, as the service was reliant on being informed of changes in a customer's circumstances either by the customer themselves or the Department for Work and Pensions, for example which did not always occur. In respect of Universal Credit customers, the Department for Work and Pensions was able to share information relating to changes in circumstances straightaway. Officers explained that, similarly, it would be useful to be able to use the HMRC link with Council Tax and localised Council Tax support claims. This could not be done presently although it was hoped that this would be implemented in the future to improve the accuracy of customer information relating to changes in circumstances.

31. Welfare Reform and Universal Credit Update

Purpose of Report

To provide the Joint Committee with an update regarding the national and local position of welfare reform, with a specific focus on Universal Credit.

Decision

That the report be noted.

Alternative Options Considered and Rejected

None.

Reason for Decision

Statistics in relation to the national progress of Universal Credit were set out in paragraph 4.1 of the report, with recent Universal Credit changes as a result of the Autumn 2018 budget announcement and January 2019 announcement also outlined in Appendix 1 attached to the report. 1.6 million households now received Universal Credit nationally, 560,000 of which were in employment.

The Welfare Reform and Project Officer had been working with the City of Lincoln and North Kesteven housing colleagues to monitor the impact Universal Credit claims were currently having on rent collection. As of 31 December 2018, 976 City of Lincoln tenants were in receipt of Universal Credit. 485 of these tenants were in arrears totalling £157,595.91, with 462 cases having decreased by £110,840.66 from the date of claim and 289 not in arrears or credit. Of the 124 North Kesteven tenants in receipt of Universal Credit as at 31 December 2018 there had been an increase in arrears for 100 tenants totalling £51,152.

The Universal Support Team continued to work on a rota basis and provide a range of support services as set out in paragraph 7.2 of the report. Team Leaders were currently reviewing how Universal Credit claims were processed and would be putting guidance together for all processing staff. This would clarify processes relating to the cessation of relevant Housing Benefit claims, processing Council Tax support and allocating overpayments to the correct recovery method.

Statistical information via the Universal Credit Dashboard was appended to the report, which provided key information relating to the team outputs together with regional and national updates as at the end of quarter two.

Progress with the Shared Service's Welfare Reform Strategy Action Plan and Universal Credit Preparation Plan was set out in Appendix 4 of the report. The Action Plan was fluid and flexible to respond to changes in welfare reform in relation to priorities, changes and demands.

Discussion ensued on the decision that had been taken by Government to contract nationally with Citizens Advice to provide Universal Credit support services from 1 April 2019 as part of standardising the implementation of the benefit across the country. Since this decision had been announced in October 2018 officers from the Shared Service had been communicating with the Department for Work and Pensions and the local Citizens Advice offices in Lincoln and Sleaford. It was noted that the Universal Credit Support Service currently provided by the Shared Service worked very well and was undertaken on a holistic approach, regarding which one option could potentially be to continue in partnership with Citizens Advice in Lincoln, albeit with less funding. It was unclear at this stage, however, whether Citizens Advice could, in effect, subcontract this back to the local authority.

With regard to Universal Credit customers in Sleaford, a decision had been taken by the Mid-Lincolnshire Citizens Advice office, which covered Boston, Sleaford and Stamford, to provide Universal Credit support services itself. A significant amount of work needed to take place regarding the support provided to customers in Sleaford, particularly those in receipt of Universal Credit who may be entitled to other benefits administered by the local authority. The current arrangements, through the existing support team, would ensure that these customers received access to any other entitlement provided by the local authority. The local authority would still have a vested interest in supporting customers under the new Universal Support arrangements, so it was important that adequate communication, particularly with Sleaford customers, took place in order that it was clear how and where they would receive support and that referrals to the local authority took place.

An assurance was given to members that the focus from the perspective of the Shared Service, Department for Work and Pensions and Citizens Advice was solely on the customer in relation to Universal Credit support.

A question was raised as to whether a recipient of the state pension would remain in receipt of housing benefit rather than transferring to Universal Credit. It was noted that this would be the case, however, if the person in receipt of the state pension was in a 'mixed age couple' it may be that they would be required to claim for Universal Credit as opposed to housing benefit.

A further question was asked regarding a young lady with a child under the age of 21 and whether they would be classed as vulnerable in such circumstances. Officers agreed to confirm this with the member who asked the question outside of the meeting.

32. Revenues and Benefits - Quarter 3 2018/19 Monitoring

Purpose of Report

To present the Joint Committee with the third quarter's performance for the Revenues and Benefits Shared Service for 2018/19.

Decision

That the report be noted and the budget adjustments for 2018/19 as per paragraph 3.2 of the report be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

The approved budget for 2018/19 was agreed by the Revenues and Benefits Joint Committee on 20 February 2018 of £2,285,710 for the service, which had since been increased after receipt of New Grants Burdens. The budget had therefore subsequently been revised as set out in paragraph 3.2 of the report.

Financial performance for the third quarter of 2018/19 was detailed in Appendix 1 attached to the report, which reported that at quarter three there was an underspend against the approved budget of £78,316.

The forecast outturn for 2018/19 predicted that there would be an underspend against the approved budget of £165,248. A summary of the main forecast year-end variations against the approved budget for 2018/19 was outlined in Appendix 2 and included:

- IT costs, salaries, New Burdens Grants and printing, postage and stationery associated with benefits;
- IT costs, subscriptions and printing, postage and station associated with revenues local taxation.

A forecast underspend of £165,248 represented a variance of 7% against the total Shared Service budget. Subject to the final outturn position, it would be proposed that a significant proportion of the underspend be carried forward to 2019/20. In discussing how any monies carried forward could be utilised, members agreed that they could support the following:

- continuation of the housing benefit overpayments project;
- Universal Credit support;
- continuation of delivery of Council Tax and Housing Benefit support services.

33. Revenues and Benefits - Base Budget Forecast 2019/20

Purpose of Report

To present the Joint Committee with the base budget forecast for the Revenues and Benefits Shared Service for 2019/20.

Decision

That the base budget forecast for the Revenues and Benefits Shared Service for 2019/20 be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

The base budget forecast for the Revenues and Benefits Shared Service had been prepared and was attached to the report at Appendix 1.

A review of each line of the budget had taken place to ensure a fair representation of the activity of the service which had led to budgets being transferred between different shared service functions. Although each authority had a different percentage of each service, this had not led to either authority significantly paying more across the service as a whole. There had, however, been an increase each year in the base budget from last year's budget due to costs for subscriptions and printing. In the most part these had been offset by reviewing all staff budgets and being more accurate on the budgeting of career graded posts which in the past had been budgeted to prudently. A full reconciliation to the previous base budget forecast was attached at Appendix 2 to the report.

Despite inflationary cost pressures, the base budget forecast for 2019/20 of £2.367 million was only £18,470 higher than the initial base budget set for 2012/13, demonstrating the on-going efficiencies being delivered by the Shared Service.



SUBJECT: WELFARE TEAM UPDATE

DIRECTORATE: CHIEF EXECUTIVE

REPORT AUTHOR: JOANNE CROOKES, CUSTOMER SERVICES MANAGER,

CITY OF LINCOLN COUNCIL

1. Purpose of Report

1.1 To provide Members with an update on the activity undertaken and the outcomes achieved by the Welfare Advisers in the Revenues and Benefits shared service.

2. Background

- 2.1 This report provides an update on the previous financial year (2018-2019)
- The Welfare Team is an integral part of the Revenues and Benefits Shared Service. The team has 7.5 FTE advisers based in both Lincoln and Sleaford. The advisers deliver the service by agile working. They have the technology to enable them to work from home, from customer addresses, from outreach offices and council premises. They are able to tailor service delivery to the needs of the customer.
- 2.3 The team offer two distinct but closely linked services. Benefits Advice and Money Advice. The Benefits Advice Service offers a help-desk facility during council opening times. This is effectively a 'duty' officer who is available to answer customers' enquiries, book appointments and home visits; calculate individual entitlement to means—tested benefits and see drop-in customers if necessary for emergencies such as the provision of food larder vouchers. The advisers run a series of outreach sessions and see customers in office appointments and where necessary in their own homes
- The Money Advice side of the service is operated under the administrative auspices of Community Money Advice and is regulated by the Financial Conduct Authority (FCA). The FCA require that there is a clear and distinct separation between the line management of staff giving regulated debt advice and the line management of staff who are responsible for the collection of income. As a result of this requirement the Welfare Team report to the Customer Services Manager at City of Lincoln Council.

3. Team performance

3.1 Performance data is collated quarterly and distributed to the Head of Shared Revenues and Benefits, and housing management at both authorities. Information on money advice caseloads and debt levels are also monitored

and reported through to Community Money Advice and the FCA.

The team do not have performance targets as such. This is due to the nature of the role and the service that is provided. Many of the customers are very vulnerable and they present with a range of challenges. It is imperative that the welfare advisers are able to spend as long as necessary to provide the support that each individual needs to negotiate their benefit claim

4. Performance statistics

- The team have been as busy as ever this year providing advice and support to some of the most vulnerable and disadvantaged residents in the districts. In total the team have dealt with 7,326 customers for benefit related queries. This is a marked increase on the previous 12 months when the total was 5,484.
- As well as advising people about the benefits they are entitled to claim the team also help with the completion of forms which can be difficult for customers to understand. Some of the forms are extremely lengthy and complex and without this assistance there is no doubt that some eligible people would be discouraged from applying and accessing their entitlements.
- Assistance is given with every type of Department for Work and Pensions (DWP) benefit as well as Her Majesty's Revenue and Customs (HMRC) tax credits and local authority benefits. The team also advise on charitable awards and grants from a wide range of providers. There have been a number of successful applications to the Anglian Water Trust fund for example.
- 4.4 **Food Vouchers.** In the year 2018-2019 the team issued a total of 505 food vouchers for local community larders and food banks. In line with the national trend this is a big increase on the previous year's total which was 306. This represents an increase of 65% year on year. This is often in response to a crisis or where claimants have been affected by delays in the processing of benefit claims. The rollout of Universal Credit has had an obvious impact here. In these instances the team will also endeavour to help resolve the long-term issues affecting the individual's ability to afford to feed themselves and their families. In many cases this will result in the person becoming part of the money advice casework.
- 4.5 **Additional benefits** claimed by customers who have sought the advice and assistance of the Welfare Team are set out in the table below. The figures are weekly amounts of benefit awarded. The amounts reported are actually in payment. Where customers qualify for a benefit but choose not to apply for it this amount is not counted as awarded.

Benefit Type	Weekly value awarded (£) NK District	Weekly value awarded (£) City of Lincoln
Attendance Allowance	8,586.50	2,884.10

Bereavement Benefits	0.00	48.08			
Carers Allowance	366.40	588.55			
Child Benefit	0.00	34.40			
Child Tax Credit	357.57	361.90			
Council Tax Discounts	35.96	5.49			
Council Tax Support	673.80	14,636.90			
DHP	259.87	1,422.00			
DLA Child	79.95	634.40			
EHP	26.06	29.05			
Employment Support Allowance	221.45	3,955.33			
Housing Benefits	2,131.43	5,591.40			
Income Support	44.50	44.50			
Jobseekers Allowance	146.20	244.05			
Pension Credit	1,733.69	1,334.43			
Personal Independence payment	3,546.60	7,964.54			
State Retirement Pension	186.44	520.01			
Universal Credit	603.95	3,898.20			
Working Tax Credit	71.89	0.00			
Grants	16.96	223.70			
TOTAL value of additional income weekly	£19,089.22	£ 44,421.03			
TOTAL value of additional	£992,639.44	£2,309,893.56			
income paid over 52 weeks	·	, ,			
TOTAL value of additional	£3,302,533.00				
income paid over 52 weeks for both districts in the Shared Service	(2017/18 total:	£2,988,383.84)			

- 4.6 It should be noted that there are many instances where people are advised that they do not qualify for anything. Many of the enquiries made will result in the team giving bad news about the likelihood of a benefit being awarded or explaining that a change in circumstances might bring an entitlement to an end.
- 4.7 In addition to the weekly amounts of benefit awarded to individuals and listed above at 4.5, in many cases customers have backdated awards or lump—sum payments. These payment are shown in the following table.

Benefit Type	Lump sum payments (£) NK District	Lump sum payments (£) City of Lincoln		
Attendance Allowance	70,098.80	16,870.40		
Bereavement Benefits	1,500.00	5,100.00		
Carer's Allowance	2,648.60	2,979.00		
Child Benefit	0.00	279.80		
Child Tax Credit	375.64	118.56		

Council Tax Discounts	3,849.24	69.82				
Council Tax Support	10,452.37	6,454.72				
DHP	6,225.59	7,343.37				
DLA Child	1,599.00	1,540.81				
EHP	360.94	474.06				
Employment Support Allowance	7,752.93	53,564.87				
Housing Benefits	13,454.17	15,912.27				
Jobseeker's Allowance	219.30	4,464.05				
Pension Credit	31,900.20	12,656.31				
Personal Independence payment	37,024.16	46,116.67				
Social Fund	0.00	1,900.00				
State Retirement Pension	0.00	11,000.00				
Universal Credit	194.34	1,507.28				
Winter Fuel payment	280.00	0.00				
Working Tax Credit	0.00	584.39				
Grants	1,926.46	4,772.85				
TOTAL value of lump sum	£189,861.74	£193,709.23				
payments						
	£383,570.97					
	(0047/40 / / 0000 740 00)					
TOTAL value of lump aum	(2017/18 total: £393,742.98)					
TOTAL value of lump sum payments to both districts						

The statistics and figures of additional benefits claimed across the board are impressive when viewed in isolation. It is the individual cases and the incredible impact that the team can have which is particularly inspiring and gratifying.

5 Money Advice Casework

- A crucial service offered by the team is the FCA regulated debt advice which is the Money Advice caseworker support. 60% of the team are trained in debt casework and they offer a full service, starting with the preparation of the Standard Financial Statement (SFS). Customers' income and expenditure levels are explored to establish whether there are options to claim additional benefits or increase income in some other way.
- Expenditure levels are explored to establish whether they are reasonable and where possible these are reduced. Often this can be a discussion with the client about their expectations and their financial maturity. Sometimes it is a matter of looking at cheaper tariffs for utilities or taking a relatively simple step such as installing a water meter.
- All debts are tackled and the advisers will engage with creditors, negotiating where possible to agree affordable repayment plans. Where this is not feasible other options including Debt Relief Orders (DRO) and bankruptcy are explored. There is a registered and authorised DRO intermediary at both sites.

In 2018-2019 the team received 263 referrals for Money Advice, compared to 272 in the previous year. This slight reduction may be explained by the budgeting support offered to some clients as part of the Universal Credit Support Project team. 156 individuals, couples and families were signed up for casework and given support to deal with their debts. The total debt managed was:

2018-2019

£514,256.21 for 85 North Kesteven Residents £465,559.51 for 71 City of Lincoln Residents

£979,815.72 Total debt

This compares to the previous year's figures of: 2017-2018
£924,252.46 for 95 North Kesteven residents.
£399,104.41 for 73 City of Lincoln residents.
£1,323,356.87 Total Debt.

- In the North Kesteven District area 49% of the Money Advice clients are local authority tenants. In the City of Lincoln this figure is 52%
- The total level of debt managed across the shared service was £979,815.72. The average (mean) debt for the clients assisted works out at £6,280 per client which is a lower figure than the previous year when it was £7,877 per client. It should be noted however that there are vast differences between the individuals helped. Some people present with relatively small rent and Council Tax arrears and other clients have huge mortgage arrears and multiple loan and credit card debts.

6. Individual Successes

- 6.1 It is difficult to quantify how much the Welfare Team means to residents in terms of alleviating the stress and confusion caused by the difficulties in negotiating the benefit system, or dealing with debt which has got out of control. However it is worth looking at some more qualitative data to underline how the team impact on the circumstances of some of last year's key success stories.
- Mrs B was referred to us by Social Services to help her claim Housing Benefit and Council Tax Support. She had been temporarily living in a Nursing Home following her husband's death. We helped her with her claim and she was awarded HB of £154.35pw and CTS of £16.45pw. At the appointment we established that she was not getting any Attendance Allowance and helped with a successful claim for this. She was awarded £57.30pw with backdated arrears of £515.70. This then resulted in her Pension Credit increasing by an additional £64.30pw, with backdated arrears of £578.70.
- 6.3 Client LP was claiming Disability Living Allowance but when he had to convert to Personal Independence Payment this was disallowed. We helped with a successful appeal. LP lives with his mother who claims Universal Credit. We advised her not to claim Carer's Allowance or the Carer's addition in spite of the advice she had been given elsewhere, as they would be better

off overall if she didn't and allowed her son to get the Severe Disability Premium with his ESA. After seeing appointments we helped him to get this extra amount, and he received an arrears backdate of £3994.50 for ESA.

- Yet another Personal Independence Payment success. No apologies for including these as they really are a source of huge payments and help very vulnerable residents. Miss R is another person who had previously been getting Disability Living Allowance but was turned down for Personal Independence Payment when she had to migrate her claim. She was left with just Jobseekers Allowance giving her a weekly income of £73.10. Her appeal was successful (after 11 months) She was awarded standard rate for both mobility and daily living, totalling £79.95 per week. Going forward she also became entitled to Disability and Severe Disability Premiums increasing her Jobseekers Allowance by £97.85pw. She is now better off by £177.80pw. Miss R also gained total arrears payments close to £9,500.00
- Mr & Mrs M had already been to Stepchange for help with debts and repayment arrangements were in place, however a full income maximisation check had not been completed. Looking at their benefits we applied for Attendance Allowance for Mr M, which he got at the higher rate. We then organised an underlying entitlement claim for Carers Allowance for Mrs M, who already had AA, so they then qualified for Pension Credit. There were complications with an interest only trust fund which led to multiple evidence requests, which almost resulted in the couple giving up their claim. The process started in May 2018 and it was not until January 2019 that the issues were resolved. Mr & Mrs M received over £8,100 in arrears of Pension Credit.

7. Future priorities

- 7.1 The team are getting to grips with the introduction of Universal Credit. This change has come on top of the problems associated with PIP replacing DLA. Many customers are needing support to manage the change in their relationship with the benefit system
- 7.2 It is early days but the future trend for the team is likely to see less assistance with benefit calculations and form completion and more help with personal budgeting and debt casework. We are also working closely with our Housing colleagues to manage the impact on rent arrears.

8. Strategic Priorities

- 8.1 Both City of Lincoln and North Kesteven have a number of strategic priorities. Two that are directly affected by the work undertaken and the outcomes achieved by this team are:-
 - Lincoln: "Let's Reduce Inequality".
 - North Kesteven: "Our Community Our Economy".
- 8.2 The Welfare Team plays a key role in reducing inequality by ensuring residents receive the benefits they are entitled to and providing money / debt advice.

8.3	Digital Inclusion, Channel Shift / Cusand Partnership Working are all key p	tomer Experience, Financial Inclusion riorities for the shared service.							
9.	Organisational Impacts								
9.1	Finance: There are no direct financia	l implications arising from this report.							
9.2	• •	Legal Implications including Procurement Rules: There are no direct Legal or Procurement implications arising from this report.							
9.3	Equality, Diversity & Human Rights arising from this report.	: There are no direct implications							
10.	Risk Implications								
10.1	A Risk Register is in place for the Rev	renues and Benefits shared service.							
11.	Recommendations								
11.1	Note the performance information as	set out in this report.							
11.2	Note that a further update will be prov	ided to this Committee in 12 months time							
Is this a key	ey decision?	No							
Do the exer	empt information apply?	No							
	15 of the Scrutiny Rules (call-in and apply?	No							
How many a	appendices does contain?	None							
List of Back	ckground Papers:	None							
Lead Office	Customer Ser	Joanne Crookes, vices Manager City of Lincoln Council elephone (01522) 873407							



SHARED REVENUES AND BENEFITS JOINT COMMITTEE

3 JUNE 2019

SUBJECT: PERFORMANCE UPDATE

DIRECTORATE: CHIEF EXECUTIVE

REPORT AUTHOR: MARTIN WALMSLEY, HEAD OF SHARED REVENUES AND

BENEFITS

1. Purpose of Report

1.1 To provide Members with an update on performance in the Revenues and Benefits shared service.

2. Executive Summary

- 2.1 This report provides an update on annual outturn Revenues and Benefits performance information for the financial year 2018/19.
- 2.2 The Revenues and Benefits Shared Service has now been in operation since 1st June 2011, and performance has been maintained and improved whilst continuing to provide value for money. Continual improvement and success is being achieved in terms of both statistical and financial performance, as well as positive outcomes for customers of the partner local authorities.

3. Background

- 3.1 At the 19th February 2019 meeting of this committee, a report was presented detailing Revenues and Benefits performance up to the end of Quarter 3 2018/19.
- 3.2 Performance is reported to this committee on a quarterly basis.

4. Revenues Performance

4.1 Council Tax

4.2 Positive Council Tax in-year collection has been achieved for 2018/19, the table below showing how performance has progressed since the shared service formed in June 2011.

Financial Year	201 8/1 9	2017/18	2016/17	2015/16	2014/15	2013/14	2012/13	2011/12
City of Lincoln	96. 76 %	97.17%	97.09%	97.12%	96.93%	96.56%	96.32%	96.80%
North Kesteven	99. 08 %	99.20%	99.14%	99.16%	99.25%	99.16%	99.13%	99.40%

4.3 Although Council Tax in-year collection levels have reduced slightly for both authorities,

Lincoln by 0.41%, North Kesteven by 0.12%, - these are still positive outturns considering factors such as the economic climate, cumulative impacts of national welfare reforms and Council Tax Support schemes. Also, when considering the current collection levels, it should be noted that the net collectable debit for both City of Lincoln and North Kesteven has increased from 2017/18 by £2.57m and £3.75m respectively.

4.4 Business Rates

4.5 As with Council Tax, positive Business Rates in-year collection has been achieved for 2018/19, the table below showing how performance has progressed since the shared service formed in June 2011.

Financial Year	201 8/1 9	2017/18	2016/17	2015/16	2014/15	2013/14	2012/13	2011/12
City of Lincoln	99. 81 %	98.87%	99.43%	99.78%	99.46%	99.31%	99.08%	99.20%
North Kesteven	99. 42 %	99.89%	99.09%	99.46%	99.78%	99.53%	99.93%	99.70%
West Lindsey	98. 63 %	98.53%	97.34%	99.44%	99.17%	99.12%	99.13%	98.90%

4.6 When considering the current collection levels it should be noted that the total net collectable debit has also increased from 2017/18, by £646k for City of Lincoln, £928k for North Kesteven and £757k for West Lindsey.

4.7 Outstanding Revenues Customers

4.8 The number of outstanding Revenues Customers at end of quarter 4 2018/19 showed an overall increase from the last two financial years, however this is still a positive position. The workload was up-to-date going into new year billing, however an influx of documents during the billing period from early-mid March created the increased figure at the end of the financial year. Also, in the Council Tax base there are now an additional 1,051 properties to administer (split Lincoln 501, North Kesteven 550), - as well as staffing resources on the Council Tax Team being reduced at points throughout the year due to unforeseen circumstances.

31st March	2019	2018	2017	2016	2015	2014	2013	2012
City of Lincoln	437	121	296	448	1,025	683	939	1,713
North Kesteven	201	95	223	266	356	545	465	577

4.9 Although there has been a successful rollout of several e-forms in the Revenues Team, these have not as yet resulted in a reduction in incoming work through other customer channels – officers are carefully analysing demands across the shared service and resources required to maintain, and improve, performance.

4.10 Housing Benefit Overpayments

4.11 The table below shows in-period collection rates over the last seven financial years (2011/12 is not shown, due to the changeover to the Northgate ICT system for Lincoln during that financial year and a number of conversion exercises that had to be undertaken relating to Housing Benefit Overpayments).

Financial Year	2018/19	2017/18	2016/17	2015/16	2014/15	2013/14	2012/13
City of Lincoln	100.38%	81.81%	76.38%	75.22%	68.60%	72.98%	89.14%
North Kesteven	107.45%	88.31%	70.16%	77.76%	64.61%	85.40%	92.85%

4.12 A separate, more detailed report – 'Housing Benefit Overpayments Update' – is included elsewhere on this committee's agenda.

5. Benefits Performance

5.1 The table below shows the number of outstanding Benefits customers awaiting assessment, at the end of each financial year since the formation of the shared service:

31 st March	2019	2018	2017	2016	2015	2014	2013	2012
City of Lincoln	897	696	555	1,064	1,267	2,396	2,004	2,401
North Kesteven	502	511	500	714	1,036	978	1,206	2,648

Although the overall position is not quite as positive as at the end of the last two financial years, this is still a much improved position compared to other previous financial years. Also, the rollout of Universal Credit Full Service in Lincoln and Sleaford Jobcentre Plus has placed significant increased processing demands on our Benefits assessment team.

5.2 In terms of Housing Benefit average processing times, the table below shows the figures for New Claims and Changes of Circumstance for the last seven financial years:

Financial Year		2018/19 Average no. days	2017/18 Average no. days	2016/17 Average no. days	2015/16 Average no. days	2014/15 Average no. days	2013/14 Average no. days	2012/13 Average no. days
New Claims	L i n c o I n	25.82	24.29	29.44	25.45	26.14	28.33	23.60
	N o	27.49	18.81	15.98	12.76	12.05	12.66	15.94

	r t h K e s t e v e n						
Changes of Circumstance	L i n c o I n	4.00	4.49	5.40	5.07	6.97	8.10
	North Kesteven	2.82	3.06	2.84	2.91	2.92	10.98

Changes of Circumstances performance remains positive. However, there has been slippage in New Claims performance for both partner authorities – particularly for North Kesteven.

North Kesteven's performance in 2018/19 has been hampered by a number of factors, notably;

- Unforeseen reduction in staffing resources;
- Delay in rent information being provided for a number of properties;
- Introduction of 'e-benefits' self-serve application form; and most significantly –
- Clearing of older work which increased the overall average processing figures.

For Lincoln, cumulative performance did improve during the year;

- Quarter 1 30.13 days;
- Quarter 2 28.16 days;
- Quarter 3 27.00 days;
- Quarter 3 25.82 days.

Universal Credit (UC) is clearly having an impact on processing times due to the number of UC-related documents requiring processing, as well as officers awaiting UC-related decisions before putting Housing Benefit into payment in some cases.

Officers have a proactive action plan in place aiming to improve processing times in 2019/20 (Appendix 2), and a verbal update regarding this action plan as well as latest performance figures will be provided at the meeting of this Committee.

5.3 Prompt processing of claims remains vital, but of equal importance is accuracy of processing and 'getting it right, first time'. The table below the outcomes of claims checked under our quality checking regime, since the formation of the shared service:

Financial Year	20 18/ 19	2017/18	2016/17	2015/16	2014/15	2013/14	2012/13	2011/12
City of Lincoln	86 %	92%	91%	83%	79%	77%	72%	65%
North Kesteven	96 %	95%	95%	97%	98%	98%	100%	99%

In 2018/19, for Lincoln 244 claims were checked with 210 being right first time, the equivalent figures for North Kesteven being 319 checked with 306 right first time. As Universal Credit has been rolled out in Lincoln since March 2018 (Sleaford from November 2018) there has been concentration on checking these claims for Lincoln which are time-consuming and more likely to contain initial errors due to the complexity of these cases. However, it is anticipated that over time this will improve.

6. Strategic Priorities

- 6.1 Both City of Lincoln and North Kesteven have a number of strategic priorities. Two that have an impact on the Revenues and Benefits Service are:-
 - Lincoln: "Let's Reduce Inequality".
 - North Kesteven: "Our Community Our Economy".
- The Benefits Service plays a key role in reducing inequality by ensuring residents receive the benefits they are entitled to and providing money / debt advice. The Revenues Section is also mindful of the strategic priorities when engaging with business ratepayers as they recover business rates and also promoting and encouraging growth in the districts. Digital Inclusion, Channel Shift / Customer Experience, Financial Inclusion and Partnership Working are all key priorities for the shared service.

7. Organisational Impacts

- 7.1 Finance: There are no direct financial implications arising from this report.
- 7.2 Legal Implications including Procurement Rules: There are no direct Legal or Procurement implications arising from this report.
- 7.3 Equality, Diversity & Human Rights: There are no direct implications arising from this report.

8. Risk Implications

8.1 A Risk Register is in place for the Revenues and Benefits shared service.

9. Recommendations

9.1 Note the performance information as set out in this report.

9.2 Note that a performance update will be presented at the next meeting of this committee, on 11th September 2019.

Is this a key decision?

Do the exempt information No

categories apply?

Does Rule 15 of the Scrutiny No

Procedure Rules (call-in and

urgency) apply?

How many appendices does Appendix 1: Performance Data – Annual Outturn

the report contain? 2018/19

Appendix 2: Benefits processing action plan

List of Background Papers: None

Lead Officer: Martin Walmsley, Head of Shared Revenues and

Benefits

Telephone (01522) 873597

3rd June 2019 Revenues and Benefits Joint Committee Performance Update Appendix 1: Performance Data – Annual Outturn 2018/19

<u>Measure</u>	2018/19 Anr	nual Outturn	2017/18 Annual Outturn		
Local Authority	NK	COL	NK	COL	
Council Tax collection (cumulative)	99.08%	96.76%	99.20%	97.17%	
NNDR collection (cumulative)	85.00%	86.23%	85.21%	86.43%	
NNDR collection – WLDC (cumulative)	98.6	63%	98.	53%	
No. Revenues customers awaiting change to be processed	201	437	95	121	
Total Net Arrears for Council Tax prior years (i.e. not including current year)	£934,830	£2,252,680	£846,222	£2,063,692	
Total Net Arrears for NNDR prior years (i.e. not including current year)	£178,580	£169,367	£88,149	£225,695	
Housing Benefit overpayments collection in period	107.45%	100.38%	88.31%	81.81%	
Outstanding Housing Benefit overpayments debt	£1,643,394	£3,973,125	£1,824,908	£4,219,349	
Housing Benefit New Claims: Average number of days to process (cumulative)	27.49 days	25.82 days	18.81 days	24.29 days	
Housing Benefits Changes of Circumstances: Average number of days to process (cumulative)	2.98 days	4.12 days	2.82 days	4.00 days	
No. Benefits customers awaiting assessment (cumulative)	502	897	511	696	
% Benefits claims checked financially correct (cumulative)	96%	86%	95%	92%	

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Sleaford
Team meeting on 17 May to discuss workload position and duties of the team.
 Email sent by Team leader Offered to all – weekdays and Saturdays up to end June
 To be undertaken every 2 weeks Team Leaders to get these in calendars asap COL to cover NK phones
 Team Leaders to review and advise team Newest date in individual trays to be the same as oldest date in main tray Expired pending to be cleared each day as priority before other work started
 Work in main tray to be ring-fenced so it is no older than 8 days 2 staff to work on backlog 20 May to 7 June 10 June – if there is still a backlog, volunteers have been requested to undertake intense busting for 1 week
• 2 sti

3rd June 2019 Revenues and Benefits Joint Committee Performance Update Appendix 2: Benefits processing action plan

Action	Lincoln	Sleaford			
UC Auto processing	Team Leader will be working on this. Discussion of the potential of stripping out the data not needed, prior to the document being loaded into Northgate, so that the 'clean' document can be loaded into Northgate and auto-processed. Team Leader to raise with R&B Support.				
Source and book onsite training for new staff	Team Leader is arranging this. 1 week onsite training for all new staff				
New claims processing time review	New claim days to be reviewed – to ensure claims are closed down after 1 calendar month (as per regulations) and any requiring longer time are authorised by team leaders				
Monthly review meeting	With all team leaders to discuss the outcome of the above actions and to review the oldest date / monthly processing times for new claims. Meeting will be the Monday of the 3 rd week every month – allowing time to rectify any issues prior to month end				

SUBJECT: REVENUES AND BENEFITS - FINANCIAL OUTTURN 2018/19

REPORT BY: CHIEF EXECUTIVE & TOWN CLERK

LEAD OFFICER: JACLYN GIBSON, CHIEF FINANCE OFFICER

1. Purpose of Report

1.1 To provide Members with the financial outturn for the Revenues and Benefits shared service for 2018/19.

2. Executive Summary

2.1 The 2018/19 financial outturn for the Revenues and Benefits shared service resulted in an underspend of £214,405, a variance of 8% of the revised budget.

3. Background

- 3.1 The approved budget for 2018/19 was agreed by Revenues and Benefits Joint Committee on 20th February 2018. The Committee set a budget for 2018/19 of £2,285,710 for the service, which has since been increased after receipt of New Burdens Grants, totalling £262,645.
- 3.2 The budget, as mentioned in paragraph 3.1, has subsequently been further revised for the following New Burdens Grants notified to each Authority in quarter four: -

Budget adjustment	CoLC	NK	Total
	£	£	£
UC LA Universal Support Grant			
Funding Q3 2018/19	£15,112	£3,739	£18,851
Mixed Aged Couples	£2,602	£2,342	£4,944
Severe Disability Premium and			
Pension Credit Child Addition	£3,085	£2,626	£5,711
TOTAL	20,799	8,707	29,506

4. Financial Outturn 2018/19

- 4.1 The financial performance quarterly monitoring report for the 3rd quarter predicted an underspend of £165,248 against the revised budget, after taking into account New Burden grants. The 2018/19 financial outturn for the Revenues and Benefits shared service resulted in an underspend of £214,405, a variance of 8.4% of the revised budget.
- 4.2 A summary of the main year-end variations against the approved budget for 2018/19 is shown below.

Service Area	£	Reason for variance				
Benefits Salaries (Including Career Grades)	(67,372)	Vacant hours, together with career graded posts budgeted at top of scale however not all officers are at the top of the scale.				
New Burdens Grants	(262,645)	New Burdens Funding				
IT Costs	58,713	Northgate system costs				
Printing	17,994					
Revenues Local Taxation Agency staff	18,647	To cover vacant roles in the service				
Postage	41,417	Should decrease moving forward due to outsourced correspondence solution				
IT Costs	11,688	Northgate system costs				
Subscriptions	11,333	Analyse Local Annual Fees included within this.				

- 4.3 The underspend of £214,405 represents a variance of 8% against the total Shared Service budget. As set out above the primary reason for this significant underspend is the allocation of in-year, annual, new burdens funding. The nature of this funding is such that it is difficult to forecast or have any assurance that funding will continue beyond one financial year, making it difficult to recruit permanent staff to perform the additional work required.
- 4.4 Further to discussions at the last meeting of this Committee on 19th February 2019, it was proposed that a significant proportion of the underspend be carried forward to 2019/20. Following consideration and agreement through each partner Council's end of year financial procedures; North Kesteven has agreed to a carryforward £45,000, and City of Lincoln has proposed a carry-forward of £45,000.

5. Organisational Impacts

- 5.1 The financial implications are contained throughout the report.
- 5.2 There are no legal implications arising from this report.
- 5.3 There are no equality and diversity implications as a direct result of this report.

6. Risk Implications

6.1 A full financial risk assessment is included in the Council's Medium Financial Strategy.

7. Recommendation

- 7.1 Members are recommended to note the financial outturn for 2018/19.
- 7.2 Members are recommended to approve the budget adjustments for 2018/19 as per para 3.2.

Key Decision No

Do the Exempt No

Information Categories

Apply?

Call in and Urgency: Is the No

decision one to which Rule

15 of the Scrutiny

Procedure Rules apply?

How many appendices does the report contain?

does the report contain? One

List of Background None

Papers:

Lead Officer: Martin Walmsley, Shared Revenues and Benefits

Manager

Telephone 01522 873597

Appendix 1 Financial Outturn for 2018/19

	Annual Budget			Outturn			Variance		
	CoLC	NK	Combined	CoLC	NK	Combined	CoLC	NK	Combined
Revenues & Benefits Management	158,600	158,600	317,200	172,250	172,250	344,500	13,650	13,650	27,300
Benefits	820,855	546,360	1,367,215	639,376	425,568	1,064,944	(181,479)	(120,792)	(302,272)
Revenues Local Taxation	313,770	326,570	640,340	346,607	360,747	707,354	32,837	34,177	67,014
Money Advice	111,800	111,800	223,600	108,576	108,576	217,152	(3,224)	(3,224)	(6,448)
Total 2018/19	1,405,025	1,143,330	2,548,355	1,266,809	1,067,141	2,333,950	(138,216)	(76,189)	(214,405)

3 JUNE 2019

SUBJECT: BUSINESS RATES UPDATE

DIRECTORATE: CHIEF EXECUTIVE

REPORT AUTHOR: CLAIRE MOSES, REVENUES AND BENEFITS MANAGER

1. Purpose of Report

1.1 To provide Joint Committee with an update on current issues within non-domestic rate.

2. Executive Summary

2.1 This report provides Joint Committee with an update on non-domestic rate to include reference to City of Lincoln Council and North Kesteven District Council together with West Lindsey District Council. The report is not intended to include non-domestic rate issues (for example, performance matters) covered in another report before the Joint Committee.

3. Background

- 3.1 The report brought to the last meeting of the Operational Board provided Members with an update on the following non-domestic rate issues:-
 - Business Rates Pilot;
 - Spring Budget 2017;
 - Discretionary Relief Policy; and
 - Local Government Finance Bill 2017.
- 3.2 Focus for both Government and billing authorities since the last meeting of Joint Committee has been on implementing the measures announced by the Chancellor in the Autumn Budget in October 2018, which have impacted on funding for reliefs during 2019/20 to 2020/21. The latest position on these previous reliefs are covered in this report.

Additional updates are provided in this report and will update on the following non-domestic rate issues: -

- Business Rate Pilot 100% Business Rate Retention in 2019/20; and
- Autumn Budget 2018, Budget 2019.

4. Spring Budget 2017

There were a number of reliefs announced in the Spring Budget 2017 which are

still ongoing, and provide challenges for officers to ensure relevant businesses are in receipt of all reliefs available to them.

4.1 Supporting Small Business Relief Scheme – 2017/18 to 2020/21

This relief was made available to those ratepayers who faced a large increase as a result of the loss of small business or rural rate relief. The transitional relief scheme does not provide support in respect of changes in reliefs. Therefore, those ratepayers who lost some or all of their small business or rural rate relief, may have faced very large percentage increases in bills from 1 April 2017.

To support these ratepayers, the Supporting Small Businesses Relief Scheme ensured that the increase per year in the bills of these ratepayers is limited to the greater of:-

- A percentage increase p.a. of 5%, 7.5%, 10%, 15% and 15% from 2017/18 to 2020/21; all plus inflation. Unlike the transitional relief scheme, for the first year of the scheme, the percentage increase is taken against the bill for 31 March 2017 after small business rate relief or rural rate relief; or
- A cash value of £600 per year (£50.00 per month). The cash minimum increase ensures that those ratepayers paying nothing or very small amounts in 2016/17 after small business rate relief are brought in to paying something.

Billing authorities were expected to use their discretionary powers under Section 47 Local Government Finance Act 1988 to grant the relief. In doing so, they will be compensated for the cost of granting the relief through a Section 31 grant from Government.

The number of hereditaments that have been identified for 2018/19 and 2019/20 and have benefitted from the scheme as at 30 April 2019 for each of the three authorities, is as follows:-

Loss of small business relief - 2018/19

Authority	No. identified	No responded	Total award
City of Lincoln	8	5	£6,473
North Kesteven	23	17	£23,684
West Lindsey	26	15	£19,926

Loss of small business relief - 2019/20

Authority	No.	No	Total award
_	identified	responded	
City of Lincoln	8	4	£6,758
North Kesteven	23	15	£25,535
West Lindsey	26	13	£24,487

Once this relief had been announced, officers manually adjusted accounts – this has ensured those ratepayers who faced large increases as a result of the loss of

small business or rural rate relief, are not left waiting for relief to be awarded. This is a mandatory relief for which the local authority is compensated for.

4.2 **Discretionary Relief Scheme**

A £300m discretionary fund over four years from 2017/18 through to 2020/21, to support those businesses that faced the steepest increases in their business rate bills as a result of the recent revaluation, has been established. The intention is that every billing authority is provided with a share of the £300 million to support their local businesses. Billing authorities are expected to use their share of the funding to develop their own discretionary relief schemes to deliver targeted support to the most hard-pressed ratepayers.

The £300m covers the four years from 2017/18; the proposed breakdown being:-

- £175m in 2017/18
- £85m in 2018/19
- £35m in 2019/20
- £5m in 2020/21

2019/20 Scheme

Letters were sent to the Chief Financial Officers of each Billing Authority on 28 April 2017 to confirm the grant distributions, and for 2019/20 the grant distributions for the three authorities, is as follows:-

- City of Lincoln £40,000 Council:
- North Kesteven DC: £37,000
- West Lindsey DC: £31,000

It had been proposed that the agreed option for 2017/18 be applied to future years but with lower amounts to be used in the 'award column'. It had also previously been agreed for the decision regarding the proposed scheme for 2019/20 to be delegated to the Chief Finance Officer.

During April 2019, Officers have identified those ratepayers that may be entitled to relief and calculated the cost of relief for all businesses affected by the revaluation, whereby the 2019/20 charge has increased as a result.

Relief has been awarded to all accounts identified and ratepayers have been issued with a decision notice and letter of explanation.

In doing this, ratepayers can declare whether any relief awarded would not exceed the state aid limit.

New Discretionary Relief Scheme – 2017/18 to 2019/20 comparison:

The table below shows the number of accounts identified and the total cost of relief for all 3 years for comparison purposes.

Authority – City of Lincoln	No. identified	Total awards made	Budget	Total award (£)	Current not spent (£)
2017/18	675	413	£198,000	£196,125	£1,875
2018/19	366	359	£96,000	£86,997	£136
2019/20	359	311	£40,000	£37,436	£2,564

Authority – North Kesteven	No. identified	Total awards made	Budget	Total award (£)	Current not spent (£)
2017/18	540	339	£186,000	£184,430	£1,570
2018/19	278	262	£91,000	£64,916	£184
2019/20	262	87	£37,000	£26,867	£10,133

Authority – West Lindsey	No. identified	Total awards made	Budget	Total award (£)	Current not spent (£)
2017/18	329	217	£158,000	£102,084	£55,916
2018/19	197	176	£76,000	£75,551	£449
2019/20	176	159	£31,000	£24,916	£6,084

A review of the awards will take place in July, and any additional awards will be made prior to the annual deadline of 30 September 2019.

This is a discretionary relief for which the local authority is compensated for.

4.3 Retail Discount – Autumn budget 2018

The Autumn Budget 2018 was announced on 29th October 2018. One of those announcements affecting Business Rates was regarding high streets.

It was recognised that high streets and town centres are crucial parts of communities and local economies, but the government recognises the challenges they face from changing consumer behaviour and is taking action to help them to evolve. High street businesses are already benefitting from recent reforms and reductions to business rates announced since Budget 2016 worth more than £12 billion over the next five years. To provide upfront support through the business rates system, the government is cutting bills by one-third for retail properties with a rateable value below £51,000, benefiting up to 90% of retail properties, for 2 years from April 2019, subject to state aid limits.

With regards to the High Streets, Retail Guidance was issued in November 2018. The guidance confirmed this measure was for 2019/20 and 2020/21 only.

Eligibility criteria has been provided and local authorities will be reimbursed using a grant under section 31 of the Local Government Act 2003.

Retail discount has been awarded for 2019/20 as follows: -

Retail relief - 2019/20

Authority	No. identified	No responded	Total award
City of Lincoln	703	337	£823,276
North Kesteven	240	113	£265,524
West Lindsey	212	77	£179,050

This is a discretionary relief for which the local authority is compensated for.

5. Business Rate Pilot – 100% Business Rates Retention in 2018/19 – 75% in 2019/20

- 5.1 In 2018/19 both councils along with the other Lincolnshire Districts, Lincolnshire County Council and North Lincolnshire Council successfully bid to become one of ten successful 100% Business Rates Retention Pilots. This meant that for 2018/19 both Councils received 60% of business rates growth, above the baseline positions, with 40% allocated to the County Council (under 50% retention the funding were 50% Central Government, 40% City of Lincoln Council and 10% Lincolnshire County Council). Crucially the pilot scheme included a 'no detriment' clause meaning that no authority would receive less than if it was operating under the current 50% retention scheme.
- 5.2 Based on the unaudited NNDR3's submitted by each of the Lincolnshire Pilot authorities, the additional resources generated between being in the previous pool arrangement and being in a pilot is shown in the table below:

Gain from Pilot Status

	£m
Lincolnshire	10.010
Boston	1.395
East Lindsey	2.386
Lincoln	2.114
North Kesteven	2.633
South Holland	1.141
South Kesteven	1.768
West Lindsey	1.088
North Lincolnshire	7.678
Admin Fee*	0.060
Total	30.274

^{*}This fee for consultancy support has been proportionally charged to each Council and will be reimbursed to City of Lincoln Council.

5.3 Although the pilot bids were only awarded for a one year period the 2018/19 Local Government Finance Settlement promised a further round of new pilots in 2019/20.

- 5.4 Prior to the summer 2018 recess the Government took the opportunity to announce its plans for the 2019/20 Business Rates Retention Pilots.
- The existing 2018/19 Lincolnshire pilot members assessed the benefits and any risks associated with a 75% pilot and commissioned LG Futures to review the latest publicly available Business Rate projections in order to ascertain whether they were likely to reflect further growth in the business rate base or were predicting a decline in business rate collection (potential to the safety net) which could be a risk to any pilot area. Initial projections of a 75% pilot based on the current pilot member authorities indicated that a further £9.9m of business rates could be retained in the County during 2019/20.
- 5.6 Following consideration by the Chief Executives and S151 Officers a bid for 2019/20 pilot status, based on the existing pilot authorities was submitted in September 2018. As part of the bid submission, a request was made to form a Lincolnshire business rate pool should the 100% BR bid not be approved.
- 5.7 Unfortunately, the pilot bid was not successful and therefore the Lincolnshire pool has been re-established from 1st April 2019. This includes the 7 District Councils and the County Council. City of Lincoln will continue to be the lead authority for the pool providing financial and administrative support to the pool. Schedules of payments to the County Council have been issued to each authority and implemented and quarterly monitoring will be undertaken as previously.

6. Recent Court of Appeal Decision – ATM's

- 6.1 In 2013 a decision was taken by the Valuation Office Agency (VOA) for ATMs built into the front of a shop or petrol station to have a separate business rates bill. This ruling was upheld in 2017. As a result, cash machines were brought into the Valuation Rating List. This was further appealed by large chain Supermarkets.
- 6.2 On 9 November 2018, large chain Supermarkets had their appeal heard by the Court of Appeal. The case was won and the result of the hearing is that cash machines will no longer be given separate business rates bills.
- 6.3 The Valuation Office Agency was refused leave to appeal, though they could petition the Supreme Court to hear the case.
- On 10 December 2018, the Valuation Office Agency submitted an application for the right of appeal to the Court of Appeals ruling. Information received by Officers indicated the Supreme Court may take up until June 2019 to decide whether to hear the case, adding then a further 18 months to 2 years before a further decision is made.
- 6.5 This continues to have implications for local authorities as the ATM's are now included as an appeal threat, and provision will need to be made for potential refunds. There will also be an impact on ongoing NDR baseline which would need to be considered.

A table showing potential financial impact will be provided at the next meeting of this Committee.

7. Strategic Priorities

- 7.1 Both City of Lincoln Council and North Kesteven DC have a number of strategic priorities. Two that have an impact on the Non-Domestic Rate Service are:-
 - City of Lincoln "Let's Reduce Inequality".
 Council:
 - North Kesteven DC: "Our Community and Our Economy".
- 7.2 Both authorities look to protect the poorest people. The Non-Domestic Rate Service is mindful of the strategic priorities when engaging with business ratepayers as they look to recover the business rate. Digital Inclusion, Channel Shift, Financial Inclusion and Partnership Working are all key priorities for the shared service.
- 7.3 At the City of Lincoln Council, a strategic priority that underpins the authority's vision for 2020 is 'Let's reduce inequality'; within which, there is the aspiration 'Let's help people succeed'. To achieve this aspiration, there is to be examination of the Discretionary Rate Relief Policy. This will involve an exploration of how the city council's Discretionary Rate Relief Policy could be used to create employment opportunities for residents.

8. Organisational Impacts

8.1 Finance

No direct financial implications arising from this report.

8.2 Legal Implications including Procurement Rules

No direct financial implications arising from this report.

8.3 Equality, Diversity & Human Rights

The equality implications have been considered within this report. In bringing forward any change to the existing criteria for awarding discretionary relief, consideration will be given as to whether a full Equality Impact Assessment is required.

9. Risk Implications

9.1 A Risk Register is in place for the Revenues and Benefits Shared Service.

10. Recommendation

10.1 Members are requested to note this report.

Is this a key decision?

Do the exempt information
categories apply?

No

Does Rule 15 of the Scrutiny

Procedure Rules (call-in and urgency) apply?

No

How many appendices does 0 the report contain?

List of Background Papers: None

Lead Officer:Claire Moses, Revenues and Benefits Manager Telephone: 01522 873764

SUBJECT: UNIVERSAL CREDIT SUPPORT UPDATE

REPORT BY: CHIEF EXECUTIVE & TOWN CLERK

LEAD OFFICER: MARTIN WALMSLEY, HEAD OF SHARED REVENUES AND

BENEFITS

1. Purpose of Report

1.1 To provide Members with an update with regard to Universal Credit support, particularly in respect of arrangements for 2019/20.

2. Executive Summary

- 2.1 A proactive and holistic approach to Universal Credit support has been in place within our shared service, since Full Service rollout at Lincoln Jobcentre Plus in March 2018, then at Sleaford Jobcentre Plus in November 2018.
- 2.2 A central government decision has resulted in a national contract for Citizens Advice to deliver Universal Credit support for the financial year 2019/20. This report sets out current arrangements in City of Lincoln and North Kesteven.

3. Background

- 3.1 Our shared service has been involved in various Universal Credit (UC) support projects and trials since October 2013, including a successful national trial as part of the West Lincolnshire arrangements (also involving West Lindsey District Council).
- 3.2 Since 7th March 2018, when UC Full Service rolled out in Lincoln Jobcentre Plus, a UC support team within our shared service has been in operation in Lincoln, then further expanded to a presence based at Sleaford when UC Full Service was rolled out in Sleaford Jobcentre Plus from 14th November 2018.
- 3.3 In the financial year 2018/19, this internal UC support team assisted customers as shown in the tables below:

Assisted Digital Support (ADS)

	No. Custome	rs Supported	Average monthly award per customer (£)	
			City of Lincoln	North Kesteven
New UC claim	676	108	£439,400	£70,330
Council Tax	198	43	£14,298	£3,131
Support Claim				
Other elements	869	185	£31,952	£6,894
Total	1,743	336	£485,650	£80,355

In terms of ADS, although the internal UC support team assisted customers to claim, it is possible that the customer may have still made their claim and/or sought assistance elsewhere. However, if not there would be risks around underclaiming of UC, which could result in personal debt, rent arrears, Council Tax arrears, etc.

Personal Budgeting Support (PBS)

	No. Customers Supported		Average monthly value of income maximisation per customer (£)		
	City of Lincoln	North Kesteven	City of Lincoln	North Kesteven	
Advance payment	135	36	£87,490	£23,205	
Discretionary Housing Payment Award	118	30	£7,618	£1,945	
Other benefits	37	9	£7,970	£2,030	
Alternative Payment Arrangement	57	14	£39,480	£9,818	
Housing Solution Referral	12	3	£7,116	£1,750	
Food voucher	36	11	£720	£228	
Appeal / reconsideration	6	2	£3,965	£910	
Rent Arrears	29	10	£20,119	£7,097	
Other elements	392	110	£29,915	£9,555	
Total	822	225	£204,393	£56,538	

- 3.4 This internal team has achieved notable outcomes for customers, being described by local Department for Work and Pensions (DWP) as 'flagship'. The team was also a key component of a prestigious national award for 'Excellence in Partnership Working' (Institute of Revenues Rating and Valuation Performance Awards 2018).
- 3.5 On 1st October 2018, a surprise announcement by central government stated that a national contract with Citizens Advice to deliver UC support would be in place for the financial year 2019/20.

4. 2019/20 'Help to Claim' arrangements

- 4.1 Citizens Advice is contracted to deliver a new regime of UC support arrangements from 1st April 2019, known as 'Help to Claim'. These arrangements are to support UC customers with a focus on digital assistance, up to and including first payment of UC only. Therefore, the contracted arrangement does not cover the wide range of activities delivered by our shared service's UC Support Team key areas as shown in the table at paragraph 3.3 of this report. Therefore, these new arrangements are a reduction in the level of UC support services to our customers, with resulting key risks, such as:
 - Customers not claiming Council Tax Support (CTS);
 - Rent arrears (including for local authority tenants) increasing due to no direct link with landlords/ local authority housing departments;
 - Discretionary Housing Payment (DHP) cases not identified, claimed nor processed.

- 4.2 Mid Lincolnshire Citizens Advice, which includes a Sleaford based office, progressed Help to Claim arrangements to be in place from 1st April 2019. In addition to this, senior officers at North Kesteven District Council made an internal decision to retain a Sleaford-based UC support function from our shared service for 2019/20, with a review to take place in advance of 2020/21 with the potential to extend for another year too. This effectively continues the UC support function already provided at North Kesteven offices in Sleaford, co-located with Jobcentre Plus. However, key links and communication with Citizens Advice is crucial to ensure effective referrals for CTS, DHP, rent issues etc with the initial 'Help to Claim' being delivered from Citizens Advice in Sleaford.
- 4.3 Lincoln & District Citizens Advice expressed a desire to subcontract Help to Claim arrangements to our shared service for a number of reasons, including due to the success of the incumbent team. However, a change in national stance meant that in March 2019 this submitted expression was declined by National Citizens Advice. Arrangements have been put in place for our shared service's UC Support Team based in Lincoln to continue support arrangements for the period 1st April to 30th June 2019 to allow Lincoln & District Citizens Advice to recruit and have supported training with the aim of achieving a successful revised arrangement from 1st July 2019. There remains key risks around matters such as rent arrears, CTS and DHP not being claimed under Citizens Advice led support arrangements, as well as issues such as customers who continue to require assistance following their first payment of UC which is not covered under Help to Claim.
- 4.4 Officers are currently working through a number of options regarding potential Lincoln-based internal UC support arrangements, to be considered in advance of 1st July 2019. North Kesteven Members of Revenues and Benefits Joint Committee would need to be aware of arrangements as North Kesteven residents will be affected by any decision made i.e. those who live in postcodes coming under Lincoln Jobcentre Plus in City Hall. DWP will need to 'sign-off' any proposed arrangement from 1st July 2019.
- 4.5 An update on Help to Claim/ UC support arrangements and statistics to date will be provided verbally at this Committee on 3rd June, to relay the most up-to-date position.

5. Organisational Impacts

5.1 Finance:

Central Government funding for UC Support and other UC-related matters for 2018/19, is shown in the table below:

DWP Funding –	COLC	NKDC	Total
UC and UC Support 2018/19	£	£	£
Personal Budgeting Support	11,131	5,384	16,515
Assisted Digital Support	5,692	2,753	8,445
Additional Q1 Funding	12,826	4,996	17,822
Additional Q2 Funding	13,041	1,372	14,413
Additional Q3 Funding	15,112	3,739	18,851
Projected Additional Q4 Funding	15,000	3,500*	18,500*
UC FS HB Stop Notice	400	400	800

UC FS LCTR Automation	908	908	1,816
Transition to UC Housing Payment	17,195	4,472	21,667
Removal of Temporary Accommodation from UC	529	293	822
Total	91,834	27,817	119,651

^{*}Figures not yet released by DWP, estimates based on internal local authority information.

The cost of our shared service staffing for UC support 2018/19, is shown below:

UC Support Team salaries 2018/19	COLC	NK	Total
	£	£	£
UC Support Officer (SC5) – 2.65FTE			
@ Lincoln and 1FTE @ North	73,038	27,561	100,599
Kesteven			
Apprentice – 1FTE	9,225	0	9,225
Total	82,263	27,561	109,824

Staff undertaking UC support were not backfilled during 2018/19, which impacted on claims processing.

There is no UC support funding available for local authorities in 2019/20.

Lincoln & District Citizens Advice have agreed a payment of £8,000 for our shared service to support the transition to Help to Claim for the period 1st April to 30th June 2019.

- 5.2 There are no legal implications arising from this report.
- 5.3 There are no equality and diversity implications as a direct result of this report.

6. Risk Implications

6.1 Where robust arrangements are not in place to deliver support for customers claiming Universal Credit, there could be increased adverse impacts on matters such as; rent arrears, Council Tax income and residents' digital and financial inclusion.

7. Recommendation

7.1 Members are recommended to note and comment regarding this update on Universal Credit support arrangements.

No

Key Decision No

Do the Exempt Information Categories Apply?

Call in and Urgency: Is the decision one to which Rule

15 of the Scrutiny

Procedure Rules apply?

How many appendices does the report contain? None

List of Background None

Papers:

Lead Officer: Martin Walmsley, Shared Revenues and Benefits

Manager

Telephone 01522 873597



Item No. 11

SUBJECT: EXCLUSION OF THE PRESS & PUBLIC

DIRECTORATE: CHIEF EXECUTIVE & TOWN CLERK

REPORT AUTHOR: CAROLYN WHEATER, MONITORING OFFICER

1. Purpose of Report

1.1 To advise members that any agenda items following this report are considered to contain exempt or confidential information for the reasons specified on the front page of the agenda for this meeting.

2. Recommendation

2.1 It is recommended that the press and public be excluded from the meeting at this point as it is likely that if members of the press or public were present there would be disclosure to them of exempt or confidential information.

