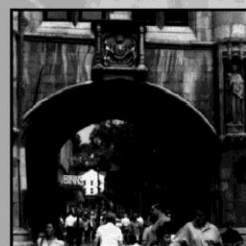




CITY OF
Lincoln
COUNCIL

Council Summons



For the meeting to be held on
Tuesday, 19 January 2021

This page is intentionally blank.

CITY OF LINCOLN COUNCIL

Sir/Madam,

You are hereby summoned to attend the meeting of the COUNCIL of the City of Lincoln to be held on Tuesday, 19 January 2021 at 6.00 pm.

Virtual Meeting

To join this virtual meeting please use the following link:

<https://zoom.us/j/91757413322?pwd=U00waGJMTEhkVDQ3Yy82NElod0RKQT09>

It may be necessary to enter the following passcode and meeting ID:

Passcode: **135721**

Meeting ID: **917 5741 3322**

Alternatively, you can join the meeting via telephone by calling **0330 088 5830** and quoting the above passcode and meeting ID, when instructed.



Chief Executive and Town Clerk

Angela Andrews

AGENDA

SECTION A	Page(s)
1. Confirmation of Minutes - 30 November 2020	5 - 12
2. 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.	
3. Receive Any Questions under Council Procedure Rule 11 from Members of the Public and Provide Answers thereon	
4. Receive Any Questions under Council Procedure Rule 12 from Members and Provide Answers thereon	
5. Motion Under Council Procedure Rule 14 - Covid-19	13 - 14

6. To Consider the Following Recommendations of the Executive and Committees of the Council

- | | | |
|-----|--|----------------|
| (a) | Localised Council Tax Support Scheme 2021/22 | 15 - 58 |
| (b) | Council Tax Base 2021/22 | 59 - 66 |
| (c) | Council House and Garage Rents 2021/22 | 67 - 72 |

This item is scheduled for consideration at the meeting of the Executive on 18 January 2021, which is subsequent to the publication date of this agenda. A copy of the report to the Executive is therefore included as part of the agenda pack for this meeting.

- | | | |
|-----|----------------------------|----------------|
| (d) | Allotment Fees and Charges | 73 - 88 |
|-----|----------------------------|----------------|

This item is scheduled for consideration at the meeting of the Executive on 18 January 2021, which is subsequent to the publication date of this agenda. A copy of the report to the Executive is therefore included as part of the agenda pack for this meeting.

Present: Councillor Sue Burke (*in the Chair*),
Councillor Biff Bean, Councillor Bill Bilton, Councillor
Alan Briggs, Councillor Kathleen Brothwell, Councillor
Chris Burke, Councillor Bob Bushell, Councillor
Liz Bushell, Councillor Thomas Dyer, Councillor
Geoff Ellis, Councillor Gary Hewson, Councillor
Ronald Hills, Councillor Jackie Kirk, Councillor
Rosanne Kirk, Councillor Jane Loffhagen, Councillor
Rebecca Longbottom, Councillor Helena Mair, Councillor
Adrianna McNulty, Councillor Ric Metcalfe, Councillor
Neil Murray, Councillor Bill Mara, Councillor
Donald Nannestad, Councillor Lucinda Preston,
Councillor Christopher Reid, Councillor Hilton Spratt,
Councillor Edmund Strengiel, Councillor Ralph Toofany,
Councillor Pat Vaughan and Councillor Loraine Woolley

Apologies for Absence: Councillor Yvonne Bodger, Councillor Andy Kerry,
Councillor Laura McWilliams and Councillor
Naomi Tweddle

62. Confirmation of Minutes - 22 September 2020

RESOLVED that the minutes of the meeting held on 22 September 2020 be confirmed.

63. Mayoral Announcements

The Mayor reported that it had been a quiet Mayoral year in view of the impact of the coronavirus, although November had been quite busy.

She had been honoured to have laid a wreath on Remembrance Sunday with the City Sheriff and had published a recording of the Flanders Fields poem on the City Council's Facebook page. The Mayor had also attended a number of meetings and events remotely via Zoom which included learning about the Festival of Lights, World Hello Day and the hosting of a community garden awards ceremony. She was also pleased to see that the Christmas lights had been switched on and had recorded a message whilst on a walkabout which had been published on social media.

64. Declarations of Interest

Councillor Edmund Strengiel declared a personal interest in minute number 69(a) (Statement of Accounts 2019/20) as he was Chair of Lincolnshire County Council's Pensions Committee.

Councillor Pat Vaughan wished it recording that his granddaughter worked in the Council's finance department in relation to minute number 69(a) (Statement of Accounts 2019/20).

65. Receive Any Questions under Council Procedure Rule 11 from Members of the Public and Provide Answers thereon

No questions had been received.

66. Receive Any Questions under Council Procedure Rule 12 from Members and Provide Answers thereon

Question by Councillor Alan Briggs to the Portfolio Holder for Quality Housing

Councillor Alan Briggs asked the Portfolio Holder for Quality Housing the following question:

“Can the Portfolio Holder for Quality Housing outline what his team are doing to ensure our Council estate communities are maintained to the highest possible standard and what more he believes we can do to ensure we build upon place making standards?”

Councillor Donald Nannestad, Portfolio Holder for Quality Housing, reported that Covid-19 and associated regulations imposed had restricted what the Council had been able to do in communal areas in particular. Cleaning had continued but in some areas and some cases this had not always been possible. There had also been issues experienced in relation to staff needing to self-isolate, those placed on furlough and health and safety implications for staff. Councillor Nannestad reported that the Council had been especially careful in respect of its sheltered housing, ensuring the protection of its most vulnerable residents, which had been very successful and he also reported that grounds maintenance works had been continuing.

In terms of the longer term, the Draft Housing Strategy, which had consisted of a considerable amount of consultation including two briefings for all City Councillors, set out the Council's future housing aspirations. Ward walks had also taken place with local members which had provided valuable insight, comments following which had been reflected in the Strategy document. Further consultation would be undertaken in due course and it had yet to go before the Housing Scrutiny-Sub Committee. The contents of the Strategy would be reflected in the Housing Revenue Account Business Plan, with further engagement scheduled to take place with tenants via a survey.

With regard to place making, Councillor Nannestad highlighted the new housing schemes being developed at Rookery Lane and Queen Elizabeth Road which provided significant opportunities to drive forward high standards of accommodation. He and officers had been to view other examples of high quality council housing provision at local authorities across the country, which he said would help the City Council with its future plans.

Councillor Nannestad closed by saying that he welcomed feedback from all members of the Council.

Councillor Alan Briggs, as a supplementary question, acknowledged the unprecedented nature of Covid-19 but highlighted on walks he had undertaken in his ward of Birchwood that some gardens had become overgrown and there was evidence of a lack of regular grounds maintenance. He had also seen instances of fly tipping, anti-social behaviour and graffiti and also reported that the standard of weed removal had been poor. Councillor Briggs therefore asked whether more

frequent ward walks by officers could be undertaken to address some of these issues in order that the Council's high standards were maintained.

Councillor Nannestad agreed to investigate this further but asked that all members ensure any such instances be reported to officers in order that necessary action could be taken.

Councillor by Councillor Thomas Dyer to the Leader of the Council

Councillor Thomas Dyer asked the following question to the Leader of the Council:

“Can the Leader please provide Council with an update on the payments made by the City of Lincoln Council in relation to the Government's Business Closure Grants, both mandatory and discretionary?”

Councillor Neil Murray, Portfolio Holder for Economic Growth, provided a response on behalf of the Leader of the Council. He reported that the City Council was currently operating two grant schemes to assist businesses impacted by the national restrictions. The first was a scheme for businesses mandated to close during the restriction period and the second scheme was for businesses which had remained open but have been severely impacted by the restrictions.

In terms of the scheme for closed businesses, which commenced on 16 November 2020, a total of 615 applications had been received, with 428 paid equating to £727,902. 94 applications were in the system being processed and 41 applications had been judged as being ineligible for the grant.

The scheme for those businesses open but impacted as a result of the restrictions had only commenced on 30 November and at the time of the meeting four applications had been received.

Councillor Murray reported that applications were being processed as quickly as possible on a rolling basis and the team were working as hard as they could to get through the workload, whilst making sure the Council was making payments to the correct businesses.

As a supplementary question, Councillor Dyer asked whether there were any further updates on additional support packages and, considering that Lincolnshire had been placed in Tier 3, whether an assurance could be given that the Council would make payments promptly.

Councillor Murray reported that the two grant funding schemes, as set out above, were those which the Council was currently administering to support businesses, with the second scheme in relation to those businesses still open providing the Council with more discretion. Details of that scheme were still in the process of being considered in terms of its scope and eligibility criteria. He provided an assurance that the team would ensure the money received from Government was allocated to as many eligible businesses as possible in Lincoln, and as promptly as possible.

67. Motion Under Council Procedure Rule 14 - Review of the City of Lincoln Council's Scrutiny and Decision Making Process

Councillor Thomas Dyer, Leader of the Opposition, proposed the following motion:

'That the Full Council of the City of Lincoln Council calls upon both political groups, senior officers and itself, to fully review the Council's scrutiny and decision making process.

That a member and officer working group be established to conduct the review, with an ambition to implement the new procedure by May 2022.

That the guiding principle of this review be to increase both the transparency and effectiveness of the Council's decision-making process, ensuring that members are given the opportunity to scrutinise policies, whilst reviewing which decisions should be made by the Full Council and Executive and which are officer delegated decisions.'

Councillor Dyer, in proposing the motion, questioned whether the current process was the most democratic and effective way of making decisions. He cited recent examples of Executive decisions which, in his view, had undergone no pre-decision scrutiny with Call In being the only alternative option by which to scrutinise and hold the decision-taker to account.

The motion was seconded by Councillor Christopher Reid, Deputy Leader of the Opposition.

Councillor Ric Metcalfe, Leader of the Council, welcomed the opportunity to review the ways in which things were done if there were reasonable and well-founded reasons for doing so. He was of the view, however, that the proposition as set out in the motion did not represent well-founded reasons to justify such a review or highlight the value of carrying one out and was actually based on assertions that were incorrect. Councillor Metcalfe reminded members that the jurisdiction of Full Council in the Constitution had not changed whatsoever as a result of the abolition of the committee system in 2000. It remained the same supreme decision-making body of the Council that it had always been in respect of the authority's policy and budgetary framework. He reminded members that scrutiny committees had the power to make direct referrals to Full Council on any matter they saw as necessary.

In terms of the Call In procedure providing limited opportunities for scrutiny, although Councillor Metcalfe could understand Councillor Dyer's disappointment in respect of a recent Call In that had been considered by the Select Scrutiny Committee, he felt it was wrong to imply that the Committee's hands were tied when considering Call Ins. He highlighted that the Ministry of Housing, Communities and Local Government had recently, through statutory guidance, re-emphasised that scrutiny should offer constructive challenge as a critical friend, be undertaken independently, amplify the voice of the public and be aimed at driving improvements. It was therefore not an opportunity to enter into political point scoring, which he felt had occurred at the previous Select Scrutiny Committee meeting. Councillor Metcalfe was of the view that the Council's scrutiny committees currently in place were doing an excellent job.

Councillor Edmund Strengiel said that if any member felt as though inadequate scrutiny was taking place they were quite right to bring the matter to the attention of Council. He did share a concern in respect of decisions going through officers without proper scrutiny and questioned whether the Executive was being used as a rubber-stamping mechanism. Councillor Strengiel highlighted that the motion solely sought a review and said that if the outcome led to greater levels of transparency it could only be a good thing.

Councillor Hilton Spratt in relation to the independent nature of scrutiny reflected that committees were composed based on the political composition of the Council, which he accepted fully. However, he questioned how independent members of an authority could really act on scrutiny committees when part of such a large majority. He asked whether consideration could be given to offer the position of Chair or Vice-Chair of scrutiny committees to members of the opposition, which he felt would be seen by third parties as the committees themselves facilitating a more independent role. This was the case at Lincolnshire County Council, who's overarching Overview and Scrutiny Management Committee was chaired by a member of the opposition.

Councillor Jane Loffhagen was of the opinion that lines were becoming crossed as part of this debate between political campaigning and scrutiny. She emphasised that scrutiny should be non-political and, in her experience, said that all members at the City Council took the opportunity to challenge and ask questions at meetings of scrutiny committees irrespective of their political group.

Councillor Ron Hills reflected on the current structure which had been in place for some time. In terms of the Performance Scrutiny Committee in particular, having been a member and chaired the Committee previously, he said that it ran extremely well, was always impartial and fed recommendations through to the Executive. However, in respect of the Select Scrutiny Committee and Call In, he questioned its meaningfulness based on the fact that, as far as he understood it, a Call In had never been referred back to the Council's Executive for reconsideration of a decision. He agreed with the motion on the basis that it was only seeking to look again at the procedures in place to ensure they were fit for purpose.

Councillor Gary Hewson agreed that the scrutiny function should be carried out on the basis of being a critical friend which, as Chair of the Performance Scrutiny Committee, he believed scrutiny committees at the City Council did. He reminded members that scrutiny committees had no decision-making powers and could only make recommendations. Councillor Hewson referred to the recent Executive decision which was called in and considered by the Select Scrutiny Committee and was of the view that it was given a fair hearing and made the point that the specific decision in question could have been made by officers under delegated powers. In line with the current structure and procedures, there would always be opportunities for any member to call items in and hold decision takers to account, which was their entitlement.

Councillor Lucinda Preston agreed that the City Council's practice of scrutiny was not political and that meetings were rigorous, providing opportunities to ask questions and challenge.

Councillor Christopher Reid stated that the motion was not seeking to highlight what was right or wrong with what was currently in place, it was just seeking to see whether they represented the right way of doing things. He said it was naïve

to think that the way in which things were historically done was the right way to do things and that there was nothing to be lost in undertaking a review. As a County Councillor, he felt that there were things in place at the County Council which the City Council could implement to improve its scrutiny function. He highlighted pre-decision scrutiny as an example which he said was much more significant at the County Council.

In voting on the motion, it having been proposed and seconded, the motion was lost.

68. Receive Reports under Council Procedure Rule 2 (vi) from Members

(a) Report by Councillor Gary Hewson, Chair of the Performance Scrutiny Committee

Councillor Gary Hewson, Chair of the Performance Scrutiny Committee, presented a report to Council which set out the work carried out by the Committee since his last report in January 2020.

It was noted that the ten months covered in the report had been significantly impacted by the Covid-19 pandemic. Since meetings resumed in July the focus of the Committee had largely been on core business, namely financial and operational performance as well as continuing to receive reports from Executive Portfolio Holders.

Councillor Hewson thanked officers for their continued support and all members of the Committee for their contributions.

The report was noted.

(b) Report by Councillor Rebecca Longbottom, Member Safeguarding Champion

Councillor Rebecca Longbottom, Member Safeguarding Champion, presented a report to Council which set out the work undertaken over the last year in relation to safeguarding.

It was reported that protecting vulnerable people encompassed a range of legal duties and responsibilities to protect people's health, wellbeing and human rights to support people in preventing problems from escalating and enabling people to live free from harm, abuse, fear or neglect.

Councillor Longbottom placed on record her thanks to Paula Burton, Safeguarding Officer, for all of her hard work and support.

Councillor Thomas Dyer referred to the PREVENT scheme which contained duties on specified authorities, which he understood the City of Lincoln Council qualified as. He asked whether there was anything to add in that respect as there was no specific reference to PREVENT within the report.

Councillor Longbottom responded by saying that the report referred to training the Council's staff had undertaken which was in relation to safeguarding and radicalisation. She suspected this therefore covered the PREVENT scheme but agreed to look further into this matter and provide a direct response outside of the meeting.

Councillor Christopher Reid made reference to a sentence within the report which stated that it was difficult for officers to be assured that vulnerable people were able to access help and support in these unusual times. He was concerned by this statement and asked what the Council was doing to address this.

Councillor Longbottom provided Councillor Reid with reassurance that the Council's safeguarding team took their responsibilities in relation to supporting vulnerable people very seriously.

Councillor Chris Burke commended an excellent report and the important work of officers. He was proud of the huge amount of work that had been undertaken to protect the city's most vulnerable people during this time of crisis, particularly in relation to homelessness and rough sleeping.

Councillor Gary Hewson reported that the Performance Scrutiny Committee in considering the Council's Strategic Risk Register had recommended that safeguarding be added as a strategic risk onto the register. This had now been actioned and the Committee would therefore receive further updates in relation to safeguarding at future meetings as part of scrutinising the Strategic Risk Register.

The report was noted.

69. To Consider the Following Recommendations of the Executive and Committees of the Council

(a) Statement of Accounts 2019/20

Councillor Geoff Ellis proposed that the Statement of Accounts 2019/20 be approved. The proposition was seconded by Councillor Ric Metcalfe.

Councillor Christopher Burke highlighted the huge amount of work that had been done in terms of the Council's Information Technology, as referred to in the report, which had made a huge difference to the way in which the Council had responded to the coronavirus pandemic. He placed on record his thanks to officers for the hard work they had undertaken in response to the pandemic but also for the development of a strategy which would see the largest investment in Information Technology ever made by the Council. He saw this as a massive step forward for the authority.

It was proposed, seconded and RESOLVED that the Statement of Accounts 2019/20 be approved.

(b) Equality and Diversity Group Terms of Reference

It was proposed, seconded and RESOLVED that the Equality and Diversity Group Terms of Reference be approved.

70. Membership Changes

It was proposed, seconded and RESOLVED that the membership changes be approved.

This page is intentionally blank.

Notice of Motion

Mover: Cllr Gary Hewson Seconded: Cllr Pat Vaughan

This Council notes that Britain is experiencing the worst recession for over 300 years and has the fifth highest number of deaths in the world due to Covid 19. The failure of this Conservative government to contain the virus has caused too many deaths and worsened the economic impact.

The alarm bells on the devastating impacts on people's lives of this unfolding economic disaster are growing louder.

The effects are being felt in the City of Lincoln, especially among households already in low paid employment, with one in four children in the City in households below 60% of the national average household income, and having increasingly to resort to Food Banks in the city to survive.

The Council, along with its partners has been working hard to protect our residents from the worst effects of the pandemic, playing an active role in public health measures, together with action to support our communities, and to help our businesses survive.

The Council believes that further levels of unemployment and hardship are not inevitable if urgent action is taken now to avert the worst effects of the pandemic. This must include further action from government, to include the following measures:

- **An increase in Statutory Sick Pay (SSP) to £320 a week, the level of the current living wage, and make it available to all workers so people can afford too self-isolate.** The current £96 a week is a fifth of average weekly earnings and 2 million who earn less than £120 a week are not even entitled to that. Even while the vaccine is being rolled out people will still need to self-isolate to prevent the virus spreading.
- **An improvement to furlough arrangements so that no one is paid less than the minimum wage,** it is unacceptable there are many of our lowest paid residents in Lincoln receiving only 80% of the minimum wage.
- **No cutting Universal Credit in April -** cutting UC back £20 a week amounts to taking away £1000 a year from many of our low-income households in Lincoln
- **An increase to public service wages and raising the minimum wage to £10 an hour.** A pay cut in real terms – after a decade of real cuts - is a grave insult to millions of public service workers who cared for our loved ones during this crisis. Raising their wages and the minimum wage to £10 per hour would greatly assist in the fight against in-work poverty in our City

- **Protect and create jobs;** the TUC has shown investing £85 billion in green infrastructures would create 1.2 million jobs in 2 years and investing the resources public services need would create 600,000 jobs. This investment, alongside giving the packages of support sectors and businesses need will assist our residents in Lincoln with improved opportunities for employment
- **These basic measures are the foundation to making sure we can build a better recovery from the impacts of this pandemic and begin to address the long term structural problems we have in Lincoln of low wages, and deep inequalities in income and wealth.**

COUNCIL**19 JANUARY 2021**

SUBJECT: LOCALISED COUNCIL TAX SUPPORT SCHEME 2021/22

DIRECTORATE: CHIEF EXECUTIVE

LEAD OFFICER: CLAIRE MOSES, REVENUES AND BENEFITS MANAGER

1. Purpose of Report

- 1.1 For Council to review consultation responses and consider / approve the proposed changes to the Localised Council Tax Support Scheme 2021/22, as well as proposals made in relation to the Exceptional Hardship Scheme and Council Tax premium.

2. Executive Summary

- 2.1 Based on the caseload as at 1st September 2020, the current cost of the 2020/21 CTS scheme is £8,442,201 – with City of Lincoln Council's share of this being £1,262,488 (14.99%). This is in excess of the budgeted tax base level by £360,971, with the additional cost for City of Lincoln Council's share, being £54,110. This increase in cost is as a direct result of the increased caseload arising from the impact of Covid19.
- 2.2 Despite the scheme being a 'local' Council Tax Support scheme, due to the nature of protection provided to pensioners and vulnerable age working customers there will always be an element of cost that the Council has to incur and to for which it has no influence over. Due to this protection from changes to pensioners and vulnerable working age customers any 'savings' to be made to the projected scheme can only be applied to 3,874 customers or 42.90% of the caseload. This means out of the current Council spend of £1,262,488 – only £541,607 (42.9%) can be influenced by a change to the current CTS scheme.

The current caseload can be broken down as follows, to show those customers where the scheme changes would apply:

Caseload breakdown	Caseload	% of total caseload
Total caseload	9,031	
Pensioner	2,806	31.07%
Working age vulnerable	2,351	26.03%
Working age	3,874	42.90%

- 2.3 In order to try and contain the cost of the 2021/22 scheme within the budget parameters of the current Medium Term Financial Strategy a number of options have been modelled (and are set out in detail in the appendices), as follows:

- No change to current scheme;
- Change to minimum weekly CTS entitlement from £2.00, (range £2.50-£4.00);
- Capital cap to be reduced from £8,000, (range £6,000-£7,500);
- Maximum entitlement to be reduced from 100%, (range 80%-97.5%);

The reality is that out of the options above, the only one that may reduce the spend against budget in the MTFS is to decrease the 'maximum entitlement' – e.g. to reduce the maximum CTS customers can receive from 100% to a 80% or 85% - this means they would need to then pay at least 10% or 15% of their Council Tax charge, when they may not have had to pay anything previously. Based on an overall Council Tax increase of 1.9% and CTS caseload increase of 2%, this would mean on average a Council Tax payer would have to pay an additional £3.57 Council Tax per week or £2.47 per week, based on maximum entitlement of 80% or 85% respectively.

The other modelled options would reduce CTS expenditure, but would still be a 'cost' above the amount budgeted in the MTFS, with the additional cost being between £20,000 and £100,000+, depending on a range of caseload increase/decrease scenarios.

3. Background

- 3.1 The Council Tax Benefit system was abolished on 31st March 2013 and replaced by the Council Tax Support Scheme. This scheme can be determined locally by the Billing Authority having had due consultation with precepting authorities, key stakeholders and residents. There are currently 9,031 residents (as at 1st September) claiming Council Tax Support in the Lincoln District. 2,806 are pensioners who are protected under the legislation and receive Council Tax Support as prescribed by the Government (broadly similar to the level of Council Tax Benefit). It is 3,874 working age claimants where a local scheme can be determined, (i.e. 6,225 total working age caseload less 2,351 protected under vulnerable categories), which can change the level of support provided.
- 3.2 The Council agreed to a Local Council Tax Support Scheme which came into effect on 1st April 2013. This scheme matched the previous Council Tax Benefit scheme, giving 100% support for both pension age and working age customers.
- 3.3 The proposed CTS scheme must go through certain steps to comply with the provisions stated in the Local Government Finance Act 2012 before it can be adopted by this Council as a Billing Authority:-

Before making a scheme, the authority must (in the following order):-

- (a) *consult any major precepting authority which has power to issue a precept to it,*
- (b) *publish a draft scheme in such manner as it thinks fit, and*

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

4. Impacts of Covid-19

- 4.1 Covid-19 has had an impact on the amount of CTS awarded, with significant increases in caseload and cost of the scheme – this is detailed further within this section of the report.
- 4.2 The caseload increase is a direct result of changes to the economic climate, with existing customers requiring more support and new customers making claims for Universal Credit, and in-turn Council Tax Support claims. In addition, prior to Covid-19, the Department for Work and Pensions (DWP) was going to move existing Housing Benefit customers on to Universal Credit (UC) via a managed process. Covid-19 has resulted in this process being fast-tracked and has seen a significant increase in new CTS claims. Previously, as CTS was not part of the DWP process, these claims were not always made at the point of UC being applied for, nor were the customer referred to the LA by the DWP. As part of support during Covid-19, the DWP have allowed for the UC claim notification to also serve as an intention to claim CTS.

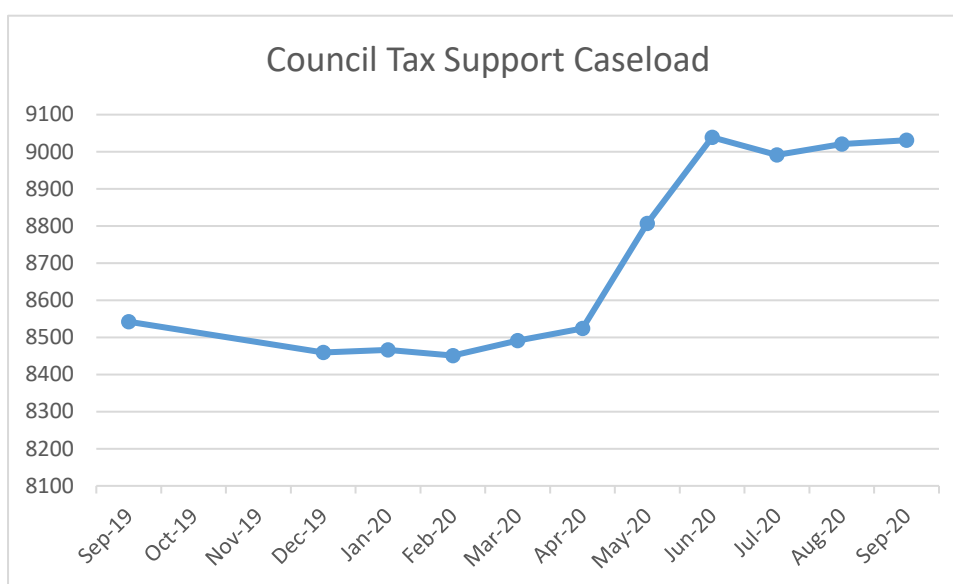
The Council has also ensured those customers who have contacted, to advise they have been affected by Covid-19, resulting in financial difficulties, have had the opportunity to make a claim for Council Tax Support.

- 4.3 For 2020/21, the cost of the scheme as at 4 September 2020 is £8,442,201 – with City of Lincoln Council's share of this being £1,262,488 (14.99%). In comparison to the taxbase that was set for the 2020/21 year, at £8,081,233, this is an increase of £360,971, with the Council's share being £54,110.
- 4.4 The increase in cost is as a direct result of the increase in caseload. At this date in 2019, the total caseload was 8,542, and has increased by 489 to 9,031. The caseload has not been this high since October 2017 – which was prior to the introduction of Universal Credit Full Service.

Further details of caseload increase is shown in the table below:

1st of month	Working age	Pension age	Total
September 2019	5,639	2,903	8,542
December 2019	5,578	2,881	8,459
January 2020	5,601	2,865	8,466
February 2020	5,586	2,865	8,451
March 2020	5,638	2,853	8,491
April 2020	5,684	2,840	8,524
May 2020	5,972	2,835	8,807
June 2020	6,197	2,842	9,039
July 2020	6,159	2,832	8,991
August 2020	6,177	2,814	9,021
September 2020	6,225	2,806	9,031

This is shown in the graph below:



- 4.5 Since April 2020, the overall CTS caseload has increased by 5.9%, with working age claimants increasing by 9.5%. Although it is difficult to assess with any certainty what future increases in claimant numbers may be, due to the number of unknowns around economic recovery, ongoing national/local restrictions, etc, it can be reasonably assumed that there will be a further increase in claimants towards the end of the financial year. Based on a further increase of working age claimants of between 2.5-5% this could increase caseload by 150-300.
- 4.6 A caseload increase during 2020/21 will also impact the cost of the scheme for 2021/22. Officers have modelled a range of caseload increases for the 2021/22 scheme and these are shown in **Appendix 1** to this report.

5. Our Council Tax Support scheme

- 5.1 Our scheme has been updated by minor amendments each year to maintain the link with Housing Benefit and the previous Council Tax Benefit scheme.
- 5.2 The current scheme has the following restrictions for working age customers:
- Capital over £8,000;
 - Minimum entitlement of £2 per week;
 - Property banding capped at Band B e.g. a customer in Band C (and above) property, will only have their CTS calculated on Band B liability;
 - Backdating restricted to 1 month; and
 - Temporary absence from home in line with Housing Benefit.

5.3 The current scheme has the following Council Tax technical restrictions for all Council Tax Payers: -

- Introduction of additional 100% premium to empty properties over 5 years – total premium is 200% (total charge 300%);
- Care leavers council tax exemption – 100% for those aged between 18 and 25th birthday;
- Unoccupied discount 100% for the first month; and
- Second Home discount of 0%.

6. Proposed Council Tax Support Scheme for 2021-22

- 6.1 As explained in paragraph 4.3, the cost of the 2020/21 scheme is £8,442,201 – with City of Lincoln Council's share of this being £1,262,488 (14.99%). The increase in cost for City of Lincoln Council's share, against the tax base, is £54,110. Changes to the CTS scheme can only be applied to non-vulnerable working age customers (pensioners and vulnerable customers are exempt).

As a result, any changes will only apply to 3,874 customers or 42.90% of the caseload.

The current caseload can be broken down as follows, to show those customers where the scheme changes would apply:

Caseload breakdown	Caseload	% of total caseload
Total caseload	9,031	
Pensioner	2,806	31.07%
Working age vulnerable	2,351	26.03%
Working age	3,874	42.90%

- 6.2 Based on the current core elements of the existing scheme, various caseload increases have been modelled, along with an increase in Council Tax of 1.9%. These are summarised in **Appendix 1**, giving an indication of the potential cost and savings to City of Lincoln. Also included is the potential value for non-collection (based on a reduction of 1% to the current collection rate in the taxbase of 97.75% - as a result of COVID-19).
- 6.3 As a billing authority the Council can decide whether or not to amend core elements of its scheme each year. Officers are proposing changes to the core elements of the scheme, these are summarised in **Appendix 1**.

There will be some technical changes that will still need to be applied to ensure that the Council's scheme complied with the Prescribed Scheme Regulations (covering Universal Credit, premiums and discounts). These details are still awaiting from the Ministry of Housing, Communities and Local Government (MHCLG).

Technical amendments to the scheme in relation to uprating income, applicable amounts, disregards and allowances are to be collated once statutory details have been released by the Secretary of State. There will be no change to the adopted policy in the way CTS is calculated for these areas. Officers have considered if there is any need for any transitional arrangements to the revised scheme and concluded transitional arrangements are not needed for the 2021/22 scheme.

6.4 In developing the modelling for each of the Council Tax Support Scheme options a number of assumptions have been made, as follows:

- Uprating Freeze for social security benefits, based on the current national policy.
- As the Council and major preceptors are likely to set differing levels of Council Tax increases it creates a variety of modelling scenarios. An overall Council Tax increase on all elements of 1.9%% has therefore been assumed for modelling purposes. The final cost of the scheme will though be increased by the level of Council Tax increases applied. The modelling does not though take into consideration that the Council's percentage share of the overall cost of the scheme would slightly reduce if other preceptors increase their Band D by a greater percentage than the Council, this would in effect reduce the cost of the scheme to the Council.
- 1% to 3% increase in caseload for 2020/21. This is calculated on the already increased caseload so far for 2020/21. The caseload used at the time of modelling is 9,031, with working age of 6,225.
- Collection Rate of 97.75%. The current Council Tax base is calculated on the rate of 98.75%, which was set pre-Covid.

6.5 The options considered are as follows:

- **Option 1: No change to the current scheme:** With no changes to Council Tax or caseload;
- **Option 2 to 4: Various changes to current scheme:** With 1.9% Council Tax increase and:
 - Option 2 – will include a 1% caseload decrease
 - Option 3 – will include a 1% caseload increase
 - Option 4 – will include a 2% caseload increase
 - Option 5 – will include a 3% caseload increase

The various options modelled for each of the different caseloads are:

- a) **No change to current scheme**
- b) **Minimum weekly entitlement amendment – £2.50 to £4.00 per week:**
- c) **Capital reduction - £7,500 to £6,000**

- d) **Maximum award to be reduced – 97.5% to 80%**
- e) **Increase banding cap – Band C to D (this would be an additional cost to the scheme)**

- 6.6
- **Option 5: Council Tax empty homes premium:** From 1 April 2013, billing authorities have been able to charge a premium on a class of property that has been unoccupied and unfurnished for 2 years or more. Currently the premium can be up to 200% of the Council Tax on the property. From 1 April 2021, councils will have the powers to charge even greater premiums on homes left empty following an amendment to a government Bill.

The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 allows billing authorities to charge higher premiums on homes left empty.

The legislation provides for the following: –

- April 2021 – any property empty over ten years to receive a premium of 300% (incurring a 400% charge).

Decisions on whether to charge a premium, and the exact rates to be charged will remain a matter for Councils, taking local circumstances into account. Officers propose a number of considerations to be taken into account when applying the premium.

- 6.7
- Continuation of the Exceptional Hardship Scheme:** Exceptional Hardship Payments (EHP) assist persons who have applied for Council Tax Support and who are facing 'exceptional hardship' – it is similar to the Discretionary Housing Payment for Housing Benefit shortfalls. EHP provides a further financial contribution where an applicant is in receipt of Council Tax Support but the level of support being paid by the Council does not meet their full Council Tax liability.

The Council is required to provide financial assistance to the most vulnerable residents, who have been disproportionately affected by the changes made in 2021 to the Council Tax Support Scheme. Since April 2013, the Council agreed to introduce an Exceptional Hardship scheme each year, in order to provide a safety net for customers, in receipt of Council Tax Support who were experiencing difficulty paying their council tax. Exceptional Hardship falls within Section 13A(1) of the Local Government Finance Act 1992 and forms part of the Council Tax Support Scheme.

The current EHP budget is £20,000 and the cost of EHP awards is being borne solely by City of Lincoln. As at 31 August 2020, a total of £14,389 EHP has been awarded.

The EHP has supported those customers that have been affected by Covid-19 whereby additional support has been requested and applications have been successful.

7. Consultation and communication

- 7.1 Executive met on 26 October 2020 to consider the options modelled, as outlined in section 6 of this report.

The decision by Executive was for these options to be included within the public consultation.

- 7.2 Consultation began on 28 October 2020 and ran to 9 December 2020. Consultation has been undertaken with major precepting authorities, stakeholders and residents through a variety of methods as detailed below: -

- An online consultation survey;
- All City of Lincoln Council Members were issued with an email advising them of the consultation;
- Partner organisations were also advised of the proposed scheme – including Citizens Advice; and
- Major preceptors – Police and Crime Commissioner (**Appendix 5**) and Lincolnshire County Council (**Appendix 6**)

- 7.3 There was a total of 85 surveys completed. **Appendix 3** shows the key findings from the consultation.

- 7.4 Policy Scrutiny Committee also considered proposed scheme options on 24th November 2020.

- 7.5 The Executive considered this report at its meeting on 4 January 2021 and a minute extract from that meeting is appended to the report.

8. Council Tax exemption for Special Constables

- 8.1 The consultation response from the Police and Crime Commissioner proposed a 25% Council Tax Discount Scheme for Special Constables be introduced in Lincolnshire.

- 8.2 The mechanism for such an award would be for the discount to be awarded through Section 13A of the Local Government Finance Act 1992. This provides the council with a discretionary power to discount the amount of council tax that is payable to us on a case by case basis or to specify a specific class where several council tax payers may fall into a group due to similar circumstances.

- 8.3 The Collection Fund Regulations require that the Billing Authority funds the amount of any discretionary award made under Section 13A(1)(c) in full, by making a transfer payment from its General Fund to the Collection Fund of the amount of the award. This means that Council is effectively paying the shares of the Council Tax that are allocated to the County Council, the Police and Crime Commissioner. However, the proportionate shares will then be charged back to the preceptors so the Council will only pay its share, this is currently estimated to cost £2,241.

9. Timetable

- 9.1 The timetable to approve any change to the new scheme takes into account the existing calendar of meetings. The full council as Billing Authority needs to approve the scheme after consultation as outlined in section 6.

- 9.2 The timetable is as follows: -

- Council – 19 January 2021 - the Local Government Finance Act 2012 requires a full review of the scheme by the Billing Authority. City of Lincoln Council will need to approve a new scheme after consultation by 31 January 2021.

10. Significant Policy Impacts

10.1 Strategic Priorities

Let's drive inclusive economic growth - Council Tax Support has a key role in Reducing Poverty and disadvantage by ensuring residents in those households who cannot afford to pay their Council Tax receive financial support. The changes to Council Tax Support form part of the national welfare reform agenda, with the risks of changes to numbers of claimants due to economic change and funding gap costs being passed from central government to local authorities. Central government now has a fixed cost funding arrangement whereas local government must set a scheme in advance of the financial year it applies to but cannot change it should circumstances change unexpectedly or if the assumptions used to decide the scheme are not realised. Central government states that this places responsibility for the local economy such as creating businesses and jobs on local government as part of the localism agenda

Let's reduce all kinds of inequality - The Authority will be obliged to comply with its general equality duty under the Equality Act 2010. The scheme is being amended in line with statutory requirements and uprating the financial allowances. Early modelling shows the number of customers affected and pay how much (total and average per week). Once a decision has been made regarding the options of modelling, an equality impact assessment will be undertaken.

Council Tax Support awards are notified on Council Tax bills. If the scheme were likely to change, consultation with precepting authorities, stakeholders

(such as Citizens Advice and Financial Inclusion Partnership) and residents would be required. Once a decision has been made, notification within Council Tax bills and annual CTS uprating letters would be issued advising claimants of the decision once their award for the new financial year is known.

10.2 **Organisational Impacts**

Finance (including whole life costs where applicable)

The actual cost of the discount scheme in 2021/22 will not be known for certain until the end of the financial year and will be dependent on the actual caseload in year as well as the levels of Council Tax set by the City Council and the major precepting authorities.

An indicative range of costs based on various scenarios and the options set out in section 6 of this report for 2021/22 are set out in **Appendix 1**. Of all of the options the only one that may reduce the spend against budget in the MTFS, is to decrease the 'maximum entitlement' – e.g. to reduce the maximum CTS customers can receive from 100% to a 80% or 85%, otherwise the cost of the scheme in 2021/22 will exceed the amount currently assumed in the MTFS.

As part of the Spending Round 2020 a £670m unringfenced grant was announced aimed at directly at supporting councils to meet the anticipated additional costs of providing Local Council Tax support in 2021/22, resulting from increased unemployment. Unlike the £500m Hardship Fund announced in 2020/21 this grant is not money to be passported to council tax payers and is instead to provide additional funding to Councils. The Council's provisional allocation has been announced as £200,492 and should be taken into consideration when agreeing any changes to the scheme for 2021/22.

The estimated cost of the scheme, based on current caseload, is taken into consideration when calculating the Council's tax base for the financial year and will impact on the estimated Council Tax yield for the year. Any difference in the actual cost of the discount scheme to that estimated in the tax base calculation will be accounted for within the Collection Fund and will be taken into account when future years surpluses or deficits are declared.

The exceptional hardship fund of £20,000, made available during 2020/21, will continue to be available into 2021/22.

Should the Council wish to propose the approval of the Council Tax exemption for Police Special Constables as put forward by the Police & Crime Commissioner this will be a direct cost to the General Fund of c£2,241 in 2021/22.

10.3 **Legal implications inc Procurement Rules**

The Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012, laid before Parliament on 22nd November 2012, set out the regulations for a default scheme and this was adopted by the Council subject

to local policy needs in January 2013. The Secretary of State has issued amendment regulations setting out some changes that must be adopted by the Council for pensioners and the Council has also decided in 2013 to keep the schemes allowances and premiums in line with those for Housing Benefit for working age claimants. These are incorporated into amendments to the local scheme for approval by the Council.

The regulations for the City of Lincoln Council scheme proposed to be adopted are to be collated and made available for Council in January 2021.

10.4 Equality, Diversity and Human Rights

The Authority will be obliged to comply with its general equality duty under the Equality Act 2010 and is shown in **Appendix 4**. The scheme is being amended in line with statutory requirements and uprating the financial allowances.

10.5 Staffing

No change to current staffing arrangements as a result of this policy.

11. Risk Implications

- 11.1 The Council, along with the other preceptors, bears the risk of the cost of the Council Tax Support scheme should caseload increase causing the cost to increase more than predicted.
- 11.2 Any revisions to the scheme must be approved by 31 January 2021 before the financial year begins.
- 11.3 The scheme cannot be changed mid-year and therefore it is vital the correct scheme is in place.

12. Recommendations

12.1 That Council:

- 1) Reviews consultation responses relating to the Localised Council Tax Support Scheme for 2021/22;
- 2) Considers the proposed change to the core element of the Council Tax Support scheme for 2020/21 as set out in Section 6, paragraph 6.5;
- 3) Considers the proposed change to the Council Tax Technical premium as set out in Section 6, paragraph 6.6 – from 1 April 202, any property empty over ten years to receive a premium of 300% (incurring a 400% charge);
- 4) Approves the continuation of the £20,000 Exceptional Hardship fund for 2021/22 to top up Council Tax Support awards in appropriate cases

(this amount is funded through the collection fund) as set out in Section 6, paragraph 6.7; and

- 5) Considers the request from the Police and Crime Commissioner to implement a Council Tax exemption for Special Constables as referenced in Section 8.

Key Decision No

Do the Exempt Information Categories Apply No

Call In and Urgency: Is the decision one to which Rule 15 of the Scrutiny Procedure Rules apply? No

Does the report contain Appendices? Yes

If Yes, how many Appendices? 7

Appendix 1 – Council Tax Modelling 2021/22
 Appendix 2 – Lincolnshire Districts Schemes
 Appendix 3 – Public consultation responses
 Appendix 4 – Equality Impact Assessment
 Appendix 5 – Police and Crime Commissioner consultation response
 Appendix 6 – Lincolnshire County Council consultation response
 Appendix 7 – Minute Extract from Executive 4 January 2021

List of Background Papers: None

Lead Officer: Claire Moses – Telephone 01522 873764

Appendix 1: 4 January 2021 - Executive - City of Lincoln Council – Council Tax Support 2021/22 scheme

Option 1: Council Tax Support Scheme ‘no change’ proposal as at 4 September 2020

Option 1a: No change to current scheme	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Current scheme only – No assumptions, no change to caseload, no change to Council Tax costs	£8,442,201	£1,265,486	(£54,487)	£53,261

27

Yellow = original modelling with 1.9% Council Tax increase and 1% caseload **d**ecrease = Page 2 to 4

Orange = 1.9% Council Tax increase and 1% caseload **i**ncrease = Page 5 to 7

Green = 1.9% Council Tax increase and 2% caseload **i**ncrease = Page 8 to 10

Blue = 1.9% Council Tax increase and 3% caseload **i**ncrease = Page 11 to 13

Appendix 1: 4 January 2021 - Executive - City of Lincoln Council – Council Tax Support 2021/22 scheme

Option 2: Council Tax Support Scheme – various change proposals as at 4 September 2020 – Council Tax with 1.9% and 1% caseload decrease

Assumptions have been made that all applicable amounts have been frozen, income with 0% increase

Option 2a: No change to current scheme	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Current scheme only – 1.9% Council Tax increase	£8,557,528	£1,282,774	(£71,775)	£70,160

Option 2b: Minimum weekly entitlement amendment	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Current scheme: Minimum entitlement of £2 per week				
Minimum weekly entitlement of £2.50 per week	£8,555,806	£1,282,515	(£71,516)	£69,907
Minimum weekly entitlement of £3.00 per week	£8,552,340	£1,281,996	(£70,997)	£69,399
Minimum weekly entitlement of £3.50 per week	£8,545,978	£1,281,042	(£70,043)	£68,467
Minimum weekly entitlement of £4.00 per week	£8,533,765	£1,279,211	(£68,212)	£66,678

Appendix 1: 4 January 2021 - Executive - City of Lincoln Council – Council Tax Support 2021/22 scheme

Option 2c: Capital cap to be reduced Current scheme: Capital cap is £8,000	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Capital cap of £7,500	£8,557,528	£1,282,774	(£71,775)	£70,160
Capital cap of £7,000	£8,552,055	£1,281,953	(£70,954)	£69,357
Capital cap of £6,500	£8,551,223	£1,281,829	(£70,830)	£69,236
Capital cap of £6,000	£8,549,344	£1,281,549	(£70,548)	£69,960

Option 2d: Maximum entitlement award Current scheme: 100% award	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Maximum entitlement of 97.5%	£8,474,295	£1,270,297	(£59,298)	£57,964
Maximum entitlement of 95%	£8,390,560	£1,257,745	(£46,746)	£45,694
Maximum entitlement of 90%	£8,224,931	£1,232,917	(£21,918)	£21,425
Maximum entitlement of 85%	£8,064,277	£1,208,836	£2,164	£2,116
Maximum entitlement of 80%	£7,903,686	£1,184,763	£26,236	£25,646

Appendix 1: 4 January 2021 - Executive - City of Lincoln Council – Council Tax Support 2021/22 scheme

Option 3: Council Tax Support Scheme – various change proposals as at 4 September 2020 - Council Tax with 1.9% and 1% caseload increase

Assumptions have been made that all applicable amounts have been frozen, income with 0% increase

Option 3a: No change to current scheme	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Current scheme only – 1.9% Council Tax increase	£8,636,322	£1,294,585	(£83,585)	£81,705

Option 3b: Minimum weekly entitlement amendment	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Current scheme: Minimum entitlement of £2 per week				
Minimum weekly entitlement of £2.50 per week	£8,634,013	£1,294,239	(£83,240)	£91,367
Minimum weekly entitlement of £3.00 per week	£8,630,615	£1,293,729	(£82,730)	£80.869
Minimum weekly entitlement of £3.50 per week	£8,624,348	£1,292,790	(£81,791)	£79,950
Minimum weekly entitlement of £4.00 per week	£8,612,333	£1,290,989	(£79,990)	£78,190

Appendix 1: 4 January 2021 - Executive - City of Lincoln Council – Council Tax Support 2021/22 scheme

Option 3c: Capital cap to be reduced Current scheme: Capital cap is £8,000	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Capital cap of £7,500	£8,635,685	£1,294,489	(£83,490)	£81,611
Capital cap of £7,000	£8,630,205	£1,293,668	(£82,669)	£80,809
Capital cap of £6,500	£8,629,371	£1,293,543	(£82,544)	£80,686
Capital cap of £6,000	£8,627,487	£1,293,260	(£82,261)	£80,410

Option 3d: Maximum entitlement award Current scheme: 100% award	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Maximum entitlement of 97.5%	£8,551,801	£1,281,915	(£70,916)	£69,320
Maximum entitlement of 95%	£8,467,439	£1,269,269	(£58,270)	£56,959
Maximum entitlement of 90%	£8,300,544	£1,244,252	(£33,253)	£32,504
Maximum entitlement of 85%	£8,138,582	£1,219,973	(£8,974)	£8,772
Maximum entitlement of 80%	£7,976,811	£1,195,724	£15,275	£14,931

Appendix 1: 4 January 2021 - Executive - City of Lincoln Council – Council Tax Support 2021/22 scheme

Option 4: Council Tax Support Scheme – various change proposals as at 4 September 2020 - Council Tax with 1.9% and 2% caseload increase

Assumptions have been made that all applicable amounts have been frozen, income with 0% increase

Option 4a: No change to current scheme	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Current scheme only – 1.9% Council Tax increase	£8,719,823	£1,307,101	(£96,102)	£93,940

Option 4b: Minimum weekly entitlement amendment	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Current scheme: Minimum entitlement of £2 per week				
Minimum weekly entitlement of £2.50 per week	£8,718,221	£1,306,861	(£95,862)	£93,705
Minimum weekly entitlement of £3.00 per week	£8,714,916	£1,306,366	(£95,367)	£93,221
Minimum weekly entitlement of £3.50 per week	£8,708,793	£1,305,447	(£94,449)	£92,624
Minimum weekly entitlement of £4.00 per week	£8,697,082	£1,303,693	(£92,694)	£90,608

Appendix 1: 4 January 2021 - Executive - City of Lincoln Council – Council Tax Support 2021/22 scheme

Option 4c: Capital cap to be reduced Current scheme: Capital cap is £8,000	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Capital cap of £7,500	£8,719,823	£1,307,101	(£96,102)	£93,940
Capital cap of £7,000	£8,714,337	£1,306,279	(£95,280)	£93,136
Capital cap of £6,500	£8,713,494	£1,306,153	(£95,154)	£93,013
Capital cap of £6,000	£8,711,611	£1,305,870	(£94,871)	£92,737

Option 4d: Maximum entitlement award Current scheme: 100% award	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Maximum entitlement of 97.5%	£8,635,204	£1,294,417	(£83,418)	£81,541
Maximum entitlement of 95%	£8,550,141	£1,281,666	(£70,667)	£69,077
Maximum entitlement of 90%	£8,381,837	£1,256,437	(£45,438)	£44,416
Maximum entitlement of 85%	£8,218,396	£1,231,938	(£20,939)	£20,467
Maximum entitlement of 80%	£8,055,299	£1,207,489	£3,510	£3,431

Appendix 1: 4 January 2021 - Executive - City of Lincoln Council – Council Tax Support 2021/22 scheme

Option 5: Council Tax Support Scheme – various change proposals as at 4 September 2020 - Council Tax with 1.9% and 3% caseload increase

Assumptions have been made that all applicable amounts have been frozen, income with 0% increase

Option 5a: No change to current scheme	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Current scheme only – 1.9% Council Tax increase	£8,803,961	£1,319,714	(£108,715)	£106,269

Option 5b: Minimum weekly entitlement amendment	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Current scheme: Minimum entitlement of £2 per week				
Minimum weekly entitlement of £2.50 per week	£8,802,429	£1,319,484	(£108,485)	£106,044
Minimum weekly entitlement of £3.00 per week	£8,799,218	£1,319,003	(£108,004)	£105,574
Minimum weekly entitlement of £3.50 per week	£8,793,239	£1,318,106	(£107,107)	£104,698
Minimum weekly entitlement of £4.00 per week	£8,781,830	£1,316,396	(£105,397)	£103,026

Appendix 1: 4 January 2021 - Executive - City of Lincoln Council – Council Tax Support 2021/22 scheme

Option 5c: Capital cap to be reduced Current scheme: Capital cap is £8,000	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Capital cap of £7,500	£8,803,961	£1,319,714	(£108,715)	£106,269
Capital cap of £7,000	£8,798,468	£1,318,890	(£107,891)	£105,464
Capital cap of £6,500	£8,797,618	£1,318,763	(£107,764)	£105,339
Capital cap of £6,000	£8,795,734	£1,318,481	(£107,482)	£106,269

Option 5d: Maximum entitlement award Current scheme: 100% award	Estimated Total Spend	City of Lincoln Spend – 14.99%	Difference to MTFS (£1,210,999) – saving / (cost)	Amount expected to be collected using collection figure of 97.75%
Maximum entitlement of 97.5%	£8,718,607	£1,306,919	(£95,920)	£93,762
Maximum entitlement of 95%	£8,632,843	£1,294,063	(£83,064)	£81,195
Maximum entitlement of 90%	£8,463,130	£1,268,623	(£57,624)	£56,328
Maximum entitlement of 85%	£8,298,210	£1,243,902	(£32,903)	£32,162
Maximum entitlement of 80%	£8,133,787	£1,219,255	(£8,256)	£8,070

This page is intentionally blank.

Appendix 2: 4 January 2021 - Executive - City of Lincoln Council – Council Tax Support 2021/22 scheme

Council Tax Support Schemes - Lincolnshire Districts

The table below shows the schemes for the Lincolnshire Districts for 2020/21

	Minimum weekly entitlement	Capital cap	Cap on maximum entitlement	Banding cap
Boston Borough	N/A	£10,000	75%	Band D
City of Lincoln	£2.00	£8,000	100%	*Band B
East Lindsey	N/A	N/A	75%	Band D
North Kesteven	£3.50	£8,000	90%	Band D
South Holland	£5.00	£8,000	70%	Band D
South Kesteven	N/A	N/A	80%	N/A
West Lindsey	£3.00	No cap - £16,000	90%	Band E

*City of Lincoln have a higher proportion of Band B properties in comparison to other Districts

This page is intentionally blank.

Council Tax Support Survey – proposed scheme for 2021/22

Total responses = 85

Q1. We have designed our proposed support scheme taking into account the following principles:

- Reduced support where it is likely that a household has more income coming in or have savings to pay Council Tax
- Pension age – protection is statutory under Central Government Legislation

Do you agree with these principles? (tick one)

Yes = 51

No = 26

Don't Know = 8

Q2. We offer an exceptional hardship scheme to help those affected by changes to the Council Tax Support scheme to top up entitlement if they cannot afford the Council Tax and the scheme cannot help them in their circumstances. We propose to continue this in future years.

Do you agree with this principle? (tick one)

Yes = 78

No = 1

Don't Know = 7

Q2. We offer an exemption from Council Tax for care leavers up to the age of 25. We propose to continue this in future years.

Do you agree with this propose change? (tick one)

Yes = 71

No = 5

Don't Know = 10

Q4. Council Tax Support currently has a capital limit of £8,000. We are considering changing this to the following:

- a) £7,500
- b) £7,000
- c) £6,500
- d) £6,000

Do you agree with this propose change? (tick one)

Yes = 32

No = 39

Don't Know = 15

If you agree, which option do you agree with (tick one)

Option a = 18

Option b = 9

Option c = 3

Option d = 2

Q5. Council Tax Support currently has a minimum entitlement threshold of £2 per week. We are considering changing this to the following:

a) £2.50 per week

b) £3.00 per week

c) £3.50 per week

d) £4.00 per week

Do you agree with this propose change? (tick one)

Yes = 50

No = 16

Don't Know = 19

If you agree, which option do you agree with (tick one)

Option a = 15

Option b = 12

Option c = 5

Option d = 18

Q6. Council Tax Support currently has a 100% maximum award, meaning you up to 100% of your Council Tax is eligible for Council Tax Support. We are considering changing this to the following:

a) 97.5%

b) 95%

c) 90%

d) 85%

e) 80%

Do you agree with this propose change? (tick one)

Yes = 29

No = 48

Don't Know = 9

If you agree, which option do you agree with (tick one)

Option a = 10

Option b = 7

Option c = 7

Option d = 2

Option e = 3

Q7. Council Tax Support is currently capped at Band B liability, for example, a customer in Band C (and above) would have their entitlement calculated on Band B liability. We are considering changing this to the following:

- a) Cap at Band C – a customer in Band D (and above) would have their entitlement calculated on Band C liability**
- b) Cap at Band D – a customer in Band E (and above) would have their entitlement calculated on Band D liability**

Do you agree with this propose change? (tick one)

Yes = 34

No = 21

Don't Know = 30

If you agree, which option do you agree with (tick one)

Option a = 25

Option b = 11

Q8. A Council Tax Premium of 200% is currently charged for property that have been empty for over 5 years. It is proposed, in line with Government legislation, to increase this to 300% for properties empty over 10 years from 1 April 2021.

Do you agree with this propose change? (tick one)

Yes = 58

No = 10

Don't Know = 17

This page is intentionally blank.

Equality with Human Rights Analysis Toolkit



SECTION A

Name of policy / project / service	Council Tax Support Scheme 2021/22
Background and aims of policy / project / service at outset	<p>In January 2020, the meeting of Full Council approved City of Lincoln Councils Council Tax Support Scheme (CTS) for 2020/21. There were a number of changes made to the scheme.</p> <p>The Council must review and reapprove its Council Tax Support scheme each year as part of its budget setting process, and make any necessary changes for 1 April 2021</p> <p>It is recognised that the combined effects of the wider welfare reform package on the residents of the District requires a robust and detailed Equality Impact Assessment.</p> <p>The current document contains data derived from the current Council Tax Support caseload.</p> <p>Following publication of the draft scheme, formal consultation commenced on 28 October 2020 and ran to 9 December 2020, utilising a combination of the council's consultation web-portal and letters issued to all those in receipt of Council Tax Support directing them to the on-line consultation documents. Emails were issued to relevant stakeholders, including Citizens Advice.</p> <p>The level of changes to the current scheme have been modelled and individuals / groups impacted by the selection of changes is shown below: -</p> <ul style="list-style-type: none"> • Retain current scheme with a Council Tax increase of 1.9% and a caseload decrease of 1% and increase between 15 and 3% – 3,874 working age CTS customers are affected; • Various changes to be considered: <ul style="list-style-type: none"> ○ Minimum weekly entitlement amendment – £2.50 to £4.00 per week; ○ Capital reduction - £7,500 to £6,000 ○ Maximum award to be reduced – 97.5% to 80% ○ Increase banding cap – Band C to D (this would be an additional cost to the scheme)

	<ul style="list-style-type: none"> • Council Tax Empty Homes Premium to be increased from 200% to 300% (charge from 300% to 400%) - 26 council tax payers affected <p>Each of these will be considered in relation to how the changes might differently and / or adversely affect people with protected characteristics.</p> <p>The Equality Assessment provided support in approach to the consultation on the proposed scheme. Details of the responses to the consultation will be presented in the Localised Council Tax Support 2020/21 report pack which will be presented to Strategic Review Group on 16 December 2019.</p>
<p>Person(s) responsible for policy or decision, or advising on decision, and also responsible for equality analysis</p>	<p>Claire Moses – Revenues and Benefits Manager (Shared Service)</p>
<p>Key people involved <i>i.e. decision-makers, staff implementing it</i></p>	<p>Decision Makers – City of Lincoln Members, and Executive Staff implementing any changes</p>

SECTION B

This is to be completed and reviewed as policy / project / service development progresses

	Is the likely effect positive or negative? (please tick all that apply)			Please describe the effect and evidence that supports this?*	Is action possible to mitigate adverse impacts?	Details of action planned including dates, or why action is not possible
	Positive	Negative	None			
Age 45	Y	Y		<p>Pensioners are a protected group for the purposes of council tax support scheme so will not be financially affected, therefore the reduction in benefit will be borne by the remainder of those in receipt of Council Tax Support (those of working age who are not carers, war widows/ war disablement pensioners and the sick and disabled).</p> <p>There could be a risk people of working age who will bear all the financial impact of the changes, may resent the fact that pensioners are exempt.</p> <p>Due to the current economic climate, it is more difficult for younger people to access employment providing further financial difficulties. Council Tax Support will only be available to those young people who are liable to pay Council Tax and this only applies to householders over 18 years of age. If the young person is living in their parent or other householder's home they will not be liable to</p>	Yes	<p>Action dependant on outcome of consultation and Executive recommendation on 4 January 2021</p> <p>With effect from 1 April 2021</p>

				pay Council Tax so will not be affected by this Support scheme unless they are a non-dependent in the householder's home because the non-dependant deductions are being increased across all age groups and based on the level of income they receive. The personal allowances for under-25's is lower than for those over the age of 25 years. This means that they could get less.		
Disability including carers (see Glossary)	Y			<p>The proposal to protected vulnerable groups will include those with a disability.</p> <p>The Department for Work and Pensions state that disabled people remain far less likely to be in employment, therefore the proposals do not impact on this group to the extent that they are regarded as a vulnerable group. The scheme protects disabled persons from the proposed changes except for the general uprating of all allowances and premiums.</p> <p>To qualify as 'disabled' the person must</p> <ul style="list-style-type: none"> • Qualify for a disability, enhanced disability or severe disability premium for the claimant or partner, or • Qualify for disability or enhanced disability premium for a dependent, or • Qualify for a disability earnings disregard, or • Receive a disability related council tax reduction. • Be in receipt of Employment and Support Allowance (Work Related or 	NA	<p>Action dependant on outcome of consultation and Executive recommendation on 4 January 2021</p> <p>With effect from 1 April 2021</p>

Appendix 4 – 4 January 2021 - Executive – Council Tax Support Scheme 2021/22 Equality Impact Assessment

				Support Group component		
Gender re-assignment			Y	There is no evidence at this stage of an impact	NA	Action dependant on outcome of consultation and Executive recommendation on 4 January 2021 With effect from 1 April 2021
Pregnancy and maternity			Y	This does not have any effect on the decisions made under this policy.	NA	Action dependant on outcome of consultation and Executive recommendation on 4 January 2021 With effect from 1 April 2021
47 Race			Y	Persons from abroad are excluded from provision by statute but race or ethnicity itself does not have any effect on the application of the scheme. Scheme rules do not take into account race or ethnicity. Council Tax Support is proposed to be reduced for all working age customers.	NA	Action dependant on outcome of consultation and Executive recommendation on 4 January 2021 With effect from 1 April 2021
Religion or belief			Y	There is no evidence at this stage of an impact	NA	Action dependant on outcome of consultation and Executive recommendation on 4 January 2021 With effect from 1 April 2021

Appendix 4 – 4 January 2021 - Executive – Council Tax Support Scheme 2021/22 Equality Impact Assessment

Sex			Y	There is no evidence at this stage of an impact	NA	Action dependant on outcome of consultation and Executive recommendation on 4 January 2021 With effect from 1 April 2021
Sexual orientation			Y	This does not have any effect on the decisions made under this policy.	NA	Action dependant on outcome of consultation and Executive recommendation on 4 January 2021 With effect from 1 April 2021
Marriage/civil partnership			Y	This does not have any effect on the decisions made under this policy.	NA	Action dependant on outcome of consultation and Executive recommendation on 4 January 2021 With effect from 1 April 2021
Human Rights (see page 8)			Y	This does not have any effect on the decisions made under this policy.	NA	Action dependant on outcome of consultation and Executive recommendation on 4 January 2021 With effect from 1 April 2021

- Evidence could include information from consultations; voluntary group feedback; satisfaction and usage data (i.e. complaints, surveys, and service data); and reviews of previous strategies

Did any information gaps exist?	Y/N/NA	If so what were they and what will you do to fill these?

SECTION C

Decision Point - Outcome of Assessment so far:

Based on the information in section B, what is the decision of the responsible officer (please select one option below):

Tick here


- ✓ **No equality or human right Impact** (your analysis shows there is no impact) - sign assessment below []
- ✓ **No major change required** (your analysis shows no potential for unlawful discrimination, harassment)- sign assessment below []
- ✓ **Adverse Impact but continue** (record objective justification for continuing despite the impact)-complete sections below [x]
- ✓ **Adjust the policy** (Change the proposal to mitigate potential effect) -progress below only AFTER changes made []
- ✓ **Put Policy on hold** (seek advice from the Policy Unit as adverse effects can't be justified or mitigated) -STOP progress []

49

<p>Conclusion of Equality Analysis (describe objective justification for continuing)</p>	<p>Council Tax has to be paid by all those liable to pay it but some people will have limited means to do this because of their low income or they have higher living costs due to illnesses, disabilities or family or personal circumstances.</p> <p>Council Tax is required to raise money to fund Council Services but a certain amount of money is directed to those who cannot afford to pay the Council Tax to reduce the financial burden on those households because they need it or because society considers that financial support is beneficial to help certain categories of people in certain situations.</p> <p>The aim of the proposed changes is to save some scheme expenditure in light of further reductions to local government finance.</p>
<p>When and how will you review and measure the impact after implementation?*</p>	<p>The policy and CTS is the responsibility of City of Lincoln Council. It is approved by Executive and then Full Council. It will be administered by the Council's Shared Revenues and Benefits Service.</p>

Appendix 4 – 4 January 2021 - Executive – Council Tax Support Scheme 2021/22 Equality Impact Assessment

	The Council will analyse its current caseload and produce figures showing the main groups of working age claimants getting Council Tax Support now and likely to be affected by changes to the current scheme. Extracts of the data will allow monitoring of the main types of people affected by the policy can take place as required
--	---

Checked and approved by responsible officer(s) (Sign and Print Name)	 Claire Moses	Date	10/12/2020
Checked and approved by Assistant Director (Sign and Print Name)	Martin Walmsley	Date	10/12/2020



Lincolnshire
POLICE & CRIME COMMISSIONER

SAFER TOGETHER

Deepdale Lane, Nettleham, Lincoln LN2 2LT
Telephone (01522) 947192 Fax (01522) 558739

E-Mail: lincolnshire-pcc@lincs.pnn.police.uk Website: www.lincolnshire-pcc.gov.uk

Date: 16th December 2020

Our Ref: JF/ch/2020-1021

Jaclyn Gibson
Chief Finance Officer
City of Lincoln Council
City Hall
Beaumont Fee
LINCOLN
LN1 1DD

By Email: jaclyn.gibson@lincoln.gov.uk

Dear Jaclyn

Council Tax Support Scheme 2021/22

Thank you for your letter of 11th November 2020 in which you invite comment on the above. I note and have no specific comments on the proposals included within your letter.

The Police and Crime Commissioner is proposing the introduction from April 2021, within Local Council Tax Support Schemes, of a council tax discount for members of the Special Constabulary details of which are attached at Appendix A to this letter. The proposal has previously been presented to and discussed with the Leaders of all Lincolnshire councils.

Yours sincerely

Julie Flint
Chief Finance Officer

LINCOLNSHIRE SPECIAL CONSTABULARY COUNCIL TAX DISCOUNT SCHEME

Background

1. The Special Constabulary consists of members of the public who give up their spare time to assist with the policing of Lincolnshire. Special Constables (SCs) are warranted officers who have the same powers as a regular officer, wear the same uniform, and carry the same equipment. They are volunteers, so do not receive any pay for their efforts.
2. SCs perform police duties under the supervision of regular officers and experienced specials. They take on a diverse range of roles including:
 - conducting local, intelligence based patrols
 - taking part in crime prevention initiatives
 - policing major incidents
 - conducting inquiries
 - assisting at scenes of accidents
 - safeguarding the public at local and major events
 - tackling anti-social behaviour
 - spending time at local schools to educate on safety
 - providing operational support to regular officers
3. SCs are a vital part of the police service, helping to prevent crime and interacting with the diverse communities they serve. The contribution which SCs make in supporting their regular colleagues is invaluable; during the 12 months to the end of May 2020 the Special Constabulary contributed over 49,000 hours to Lincolnshire Police, with each SC volunteering an average of 29 hours per month.
4. There are currently 140 SCs in the Force, including a current cohort of 20 new SCs going through training. The Force is also looking to have another intake of SCs in the autumn.

Proposal

5. The PCC wishes formally to recognise the huge contribution which SCs make to keeping our county safe and is proposing that they be offered a discount to their Council Tax charge. This would reward their community service and act as a positive incentive to assist Police with recruitment and retention of SCs.
6. Where the scheme has been introduced elsewhere in the country e.g. the Humberside force area, anecdotal evidence suggests that it has received broad public support recognising the unique nature of the voluntary office of Special Constable.
7. A rough calculation, based upon current Special Constabulary numbers, their current residential distribution (some live out of county), Band D properties and 2020/21 levels of Council Tax provides an indicative cost for the county of £53,000 broken down as below.

	Number of Specials	County £	PCC £	District £	Total £
City of Lincoln	32	10,701	2,011	2,241	14,952
Boston	10	3,344	628	633	4,605

	Number of Specials	County £	PCC £	District £	Total £
East Lindsey	18	6,019	1,131	661	7,811
West Lindsey	10	3,344	628	544	4,517
North Kesteven	14	4,682	880	594	6,155
South Kesteven	22	7,357	1,383	825	9,564
South Holland	12	4,013	754	539	5,306
Total	118	39,459	7,415	6,036	52,910

Eligibility Criteria

8. A liable party will be able to apply for a maximum 25% discount of their council tax charge where the following criteria are met.
 - 8.1. The liable party is a member of the Lincolnshire Police Special Constabulary.
 - 8.2. The majority of their duties are to benefit the residents of Lincolnshire.
 - 8.3. They must be liable as an individual for the [Insert District Council] Council Tax Charge or they must be jointly or severally liable for the Council Tax Charge.
 - 8.4. Only one application per household can be made.
 - 8.5. Where more than one Special Constable is in occupation of a single property, a total 50% discount of the full band charge will be awarded. Where a discount based on an individual's circumstances has already reached 50%, for some other reason, no further discount will be awarded.
 - 8.6. Where a single occupier claims the discount, a further discount of 25% of the full band charge will be made (as a 25% reduction will already be awarded as a single occupier). Where a discount based on an individual's circumstances has already reached 50%, for some other reason, no further discount will be awarded.
 - 8.7. A person who is not liable to pay the Council Tax charge direct to [Insert District Council] cannot apply for a discount.
 - 8.8. That any discount awarded be calculated on a daily basis to reflect new starters and leavers within the Special Constabulary.
 - 8.9. The allowance will only be paid where the applicant is up to date with their current year Council Tax payments.
 - 8.10. A Special Constable must undertake a minimum of 16 hours duty per four weeks to be eligible for the Council Tax allowance.
 - 8.11. Payments will be reimbursed at the end of any given financial year.

A charge payer is as defined by Section 6 Local Government Finance Act 1992.

This page is intentionally blank.

Lincolnshire County Council email response to Localised Council Tax Support 2021/22 consultation

Thank you for your letter and the opportunity to comment on the proposals being considered for changes to the City of Lincoln Council's proposed Council Tax Reduction Scheme for 2021/22.

Clearly we have concerns regarding the impact Covid has on the uptake on the scheme and would like to support the options that mitigate this exposure as much as possible.

- We would support the option to increase the weekly entitlement level.
- We would support the option to reduce the capital allowance.
- We would support the option to reduce the maximum entitlement from 100%. This is the option that is most likely to mitigate increasing costs to the scheme and to ourselves, and would reflect the levels operated within the schemes of other Lincolnshire Districts.
- Increasing the banding cap would be likely to increase the cost to the scheme, so we would not see this change as necessary.

We are also aware of the proposal put forward by the PCC for reliefs to Special Constables, and LCC are supportive of this proposal.

This page is intentionally blank.

MINUTE EXTRACT

EXECUTIVE

4 JANUARY 2021

61. Localised Council Tax Support Scheme - 2021/22

Purpose of Report

To enable the Executive to review consultation responses and consider proposed changes to the Localised Council Tax Support Scheme 2021/22, as well as proposals made in relation to the Exceptional Hardship Scheme and Council Tax premium.

Decision

That the Executive:

- (1) Notes the consultation responses relating to the Localised Council Tax Support Scheme for 2021/22.
- (2) Notes the proposed options to the core element of the Council Tax Support Scheme for 2020/21, as set out in section 6 and paragraph 6.5 of the report, and agrees setting a capital reduction rate of £6,000.
- (3) Agrees the proposed change to the Council Tax technical premium as set out in section 6 paragraph 6.6 of the report, that from 1 April 2021 any property empty over ten years will receive a premium of 300%, incurring a 400% charge.
- (4) Approves the continuation of the £20,000 Exceptional Hardship Fund for 2021/22 to top up Council Tax Support awards in appropriate cases.
- (5) That the request from the Police and Crime Commissioner to implement a Council Tax exemption for Special Constables be not supported at this time.

Alternative Options Considered and Rejected

Alternative options considered and rejected were set out in the report.

Reason for Decision

Consultation on the revised Localised Council Tax Support scheme commenced on 28 October 2020 until 9 December 2020 following consideration by the Executive at its meeting on 26 October 2020. This was undertaken with major precepting authorities, stakeholders and residents through a variety of methods as set out in the report.

A total of 85 surveys were completed, with responses also having been received from Lincolnshire County Council and the Lincolnshire Police and Crime Commissioner as the main preceptors. All responses were included as appendices to the report and the Policy Scrutiny Committee had also considered the proposed scheme options at its meeting on 24 November 2020.

The Executive considered the options set out in the report together with propositions for amendments to the current Localised Council Tax Support Scheme.

Councillor Ric Metcalfe was of the view that to alter the scheme significantly at this stage and expect further contributions from some of the city's lowest income groups in the current circumstances would be unacceptable and potentially generate further collection issues for the authority at greater resource and cost.

In terms of the capital reduction rate, Councillor Metcalfe proposed that this be set at a rate of £6,000 which was supported by the Executive. He added that it was sensible to retain the support scheme, particularly the Exceptional Hardship Fund which he was keen to see continue in order to support the city's most vulnerable people. He was also supportive of the proposition that any property empty over ten years would receive a premium of 300%, incurring a 400% charge.

Councillor Metcalfe had sympathy with the Police and Crime Commissioner's proposal to implement a Council Tax exemption for Special Constables in that it was not necessarily the cost associated with the proposal but more the difficult position the Council would be placed in whereby it was seen as selecting and supporting a specific group of people in this way. He acknowledged that there were a great number of volunteers supporting the public sector in the current circumstances, so setting a precedent could become problematic for the authority.

Councillor Donald Nannestad supported Councillor Metcalfe's comments, especially the proposition in relation to long term empty properties and continuation of the Exceptional Hardship Fund.

Councillor Bob Bushell felt that the proposed reimbursement of Special Constables would be a good way of showing appreciation for the important work they had done for communities during the pandemic. He acknowledged, however, the position the Council could be placed in and noted that this was the concern of some other authorities in the county.

SUBJECT: COUNCIL TAX BASE 2021/22

DIRECTORATE: CHIEF EXECUTIVE

**LEAD OFFICER: CLAIRE MOSES, REVENUES AND BENEFITS MANAGER
(SHARED SERVICE)**

1. Purpose of Report

- 1.1 The purpose of this report is to recommend the Council Tax Base for the financial year 2021/22.

2. Executive Summary

- 2.1 This report is submitted to the Council each year and sets out the calculation of the Council Tax Base for the following financial year.

3. Background

- 3.1 The Local Government Finance Act 1992 and Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) require the Council to formally set its Tax Base as the first stage of the Council Tax setting process.

4. Special Items

- 4.1 Before setting the Council Tax Base, the issue of any special items relating to a part of the Council's area must be considered. If there are any items of expenditure that relate to one part of the local authority area, then that expenditure can be levied on those residents in that area and not on others.
- 4.2 There are no items of special expenditure.

5. Council Tax Base

- 5.1 Certain assumptions have to be made in order to determine the number of dwellings within the Authority's area, and these are set out in Appendix A.
- 5.2 The calculation of the Council Tax base, detailed in Appendix B, shows the number of Band D equivalent chargeable dwellings as being 24,372.38. This is based on the Regulations in paragraph 3.1 above and assumes that 97.75% of the Council Tax due for 2021/22 will be collected.
- 5.3 The Council Tax base number of Band D equivalent chargeable dwellings for 2021/22 has been calculated as 29,072.16– less 4,699.78 deduction calculated for the localised Council Tax Support scheme – resulting in a proposed Council Tax base for 2021/22 of 24,372.38.

6. Organisational Impacts

- 6.1 Finance: The Council must confirm its Council Tax Base as a pre-requisite to setting the Council Tax charge for 2021/22.
- 6.2 Legal Implications: The Local Government Finance Act 1992 and Statutory Instrument No 1992/612 – Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) set out the requirement for the Council to confirm and formally approve its Council Tax Base and notify it to its precepting bodies. The Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 provide for Councils to make technical changes to certain discounts from April 2013.
- 6.3 Equality and Diversity: There are no specific equality and diversity impacts as a direct result of this report.

7. Recommendations

- 7.1 That Council:
- a) Notes that there are no special items as defined in Section 35 of the Local Government Finance Act 1992 (as amended) applicable to any part or parts of the City of Lincoln local authority area;
 - b) Approves the Chief Finance Officers' calculation of the Council Tax Base for the financial year commencing 1 April 2021 and ending 31 March 2022, as set out in Appendix B of this report;
 - c) Approves, in accordance with the Chief Finance Officers' calculation, and pursuant to the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended), that the Council Tax Base for the 2021/22 financial year is 24,372.38.

Key Decision	No
Do the Exempt Information Categories Apply	No
Call In and Urgency:	No
Does the report contain Appendices?	Yes
If Yes, how many Appendices?	Three
List of Background Papers:	None

Lead Officer: Claire Moses, Revenues and Benefits Manager (Shared Service), Telephone (01522) 873764

APPENDIX A: Executive 4 January 2021

Assumptions made in the Calculation of the Council Tax Base (See APPENDIX B)

Number of Dwellings:	The number of dwellings on the Council's database as at 30 November 2020
Exempt properties:	These are laid down by Regulations and are properties exempt from Council Tax, e.g. student occupied property. The total in each of the exemption categories has been calculated as at 30 November 2020 and it has been assumed that the exemption will remain throughout 2021/22.
Disabled relief:	These are properties that are occupied by disabled persons and may be placed in a lower valuation band if they fulfil the criteria laid down by the Regulations. The number of these properties has been calculated at 30 November 2020 and it has been assumed that the relief will remain throughout 2021/22.
Discounts on relevant Day – i.e. 25%, 50%, 10% + 100% levy:	These are laid down by Regulations, in addition to technical changes introduced from April 2013, and are properties subject to a percentage discount from the Council Tax, i.e. second homes, single person households or empty properties. The total in each of the discount categories has been calculated as at 30 November 2020 and it has been assumed that the discount will remain throughout 2021/22.
Net additions expected In year:	This is an estimate of the number of dwellings known to be currently under construction plus the anticipated number to be constructed throughout 2021/22. Account is taken where dwellings will not come into a charge until part way through the year. Adjustments to discounts and exemptions and appeals are also taken into account
Collection Rate:	It is assumed that 97.75% of the Council Tax due for 2021/22 will be collected.
Council Tax Support:	These are estimates of the amount of Council Tax Support to be granted in 2021/22 (localised replacement scheme for Council Tax Benefit from April 2013).

This page is intentionally blank.

City of Lincoln - 2021/22 Council Tax Base Estimate as at 30 November 2020

Line	Valuation Bands	A-	A	B	C	D	E	F	G	H	TOTAL
1	Properties	0.00	27848.00	9033.00	4917.00	2545.00	1366.00	422.00	135.00	47.00	46313.00
2	Exempt properties	0.00	-2002.00	-441.00	-215.00	-109.00	-287.00	-43.00	-6.00	-23.00	-3126.00
3	Disabled Band Reductions	50.00	4.00	-10.00	-19.00	-16.00	-3.00	-3.00	9.00	-12.00	0.00
4	Adjusted Chargable Dwellings	50.00	25850.00	8582.00	4683.00	2420.00	1076.00	376.00	138.00	12.00	43187.00
5	25% Discounts (SPD and disregards)	-4.25	-3073.00	-693.25	-323.00	-138.75	-50.50	-18.00	-2.75	0.00	-4303.50
6	25% Discounts (less than 2 years)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7	50% Discounts (empty properties)	1.00	11.00	5.00	1.50	3.00	2.00	2.50	6.50	3.50	36.00
8	20% Discounts (second homes)	0.00	-59.80	-23.80	-8.50	-2.50	-5.70	-0.40	-0.10	0.00	-100.80
8A	25% and 100% Discounts	0.00	-1.18	-0.33	-0.26	-0.05	-0.01	0.00	-0.04	0.00	-1.87
8B	50% and 100% levy (premiums empty homes)	0.00	1.47	0.08	0.07	0.05	0.53	0.02	0.01	0.00	2.23
9	0% Discounts	0.00	-5.30	-1.40	-0.62	-0.33	-0.14	-0.04	-0.04	0.00	-7.87
10	300% levy (premium empty homes)	0.00	70.00	10.00	2.00	2.00	0.00	0.00	0.00	0.00	84.00
11	Estimated Future Adjustment	0.00	160.00	20.00	10.00	5.00	3.00	1.00	1.00	0.00	200.00
12	Adjusted Dwellings	46.75	22953.19	7898.30	4364.19	2288.42	1025.18	361.08	142.58	15.50	39095.19
13	Ratio to Band D	5/9th	6/9th	7/9th	8/9th	9/9th	11/9th	13/9th	15/9th	18/9th	
14	Band D Equivalent	25.97	15302.13	6143.12	3879.28	2288.42	1253.00	521.56	237.63	31.00	29682.11
15	Less Estimated non-collection (2.25%)	-0.58	-344.30	-138.22	-87.28	-51.49	-28.19	-11.74	-5.35	-0.70	-667.85
16	Crown Properties	0.00	34.82	11.29	6.15	3.18	1.71	0.53	0.17	0.06	57.90
17	Adjusted to Band D Equivalent	25.39	14992.64	6016.19	3798.14	2240.11	1226.51	510.35	232.46	30.36	29072.16
18	CTR (Working Age)	-9.98	-2835.13	-257.50	-62.98	-28.01	-9.45	-2.14	0.00	0.00	-3205.19
19	CTR (Pension Age)	-2.67	-1134.07	-217.70	-110.67	-22.50	-5.26	-1.73	0.00	0.00	-1494.59
20	Council Tax Base	12.74	11023.45	5540.99	3624.50	2189.60	1211.81	506.48	232.46	30.36	24372.38

This page is intentionally blank.

MINUTE EXTRACT

EXECUTIVE

4 JANUARY 2021

63. Council Tax Base 2021/22

Purpose of Report

To provide the Executive with an opportunity to consider the Council Tax Base for the financial year 2021/22.

Decision

That the Executive recommends to Council that it:

- (1) Notes that there are no special items as defined in Section 35 of the Local Government Finance Act 1992 (as amended) applicable to any part or parts of the City of Lincoln local authority area;
- (2) Approves the Chief Finance Officers' calculation of the Council Tax Base for the financial year commencing 1 April 2021 and ending 31 March 2022, as set out in Appendix B of the report.
- (3) Approves, in accordance with the Chief Finance Officers' calculation, and pursuant to the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended), that the Council Tax Base for the 2021/22 financial year is 24,372.38.

Alternative Options Considered and Rejected

None.

Reason for Decision

Certain assumptions had to be made in order to determine the number of dwellings within the authority's area. These were set out in Appendix A of the report.

The calculation of the Council Tax base, detailed in Appendix B to the report, showed the number of Band D equivalent chargeable dwellings as being 24,372.38. This was based on the Regulations in paragraph 3.1 of the report and assumed that 97.75% of the Council Tax due for 2021/22 would be collected. The Council Tax base number of Band D equivalent chargeable dwellings for 2021/22 had been calculated as 29,072.16, less 4,699.78 deduction calculated for the Localised Council Tax Support Scheme. This resulted in a proposed Council Tax base for 2021/22 of 24,372.38.

This page is intentionally blank.

SUBJECT: COUNCIL HOUSE AND GARAGE RENTS 2021/22

DIRECTORATE: HOUSING AND INVESTMENT

REPORT AUTHOR: FRANCES JELLY

HOUSING BUSINESS SUPPORT MANAGER

1. Purpose of Report

- 1.1 To propose an increase in council house rents in line with the Government's Rent Policy for social housing (April 2020) and to seek approval for the introduction of revised rents from Monday 5th April 2021
- 1.2 To seek members approval for an increase of 3% on Council garage rents for 2021/22 in line with other fees and charges revisions by the Council

2. Executive Summary

- 2.1 In October 2017, the government announced its intention to set a long-term rent deal. This would permit annual rent increases on both social and affordable rent properties of up to Consumer Price Index (CPI) plus 1% from 1 April 2020 for a period of at least five years
- 2.2 In keeping with the Housing Business Plan approved by Council and the Governments Rent Guidelines, the formula rent rise for 2021/22 is based on CPI in the previous September (September 2020 = 0.5) plus 1.0%.
In Lincoln's case this will mean an average rent increase of 1.5% from Monday 5 April 2021; although this is an average rent increase across the stock, due to several reasons for example the continual erosion of stock numbers because of the Right to Buy (RTB) regime, the budgeted rental income is £28,911,300
- 2.3 During the last nine months we have continued to add to our stock via the buy-back programme as follows: -

Buy-back from 01 April 2020 to 18 December 2020
 - 3 - one bed
 - 11 - two bed
 - 10 - three bed
 - 2 – four bed
 - 1 – four / five bed
- 2.4 The Government RTB programme sales have negatively impacted on the council's current stock and rental income (April to December 2020). To date 17 properties have been sold, this has been lower than projected due to the Covid pandemic but since July we have received 37 RTB applications and if all are

completed by the end of December 2020 the total sales for RTBs would be 52; compared to 42 in the same period last year (April to December 2019)

- 3 - one bed
- 6 - two beds
- 8 - three beds

[Note: the loss of 3-bedroom home has a significant impact on our ability to provide family homes]

- 2.5 The average weekly rent for the City of Lincoln Council based on data at 18 December 2020 for net social housing rent (calculated over 52 weeks) will increase from £69.79 in 2020/21 to £70.84 for 2021/22. This will equate to an average equivalent increase of income per property of £1.05 per week over 52 weeks.

The 50-week average rent would be charged at £73.67

- 2.6 There are currently 260 properties charged at an Affordable Rent which is higher than social housing rent. Based on data at 18 December 2020 the increase, on the average weekly net rent (calculated over 52 weeks) will result in rents moving from £107.82 in 2020/21 to £109.43 per week for 2021/22, equating to an average equivalent increase of £1.61 per week over 52 weeks

- 2.7 Council Garage Rents 2021--22

An increase in garage rents of 3% is proposed in line with the Authority's Fees and Charges increase. This would result in an average increase in the rent charged to £8 per week for 2021/22 (based on a calculated 52-week charge period), an increase of £0.24 per week.

Research has shown that the garage rents in Lincoln are mid-range when compared to similar locations in the East Midlands

- 2.8 The Lincoln Tenants' Panel (LTP) is due to consider this report at their meeting on 13 January 2021. Their comments and observations will be reported verbally during the Executive Committee meeting.

- 2.9 This report will be referred to Full Council for approval to ensure that rent notices can be sent to tenants prior to the start of the new financial year and providing them with the requisite 28-day notice period required by law.

3. Background

- 3.1 The national Rent Convergence Policy and Social Rent Guidance was introduced in April 2002, the aim of which was that rents in the social housing sector (local authority rents and those charged by housing associations) should be brought onto a common system based on a formula set by Government. The formula creates a "formula rent" for each individual property which is calculated based on:

- The relative value of the property
- Relative local income levels; and
- The size of the property.

The formula rent is often also referred to as the "target rent". The City Council and other social landlords are expected to move the actual rent of a property (which may be lower or higher than the formula rent) to the formula rent over time

- 3.2 Members will be aware that the financing for council housing was changed in April 2012 – the ‘Self-financing Regime’ was introduced under which local authorities were required to buy themselves out of the national housing subsidy regime in return for the keeping of future rental income at local level. The valuation of the housing stock and the Council’s Housing Revenue Account (HRA) Business Plan was based on rental income rising in line with the Government’s rent convergence policy and rent guidelines in place at that time
- 3.3 As at 01 December 2020 there are currently 7761 council housing rent properties, of those that have a current active tenancy:-
- 30% are in receipt of full housing benefit payment
 - 13% are in receipt of partial housing benefit payment
 - 26% are in receipt of Universal Credit
 - 31% do not receive any of the above
- 3.4 Councils continue to increase rents on those housing properties that are currently below the ‘formula rent’ (or convergence amount) on re-letting to new tenants before applying the 1.5% increase. For the City of Lincoln Council at the date of this report, 797 properties (that are 10 pence or more below target rent) were not at formula rent and thus when these properties become available for re-letting the rent can be increased to the formula amount plus 1.5% for 2021/22.
- 3.5 Impact of Covid-19

Tenants continue to pay rent and abide by all other terms of their tenancy agreement to the best of their ability.

In April 2020 the decision was made to bring forward the ‘rent-free’ weeks and set up a Discretionary Rental Hardship Payment Fund to support tenants whose income was directly affected by the Coronavirus outbreak and would struggle to meet their rental obligations; this was a one-off payment and to date we have supported 179 tenants to the sum of £47,483:89

Break-down of the 179 individual award amounts:

- 127 awards of a full months’ worth of rent
- 2 awards of three weeks’ worth of rent
- 37 awards of two weeks’ worth of rent
- 13 awards of one weeks’ worth of rent

The Ministry of Housing, Communities & Local Government published guidance for stock retained councils on the operation of the Housing Revenue Account (HRA) for rent setting and applications to disapply the Government’s rent policy. The application for removal of properties from the Government Rent Policy of limiting rent increases to a maximum of CPI and 1% is intended only to be used to avoid serious, and unavoidable financial difficulty in managing the HRA.

On 17 November 2020, the Council’s Audit Committee received a report, “Assessment of going concern status”. This report confirms that the Council held an HRA Balance of £0.996m at 31 March 2020 and that the HRA Business Plan is showing as being affordable (based on the rent policy of CPI plus 1%). However, this was based on the assumption that CPI was at 2% over the period to 2025. The new MTFS 2021 -2026 has now been prepared based on a lower rent increase i.e CPI at 0.5% and still demonstrates that the HRA is affordable;

therefore, as the Council does not need to introduce a rent increase above CPI plus 1% to negate unavoidable and serious financial difficulty, it is unable to apply (at this stage) to be exempt from the Government's Rent Policy.

4. Strategic Priorities

4.1 Let's drive economic growth

4.2 Let's reduce inequality

The Government policy is primarily about reducing the welfare benefits bill but it does help those just above benefit thresholds. Council house rents remain significantly lower than the rent levels in the private rented sector in the City

4.3 Let's deliver quality housing

The new rent policy recognises the need for a stable financial environment to support the delivery of new homes and to increase resources available to maintain current homes.

4.4 Let's enhance our remarkable place

4.5 High performing services

5. Organisational Impacts

5.1 Finance (including whole life costs where applicable)

Council Housing Rents 2021/22

The impact of this change will be an increase to the current average calculated 52-week net social housing rent from £69.79 per week to £70.84 per week – an average increase of £1.05 per week, and an increase on affordable rent from £107.82 per week to £109.43 an average increase of £1.61 per week.

Changes in individual rents will vary according to the level of actual current rent as illustrated in Appendix 1.

Council Garage Rents 2021--22

An increase in garage rents of 3% is proposed in line with the Authority's Fees and Charges increase. This would bring the charge to £8.32 for 2021/22 (based on a calculated 52-week charge period), an increase of £0.24 per week. Research has shown that the garage rents in Lincoln are mid-range when compared to similar locations in the East Midlands.

5.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

6. Risk Implications

6.1 (i) Options Explored

6.2 (ii) Key risks associated with the preferred approach

The main risks are that the Government make further changes to the Rent Guidelines which will undermine the Business Plan and that future CPI levels are lower than those assumed in the MTFS and Business Plan i.e we have assumed CPI at 2% per annum and September 2020 this dropped to 0.5

7. Recommendation

7.1 Agree the basis of rent calculation for changes to individual Council house rents as set out in paragraph 6 of this report, which represents an increase in the average calculated 52-week council house net rent in 2021/22 of 1.5% for social housing rents (£1.05 p/w) and affordable rents (£1.61 p/w) increase per property. This is in accordance with Government policy

7.2 Increase Council garage rents for 2021/22 in accordance with the proposal in paragraph 2.7 above by 3%.

7.3 Refer this report and recommendations to Full Council on 19 January 2021

Is this a key decision? No

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 the report contain? ONE

List of Background Papers: Welfare Reform and Work Act 2016
Policy statement on rents for social housing

Lead Officer: Frances Jelly – Housing Business Support Manager
Telephone (01522) 873229

APPENDIX 1

IMPACT OF INCREASES ON ALL TENANTS – APRIL 2021 (Based on an average 52 week rent year inclusive of all rent types)

Average rent increase per property by number of bedrooms per week as 17/12/2020	
No. of beds	Increase per week
1 & bedsits	0.94
2	2.06
3	2.18
4	2.25
5	2.29
6+	2.43

SUBJECT:	ALLOTMENT FEES AND CHARGES
DIRECTORATE:	DIRECTORATE OF COMMUNITIES AND ENVIRONMENT
REPORT AUTHOR:	STEVE BIRD, ASSISTANT DIRECTOR OF COMMUNITIES AND STREET SCENE

1. Purpose of Report

- 1.1 To outline an option to increase allotments charges, so as to deliver a contribution to the Towards Financial Sustainability Programme.

2. Executive Summary

- 2.1 As a result of the future financial challenges that the Council faces the Medium Term Financial Strategy 2021-26 will require a significant reduction in the Council's net cost base to ensure it maintains a sustainable financial position.
- 2.2 A programme of individual reviews have been developed which includes a review of the net cost of the allotments service, with a requirement to reduce the net cost by £20k p.a. In addition, the review will also address the existing £10k p.a. underachievement of income which has been the position in recent years. . Achievement of these two objectives will reduce the net cost of the allotment service to c£67k p.a.
- 2.3 This proposal seeks Executive agreement to:
- Remove the 50% discount based on age
 - Retain the 50% discount for those on means tested benefits
 - Increase base charges by 50% (above 20/21 rates)
 - Income achieved above £30k (inflation linked) be ring fenced for allotment projects.

3. Background

- 3.1 In March 2020 the Council approved the MTFS 2020-25 which was predicated on the achievement of annual revenue savings of £1.25m by 2022/23. Since approval of the MTFS the Covid19 pandemic has had significant impacts on the Council's financial position. Whilst the immediate in year effects of increased costs and plummeting income have been largely mitigated, it is the longer-term impact on a number of the Council's key income streams that have required an increase in the required level of savings. A refreshed MTFS 2021-26 will be presented to the Executive in January 2021 and will confirm the new savings target. Delivery of an increased savings target is critical in ensuring that the Council maintains a balanced budget position.
- 3.2 It is the delivery of a contribution towards these savings that is the objective of this report. Specifically, this report is provided based on the request to identify options to

increase income by a minimum of £20k pa, and ideally £30k to include for the existing £10k shortfall on income.

- 3.3 The Council currently has some 1065 lettable allotments. These are plots that are in locations and in a condition that they could be let to a tenant without extensive investment in preparation. That is not to say that all plots are/were in good condition at time of letting, but the council strives to present them in a condition whereby a diligent tenant can make a good garden plot from them with effort. Those vacating plots must leave them in a suitable condition, and not incur costs for the council in their preparation for re-letting, beyond relatively minor works. Although relaxed at times in the past, this policy is now being rigidly enforced.
- 3.4 Since 2004, rent and water charges have only been increased annually by the rate of inflation (circa 3%). The last substantial increases in charges were 16% in 2002 and 23% in 2003. These percentages look relatively high, but are of course on relatively small sums.
- 3.5 Currently the waiting list stands at 80 people, totalling 98 requests (some have their name down for more than one site). The biggest waiting lists are as follows: Boultham Glebe has 24 requests, Wragby Road 16, Boultham Park 12, Canwick Hill, Greenbank Drive, Kingsway and Sincil Bank each have 7 requests.
- 3.6 The financial objective of the review is to increase income by £20k pa so as to reduce the net operating cost. (The budgeted net operating cost of the service in 2020/21 is currently £87k). This is against a background of having an income target that cannot currently be achieved (even if all plots are fully let). Such a target has evolved gradually over time as annual increase have exceeded actual income, but this year, as all plots are let, it has become obvious that reaching the existing income target is not possible in any event, meaning that any extra income demand is on top of the review required to make up the deficit. The deficit is in the order of £10k pa, with this having been declared as an 'overspend' in previous years. This review therefore provides potential for two options: an increase of £20k and an increase of £30k pa.

4. Current charges.

- 4.1 The charges levied for allotments are based on two separate charges. One for rent and one for water. The rent is divided into 19 bands, subject to the size of the plot. Consideration has been given to reducing the number of price bands, but this would inevitably mean some people with potentially significantly different sizes of plot would pay the same. Initial consideration felt this was unfair, and would be unpopular, and so that element of the review was not progressed.
- 4.2 Rent is also subject to a discount for those who are either over 60 years of age, or who can show they are in receipt of an income related benefit. The discount rate is consistent at 50%. This applied to the rent element only and not the water charge.
- 4.3 A water charge is applied to all plots with access to water (which is practically all plots) and is at a single rate. No effort is made to differentiate based on water used or size of plot. Measuring individual usage would require every plot to have a meter, making it uneconomic. Charges associated by plot size may have some credence,

but it is known that some holders of smaller plots use more water than some tenants of larger plots.

- 4.4 The water rate has historically been applied at a flat rate and on the basis that collectively it just covers operating costs. This has been the case for many years without complaint. No discounts are applied to water charges, but they are inflated annually by the prevailing inflation rate.
- 4.5 The cost of renting an allotment depends on the size of the plot as below (please note plot sizes are quoted in square yards due to the age of some of our records). These are the current prices charged in 2020/21 and would be subject to annual inflation, as will the budget if no further increases were applied.

<u>Plot Size</u>	<u>Plot Rent</u>	<u>Plot Size</u>	<u>Plot Rent</u>	<u>Plot Size</u>	<u>Plot Rent</u>	<u>Plot Size</u>	<u>Plot Rent</u>
51 – 100 sq yds	£31.80	351 – 400 sq yds	£43.10	651 – 700 sq yds	£54.30	951 – 1000 sq yds	£65.30
101 – 150 sq yds	£33.60	401 – 450 sq yds	£44.80	701 – 750 sq yds	£56.00		
151 – 200 sq yds	£35.50	451 – 500 sq yds	£46.60	751 – 800 sq yds	£57.70		
201 – 250 sq yds	£37.40	501 – 550 sq yds	£48.50	801 – 850 sq yds	£59.70		
251 – 300 sq yds	£39.10	551 – 600 sq yds	£50.30	851 – 900 sq yds	£61.60		
301 – 350 sq yds	£41.00	601 – 650 sq yds	£52.20	901 – 950 sq yds	£63.50		

- 4.6 In addition to the rental a water charge of £20.30 per plot applies, and is not discounted but recharged at a cost recovery rate.

As a guide the average tenant without discount pays about £70 pa based on current charges (£1.36 per week). This is the price for a plot in price band size 551 – 600 sq yds (£50.30 for rent + £20.30 water charge).

- 4.7 The price bands with the most plots are :
- 115 plots 251 – 300 sq yds (£39.10 + £20.30)
 - 209 plots 301 – 350 sq yds (£41.00 + £20.30)
 - 227 plots 551 – 600 sq yds (£50.30 + £20.30)
 - 153 plots 601 – 650 sq yds (£52.20 + £20.30)
- 4.8 Of these 704 tenants (the most popular plot sizes), 304 tenants currently receive the 50% discount.
Of the 1065 lettable plots, 454 plots are discounted at 50%. (416 of those receive discount are aged 60 or over, and 38 are receiving benefits).

5. **Deliberations and Proposal**

- 5.1 Below is a matrix summarising the effect on the rent element only, if rates were increased and/or discounts adjusted or removed (based on existing numbers).

- 5.2 The figure in the top left is the current scenario for rent charges – assuming all plots are let and including 454 plots with 50% discount applied.
- 5.3 Those highlighted light grey are the options for reaching a £20k pa increase on previous income levels, with those highlighted darker grey indicating what would be required to reach a £30k pa increase.

Charge/ Discount	50% discount	No discount	25% discount	15% discount	10% discount
Current RENT charge income	37,521*	47,775	42,647	44,697	45,724
3% increase	38,647	49,210	43,928	46,040	47,097
5% increase	39,408	50,177	44,943	46,945	48,023
10% increase	41,268	52,546	46,905	49,271	50,290
12% increase	41,686	53,505	47,761	50,058	51,208
15% increase	42,979	54,964	48,877	51,236	52,417
20% increase	45,027	57,333	51,179	53,640	54,871
25% increase	46,927	59,752	53,338	55,903	57,187
30% increase	48,780	62,111	55,445	58,111	59,445
40% increase	52,524	66,877	59,699	62,570	64,007
50% increase	56,302	71,690	63,994	67,071	68,612
75% increase	65,013	83,619	73,986	77,576	79,371
100% increase	75,042	95,550	85,296	89,399	91,448

*Figure is plot rental income only and excludes any other forms of income.

This takes no account of water charges, and assumes that these will still be charged as now, but with inflation only. Note water is recharged at cost recovery rate.

- 5.4 The above table shows that, if discounts were to remain as they are now, then rents would need to increase by between 75% and 100% in order to meet the income targets. This may look like a large percentage in numerical terms, but in practical terms, using the full 100% increase as a guide, it equates to approximately the following for the most popular plot sizes (annual increases to water costs have not been applied but this gives a realistic indication):

115 plots 251 – 300 sq yds (£ 78.20 + £20.30) which equates to £1.89 per week
 209 plots 301 – 350 sq yds (£ 82.00 + £20.30) which equates to £1.97 per week
 227 plots 551 – 600 sq yds (£100.60 + £20.30) which equates to £2.33 per week
 153 plots 601 – 650 sq yds (£104.40 + £20.30) which equates to £2.40 per week

- 5.5 Whilst it is considered that this is not unreasonable, it is accepted that for those on the lowest incomes, this might be a challenge. It is also recognised that age is no measure of the ability to afford something and that the large numbers on discounts does increase the required increase in costs overall disproportionately. Therefore, it is suggested that the discount criteria is removed for age related discounts, but retained only for those most in need; those who can show they are on a means tested benefit.

- 5.6 The effect of this would mean that :
- a) Overall increases needing to be applied for all tenants could be lower than would otherwise be the case (50% not 100% as set out above)
 - b) 416 tenants who currently get an age related discount, would no longer be eligible.
 - c) 38 tenants on means tested benefits would have their discount protected.

Those currently in receipt of age related discount would receive means tested discount if eligible. This may therefore result in an as yet unknown decrease in estimated income but it is expected to be small.

- 5.7 For tenants this 50% increase typically looks like :

115 plots 251 – 300 sq yds (£58.70 + £20.30) which equates to £1.52 per week
209 plots 301 – 350 sq yds (£61.50 + £20.30) which equates to £1.57 per week
227 plots 551 – 600 sq yds (£75.50 + £20.30) which equates to £1.84 per week
153 plots 601 – 650 sq yds (£78.30 + £20.30) which equates to £1.90 per week

- 5.8 The effect on income would be to bring in £70,372, which is an extra £32,852. This would marginally exceed the target, but still mean that any significant change in tenancy would put the target at risk.
- 5.9 It is considered that this approach will deliver the income levels required to offset some of the current costs, however it is based on some variables that are impossible to forecast, such as the popularity of allotments. Should take-up dip, for whatever reason, then income will be below target. Should it remain high, and deliver above expectation, then income will exceed the target. Given the 'ask' of allotment tenants, should it be possible to achieve higher levels of income it would be wise to consider setting any such 'windfall income' aside for reinvestment in allotments.
- 5.10 For clarity the proposal is:
- a) Remove 50% discount based on age
 - b) Retain discounts at 50% for those on means tested benefits.
 - c) Increase base charges by 50% across the board (above 20/21 rates).
 - d) Income achieved above £30k (inflation linked) be ring fenced for allotment projects.

These would be notified to tenants this year and applied 2022.

6. Strategic Priorities

Of special relevance for this review are three key strands of our Vision 2025 strategy.

1. Let's enhance our Remarkable Place – protecting and enhancing the city as a great place to live, work and visit.
2. Let's reduce all kinds of inequality.
3. Let's address the challenge of climate change.

7. Organisational Impacts

7.1 Finance

The budgeted net cost of the service in 2020/21 is £87,000 which consists of expenditure of £140,990 and income of £53,990. There has historically however been an underachievement against the income target of c£10k p.a.

This proposal would increase income by c£32,852, which would compensate for the current underachievement of £10k p.a. and allow the income target to be increased by £20k p.a., The estimated overachievement of £2,852 would allow a small buffer in case tenancy rates drop, and offering the potential to ring fence a small sum each year for reinvestment (if tenancy rates remain high).

The increase in the income target of £20k p.a., increased in line with MTFS inflation assumptions, will be contributed towards the TFS savings target. This contribution will be effective from 2022/23 due to the notice period required for any increase in charges.

The 22/23 rates in full would be:

<u>Plot Size</u>	<u>Plot Rent</u>	<u>Plot Size</u>	<u>Plot Rent</u>	<u>Plot Size</u>	<u>Plot Rent</u>	<u>Plot Size</u>	<u>Plot Rent</u>
51 – 100 sq yds	£47.70	351 – 400 sq yds	£64.70	651 – 700 sq yds	£81.50	951 – 1000 sq yds	£98.00
101 – 150 sq yds	£50.40	401 – 450 sq yds	£67.20	701 – 750 sq yds	£84.00		
151 – 200 sq yds	£53.30	451 – 500 sq yds	£69.90	751 – 800 sq yds	£86.60		
201 – 250 sq yds	£56.10	501 – 550 sq yds	£72.80	801 – 850 sq yds	£89.60		
251 – 300 sq yds	£58.70	551 – 600 sq yds	£75.50	851 – 900 sq yds	£92.40		
301 – 350 sq yds	£61.50	601 – 650 sq yds	£78.30	901 – 950 sq yds	£95.30		

7.2 Legal Implications including Procurement Rules

The Allotments Act 1950, section 10 includes statements relating to charges. There is no requirement for a Council to make a charge but where it does the following may apply.

- Section 10 of the Act provides that land let by a council for use as an allotment shall be let at such rent “as a tenant may reasonably be expected to pay for the

land if let for such use on the terms (other than terms as to rent) on which it is in fact let”.

What is meant by “reasonably” has to be construed in the context of the legislation as a whole.

There is also provision in section 10 of the 1950 Act for payment of reduced rent in special circumstances which might include retired, elderly, unemployed, or disabled tenants or tenants of long standing, or any other circumstance which the authority thinks fit.

As tenants in law, the Council must follow certain procedures if it wishes to change the rent payable. Critically it must give one year’s notice, which means that to affect the annual rent payable from February 2022 we would have to give notice no later than Jan 2021. The Council cannot increase rent from next year without this notice. The 12 months’ notice is a statutory requirement.

7.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

See appendix A

8. Risk Implications

8.1 (i) Options Explored.

Numerous options have been explored as indicated by the pricing matrix above, and considerations included in this report.

(ii) Key risks associated with the preferred approach

Numerous options have been considered, but all involve increases to existing charges, so regardless of the preferred option, the risks are similar.

8.2 Risks

An increase in charges will be unpopular and so will attract adverse publicity.

There is also a risk that this will be seen as the council recouping the cost of the capital investment programme delivered in recent years, which is not true.

Increased complaints will add pressure to the service, either by way of direct complaints, or increased expectations from those who choose to pay.

A reduction in customers could result from increased charges, which would in turn impact income (if it removes the waiting lists) meaning that despite the increases, we may not achieve the income target next year.

9. Recommendation

9.1 To make changes to the fees and charges for allotments with effect from the annual billing in 2022 and new leases thereafter (with notice given one year in advance).

The changes are as per the table in 7.1 based on:

- a) Remove the 50% discount based on age
- b) Protect discounts for those on means tested benefits at 50%
- c) Increase base charges by 50%.
- d) Income achieved above £30k (inflation linked) be ring fenced for allotment projects.

Is this a key decision? Yes

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 the report contain? One

List of Background Papers: Annual fees and Charges

Lead Officer: Steve Bird ADCSS
Telephone (01522) 873421

Equality with Human Rights Analysis Toolkit








SECTION A

Name of policy / project / service	Allotment charges – MTFS target – 2022 onwards
Background and aims of policy / project / service at outset	To increase income thereby to reduce the net cost of the service.
Person(s) responsible for policy or decision, or advising on decision, and also responsible for equality analysis	Steve Bird, Asst Director Communities & Street Scene
Key people involved <i>i.e. decision-makers, staff implementing it</i>	Cllr Bob Bushell, Portfolio Holder for Remarkable Place and Executive Strategic Director of Communities & Environment and CMT Chief Finance Officer Head of Corporate Support Services DCE Service staff

SECTION B

This is to be completed and reviewed as policy / project / service development progresses

	Is the likely effect positive or negative? (please tick all that apply)			Please describe the effect and evidence that supports this and if appropriate who you have consulted with*	Is action possible to mitigate adverse impacts?	Details of action planned including dates, or why action is not possible
	Positive	Negative	None			
Age 82				At present some allotment tenants receive a discount based purely on their age, ie the current policy does not take in to account their ability to pay. The proposed change would mean discounts would be based solely on ability to pay, ie means-tested. For some older tenants this will mean the discount is no longer offered.	Yes/No/ NA	The proposed change would mean that older tenants were no longer treated differently. If they are not in receipt of means-tested benefits then they would no longer be entitled to a discount, meaning that discount decisions will be based on need rather than age.
Disability including carers (see Glossary)				The proposal does not alter arrangements for people with disabilities, however there is an assumption that a greater proportion of older tenants are disabled, and therefore the changes for older tenants may affect a greater proportion of disabled people.	Yes/No/ NA	The proposed changes would look at the tenant's ability to pay. For any tenant on means-tested benefits the discount would still apply.
Gender re-assignment				The changes would only affect those entitled	Yes/No/NA	
Pregnancy and maternity					Yes/No/NA	
Race					Yes/No/NA	

Religion or belief				to a discount.	Yes/No/NA	
Sex					Yes/No/NA	
Sexual orientation					Yes/No/NA	
Marriage/civil partnership					Yes/No/NA	
Human Rights (see page 8)					Yes/No/NA	

**Evidence could include information from consultations; voluntary group feedback; satisfaction and usage data (i.e. complaints, surveys, and service data); and reviews of previous strategies*

Did any information gaps exist?	Y/N/NA	If so what were they and what will you do to fill these?
83	No	

SECTION C

Decision Point - Outcome of Assessment so far:

Based on the information in section B, what is the decision of the responsible officer (please select one option below):

- | | |
|---|------------------|
| | Tick here |
| • No equality or human right Impact (your analysis shows there is no impact) - sign assessment below | [] |
| • No major change required (your analysis shows no potential for unlawful discrimination, harassment)- sign assessment below | [] |
| • Adverse Impact but continue (record objective justification for continuing despite the impact)-complete sections below | [] |
| • Adjust the policy (Change the proposal to mitigate potential effect) -progress below only AFTER changes made | [] |
| • Put Policy on hold (seek advice from the Policy Unit as adverse effects can't be justified or mitigated) -STOP progress | [] |

Conclusion of Equality Analysis (describe objective justification for continuing)	<p>Whilst the changes would affect older tenants more, the proposed discount policy change would in fact mean that older tenants were treated the same as other tenants, and ability to pay would be based on need rather than age. It is not appropriate to assume an individual's ability to pay based on their age.</p> <p>It is acknowledged that older tenants are more likely to have a disability, but again it is not appropriate to assume an individual's ability to pay based on whether or not they have a disability.</p>
---	--

	The proposed change would make the allotment charging system fairer, basing discounts on need only.
--	---

When and how will you review and measure the impact after implementation?*	After the first round of annual tenancy payments we will see the full impact on tenants. This will show what proportion of older tenants are still entitled to a discount, for other reasons, and any feedback from those who are no longer entitled to a discount.
--	---

Checked and approved by responsible officer(s) (Sign and Print Name)		Date	
Checked and approved by Assistant Director (Sign and Print Name)	Steve Bird	Date	5.12.20

When completed, please send to policy@lincoln.gov.uk and include in Committee Reports which are to be sent to the relevant officer in Democratic Services

The Equality and Human Rights Commission guidance to the Public Sector Equality Duty is available via: www.equalityhumanrights.com/new-public-sector-equality-duty-guidance/

Adult at Risk - an adult at risk is a person aged 18 years or over who is or may be in need of community care services by reason of mental health, age or illness, and who is or may be unable to take care of themselves, or protect themselves against significant harm or exploitation.

Adverse Impact. Identified where the Council's operations has a less favourable effect on one or more groups covered by the Equality Act 2010 than it has on other groups (or a section of a group)

Carer - see also disability by association. A carer is a person who is unpaid and looks after or supports someone else who needs help with their day-to-day life, because of their age, long-term illness, disability, mental health problems, substance misuse

Disability by association. Non disabled people are also protected from discrimination by association to a disabled person. This might be a friend, partner, colleague or relative. This applies to carers who have a caring responsibility to a disabled person.

Differential Impact. Identified where a policy or practice affects a given group or groups in a different way to other groups. Unlike adverse impact, differential impact can be positive or negative.

Disability. It is defined under the Equality Act 2010 as 'having a physical or mental impairment which has a substantial and adverse long term effect

on a person's ability to carry out normal day to day activities'.

Physical impairment is a condition affecting the body, perhaps through sight or hearing loss, a mobility difficulty or a health condition.

Mental impairment is a condition affecting 'mental functioning', for example a learning disability or mental health condition such as manic depression

Diversity. Diversity is about respecting and valuing the differences between people. It is also recognising and understanding the mix of people and communities who use services and their different needs.

Discrimination. Discrimination has been defined as 'the unequal treatment of individuals or groups based on less because of a protected characteristic – see protected characteristic. This includes discrimination by association, perception, direct and indirect discrimination.

Example of discrimination: An employer does not offer a training opportunity to an older member of staff because they assume that they would not be interested, and the opportunity is given to a younger worker

Equality. The right of different groups of people to have a similar social position and receive the same treatment:

Equality Analysis. This is a detailed and systematic analysis of how a policy, practice, procedure or service potentially or actually has differential impact on people of different Protected Characteristics

Equality Objectives. There are specific strategic objectives in the area of equalities and should set out what services are seeking to achieve in each area of service in terms of Equality.

Equality of Opportunity. Equality of opportunity or equality opportunities may be defined as ensuring that everyone is entitled to freedom from discrimination. There are two main types of equality encompassed in equal opportunities:

1. Equality of treatment is concerned with treating everyone the same. Thus, in an organisational context it recognises that institutional discrimination may exist in the form of unfair procedures and practices that favour those with some personal attributes, over others without them. The task of equal opportunities is therefore concerned with the elimination of these barriers.

2. Equality of outcome focuses on policies that either have an equal impact on different groups or intend the same outcomes for different groups.

Evidence. Information or data that shows proof of the impact or non impact - evidence may include consultations, documented discussions, complaints, surveys, usage data, and customer and employee feedback.

Foster good relations. This is explicitly linked to tackling prejudice and promoting understanding.

General Equality Duty. The public sector equality duty on a public authority when carrying out its functions to have 'due regard' to the need to eliminate unlawful discrimination and harassment, foster good relations and advance equality of opportunity.

Gender reassignment. The process of changing or transitioning from one gender to another – for example male to trans-female or female.

Harassment. This is unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment.

Human Rights – Human rights are the basic rights and freedoms that belong to every person in the world - **see below**

Marriage and Civil Partnership. Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. Single people are not protected. Discrimination on grounds of marriage or civil partnership is prohibited under the Act. The prohibition applies only in relation to employment and not the provision of goods and services.

Pregnancy and Maternity. Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Protected Characteristics. These are the grounds upon which discrimination is unlawful. The characteristics are:

- Age
- Disability
- Gender reassignment
- Race
- Religion and belief (including lack of belief)
- Sex/gender
- Marriage and civil partnership
- Pregnancy and maternity
- Sexual orientation

Public functions. These are any act or activity undertaken by a public authority in relation to delivery of a public service or carrying out duties or functions of a public nature e.g. the provision of policing and prison services, healthcare, including residential care of the elderly, government policy making or local authority services.

Race. This refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion or belief. Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Section 11 of the Children Act. This duty is a duty under the Children Act 2004 that requires all agencies with responsibilities towards children to discharge their functions with regard to the need to safeguard and promote the welfare of children. They must also ensure that any body providing services on their behalf must do the same. The purpose of this duty is that agencies give appropriate priority to safeguarding children and share concerns at an early stage to encourage preventative action.

Sex. It refers to whether a person is a man or a woman (of any age).

Sexual Orientation. A person's sexual attraction is towards their own sex; the opposite sex; or to both sexes: *Lesbian, Gay or Bisexual*

Victimisation. Victimisation takes place where one person treats another less favourably because he or she has exercised their legal rights in line with the Equality Act 2010 or helped someone else to do so.

Vulnerable Adult. A Vulnerable Adult is defined as someone over 16 who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or exploitation'

Human Rights

Human rights are the basic rights and freedoms that belong to every person in the world. They help you to flourish and fulfill your potential through:

- being safe and protected from harm
- being treated fairly and with dignity
- living the life you choose
- taking an active part in your community and wider society.

The Human Rights Act 1998 (also known as the Act or the HRA) came into force in the United Kingdom in October 2000. It is composed of a series of sections that have the effect of codifying the protections in the European Convention on Human Rights into UK law.

The Act sets out the fundamental rights and freedoms that individuals in the UK have access to. They include:

- Right to life
- Freedom from torture and inhuman or degrading treatment
- Right to liberty and security
- Freedom from slavery and forced labour
- Right to a fair trial
- No punishment without law
- Respect for your private and family life, home and correspondence
- Freedom of thought, belief and religion
- Freedom of expression
- Freedom of assembly and association
- Right to marry and start a family
- Protection from discrimination in respect of these these rights and freedoms
- Right to peaceful enjoyment of your property
- Right to education
- Right to participate in free elections

87

Many every day decisions taken in the workplace have no human rights implications. However, by understanding human rights properly you are more likely to know when human rights are relevant and when they are not. This should help you make decisions more confidently, and ensure that your decisions are sound and fair.

This page is intentionally blank.