



Wyre Borough Council
Date of Publication: 9 January 2019
Please ask for : Roy Saunders
Democratic Services and Scrutiny
Manager
Tel: 01253 887481

Dear Councillor,

You are hereby summoned to attend a meeting of Wyre Borough Council to be held at the Civic Centre, Breck Road, Poulton-le-Fylde on **Thursday, 17 January 2019** commencing at 7.00 pm.

Yours sincerely,

A handwritten signature in black ink that reads "Garry Payne".

Garry Payne
Chief Executive

The Mayor will invite the Mayor's Chaplin, Reverend Canon John Hall to say prayers.

COUNCIL AGENDA

1. **Apologies for absence**
2. **Confirmation of minutes** (Pages 1 - 12)

To approve as a correct record the Minutes of the meeting of the Council held on 6 December 2018.
3. **Declarations of Interest**

To receive any declarations of interest from any Member on any item on this agenda.
4. **Announcements**

To receive any announcements from the Mayor, Leader of the Council, Deputy Leader of the Council, Members of the Cabinet, a Chairman of a Committee or the Chief Executive.

5. Public questions or statements

To receive any questions or statements from members of the public under Procedure Rule 9.1.

Any questions or statements received by the specified deadline of noon on Friday 11 January 2019 will be published and circulated separately.

6. Questions "On Notice" from councillors

(Pages 13 - 14)

To receive any questions from Members of the Council to the Mayor, a member of the Cabinet or the Chairman of a Committee under Council Procedure Rule 12.1

Four questions have so far been received:

- (a) A question from Cllr R Duffy to the Leader of the Council (Cllr Henderson) about councillors allowances.
- (b) A question from Cllr Gibson to the Planning and Economic Development Portfolio Holder (Cllr Michael Vincent) about comments made at the last Council meeting relating to the number of Council meetings.
- (c) A question from Cllr Gibson to the Planning and Economic Development Portfolio Holder (Cllr Michael Vincent) about responsibility for matters relating to Member Development.
- (d) A question from Cllr E Anderton to the Street Scene, Parks and Open Spaces Portfolio Holder (Cllr Bridge) about the number and distribution of penalty notices issued for environmental offences.

Any further questions received by the specified deadline of noon on Friday 11 January 2019 will be published and circulated.

7. Executive reports

To receive reports from Cabinet Members. (In accordance with Procedure Rule 11.3 Councillors will be able to ask questions or make comments).

- (a) Leader of the Council (Councillor Henderson) (Pages 15 - 16)
- (b) Resources Portfolio Holder (Councillor A Vincent) (Pages 17 - 18)
- (c) Street Scene, Parks and Open Spaces Portfolio Holder (Councillor Bridge) (Pages 19 - 20)

- (d) Planning and Economic Development Portfolio Holder (Councillor Michael Vincent) (Pages 21 - 22)
 - (e) Neighbourhood Services and Community Safety Portfolio Holder (Councillor Berry) (Pages 23 - 26)
 - (f) Leisure, Health and Community Engagement Portfolio Holder (Councillor Bowen) (Pages 27 - 28)
- 8. Localised Council Tax Support** (Pages 29 - 58)
- Report of the Resources Portfolio Holder (Cllr A Vincent) and the Service Director People and Places.
- 9. Members Allowances Scheme** (Pages 59 - 64)
- Report of Service Director, Performance and Innovation.
- 10. Notices of Motion**
- None.

If you have any enquiries on this agenda, please contact Roy Saunders, tel: 01253 887481, email: roy.saunders@wyre.gov.uk

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Council Minutes

The minutes of the Council meeting held on Thursday, 6 December 2018 at the Council Chamber, Civic Centre, Poulton-le-Fylde.

Councillors present:

The Mayor, Councillor Marge Anderton and the Deputy Mayor, Councillor Michael Barrowclough

Councillors I Amos, R Amos, E Anderton, Atkins, Ballard, Beavers, Berry, B Birch, C Birch, Bowen, Cartridge, Catterall, Collinson, I Duffy, R Duffy, Ellison, Fail, Gibson, Greenhough, Henderson, Hodgkinson, Holden, Ibison, Ingham, Jones, Kay, McKay, Moon, Murphy, Orme, Pimbley, Raynor, Robinson, Shewan, Smith, B Stephenson, E Stephenson, A Turner, S Turner, A Vincent, Matthew Vincent, M Vincent, Walmsley and Wilson.

Apologies: Councillors Balmain, Bridge, Lees and Ormrod.

Officers present:

Garry Payne, Chief Executive
Mark Broadhurst, Service Director Health and Wellbeing
Mark Billington, Service Director People and Places
Marianne Hesketh, Service Director Performance and Innovation
Roy Saunders, Democratic Services and Scrutiny Manager
Duncan Jowitt, Democratic Services Officer
Hayley McGuffie, Communications Team

Also present: Alderman Bannister and seven members of the public.

52 Confirmation of minutes

Agreed (by 31 votes to 8, with 5 abstentions) that the minutes of the meeting of the Council held on 18 October 2018 be confirmed as a correct record.

53 Declarations of Interest

The following councillors declared a non-pecuniary interest in agenda item 13 (Notice of Motion on Universal Credit):

- Cllrs Moon, Greenhough and Cartridge, because they were landlords of premises in the Borough;
- Cllrs Ellison and E Anderton, because they were employees of the Department for Work and Pensions;
- Cllr Beavers (when speaking on the Motion) because she referred to the likely intention of her daughter to claim Universal Credit when she returned to full-time education to complete her degree.

Cllr E Anderton said that in order to comply with her Employers Code of Conduct she would not take part in the debate or vote on the motion. The other councillors did not indicate that their interest was sufficiently significant to preclude them from the speaking or voting on the motion.

54 Announcements

1. The Mayor announced that the Mayor's Charity Ball would take place at The North Euston Hotel on Friday 8 March 2019 and that tickets would be on sale soon from the Mayor's Secretary.
2. The Leisure, Health and Community Engagement Portfolio Holder announced that Fleetwood Market had been the winner of the retail experience category at the Lancashire Tourism Awards 2018. She presented the trophy and a framed certificate to the Mayor.

55 Public questions or statements

None received.

56 Questions "On Notice" from councillors

None received.

57 Executive reports

- (a) Leader of the Council (Councillor Henderson)

The Leader of the Council (Cllr Henderson) submitted a report.

Cllr Henderson provided an update on the meeting referred to in his report between representatives of Lancashire Leaders and Jake Berry MP, who had indicated that further Government guidance on arrangements for the formulation of combined authorities was likely to be issued.

Cllr Henderson responded to questions and comments from Cllrs R Duffy, Beavers, Gibson and B Stephenson.

Agreed that the report be noted.

(b) Resources Portfolio Holder (Councillor A Vincent)

The Resources Portfolio Holder (Cllr A Vincent) submitted a report.

Cllr A Vincent responded to questions and comments from Cllrs McKay, Fail, Gibson and E Anderton.

Agreed that the report be noted.

(c) Street Scene, Parks and Open Spaces Portfolio Holder (Councillor Bridge)

The Street Scene, Parks and Open Spaces Portfolio Holder Cllr Bridge submitted a report.

In the absence of Cllr Bridge, the Leader of the Council (Cllr Henderson) introduced the report and responded to questions and comments from Cllrs Orme, Gibson, B Stephenson, Kay, E Anderton and A Turner.

Cllr Henderson said he would send a written response to Cllr Gibson about the amount of income so far generated from fixed penalty notices issued under the environmental enforcement pilot.

Cllr Henderson said he would also send a written response to Cllr E Anderton providing a breakdown of environmental fines issued by ward and information on the proportion of fines actually paid.

Agreed that the report be noted.

(d) Planning and Economic Development Portfolio Holder (Councillor Michael Vincent)

The Planning and Economic Development Portfolio Holder (Cllr Michael Vincent) submitted a report.

Cllr Michael Vincent responded to questions and comments from Cllrs Ballard, Gibson, Shewan, Fail, Greenhough, Ingham, Beavers and Lady Atkins.

Agreed that the report be noted.

(e) Neighbourhood Services and Community Safety Portfolio Holder (Councillor Berry)

The Neighbourhood Services and Community safety Portfolio Holder (Cllr Berry) submitted a report.

Cllr Berry responded to questions and comments from Cllrs Fail, Beavers, and Collison.

Cllr Berry said he would arrange for a written reply to be sent to Cllr E Anderton about informal concerns raised with her about response times for dealing with applications, renewals and general enquiries from taxi drivers/operators.

Agreed that the report be noted.

- (f) Leisure, Health and Community Engagement Portfolio Holder (Councillor Bowen)

The Leisure, Health and Community Engagement Portfolio Holder (Cllr Bowen) submitted a report.

Cllr Bowen responded to questions and comments from Cllrs Beavers, Matthew Vincent, E Anderton, Collinson, McKay, Gibson, Fail and S Turner.

Agreed that the report be noted.

- (g) Cabinet Member Questions and Comments

Cllr A Vincent commented on the possible cost implications for the council of a recent legal decision on the way in which business rates were charged for cash machines (ATM's) within business premises.

58 Appointments to Committees

The Leader of the Council (Cllr Henderson) and the Chief Executive submitted a report on changes to the membership of committees for the remainder of the 2018/19 Municipal Year, required to meet revised political balance calculations following the formation of the Wyre Independent Group.

Agreed:

1. That a Conservative Councillor (Cllr Jones) be removed from the Overview and Scrutiny Committee.
2. That a Conservative Councillor (Cllr Greenhough) be removed from the Planning Committee.
3. That a Conservative Councillor (Cllr Pimbley) be removed from the Licensing Committee.
4. That a Labour Councillor (Cllr B Stephenson) be removed from the Audit Committee.
5. That a Conservative Councillor (Cllr Wilson) be removed from the Employment and Appeals Committee.
6. That, Cllr Gibson be appointed to the Overview and Scrutiny Committee, the Planning Committee, the Licensing Committee and the

Audit Committee and that Cllr R Duffy be appointed to the Employment and Appeals Committee for the remainder of the 2018/19 Municipal Year, as nominees of the Independent Group.

59 Treasury Management Activity April 2018 - September 2018

The Resources Portfolio Holder (Cllr A Vincent) and the Head of Finance submitted a report on the overall position and activities in respect of treasury management for the first half of the 2018/19 financial year.

Agreed:

1. That the Annual Report on Treasury Management Activity for the first half of the 2018/19 financial year be approved.
2. That the Treasury Management Policy and Strategy Statements and Treasury Management Practices be updated to allow for investments to be made in two additional Money Market Fund structures, namely Low Volatility Net Asset Value and Variable Net Asset Value funds.

60 Joseph Kenyon Foundation: Decision Making and Reporting Structure

The Resources Portfolio Holder (Cllr A Vincent) and the Service Director People and Places submitted a report on proposals to clarify responsibilities for decision making on issues affecting the management, maintenance and future use of Kenyon Gardens and adjoining land held in trust as part of the Joseph Kenyon Foundation, Thornton Cleveleys.

Agreed (unanimously):

1. That it be noted that when decisions are being made about Kenyon Gardens, whether collectively by the whole Council or individually by the Resources Portfolio Holder, Councillors will be acting in their capacity as Trustees of the Joseph Kenyon Foundation.
2. That (notwithstanding the position stated in paragraph 3.1) when issues relating to Kenyon Gardens are being considered by Councillors in their capacity as Trustees, any meetings will be conducted and any reports will be published in accordance with the Procedure Rules set out Part 4 of the Council's Constitution.
3. That any major decisions, including any proposal to seek to dispose of all or part of the freehold of the Kenyon Gardens site or to seek approval from the Charity Commission for a 'scheme' to change the use of the site will be made at a meeting of the full Council.
4. That the Resources Portfolio Holder be authorised to make any other decisions relating to the management, maintenance and upkeep of Kenyon Gardens on behalf of the Trustees (i.e. excluding disposal or change of use but including approval of grazing licenses) and that updates be provided to the Council via the Portfolio Holder's Executive

Reports.

5. That the Service Director People and Places be authorised to manage and maintain Kenyon Gardens on a day to day basis on behalf of the Trustees.
6. That the Constitution be amended to include the above provisions.

61 Notice of Motion 1: Calendar of meetings

The following Notice of Motion was submitted by Councillors Fail, Beavers, Raynor and B Stephenson in accordance with Paragraph 14.1 of the Council Procedure Rules.

“This Council is concerned that a ‘calendar of meetings’ report has been presented to Full Council for noting rather than voting on. It is also concerned that there has been no thorough impact analysis or public consultation, and that Councillors have not had the opportunity to scrutinise.

To provide a way forward that is acceptable to all, the Council request the following:-

Full Council Meetings

To balance out the loss of a Full Council Meeting, para 11.3 of the Council Procedure Rules in Part 4.01 be amended to state that “A maximum of fifteen minutes will be allocated for questions or comments to and responses by each Member of the Executive (Cabinet).”

To ensure any future meeting changes are dealt with more smoothly, this Council requests that para 2 of the Council Procedure Rules in Part 4.01 the Council be amended in order to clarify the responsibilities, and to make it absolutely clear that the frequency of meetings and the basic content of meetings is an elected member responsibility.

Overview & Scrutiny Meetings

The suggested changes to O&S meetings are not in keeping with para 3.1 of Part 4.05 of the constitution (Ordinary meetings of the Overview and Scrutiny Committee will be programmed to take place at approximately monthly intervals).

As such, prior to any change of frequency, a formal change of the constitution must be brought before Full Council.

Cabinet Meetings (for information only)

The changes to Cabinet are in keeping with para 1.6 of Part 4.04 of the

constitution (The Cabinet will be scheduled to meet at least 8 times per year at times to be agreed by the Leader). Council proposes no action to be taken.”

The motion was proposed by Cllr Fail and seconded by Councillor Beavers.

Councillor Michael Vincent proposed and Cllr Moon seconded an amendment (by deleting some words from the original motion and including others) as follows:

This Council believes that amendments to the constitution of this Council are a matter for the members and requests that a suitable amendment to the constitution be brought forward to confirm the same as soon as possible.

Further, it is recognised that reducing the number of meetings from 9 to 8 to increase the efficiency and productivity of this Council will reduce the time available to ordinary members to raise questions of the executive.

This is not desirable and so this Council proposes that the time for questions be increased proportionately to the time lost.

As such, and in addition to the immediate amendment aforesaid, the Council requests that the following amendments be brought to the meeting of 4 April 2018 so that, should the proposed amendments be approved, they shall take effect prior to the commencement of the calendar of meetings for the municipal year 2019/20:

1. *That Paragraph 11.3 of the Council Procedure Rules in Part 4.01 be amended to state that:*

“A maximum of eleven minutes will be allocated for questions or comments to and responses from each Member of the Executive (Cabinet)”

2. *That Paragraph 3.1 of Part 4.05 be amended to state that:*

“Ordinary meetings of the Overview and Scrutiny Committee will be programmed to take place at approximately six weekly intervals”

Councillor Beavers proposed and Councillor Fail seconded, in accordance with paragraph 15(h) of the Council Procedure Rules, that the meeting be adjourned for 15 minutes to enable the Labour members to consider the implications of the amendment.

However the proposal to adjourn the meeting was LOST, by 32 votes to 11.

Councillors Murphy, Henderson, Walmsley spoke in support of the amendment.

Councillors B Stephenson, Fail, R Duffy and Shewan spoke against the amendment.

A recorded vote was requested in accordance with Paragraph 18.4 of the

Council Procedure Rules

The following members voted for the amendment:

Councillors I Amos, R Amos, Lady Atkins, Ballard, Berry, B Birch, C Birch, Bowen, Cartridge, Catterall, Collinson, Ellison, Greenhough, Henderson, Hodgkinson, Holden, Ibison, Ingham, Jones, Kay, McKay, Moon, Murphy, Orme, Pimbley, Robinson, A Turner, S Turner, A Vincent, Matthew Vincent, Michael Vincent, Walmsley and Wilson.

The following Members voted against the amendment:

Councillors E Anderton, Barrowclough, Beavers, I Duffy, R Duffy, Fail, Gibson, Raynor, Shewan, Smith, B Stephenson and E Stephenson.

The Mayor (Cllr M Anderton) abstained.

The amendment was CARRIED by 33 votes to 12, with 1 abstention.

The original motion therefore fell and was not debated further.

The approved amendment therefore became the substantive motion and, following a further vote, was approved by 33 votes to 12, with 1 abstention and it was **agreed** that:

This Council believes that amendments to the constitution of this Council are a matter for the members and requests that a suitable amendment to the constitution be brought forward to confirm the same as soon as possible.

Further, it is recognised that reducing the number of meetings from 9 to 8 to increase the efficiency and productivity of this Council will reduce the time available to ordinary members to raise questions of the executive.

This is not desirable and so this Council proposes that the time for questions be increased proportionately to the time lost.

As such, in addition to the immediate amendment aforesaid, the Council requests that the following amendments be brought to the meeting of 4 April 2018 so that, should the proposed amendments be approved, they shall take effect prior to the commencement of the calendar of meetings for the municipal year 2019/20:

1. That Paragraph 11.3 of the Council Procedure Rules in Part 4.01 be amended to state that:

“A maximum of eleven minutes will be allocated for questions or comments to and responses from each Member of the Executive (Cabinet)”

2. That Paragraph 3.1 of Part 4.05 be amended to state that:

“Ordinary meetings of the Overview and Scrutiny Committee will be

programmed to take place at approximately six weekly intervals”.

62 Notice of Motion 2: Calendar of Meetings

The following motion was submitted, in accordance with paragraph 14.1 of the Council Procedure Rules by Councillors Gibson, Fail, E Anderton and Beavers.

“That this Council recognises the need for transparency and engagement with both residents and members. The democratic process is important to this Council and the Council will not play fast and loose with democracy.

Currently of the Full Council meetings per year the AGM and the Budget meeting do not facilitate the ability of Non Executive members to question or comment to the Portfolio Holders on their areas of responsibility.

This Council resists any suggestion that the number of Full Council meetings per year be reduced and as such the Council insists that any report proposing to reduce the number of Full Council Meetings be withdrawn immediately.”

The motion was proposed by Cllr Gibson and seconded by Cllr Fail.

Councillors R Duffy, Shewan and E Anderton spoke in support of the motion.

Councillors Henderson, Michael Vincent and McKay spoke against the motion.

A recorded vote was requested, in accordance with paragraph 18.4 of the Council Procedure Rules.

The following members voted for the motion:

Councillors E Anderton, Barrowclough, Beavers, I Duffy, R Duffy, Fail, Gibson, Raynor, Shewan, Smith, B Stephenson and E Stephenson.

The following members voted against the motion:

Councillors I Amos, R Amos, Lady Atkins, Ballard, Berry, B Birch, C Birch, Bowen, Cartridge, Catterall, Collinson, Ellison, Greenhough, Henderson, Hodgkinson, Holden, Ibison, Ingham, Jones, Kay, McKay, Moon, Murphy, Orme, Pimbley, Robinson, A Turner, S Turner, A Vincent, Matthew Vincent, Michael Vincent, Walmsley and Wilson.

The Mayor (Cllr M Anderton) abstained.

The motion was therefore **LOST**, by 33 votes to 12, with 1 abstention.

63 Calendar of meetings 2019/20

The Leader of the Council (Cllr Henderson) and the Chief Executive

submitted a report setting out the calendar of meetings involving councillors for 2019/20.

Agreed that the calendar of meetings for 2019/20 be noted.

64 Notice of Motion: Universal Credit

The following motion was submitted, in accordance with paragraph 14.1 of the Council Procedure Rules, by Councillors Beavers, Fail, Shewan and B Stephenson:

"This council expresses its dismay at the manner that Universal Credit has been is being implemented in this country.

This December Universal Credit will go live in Wyre and any new claims or changes to claims will automatically take families off the legacy benefits and place them on Universal Credit.

Universal Credit is not fit for purpose. The 4 to 6 week wait for claimants to receive their benefits is unacceptable and will impact on the vulnerable and the poor resulting in Wyre children going hungry and residents homes being put at risk.

The idea that all workers are in jobs where they are paid a month in arrears ignores the reality for the 1.5m workers who struggle on zero hours, insecure jobs or forced self-employment. Claimants need to be paid from day one. 'Despite the lip service paid to this issue in the Autumn Budget, the fundamental problem remains essentially unresolved.'

- *Payments going to one named member of a household. Many claimants struggle to budget and payments should be paid to the separate claimants within a household and on a fortnightly rather than monthly basis. With the present policy there is a real danger that if the whole benefit goes to one named individual there is no guarantee that the money will be distributed fairly within the household*
- *Claimants need to have their rent paid directly to landlords to avoid the unacceptably high levels of arrears and homelessness that have occurred in the areas where UC already exists. Pushing claimants into debt adds to the stress and insecurity for claimants.*
- *An end to benefit sanctions as there is no evidence that sanctioning helps people into work. In fact taking away claimant's ability to feed themselves and their families prevents them from focusing on finding employment as they are too busy trying to survive. The evidence of the harm that sanctions cause is growing – they are an unnecessary cruelty in our benefits system.*
- *Allow all new claimants to apply for Universal credit in jobs centres with the support of trained job centre staff.*

By forcing new claimant to apply on-line causes real problems for many people who don't have either access or the IT skills to cope with the complex online application. This isn't working and is resulting in more sanctions and more hunger.

- *Abandon the in-work conditionality for part-time or low paid workers – the idea that there are extra hours or higher paid work for the large numbers of these affected workers is simply not the case. This clause of UC places the emphasis on individuals who often want greater number of hours of work- and not on the employers who benefit from short hours and insecurity.*
- *The overall level that is funded need to be urgently increased. The rate at which some claimants will lose benefit is set at 63p in the pound, which when compared with the top rate of income tax of 45% on incomes over £150,000 a year, demonstrates just how unfair UC is for the lowest income families.*

This council notes with concern the impact that the roll-out of universal credit will have on its residents of Wyre and resolves to write to the Secretary of State for Pensions asking her to halt the roll-out of Universal Credit within Wyre until it has resolved the undeniable failures to protect the poorest and most vulnerable members of our district.”

The motion was proposed by Cllr Beavers and seconded by Cllr B Stephenson.

A recorded vote was requested, in accordance with paragraph 18.4 of the Council Procedure Rules.

The following members voted for the motion:

Councillors Barrowclough, Beavers, Fail, Gibson, Raynor, Shewan, Smith, B Stephenson and E Stephenson.

The following members voted against the motion:

Councillors I Amos, R Amos, Lady Atkins, Ballard, Berry, B Birch, C Birch, Bowen, Cartridge, Catterall, Collinson, Greenhough, Henderson, Hodgkinson, Holden, Ibison, Ingham, Jones, Kay, McKay, Moon, Orme, Pimbley, Robinson, A Turner, S Turner, A Vincent, Matthew Vincent, Michael Vincent, Walmsley and Wilson.

The following members abstained from voting:

The Mayor (Cllr M Anderton), Councillors E Anderton and Ellison.

(Cllrs I Duffy, R Duffy and Murphy had left the meeting before the vote was taken.)

The motion was therefore **LOST**, by 31 votes to 9, with 3 abstentions.

The meeting started at 7pm and finished at 10.14pm.

NOTE: An audio recording of this meeting is available via the following link:

<https://www.youtube.com/watch?v=HIQ8MI1ypww>

Questions On-Notice from Councillors

(a) Question from Cllr R Duffy to the Leader of the Council

“During the December 2018 Full Council meeting, and despite protestations from both Labour and Independent Councillors, Conservative Cabinet Members along with their subservient Conservative backbenchers, supported what appears to be an attack on local democracy by voting to accept a recommendation to reduce the number of future Cabinet, Scrutiny, and Full Council meetings taking place here at Wyre Council.

As Leader of this Council, you have tried to justify this outrageous attack on democracy by hiding behind ridiculous claims that the cut in the number of meetings was in fact simply “a money saving exercise”.

So, if this attack on democracy was truly only a money saving exercise as you claim, Shouldn't the Council Tax Payers in Wyre not expect, at the very least, to see the Leader of Wyre Council informing the Remuneration Panel of cuts of up to 20% in the number of meetings some Wyre Councillors will be expected to attend and therefore also recommending to the Remuneration Panel “a future appropriate reduction in the allowances awarded to all of Wyre's Taxpayer funded Councillors?”

(b) Question from Cllr Gibson to the Planning and Economic Development Portfolio Holder

“On the audio recording of the Full Council of 6th December 2018 it is clear at 1 hour 44 minutes that Councillor Michael Vincent misled Members of this Council. In order to support his case for a reduction in Full Council meetings, he states that there is very little business of the Council in August and so agendas for September meetings are quite slim. As an example he quotes that THE meeting of September 2017 lasted just 28 minutes. This meeting held on the 28th September was a special meeting whilst the scheduled meeting for September was held on the 7th and lasted 2 hours 9 minutes which was the longest Full Council meeting of the 2017/18 municipal year. Unfortunately the Chief Executive at 1 hour 57 minutes can be heard repeating Cllr Vincent's claim. Clearly Members and indeed the Chief Executive have been misled and the question Cllr Vincent has to answer is, were his misleading comments deliberate or inadvertent.”

(c) Question from Cllr Gibson to the Planning and Economic development Portfolio Holder

“Within the Wyre Council Constitution the responsibilities of the Economic Development Cabinet Member includes ‘To consider matters relating to Member Development.’

The former Economic Portfolio Holder not only sat on the Councillor Development Group he chaired that Group.

Does Councillor Michael Vincent not consider that he should follow the fine example of Councillor Murphy and not delegate his responsibilities to Councillor Henderson who does sit on the Councillor Development Group?

One definition of 'delinquent' is failing in one's duty'. Does Councillor Vincent not consider he is failing in his duty by not sitting on this Group?"

(d) Question from Cllr E Anderton to the Street Scene, Parks and Open Spaces Portfolio Holder

"Councillor Bridge I asked you a question at December's Full Council meeting about the environmental enforcement pilot, to which I have not yet received a response.

Are you able to provide details of the types and number of penalty notices issued to date broken down by ward?

Are you able to provide details of the number of penalty notices paid to date, broken down by types of offence and by ward?"



Report of:	To:	Date
Councillor David Henderson, Leader of the Council	Council	17 January 2019

Executive Report: Leader of the Council
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1. Purpose of report

- 1.1 To inform Council of progress on key objectives and the current position on a number of issues, as set out below.

2. Activities

- 2.1 Historically business and the need to take decisions in the period leading up to and just after Christmas is not as urgent as during other times of the year and thus my report is not as extensive as it is for other full Councils. I would however, like to take this opportunity to wish all Members, staff and Partners a very happy and prosperous New Year and I do hope that discussions and debates in this chamber will be conducted in a respectful and orderly manner.

- 2.2 On 11 December 2018 we concluded our staff briefing sessions and I would like to thank all the staff who took an active part in the sessions. At the sessions we discussed a number of topics including the launch of our revised Core Values; Working Collaboratively, One Team One Council and Work Smart. The Values will form the core of our proposed new four year Business Plan which will be considered by full Council when we meet on 7 March.

- 2.3 During the festive period I attended a number of events including the BBC Radio Lancashire Christmas Concert with the Band of the Kings Division held at the Marine Hall in Fleetwood.

- 2.4 In the week leading up to full Council I will have attended Overview and Scrutiny (7 January) and a meeting of both Lancashire District and Lancashire Leaders (9 January).

3. Comments and Questions

- 3.1 In accordance with procedure rule 11.3 any member of Council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with Procedure Rule 11.5.

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Report of:	To:	Date
Councillor Alan Vincent, Resources Portfolio Holder and Deputy Leader	Council	17 January 2019

Executive Report: Resources Portfolio Holder

1. Purpose of report

- 1.1 To inform Council of progress on key objectives and the current position on issues within the Resources Portfolio, as set out below.

2. Finance

- 2.1 The Council was notified of a provisional grant settlement of £3.4m for 2019/20 as part of the draft local government finance settlement announced 13 December 2018. This represents a loss in grant of £390,000 or 10.4% from that received in 2018/19. The reduction is £2,000 less than that assumed in the most recent Medium Term Financial Plan. No indicative figures for subsequent years have been announced.

- 2.2 Members will also be aware that the Localism Act allows local residents to veto excessive council tax rises. The Secretary of State has confirmed that the core referendum threshold will remain at 3% or up to and including £5 on a council tax Band D equivalent property in 2019/20 with the approval of the local electorate being required for any council tax increase above this value.

- 2.3 Confirmation of our successful Lancashire bid to become a 75% Business Rates Retention Pilot Pool in 2019/20 was also received. Members will recall that the bid provides for an opportunity to retain an additional 25% of business rates growth in Lancashire.

- 2.4 We also received confirmation of a New Homes Bonus award in 2019/20 of £353,975 for 4 years which was not included in the most recent Medium Term Financial Plan. The report to Cabinet on 13 February will provide further detail around the implications of all the recent announcements on the council's financial forecast.

3. Asset Management

- 3.1 I am pleased to report that the sale of the former Garstang Business Centre to Keyworker Homes (North West) Limited was completed on 21 December 2018. We will continue to work closely with the developer to

ensure minimum disruption to the High Street car park whilst works are ongoing.

4. Comments and questions

- 4.1** In accordance with procedure rule 10.3 any member of Council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with Procedure Rule 10.5.

dem/cou/cr/19/1701 Item 7(b) Resources Portfolio



Report of:	To:	Date
Councillor Simon Bridge, Street Scene, Parks and Open Spaces Portfolio Holder	Council	17 January 2019

Executive Report: Street Scene, Parks and Open Spaces Portfolio Holder

1. Purpose of report

- 1.1 To inform council of progress on key objectives and the current position on issues within the Street Scene, Parks and Open Spaces Portfolio as set out below.

2. Parks and Open Spaces

- 2.1 During December the activities at Memorial Park included a number of wreath making sessions, a family activity, crafting baubles, and the popular Xplorer navigating challenge.
- 2.2 A project to enhance the sensory value of the demonstration garden at Memorial Park has been awarded grant and partnership funding totalling £28,000. The work will create a 'dementia safe' trail of features such as interactive sound panels and sensory planting, encouraging people living with dementia to visit more frequently and stay for longer. Delivery of the project is in partnership with Fleetwood Town Council and the Fleetwood Health Creation Project, with completion planned for July 2019.

3. Waste and recycling

- 3.1 Unfortunately we were not successful in the National Association of Public Service Excellence Awards, however to have been shortlisted and recognised as one of the best performing services in the country is an achievement to be proud of.
- 3.2 I would like to take this opportunity to thank all the frontline services and their staff that have continued to provide services across the festive period whilst most of us have been able to enjoy a break. The waste and recycling crews in particular have worked three Saturdays in a row meaning that collections returned to normal on Monday 7 January. We are aware that some authorities in the North West are taking in excess of two weeks into the new year to catch up.

- 3.3** Subscriptions for the 2019/2020 green waste service will go live on line from 21 January and existing customers will be informed of this directly from this date onwards.

3. Street scene

- 4.1** Once again the authority's public toilets have achieved recognition in the annual Loo of the Year Awards held in early December. In conjunction with our partners Danfo we have retained our status for the third year in a row as fourth in the country in the Premier League of public facilities and have a place in the Champions League, which recognizes where facilities are maintained to a consistently high standard. To have twenty facilities that have reached Gold or Platinum standards is a remarkable achievement.

5. Comments and questions

- 5.1** In accordance with procedure rule 11.3 any member of council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with procedure rule 11.5.

dem/cou/cr/19/1701 7(c) Street Scene



Report of:	To:	Date
Cllr Michael Vincent, Planning and Economic Development Portfolio Holder	Council	17 January 2019

Executive Report: Planning and Economic Development Portfolio Holder

1. Purpose of report

- 1.1 To inform Council of progress on key objectives and the current position on issues within the Planning and Economic Development Portfolio, as set out below.

2. Business support

- 2.1 The Wyre Business Survey is still currently live and will now run until 21 January to give as many businesses as possible the opportunity to complete the survey. The results of the survey will influence the priorities of our Economic Development Strategy and give us a valuable insight into the needs and wants of our business community.
- 2.2 A Wyre Business Awards 'After Show' Evening will take place on 7 February for all the winners. It will be an opportunity for the winners to come together and network and help shape the nomination and judging process for 2019.
- 2.3 In order to further strengthen the relationship between the public and private sector we will be meeting every finalist to discuss business advice and future opportunities.

3. Coastal Community Funds (CCF)

- 3.1 We are working closely with Disability First and Blackpool and Fylde Councils to assist in the delivery of their £985,522 CCF 5 grant.
- 3.2 A launch event is planned for Spring 2019 where they are hoping to secure a special guest / celebrity to unveil the new app which will assist people with disabilities visiting the Fylde Coast.

4. Planning policy

Local Plan

- 4.1** The Great Eccleston Masterplan which relates to the village extension as proposed in the emerging Wyre Local Plan is currently subject to a six week consultation period which began on 11 December and closes on 22 January. The extension to the village will create a mixed use development including residential and employment uses, a community hall, medical centre, new primary school, and local small convenience store.
- 4.2** De Pol Associates working on behalf of the landowners and developers has produced a series of masterplan concepts and supporting material that illustrate alternative ways in which the site can be developed. Exhibition material showing alternative masterplan concepts and supporting information, including response forms are available at the Great Eccleston village centre during the consultation period.

5. Comments and questions

- 5.1** In accordance with procedure rule 11.3 any member of Council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with Procedure Rule 11.5.

dem/cou/cr/19/1701 7(d)



Report of:	To:	Date
Councillor Roger Berry, Neighbourhood Services and Community Safety Portfolio Holder	Council	17 January 2019

Executive Report: Neighbourhood Services and Community Safety Portfolio Holder

1. Purpose of report

- 1.1** To inform council of progress on key objectives and the current position on issues within the Neighbourhood Services and Community Safety Portfolio as set out below.

2. Licensing

- 2.1** The Licensing Team and the Licensing Committee play an important role in ensuring that individuals licensed to drive a taxi are fit and proper for the role. In order to assist them in making this decision, the Committee refers to the Council's Taxi Licensing Policy, which was formally adopted by the Committee in March 2018.
- 2.2** Where an individual does not meet the minimum standards identified in the policy, their application is referred to the Licensing Committee who will consider if they should depart from the policy and grant a licence. Licensing officers will also refer existing licence holders to the Committee if they have concerns about any conduct that may impact on the licence holders fitness or propriety. Since August the Committee has refused to grant or revoked existing licences on three occasions, two of which were challenged by the driver on appeal to the Magistrates (the third is still within the appeal period).
- 2.3** Licensing officers have attended Blackpool Magistrates Court to defend the first of these appeals and I am pleased to report that the Magistrates Court agreed with the decision made by the licencing committee and dismissed the appeal. When making decisions of this nature it is important that at the heart of the decision public safety is paramount and that the decision is both reasonable and proportionate, which the licensing committee always endeavours to achieve.
- 2.4** The second appeal is expected to be heard later this month.

3. Community Safety

CCTV

- 3.1** Our CCTV volunteers play an important role in monitoring our cameras and helping to keep the public safe in our busy town centres. During the course of 2018 the volunteers were involved in a number of initiatives and investigations including searching for missing people, targeting anti-social behaviour, the re-launch of shop-watch in the Fleetwood area and even dog-knapping. So far this year they have contributed over 3,100 hours to the service with many of these hours being undertaken during unsocial hours. I would like to take this opportunity to thank the volunteers and our Partnerships Officer for all their hard work over the course of the last year.

Rural Crime Initiative

- 3.2** Wyre Community Safety Partnership has applied for and been awarded grant funding from the Police and Crime Commissioners Office to undertake a rural crime prevention initiative.
- 3.3** The Community Safety Partnership will be purchasing 100 SelectaDNA bundles from Selectamark Security Systems plc, which will enable isolated rural properties to forensically mark property such as quad bikes and agricultural vehicles, with SelectaDNA. Such initiatives have been found to act as a strong deterrent to thieves and so are a useful tool in helping to fight rural crime. The first 50 packs will initially be held by the police and will be made available to victims of rural crime free of charge to try and prevent repeat targeting. In order to make the offer self-sustaining a further 50 packs will be sold at cost price £24 per pack enabling the partnership to purchase more packs going forward. The packs will be promoted at rural community events such as Myerscough Open Day.

White Ribbon Campaign – targeting male violence against women

- 3.4** The Council have been part of a Pan-Lancashire campaign to raise awareness across the County of the white ribbon campaign. Members will remember that the campaign is about making a pledge to never commit, excuse or remain silent about male violence against women. We have a number of ambassadors for the campaign, including both Officers and Members. A number of our ambassadors, including myself, attended a recent conference at Ribby Hall where ideas were shared on how to increase awareness over the next twelve months. We will be continuing to support this important campaign and will be seeking to implement new initiatives identified during the conference.

4. Additional Disabled Facilities Grant Funding

- 4.1** On 5 December 2018 local authority Chief Executives received a letter from the Ministry of Housing, Communities, and Local Government, regarding the award of an additional £55 million nationally into Disabled Facilities Grants. We were asked if we could spend an additional allocation of up to £201,195 before the end of March 2019. We

confirmed that given high local demand we were confident of delivering against additional funding and we await confirmation of the award.

5. New Care and Repair Frailty Project with rural GP Practices

5.1 Care and Repair is working in partnership with the Wyre Rural Enhanced Neighbourhood Integrated Care Team (WREN ICT) on a new initiative supporting frail patients. The WREN GP practices (Garstang, Great Eccleston and Over Wyre) will identify frail patients who are most at risk of hospitalisation, refer them to an Enhanced Primary Care Care Co-ordinator for assessment and, where appropriate, onward referral to the Care and Repair service for preventative measures and support.

6. Flood forum

6.1 A well-attended flood forum meeting took place on 13 December. Of particular note was an update by Churchtown FLAG on the Kirkland Embankment scheme which is the first scheme in the country where a community group has procured and constructed a Main River flood defence. With the assistance of the council the group has reduced the risk of flooding to 26 properties and better protected the A6 and A586 road networks.

7. Comments and questions

7.1 In accordance with procedure rule 11.3 any member of council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with procedure rule 11.5.

dem/cou/cr/19/1701 Item 7(e)

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Report of:	To:	Date
Councillor Lynne Bowen, Leisure, Health and Community Engagement Portfolio Holder	Council	17 January 2019

Executive Report: Leisure, Health and Community Engagement Portfolio Holder
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1. Purpose of report

- 1.1** To inform Council of progress on key objectives and the current position on issues within the Leisure, Health and Community Engagement Portfolio, as set out below.

2. Food Safety

- 2.1** I am very pleased to report that our Food Safety Team have recently been found to be fully compliant in their recent inter-authority audit. These audits happen every twelve months and concentrate on specific areas of the food safety function. This time the audit related to complaints about food premises, food alerts for action and food related infectious disease notifications. Audits are undertaken in accordance with the Food Standards Agency 'Framework Agreement', 'Code of Practice' and 'Practice Guidance' and are carried out by neighbouring local authority food safety officers.

3. Garstang Victorian Festival

- 3.1** Once again Garstang hosted a very successful Victorian Festival. The event gets better and better each year and proves increasingly popular for residents and visitors alike. I would like to thank all those involved in making the event the success it is and to our staff for the part they have played in promoting the event and in welcoming over 1,000 people into the Visit Garstang Centre over the two evenings.

4. Arts and Events

- 4.1** Just Reminiscing sessions will resume at Fleetwood Market at the end of January 2019. Our rural GP Neighbourhoods have expressed an interest in hosting and supporting similar sessions and we expect the first of these new sessions to start in Garstang and Over Wyre towards spring of 2019.

5. Stepping Out – A new Neighbourhood Health Initiative at Wyre Estuary Country Park

- 5.1** We are working with the Wyre Integrated Neighbourhood of GP practices (WIN) to provide a new stepping out programme and leg ulcer pathway aimed at improving the health and wellbeing of patients with chronic venous ulceration (leg ulcers). The new programme links to a clinical care pathway which has been in practice since Summer 2018 and aims to promote self-care through an education and wellbeing support programme. The programme starts this month at Wyre Estuary Country Park and will help link patients to on-going health and wellbeing activities available across the borough. This is yet another initiative being delivered in partnership with health colleagues making the most of our superb local assets to improve health and wellbeing.

6. Comments and questions

- 6.1** In accordance with procedure rule 11.3 any member of council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with procedure rule 11.5.

dem/cou/cr/19/1701 7(f)



Report of:	Meeting	Date
Councillor Alan Vincent, Resources Portfolio Holder, and Mark Billington, Service Director People and Places	Council	17 January 2019

Localised Council Tax Support

1. Purpose of report

- 1.1 To agree an updated Localised Council Tax Support Scheme to replace the existing scheme from 1 April 2019.

2. Outcomes

- 2.1 Improved incentives to work, ensuring resources are used more effectively, so reducing worklessness and ending a culture of benefits dependency.
- 2.2 To reduce the impact of the ongoing implementation of Universal Credit Full Service on the administration of Localised Council Tax Support.
- 2.3 Compliance with the Welfare Reform Act 2012 and specifically its provisions for the abolition of Council Tax Benefit and replacement with new localised schemes.

3. Recommendations

- 3.1 That the proposed introduction of a £10 per week income “cushion” (up or down) be agreed, therefore removing the need to re-calculate entitlement to Localised Council Tax Support in respect of low value changes to a claimant’s weekly income.
- 3.2 That the proposed introduction of a flat-rate Localised Council Tax Support non-dependent deduction of £5 per week, to replace the current tiered non-dependent reduction rates, be agreed.
- 3.3 That the proposed discontinuation of the Second Adult-Rebate scheme be agreed.

- 3.4** That the current additional maximum deduction from entitlement to Localised Council Tax Support for working-age claimants be maintained at 8.5%.
- 3.5** That no other changes to the current Localised Council Tax Support scheme that were under consideration, be implemented at this time.

4. Background

- 4.1** As part of the 2012 Welfare Reform Act the national Council Tax Benefit (CTB) scheme was abolished and in accordance with the Local Government Finance Act 2012 local authorities were required to introduce Localised Council Tax Support (LCTS) schemes from April 2013.
- 4.2** Support for Council Tax is now offered as reductions within the Council Tax system with claimants of state pension credit age receiving a discount of 100% thereby ensuring that they experience no reduction in support as a direct result of the reform.
- 4.3** Localisation provided local authorities with the flexibility to design Council Tax Support schemes for working age claimants taking into account the needs of vulnerable groups and the importance of supporting work incentives. Following a consultation exercise, the Council agreed at their meeting of 29 November 2012 to adopt a scheme which qualified for transitional grant for one year ensuring that:
- Those who would be entitled to 100% support under current Council Tax benefit arrangements pay no more than 8.5% of their net Council Tax liability;
 - The taper does not increase above 25%;
 - There is no sharp reduction in support for those entering work – for claimants currently entitled to less than 100% support, the taper will be applied to an amount at least equal to their maximum eligible award.
- 4.4** The council is required to review its LCTS scheme annually and the adoption of the scheme is a function reserved to full Council. If the LCTS scheme is to be revised or replaced the council must prior to that: (a) consult any major precepting authority which has power to issue a precept to it, (b) publish a draft of the revised 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.
- 4.5** Wyre's current LCTS scheme for working-age claimants was purposely designed to closely mirror the former CTB scheme. There were a number of reasons for this, including the fact that any major deviations from the former scheme would have led to the council incurring substantial additional costs in procuring and developing a new software system. LCTS recipients were also familiar with the CTB scheme and the

requirements it placed upon them in terms of when they had to make a claim, or report changes in their circumstances.

- 4.6** As the roll-out of Universal Credit (UC) starts to gather pace it will have an ever increasing impact on the administration of LCTS, and the collection of council tax. In order to address this matter and keep administration costs as low as possible, some changes are proposed to the LCTS scheme. These changes were the subject of a consultation, more details of which can be found at Appendix A and in section five below.

5. Key issues and proposals

- 5.1** As at 30 November 2018 the council's LCTS working-age caseload numbered 4,666, many of whom are also in receipt of one of the heritage benefits that will at some point be migrated across to UC. These benefits are Job Seekers Allowance, Housing Benefit (HB), Employment Support Allowance, Income Support and Tax Credits.
- 5.2** There are currently already around 1,000 UC claimants living in Wyre, about a third of whom are currently also responsible for payment of council tax and therefore eligible to claim LCTS. This proportion is likely to increase as UCFS is expanded.
- 5.3** UC is a monthly paid benefit. Entitlement is also calculated on a monthly basis, largely via data-matching employment and income records held by Her Majesty's Revenue and Customs (HMRC) with UC records held by the Department for Work and Pensions (DWP). As a consequence of this monthly check the smallest of changes in income results in the re-calculation of entitlement to UC. In cases where the UC claimant is also known to be claiming LCTS, this in turn generates an electronic notification to the council advising us of the change in UC entitlement. On receipt of this notification the council re-calculate entitlement to LCTS and send the claimant a new council tax bill. For many UC claimants, e.g. those on variable hours contracts, this means that every month they receive a new council tax bill with new instalments asking them to pay their council tax over a decreasing number of months. On many occasions, before the date the first amended council tax instalment is payable (and certainly before the date any council tax reminder is subsequently issued), the claimant's UC entitlement changes again resulting in the issue of another council tax bill.
- 5.4** Evidence shows that owing to small fluctuations in their income an increasing number of LCTS claimants in Wyre, who are also in receipt of UC, are receiving a new council tax bill every month of the year. Only the final bill issued in each financial year does not get surpassed, by which time the amount on the bill is payable in one instalment and often the payer cannot afford to pay. This subsequently leads to the commencement of recovery action to collect the unpaid council tax, and to compound the problem further the following year's council tax bill is normally issued around the same time.

- 5.5** The numbers of LCTS recipients, who are also in receipt of UC, has begun to increase substantially following the commencement of the UC roll-out on the Fylde coast on 5 December 2018. The administrative burden associated with UC is also increasing and will continue to do so unless the LCTS scheme is amended in order to nullify the effect of small increases/decreases in earnings. It is therefore proposed that an income “cushion” is introduced so that changes of up to £10 per week in claimant’s income do not change the amount of LCTS they receive. Under the current scheme a change of income of £10 per week equates to a £2 per week change in LCTS entitlement (assuming that the claimant isn’t earning less at the point their claim is originally calculated than the minimum amount the Government considers that the claimant needs to live off).
- 5.6** The cushion would be applied on a cumulative basis, for example, an aggregate increase of £10 per week in the claimant’s earnings in month one would not result in the recalculation of their LCTS entitlement. A further £10 per week increase in month two would result in the recalculation of their LCTS entitlement at that point however, taking into account the additional £20 of income (£10 in month one and £10 in month two).
- 5.7** As part of the process to determine what changes (if any) to apply to the current LCTS scheme, a consultation was undertaken, which ran from 17 September to 13 November 2018. A copy of the report of the results of the consultation is attached at Appendix A. Of the 392 people who completed the survey, 273 (72%) either agreed, or strongly agreed with the proposal to introduce an income banded scheme such as the one proposed.
- 5.8** The council also commissioned the services of an external provider to provide an estimate of the costs associated with the move to a fully banded scheme, whereby income bands would be introduced for single households, couples with no children, and families. Whilst the introduction of this scheme is something that should be considered again in the future, uncertainty over the continuing roll-out of UC and the time it will take for the migration of the other heritage benefits to UC to be completed, means there is no guarantee that the projected costs of introducing such a scheme are accurate. It is therefore proposed to look again at a full-blown banded scheme once there is more certainty over the UC migration.
- 5.9** Before a claimant’s entitlement to LCTS can be calculated, the income of any non-dependents living in the claimant’s household is taken into consideration, with a deduction being made from the claimant’s LCTS entitlement to reflect the level of the non-dependents’ earnings. Current levels of non-dependent deduction are:
- In receipt of Job Seekers Allowance or Employment Support Allowance = £nil deduction.

- Gross income:
less than £203.99 = £3.60 per week
between £204 and £353.99 = £7.10
between £354 and £438.99 = £9.00
£439 and above = £10.80
- In cases where the claimant is in receipt of Personal Independent Payment or Disability Living Allowance (care component) no deduction is taken, regardless of the non-dependent's income.

5.10 Many claimants struggle to obtain their non-dependent's income details and as a consequence a maximum non-dependent deduction of £10.80 is subsequently applied to their LCTS award. In order to resolve this issue, simplify the LCTS scheme, and at the same time reduce administration costs, it is proposed that a flat rate deduction of £5 per non-dependent be applied. The deduction would apply to all non-dependents, apart from those on a recognised (under council tax legislation) full-time course of further education.

5.11 Currently, LCTS claimants who are in receipt of certain disability benefits, predominantly Disabled Living Allowance (care component), do not have any non-dependent deductions taken from their LCTS entitlement if they have a non-dependent living with them. Under the proposed move to a flat-rate non-dependent deduction these claimants would have a deduction taken. It is recognised that this may in some cases cause financial hardship and with this in mind it is proposed to include provision for the award of discretionary hardship relief in appropriate cases within the 2019/20 LCTS scheme. This issue is referred to in the Equality Impact Assessment (attached at Appendix B) conducted in respect of the proposed changes to the scheme.

5.12 The second adult rebate scheme allows single adults who would receive a 25% single person council tax discount if they lived on their own, to make a claim for assistance with payment of the council tax if any non-dependents who live with them are in receipt of a low income. This scheme has been disregarded by many other local authorities. As at 30 November 2018 there were 58 second-adult rebate claims in payment. It is proposed that from 1 April 2019, this scheme be discontinued.

5.13 The primary focus of the proposed changes to the LCTS scheme is to simplify the scheme and reduce the costs associated with administering it. Other potential changes to the scheme were included in the consultation and are also under consideration by other local authorities. It is recognised, that if implemented, these changes would impact negatively on those who are most in need of support from the LCTS scheme to pay their council tax, the same residents who are likely to be impacted on by the introduction of UC. It is therefore proposed that the additional maximum deduction from entitlement to council tax support remain at its current level of 8.5%, and that the other changes that have been

considered are not progressed further at this point in time. This will also allow for the impact of the ongoing roll-out of UC to be fully considered.

- 5.14** This also ensures that Wyre will continue to protect the most vulnerable in our society by limiting the maximum contribution to LCTS for those on full benefit to 8.5%. Our neighbouring Councils of Blackpool and Fylde already ask their residents to pay up to 27.11% (13.56% in respect of “pass-ported” benefit claimants) and 22.7% respectively. At the start of the 2018/19 financial year fewer than 50 local authorities across the country had a maximum contribution figure of 8.5% or less, making Wyre’s Scheme one of the most financially beneficial to claimants in the country.

Financial and legal implications																						
Finance	<p>The Council was previously reimbursed by the DWP for expenditure in relation to correctly awarded CTB but as part of the welfare reforms, expenditure on Localised Council Tax Support was reduced by 10%. The Local Government Finance Settlement included £8,077,777 for Council Tax Support in 2013/14 and of this, £963,119 was retained by Wyre.</p> <p>The Government claimed that in 2014/15 the total level of localised council tax support funding has remained unchanged in cash terms although there is no separately identifiable amount for localised council tax support at local authority level since it was subsumed within the Revenue Support Grant and Baseline Funding. It is also worth remembering that the Council suffered a reduction in grant funding of £1.022m or 13.6% in 2014/15.</p> <p>Inflating the 2018/19 anticipated expenditure on LCTS of £8,495,572 by 5.59%, Wyre’s average council tax increase in 2018/19, indicates that the estimated cost of the scheme for 2019/20 would be approximately £8,970,474. Applying the indicative start-up funding allocation of £8,077,777 leaves an unfunded gap of approximately £892,697 to be met by each precepting body as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Preceptor</u></th> <th style="text-align: center;"><u>%</u></th> <th style="text-align: center;"><u>£</u></th> </tr> </thead> <tbody> <tr> <td>Wyre Council</td> <td style="text-align: center;">11.1</td> <td style="text-align: right;">99,090</td> </tr> <tr> <td>Parish/Town Councils*</td> <td style="text-align: center;">1.0</td> <td style="text-align: right;">8,927</td> </tr> <tr> <td>Lancashire Combined Fire Authority</td> <td style="text-align: center;">3.9</td> <td style="text-align: right;">34,815</td> </tr> <tr> <td>Lancashire Police Authority</td> <td style="text-align: center;">10.1</td> <td style="text-align: right;">90,163</td> </tr> <tr> <td>Lancashire County Council</td> <td style="text-align: center;">73.9</td> <td style="text-align: right;">659,702</td> </tr> <tr> <td>TOTAL</td> <td style="text-align: center;">100.0</td> <td style="text-align: right;">892,697</td> </tr> </tbody> </table> <p>*This is an average cost and will not necessarily be incurred by individual Parish/Town Councils</p>	<u>Preceptor</u>	<u>%</u>	<u>£</u>	Wyre Council	11.1	99,090	Parish/Town Councils*	1.0	8,927	Lancashire Combined Fire Authority	3.9	34,815	Lancashire Police Authority	10.1	90,163	Lancashire County Council	73.9	659,702	TOTAL	100.0	892,697
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TOTAL	100.0	892,697																				

	The financial implications of the minor amendments to the scheme are expected to be minimal based on the modelling undertaken by Policy in Practice. The main impact is expected to be on reducing internal administration and contributing towards the ongoing efficiency savings as part of a future service review.
Legal	<p>The Council has complied with the legislation and statutory guidance surrounding the implementation of its updated scheme.</p> <p>It has consulted on changes to its LCTS Scheme and carried out an Equality Impact Assessment that has satisfied legal requirements and provided essential information. This information has been considered and used to develop the final recommendations.</p>

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	✓
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x

Processing Personal Data

If the decision(s) recommended in this report will result in personal data being processed, a privacy impact assessment (PIA) will have been completed and signed off by the council's Data Protection Officer before the decision is taken (as required by the General Data Protection Regulations 2018).

report author	telephone no.	email	date
Peter Mason	01253 887530	Peter.mason@wyre.gov.uk	12/12/2018

List of background papers:		
name of document	date	where available for inspection
None		

List of appendices

Appendix A – Council Tax Support Scheme Consultation 2018
Appendix B – Equality Impact Assessment

Link to Draft LCTS Scheme www.wyre.gov.uk/draftcts

dem/cou/cr/19/1701pm1

Council Tax Support Scheme Consultation 2018

Introduction

The Cabinet report from 5 September 2018 proposed that a consultation should be held with key stakeholders and the public before any decision is made.

From 17 September to 12 November 2019 Wyre Council, as the administrating body of the localised council tax support scheme (LCTS), undertook a public consultation with its residents and directly with those receiving benefits regarding proposals to amend the scheme.

The consultation was carried out to obtain local opinion on a number of proposals covering a range of new and revised benefit calculations based on:

- An income banded scheme
- The minimum amount of council tax people have to pay
- The amount of savings that people are able to have before they can claim
- A non-dependent deduction
- Removal of the family premium
- The number of children taken into account
- A minimum self-employed weekly income figure
- The discontinuation of the 2nd Adult Rebate scheme.

The consultation further included questions about the respondent so as to identify demographical data and whether the respondent claims benefit /exemptions or not. The consultation also gave people the opportunity to leave comments and provided contact details for further help with council tax queries.

Approach

The agreed approach for this consultation was to use:

1. An **online questionnaire**. Online questionnaires are used as the default method for consulting and collecting opinions. They are often accompanied by other methods of collecting responses. Benefits include free 24 hour access for the public along with the acknowledgement of submission. It enables an appropriate amount of linked and supporting information to be included in a structured questionnaire, helping to ensure that residents can source further information and context conveniently and immediately.
2. A **letter** sent out to benefit recipients who were registered on the council's database at the time of posting. The letter directed recipients to the consultation web link and also offered a contact number to receive a hard copy should they be unable to access online services.

The printed version of the questionnaire can be accessed via **Appendix 1**.

Promotion and communication

The consultation was promoted in the following ways:

- E-alerts, sent to subscribers of the council's email marketing service. These featured hyperlinks to further information about the consultation and the questionnaire itself.
- Information was provided to the media to help them cover the consultation. This resulted in coverage via
- A link to the consultation was included on the council website home page under 'have your say' page for the duration of the consultation and featured on the main news banner of the homepage.

- Emails were sent to a range of stakeholder organisations including Lancashire Fire & Rescue, Police and Crime Commissioner for Lancashire, Lancashire County Council and Parish and Town Councils
- The council’s Facebook and Twitter accounts were used to signpost people to the consultation information and questionnaire.

Consultation respondents

In total **395** members of the public responded to the CTSS consultation, and in addition, Lancashire County Council and Lancashire Fire and Rescue commented on their position.

Of the number above, 361 of the responses were completed online via the council’s consultation portal, 31 were received in hard copy and 1 representation was received by email.

All the questionnaire submissions that had at least one of the 8 proposal sections completed were included in the analysis.

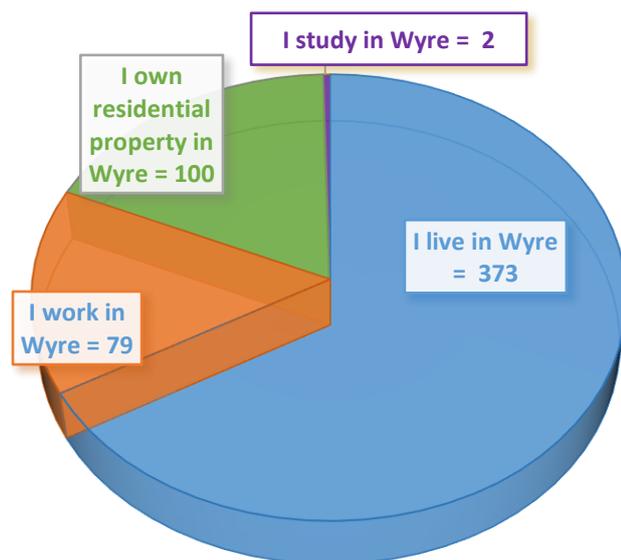
A limited amount of information was collected about the respondents as deemed appropriate and relevant to the consultation and analysis.

Figure 1 – Relationship of respondent with Wyre

Figure 1 shows the type of relationship the respondent has with Wyre. Of the 387 that answered the question, the majority representation group are those members of the public that **live in Wyre** (n=373) and the smallest group are those who are studying in Wyre (n=2).

A higher representation of **tenants** (61%, n=237) than homeowners (37%, 143) responded to the survey.

8 respondents (2%) said that they were either ‘Living with parents’ or selected ‘Other’. Of those that said ‘Other’, 3 were landlords and 1 was in a part ownership part rent scheme.

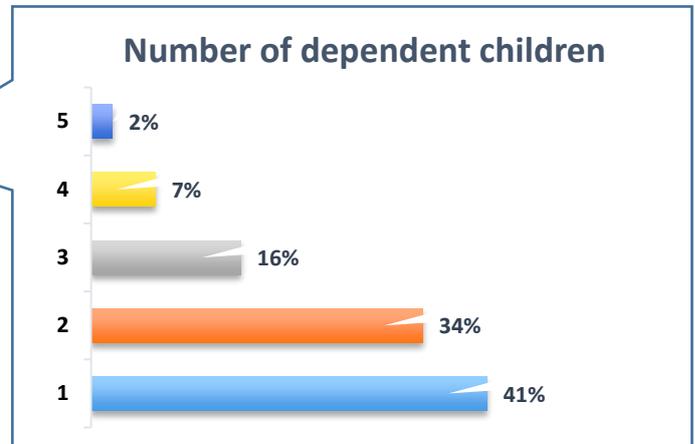


Please note: throughout the results data there will be total counts that add up to more than 392, using the example above to illustrate the point, a person may live AND work in Wyre therefore they will select both options and be double counted.

Table 1 below shows the breakdown of respondents 'Circumstances' according to a defined list:

Table 1

Circumstance	Number of respondents
Disabled	173
Single	138
Couple	107
Has dependent children	96
Employed	93
Carer	57
Lone parent	53
Other	53
Self-employed	28
Student	6
No response	4



Those that selected 'Other' were not asked to divulge what their circumstance/s were.

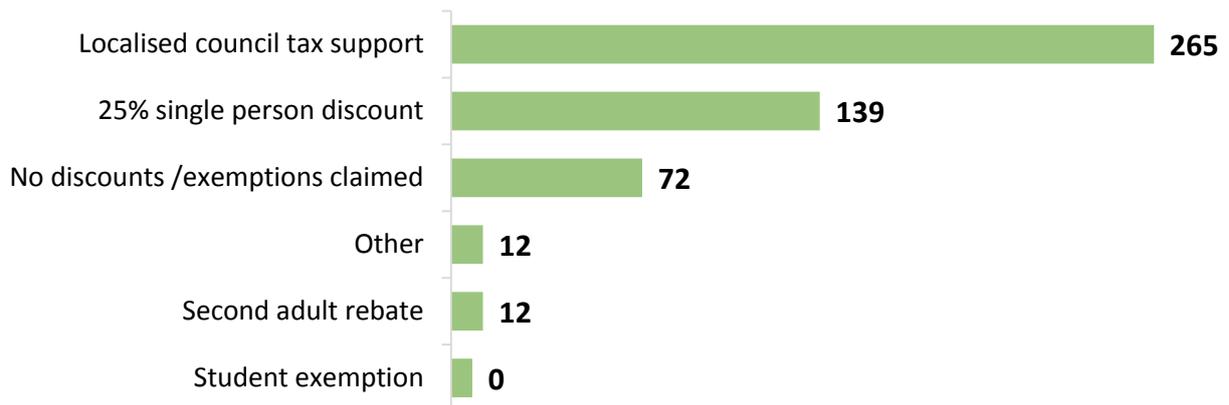
As can be seen above of the respondents who had dependent children three quarters of them had either 1 or 2 dependent children.

Discounts /exemptions in receipt.

The respondents were asked to identify if they were already on benefit.

Just over 2/3rds of respondents (n=265) receive localised council tax support. With a little over 1/3rd (n=139) of all respondents claiming a 25% single person discount.

Of the 265 claiming CT support, 105 (40%) also claimed the 25% single person discount.



Consultation results

Respondents were presented with 8 proposals covering the various benefits associated with the Council Tax Support Scheme. They were asked to share how strongly they felt /to what degree they supported each proposal. Consultees were given the opportunity to extend their views by commenting on each of the proposals. In this aspect the results will help the council understand further what issues and impact introducing each proposal might have, particularly on those who are in receipt of benefits currently.

Summary: Overall results

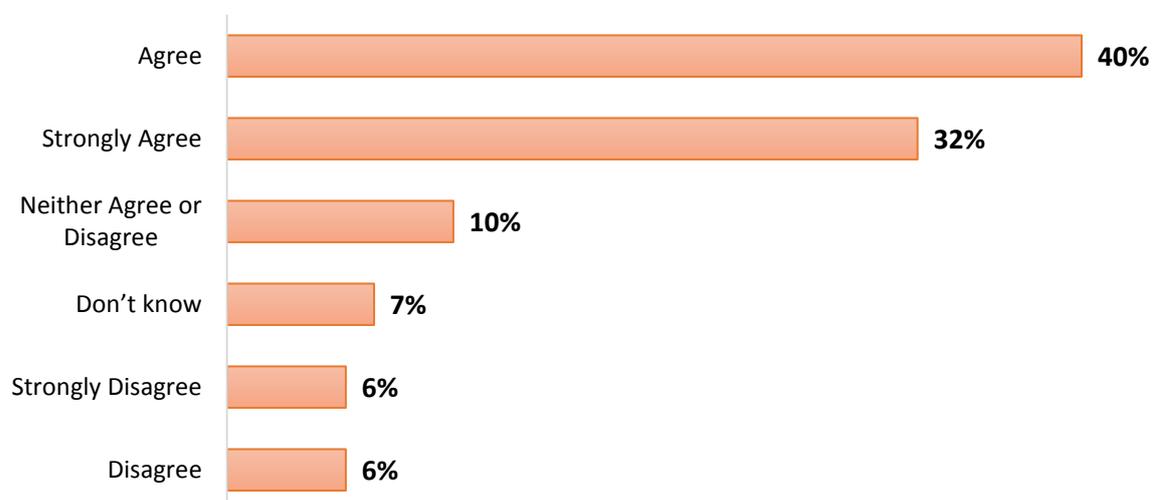
Question:	Response %		
	Agree	Disagree	Neither agree nor disagree
Proposal 1 – Introduce an income banded scheme	72%	12%	10%
Proposal 2 – Increase the minimum amount of council tax people have to pay to 10%.	34%	45%	17%
Proposal 3 – Lower the amount of savings that people are able to have before they can claim	44%	36%	15%
Proposal 4 – Introduce a standard £5 non-dependent deduction	38%	27%	26%
Proposal 5 - Removal of the family premium	25%	48%	21%
Proposal 6 – Restrict the number of children taken into account to 2	44%	32%	20%
Proposal 7 – Introduce a minimum self-employed weekly income figure	46%	22%	22%
Proposal 8 - The discontinuation of the 2nd Adult Rebate scheme	38%	29%	24%

Please note the above percentages have been rounded.

Proposal 1– To introduce an income banded scheme that will reduce the number of occasions a claimant’s entitlement to LCTS changes.

Respondents were asked...How strongly do you agree with this proposal?

All 381 respondents answered this question. 273 people strongly agreed or agreed (72%) with the proposal.



On analysing the data further for differences between responses from respondents that indicated that they either claimed one or more discounts/exemptions or they claimed none, the results showed a similar pattern of majority agreement. See Table 2 below.

Table 2 – Responses by claimant type proposal 1

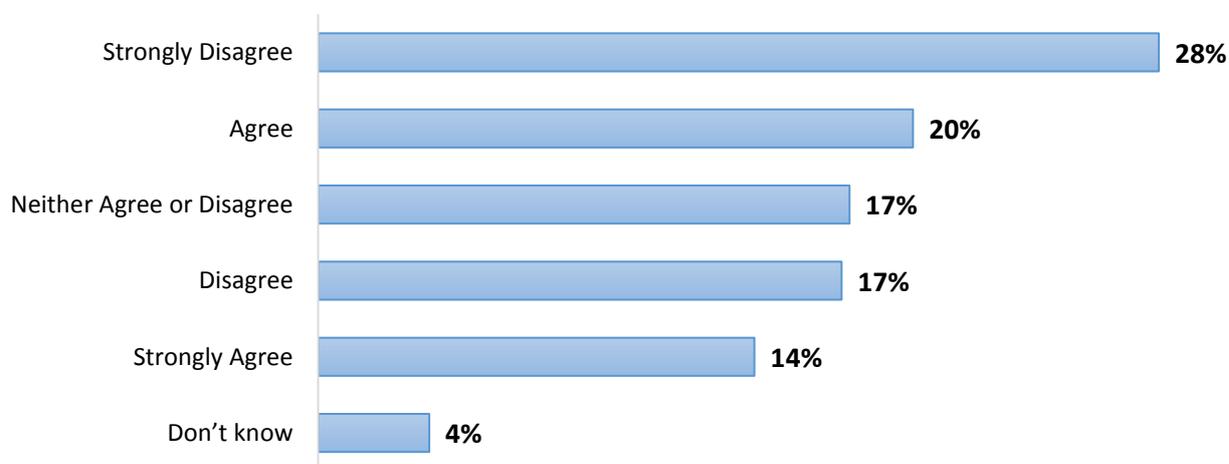
	Number of people responding	% Strongly agree	% Agree	% Neither Agree or Disagree	% Disagree	% Strongly Disagree	% Don't know
People are in receipt of one or more benefits/exemptions	311	31%	39%	11%	5%	5%	8%
People who are not claiming discounts/exemptions	70	37%	41%	7%	6%	7%	1%

Interestingly, close to 1/5th (n= 60) of those that claimed benefits/exemptions selected 'Neither Agree nor Disagree' or 'Don't know' which perhaps indicates that they are unsure as to how the changes are likely to affect them. The pattern of agreement was mirrored amongst the self-employed group for strongly agree and agree.

Proposal 2 – To increase the minimum amount of council tax that those residents in receipt of LCTS have to pay from 8.5% to 10%.

Respondents were asked...How strongly do you agree with this proposed change?

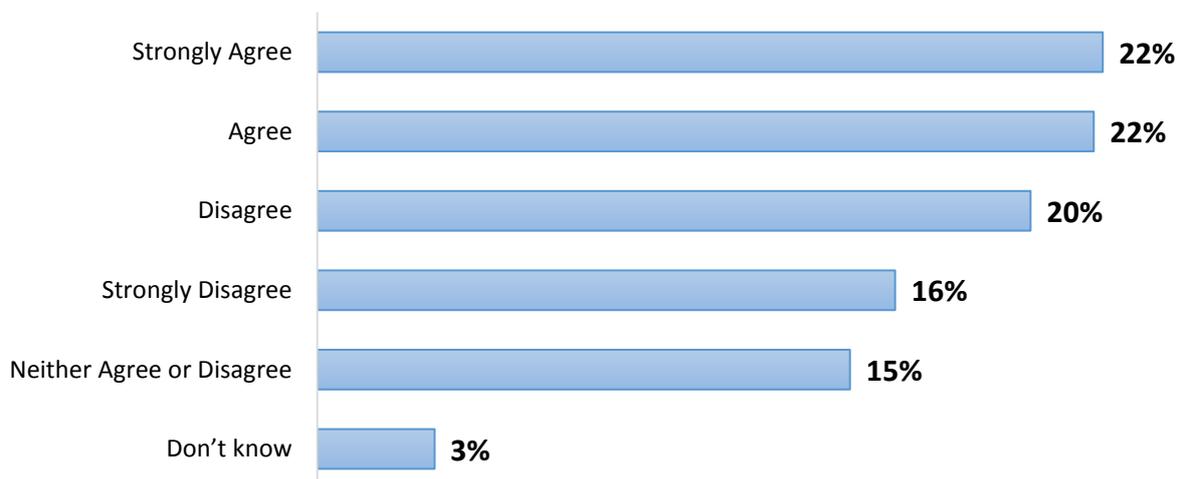
There was less agreement overall between the 383 responses and the choices were more spread across the agreement options than they were for proposal 1. The general consensus is however **disagreement** i.e. 45% strongly disagree or disagree against 34% who either strongly agree or agree.



Proposal 3 - Currently anyone with savings of more than £16,000 is disqualified from claiming LCTS. It is proposed that this amount be lowered.

Respondents were asked...How strongly do you agree with this proposal?

The results from the 388 respondents show that 44% agree with the proposal whilst 36% disagree to varying extents. 18% were not able to decide either way.



Interestingly when analysing the results further according to either those respondents receiving benefits/exemptions and those who are not, the results are as follows in Table 3:

Table 3 - by claimant type proposal 3

	Number of people responding	% Strongly agree	% Agree	% Neither Agree or Disagree	% Disagree	% Strongly Disagree	% Don't know
People are in receipt of one or more benefits/exemptions	316	19%	22%	16%	21%	17%	4%
People who are not claiming discounts/exemptions	72	36%	22%	11%	17%	14%	0%

As can be seen above, there is more divergence in agreement across the in receipt of benefit cohort, although as a whole 41% of this group agree with the proposal against 38% that disagree with it.

As part of this proposal section, respondents were also asked... If the upper capital limit were to be reduced, what level do you think it should be reduced to?*It was explained on the survey that £6,000 is the lowest capital limit that can be made due to legislation

As table 4 shows below there was a unanimous choice for the upper limit of £14,000. The five upper limit amounts and percentages shown below follow the same general order whether the respondents were claimants or non-claimants of benefits/exemptions.

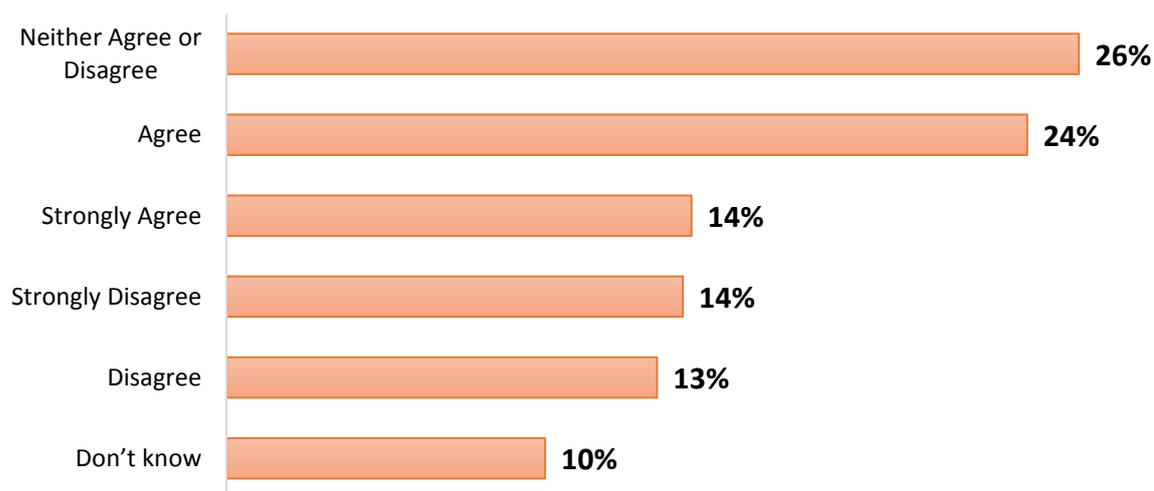
Table 4 – Upper capital limit options and response percentage

Upper limit	%
£14,000	40%
£6,000	21%
£10,000	21%
£12,000	9%
£8,000	9%

Proposal 4 – To introduce a standard deduction of £5 per non-dependent from the amount of LCTS a claimant is entitled to. The deduction would be made in respect of every non-dependent with the exception of full-time students.

Respondents were asked...How strongly do you support this change?

Of the 386 responses to this question, the majority selected ‘Neither agree nor disagree’ with this proposal (n= 99, 26%) followed by 93 respondents agreeing with it (24%).



If the results for proposal 4 are broken down into the two cohorts of those that are claiming benefits/exemptions and those that aren't (see Table 5 below) it shows that significantly more people that do not claim discount agree with the proposal (65%) than those who are claiming (32%).

Table 5 - by claimant type proposal 4

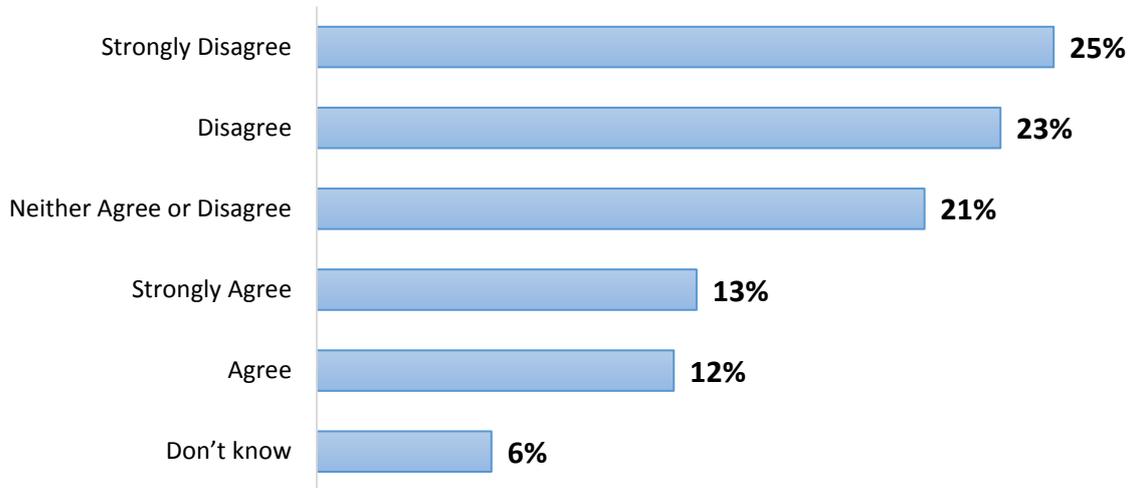
	Number of people responding	% Strongly agree	% Agree	% Neither Agree or Disagree	% Disagree	% Strongly Disagree	% Don't know
People are in receipt of one or more benefits/exemptions	316	9%	23%	28%	16%	15%	11%
People who are not claiming discounts/exemptions	70	34%	31%	14%	7%	9%	4%

Respondents were asked...

Proposal 5 – How strongly do you support the proposal to remove the family premium?

Of the total responses received (n=387), almost half were in disagreement with the proposal to remove the family premium (48%, n=187) with the majority strongly disagreeing with it (25%).

Of the 96 respondents that had dependent children 74% (n=71) disagreed with the proposal and 15% (n=14) agreed with it.



Looking at the breakdown across the claimant types the results highlight a clear disagreement to the proposal amongst the respondents that are in receipt of benefits/exemptions (50%, n=158). However the results are evenly split across the respondents not claiming discount, that is 41% agree and 41% disagree with the proposal.

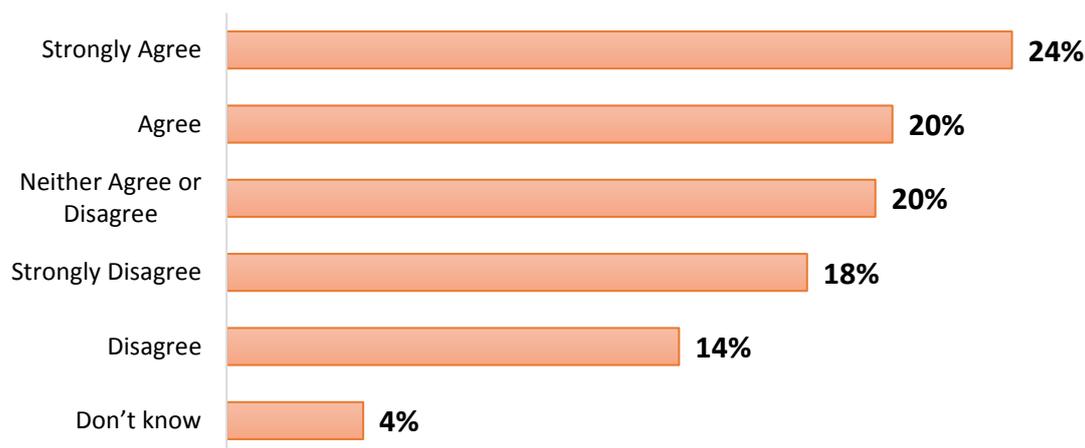
Table 6 – by claimant type proposal 5

	Number of people responding	% Strongly agree	% Agree	% Neither Agree or Disagree	% Disagree	% Strongly Disagree	% Don't know
People are in receipt of one or more benefits/exemptions	317	10%	11%	22%	25%	25%	7%
People who are not claiming discounts/exemptions	70	24%	17%	14%	17%	24%	3%

Proposal 6 – Restricting the number of children taken into account to two when calculating entitlement to LCTS

Respondents were asked...How strongly do you support the proposal to reduce the number of children taken into account when calculating LCTS entitlement to two?

The majority of respondents (44%) generally agreed with this proposal. However this result changes dramatically according to respondent circumstances. 383 respondents answered this question.



Of the respondents that answered this question and that don't claim benefits (n= 70), 66% are more likely to agree with the restriction, and of the 313 responses from claimants of benefits/exemptions the majority choice was to 'Neither agree nor disagree' (22%). See Table 7 below

On analysing the results according to individual circumstances, of the 94 respondents that had dependent children, 50% disagreed with the restriction and 17% neither agreed nor disagreed. For the 22 people who had three or more children, as could be expected, all bar one respondent strongly disagreed with the proposal.

Interestingly of the 66 respondents that stated they had only one or two children, 42% (n=28) agreed with the restriction against a third (n=22) who disagreed.

Table 7 - by claimant type proposal 6

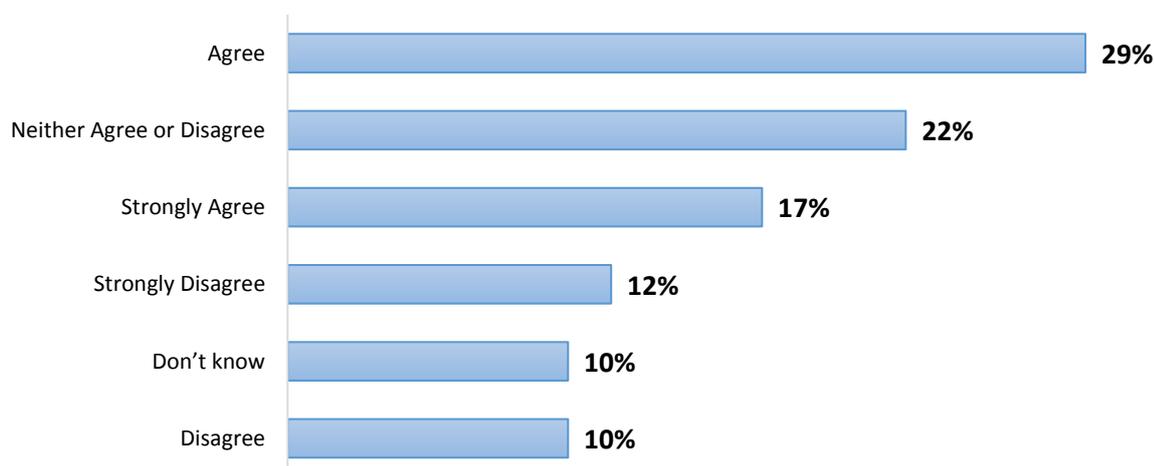
	Number of people responding	% Strongly agree	% Agree	% Neither Agree or Disagree	% Disagree	% Strongly Disagree	% Don't know
People are in receipt of one or more benefits/exemptions	313	19%	20%	22%	15%	19%	5%
People who are not claiming discounts/exemptions	70	46%	20%	11%	10%	11%	1%

Proposal 7 – Introduction of a minimum self-employed weekly income figure

Respondents were asked...How strongly do you support the proposal to use a minimum self-employed income in order to calculate entitlement to LCTS?

Of the 386 that answered this question a total of 46% supported the proposal against the 22% that disagreed with it. The most popular individual selection option was 'Neither agree nor disagree' (22%) this may be due to the low number of people that were self-employed responding to the survey.

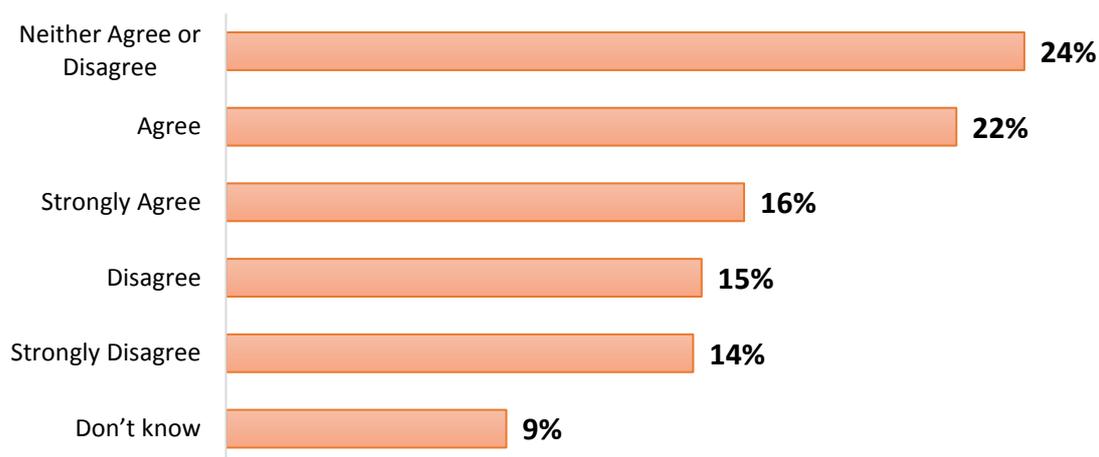
Of the 28 respondents that identified themselves as self-employed, 36% (n=10) agreed with the introduction whereas 57% (n=16) disagreed with the proposal and only 1 person responded neither agreed nor disagreed.



Proposal 8 – Discontinuation of the 2nd Adult Rebate scheme.

Respondents were asked...How strongly do you support the proposal to discontinue the 2nd Adult Rebate Scheme?

Of the 385 people that answered this, the majority selected 'Neither agree nor disagree' (n=94, 24%). Of the 12 that answered this question and that were claiming the second adult rebate as would be expected 67% disagreed and 17% neither agreeing nor disagreeing.



OTHER COMMENTS

When asked if respondents had any other comments 23% of them (n=90) answered however six were discarded:

- two were respondents specifying that they had no further comments,
- three entries were duplicate
- one was vexatious and slanderous and questioned the need to have such a consultation

The commentary was analysed and applied to a number of general themes as can be seen in Table 8. Some comments covered a number of aspects and therefore were counted according to the theme hence the total of comments in Table 8 adding up to more than 84.

Table 8 – Comments by general theme

General theme	Number of comments
Against changes /negative remarks	32
Concern about the impact	27
Mixed opinions	17
Comments regarding disability	17
Comments regarding family/children	13
Comments about the system/process	12
Confusion/lack of understanding about the scheme	10
Fully supportive/positive remarks	5
Comments regarding savings	3
Comments regarding self-employment	3
Comments regarding pensions	3

A few comments from the first 4 themes above have been presented below to cover the general variety and range of opinions presented.

Against proposals /negative remarks

- You are going to make people poor if they are on any benefits any amount of extra expenses can be devastating to them, what may seem to be only a few pound's to some maybe the difference between eating or not for people who need benefit .We must all remember not all people on benefits do it by choice some can't work due to ill health.
- Council Tax should be 0% for those entirely dependent on benefit as it deducts more from the already low minimum income requirements
- Some people genuinely cannot afford to pay more. The benefit is low enough & I know people who have to rely on food banks. This will cause further hardship through no fault of their own. People on ESA of working age also should get Council tax relief as it's not their fault / choice to become disabled. I believe genuine people are being penalised because of the ones who have made an informed choice to just have children in order to get houses & benefits. Our circumstances are genuine & I think it's wrong to lump everyone in the same book. There are genuine in both categories but this is going to cause financial hardship.
- This scheme may well cut administrative cost. It may even cut a few jobs. But in the long run actually reduces the assistance to people like myself long term unemployed because companies have ageist policies and increases the amount of Council Tax to pay on already FROZEN JSA benefits. This scheme will inflict more austerity on those who can least afford it and already have to rely on food banks, because their benefit is used to pay BILLS. I propose the STATUS QUO REMAIN TO AVOID MORE HARDSHIPS

Concern about the impact

- Whilst I understand your desire to reduce administration costs it seems that once again the most vulnerable in society will bear the brunt of this.
- I understand why these proposals are being considered but the majority of claimants who are on low incomes would be unable to afford the rises. £1.50 a week could mean the difference of eating or not
- The disabled and their carers are on fixed incomes dictated by Central Government as you know, and they have no capacity to change their situations. As a consequence I implore you to try to avoid anything that makes their already fragile and powerless lives more difficult than they are.
- We would find it impossible to pay any more we are finding it hard to make ends meet now
- I just hope that I can continue to get the full housing benefit and to still be able to get my Council tax discounts set out at the same rate as it is now., I have my son living at my home full time, so I am entitled to full housing benefit to my home.
- My husband recurved help with council tax because he is a war pensioner. This acknowledgement means a great deal to him and would have a deeply negative impact if it were to be removed.

Mixed opinions

- By all means simplify and reduce costs just please ensure it is not at the expense of struggling family households who do face higher costs and disabled person's especially those unable to work to change their circumstances.
- I agree cost cutting has to be made. I feel as with all things in the political environment we live in it is the poor who suffer. The first thing you need to review is the paperwork. If there is no change in a claimant's monthly allocation why send a notification of what is being paid and when?
- It would be COMPLETELY unfair to assume people who are self-employed are able to work 35 hours at £7.83. I am sure current figures will back this up based on estimates. People who are working for themselves should be assisted as much as possible till it is shown they have got established. I also feel the two child maximum could be adjusted as people who have children already should not be penalised, but there should not be a discount if you choose to have more children - one of the other questions. Basically I have noticed people are really struggling and I have had to work hard with them to help, I don't think there are many more reductions people can stand.
- Some questions are common sense and logical. However, there should be NO restrictions on numbers of children under 16 years of age as expenditure doesn't stop after the 2nd child.
- It should be based on how many incomes are coming in, as to deductions. And adding per child is encouraging people to have children as a career option. If a single person has illness, preventing the generating of any income or savings, then they should be allowed or actively encouraged to save, not become reliant solely on state as that's when poverty starts. Saving should always be encouraged, not penalised.

Comments regarding disability

- I am severely disabled and have to pay not only to my council tax, but also to the bedroom charge as I have two bedrooms. The second bedroom is used for carers and family to stay over, when I need extra support through the night. This is not a choice, like having children is or being in a wealthier position in having large amounts of money in savings. These people do need to pay more. Also I am disgusted as how an elderly person can have everything paid for them no matter how large their home is or how many un-used bedrooms they have. This is blatant discrimination against others with the same or lower incomes.
- I am a full time carer and rely on the current LCTS scheme to help deal with the uncontrollable situation I find myself in. I currently care for 1 disabled adult and 1 disabled child and I would seriously hope you would consider another proposal before punishing the disabled and carers by increasing their LCTS bills. I strongly agree that if you have savings of over 6000, then you should be liable to pay council tax at the full rate until savings have gone. For those people unfortunate enough to have no savings, then I believe the full discounted rate should remain.
- I feel that with the proposals, those on lower incomes and Benefits would be hit hard and they are the ones that cannot work to improve their income, so any loss to their amount of money left available to them, will have to come from money available to them for feel good items. The cost of everything is increasing apart from any money coming into the Household, but it is those on Benefits that cannot do anything to increase any income that there is and it is those that are Disabled that cannot even get work to improve that income.

- I cannot stress how strongly I disagree with these changes. As a disabled person with a family trying to survive on benefits, it is already exceptionally difficult to make ends meet, especially so after the recent cuts and reforms to other benefits, not to mention the amount of hoops one has to jump through to get most benefits. These may seem like minimal amounts to some, but to most people living in circumstances similar to ours, literally every penny counts. Whilst I understand the need and pressure to reduce costs, these cuts cannot keep coming from the poorest in society, those who are already being pushed further and further into poverty. I think it's appalling that these changes are even being suggested, and I sincerely hope you find other areas to make these savings. Things cannot continue this way for the already disadvantaged.

Other comments

Two responses were received from public sector partners:

Lancashire Fire and Rescue

Extracted from an email dated 9 November 2018, from the Director of Corporate Services

'Our concern as you point out is that our precept does not reduce as a result of any proposed changes. Based on the explanation you have given below it is impossible to know whether this will be the case, so I would be interested to know what the outcome of your costings is. However subject to there being no reduction in our precept we are happy to go with the outcome of your consultation'

Lancashire County Council

Extracted from a letter received from the Director of Finance, dated 6 November, 2018.

'It remains the strong view of Lancashire County Council that the proposed scheme for Council Tax Support must:

- Be affordable in terms of grant received, revenue loss and costs to operate;
- Be as fair as possible
- Be transparent, understandable to customers and practical to operate;
- Be feasible to implement within the constraints of the timescales and available software;
- Be simple in design, avoiding unnecessary complexity;
- Avoid the costs and risks associated with collecting additional data.

We understand the reasons for Wyre Borough Council proposing options which reduce administrative burden. As an authority we will always support attempts to streamline processes and remove any unnecessary administrative burdens.

However, in the current financial climate, as a major preceptor, facing huge unprecedented financial pressures in social care any potential loss of revenue to the County Council would be difficult to support. Without further information on the potential financial impact of these proposals on major preceptors we are unable to comment on which options would be preferable.

We appreciate the fact that Wyre Borough Council's aim with regards to the proposals is to make sure "the cost of the scheme as a whole doesn't increase outside of normal growth factors". We would ask that you consider that any increase in the cost of the scheme, whilst it may be a small amount to Wyre Borough Council, a significantly larger proportion falls on the County Council and ultimately have to be borne by the council taxpayers of Lancashire.

We thank you for the opportunity to take part in the consultation and are happy to discuss our response with you further should you wish.'

END

dem/cou/cr/19/1701pm1 Appendix A



Localisation of Council Tax Support - Equality Impact Assessment

Why are we changing the current scheme?

The current Localised Council Tax Support (LCTS) scheme has been in place since 01 April 2013, and was introduced after the Government, as part of its Welfare reform agenda, abolished Council Tax Benefit (CTB), instead requiring local authorities to devise their own LCTS scheme's for working-age claimants.

Wyre's LCTS scheme was purposely designed to mirror the former CTB scheme, as by doing so the council avoided the additional costs that would have been incurred had wholesale changes been required to council tax and benefits software systems. Mirroring the old CTB scheme also meant the claimants were able to quickly get used to the new LCTS scheme without difficulty, and were already aware of the requirements placed upon them to report changes in their circumstances as they occurred.

The recent introduction of Universal Credit Full Service (UC) to Wyre is having an increasingly detrimental impact on the LCTS scheme, and in order to reduce the escalating administration costs associated with this issue, changes are required to the scheme. Making these changes is necessary in order not just to keep the costs of the scheme lower, but also to make it easier to administer, in the process simplifying the claims process, reducing the volume of notifications claimants receive and removing some of the confusion around how much council tax they owe and when payments are due.

Who is affected by the changes?

As at 30 November 2018 there were 9,055 live LCTS claims in Wyre. Of these 4,389 (48.5%) were pension-age claims and 4,666 (51.5%) were in respect of working-age claimants. Pensioners are unaffected by the proposed changes to the LCTS scheme as they are protected and as such fall under a different LCTS scheme. The changes will, however, impact on the 4,666 working-age claimants.

The Government has stated that whilst there is no protection for vulnerable groups other than pensioners, the council must have regard to how revisions to the current LCTS scheme may impact on different people taking account of the Equality Act 2010, the Child Poverty Act 2010 and the Housing Act 1996. These acts give guidance on the duty of an authority to consider their responsibility to treat everyone fairly, to protect children from poverty and to prevent homelessness.

Aims and objectives of the revised scheme

In modelling the proposed LCTS changes, a number of factors have been taken into account:

- It must be affordable in terms of grant received, revenue loss and costs to operate;
- It must be as fair as possible
- It must be transparent, understandable to customers and practical to operate;
- It must be feasible to implement within the constraints of the available software;
- It must be simple in design avoiding unnecessary complexity;
- It should avoid the costs and risks associated with collecting additional data.

The revised scheme and its impact on vulnerable groups

Three changes are proposed to the current LCTS scheme:

1) The introduction of a £10 per week (up or down) income cushion that will remove the requirement to re-calculate entitlement to LCTS in respect of small changes in income.

The cushion will operate on a cumulative basis i.e. from the date a claimant's income increases/decreases by more than £10 per week from the point it was first assessed their entitlement to LCTS will be recalculated. The introduction of the £10 per week income cushion will nullify the impact of the majority of monthly changes to UC entitlement. Once the claim has been recalculated the £10 per week income cushion will begin again from the date the claim is recalculated using the new entitlement figure.

Based on the volume and value of changes received since UC came into force in Wyre, it is expected that this change will have the impact of reducing by up to 50% the number of occasions LCTS claims need recalculating once in payment.

Impact on vulnerable groups

Age – Pension age LCTS claimants are unaffected by any of the changes proposed above as they fall under a separate protected scheme.

This change will impact specifically on those working-age claimants who are in employment and employed on variable hours contracts, and also those who work some overtime hours, regardless of the protected group they fall into. The impact will be negative or positive depending on whether or not the claimant's income has decreased or increased. The negative impact will be reduced by the fact that the income cushion will be applied on a cumulative basis meaning that cumulative decreases in income over the £10 threshold will result in the re-calculation of LCTS entitlement from the date the threshold was breached.

Working-age claimants who are currently in receipt of pass-ported benefits including Job Seekers Allowance (IB) or Income Support, and whose income varies little, will largely remain unaffected by this change even at the point they are migrated from the pass-ported benefit they currently receive onto UC.

Example of the impact of the introduction of the £10 income cushion

A claimant in receipt of UC whose LCTS entitlement begins on 01 April

On 01 May the council receive a notification from the DWP advising that the claimants UC has been adjusted to take account of a £5 per week increase in earnings. As the £5 per week increase is under the thresholds of the £10 income cushion no adjustment is made to the claimants LCTS claim.

On 01 June the council receive a further notification from the DWP advising that the claimant's earnings have now dropped by £10 per week. Again, there is no adjustment made to the LCTS entitlement as the change takes the claimant's income to £5 per week less than the figure used to calculate entitlement originally, which is within the £10 income cushion threshold.

On 01 July the council receive a further UC notification from the DWP advising that the claimant's earnings have now increased by £16 per week. This change in income increases the claimants earnings by £11 over the original figure used to calculate LCTS entitlement and as such breaches the £10 per week up or down income threshold. As a result the claimant's entitlement to LCTS is recalculated from 01 July including the additional £11 increase in income. The claimants revised LCTS entitlement then becomes the figure that the £10 per week income cushion is based on going forward and the process repeats itself.

2) The introduction of a flat rate non-dependent deduction of £5 per non-dependent will be applied in respect of every non-dependent living in a claimant's household apart from those non-dependents who are undertaking an approved (in accordance with council tax legislation) course of further education.

The introduction of a flat rate non-dependent deduction will remove the requirement placed upon claimants to obtain their non-dependents earning details and will also substantially reduce the administrative burden associated with the verification of LCTS claims.

Impact on vulnerable groups

Disability - This change will impact negatively on the disabled, and also on those claimants in other groups whose households include non-dependents in receipt of pass-ported benefits, or those whose income is below £203.99. The table below shows current numbers of non-dependent's and the deductions that should be applied:

Non-dependent income	Non-dependent deduction	No of deductions
In receipt of Job Seekers Allowance, Income Support or Employment Support Allowance	£0	210
Gross income less than £203.99	£3.70	417
Gross income £204 - £353.99	£7.30	149
Gross income £354 - £438.99	£9.25	63
Gross income £439 +	£11.10	<u>241</u>
		870

Within the 870 non-dependents identified above there are currently 272 living in the households of LCTS claimants who are in receipt of certain disabled benefits, including Disability Living Allowance (DLA) Care component. No non-dependent deduction is currently applied in respect of these cases. The introduction of a flat rate deduction across all non-dependents will therefore have a larger negative impact on the disabled cohort. To combat this, in the LCTS scheme for 2019/20 the council has retained the increased allowances and premiums used to calculate the LCTS entitlement of disabled claimants. If a claimant is in receipt of a pass-ported benefit, for example Income Support, then they are automatically considered to be entitled to "maximum" LCTS, less any applicable non-dependent deductions. If the claimant is not in receipt of a pass-ported benefit, then, In order to calculate LCTS entitlement, the Council must first establish the claimants "applicable amount". This is the minimum amount of income it is considered that the claimant needs to live off, given their

circumstances. The applicable amount is made up of allowances and premiums, which mirror those used to calculate housing benefit entitlement, just as they were used in the old CTB scheme.

For example, the entitlement to LCTS of a single unemployed LCTS claimant, aged over 25, with no dependents, will be calculated using an applicable amount of £73.10. This is made up of the single person allowance, but no premiums.

If the same claimant was in receipt of a disability benefit however, their applicable amount would be increased to £106.65, with the increase of £33.55 being due to the award of a Disability Premium.

If the disability benefit the claimant is in receipt of is paid at a higher rate, for example, they receive the highest rate of DLA, then an Enhanced Disability Premium of £16.40 is also added to their applicable amount, thus increasing it to £123.05.

Once calculated, the claimant's applicable amount is compared to their income in order to work out how much LCTS they are entitled to. If the claimant is working, then an income disregard is applied to their earnings amount with the amount of the disregard being based on the claimant's circumstances. Using the same example of the single claimant with no dependents, their earned income disregard is £5. For a disabled claimant with earned income the disregard is increased to £20.00.

While the introduction of a flat rate £5 non-dependent deduction does impact negatively on the disabled, the decision not to remove any of the additional disability premiums and earnings disregards from the LCTS scheme continues to impact positively compared to other vulnerable groups.

In addition to the additional allowances and disregards referred to above, there is provision within the LCTS scheme for those adversely affected by the changes to the scheme to apply for additional payments of LCTS due to financial hardship. The LCTS hardship scheme is also open to applications from those whose current levels of non-dependent deduction are lower than the £5 flat-rate deduction.

There are currently 453 non-dependents whose earnings are such that under the present LCTS scheme they attract a deduction in excess of £5 (assuming that the claimant is not in receipt of DLA care component in which case no deduction is currently taken). The impact of the introduction of a £5 flat non-dependent deduction will have a positive impact on these claimants. This is particularly the case for a number of those who are currently having a maximum non-dependent deduction of £11.10 per week taken from their LCTS entitlement as a consequence of being unable to provide their non-dependents income details – as previously stated this change will remove the need to provide non-dependent income details as part of the LCTS application process, thus simplifying the scheme.

3) Discontinuation of the second adult rebate scheme

This scheme currently allows single people who cannot claim LCTS in their own right because their income is too high, to make a claim for a council tax reduction of up to 25% in respect of any non-dependents who may live with them and are on a low income.

Impact on vulnerable groups

This change will impact equally across all vulnerable groups. There are currently 55 second adult rebate cases in payment. Though the council tax payer claiming the reduction on behalf of their non-dependent cannot claim LCTS in their own right due to their income levels, they can apply for council

tax hardship payments if the impact of the removal of the second adult rebate scheme causes them financial hardship.

Consultation on the changes

To better understand the impact of the proposed changes on different groups of people the council undertook an eight week consultation which ran from 17 September – 13 November 2018 and was available to complete online, or via a paper based form, which was provided on request. As part of the consultation the council wrote to all current working-age LCTS recipients and asked them to give their views. A total of 395 people completed the consultation.

During the consultation representations were made from two of the council tax preceptors i.e. the Lancashire Fire and Rescue Service and Lancashire County Council. Both commented that they did not want any reduction in the amount of income generated via the collection of council tax.

The results of the consultation show that:

72% of responders supported the introduction of a banded scheme like the one that will provide the £10 income cushion. 12% of responders did not agree with the introduction of such a change.

The proposal to introduce a flat rate of non-dependent deduction was supported by 38% of responders while 27% disagreed.

The proposal to discontinue the second adult rebate scheme was supported by 38% of those responding with 29% disagreeing with this proposal.

A copy of the consultation report will be published on the council website in due course.

Other proposed changes that are not being adopted

A number of other proposed changes were also consulted on. These were:

An increase in the minimum additional deduction of 8.5% from LCTS entitlement

Removal of an additional income disregard of £17.95 given to families when calculating entitlement to LCTS – this is called the family premium

Removal of the third child (onwards) allowance – an additional income disregard of £66.90 per child

A reduction in the maximum capital (currently £16,000) a claimant can hold before being disqualified from receiving LCTS

The introduction of a self-employed minimum income floor i.e. a minimum earnings level for the calculation of entitlement to LCTS.

After consideration it has been decided not to pursue these changes any further at this time. Whilst, with the exception of the proposal to remove the family premium, the results of the consultation show broad support for making the changes, it is recognised by the council that the impact of doing so would be to place many LCTS claimants in further financial hardship at the same time that they are being migrated from their current benefits across onto UC. A decision has therefore been taken to delay making any further changes at this time.

Peter Mason
Head of Contact Centre
18 December 2018

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Report of:	Meeting	Date
Marianne Hesketh, Service Director Performance and Innovation	Council	17 January 2019

Members' Allowances Scheme

1. Purpose of report

- 1.1 To inform Council of the outcome of an interim review of the Members' Allowances Scheme undertaken by the Independent Remuneration Panel.

2. Outcomes

- 2.1 A Scheme of Members' Allowances which appropriately reflects members' current roles, duties, responsibilities and commitments.

3. Recommendations

- 3.1 That, in line with the formula applied since 2012 and endorsed last year, the Basic Allowance paid to each Councillor be increased by 2%, from £4,176 per annum to £4,260 per annum, with effect from 3 May 2019.
- 3.2 That, in view of the planned arrangements to provide tablet computer devices to all councillors from May 2019 to enable paperless meetings to be introduced, the IT Allowance of £186 per annum currently paid to each councillor be withdrawn from 2 May 2019.
- 3.3 That provision be included in the Members' Allowances Scheme to enable the Chief Executive, in exceptional circumstances, to make a payment to a councillor experiencing financial hardship to obtain internet access at home.
- 3.4 That no other changes be made to the Scheme.

4. Background

- 4.1** The Council is required to appoint an Independent Remuneration Panel (IRP) to review periodically its scheme of allowances for councillors. Unfortunately, since the last review, Mr David Blight has resigned from the Panel. The Panel therefore currently comprises just two members - Mr Ron Matthews (Chairman) and Mr Michael Collins. Ideally, there should be at least three members, but informal enquiries to attract a new member have so far been unsuccessful. The Panel has therefore had to undertake this year's "light touch" interim review with two members. Efforts will continue to be made to recruit at least one more panel member before the start of next year's interim review. The next comprehensive review of the full Members' Allowances Scheme is scheduled for the autumn of 2020, with any changes approved by the Council being implemented from May 2021.
- 4.2** The Panel has met on two occasions (5 November and 10 December 2018) to conduct the current review. The panel members have also considered and commented individually on documents sent to them by council officers.

5. Key issues and proposals

Basic Allowance

- 5.1** Last year the IRP recommended that *"in line with the formula applied since 2012, (i.e. linked to the percentage increase in staff pay in the preceding year) the Basic allowance paid to each Councillor be increased by 1%, from £4,137 per annum to £4,178 per annum, with effect from 10 May 2018"*. That recommendation was approved by the Council and has been implemented.
- 5.2** Since then, the officers pay award for 2018/19 and 2019/20 has been agreed at 2% in both years. The current approach of linking councillors' allowances to staff increases is still considered by the Panel to be a fair methodology to use. It is therefore recommending that the Basic Allowance for each Councillor be increase by 2% (£84) for 2019/20.

IT Allowance

- 5.3** Last year the Panel recommended that no change be made to the IT Allowance of £186 per annum currently paid to each Councillor, but indicated its intention to review that allowance at this interim review, in advance of the planned implementation of paperless meetings from May 2019. The Panel has been informed by the Head of Governance and the Democratic Services and Scrutiny Manager of the progress so far made in implementing that plan (which is to be the subject of an updated report to the Overview and Scrutiny Committee on 7 January 2019). The Panel were also informed of a question about the proposals posed by Councillor

Berry and considered a number of comments and concerns expressed by Councillor Fail. No other councillors submitted any comments.

5.4 In considering the comments made by Councillor Fail, the Panel has noted:

- that tablet devices and paperless meetings have been introduced at numerous other councils without additional equipment being provided or a separate IT allowance being paid. When last year's full review was carried out, Wyre's Basic Allowance was in the mid-range of other comparable councils and other districts in Lancashire;
- that the cost of charging the tablet devices will be negligible;
- that the cost incurred by councillors in downloading documents to their tablets will also be very small;
- that there should be no need for councillors to print documents sent to them by the Council but, if a paper copy of such a document is needed for a particular purpose, the Democratic Services Team could be asked to provide one;
- that, if a councillor considers that a printer is essential to enable them to deal with paper correspondence with constituents or for other ward councillor work, they could purchase a small, low volume printer at a fairly small cost and it would not be unreasonable to expect them to use their Basic Allowance to do so;
- that candidates for the elections in May 2019 should be made aware that they will be expected to communicate electronically with both the Council and their constituents in their role as a councillor; and
- that, whilst it is likely that most if not all councillors elected in May 2019 will already have the capability to access the internet from their home, the Panel accepts that no one should be excluded from being a councillor simply because they cannot afford to pay for broadband connection.

5.5 Having considered the plans for the new working arrangements reported to it by the council's officers and the comments made, the Panel has come to the view that the provision of a tablet computer with the specification and functionality proposed will be sufficient to enable them to perform their key basic role as Councillors, i.e. to receive and consider reports and prepare for meetings and send and receive emails relating to their role as a councillor. The Panel has therefore concluded that there is no longer a justification for continuing the pay the separate IT Allowance introduced in 2015, subject to the Chief Executive having the discretion to

make a payment for broadband provision to individual councillors in cases of hardship.

Special Responsibility Allowances

- 5.6** At the time of the last IRP review, Cllr Henderson had recently taken over as Leader of the Council. He informed the Panel at that time that he had reduced the composition of the Cabinet from seven to six. He also explained that, for the time being, he had retained his previous responsibilities as Planning and Economic Development Portfolio Holder, in addition to his role as Leader. The Panel has been informed during the current review that, in May 2018, Cllr Bridge (who had previously been Chairman of the Licensing Committee) was appointed to the Cabinet as Street Scene Portfolio Holder and Cllr Michael Vincent was transferred to the Planning and Economic Development Portfolio. At the same time Cllr Bowen’s responsibilities were changed to include Leisure, Health and Community Engagement. The Panel has noted the new division of responsibilities and that the total membership of the Cabinet, including the Leader, remains at six.
- 5.7** The Panel has also been informed during the current review of changes to the frequency of meetings in 2019/20, discussed at the Council meeting on 6 December. The Panel has concluded that the relatively small change in the number of meetings of the full Council, the Cabinet and the Overview and Scrutiny Committee, is not sufficient to materially affect the level of responsibility of Cabinet members or the Chairman of the Overview and Scrutiny Committee, which are wider than those involved in attending meetings.
- 5.8** The Panel has therefore decided not to recommend any changes to Special Responsibilities Allowances at this stage and to consider all such payments during its next full review.

Data Protection Registration Fees for Councillors

- 5.9** At the time of the last IRP review, there was uncertainty about the data protection registration fees for councillors. The Panel has noted that, since then, arrangements have been made for the councillors’ registration fees to be paid by the Council on an annual basis.

Financial and legal implications	
Finance	The cost of the proposed 2% increase in allowances for 2018/19 will be reflected in the draft revenue estimates due to be considered by the cabinet at its meeting on 13 February. The aggregate cost of the change of Basic Allowances is expected to be £4,200 and Special Responsibility Allowances £1,884 (£6,084 in total).

Legal	The Council has a duty under Regulation 19 the Local Authorities (Members' Allowances) (England) Regulations 2003 to have regard to the recommendations of the Panel when considering any changes to the Scheme. The Council is also required, (under Regulation 22) to publicise receipt of the report and the main features of the Panel's recommendations.
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Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	X
equality and diversity	X
sustainability	X
health and safety	X

risks/implications	✓ / x
asset management	X
climate change	X
ICT	X
data protection	X

Processing Personal Data

If the decision(s) recommended in this report will result in personal data being processed, a privacy impact assessment (PIA) will have been completed and signed off by the council's Data Protection Officer before the decision is taken (as required by the General Data Protection Regulations 2018).

report author	telephone no.	email	date
Roy Saunders	01253 887481	roy.saunders@wyre.gov.uk	12/12/2018

List of background papers:		
name of document	date	where available for inspection
None	-	-

List of appendices

None.

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