

## **COUNTY COUNCIL**

Minutes of a meeting of the County Council held in the Council Chamber, County Hall, Ruthin LL15 1YN on Thursday, 29 January 2015 at 2.00 pm.

### **PRESENT**

Councillors Raymond Bartley, Brian Blakeley (Chair), Jeanette Chamberlain-Jones, Bill Cowie, Ann Davies, Richard Davies, Stuart Davies, Bobby Feeley, Huw Hilditch-Roberts, Rhys Hughes, Hugh Irving, Huw Jones, Pat Jones, Gwyneth Kensler (Vice-Chair), Jason McLellan, Win Mullen-James, Bob Murray, Arwel Roberts, Gareth Sandilands, David Simmons, Barbara Smith, Julian Thompson-Hill, Joe Welch, Cefyn Williams, Cheryl Williams and Huw Williams.

### **ALSO PRESENT**

Chief Executive (MM), Corporate Director: Economic and Community Ambition (RM), Head of Legal, HR and Democratic Services and Monitoring Officer (RGW), Head of Finance and Assets (PM), Head of Revenues and Benefits and Committee Administrator (CIW).

#### **1 APOLOGIES**

Apologies for absence were received from Councillors Joan Butterfield, James Davies, Meirick Davies, Hugh Evans, Carys Guy, Martyn Holland, Alice Jones, Geraint Lloyd-Williams, Barry Mellor, Peter Owen, Dewi Owens, Paul Penlington, David Smith and Bill Tasker.

The Chair and Members of Council expressed their condolences to the Leader and his family following the passing away of his mother. A minutes silence was held as a mark of respect for Councillor Margaret McCarroll and the Leaders mother.

#### **2 TRIBUTE TO COUNCILLOR MARGARET MCCARROLL**

The Chair paid tribute to the work undertaken by Councillor McCarroll in her role as a Councillor, and for the charity work undertaken in the Community. Council endorsed the views expressed by the Chair and Councillor Pat Jones that Councillor McCarroll would be sadly missed.

#### **3 DECLARATIONS OF INTEREST**

No Members declared any personal or prejudicial interests in any business identified to be considered at the meeting.

#### **4 URGENT MATTERS AS AGREED BY THE CHAIR**

No items were raised which in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

## 5 COUNCIL TAX REDUCTION SCHEME

Councillor Julian Thompson-Hill introduced a report (previously circulated) on the adoption of the All Wales Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013, and the All Wales Council Tax Reduction Schemes and Prescribed Requirements (Wales) Amendments Regulations 2015.

He explained that the Welfare Reform Act 2012 contained provisions to abolish council tax benefit in its current form across the UK. From the 31<sup>st</sup> March, 2013 council tax benefit ceased and the responsibility for providing support for council tax and the funding associated with it had been passed to the Welsh Government (WG). WG, in partnership with Local Authorities in Wales, introduced a new scheme to provide council tax support which had been adopted by the Council in January, 2013.

The WG finalised both sets of regulations on the 14<sup>th</sup> January, 2014 and the new Council Tax Reduction Schemes (CTRS) and Prescribed Requirements (Wales) Regulations 2013 and amendments Regulations 2015 were required to be adopted by 31<sup>st</sup> January, 2015.

The Proposed Scheme 2015/16

In considering the development of a new scheme for 2015/16 the WG had agreed that the amended scheme should observe the following parameters:-

- To continue with a single nationally defined scheme to providing a consistent level of support to claimants in Wales. A maximum level of support had been set at 100%.
- To continue providing a small number of discretionary elements, similar to those available under the current scheme, allowing local authorities to respond to their differing local circumstances, provided the costs of local variation were locally funded.
- To continue to be based on a reform of the previous Council Tax Benefit system, until 2016-17 so that operational risks were managed and that support could continue to be provided.
- Minor amendments to reflect the introduction of Shared Parental Leave and statutory shared parental pay which replaced additional paternity leave and additional statutory paternity pay from the 5<sup>th</sup> April, 2015. Transitional provisions had also been provided for those in receipt of paternity pay on the 1<sup>st</sup> April, 2015.
- An amendment was included which mirrored changes made to Housing Benefit Regulations to remove automatic entitlement to a Council Tax Reduction for European Economic Area (EEA) jobseekers, who were currently eligible by virtue of being in receipt of income based Jobseeker's Allowance (JSA(IB)). Amendments in the Uprating Regulations removed access to CTRS for EEA jobseekers, however this only applied to those making a new application for CTRS on or after the 1<sup>st</sup> April, 2015 or who ceased to be entitled to income based Job Seekers Allowance for a period after this date, for example if they enter into temporary employment.

- Minor consequential amendments had also been made in relation to definitions around Employment and Support Allowance and references to Universal Credit. Income related Employment and Support Allowance no longer consisted of separate contributory and income related allowances, but only of a contributory allowance known as the 'employment and support allowance'. Amendments had also been made to insert references to Universal Credit into the 2013 Regulations where there were already references to other income-related benefits.
- The figures used to calculate applicants' entitlement to Council Tax reduction would be updated in line with Housing Benefit, as set by the Department of Works and Pensions (DWP).

Discretionary Elements for Council decision included:-

- a) The ability to increase the standard extended payment period of 4 weeks given to people after they return to work, when they have been in receipt of a relevant qualifying benefit for at least 26 weeks.
- b) Discretion to disregard part or the whole amount of War Disablement pensions and War Widows Pensions when calculating income.
- c) The ability to backdate, for up to 6 months, any application of Council Tax Support awards for working age customers more than the standard period of 3 months prior to the claim.

It was confirmed by Councillor Thompson-Hill that a formal consultation exercise had been undertaken by WG on the current scheme and potential changes, enabling it to be cost neutral to Local Authorities. Representations had been made by many organisations, including Denbighshire, suggesting amendments to the scheme.

After due consideration it had been decided to continue with the scheme as would be until after the next assembly elections, with any shortfall between the amount of reduction granted and the specific grant received being owned by the Local Authority. WG had also decided that the funding levels for the scheme would remain at the 2013/14 levels, which created a budgetary pressure in 2014/15 and would continue to do so in 2015/16. Adopting the scheme would help vulnerable people, ensuring they live as independently as possible.

There would be a loss of grant income through the changes to the Council Tax Benefits system. In 2015/16 the Council would receive £9.167m funding for Council Tax Support from the WG. However, current expenditure was £9.5m, which if Denbighshire were to increase Council Tax by 3% and the Police by 5% the forecast for 2015/16 would be circa £9.8m. This would result in a shortfall of around £663k for 2015/16. This shortfall may either increase or decrease dependent on the levels of Council Tax charged for 2015/16 and / or any further caseload fluctuations.

**RESOLVED** – that Council:-

- (a) adopts the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the Prescribed Requirements (Wales) Amendments Regulations 2015, in respect of the 2015/16 financial year, and*
- (b) approves the 3 discretionary elements of the scheme, shown in section 4.1, are continued in 2015/16.*

Meeting ended at 2.20 p.m.