



ORDINARY COUNCIL MINUTES

29TH SEPTEMBER 2021

MINUTES of the Ordinary Meeting of the Council of the Borough of Castle Point held in the Council Chamber, Council Offices, Kiln Road, Thundersley, on Wednesday, 29th September 2021.

PRESENT:

Councillors, Mrs P. Haunts, (The Worshipful the Mayor), Mrs. J.A Blissett ,(Deputy Mayor),A. Acott, J. Anderson, D. Blackwell, B. Campagna, S. Cole, J.M. Cutler, W.J.C. Dick, Ms. N. Drogman, Mrs. B. Egan, E. Egan, J. Fortt, M.J Fuller, W. Gibson, S. Hart, , G.I. Isaacs, W. Johnson, P. May, S Mountford ,C. Mumford, Mrs. S. Mumford, B.A. Palmer, Mrs. J Payne, J.A. Payne, C.R Riley, Mrs. C.J Sach, A.G. Sheldon, T.F. Skipp, D.J. Thomas, A. Thornton, Mrs. J Thornton, M.A Tucker, P.E. Varker and Walter.

APOLOGIES

Apologies for absence were received from Councillors P.C. Greig, N. Harvey C.A. MacLean, R. Savage, A. Taylor, and G.St.J. Withers.

IN MEMORIAM

At the opening of the meeting the Mayor's Chaplain took prayers during which all present paused to remember those who had passed away since the last formal Council meeting in the Chamber Freeman of the Borough former Chairman and Councillor Ron Williams; former Mayor Councillor Brian Wood; former Councillor Neville Watson and the late Chief Executive David Marchant.

13. MEMBERS' INTERESTS

There were none.

14. MINUTES

The Minutes of the meeting of the Ordinary Council held on, 24th March 2021 and the Annual Council meeting held on, 19th May 2021, were taken as read and agreed as a correct record.

15. MAYOR'S ANNOUNCEMENTS

- The Mayor reported that she was enjoying the varied events and activities she attending which were increasing as we learned to live with Covid.
- The Mayor was delighted to be presented to Her Royal Highness the Princess Royal - Princess Anne on her visit to Yellow Door on Canvey Island. This was a huge honour for all involved.

- The Mayor announced that planning was underway for celebrations and activities to commemorate Her Majesty the Queen's Platinum Jubilee on which further information would be shared.

16. QUESTIONS FROM MEMBERS OF THE PUBLIC OF WHICH NOTICE HAS BEEN RECEIVED

There were none.

17. QUESTIONS FROM MEMBERS OF THE COUNCIL OF WHICH NOTICE HAS BEEN RECEIVED

There were none.

18. TO DEAL WITH ANY BUSINESS FROM THE LAST COUNCIL MEETING

The business scheduled for the Council meeting postponed from 28th July 2021 had been incorporated into the agenda for this meeting.

19. ANY EXPLANATIONS FOR URGENT DECISIONS TAKEN BY CABINET

There were none.

20. CONSIDERATION OF RECOMMENDATIONS FROM CABINET: ADOPTION OF THE WORKING DEFINITION OF ANTISEMITISM

Following the pledge by the Communities Secretary the Right Honourable Robert Jenrick MP Council was invited to consider the recommendation from the Cabinet meeting on 16th June 2021 to adopt a non-legally binding working definition of antisemitism.

Resolved:

To adopt the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism as set out below.

"Antisemitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestation of antisemitism are directed towards Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

21. CONSIDERATION OF RECOMMENDATIONS FROM CABINET: CORPORATE PLAN 2021-24

Cabinet on 22nd September 2021 recommended to Council approval of the proposed draft Corporate Plan.

The Corporate Plan sets out the strategic direction for the organisation as well as how the Council would achieve its aims and priorities through appropriate action planning.

The plan was the product of ongoing collaboration during 2020 and the first half of 2021 between Members and Officers of the Council, further refined through engagement with the Council's Scrutiny Committees and consultation with residents, partners and businesses in the Borough.

This new Corporate Plan had deliberately widened its focus beyond the services that the Council provides directly. Recognising that some of the challenges people face in their lives cannot be addressed by a single entity, working in partnership

with others in the public, private, community and voluntary sectors had become an increasing priority to ensure that, collectively, these organisations operating in the Borough have a positive impact on people's lives.

The Corporate Plan sets out the medium-term priorities for the Council: Economy and Growth, People, Place and Environment alongside a series of objectives and targets to be delivered over the lifetime of the plan. These priorities, objectives and targets based on an analysis of needs and issues for the Borough as well as consultation results.

There was a high-level roadmap of activities to deliver the priorities in the Corporate Plan as well as looking towards the medium and long term. The annual initiatives for 2021/22, the first year of this plan were set out and would be subject to a refresh each year.

The Corporate Plan also included an annual report detailing the Council's achievements over 2020/21.

Resolved – to approve the Corporate Plan 2021-24

22. ANY REFERENCES FROM THE SCRUTINY/POLICY OR REGULATORY COMMITTEES

There were none.

23. APPOINTMENT OF INTERIM CHIEF EXECUTIVE

Council was requested to endorse the appointment of Mr Andrew Grant Interim Chief Executive to carry out the duties and responsibilities of the Head of Paid Service and to assist the processes to select a new permanent Chief Executive.

Pending the appointment of a new permanent Chief Executive it was common practice given the lengthy formal processes to this appointment to appoint an Interim Chief Executive to carry out the duties and responsibilities of the Head of the Paid Service and assist the process of overseeing the selection of the new Chief Executive.

The Council has a statutory duty to appoint a Head of the Paid Service, who has overall corporate management and operational responsibility for the Council. That position was carried out within the Council by the post of Chief Executive. Section 4 Local Government and Housing Act 1989.

During the immediate period prior to this appointment Miss Christine Mills Strategic Director Resources had undertaken the role of Acting Head of Paid Service

Attached as a confidential appendix was background information to support this report describing the process by Mr Grant was selected. The East of England Local Government Association (EELGA) were approached for advice regarding recruitment of a new Chief Executive. At present in Essex there are several vacant posts for Chief Executives where interim appointments have been made. The East of England Local Government Association (EELGA) were asked to source candidates.

Mr Grant has considerable local government experience. Recently Mr Grant had held the post of Interim Chief Executive at Cambridge City Council overseeing the

transition between permanent Chief Executives (September 2020 to May 2021).

The appointment of an Interim Chief Executive does not require the formal process to select a permanent Chief Executive.

Resolved:

To endorse the appointment of Mr Andrew Grant Interim Chief Executive to carry out the duties and responsibilities of the Head of Paid Service and to assist the processes to select a new permanent Chief Executive.

Pending this appointment to ratify Miss Christine Mills Strategic Director Resources as Acting Head of Paid Service.

24. STAFF APPOINTMENTS PANEL – APPOINTMENT

The appointment of the Chief Executive Head of Paid Service is a decision reserved to Full Council.

Any staff appointment with a salary in excess of £100k is required to be approved by Council.

Council was asked to approve the appointment of a Staff Appointments Panel, tasked with making recommendations to Council regarding the appointment of a permanent Chief Executive.

Subject to the decision of Council the Panel would oversee the recruitment and appointment of the Chief Executive Head of Paid Service.

The Panel would have a standing task to approve any staff appointment with a salary in excess of £100k.

The proposed membership of the Panel was to comprise five members Leader and Deputy Leader of the Council together with a nominee from the Conservative Group: Leader of the Canvey Island Independent Group and Leader of the People's Independent Party Group or their nominees.

Resolved:

1. To establish a Staff Appointments Panel:
 - a) To make recommendations to Council regarding the appointment of a permanent Chief Executive Head of Paid Service.
 - b) To oversee the recruitment and appointment if required of a permanent Chief Executive Head of Paid Service.
 - c) To approve the appointment of any member of staff whose salary exceeds £100k.
2. Membership of the Panel to comprise five members Leader and Deputy Leader of the Council together with a nominee from the Conservative Group: Leader of the Canvey Island Independent Group and Leader of the People's Independent Party Group or their nominees.

25. ARRANGEMENTS FOR THE APPOINTMENT OF THE COUNCIL'S EXTERNAL AUDITOR

Council considered recommendations on the most efficient and effective way of procuring the Council's External Auditor from April 2023.

The Council must appoint an External Auditor to audit its accounts for a financial year no later than 31st December in the preceding financial year. In December 2016, Council agreed to opt into the arrangements being led by Public Sector Auditor Appointments (PSAA) for the five-year period commencing 1st April 2018. Under these arrangements, EY were currently the Council's appointed External Auditor.

The five-year period was to end on 31st March 2023, meaning the Council must appoint a new External Auditor no later than 31st December 2022. The existing External Auditor could be reappointed.

There were three options available for appointing a new External Auditor for 2023/24 onwards:

- a) Make a direct appointment, with the requirement to have an independent auditor panel to advise the Council on the selection and appointment of a local auditor.
- b) Make the appointment in conjunction with other bodies (e.g. on a regional / sub-regional basis).
- c) Make the appointment via a national collective scheme, in this case the arrangements led by the PSAA.

Option C was the preferred approach. Some 98% of relevant local bodies (all but 10) opted into the PSAA arrangements for the period 2018 to 2023 and it was expected that a similar proportion would do so for the coming period.

By opting in to the PSAA arrangements, Council was agreeing to allow the PSAA to run the procurement exercise and appoint and manage the External Auditor on its behalf. The proposed contract duration was five years, with an option to extend for a further one or two years with supplier agreement. This option was preferred as it reduced cost and administration to the Council, whilst also being expected to deliver favourable pricing compared to the other options.

Resolved –

To agree to opt into the arrangements, led by Public Sector Auditor Appointments, for a national collective scheme for auditor appointments.

26. REPORT FROM THE LEADER OF THE COUNCIL/CABINET MEMBER

The Leader of the Council Cllr Sheldon opened by thanking all those involved in the response to the pandemic mentioning partner organisations, NHS workers, volunteers, Charity and Council staff for their hard work and commitment.

The Leader announced his intentions for the strategic direction of the Council with the Council setting an example with continued and enhanced partnership work summarised in the motto 'Listen, Get Things Done and Make a Difference'.

In progressing these aims the Leader outlined key policies on which work was taking place including:

- To establish a Canvey Access Task Force to progress improvements to access and within Canvey Island.
- To encourage and bring together a partnership involving all agencies and organisations working to address deprivation in Castle Point.
- To refresh initiatives, renew focus to enhance the Street scene in Castle Point.

The Leader also referred to work to be undertaken to examine other matters including the provision of a Public Space Protection Order to prevent antisocial behaviour caused by cruising and racing on /Roscommon way ;to make public parks the centre for the community with the piloting of a schedule of events and activities within the parks.

The Council would continue to exercise fiscal responsibility; improved digital working and communication; to continue work to achieve carbon neutrality and encourage resident in this aim; action was continuing to address flooding in the Borough and arrangements were being made to re-establish the Multi agency meetings.

The Leader took questions on the report.

In response to a question whether the new Task force partnerships and meetings referred to would involve all political parties. The Leader confirmed these meetings would include cross party representation. Leader also indicated work of the Canvey Working parties was to be taken forward.

The Leader of the Main Opposition Group Cllr Blackwell welcomed the opportunity to ask questions of the Leader and the opportunity for increased partnership working to make a difference.

In responding to a question regarding the revival of neighbourhood meetings, the Leader indicated that mindful of the advance in digital communication all means of communication with residents would be considered.

Resolved – to note the report.

27. REPORT FROM THE LEADER OF THE COUNCIL/CABINET MEMBER ASSOCIATION OF SOUTH ESSEX LOCAL AUTHORITIES (ASELA)UPDATE AND APPOINTMENT OF A JOINT COMMITTEE

A Supplementary report on the decision of the Cabinet and update on arrangements for the Joint Committee had been circulated.

To provide ASELA with the governance arrangements required to enable delivery of the Growth and Recovery Prospectus and provide enhanced transparency and accountability in the new delivery stage of its work programme. Cabinet decided at the meeting 22nd September:

1. To formally agree to become a Member of the Association of South Essex Local Authorities (ASELA) Joint Committee in accordance with Section 101 of the Local Government Act 1972, to oversee ASELA and provide enhanced transparency and accountability in the new delivery stage of its work programmes.
2. To appoint the Leader of the Council as the Council's representative on the Joint Committee, and to appoint the Deputy Leader as the Substitute Member, as set out in the governing documents

The first formal meeting of the ASELA Joint Committee was to take place on Thursday 28th October 2021 and this Council had been asked to host the meeting. Members appreciated that it was fitting that this Council was asked to provide the venue given the key part played by the late Chief Executive David Marchant in establishing this Association to the benefit of Castle Point, its residents and the wider community of South Essex.

In presenting the report to Council the Leader of the Council thanked Miss Mills Strategic Director Resources and Mr Ian Butt Head of Place and Policy for their briefings to the political groups to inform the decision.

The Leader highlighted that the focus of ASELA had shifted away from housebuilding with emphasis on the development and delivery of infrastructure and local projects to improve the lives of residents in South Essex and benefits to the residents of Castle Point. The Leader in emphasising the importance of the Council being part of the formal process of the Joint Committee stressed that the sovereignty of each Council was maintained, each Council had the ability to veto decisions of the Committee and the Council had the opportunity to scrutinise and review the ASELA Joint Committee.

Councillor Blackwell, Leader of the Main Majority Group thanked Miss Mills and Mr Butt and acknowledged as positive the change in focus of ASELA.

Resolved – to note and endorse the report.

28. NOTICES OF MOTION

1. Councillor Ms Drogman had given notice of the following:

We propose a motion to explore areas suitable to set up a pilot scheme to use wildflower planting in Castle Point with the aim of improving the natural environment for insects including bees and butterflies in our Borough. If this is successful, we'd like to roll out the scheme across the Borough.

The Motion was seconded by Councillor Anderson who had submitted a similar Motion. In speaking to the Motion Cllr Ms Drogman explained that the scheme was to examine how grass verges could be used as well as area within parks and open spaces. Debate took place at the conclusion a vote was taken on the Motion as set out which was CARRIED UNANIMOUSLY and RESOLVED accordingly.

2. A Notice of Motion from Councillor Blackwell was withdrawn from the agenda for the Council meeting postponed from 28th July 2021.

28a. NOTICES OF MOTION

Councillor Anderson had given notice of the following:

Canvey Island Independent Party call upon this administration to bring forward an environmental policy to re wild of our grass verges on highway routes where possible.

As the Motion was similar to Motion 1 it did not proceed.

28b. NOTICES OF MOTION

Councillor Mrs S. Mumford had given notice of the following:

Castle Point Borough Council reaffirms the Council policy making it a condition on any fairground operator or similar, including fetes and competitions, when granting permission to use Castle Point Borough Council land or facilities, that the giving of live animals as prizes is prohibited.

Castle Point Borough Council wishes to confirm, the policy of the RSPCA as support for this Motion.

The Motion was moved by Councillor Mrs S. Mumford and seconded by Councillor Ms Drogman. Debate took place at the conclusion a vote was taken on the Motion as set out which was CARRIED and RESOLVED accordingly.

28c. NOTICES OF MOTION

Councillor Cole had given notice of the following Motion which was withdrawn

We the Peoples Independent Party call on this Council to support the Motion set out below passed by MPs from all political parties against the Government's proposals to reform the planning system which is to remove local residents' rights to object individual planning applications.

(This house believes planning works best when developers and the local community work together to shape the local areas and deliver the necessary new homes and therefore calls on the Government to protect the rights of communities to object to individual planning applications)

28c. NOTICES OF MOTION

Councillor Mountford had given notice of the following:

We, the People's Independent Party would like to put forward a motion to ensure all parks in Castle Point to ensure all parks are accessible to everyone and conform to the following requirements:

1. Disability Discrimination Act 2005
2. Ensuring that only accessible gates are in operation and all restrictions e.g. barriers are removed.
3. Access should also include pavement/concrete access from the road/pavement to the park.

The Motion was moved by Councillor Mountford and seconded by Councillor Cole
As this Motion had financial implications the Motion was deferred without debate for a report to Cabinet Council Procedure Rule 13 applied.

28d. NOTICES OF MOTION

Councillor Mountford had given notice of the following:

The People's Independent Party propose that this Council should examine the feasibility of proactively seek expressions of interest from local businesses to setup Community Hubs at no cost to the Council at all green space areas within Castle Point to encourage local business and employment opportunities, as well as encourage our green spaces to be utilised.

The Motion was moved by Councillor Mountford and seconded by Councillor Savage. During debate the following amendment was moved and seconded

The Council should continue to encourage ideas and expressions of interest from local businesses and community groups to improve our parks and encourage our green spaces to be used more as hubs for the community.

The amendment having been accepted by the proposer and seconder it became the substantive Motion. Debate took place at the conclusion a vote was taken which was CARRIED and RESOLVED

That the Council should continue to encourage ideas and expressions of interest from local businesses and community groups to improve our parks and encourage our green spaces to be used more as hubs for the community.

29. PETITIONS SUBMITTED BY MEMBERS OF THE COUNCIL OF WHICH NOTICE HAS BEEN GIVEN

An on-line Petition had been received and was dealt with at the Cabinet on 22nd September 2021 and had been referred to Government.

Mayor

ORDINARY COUNCIL

24th November 2021

Subject: Local Council Tax Support (LCTS) Scheme for 2022/23

Cabinet Member: Councillor Johnson – Resources

1. Purpose of Report

To present the recommendation from Cabinet held on 17 November 2021 that there are no changes to the Proposed Local Council Tax Support Scheme for 2022/23.

2. Links to Council's priorities and objectives

This report links to the Council's Corporate Plan by underpinning Resources, an essential Enabler of the Council's priorities. Sound and strategic financial management is essential in order to ensure that resources are available to support the Council's priorities and maintain or improve services.

3. Recommendations from Cabinet

- 1. To note the information summarised in Section 5 of this report and the information detailed in Appendices A, B, and C**
- 2. That there are no changes to the Local Council Tax Support Scheme for 2022/23.**

4. Background Information

- 4.1 Council Tax Benefit was replaced by the Local Council Tax Support scheme (LCTS) in April 2013, following a Government announcement in the 2010 spending review that support for Council Tax would be localised and the funding envelope would be reduced.**
- 4.2 Legislation stipulates that the scheme falls into two parts – the pension age scheme which is prescribed by Central Government, and the working-age scheme which is determined by the Council.**

- 4.3 In December 2012, Council approved the working age scheme for Castle Point for 2013/14 which was designed to be cost neutral, and largely based on an Essex wide framework developed jointly by Essex Benefit and Finance Officers.
- 4.4 The Authorities current scheme is generally still in line with the 2013/14 scheme, with only minor technical changes having been made in previous years to keep it aligned with Welfare Reform changes as necessary.
- 4.5 Each year the Council is required to review the scheme and consider whether it wishes to change the scheme or not.
- 4.6 Key elements of the current scheme are set out at paragraph 5.1.
- 4.7 Each year the Council is also required to review and approve the next year's Local Council Tax Support scheme - this must be done annually by 11th March, and approval must be given even if the scheme does not change.

5. Proposed Local Council Tax Support Scheme for 2022/23

- 5.1 The following elements are already incorporated in the 2021/22 working age scheme for Castle Point:
 - 1 As directed by central government, all pensioners are treated as protected, meaning that the financial impact of changes falls on working age households only.
 - 2 The scheme is means tested, using many of the principles of the previous Council Tax Benefit scheme, which enables specific protections to be applied to vulnerable groups, households with children, and households with disabilities.
 - 3 The scheme incentivises work by disregarding £25 per week of earned income.
 - 4 Child Benefit is counted in full as income when calculating entitlement.
 - 5 Claims for Local Council Tax Support cannot be back dated.
 - 6 As far as possible the scheme allows for expected growth in demand and is easy to claim and administer.
 - 7 Second Adult Rebate, previously available under Council Tax Benefit, is not part of the working age scheme.
 - 8 The savings limit is £6,000, meaning that claimants with capital exceeding this value are not entitled to Local Council Tax Support.
 - 9 Non-Dependant deductions, previously applicable under Council Tax Benefit, are not included in the working age scheme.
 - 10 In conjunction with the Council's 'Local War Pensioner' scheme, income received in respect of War Pensions for disablement or bereavement is fully disregarded when calculating entitlement.

- 11 Support is capped at Council Tax band D and at 70% of Council Tax liability for working age claimants, meaning all working age Council Tax Payers are required to pay a minimum of 30% of their weekly council tax bill and those living in properties banded E to H will be assessed as though they are living in a Band D property.
 - 12 Underlying Entitlement, previously awarded when an overpayment occurred under Council Tax Benefit, is not applicable in the working age scheme.
 - 13 The Family Premium, previously awarded under Council Tax Benefit, no longer applies to new working age claims made from 1st April 2017 onwards.
 - 14 The period for which a person can be absent from Great Britain and still receive Local Council Tax Support is limited to a maximum of 4 weeks (subject to specific exceptions).
 - 15 The Severe Disability Premium, previously awarded under Council Tax Benefit, no longer applies where another person is paid Universal Credit (Carers Element) to look after them.
 - 16 The Work-Related Activity Component is no longer included when calculating entitlement for new applicants who receive Employment and Support Allowance (ESA) and who fall within the Work-Related Activity Group.
 - 17 The number of Dependant Child Applicable Amounts used when calculating entitlement is limited to a maximum of two (subject to specific exceptions).
- 5.2 Key data regarding the current scheme is detailed at Appendix A.
- 5.3 It is recommended that no changes are made to the scheme for 2022/23.
- 5.4 The impact of the proposed 2022/23 scheme is detailed at Appendix B and a Stage 2 Equality Impact Assessment is detailed at Appendix C.

6. Corporate Implications

a. Financial Implications

Funding

- 6.1 The reduced tax yield arising directly from the council tax support scheme discount was originally compensated for by a government grant. With the exception of the Town Council, each precepting organisation received their equivalent grant directly and it was specifically identified within the overall finance settlement. An amount was paid over from this Council to the Town Council based on an estimate of the amount relating to them. From 2015/16 the grant has not been specified separately and the scale of reductions applied to Revenue Support Grant (RSG) means that local authorities are now required to fund this scheme entirely from their own resources.

- 6.2 The overall impact on the Council Tax Base for each financial year since introduction of the scheme is shown in the table below:

Year	Outturn £000s	Projected £000s
2013/14	5,798	
2014/15	5,282	
2015/16	4,874	
2016/17	4,804	
2017/18	4,686	
2018/19	4,666	
2019/20	4,688	
2020/21	5,101	
2021/22		4,637

- 6.3 The number of discounts awarded under the local scheme has steadily reduced throughout the period since the scheme was launched in April 2013. Caseload will be influenced by changes in the local economy.
- 6.4 Unsurprisingly Covid-19 has had an impact on the scheme, and this is reflected in the jump to **£5.101m** in 2020/21. Of this, **£380k** related to the Covid-19 Hardship grants which were fully funded by grant funding from Government.

Collection

- 6.5 On introduction, the scheme resulted in a number of residents receiving full or partial Council Tax bills for the first time and, as expected, some residents had difficulty in making payment. The Council, in line with the national trend, has seen a reduction in the overall council tax collection rate, and an increase in the number of payment arrangements which extend payment into subsequent financial years.
- 6.6 Financial implications over and above the target cost of the scheme, positive or negative, would be shared with the major precepting organisations.

Council Tax Reserve

- 6.7 The Council has preserved an amount of **£159k** in an earmarked reserve from scheme underspends in previous years as well as an underspend on the Covid-19 hardship grant funding which Government has since confirmed can be retained by the authority.

b. Legal Implications

- 6.8 The Local Government Finance Act 1992 made provision for local authorities to implement a council tax reduction scheme based on financial need criteria.
- 6.9 This legislation also placed responsibility on the billing authority before introducing or implementing changes to their scheme to undertake consultation on the various options enabling consultees to express meaningful views on the proposals.

- 6.10 As no changes are proposed, no consultation is required in respect of the 2022/23 scheme.

c. Human resources/equality/human rights

- 6.11 A stage 2 Equality Impact Assessment for the proposed 2022/23 scheme has been completed. A copy is attached at **Appendix C** of this report.

d. Timescale for implementation and risk factors

- 6.12 The 2022/23 Scheme needs to be finalised by 11th March 2022. The new scheme must be operational from 1st April 2022.

Key project milestones are as follows:

Milestone	Timeframe	Purpose
Grant published	Dec 21	
Cabinet Report	17.11.21	Proposed scheme to be recommended to Council
Report to Ordinary Council	24.11.21	Final scheme approval
2022/23 Scheme in place	31.03.22	Adoption and implementation
2022/23 Scheme in operation	01.04.22	Operation

8. Background Papers:

Appendix A Proposed 2022/23 Scheme - Key Data

Appendix B Proposed 2022/23 Scheme – Impact Report

Appendix C Proposed 2022/23 Scheme - Stage 2 EQiA

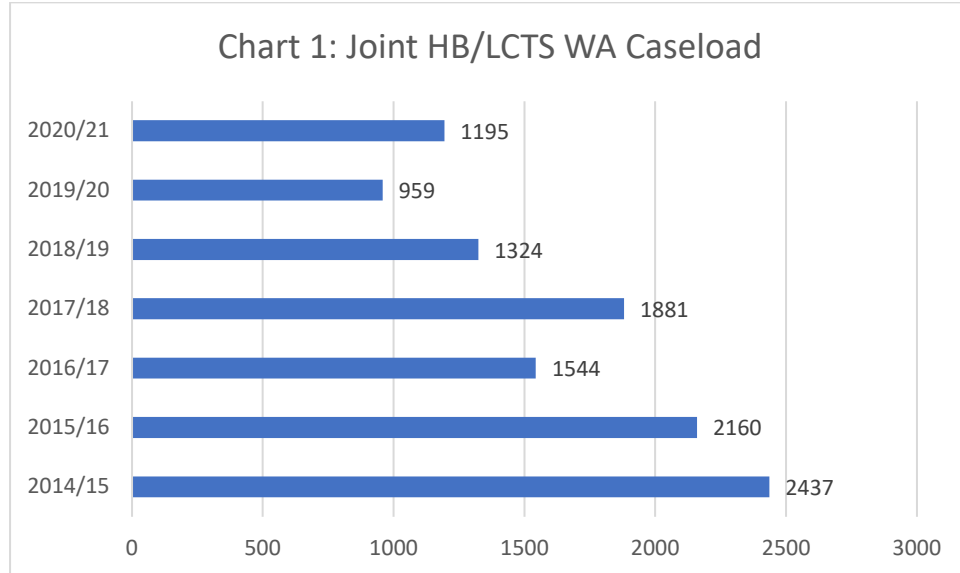
Report Author:

Eddie Mosuro – Head of Customer & Digital Services

Proposed 2022/23 Scheme – Key Data

Caseload

Chart 1 shows the number of new joint working age Local Council Tax Support (LCTS) and Housing Benefit (HB) claims received annually each year.



This data gives an indication of the level of demand for the scheme. The number of new LCTS applicants has generally declined year on year since its introduction in 2013, with the exception of 2017/18 and 2020/21 which both saw slight increases – thought to be indicative of the impacts of Universal Credit Full Service rollout and the Covid -19 Pandemic.

LCTS caseload levels can be impacted by a number factors including (but not limited to) the general economic climate, local awareness of the scheme, social stigma that may be associated with claiming benefits, and general accessibility to the scheme.

This general decline in caseload is in line with the national trend.

The Authority monitors caseload on a monthly basis and continues to work closely with a range of agencies including Canvey Job Centre, Peabody, and Citizens Advice and has also recently increased its social media messaging to maximise awareness and encourage take up of the scheme amongst those who are eligible.

Council Tax Collection Rate

Table 1 (below) shows the Authorities Council Tax Collection Rate since 2014/15:

14/15	15/16	16/17	17/18	18/19	19/20	20/21
98.23	98.12	98.18	98.34	98.18	97.95	96.20

This data gives an indication as to how economically balanced the current scheme design is – i.e. whether it provides economic support where needed but does not under or over support to the detriment of residents, tax-payers, and the continued provision of essential Council-led services generally.

The Council Tax Collection rate can be impacted by a number of factors including (but not limited to) the general economic climate, the level at which Council Tax is set in each Authority, and the frequency and effectiveness of recovery action and collection practices deployed by the Authority.

Aside from the decline in 2020/21 (which is in line with the national trend following the Covid-19 pandemic) Council Tax collection rates have remained relatively stable under the current LCTS scheme.

The Authority regularly monitors the collection rate, supports ethical collection practices and initiatives such as Breathing Space, and the current scheme includes provision of an Exceptional Hardship Scheme to support those in the most extreme financial hardship.

Universal Credit & National Trends

National data on scheme designs, gathered in early 2021 by EntitledTo and the New Policy Institute, indicates that the majority of Local Authorities (over 85%) have introduced at least one of the following three key changes to their schemes since 2013/14;

- The introduction of a minimum payment – i.e. an amount that all working age residents are required to pay,
- The introduction of a band cap – i.e. a cap on how much LCTS can be awarded for properties in higher Council Tax bands,
- The introduction of an income banded scheme – i.e. a scheme whereby claims are assigned to a band which is determined by their income level within a set range and/or their household type, and changes to their income that fall within the set range for the band does not therefore trigger a change to the LCTS award.

Castle Points scheme has always featured a minimum payment level (30%) and a band cap (Band D) and nationally, although 72 Authorities have now moved to an income banded scheme, this still only accounts for 23% of all Authorities.

Since Localisation there has been a great deal of variation between schemes, and the move to implement banded income schemes has exacerbated this with some Authorities varying not only the income band ranges, but also the household types within each band, the type of income they take into account in each band, and the minimum payment level allocated to each band too.

Authorities have implemented banded income schemes for a variety of reasons, but mainly as a mechanism to;

Proposed 2022/23 Scheme – Key Data (Appendix A)

- simplify, and reduce the costs of, administration of LCTS claims - which are expected to become the main caseload for Local Authorities following the mass migration of Housing Benefit claims to Universal Credit,
- increase revenue and reduce administration costs associated with Council Tax collection - by reducing the number of times LCTS awards (and bill instalments) are adjusted as a consequence of a change to the Universal Credit award.

The mass migration of legacy Housing Benefit Claims to Universal Credit is not now expected to take place until 2024 at the earliest, and Pension Age LCTS claimants continue to fall under Central Government's prescribed means tested LCTS scheme until then – very much limiting the extent to which administration can be simplified in the meantime.

Proposed 2022/23 LCTS Scheme – Impact Report

Assuming an overall increase in 2022/23 of 5.00% for mainland properties and 5.00% for properties in Canvey Island Parish for next year's Council Tax, the impact of a **no change recommendation** based on a tax payer receiving the highest rate of Local Council Tax Support (70%) and residing in a band D property on a full charge would be as follows:-

Canvey Island Parish

	2021/22	2022/23
Property Band D liability	£1,912.77	£2,008.40 (5% estimated increase)
Maximum LCTS award (70%)	£1,338.93	£1,405.88
Net Liability	£ 573.84	£ 602.52

The taxpayer would be required to pay at least £28 more in 2022/23, compared to the amount they were required to pay in 2021/22.

Mainland

	2021/22	2022/23
Property Band D liability	£1,891.71	£1,986.29 (5% estimated increase)
Maximum LCTS award (70%)	£1,324.19	£1,390.40
Net Liability	£ 567.52	£ 595.89

The taxpayer would be required to pay at least £28 more in 2022/23, compared to the amount they were required to pay in 2021/22.

This equates to an increase of 53p per week for customers receiving maximum Local Council Tax Support.



Local Council Tax Support Scheme 2022-23

Equality Impact Assessment (EqIA)

Nov 2021

Strategy and Policy EqlA

All strategies and policies must be initially screened for their positive and negative equality impacts.

This initial screening will determine whether or not it is necessary to carry out a full EqlA for the strategy or policy.

This template has been designed to help you initially screen your strategy or policy and, if necessary, undertake a full EqlA .

Title of strategy or policy:	Local Council Tax Support Scheme
Person undertaking EqlA:	Nick Bale
Head of Service:	 Eddie Mosuro
Department:	Housing & Communities
Date EqlA completed:	26.10.21

Strategy and policy overview

Strategy and policy overview	
What is the strategy or policy intending to achieve?	To fulfil the Local Authorities legal obligation under the Localism Act to provide a Localised Council Tax Support Scheme with effect from 1 st April 2022.
What are the summary aims and objectives of the strategy or policy?	<p>Since 1st April 2013, the Council has maintained a Local Council Tax Support (LCTS) scheme. This replaced the national Council Tax Benefit scheme, which ended on 31st March 2013. LCTS helps provide support to council taxpayers who have a low income. It supports the taxpayers by providing a reduction in the actual amount in Council Tax payable.</p> <p>The Council has the ability to determine the level of support given to working age applicants only. The scheme for pension age applicants is determined by Central Government and therefore the ability of the Council to vary that part of the scheme is limited and can only enhance the national scheme in any event.</p> <p>When LCTS was first introduced, Central Government provided a specified level of grant, which was approximately 10% lower than the amounts previously given (pre 1st April 2013). This has now been replaced by a general duty to provide a scheme and funding is not separately identified within the grants given to the Council.</p> <p>After the original consultation, the Council decided to introduce an LCTS scheme that differed from the original Council Tax</p>

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<p>Who will benefit from implementing the strategy or policy?</p> <p>What are the links to the Council's corporate priorities?</p>	<p>Benefit in that instead of granting a maximum level of support of 100% it would limit the maximum support to 70%.</p> <p>Changes since 2013 Since the introduction of LCTS, the overall scheme adopted by the Council has remained broadly the same, with only minor technical changes to allow applicable amounts to be up-rated annually in line with Central Government and to reflect some technical changes that mirror Housing Benefit legislation.</p> <p>The scheme has also previously been adapted to allow income from Universal Credit to be treated in line with non-passported claims, by attracting the same disregards, applicable amounts, and premiums.</p> <p>The Proposed Scheme for 2022/23 The Council is minded not to make changes to the working age scheme for 2022/23.</p> <p>The scheme benefits those on low incomes by providing them with support to pay their Council Tax. It specifically provides full protection to Pensioners (as prescribed within the requirements of the Localism Act) and includes locally determined protections for vulnerable groups and incentives to encourage people into work.</p> <p>This Policy links to the Council's Corporate Plan by underpinning Resources, an essential Enabler of the Council's priorities. Sound and strategic financial management is essential to ensuring that resources are available to support the Council's priorities and to maintain or improve services.</p>
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What are the links to other Council strategies and policies?	Exceptional Hardship Policy:
What are the links to other community strategies and policies?	Homelessness & Rough Sleeping Strategy: <u>Castle Point Homelessness and Rough Sleeping Strategy 2019 - 2024</u>
	National Child Poverty Strategy: <u>https://www.gov.uk/government/publications/a-new-approach-to-child-poverty-tackling-the-causes-of-disadvantage-and-transforming-families-lives</u>

Equality Act 2010

The Equality Act 2010 introduces 2 specific statutory duties on public bodies such as local authorities:

- **Socio-economic duty:**
 - Have due regard when making strategic decisions to the need to reduce inequalities of outcome which result from socio-economic disadvantage
- **Single (integrated) equality duty:**
 - Eliminate discrimination, harassment and victimisation or any other conduct prohibited by the Act
 - Advance equality of opportunity between persons who share a “protected characteristic” and those who do not
 - Foster good relations between people who share a “protected characteristic” and those who do not

The Equality Act 2010 brings together all of the different equality strands and refers to them as “**protected characteristics**”:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Initial screening

This initial screening template will determine whether or not the strategy or policy requires a full EqlA
If any of the answers to the 6 screening questions is “yes”, then a full EqlA will be required.

Initial screening		
Does the strategy or policy aim to reduce inequalities of outcome which result from socio-economic disadvantage?	Yes / No	The Policy fundamentally aims to provide financial assistance in meeting Council Tax costs for those disadvantaged by socio-economic factors.
Does the strategy or policy aim to eliminate discrimination, harassment and victimisation?	Yes / No	The pension age scheme is prescribed by Central Government, however the working age scheme is predominantly at the Council's discretion. Guidance has been given on treatment of vulnerable groups and work incentives. The design of the working age scheme has sought to eliminate discrimination.

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Does the strategy or policy aim to advance equality of opportunity?	Yes / No	The Policy fundamentally aims to provide support with Council Tax for those who are socio-economically disadvantaged whilst also encouraging people into work. It has been recognised that in this regard opportunities for some groups may not be equal and therefore the Policy has been designed to provide protection for those groups where advancement of equal opportunity would be restricted.
Does the strategy or policy aim to foster good community relations?	Yes / No	Not applicable.
Does the strategy or policy have the potential to make a negative contribution to equality?	Yes / No	The scheme may fundamentally make a negative contribution to equality for certain groups – children, families, lone parents etc.
Does the strategy or policy make a positive contribution to equality?	Yes / No	Pension age people are specifically protected under Government Regulations.
Initial screening outcome	Full EqiA is required	Initial screening outcome

Full assessment

Information gathering	
What quantitative and qualitative information is there?	<p>Appendix A of the LCTS Cabinet Report sets out some of the qualitative information considered when proposing the 2022/23 scheme:</p> <p>Appendix B of the LCTS Cabinet Report sets out the relative financial impact that the proposed scheme will have on Canvey Island Parish Council and non-Parish residents:</p> <p>This is assumes that:</p> <ul style="list-style-type: none">• Council Tax will increase by 5%,• The property is Band D,• A full charge applies,• The customer is entitled to the maximum LCTS award (70%),• No changes are made to the scheme for 2022/23.
What additional information is required?	No further information is required.
What are the outcomes of any internal and/or external consultation with stakeholders?	No changes are proposed for 2022/23 so no formal consultation was required.
What further consultation is required?	Not applicable.

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<p>What examples are there of existing good practice?</p>	<p>Some elements of the current working age scheme (i.e. Band restriction, % liability reduction, removal of Second Adult Rebate) were agreed as part of the overarching Pan Essex scheme.</p> <p>Other elements have been designed to meet specific needs within Castle Point.</p> <p>All of the technical changes that have been introduced, mirror changes which have been introduced as part of Central Governments wider Welfare Reforms.</p> <p>Guidance from DCLG outlining good practice with regards to treatment of vulnerable groups and incentives to work (both published in May 2012) were previously used to inform the scheme design;</p> <p>http://www.communities.gov.uk/publications/localgovernment/lscvulnerablepeople</p> <p>http://www.communities.gov.uk/publications/localgovernment/lscworkincentives</p> <p>The Local Government Finance Bill: Localizing Support for Council Tax – Updated Impact Assessment (published Aug 2011) also informed the scheme design;</p> <p>http://www.communities.gov.uk/publications/localgovernment/lgfblocalisingcounciltax</p> <p>Each Local Authority is required to adopt their 2022/23 scheme by 11th March 2022.</p>
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Making a judgement	
How will the strategy or policy eliminate discrimination, harassment and victimisation?	<p>Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions.</p> <p>People with disabilities will continue to receive additional premiums as part of the calculation of their award and also may receive additional financial support through the Exceptional Hardship Fund.</p> <p>Without these elements the policy could potentially be discriminatory to those who fall within the ‘disability’ characteristic group.</p> <p>No other impacts on protected groups have been identified.</p>
How will the strategy or policy advance equality of opportunity?	<p>The Policy is compliant with prescribed Regulations that protect Pension Age people. This advances equality of opportunity for those who fall within the ‘age’ characteristic group (specifically those of Pension age) who would otherwise be disadvantaged by the schemes fundamental incentives to work.</p> <p>Parents will continue to receive a Dependant’s Applicable Amount (limited to a maximum of two children in line with other Welfare Reforms) and working parents will continue to receive an earnings disregard, as part of the calculation of their award.</p> <p>Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions.</p> <p>People with disabilities will continue to receive additional premiums as part of the calculation of their award and may also</p>

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	<p>receive additional financial support through the Exceptional Hardship Fund.</p> <p>This advances equality of opportunity for those who fall within the 'disability' characteristic group who would otherwise be disadvantaged and may have less opportunity to improve their financial circumstances through work.</p> <p>No other impacts on protected groups have been identified.</p>
How will the strategy or policy foster good community relations?	No impacts on protected groups identified – not applicable.
<p>Does the strategy or policy have the potential to make a negative contribution to equality?</p> <p>If so, which groups with “protected characteristics” will be affected and what are the reasons?</p>	<p>Working Age people aged over 18 will be required to pay more than those of Pension Age.</p> <p>People with disabilities who are below pensionable age will need to pay more than those above pension age. This is due to the Prescribed Regulations which automatically protect people of Pension Age.</p> <p>The locally funded nature of the scheme that applies to those of working age, compared to the Prescribed Regulations that apply to those of pension age, mean it is not financially viable to completely protect all protected characteristic groups from the full effects of this scheme.</p>
What can be done to address any contribution to inequality caused by the strategy or policy?	<p>Working Age people aged over 18 will be required to pay more:</p> <p>The Council actively supports customers with information and advice on income maximisation, financial capability, and debt management. The Flat Rate earnings disregard has been maintained in the scheme design to incentivise work.</p>

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	<p>People with disabilities who are below pensionable age will need to pay more:</p> <p>Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions.</p> <p>A discretionary Exceptional Hardship Fund is available to provide additional financial assistance to those who are particularly vulnerable and suffering exceptional financial hardship.</p>
What can be done to assist understanding of the strategy or policy?	<p>Details of the scheme will be publicised on the Council's website: Local Council Tax Support Castle Point</p> <p>Hard copy and alternative formats (i.e. Braille, Large Print, Audio) on request.</p> <p>An on-line 'Calculator' is available to assist those who want to find out if they would be entitled to LCTS: Benefit calculator (entitledto.co.uk)</p> <p>First Contact staff are available to explain the scheme to any individuals or organisations who require assistance.</p> <p>Partners, national bodies, and local advice and support agencies are notified of the scheme adopted each year.</p>

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Action plan					
Equality objective	Action(s)	Lead responsibility	Resources	Timescale(s)	Outcome(s)
Assist understanding of the Policy	Refresh website and hard copy information once 2022/23 Final Scheme is formally adopted.	First Contact Manager	Staff time	Jan '22 – Mar '22	All affected groups fully aware of the Policy and how it will affect them.
Assist understanding of the Policy	Engage with and raise awareness amongst local advice and support groups.	Benefits Manager	Staff time	Jan '22 - Mar '22	All local advice and support groups fully aware of the policy and how it will affect their customers.
Advancing equality of opportunity	Proactively identify suitable cases for Exceptional Hardship awards using internal knowledge of debts identified in 2021/22 and administer awards.	Revenues Manager	Staff time, Exceptional Hardship funding	Apr '22 – Mar '23	Reduce impact of the scheme on those suffering exceptional financial hardship.
Advancing equality of opportunity	Maintain an effective range of advice and support services to ensure robust assistance with financial capability, budgeting, and debt related issues.	Head of Customer & Digital Services	Staff time, General Advice & Support Services funding	Apr '22 – Mar '23	Customers adequately supported and equipped with skills to manage financial impact.

ORDINARY COUNCIL

24th November 2021

Subject: Report from Staff Appointments Panel

1. Purpose of Report

To report on meetings of the Panel regarding the appointment of a permanent Chief Executive Head of Paid Service.

2. Links to Council's Priorities and Objectives

The appointment of the Head of Paid Service is not linked to a Council Corporate Priority. The Council has a statutory duty to appoint a Head of the Paid Service, who has overall corporate management and operational responsibility for the Council. That position is carried out within the Council by the post of Chief Executive. Section 4 Local Government and Housing Act 1989.

3. Recommendations

To note and endorse the report of the Staff Appointments Panel.

4. Background

At the last meeting the Council appointed the Staff Appointments Panel. The term of reference included to make recommendations to Council regarding the appointment of a permanent Chief Executive and to oversee the recruitment and appointment of a permanent Chief Executive.

5. Report

The members of the Panel are Councillors Blackwell, Cole, Mrs Egan, Sheldon and Varker. Meetings of the Panel have taken place on 14th October and 11th November 2021.

Councillor Sheldon Leader of the Council was appointed Chairman of the Committee at the initial meeting on 14th October and at that meeting three options to fill the appointment of the Chief Executive were considered.

Two options were considered. First, the appointment of a permanent Chief Executive which would be undertaken with assistance from external recruitment consultants.

Currently the market was very competitive, with a high number of councils going to the market with vacancies, seeking to recruit from a limited pool of experienced candidates. There has been an acceleration of retirements after

the peak of the Covid pressures and forthcoming changes on a cap on exit payments postponed from last year. For example, in London half of London Boroughs are set to be searching for a new Chief Executive.

The recruitment process was likely to take some six months before the successful candidate could take up the post.

Option two was to look to share a Chief Executive. Castle Point 's neighbour Rochford was engaged in a trial sharing the post of Chief Executive with Brentwood. At present with increasing budget pressures on Councils and the prospects for devolution, reorganisation of local government this was becoming an attractive proposition especially for smaller Councils. (Option three was to redesignate the role as Managing Director.)

The Panel felt that the option to share a Chief Executive merited examination. The Panel agreed that the Leader should take informal soundings with colleague Leaders. The Panel also agreed to seek proposals from recruitment consultants to recruit to the post of a permanent Chief Executive.

At the meeting on 11th November 2021 the Leader reported on his response to initial soundings. Given the interest in the possibility of sharing the post of Chief Executive and reflecting again on the merits of the proposition the Panel agreed to take further time to explore the option of a shared Chief Executive.

The Panel decided to request the Leader and Chief Executive to continue their investigations to explore and report on the feasibility of a shared Chief Executive to improve the opportunities and resilience of the Council.

Council is requested to endorse and note the report.

6. Corporate Implications

(a) Financial Implications

The appointment of a new permanent Chief Executive is unforeseen expenditure for which no budget provision has been made. A report on the cost will be made to the Staff Appointments Panel as necessary Council will be requested to approve the drawdown of reserves to meet the costs.

(b) Legal Implications

The appointment of the Chief Executive must follow prescribe processes set out in the Local Authorities Standing Orders Regulations 1993 regarding the appointment of a Chief Officer.

(c) Human Resources and Equality Implications

The process will be overseen by the Interim Chief Executive supported by the Human Resources Manager.

(d) IT and Asset Management Implications

None to be addressed by this report.

7. Timescale for implementation and Risk Factors

A report will be to the next Council meeting outlining progress and making recommendations on any formal decisions required.

8. Background Papers

Item 12 Ordinary Council 29.9.2021

Report Author: Miss Ann Horgan Head of Governance