

REPORT TO COUNCIL ON 13 DECEMBER 2013 – ITEM 63

COUNCIL TAX SUPPORT - PROPOSED FINAL SCHEME

INTRODUCTORY NOTE

PART 1 – THE MAIN SCHEME IN TWO SECTIONS

SECTION 1 – For pensioners

The Council Tax Reduction Scheme (Pensioners)
(Brighton & Hove City Council) 2013

SECTION 2 – For non-pensioners

The Council Tax Reduction Scheme (Persons who are not Pensioners)
(Brighton & Hove City Council) 2013

PART 2 – THE DISCRETIONARY SCHEME

The Discretionary Council Tax Scheme
(Brighton & Hove City Council) 2013

NOTE – FURTHER CHECKS OF THESE DOCUMENTS ARE ONGOING AND ADDITIONAL REGULATIONS ARE EXPECTED SHORTLY. AS APPROPRIATE AN UPDATED SET OF THE DOCUMENTS OR A LIST OF AMENDMENTS WILL BE MADE AVAILABLE BEFORE THE MATTER IS CONSIDERED AT COUNCIL.

Introductory Note

1. When the report was written for the Policy and Resources Committee it had been intended to include the whole of the Council's Council Tax Reduction Scheme in one document, based on draft Default Scheme Regulations published by the Government. These contained the proposed default scheme, covering both pensioners and persons not of pension age, which would apply where an authority failed to make a scheme by 31 January 2013.
2. The Government had also published draft Prescribed Requirements Regulations with provisions for all authorities to include in their schemes. They covered all the requirements for pensioners. (As work is not expected to increase their income, pensioners will receive assistance broadly equivalent to the current benefits arrangements.) The draft Regulations also included some provisions relevant to persons not of pension age, which must be included in authorities' schemes.
3. Both sets of Regulations were made and laid before Parliament too close to the Policy and Resources Committee meeting to be dealt with in the report. They are :- The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 SI 2885 and The Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012 SI 2886.
4. The report to Policy & Resources Committee forwarded a preliminary draft scheme and the draft Default Scheme regulations were available in Members' rooms. The report said that consideration was being given to splitting the scheme into two – one section for pensioners and one for persons not of pension age. There are advantages in doing this. There is no local discretion in respect of the provisions for pensioners. The regime for them may well remain very constant but could be much more subject to change for persons not of pension age. Also any appeals against authorities' decisions are likely to be easier, administratively, to conduct if the two are separate.
5. Therefore the Council is being recommended to agree a scheme in two sections:- (1) for pensioners, based on the Prescribed Requirements Regulations and (2) for persons not of pension age, based on the Default Scheme Regulations with amendments to include the council's key principles of its scheme and any necessary provisions from the Prescribed Requirements Regulations. Although a lot of work has gone into drafting these, there are still some inconsistencies arising from the Regulations

which are being looked into in the hope that these matters can be resolved before the meeting on 13 December. The Council will be updated at the time. There may also be corrections and up-dates to be considered, which will be circulated at the meeting.

6. The third document with this appendix is the Council's discretionary scheme for administering the £100,000 providing additional assistance in exceptional circumstances to the most vulnerable. It has been revised since it was presented to Policy and Resources Committee.

