

SWT Executive

**Wednesday, 18th December, 2019,
6.15 pm**

**Somerset West
and Taunton**

**The John Meikle Room - The Deane
House**

Members: **Federica Smith-Roberts (Chair), Benet Allen (Deputy Chair),
Chris Booth, Ross Henley, Marcus Kravis, Richard Lees,
Peter Pilkington, Mike Rigby and Francesca Smith**

Agenda

1. Apologies

To receive any apologies for absence.

2. Minutes of the previous meeting of the Executive

To approve the minutes of the previous meeting of the Committee.

(Pages 5 - 10)

3. Declarations of Interest

To receive and note any declarations of disclosable pecuniary or prejudicial or personal interests in respect of any matters included on the agenda for consideration at this meeting.

(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

4. Public Participation

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

5. Executive Forward Plan

(Pages 11 - 12)

To receive items and review the Forward Plan.

6. Amendment to Income and Arrears Management Policy

(Pages 13 - 38)

This matter is the responsibility of Executive Councillor Ross Henley, Portfolio Holder for Corporate Resource.

This report seeks support for an amendment to our current Income and Arrears Management Policy to include a Council Tax write off for care leavers living within our area who receive Council Tax Support.

7. Access to Information - Exclusion of the Press and Public

During discussion of the following item(s) it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 13 13.02(e) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The Executive will need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

Recommend that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the ground that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

8. Taunton Bus Station

(Pages 39 - 54)

This matter is the responsibility of Executive Councillor Marcus Kravis, Portfolio Holder for Economic Development and Executive Councillor Ross Henley, Portfolio Holder for Corporate Resources.

9. Taunton Park and Ride

(Pages 55 - 62)

This matter is the responsibility of Executive Councillor Mike Rigby, Portfolio Holder for Planning and Transport.

10. Taunton Business Improvement District Ballot

(Pages 63 - 74)

This matter is the responsibility of Executive Councillor Marcus Kravis, Portfolio Holder for Economic

Development.

A handwritten signature in black ink, appearing to read "James Hasset", written in a cursive style.

JAMES HASSETT
CHIEF EXECUTIVE

Please note that this meeting will be recorded. At the start of the meeting the Chair will confirm if all or part of the meeting is being recorded. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore unless you are advised otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact the officer as detailed above.

Members of the public are welcome to attend the meeting and listen to the discussions. There is time set aside at the beginning of most meetings to allow the public to ask questions. Speaking under "Public Question Time" is limited to 3 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chair will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate. Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, if a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chair will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group. These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room. Full Council, Executive, and Committee agendas, reports and minutes are available on our website: www.somersetwestandtaunton.gov.uk

The meeting room, including the Council Chamber at The Deane House are on the first floor and are fully accessible. Lift access to The John Meikle Room, is available from the main ground floor entrance at The Deane House. The Council Chamber at West Somerset House is on the ground floor and is fully accessible via a public entrance door. Toilet facilities, with wheelchair access, are available across both locations. An induction loop operates at both The Deane House and West Somerset House to enhance sound for anyone wearing a hearing aid or using a transmitter. For further information about the meeting, please contact the Governance and Democracy Team via email: governance@somersetwestandtaunton.gov.uk

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please email: governance@somersetwestandtaunton.gov.uk

SWT Executive - 20 November 2019

- Present: Councillor Federica Smith-Roberts (Chair)
 Councillors Benet Allen, Chris Booth, Ross Henley, Marcus Kravis, Peter Pilkington, Mike Rigby and Francesca Smith
- Officers: James Barrah, Nick Bryant, Emily Collacott, Paul Fitzgerald, James Hasset, Laura Higgins, Clare Rendell, Amy Tregellas, Jane Windebank and Rich Wiseman
- Also Present: Councillors Hugh Davies, Janet Lloyd, Anthony Trollope-Bellew, Brenda Weston, Loretta Whetlor and Gwil Wren

(The meeting commenced at 6.15 pm)

59. **Apologies**

An apology was received from Councillor R Lees.

60. **Minutes of the previous meeting of the Executive**

(Minutes of the meeting of the Executive held on 23 October 2019 circulated with the agenda)

Resolved that the minutes of the Executive held on 23 October 2019 be confirmed as a correct record.

61. **Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr C Booth	All Items	Wellington and Taunton Charter Trustee	Personal	Spoke and Voted
Cllr H Davies	All Items	SCC	Personal	Spoke
Cllr J Lloyd	All Items	Wellington & Sampford Arundel	Personal	Spoke
Cllr P Pilkington	All Items	Timberscombe	Personal	Spoke and Voted
Cllr M Rigby	All Items	SCC & Bishops Lydeard	Personal	Spoke and Voted
Cllr F Smith	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr F Smith-	All Items	Taunton Charter	Personal	Spoke and Voted

Roberts		Trustee		
Cllr B Weston	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr L Whetlor	All Items	Watchet	Personal	Spoke
Cllr G Wren	All Items	Clerk to Milverton PC	Personal	Spoke

62. **Public Participation**

No members of the public had requested to speak on any item on the agenda.

63. **Executive Forward Plan**

(Copy of the Executive Forward Plan, circulated with the agenda).

The Section 151 Officer advised that the three finance reports scheduled to be brought to the December Executive meeting, would be amalgamated into one report for the budget update.

Councillors were reminded that if they had an item they wanted to add to the agenda, that they should send their requests to the Governance Team.

Resolved that the Executive Forward Plan be noted.

64. **Mid-year Budget Monitoring and In Year Budget Request**

During the discussion, the following points were raised:-

- Concern was raised on the amount of experienced officers that had been lost and the time it would take to replace the knowledge base. But Councillors believed the funding that had been allocated would help.
- Concern was raised on issues that had been reported with Firmstep. It was suggested that an IT Member Working Group was set up and involved as many members as possible to work through the issues.
- The Section 151 Officer gave advice on what the Councillors were responsible for, which included managing the finances and that he was there to give them his professional opinion on the accounts.
- The Chief Executive gave Councillors information on when the Medium Term Financial Plan would be presented to them.

Resolved that Executive:-

- 1) Noted the Council's forecast financial performance for 2019/20 financial year as at 30 September 2019;
- 2) Recommended that Full Council approved a Supplementary Budget of £747,000 in the General Fund Revenue Budget for transitional and service resilience costs in 2019/20, funded from the New Homes Bonus / Growth earmarked reserve;
- 3) Approved a virement within the HRA Revenue Budget of £339,000, from in year underspend and managed savings to transitional and service resilience costs in 2019/20; and

- 4) Noted the risk to funding of future growth programme priorities, and committed to reviewing future options through the budget setting process.

65. **Statement of Community Involvement**

Resolved that the Executive:-

- 1) Approved the proposed response to matters raised by the respondents (as set out in Appendix 1); and
- 2) In consultation with the Portfolio Holder for Planning and Transport delegated authority was given to the Head of Strategy and the Principal Planner Specialist to agree any necessary final amendments prior to its publication.

66. **Local Plan Issues and Options Document**

During the discussion, the following points were raised:-

- Councillors were pleased with the document and were keen to engage with the community, especially the Town and Parish Councils, to ensure that the local residents were involved in the consultation. They wanted the document to be as inclusive as possible.
- Councillors requested an extension to the consultation deadline to ensure that all the Town and Parish Councils could submit their responses.
- Councillors highlighted that it was good to see that the travel behaviour had been added to the report but mentioned that the rail link from Taunton to Minehead had not been included.
- Councillors queried what the Wellington Place Plan was.
The Head of Strategy advised that it had been an aspiration since the creation of the New Council. Officers wanted to create a vision for the bigger towns in the District to focus on housing, town centres, businesses, which they wanted to set out in separate document for Wellington.
- Councillors queried why Wellington had not been included on the list of train stations that were due to be reopened.
The Head of Strategy advised that there was still a lot of work to be carried out prior to the station being added to the list, but advised that progress was being made.
- Councillors queried why Watchet had been placed in tier four for rural areas when it was a coastal town.
Officers advised that would be in the information included in the consultation and suggested that the Councillors submitted their concerns as part of their response.
- Councillors advised that officers needed to check the document for accessibility before it was published. The colours and fonts used were known to be difficult to read for people with dyslexia.
- Councillors supported the document and thanked the officers for their work.

Resolved that the Executive:-

- 1) Approved the Somerset West and Taunton Local Plan Issues and Options Document for public consultation (Appendix A);

- 2) In consultation with the Portfolio Holder for Planning and Transport, delegated authority was given to the Head of Strategy to make any necessary editorial corrections, minor amendments to the documents, agree the 'summary' section, and to agree the final publication style; and
- 3) Approved to extend the consultation deadline to 16 March 2020 to allow extra time for groups who only meet every quarter to submit their feedback.

67. **Small Scale Industrial Space Local Development Order - approval for consultation**

During the discussion, the following points were raised:-

- Councillors thanked officers for their work and agreed it was a key piece of work for businesses and the Portfolio Holder for Economic Development supported the work.
- Concern was raised that there would be two consultations being run at the same time.
- Concern was raised that business units would be built anywhere including in smaller communities.

Officers advised that they had taken an informative approach and that once all the layers of the development order had been applied, it wouldn't allow units to be built anywhere.

Resolved that the Executive:-

- 1) Approved the undertaking of a consultation exercise on the possible adoption of a Small Scale Industrial Space Local Development Order in the Somerset West and Taunton Area, with a further report to be brought to a subsequent meeting of the Executive once the consultation exercise has been completed;
- 2) Approved the contents of the draft consultation document for the consultation exercise on the possible adoption of a Small Scale Industrial Space Local Development Order;
- 3) Delegated authority to the Head of Strategy to agree any necessary final amendments prior to its publication in consultation with the Portfolio Holder for Planning and Transportation; and
- 4) Approved to extend the consultation deadline to 16 March 2020 to allow extra time for groups who only meet every quarter to submit their feedback.

68. **North Taunton Woolaway Project | Phase A Update and Home Owner Acquisition budget**

During the discussion, the following points were raised:-

- Councillors thanked officers for their work and were glad to see that climate change had been included in the project.
- Councillors highlighted the delicacy of the exercise and commended officers for the way they had undertaken the work.
- Councillors queried how much shorter the project timescale would be.

Officers advised that the original estimate was 10 years but they hoped the opportunity would mean that the work would be completed 1-2 years earlier.

- The Shadow Portfolio Holder for Housing advised that she had been involved since the start of the project and highlighted some points from the report which included being shortlisted by the Royal Town Planning Institute for a regional award in planning excellence for Community Involvement.

Resolved that the Executive:-

- 1) Delegated the decisions to progress the enabling works for the remaining Phases to the future Director of Housing in consultation with the Portfolio Holder for Housing;
- 2) Delegated authority to the future Director of Housing to negotiate and agree the purchase of the 19 private owned homes within Phases B – E of the North Taunton Woolaway Project area;
- 3) Approved a supplementary budget of £5.7 million for Phases B – E of the North Taunton Woolaway Project;
- 4) Approved an additional supplementary budget of £1.5 million for Phase A of the North Taunton Woolaway Project increasing the budget for Phase A from £7.2 million to £8.7 million; and
- 5) The budgets would be funded utilising a combination of capital receipts, Social Housing Development Fund revenue contribution, and capital borrowing. Council delegated the final funding arrangement to be determined by the S151 Officer in line with the Council's capital and treasury strategies, prioritising affordability for the Housing Revenue Account set out in Table 2 in the report.

69. **Access to Information - Exclusion of Press and Public**

Resolved that the press and public be excluded during consideration of agenda item 12 on the grounds that, if the press and public were present during the item, there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended as follows: The item contained information that could release confidential information that related to the financial or business affairs of any particular person (including the authority holding that information). It was therefore agreed that after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

70. **Somerset Building Control Partnership Draft Variation Agreement**

Resolved that the Executive approved the Inter-Authority Agreement for the Building Control Services Partnership.

(The Meeting ended at 7.40 pm)

EXECUTIVE FORWARD PLAN 2019-20

Meeting	DRAFT AGENDA ITEMS	LEAD OFFICER
18 December 2019 (next Council 26 February)	<ul style="list-style-type: none"> • Amendment to Income and Arrears Management Policy • Taunton P&R Procurement (confidential) • Taunton Bus Station (confidential) • Taunton BID (confidential) 	J. Collins J. Wharton G. Mills L. Redston
22 January 2020 (due to be split into two meetings) (next Council 26 February)	<ul style="list-style-type: none"> • Somerset Waste Partnership Annual Business Case • Design Guide for SWT • Design Guide – Masterplan Framework for the Major Development Allocations • Taunton Garden Town Public Realm Guide • Social Value Strategy & Priorities • SWP Business Plan - partner approval • Otterford Travellers Site • Citizens Advice Financial Sustainability • Monkton Heathfield Phase 2 Master Plan • SWT Prosperity/Economic Development Strategy • Voluntary and Community Sector Grants Annual Fund Review • HRA Business Plan Review • Hinkley Phase 3 – Housing Funding Strategy • Homelessness and Rough Sleeper Strategy and Action Plan • Wellington Railway Station/Metro-link • Land South of Langaller • East Quay Wall • Taunton Strategic Flood Alleviation Improvements (TSFAI) phase 2 • Budget Update and Outline MTFP 2020/21 • Park and Ride Procurement (Confidential) 	N. Green/Mickey Green N. Bryant F. Webb F. Webb P. Harding N. Green J. Barraha M. Leeman A. Penna/N. Bryant M. Wathen/D. Webb L. Redston J. Barraha M. Leeman M. Leeman/H. Cook N. Bryant/S. Povall A. Penna Chris Hall Ann Rhodes P. Fitzgerald J. Wharton
10 February 2020 (next Council 19 February for Budget 26 Feb for others)	<ul style="list-style-type: none"> • HRA Budget 2020/21 • General Fund Revenue Budget and Capital Estimates 2020/21 • Capital Strategy 2020/21 • Treasury Management Strategy Statement 2020/21 • Investment Strategy 2020/21 • FHSF HIF • CIL Allocations • Fees and Charges • HRA Acquisitions at Priory Bridge Road and Staplegrove Road • SWT Carbon Neutrality and Climate Resilience Plan and Somerset Wide Climate Change Strategy 	K. Murdoch K. Murdoch Finance Wendy Lewis/Rich Wiseman G. Thompson

<p>18 March 2020</p> <p>(next Council 31 March)</p>	<ul style="list-style-type: none"> • Housing Strategy – Action Plan for SWT • District Housing Action Plan • North Taunton Woolaway Project Phase B Update and Home Owner Acquisition budget • Annual Business Plan 2020/21 • Pay Policy Statement • Small Scale Industrial Space Local Development Order • Tonedale Mill (Confidential) • HPC S106 Tourism Delivery Plan • CIM Funding Recommendation from HPC POB (1st ON) 	<p>M. Leeman</p> <p>R. Wiseman</p> <p>P. Harding</p> <p>N. Rendell</p> <p>S. Povall</p> <p>J. O'Hara</p> <p>N. McLean/R. Downes</p> <p>N. Maclean</p>
<p>22 April 2020</p> <p>(next Council TBA)</p>	<ul style="list-style-type: none"> • Waterways Strategy and Action Plan 	<p>D. Webb</p>
<p>June 2020</p>	<ul style="list-style-type: none"> • Commercial Investment Strategy Review 	<p>G. Mills</p>
<p>December 2020</p>	<ul style="list-style-type: none"> • Commercial Investment Strategy Review 	<p>G. Mills</p>

Report Number: SWT 107/19

Somerset West and Taunton Council

Executive - 18 December 2019

Amendment to Income and Arrears Management Policy

This matter is the responsibility of Executive Councillor Ross Henley

Report Author: Jenny Collins – Revenues Specialist

1 Executive Summary / Purpose of the Report

- 1.1 This report seeks support for an amendment to our current Income and Arrears Management Policy to include a Council Tax write off for care leavers living within our area who receive Council Tax Support.
- 1.2 A care leaver is defined as a person aged 25 or under, who has been looked after by a local authority for at least 13 weeks since the age of 14; and who was looked after by the local authority at school-leaving age or after that date.
- 1.3 Appendix A of our Income and Arrears Management Policy – Vulnerable Person Protocol includes care leavers as persons who fall within the definition of vulnerable and may need extra assistance in managing daily affairs.
- 1.4 Approval of the Income and Arrears Management Policy is delegated to the Executive.

2 Recommendations

- 2.1 Executive is recommended to approve that for those persons which fall within the definition of a care leaver, living within the District and qualify for Council Tax Support, will have their net Council Tax liability written off for the qualifying period, and delegate authority to the Revenues Specialist to approve individual eligible write-offs in line with this Policy.

3 Risk Assessment

- 3.1 Officers consider no or very limited risk associated with this decision, therefore no formal risk assessment completed.

4 Background and Full details of the Report

- 4.1 The Council has been approached by The Children's Commissioner for England, the Chief Executive of The Children's Society, and Somerset County Council to provide support in Council Tax for those care leavers resident in our area.

- 4.2 Care leavers are a particularly vulnerable group who may experience difficulty in budgeting when they move into independent accommodation for the first time and may find themselves part of our recovery process if payments are not received on time.
- 4.3 Many other Local Authorities across the country have already implemented a 100% Council Tax reduction for care leavers through their Council Tax Support schemes. Our Council Tax Support scheme currently exempts those care leavers who are single, have no dependants and have an income of less than £75 a week. The Council has not consulted on options to change the CTS Policy for 2020/21 therefore this policy will need to remain as currently set at this stage until at least March 2021.
- 4.4 We are proposing to remove any Council Tax liability through our Income and Arrears Management Policy where the care leaver -
- Is living with dependants,
 - Is living with other care leavers, and/or
 - Has entitlement to Council Tax Support but their income is more than £75 a week
- 4.5 Where the care leaver is living with other adults we will apportion the write off to reduce the overall liability.
- 4.6 The write off would apply up to the age of 25 and would end the day before their 26th birthday.
- 4.7 The write off will only be applied after entitlement to other discounts, including Council Tax Support has been deducted from the liability.
- 4.8 Somerset West and Taunton Council will actively contact our care leavers to encourage take up and we will consider backdated awards.
- 4.9 We intend to apply the write off through our Income and Arrears Management Policy until we are able to consider including this in our Council Tax Support scheme for future years.

5 Links to Corporate Strategy

- 5.1 Our recommendation links to both our homes and communities strategy and that to be a transparent and customer focused Council. We have listened to the recommendation made by our stakeholders and have witnessed the effect of our current scheme on our most vulnerable residents. Applying the write off will support and enable vulnerable members of our community to live independently for the first time without any added pressure or stress from the recovery process.

6 Finance / Resource Implications

- 6.1 Information supplied by the Leaving Care Team at Somerset County Council initially suggests we have up to 16 care leavers within our district area.
- 6.2 Initial system checks within the Revenues & Benefits area confirm all records for care leavers currently claiming Council Tax Support to be resident in Band A properties. After deducting the Council Tax Support the remaining payable charges range between £180 and £600 a year.

6.3 Providing the write off under our Income & Arrears Management Policy the cost is paid through our Collection Fund and shared by SWTC as the billing authority and the other major preceptors (but not towns and parishes). SWTC's share of the cost is estimated as 11.32% for 2019/20 financial year, so estimated in the range of £11 - £68 only.

6.4 The total Council Tax income budget for SWTC in 2019/20 is £9.039m. If the Executive approves this Policy amendment it will not have a material effect on the Council's budget.

7 Legal Implications

7.1 Council Tax administration is covered by The Local Government Finance Act 1992. The Council has the ability within the Act to create local discounts and reduce balances to nil where it sees fit.

8 Climate and Sustainability Implications

8.1 No direct carbon/environmental impacts arising from the recommendations.

9 Safeguarding and/or Community Safety Implications

9.1 The recommendation is suggested to promote the protection of vulnerable adults and potential dependents, offering additional support whilst they begin to live independently for this first time.

10 Equality and Diversity Implications

10.1 Impact assessment completed and included in Appendix A.

11 Partnership Implications

11.1 Joint working with Somerset County Council to help identify care leavers, however no funding implications.

12 Health and Wellbeing Implications

12.1 Recommendation supports Somerset people being able to live independently.

13 Data Protection Implications

13.1 All data will be processed in accordance with GDPR guidelines.

14 Consultation Implications

14.1 No public consultation undertaken, however the proposal reflects direct approaches from stakeholders as explained in 4.1 above.

Democratic Path:

- **Scrutiny Committee – No**
- **Executive – 18 December 2019**
- **Full Council – No**

Reporting Frequency: Once only

Contact Officer

Name	Jenny Collins
Direct Dial	01823 219705
Email	j.collins@somersetwestandtaunton.gov.uk

List of Appendices

Appendix A	Equalities Impact Assessment
Appendix B	Letter from Children's Commissioner & Chief Executive of The Children's Society
Appendix C	Income and Arrears Management Policy
Appendix D	Vulnerable Person Protocol

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

Organisation prepared for	Somerset West and Taunton Council		
Version	1	Date Completed	14/11/2019
Description of what is being impact assessed			
Care Leavers Discount for Council Tax			
Evidence			
<p>What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics, Somerset Intelligence Partnership, Somerset's Joint Strategic Needs Analysis (JSNA), Staff and/ or area profiles,, should be detailed here</p>			
<p>The policy will provide a positive impact on Somerset care leavers residing in our area. The policy aims to provide extra financial support to those who may otherwise find budgeting and financial management difficult whilst living independently for the first time. We have created this policy on advice from The Children's Commissioner for England, The Chief Executive of The Children's Society and Somerset County Council, we are also following what other Local Authorities all over the country have already implemented.</p>			
<p>Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?</p>			
<p>We have not carried out a formal consultation process, the policy will impact positively on care leavers and there will be no impact on any other protected groups.</p>			

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> Young care leavers between 18 and 25 – impact will see reduced debt 	☐	☐	☒
Disability	<ul style="list-style-type: none"> No impact – unless also a care leaver 	☐	☒	☐
Gender reassignment	<ul style="list-style-type: none"> No impact – unless also a care leaver 	☐	☒	☐
Marriage and civil partnership	<ul style="list-style-type: none"> No impact – unless one or both care leavers 	☐	☒	☐
Pregnancy and maternity	<ul style="list-style-type: none"> If also a care leaver will see reduced debts and no formal recovery procedures which may cause stress 	☐	☐	☒

Race and ethnicity	<ul style="list-style-type: none"> If also a care leaver will see reduced debts and no formal recovery procedure 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion or belief	<ul style="list-style-type: none"> If also a care leaver will see reduced debts and no formal recovery procedure 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sex	<ul style="list-style-type: none"> If also a care leaver will see reduced debts and no formal recovery procedure 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	<ul style="list-style-type: none"> If also a care leaver will see reduced debts and no formal recovery procedure 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> Policy specific to care leavers 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>

	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				
Completed by:	Jenny Collins			
Date	14/11/2019			
Signed off by:				
Date				
Equality Lead/Manager sign off date:				
To be reviewed by: (officer name)				
Review date:				

Subject: FW: Letter from Anne Longfield OBE and Mark Russell re. Exempting care leavers from council tax

From: Toby North <Toby.North@childrenssociety.org.uk>

Date: 17 September 2019 at 15:53:46 BST

To: "cllr.f.smith-roberts@somersetwestandtaunton.gov.uk" <cllr.f.smith-roberts@somersetwestandtaunton.gov.uk>

Subject: Letter from Anne Longfield OBE and Mark Russell re. Exempting care leavers from council tax

Please see below a letter, sent to you on behalf of Anne Longfield OBE, Children's Commissioner for England; and Mark Russell, Chief Executive of The Children's Society:

September 2019

**Leader of the Council
Councillor Federica Smith-Roberts
Somerset West & Taunton District Council**

Dear Councillor Smith-Roberts,

Re. Somerset West & Taunton District Council exempting care leavers from council tax

We are writing to you jointly regarding one of your most important duties as a Local Authority Leader- your responsibility as a corporate parent to the children in your council's care and the young people who have recently left it. Specifically, we want to highlight one simple way which you can support these young people as they begin their adult lives: by exempting them from paying council tax.

As you will be aware, through the Children and Social Work Act 2017, the Government introduced the requirement for local authorities to publish a 'Care Leaver Offer' which outlines the services for care leavers available within their area. Exempting care leavers from the burden of paying council tax can be an important part of that offer and significantly reduce the stress on young people as they begin to live independently for the first time.

We know that care leavers are a particularly vulnerable group when it comes to council tax debt. Often, when care leavers move into independent accommodation they begin to manage their own budget fully for the first time. The Children's Society's 'Wolf at the Door' report into council tax debt showed that often the pace of escalation of debt by local authorities can be frightening for care leavers: What can start out for many care leavers as falling slightly behind, can very quickly escalate to a court summons and enforcement action being taken.

Many authorities have already implemented some form of exemption to ensure that care leavers don't need to worry about council tax when they first live independently, whilst the Scottish and Welsh Governments have done so across their devolved nations. In England, we are aware of around 100 authorities who have introduced an exemption for care leavers; so if your authority is one of those which has, we would like to thank you for your leadership on this important issue. If not, we would ask you to consider implementing one as a matter of priority.

However, we are writing to all local authorities regarding this important issue because we are aware of young people even in those areas with an exemption in place, who are not seeing the benefits of the policy: in some areas, exemptions are too short term and young people leaving care remain vulnerable to falling into council tax debt. In other areas across

the country, care leavers are not benefiting because they are placed in accommodation out of borough, or because they choose to move for work or study (as all young people should be able to do).

We would therefore like to jointly ask you:

1. Does your authority exempt care leavers from council tax to give them the best possible start to adult life? If not, will you consider it as a matter of priority?
2. If you have an exemption in place, or are currently considering implementing one, will you ensure that the policy you implement is a full exemption up to the age of 25 years?
3. Will you work to ensure that care leavers are exempt from council tax wherever they are placed in accommodation or choose to live? If a care leaver moves out of your area, will you work with their new home authority to ensure they remain exempt, and will you exempt care leavers from other authorities now living in your area?

In making these changes, you would be supporting some of the most vulnerable young people in your area, as well as meeting your obligation to support care leavers as their corporate parent up until the age of 25 years.

Thank you for considering this matter and should you have any questions or require further information about exempting care leavers from council tax, please contact Toby North, Senior Public Affairs Officer at The Children's Society: toby.north@childrenssociety.org.uk or 020 7841 7254. We look forward to receiving your response to the above questions in due course.

Yours Sincerely,



Anne Longfield OBE, Children's Commissioner for England



Mark Russell, Chief Executive, The Children's Society

Visit our website at <http://www.childrenssociety.org.uk>

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Somerset West and Taunton

Shadow Full Council 17 December 2018

Income and Arrears Management Policy

Report Author: Steve Perkins – Senior Debt and Recovery Officer

1 Executive Summary / Purpose of the Report

- 1.1 This report seeks Member support and approval for a new Income & Arrears Management Policy (“The Policy”) for the Somerset West and Taunton Council. This was previously called the Corporate Debt Policy within the existing two Councils.
- 1.2 In 2019/20 the new Council will raise gross annual bills and invoices in excess of £213 million. It will also look to recover previous year’s arrears carried over from the existing councils (potentially more than £10 million). It should be noted the raised figure will increase year on year and rise further as we look to increase and diversify income from our commercial activities. The Policy is key in giving transparency to officers, members and our customers, an overview of our core values, and an insight into our operational activities that covers the administration/collection of all of our five income streams. The Policy, therefore reflects a range of measures that ultimately aims to balance helping our customers, especially the most vulnerable, to pay sums due whilst having an underlying theme to maximise the overall level of income collected. The Council has a duty to maximise income collection to the best of its ability. If it did not, this could result in higher Council Tax or result in front line services having to be cut or reduced.
- 1.3 The Policy is underpinned by an extensive list of overarching principles and the Council will:
 - making sure the correct reductions are awarded and benefit entitlements are claimed
 - identifying customer vulnerability at its earliest stage and acting or responding appropriately
 - signpost to external advice agencies for help
 - take prompt recovery action before debts become unmanageable
 - adopt a clear hierarchy to prioritise collection
 - offer a wide range of payment methods
 - taking a commercial approach when coordinating income collection
 - applying costs, fees or penalties and recovering in accordance with law and policy
 - issue all documentation in plain language and provide free translation and interpreting services

- transferring customer credit balances to reduce any other amount they may owe
- produce accurate and timely management information
- recognise that failure to recover monies due impacts on the Council's ability to provide key services, only in exceptional circumstances will write off amounts owed

2 Recommendations

- 2.1 That the Shadow Full Council approve the new Income/Arrears Management Policy.

3 Risk Assessment

- 3.1 The scoring of the risks identified in the table on the following page has been based on the scoring matrix. Each risk has been assessed and scored both before and after the mitigation measures have been actioned.

Risk Matrix

Description	Likelihood	Impact	Overall
Risk: The lack of an Income Management Policy would expose the Council to the risk that we do not collect income effectively or consistently, thereby resulting in a potential loss of income.	5	5	25
<i>Mitigation: The risk is managed by approving and using a robust but sensitive Income & Arrears Management Policy, that endeavours to collect the maximum income possible as quickly as possible, for the benefit all its residents but with due regard to the customer.</i>	3	3	9
Following the Policy there is reputation risk to the Council, where ultimately we utilise stronger collection processes at a time when our customers are looking for more flexibility, rather than less.	3	3	9
<i>The risk is managed by ensuring that all officers are aware there is an underlying need to help customers struggling with their finances. Where we cannot provide the level of help required staff will provide details of organisations that can help customers with further free advice. Through the annual review process any changes identified on adoption of the Policy or required through Government direction can be easily made.</i>	3	3	9

Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
Impact							

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

4 Background and Full details of the Report

- 4.1 It is good practice for the Council to have an Income and Arrears Management Policy that it allows everyone to understand the Council's approach to managing income collection. This promotes efficiency and consistency in the collection for all sources of income. This is of fundamental importance because the collection/maximisation of income is a vital component in being able to provide the resources needed to deliver our services.
- 4.2 Taunton Deane Borough Council and West Somerset Council existing Corporate Debt Policies are similar. The proposed Policy for the new Council updates these with a refresh and reflecting the new structure and customer ethos.
- 4.3 The Policy and appendices cover the collection/management of all Council income. This includes the billing/invoicing, collection, enforcement, reporting and write offs for its five income streams: Council Tax, Business Rates, Council House Rents, Housing Benefit Overpayments, and other Miscellaneous Income (known as Sundry Income). Examples of Sundry Income issued by invoice include Housing Deposits, Rent of Council owned premises and Licensing Fees.
- 4.4 Where the Council is pursuing multiple arrears then payments will be allocated firstly to arrears where non-payment could lead to loss of the customer's home or have direct implications for an individual's wellbeing. For the avoidance of

doubt this is clearly detailed in the Policy under “Priority of Debts”.

- 4.5 It is accepted a small proportion of the Council’s overall income may not be collectable due to matters outside its control. The Council’s does annually assess levels of bad debt risk to budget for a loss due to uncollectable income. Where an amount is deemed to be irrecoverable it will be subject to a write-off process that is consistent with recognised accounting practices and in line with the Council’s Financial Regulation’s. The Council will always seek to minimise the cost of write-offs by taking all appropriate action to recover what is due.
- 4.6 Prompt recovery action is essential for effective income management and the level and age of income, arrears and non-collection risk will be regularly reviewed. A range of indicators have been developed to monitor performance against agreed targets and to ensure the Policy achieves its objectives. As the new Council develops its performance management arrangements salient targets can be included in the Council’s performance reporting updates. At this stage it is proposed that key indicators will be reported to the leadership team and members, including: the in-year collection targets for Council Tax and Business Rates, the percentage of overall (in year collection) of Housing Benefit Overpayments, the top thirty (by value) of overdue Sundry debt cases and the percentage collected of old cases (end of previous financial year and older). Key indicators for the Housing Revenue Account (HRA) focus on with rent collection, responsive maintenance, housing voids and tenant satisfaction.
- 4.7 The Policy includes common principles for the billing, collection, enforcement and write-off of all income streams. It also acknowledges the diversity of the income streams the Council collects and tailors specific procedures to fit each.

5 Links to Corporate Aims / Priorities

- 5.1 Improved health and wellbeing – working with others to support the wellbeing of all our residents especially our older and most vulnerable residents.
- 5.2 A customer centric, financially sustainable, prosperous Council - the Policy also seeks to define the approach to optimising income collection, as an essential feature of the financial management framework – ensuring all income due is collected to pay for local services, and ensure the Council’s ongoing financial sustainability.

6 Finance / Resource Implications

- 6.1 The billing, invoicing and recovery actions detailed in the Policy are responsible for the annual gross collection in excess of £213 million. These include estimated annual income of Council Tax (£98million), Business Rates (£73million), Council House Rents (£27million), Miscellaneous Income (Sundry Debts £13.5million) and Housing Benefit Overpayments £1.5 million).
- 6.2 Historic arrears from all the income streams also need to be factored, currently forecast to be more than £10 million in March 2019.
- 6.3 It is essential all monies owed to the new Council are actively pursued to drive

down arrears and minimise risk of non-collection. Adhering to this Policy will ensure efficiency, effectiveness and consistency in the billing/invoicing and collection - all essential to ensure the maximisation of cash flow/resources that the new Council needs to deliver front line services. A clear Policy will be beneficial to officers, members and customers of Somerset West and Taunton Council.

7 Legal Implications

- 7.1 There are a variety of different recovery methods depending on the income stream, and these are clearly set out in the appendices. Legal Services provide support to recovery arrangements including support for court action, mainly around the recovery of Sundry Income.

8 Environmental Impact Implications

- 8.1 None.

9 Safeguarding and/or Community Safety Implications

- 9.1 On occasions staff will engage with/visit vulnerable adults/households and they will follow the protocol detailed in the Council's new vulnerable protocol as included in Appendix A.

10 Equality and Diversity Implications

- 10.1 The public sector equality duty, as set out in section 149 of the 2010 Equality Act, requires the Council, when exercising its functions, to have "due regard" to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who have a "protected characteristic" and those who do not share that protected characteristic.
- 10.2 The "protected characteristics" are: age, disability, race (including ethnic or national origins, colour or nationality), religion or belief, sex, sexual orientation, pregnancy and maternity, and gender reassignment. Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.
- 10.3 Equality Impact analysis has been completed and is attached at Appendix B.

11 Social Value Implications

- 11.1 There are no social value implications associated with this report.

12 Partnership Implications

- 12.1 Billing, collection and recovery action is predominantly undertaken by Council staff. Legal services are provided through the SHAPE Legal Partnership, who will apply the Policy in any action undertaken.

13 Health and Wellbeing Implications

- 13.1 Any kind of enforcement process looking to recovery monies due may potentially lead to health and wellbeing implications for some customers, however, with officers following the guidance laid down in this policy and the Vulnerability Protocol (Appendix A) customers will be both helped and protected.

14 Asset Management Implications

- 14.1 Asset Management are looking at bringing in a protocol for improving commercial rent collection and this will conform to the principles detailed in this Policy and will be covered under the Sundry Income section in Appendix E.

15 Data Protection Implications

- 15.1 The Council shares information both internally and with other Local Authorities and Government bodies in strict accordance with the Data Protection Act.

16 Consultation Implications

- 16.1 The Policy does not require public consultation. It draws on information/advice from Officers, other Local Authorities, the Local Government Association, Audit, The Local Government Ombudsman and other Government directives. The Council will make every effort to support customers in managing paying their bills and any arrears and will engage with relevant welfare agencies on an ongoing basis.

17 Future Policy Review and Version Control

- 17.1 It is proposed to review the Income and Arrears Management Policy at least every three years, and for the new Council's Constitution to delegate this responsibility to the Executive. It is further proposed to delegate authority to the S151 Officer, in consultation with the relevant Portfolio Holder, to make minor revisions including changes as a result of organisational management arrangements such as changes to named posts within the Policy.

Democratic Path:

- **Shadow Full Council**

Reporting Frequency: Every Three Years

List of Appendices:

Appendix A	Vulnerability Protocol
Appendix B	Equality Impact Assessment Form
Appendix C	Council Tax & Business Rates Recovery Strategy
Appendix D	Overpaid Housing Benefit Overview
Appendix E	Sundry Debts Overview
Appendix F	HRA Recovery Strategy

Contact Officer

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Vulnerable Person Protocol

This protocol sets out the Council's strategy to proactively help officers identified vulnerable or potentially vulnerable persons. It attempts to follow all legal and policy obligations that are the responsibility of Somerset West & Taunton Council as well as aligning to our new behaviours framework.

Definition

A vulnerable person is a person who, by characteristics and/or circumstances, is unable to act or respond appropriately to the normal collection procedures, or for the same reason is unreasonably affected by them. The Council recognises that vulnerability can come in many forms and it can also be multi layered. Vulnerability can also be temporary, permanent or come in a series of episodes and anyone at any time could potentially be deemed vulnerable. The characteristics or circumstances that **may** lead to identifying a person as vulnerable are as follows:

- Carers
- Cognitive Impairment
- Debt Management Agency involvement and overall debts need to be managed
- Disability
- Financial Impoverishment
- Learning Difficulty (including literacy difficulties)
- Language Difficulty
- Late Term Pregnancy
- Medication
- Mental Health (including personality disorders)
- Physical Health (including fragility due to advanced years)
- Possession Proceedings
- Probation Service Involvement
- Recent Bereavement
- SMI (Severely mentally Impaired)
- Substance Abuse
- Social Services Involvement
- Terminal Illness
- Victim of Abuse/Domestic Violence
- Victim of War
- Care Leavers (young adults leaving care)

- A **care leaver** is defined as a person aged 25 or under, who has been looked after by a local authority for at least 13 weeks since the age of 14; and who was looked after by the local authority at school-leaving age or after that date.

A vulnerable person according to paragraph 77 of the Taking Control of Goods: National Standards 2014, could be classed a vulnerable for the following reasons (not restricted to)

Relevant Legislation

Regulation 10(1) of the Taking Control of Goods Regulations 2013 states:-

- 10. (1) The enforcement agent may not take control of goods of the debtor where:
 - (a) the debtor is a child;
 - (b) a child or vulnerable person (whether more than one or a combination of both) is the only person present in the relevant or specified premises in which the goods are located; or
 - (c) the goods are also premises in which a child or vulnerable person (whether more than one or a combination of both) is the only person present.
- Paragraphs 16 and 30 of the Taking Control of Goods: National Standards 2014 states:
 - 16. Should a debtor be identified as vulnerable, creditors should be prepared to take control of the case, at any time, if necessary;
 - 30. Where enforcement agents have identified vulnerable debtors or situations, they should alert the creditor and ensure they act in accordance with all relevant legislation.
- Paragraph 39 of the Taking Control of Goods: National Standards 2014 states Enforcement agencies must ensure that legislation restricting the enforcement activity to enforcement agents is complied with and the corresponding legislation is The Tribunals, Courts and Enforcement Act 2007, Schedule 12
- Paragraph 42 of the Taking Control of Goods: National Standards 2014 also states that:
- Enforcement agents should be trained to recognise vulnerable debtors, to alert creditors where they have identified such debtors and when to withdraw from such a situation.
- Paragraphs 70 to 78 of the Taking Control of Goods: National Standards 2014 says enforcement agents must withdraw from the property.
- In accordance with paragraph 30 of the Taking Control of Goods: National Standards 2014 and Paragraph 16 says the creditor/council **MUST** be prepared to take control of the case. Where vulnerability is found.

This list of factors is not definitive and all the circumstances must be taken into account. These factors also follow those advised by the Ministry of Justice (MOJ)

Recovery for customers identified as vulnerable

Before instructing our Enforcement Agents each account will be checked by a case manager to establish any known vulnerability. Where this has been established or already known the case will be retained and owned by a 'case manager' or Lead Case Manager if required.

The Enforcement Agent contracted will abide by the Councils Protocol as well as the law around vulnerability. This will also be tested during any **"Tender"** process.

If we identify a customer as vulnerable before instructing our Enforcement Agent, we will not refer their account to them unless we consider their case demonstrates a *"Won't Pay"* attitude in contrast to *"Can't Pay"*.

If we identify a customer as vulnerable after instructing our Enforcement Agent Service, we will recall their account unless we consider their case demonstrates a *"Won't Pay"* attitude in contrast to *"Can't Pay"*.

In all cases where we consider a customer to be vulnerable, we will allocate the matter to a Case Manager who will attempt to agree a Special Arrangement to allow payment of the debt over a longer period. Where possible, all current year debts should be recovered within the financial year. Arrears from previous years may be paid at a lesser amount over an agreed period to allow payment of Council Tax or Business Rates for the current year to take priority and rent arrears where eviction is pending or likely.

All cases coded as vulnerable will be means tested by a Case Manager and/or the organisation assisting the customer using a consistent approach when completing a financial statement. To assist the customer, we can send the form by post or arrange a telephone call or face to face interview with the customer to go through the form. Further communication can be maintained through telephone calls, face to face meetings and by letter. In some exceptional cases, a visit to the customers' home may be required to help with debt management and form completion.

Debt Management Organisations

The supporting organisations (such as Citizens Advice and Step Change) will have in place a robust policy to enable them to identify when a person may be vulnerable. The factors, as set out below, will be used as the basis upon which a decision will be made but all the customers circumstances will have to be taken into account. The customer will need to give their consent before Somerset West & Taunton Council is notified that they have been identified as vulnerable. An Advice Session Supervisor or Manager will check the assessment and confirm that the customer is vulnerable

It is suggested that even if a means test is being carried out and for example the person does not have arrears of Council Tax or is in receipt of 100% Council Tax Support but the person is deemed vulnerable that Somerset West & Taunton Council are made aware of these cases so they may be flagged on their records.

The advice agency will e-mail a standard pro-forma containing all relevant information to Somerset West & Taunton Council to enable our records to be updated. This way should a change take place on the account/s then the vulnerable code will already be in place and this policy will apply.

Regular reviews for each case will be carried out by the advice agency i.e. step Change and Citizens Advice and by Somerset West & Taunton Council to ensure the vulnerable code is still applicable. It is acknowledged that some people may be vulnerable for only a short period whereas there are others who may be vulnerable for much longer periods or indeed indefinitely.

Sharing Identified Vulnerability

Where possible Somerset West & Taunton Council will seek the permission from the vulnerable person/s to enable us to share their information to make sure vulnerability is owned throughout our organisation, also adhering to data protection regulations. A 'case manager' will own each matter of vulnerability. There may be times where the 'Lead' Case Manager will be required to own a vulnerable case/s. Where regulations or policy advice is required a referral will be made to a 'specialist'.

Proactive Monitoring

Cases that are flagged as vulnerable will be owned by Case Managers .who will proactively monitor and keep in contact with person/s over their arrears. Monitoring will cover any monies owed to the Council. This could be but not restricted to, Council Tax, Rents, and Sundry Debts.

Council Tax Support and Housing Benefit

When a person claiming Council Tax Support and/or Housing Benefit is deemed to be vulnerable the person processing the claim can make the Council Tax Account as vulnerable they can will also look at the wider picture to make sure all arrears are managed as a 'case' by one officer known as a 'case manager' . This procedure should be consistently carried out across all the customers' accounts no matter what debt stream or other avenue identifies vulnerability.

Exceptional Financial Hardship (extract taken from full policy)

In accordance with Section 13A 1a of the Local Government Finance Act 1992, the Council has a Council Tax Support (CTS) Scheme, that provides support, through a discount, to those deemed to be in financial need. The CTS Scheme has been designed to take into account the financial and specific circumstances of individuals through the use of applicable amounts, premiums and income disregards.

Applications will be accepted under this part of the policy for people who have qualified for support under the CTS Scheme, but who are still experiencing severe financial hardship. Other customers may also apply, however the Council would normally expect the customer to apply for Council Tax Reduction in any case.

As part of the process for applying for additional support, all applicants must be willing to undertake all of the following:

- (a) Make a separate application for assistance;

- (b) The customer must satisfy the Council they are not able to meet their full Council Tax liability or part of their liability;
- (c) Provide full details of their income and expenditure;
- (d) The customer is able to demonstrate that all reasonable steps have been taken to meet their full Council Tax liability including applications for employment or additional employment, alternative lines of credit, and benefits, Council Tax Support, discounts and exemptions;
- (e) Accept assistance from either the Council or third parties such as the Citizens Advice Bureau (CAB) or similar organisation to enable them to manage their finances more effectively including the termination of non-essential expenditure; renegotiate priority and non-priority debts, provide an income and expenditure statement or Financial Statement and if needed allow the Authority to seek for the claimant by completing a Common Referral Statement
- (f) Assist the Council to minimise liability by ensuring that all discounts, exemptions and reductions are properly granted;
- (g) The customer has no access to assets that could be realised and used to pay the Council Tax;
- (h) Maximise their income through applying for other welfare benefits, cancellation of non-essential contract and outgoings and identifying the most economical tariffs for the supply of utilities and services generally.
- (i) Work with the Council in identifying potential changes in payment methods and arrangements to assist in alleviating their current circumstances.
- The Council will be responsible for assessing applications against this policy and an officer will consider the following factors in applying this policy:
- (a) Current household composition and specific circumstances including disability or caring responsibilities;
- (b) Current financial circumstances
- (c) Determine what action(s) the applicant has taken to alleviate the situation;
- (d) Consider alternative means of support may be available to the applicant by:
- Re-profiling Council Tax debts or other debts;
 - Applying for a Discretionary Housing Payment for Housing Benefit (where applicable);
 - Maximising other benefits
 - Determining whether in the opinion of the decision maker, the spending priorities of the applicant should be re-arranged

Other Circumstances

The Council will consider requests from Council Customers for a reduction in their liability based on other circumstances, not specifically mentioned within this document. However, the Council must be of the opinion that the circumstances relating to the applications warrant further reduction in their liability for Council Tax having regard to the effect on other Council Customers. An example of this could be a person leaving care (see page 1)

No reduction in liability will be granted where any statutory exemption or discount could be granted.

No reduction in liability will be granted where it would conflict with any resolution, core priority or objective of the Council.

Procedure for determining individual one-off applications for reductions

The power to determine individual one-off applications (i.e. all applications other than those to create a specific class of reduction or for a reduction under a specific class) should be delegated to a Lead Case Manager or Lead Specialist. Referrals should be made from Case Managers.

****Referral should be made to the full policy at all times when making a determination.****

Direct Debit

Where arrangements are required then a direct debit should be set up where possible to pay the current year's charge. To help spread the payment this can be done over 12 months or the remaining months left within a year.

Should some cases of severe debt or other reasons where vulnerability has been identified and coded a DD can be set up at any stage under "Special Arrangements". This will hold further recovery action whilst it is being paid. Should, however, the DD fail then the recovery process will start again but the account being monitored by a Case Manager.

Penalties

Before one is placed upon an account increasing the amount owed vulnerability reasons must be considered. Whilst it would not be right to make a generic decision to say every vulnerable case should not have a penalty, in most cases one would not be applied.

Summary

Even though vulnerability has been agreed this should not stop them paying current year and/or arrears. These cases will be debt managed by Case Managers to help guide, those that need it, through the process to clear arrears. Working in partnership with debt councillors and supporting organisations should bring a global and consistent approach to vulnerability.

It is expected that this 'protocol' will evolve along with Somerset West & Taunton Council. Ownership and being supportive of Vulnerable People keeps the 'Customer' at the heart of our organisation.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 8

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 9

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Agenda Item 10

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